

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
(SOUTHERN ZONE BENCH, CHENNAI)
IN
ORIGINAL APPLICATION NO. 43 OF 2017 (SZ)**

**REPORT SUBMITTED ON THE ALLOTMENT OF COVID AND NON COVID
BIOMEDICAL WASTE BY THE PRINCIPAL SECRETARY, HEALTH & FAMILY
WELFARE (M) DEPARTMENT**

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Dated at Chennai on this the 27th day of September 2021.

M/s. E.K.KUMARESAN

Standing Counsel for State Government of Kerala - NGT(SZ) Chennai Bench

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Original Application No. 43 of 2017 (SZ)

IN THE MATTER OF

Suo Motu - The Tribunal on its own motion
on the implementation of the Bio-Medical
Waste Management Rules, 2016 in Kerala

...Applicant(s)

Versus

The State of Kerala and others.

...Respondent(s)

**REPORT SUBMITTED ON THE ALLOTMENT OF COVID AND NON COVID
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It is submitted that in Kerala the Common Biomedical Treatment and Disposal Facility Image owned and operated by IMA, situated at Palakkad has been engaged for treatment and disposal of Biomedical waste including Covid-19 waste generated from all Healthcare institutions in accordance with the stipulations and Guidelines of Bio-Waste Management Rules 2016. KEIL yet another Common Biomedical Treatment and Disposal Facility has become operational on the directive of the Supreme Court Monitoring committee on hazardous waste for treatment and disposal of hazardous waste generated from Healthcare institutions with KSIDC as the nodal agency. As Image was carrying out the Common Biomedical Treatment and Disposal Facility all over the state it was decided to bifurcate some areas to the agency in order to lessen the burden on Image and also as a learning curve to the new agency.

Action Taken By Government

It is submitted that in a meeting by the Joint Secretary, Health it was decided to allot the Biomedical waste generated from government healthcare in three districts of Ernakulam, Malappuram and Pathanamthitta to KEIL and accordingly communication has been issued to all concerned parties in three districts to handover BMW to KEIL at rates previously fixed for Image for the time being. The policy by which the demarcation is being done is that these three districts was in urgent need for more facilities and hence government instructed to KEIL to collect waste from these three districts which as a new company will also benefit from the experience and at the same time not put

Image at a disadvantage as at present the BMW collection and transportation of vehicles of Image are operated daily on a route based method and hence a district wise transportation allocation for them will be difficult. Also the contract with Image has been prepared in terms of unit/bed wise and not in terms of collection transportation services. The current criteria caters to the entire Bio-Medical waste generated in the state and as a more scientific division of working area of Image and KEIL evolves it will cover the entire quantity of Biomedical waste generated in the state. This decision was agreed to by KEIL as well.

It is submitted that the Hon'ble Tribunal in its order dated 24.06.2021 has directed the Government to examine whether more area and hospitals can be connected with the facility of KEIL and has also enquired about the policy by which the current demarcation is made and also if the current allocation criteria caters to the entire Biomedical waste generated in the area.

It is submitted that in compliance with the Hon'ble Tribunal order the Additional Chief Secretary, Environment Department has convened a meeting on 29/06/2021 in which the pollution control Board has been directed to take a stand on further course of action required like allotment of district to service providers, allotment of both Govt. and private sector hospitals, fixing of rates etc. Accordingly a meeting was held by Chairman KSPCB on 19.07.2021 with both Image and KEIL in this issue and has asked Image to submit their proposal to solve the matter in a mutually beneficial way. KEIL authorities have requested the government to grant permission to collect biomedical waste from all healthcare facilities both Government and private within 75 km radial distance from their facility as their average daily collection is only 3.5 MT/day as against a plant capacity of 16 MT/day. As Image has not submitted any proposals PCB has requested to ACS Environment Dept. to permit KEIL to collect BMW from both Government and private healthcare facilities within a radial distance of 74 Km from their plant based on stipulated guidelines.

It is submitted that Considering the above aspects and as per schedule 111 6 [viii] of Rule 6 and 9 [3] of Biomedical Waste Management rules, 2016 orders have been issued by PCB on 13.08.2021 as PCB/HO/EE2/BMW-0/GENERAL in which it is mentioned that as per the CPCB guideline a CBWTF located within the respective State/UT shall be allowed to cater healthcare units situated at a radial distance of 75 km and hence the full districts of Pathanamthitta, Alappuzha and Idukki along with Kottayam and Ernakulam has been allocated to KEIL and KEIL shall collect and process the BMW from both Government and Private healthcare institutions in the concerned districts.

The rest of the Biomedical Waste generated both from the Government and private healthcare institutions of the remaining 9 districts will be collected and processed by Image. This arrangement will come into effect from the first day of September 2021.

Therefore it is most humbly prayed that this Hon'ble Tribunal may be pleased to take the said report submitted on the allotment of COVID and Non COVID biomedical waste by the Principal Secretary, Health & Family Welfare (M) Department on Record and thus render justice.

Dated at Chennai on this the 27th day of September 2021.



(E.K.Kumaresan)

Counsel for R1 to R4

Standing Counsel for

State Government of Kerala

NGT(SZ)

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JOINT COMMITTEE REPORT
FILED BY THE 3RD RESPONDENT
/ THE PRINCIPAL CHIEF
CONSERVATOR OF FORESTS
(HEAD OF FOREST FORCE),
THIRUVANANTHAPURAM

M/s. E.K.KUMARESAN

Standing counsel for Kerala(SZ)

Counsel for R1 to R4