

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI.**

M.A No. 71/2023 of Original Application No. 186/2022

In the matter of

Rajesh Kumar

.....Applicants

Versus

State of Punjab

.....Respondents

Additional status / Action Taken report on behalf of Punjab Pollution Control Board in compliance to order dated 19.03.2024.

Respectfully Showeth,

1. That briefly submitted that Mr. Rajesh Kumar resident of H.No. M3/538, S.D School street, Guru Ram Dass Nagar, Tehsil and District Amritsar has filed O.A. no. 186 of 2022 before the Hon'ble National Green Tribunal complaining that hospitals situated in Pathankot, particulars of which were mentioned in Annexure 'A' to the application are illegally and unscientifically disposing of bio-medical waste into the streets, roads and vacant land in violation of the Bio-medical Waste Management Rules 2016 thereby causing grave risks to human health and environmental degradation.
2. That the Hon'ble National Green Tribunal has constituted a Joint Committee vide order dated 20.04.2022 and consequent upon filing of report by the Joint Committee vide email dated 18.8.2022, the Hon'ble National Green Tribunal was pleased to dispose of the application vide order dated 30.8.2022, thereby directing the Punjab Pollution Control Board to dispose of all applications for renewal pending before it and also take appropriate remedial action for

closure and imposition of environmental compensation against non-compliant operators/defaulters within two months.

The Punjab Pollution Control Board has filed report in compliance to order dated 30.08.2022, but the report was not accepted being materially deficient. The Punjab Pollution Control Board was directed to file status/ action taken report vide order dated 01.09.2023 with regard to compliance with the Bio Medical Waste Management Rules, 2016 in Pathankot by the Bio Medical Waste Treatment Facility Operator and all the health care facilities operation in Pathankot within two months. The Punjab Pollution Control Board has filed status / action taken reports before the Hon'ble National Green Tribunal as directed from time to time.

3. That as per the status / action taken reports by the Punjab Pollution Control Board there is one Common Bio Medical Treatment Facility in Pathankot and 214 number of Health Care Facilities in Pathankot, the status of which according to bed capacity is given below in tabular form:

Status of Health Care Facilities (HCFs) with bedded and non-bedded capacity including laboratories							
Bedded capacity	Above 100	50-100	31-50	11-30	1-10	No bed	Total
Number of HCFs	03	02	06	38	37	128	214

4. That the officers of the Regional Office, Batala of the Board kept on visiting and inspecting the Health Care Facilities and the Common Bio Medical Waste Treatment Facility at Pathankot from time to time and appropriate action is taken against the violators of Bio-medical Waste Management Rules 2016.
5. That as of now, the status of Health Care Facilities and Common Bio-Medical Waste Treatment Facility at Pathankot vis-à-vis action taken against the defaulters for violation of Bio-medical Waste Management Rules 2016 is given herein below:

Compliance Report

- a) All the Health Care Facilities are having valid agreement for the lifting of Bio Medical Waste with the Common Bio-Medical Waste Treatment Facility (CBWTF) at Pathankot.
- b) All the Health Care Facilities of Pathankot have obtained authorization from the Punjab Pollution Control Board under the provisions of Bio-medical Waste Management Rules 2016.
- c) A letter of advisory has been issued to the Common Bio-Medical Waste Treatment Facility namely M/s Bio Medical Waste Treatment Plant (P) Ltd. Village Pangoli, Pathankot vide letter no. 773 dated 13.03.2024 on the basis of the observations and recommendations of the team of officers and a reply dated 14.03.2024 has already been filed in this regard.

Action taken against the violators

- d) The Board has earlier imposed Environmental Compensation against 23 number of Health Care Facilities operating without authorization under the Bio-medical Waste Management Rules 2016 in accordance with the guidelines framed by the Central Pollution Control Board in compliance to the directions issued by the Hon'ble NGT vide order dated 12.03.2019 passed in O.A. No. 710 of 2017 ranging from rules 66,000 upto Rupees 5,28,000/- totaling to Rupees 48,92,400/- has been imposed.

Out of 23 defaulters, 14 number of Health Care Facilities have deposited the Environmental Compensation with the Board and remaining 09 Health Care Facilities have filed an appeal against the order of Environmental Compensation before the Secretary to Government of Punjab, Department of Science, Technology and Environment.

- e) The Board has filed prosecution against 09 number of Health Care Facilities who had failed to obtain the authorization of the Board even after the issuance of notices of violation of Bio-medical Waste Management Rules 2016.

- f) Apart from the above the Board has also imposed Environmental Compensation against 08 number Health Care Facilities who were found indulged in improper segregation of Bio Medical Waste and its storage and were not complying with provisions of the Bio Medical Waste Management Rules, 2016, but otherwise having the authorization of the Board.

All the 08 number of Health Care Facilities have deposited the amount of Environmental Compensation.

6. That it is pertinent to mention here that all the Health Care Facilities (214 in number) of Pathankot and one Common Bio-Medical Waste Treatment Facility at Pathankot are now complying with the Bio-medical Waste Management Rules 2016.
7. That the Punjab Pollution Control Board has taken appropriate action against the Health Care Facilities in accordance with the provisions of Law which are found violating the provisions of the Bio Medical Waste Management Rules, 2016. The Board will keep a watch on the operational status of the Health Care Facilities as well as the common Bio Medical Waste Treatment Facility and will take appropriate action in accordance with law, if any violation of the Bio Medical Waste Management Rules, 2016 is observed.
8. That the additional Status / Action Taken Report in respect of Health Care Facilities and Common Bio-Medical Waste Treatment Facility (CBWTF) at Pathankot is hereby submitted in compliance to order dated 19.03.2024 for kind perusal and consideration of this Hon'ble Tribunal.

Submitted by

Date: 13/6/2024
Place: Batala


(Rajesh Kumar)
Environmental Engineer,
Punjab Pollution Control Board,
Regional Office, Batala.