

BEFFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH

NEW DELHI

I.A. NO. OF 2022

IN

O.A No. 180 OF 2021

IN THE MATTER OF:

MUKUL KUMAR ... PETITIONER

Versus

STATE OF UTTAR PRADESH ... RESPONDENT

WITH

COMPLIANCE REPORT FILED BY THE STATE OF KERALA

P A P E R – B O O K

(FOR INDEX KINDLY SEE INSIDE)

ADVOCATE FOR THE RESPONDENT/STATE OF KERALA:

NISHE RAJEN SHONKER



GOVERNMENT OF KERALA

Abstract

Constitution of State Level Monitoring Committee & District Level Monitoring Committee as per the Hon'ble National Green Tribunal order in OA 180/2021 - Committee constituted - orders issued.

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HEALTH & FAMILY WELFARE (M) DEPARTMENT
G.O.(Rt)No.322/2022/H&FWD Dated, Thiruvananthapuram, 10-02-2022

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Read: 1 Hon'ble National Green Tribunal order in OA No.180/2021 dated 07.01.2022.

ORDER

As per the Hon'ble NGT order read above, Ministry of Environment, Forest & Climate Change (MoEF&CC) has constituted a Central Monitoring Committee (CMC) to review the implementation of BioMedical Waste Management Rules ,2016 headed by the Joint Secretary, Ministry of Health & Family Welfare with representatives of other departments , States and other experts. The Committee meets only once in a year. Hon'ble NGT has directed the above CMC to meet urgently within two weeks to consider the above state of affairs and prepare an effective monitoring strategy to ensure that there are adequate number of facilities, with appropriate infrastructure and their functioning is reviewed on regular basis at District and State level. If any Committee is functioning at State/District level, they may also monitor compliance. For proper monitoring Hon'ble NGT has constituted the following Committees at State and District levels who may work in tandem with Committee already constituted, if any:

I. State Level Monitoring Committee :

1. Secretary, Health - Chairman.
2. Nominee of Secretary, Urban Development /Local Bodies - Member.
3. Nominee of State Disaster Management Authority - Member.
4. Member Secretary , Kerala State Pollution Control Board - Member.
5. Director, Environment - Member.

The Member Secretary , Kerala State Pollution Control Board will act as nodal agency for coordination & compliance.

II. District Level Monitoring Committee :

1. District Magistrate - Chairman
2. CMO - Member
3. Regional Officer, Kerala State Pollution Control Board - Member.
4. Nominee of SSP /DCP - Member

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5. Principal, Government Medical College or other reputed Medical College in the area.
The Regional Officer, Kerala State Pollution Control Board will act as nodal agency for coordination & compliance.

2. In the above circumstances, Government are pleased to constitute the following committees at State level & District level with immediate effect.

I. State Level Monitoring Committee :

1. Secretary, Health - Chairman.
 2. Executive Director, Shuchitwa Mission - Member.
 3. Hazard Analyst, Environment - Member.
 4. Member Secretary, Kerala State Pollution Control Board - Member
 5. Director, Environment - Member.
- The Member Secretary, Kerala State Pollution Control Board will act as nodal agency for coordination & compliance.

II. District Level Monitoring Committee :

1. District Magistrate / Collector - Chairman
2. District Medical Officer - Member Convenor
3. District Officer, Kerala State Pollution Control Board - Member.
4. Nominee of District Police Chief / City Police Commissioner / Senior Superintendent of Police - Member (Member concerned with each district is attached as annexure)
5. Principal, Government Medical College or other reputed Medical College in the area. (In case of districts without Government Medical College DMO shall choose an appropriate member.) The District Officer, Kerala State Pollution Control Board will act as nodal agency for coordination & compliance.

3. These Committees shall comply with their duties and responsibilities as per the order of the Hon'ble National Green Tribunal as prescribed below :

- The State and District Level Monitoring Committees will be free to co-opt any other experts/agency for its assistance.
- The Committees shall meet within two weeks in the first instance and thereafter the State Committee shall once in a month and the District Committee once in a fortnight initially till the situation improves and at longer interval thereafter as may be found necessary.
- The CMC shall hold a meeting through video conferencing with the State level Monitoring Committees within one month to consider the action plans to bridge the gaps in monitoring and compliance.
- For effective monitoring, the Committees shall consider availing services of retired Principals/Heads of the Departments/other experts.

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from Government Medical Colleges or other institutions so as to ensure that a panel is available to assist in effective monitoring including undertaking periodical visit to the CBWTFs, coordinating awareness/training programmes and holding joint meetings at State/District Levels to review the compliance status.

- The Committees shall ensure remedial and coercive measures if there are violations such as number of vehicles employed being inadequate or waste found scattered or thrown in open or deficiencies in collection, transportation, handling and disposal.
- The Committee shall place their respective proceedings on their respective websites.
- State Level Committee shall compile the reports from the District Level Committees and submit the same to the Central Monitoring Committee within the time frame.

(By order of the Governor)
RAJAN NAMDEV KHOBRADE
PRINCIPAL SECRETARY

To:

The Secretary, Local Self Government Department.

The Secretary, Kerala State Revenue & Disaster Management.

The Executive Director, Shuchitwa Mission.

The Hazard Analyst, Environment.

The Member Secretary, Kerala State Pollution Control Board.

The Director, Directorate of Environment.

All District Magistrates.

All District Medical Officers.

All District Officers of Kerala State Pollution Control Board.

All nominees of District Police Chiefs / City Police Commissioners / Senior Superintendents of Police .

All Government Medical College Principals.

Forwarded / By Order

Hari

Section Officer

Copy to :

PA to Principal Secretary, Health & Family Welfare (M) Department.

PA to Additional Chief Secretary, Environment Department.

The Office of Advocate General

SL No.	Designation	Designation	Email ID
1	Thiruvananthapuram	DySP DCR 3	dyspdcirtvmrl.pol@kerala.gov.in
2	Kollam	Additional SP	addlspklmrl.pol@kerala.gov.in
3	Pathanamthitta	DySP Narcotic Cell	dyspnrcctpta.pol@kerala.gov.in
4	Alappuzha	DySP Narcotic Cell	dyspnaralpy.pol@kerala.gov.in
5	Kottayam	DySP Narcotic Cell	dyspnrcpcktm.pol@kerala.gov.in
6	Idukki	DySP Special Branch	spidk.pol@kerala.gov.in
7	Ernakulam	DySP Narcotic Cell	dyspnarekmrl@kerala.gov.in
8	Thrissur	Additional SP	addlsptsrrl.pol@kerala.gov.in
9	Palakkad	DySP C-Branch	dyspedpkd.pol@kerala.gov.in
10	Malappuram	DySP Narcotic Cell	dyspntctmpm.pol@kerala.gov.in
11	Kozhikode	Additional SP	addlspkkdrl.pol@kerala.gov.in
12	Wayanad	DySP Narcotic Cell	dyspnarwynd.pol@kerala.gov.in
13	Kannur	DySP Narcotic Cell	dyspnrcoknrl.pol@kerala.gov.in
14	Kasargod	DySP Narcotic Cell	dyspncellksd@gmail.com