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**FACTUAL AND ACTION TAKEN REPORT**  
**BY COMMITTEE CONSTITUTED BY**  
**HON'BLE NATIONAL GREEN TRIBUNAL**

**IN**

**ORIGINAL APPLICATION NO. 85/2020 (CZ)**

**NAGRIK UPBHOKTA MARGDARSHAK MANCH & ORS**

**VS**

**STATE OF MADHYA PRADESH & ORS**

**Committee Members:-**

1. Secretary, Health and Family Welfare Department, Madhya Pradesh
2. Deputy Secretary, Medical Education Department, Madhya Pradesh
2. Member Secretary, Madhya Pradesh Pollution Control Board

**Date :- 03.11.2020**

**FACTUAL AND ACTION TAKEN REPORT**  
**IN COMPLIANCE OF DIRECTIONS PASSED BY THE**  
**HON'BLE TRIBUNAL VIDE ORDER DATED 01.10.2020**

1. The Hon'ble Tribunal vide its order dated 01.10.2020 was pleased to direct the Principal Secretary/Secretary Health, Madhya Pradesh and Member Secretary, Madhya Pradesh Pollution Control Board to submit a factual and action taken report with regard to the facts narrated in the application throughout the State.
2. The applicant has alleged that handling, treatment and disposal of waste generated during treatment/diagnosis/quarantine of COVID-19 patients are not being done and no scientific disposal of COVID-19 materials, masks, gloves, kits are being done and these items are being thrown here and there. It is pertinent to mention here that, the allegations raised by the applicant are general in nature and do not point out any specific violation.
3. That the committee has carried out thorough investigation into the matter and called for the record from the COVID-19 hospitals and quarantine centers in the entire State.
4. That, the Bio-Medical Waste generated during the treatment of COVID positive patients is required to be handled, managed and disposed off as per the guidelines issued by the Central Pollution Control Board on 18.03.2020. The guidelines were revised on 25.03.2020, 18.04.2020, 10.06.2020 and 21.07.2020. The guidelines and its time to time revisions were widely circulated among the regional officers of the Board, operators of the CBWTFs, district administration and local bodies for strict compliance. The guidelines were also circulated for compliance to the officers of the Health and Family Welfare Department & Urban Administration & Development Department.
5. The Central Pollution Control Board [CPCB] has devised a software application for tracking of generation, collection and disposal of Covid-19 biomedical waste, generated at various healthcare facilities/hospitals,

quarantine centres, isolation wards, testing labs, sample collection centers and urban local bodies involved in performing the duties of waste collection from home quarantine centers/homecare units.

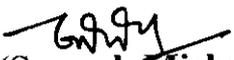
- 6. The information on the daily generation of the COVID-19 infectious waste and its disposal is being regularly feed into the CPCB devised mobile app from 26.05.2020. Since 25.03.2020 till 30.09.2020, **1278 MT** of COVID -19 waste has been collected and disposed through the CBWTFs in the State. The MPPCB has also issued the directions to all concerned Zonal Officers and Regional Officers for taking action in reference to directions of the Hon'ble Chairman, CPCB, during review meeting of High Level Task Committee for Covid 19, by VC on 24.09.2020 under the compliance of the Hon'ble Tribunal in OA 72/2020.
- 7. The number of registered Covid care hospitals and other centers keep varying according to the variation in the requirement. However, as on this date total no. of Covid care hospitals in the State are **304** and the number of other facilities (quarantine centres, isolation wards, centers, labs etc) are **525**. Total quantity of Covid-19 bio-medical waste generated is approximately **10,900 Kg/day** in the entire State. Since the no. COVID positive patients are more in Indore and Bhopal, almost 70% of the COVID waste generated is from these two cities.
- 8. The status report regarding compliance of Guidelines issued by Central Pollution Control Board comprising of the no. of facilities generating COVID-19 Waste, Quantity of COVID-19 waste being generated per day, number of inspections carried out during 01.04.2020 to 30.09.2020, action taken against the violators are provided in the chart enclosed herewith as **Annexure -1**.
- 9. That, MPPCB is doing regular inspections of COVID care centers to verify the status of compliance of CPCB guidelines. The regional offices of MPPCB have carried out around 612 inspections of the health care facilities in the State between 01.04.2020 to 30.09.2020. This is a regular exercise that is being done by the department to ensure the compliance of the CPCB guidelines for COVID waste. In case any shortcomings are noticed during the inspections, immediate rectification measures are ensured and no violation of serious nature has been observed during these inspections.

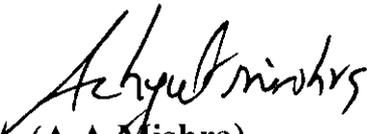
*[Handwritten signature]*

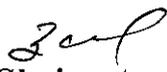
10. In compliance of the CPCB guidelines, the COVID waste is being transported to the Common Bio Medical Waste Facilities [CBWTFs] through dedicated vehicles. The total no. of vehicles used by CBWTFs are 87, out of which 11 GPS enabled vehicles are dedicated for the collection of COVID-19 Waste.
11. That, the Member Secretary, MPPCB had issued letter dated 22.09.2020 to all the Regional Officers for ensuring the effective use of "COVID-19 BMW APP" and Online Continuous Emission Monitoring System. The copy of letter dated 22.09.2020 is enclosed as **Annexure - 2**.
12. That, the Directorate of Health Services had issued directions vide letter dated 18.08.2020 to all government health care facilities for complying with the guidelines issued by CPCB while disposing COVID waste. The copy of letter dated 18.08.2020 is enclosed as **Annexure - 3**. Further, in the wake of COVID-19, Bio-Medical Waste has been declared as emergency services by the Home Department, State of Madhya Pradesh. The copy of order dated 08.04.2020 is enclosed as **Annexure - 4**.
13. That, the Bio-Medical Waste generated during the treatment of COVID positive patients & non positive patients is required to be handled, managed and disposed off as per the latest guidelines issued by the Central Pollution Control Board on 21.07.2020. The guidelines and it's time to time revisions were widely circulated among the regional officers of the Board, operators of the CBWTFs, district administration and local bodies for strict compliance. The guidelines were also circulated for compliance to the officers of the Health and Family Welfare Department & Urban Administration & Development Department. **It has been provided in the guidelines that masks and gloves used by persons other than COVID-19 patients should be kept in paper bag for a minimum of 72 hours prior to disposal of the same as general waste after cutting the same to prevent reuse.** The CPCB also directed shopping malls etc to follow the same procedure to dispose discarded protective personal equipment, PPE kits from general public. It asked to ensure that general solid waste and

biomedical waste generated from quarantine centers and quarantine home is not mixed and they should be collected separately. General solid waste (household waste) generated from quarantine centers or camps should be collected in bags, securely tied and handed-over to municipal solid waste collector identified by Urban Local Bodies for final disposal.

14. The State Government and MPPCB have fully seized of the gravity of the Covid-19 pandemic and have taken the issue very seriously. All efforts are being made to ensure that the waste generated during the treatment of COVID patients is handled, treated and disposed as per the guidelines of the CPCB.
15. It is most humbly prayed that the Hon'ble Tribunal may kindly be pleased to take the factual and action taken report on record. The compliance of the guidelines issued by CPCB for disposal of COVID-19 waste is the statutory duty of all the stakeholders and all efforts are being taken to ensure the same. This is a continuous task and is being taken up by the State officials on top priority.
16. In view of the above submissions and the efforts being taken by the State of Madhya Pradesh for complying the guidelines issued by CPCB for the handling, treatment and disposal of COVID waste. Hon'ble Tribunal may kindly be pleased to dispose off the instant petition with appropriate directions.

  
(Somesh Mishra)  
Deputy Secretary  
Medical Education  
Department

  
(A.A. Mishra)  
Member Secretary  
MPPCB

  
(Alka Shrivastava)  
Secretary  
Health and Family  
Welfare Department

NGT-85/2020						
Table - 2 Status Of Compliance Of Disposal Of COVID-19 Waste						
S. No.	District	No. of facilities generating COVID-19 waste	Quantity of COVID-19 BMW generated (Present average in Kg/Day)	Status of compliance of CPCB COVID-19 guidelines dated 21.07.2020	No of Inspections carried out During 01-04-2020 to 30-09-2020	Action taken against violators
		No. of COVID Care Hospitals	Others			
1	Bhopal	39	7	1351.55	Complied	73 Notice issued-5 Nos HCFs
2	Sehore	1	2	9.89	Complied	18 Notice issued
3	Vidisha	6	2	9.506	Complied	Notice issued
4	Indore	31	101	6000	Complied	43 Notice issued-2 Nos HCFs
5	Khargone	1		180	Complied	5 Notice issued
6	Khandwa	1		200	Complied	Notice issued
7	Burhanpur	1		12	Complied	Notice issued
8	Barwani	1		50	Complied	Notice issued
9	Gwalior	29		279.8	Complied	186 Notice issued
10	Sheopur	1		2.1	Complied	Notice issued
11	Datia	2		3.2	Complied	Notice issued
12	Bhind	1	1	35	Complied	2 Notice issued
13	Morena	4		54	Complied	1 Notice issued
14	Sagar	3		140	Complied	8 Notice issued
15	Damoh	1		20	Complied	1 Notice issued
16	Panna	1		11	Complied	1 Notice issued
17	Chhatarpur	2		31	Complied	3 Notice issued

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18	Tikamgarh	1		53	Complied	1	Notice issued
19	Dewas	2		83.75	Complied	12	Notice issued
20	Shajapur	2		50.91	Complied	8	Notice issued
21	Dhar	1		296.53	Complied	5	Notice issued
22	Jhabua	0	1	5.68	Complied	4	Notice issued
23	Alirajpur	0	3	4.57	Complied	5	Notice issued
24	Pithampur	17	1	43.965	Complied		Notice issued
25	Ujjain	5	2	350	Complied	22	Notice issued
26	Ratlam	4		80	Complied	2	Notice issued
27	Neemuch	2		70	Complied	1	Notice issued
28	Mandsour	4		75	Complied	2	Notice issued
29	Agar Malwa					2	Notice issued
30	Raisen	3		14.22	Partially Complied		Notice issued
31	Hoshangabad	5	2	71.01	Partially Complied		Notice issued
32	Harda	2			Partially Complied		Notice issued
33	Guna	3			Complied		Notice issued
34	Shivpuri	2			Complied	24	Notice issued
35	Ashoknagar	4		250	Complied		Notice issued
36	Rajgarh	4			Complied		Notice issued
37	Chhindwara	14		29.68	Complied	11	Notice issued
38	Betul	14		30.98	Complied	7	Notice issued
39	Katni	10		55.5	Complied	36	Notice issued
40	Jabalpur	26	175	575	Complied	1	Notice issued
41	Narsinghpur	17	48	50	Complied	32	Notice issued
42	Mandla	4	44	45	Complied	2	Notice issued
43	Seoni	4	51	40	Complied	3	Notice issued
44	Balaghat	10	71	50	Complied	4	Notice issued
45	Rewa	5		84	Complied	6	Notice issued
46	Sidhi	3		22	Complied	5	Notice issued
47	Satna	2		27.63	Complied	22	Notice issued

48	Shahdol	2	5	63.5	Complied	54	Notice issued
49	Umaria	1	5	63.5	Complied	54	Notice issued
50	Anuppur	1	1		Complied		Notice issued
51	Dindori	1	3		Complied		Notice issued
52	Singrauli	4			Partially Complied		Inspected
				36.06			



मध्यप्रदेश प्रदूषण नियंत्रण बोर्ड  
पर्यावरण परिसर, ई-5, अरेरा कालोनी, भोपाल-462016

Annex - 2

(9)

0755-2464428, 2466191 फ़ैक्स- 0755-2463742  
E-mail: mppcbbmw@gmail.com

क्रमांक 69 / जीचिअ / मप्रप्रनिबो / 2020  
प्रति,

भोपाल, दिनांक 22/09/2020

क्षेत्रीय अधिकारी,  
क्षेत्रीय कार्यालय,  
मध्यप्रदेश प्रदूषण नियंत्रण बोर्ड,  
भोपाल, इन्दौर, धार, उज्जैन, ग्वालियर, गुना, रीवा, देवास, छिन्दवाडा,  
सतना, सागर, शहडोल, जबलपुर, सिंगरोली, कटनी, पीथमपुर, मण्डीदीप (म.प्र.)

विषय :- केन्द्रीय प्रदूषण नियंत्रण बोर्ड, दिल्ली द्वारा कोविड-19 बायो मेडिकल वेस्ट ट्रेकिंग एप के उपयोग एवं ऑन लाईन कन्टीन्यूस इमीशन मॉनिटरिंग सिस्टम के सुचारू रूप से क्रियान्वयन हेतु पर्यावरण (संरक्षण) अधिनियम 1986 धारा 5 के अंतर्गत प्राप्त निर्देशों के पालन बावत्।

सन्दर्भ:- 1. केन्द्रीय प्रदूषण नियंत्रण बोर्ड, दिल्ली का पत्र क्र. 4875, दिनांक 11.08.2020  
2. माननीय सुप्रीम कोर्ट द्वारा प्रकरण क्रमांक 13029/1985 के अन्तर्गत पारित आदेश दिनांक 30.07.2020  
3. माननीय एन.जी.टी. द्वारा प्रकरण क्रमांक 72/2020 के अन्तर्गत पारित आदेश दिनांक 24.04.2020

उपरोक्त विषयान्तर्गत संदर्भित पत्र क्रमांक 2 एवं 3 के पालनार्थ केन्द्रीय प्रदूषण नियंत्रण बोर्ड, दिल्ली के संदर्भित पत्र क्रं. 1 (छायाप्रति संलग्न) के द्वारा कोविड-19 महामारी के दौरान जनित बायो मेडिकल वेस्ट के समुचित प्रबंधन एवं वैज्ञानिक तरीके से प्रभावी क्रियान्वयन हेतु पर्यावरण (संरक्षण) अधिनियम 1986 धारा 5 के अंतर्गत निम्नलिखित निर्देश प्राप्त हुए हैं कि :-

- (i) Ensure that all municipal corporations use the 'COVID19BWM' APP;
- (ii) Ensure that all CBWTFs have online continuous emission monitoring systems (OCEMS) installed in the plants and that the data is transmitted to both the state board website and CPCB.
- (iii) Take appropriate follow-up action on data from real-time OCEMS data being shared with SPCBs/PCCs through CPCB's RTDMS;
- (iv) Make the real-time OCEMS data available publicly on website, particularly for temperature so that working of the common facilities are known.
- (v) Direct municipal corporations to ensure that they educate households about segregation and also send the bio-medical waste for treatment to common facilities only.
- (vi) Ensure that all CBWTFs use 'COVID19BWM' tracking App and feed daily data pertaining to collection and disposal of biomedical waste;
- (vii) Submit action taken report within 15 days.



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**मध्यप्रदेश प्रदूषण नियंत्रण बोर्ड**  
पर्यावरण परिसर, ई-5, अरेरा कालोनी, भोपाल-462016

0755-2464428, 2468191 फ़ैक्स- 0755-2463742  
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कृपया उपरोक्त परिपेक्ष्य में सुनिश्चित किया जाना आवश्यक है कि उपरोक्त एप के तहत वॉछनीय जानकारी दिन प्रतिदिन सभी सीबीडब्ल्यूटीएफ संचालकों द्वारा अपडेट की जाती रहे तथा ऑन लाईन कन्टीन्यूस इमीशन मॉनिटरिंग सिस्टम का रियल टाइम डाटा निरंतर डिस्प्ले होता रहे, जिससे कि सन्दर्भित एन.जी.टी प्रकरणों के पालनार्थ नियमानुसार ऐक्शन टेकन रिपोर्ट केन्द्रीय प्रदूषण नियंत्रण बोर्ड, दिल्ली को निर्धारित समय-सीमा में प्रेषित की जा सकें।

(ए.ए.मिश्रा)  
& सदस्य सचिव

dc

संचालनालय स्वास्थ्य सेवाएँ  
मध्य प्रदेश

Annexure - 3

भोपाल, दिनांक 18/08/2020

11

क्रमांक/अस्प.प्रशा./सेल-5/2020/301  
प्रति,

- 1.समस्त मुख्य चिकित्सा एवं स्वास्थ्य अधिकारी,
- 2.समस्त सिविल सर्जन सह मुख्य अस्पताल अधीक्षक,
- 3.अधीक्षक सिविल अस्पताल (बैरागढ़,इटारसी,रानी दुर्गावती तथा के.एन.के.काटजू), मध्यप्रदेश।

विषय:-कोविड-19 बायोमेडिकल वेस्ट के प्रबंधन संबंधित दिशा-निर्देश।

संदर्भ:- 1.कोविड-19 बायोमेडिकल वेस्ट मार्गदर्शिका 2020  
2.राष्ट्रीय स्वास्थ्य मिशन का पत्र क्र. 7557, दिनांक 12.08.2020

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उपरोक्त विषयान्तर्गत चिकित्सालयों से निकलने वाले बायोमेडिकल वेस्ट के प्रबंधन हेतु बायोमेडिकल वेस्ट नियम 2016 (यथा संशोधित) के प्रावधान अनुसार कार्यवाही की जानी है। इस संबंध में आपको समय-समय पर दिशा-निर्देश संदर्भित पत्रों के माध्यम से जारी किये गये हैं, पुनः निर्देशित किया जाता है कि कोविड-19 संदिग्ध/पुष्ट रोगी की जांच एवं उपचार के दौरान निकलने वाले बायोमेडिकल वेस्ट के प्रबंधन हेतु केंद्रीय प्रदूषण नियंत्रण बोर्ड की गाईडलाइन्स अनुसार किया जाना सुनिश्चित करें। सुलभ संदर्भ हेतु दिशा-निर्देशों के मुख्य बिन्दु पत्र के साथ संलग्न है। कोविड-19 बायोमेडिकल वेस्ट का पृथकीकरण भी संलग्न तालिका अनुसार किये जाने की व्यवस्था सुनिश्चित करें। कोविड-19 संदिग्ध/पुष्ट रोगी द्वारा उपयोग में ली गई डिस्पोजेबल्स (पानी की बॉटल, थाली, बचा हुआ खाना इत्यादि) बायोमेडिकल वेस्ट की श्रेणी में नहीं आता है अतः डिस्पोजेबल्स को सामान्य कचरे (जनरल सालिड वेस्ट) के समान स्थानिय निकाय के माध्यम से निष्पादित किया जाना सुनिश्चित करें।

इसके अतिरिक्त अपने अधिनस्थ चिकित्सालयों में समस्त बायोमेडिकल वेस्ट का पृथकीकरण कलर कोडेड पॉली बेग/ डस्ट बिन में बायोमेडिकल वेस्ट नियम 2016 (यथा संशोधित) के प्रावधान अनुसार किया जाना सुनिश्चित करें। सुलभ संदर्भ हेतु पृथकीकरण गाईडलाइन्स पत्र के साथ संलग्न है।

संलग्न:- उपरोक्तानुसार।

*Ushu*

(डॉ. उपेन्द्र दुबे)

संयुक्त संचालक,(अ.प्र)  
संचालनालय स्वास्थ्य सेवाएँ,  
मध्यप्रदेश  
भोपाल,दिनांक 18/08/2020

पुक्रमांक/अस्प.प्रशा./सेल-5/2020/302  
प्रतिलिपि :-सूचनार्थ

1. अपर मुख्य सचिव, मध्यप्रदेश शासन लोक स्वास्थ्य एवं परिवार कल्याण विभाग।
2. प्रमुख सचिव, मध्यप्रदेश शासन लोक स्वास्थ्य एवं परिवार कल्याण विभाग।
3. आद्युक्त स्वास्थ्य, संचालनलाय स्वास्थ्य सेवाएँ म.प्र भोपाल।
4. समस्त क्षेत्रीय, संयुक्त संचालक मध्यप्रदेश।

*Ushu*

संयुक्त संचालक,(अ.प्र)  
संचालनालय स्वास्थ्य सेवाएँ,  
मध्यप्रदेश

वल्लभ-भवन, भोपाल।

आदेश

भोपाल, दिनांक 08/04/2020

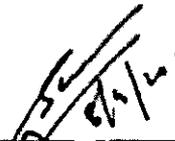
क्रमांक 57/2020/दो/सी-1: यतः राज्य सरकार को यह समाधान हो गया है कि लोक हित में यह आवश्यक तथा समीचीन है कि नीचे यथा विनिर्दिष्ट की गई अत्यावश्यक सेवाओं में कार्य करने से इंकार किये जाने का प्रतिषेध किया जाये,

अतएव, मध्यप्रदेश अत्यावश्यक सेवा संधारण तथा विच्छिन्नता निवारण अधिनियम, 1979 की धारा 4 की उप-धारा(1) द्वारा प्रदत्त शक्तियों को प्रयोग में लाते हुए, राज्य सरकार एतद्वारा इस आदेश के जारी किये जाने की दिनांक से निम्नलिखित अत्यावश्यक सेवाओं में कार्य करने से इंकार किये जाने का प्रतिषेध करती है, अर्थात्-

समस्त शासकीय एवं निजी स्वास्थ्य एवं चिकित्सकीय संस्थानों में/हेतु-

1. समस्त स्वास्थ्य सुविधायें।
2. डॉक्टर, नर्स और स्वास्थ्य कर्मी।
3. स्वास्थ्य संस्थानों में स्वच्छता कार्यकर्ता।
4. मेडिकल उपकरणों की बिक्री, संधारण एवं परिवहन।
5. दवाइयों एवं ड्रग्स की बिक्री, परिवहन एवं विनिर्माण।
6. एम्बुलेंस सेवाएं।
7. पानी एवं बिजली की आपूर्ति।
8. सुरक्षा संबंधी सेवायें।
9. खाद्य एवं पेयजल प्रावधान एवं प्रबंधन।
10. बायो मेडिकल वेस्ट प्रबंधन।

मध्यप्रदेश के राज्यपाल के नाम से  
तथा आदेशानुसार

  
(मो. शाहिद अबसार)

सचिव

मध्यप्रदेश शासन, गृह विभाग।