BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
(SOUTHERN ZONE BENCH, CHENNAI)
Original Application No. 100 of 2021

BETWEEN

Tribunal on its own motion Suo Motu based on the
News item published in The Hindu Newspaper,
Chennai Edition Dt.09.04.2021,
"Dumping of garbage Foiled near Anamalai, trucks seized" ...Applicant

AND

The Chief Secretary to Govt. of Tamil Nadu,
Govt. Secretariat, Fort St. George
Chennai, Tamil Nadu – 600 009 and 14 Others ...Respondents

INTERIM REPORT BY THE GOVERNMENT OF KERALA ON BEHALF OF RESPONDENTS R2, R4, R6, R8 AND R10

The 2nd respondent respectfully submits the Report and on behalf of R2, R4, R6, R8 and R10 as follows:

1. The 2nd respondent submits that as per the order dated 16.4.2021 in O.A.100/2021 of this Hon'ble Tribunal directed the official respondents to file their independent report regarding the nature of steps taken by them for implementation of Solid Waste Management Rule 2016 and Biomedical Waste Management Rule 2016 in the bordering districts. Accordingly the detailed status regarding the Thrissur and Palakkad Districts are submitted as follows:

I. Thrissur District:

a. The 2nd respondent submits that six hospitals in the district have captive facility for the treatment and disposal of biomedical waste and the rest is managed by IMAGE (IMA Goes Eco-friendly) initiative of IMA Kerala State Branch, in the Common Biomedical Waste Treatment and Disposal Facility (CBMWTF) established at Kanjikode, Palakkad. The biomedical waste segregated at source is collected, transported, and scientifically treated by IMAGE as per the Rules and Regulations stipulated by the Biomedical Waste Management Rules 2016 (amended in 2018).

b. The 2nd respondent submits that the segregation of BMW in these instructions is carried out as per the colour code prescribed in the rules. It is verified that every nurses station of the wards and other major waste generation areas such as casualty, operation theatres, laboratory etc., have dedicated colour coded containers for the segregation and an enclosed final collection point where it can be kept securely. Whenever defects were noticed, actions were taken immediately to rectify the same. All the segregated bags

taken by the CBWTDF are provided with the QR code which used for the tracing while in transit b both the occupiers and authorities of CBWTDF. In the case of hospitals having captive facilities the biomedical waste are disposed of via incinerators. It is submitted that the needles after autoclaving are disposed in concrete pits and non biodegradable wastes are autoclaved, shredded and sent to recyclers and it is also verified that these hospitals have system for the management and disposal of general solid waste.

c. It is humbly submitted that with respect to the solid waste management in the District, the seven municipalities and Thrissur Corporation are implementing Solid Waste Management Rules, 2016. The non-biodegradable wastes are collected by the local bodies through organized groups called Haritha Karmasena and are segregated in their own Resource recovery facility/Material collection Facility and disposed to authorized recyclers and for road tarring. The segregated biodegradable Waste are mostly treated at Source itself or collected by those having facility. The District Level Technical Committee with District Collector as Chairman, constituted to review the progress achieved in the implementation of these rules, is reviewing the progress regularly and is also taking steps for solid waste management in the panchayaths through agencies like Suchitwa Mission and Clean Kerala Company.

II. Palakkad District:

a. The 2nd respondent submits that there are 838 health care facilities (HCFs) in Palakkad District. All have valid Authorisation of the Kerala State Pollution Control Board including 19 AYUSH HCFs. All the other 819 (HCFs are treating the BMW generated as per Rules. 3 units are having captive BMW treatment and disposal facility. All the remaining 816 are affiliated to IMAGE, the CBWTDF. It is ensured by periodic inspections in bedded HCFs that the BMW is segregated at source as per the rules. It is ensured through the annual reports submitted by the HCFs as well as the annual report filed by the IMAGE that all the BMW generated has been transferred to the CBWTDF. As and when any complaint is received from the CBWTDF of failure of HCFs to transfer their waste to them, strict directions are given and compliance to the Authorisation is ensured.

b. It is further submitted by the 2nd respondent that in all the 7 municipalities, started door to door collection of solid waste and the collected dry waste is collected in material Collection Facilities in the local bodies themselves. Recyclable waste from the MCFFs are sold to authorized recyclers or collected by Clean Kerala Company, the agency under the State Government entrusted with the responsibility. The non-recyclable solid waste are handled

by the Clean Kerala Company and transferred for final disposal for road tarring and cement industries. A very few local bodies have been found to be facing some difficulties in implementation of the system. Such local bodies are being directed and facilitated by the District Level Monitoring Committee (DLMC). It is submitted that there are 17 Authorised recyclers of plastic waste, registered as per Plastic Waste Management Rules, 2016, which are also periodically monitored to ensure compliance with conditions of Consent and Registration.

c. It is submitted by the 2nd respondent that there has been no incident of illegal dumping of solid Waste in large scale in the district or any report illegal transport of solid waste outside the district in the recent and all the HCFs are found to be segregating, storing and handing over their waste to CBWTDF, in all the recent inspections.

2. Therefore it is most humbly prayed that this Hon'ble Tribunal may be pleased to take the said compliance report filed by the Government of Kerala on behalf of respondents R2, R4, R6, R8 and R10 and pass suitable order and thus render justice

Dated at Chennai on this the 25th day of June, 2021.

(E.K.Kumaresan)
Counsel for R2, R4, R6, R8, R10
Standing Counsel for
State Government of Kerala
NGT(SZ) Chennai Bench

GOVERNMENT OF KERALA

Environment B Department

No-Envt-B2/27/2021 24/06/2021,Thiruvananthapuram

From

Additional Chief Secretary to Government

To

The Registrar
National Green Tribunal
Southern Zone ,Chennai,Kalas Mahal

Kamarajar Salai, PWD Estate, Chepauk,

Triplicane, Chennai, Tamil Nadu 600005

Sir,

Sub: Environment Department-Compliance report of the order of Hon'ble NGT dated 16/04/2021 in OA 100/2021 -reg

Ref: The order of Hon'ble NGT in O.A 100/2021 dated 16/04/2021

I am to invite your attention to the reference cited and to forward herewith the compliance report in the order dated 16/04/2021 of the Hon'ble NGT in OA 100/2021 for further action.

Yours Faithfully,
Sharmila C
Joint Secretary

For Additional Chief Secretary to Government.

Approved for Issue,

Section Officer.

(1)

File No.ENVT-B2/27/2021-ENVT

REPORT FILED BY GOVERNMENT OF KERALA ON BEHALF OF THE RESPONDENTS R2, R4, R6, R8 and R10 in the O.A No. 100 of 2021 OF THE HON'BLE NATIONAL GREEN TRIBUNAL SOUTHERN BENCH , CHENNAI

As per the order dated 16/04/2021 in O.A No. 100/2021 the Hon'ble National Green Tribunal has directed the official respondents to file their independent report regarding the nature of steps taken by them for implementation of Solid Waste Management Rule 2016 and Biomedical Waste Management Rule 2016 in the bordering districts. In this matter the details regarding the respective districts viz Thrissur and Palakkad are submitted as follows.

Thrissur District

Six hospitals in the district have captive facility for the treatment and disposal of biomedical waste and the rest is managed by IMAGE (IMA Goes Eco-friendly) initiative of IMA Kerala State Branch, in the Common Biomedical Waste Treatment and Disposal Facility (CBMWTF) established at Kanjikode, Palakkad. The biomedical waste segregated at source is collected, transported, and scientifically treated by IMAGE as per the Rules and Regulations stipulated by the

Solid Waste Management Rules, 2016. The non biodegradable wastes are collected by the local bodies through organised groups called Haritha Karmasena and are segregated in their own Resource recovery facility/Material Collection Facility and disposed to authorized recyclers and for road tarring. The segregated biodegradable waste are mostly treated at source itself or collected by those having facility. The District Level Technical Committee with District Collector as Chairman, constituted to review the progress achieved in the implementation of these rules, is reviewing the progress regularly and is also taking steps for solid waste management in the panchayaths through agencies like Suchitwa Mission and Clean Kerala Company.

Palakkad District

There are 838 health care facilities (HCFs) in Palakkad district. All have valid Authorisation of the Kerala State Pollution Control Board including 19 AYUSH HCFs. All the other 819 HCFs are treating the BMW generated as per Rules. 3 units are having captive BMW treatment and disposal facility. All the remaining 816 are affiliated to IMAGE, the CBWTDF. It is ensured by periodic inspections in bedded HCFs that the BMW is segregated at source as per the Rules. It is ensured through the annual reports submitted by the HCFs as well as the annual report filed by the IMAGE that all the BMW generated has been transferred to the CBWTDF. As and when any complaint is

Biomedical Waste Management Rules 2016 (Amended in 2018).

The segregation of BMW in these institutions is carried out as per the colour code prescribed in the rules. It is verified that every nurses station of the wards and other major waste generation areas such as casualty, operation theatres, laboratory etc., have dedicated colour coded containers for the segregation and an enclosed final collection point where it can be kept securely. Whenever defects were noticed, actions were taken immediately to rectify the same. Serious violations have not come to the notice so far. So there are no chances of mixing of bio-medical waste with general solid waste in health care facilities. All the segregated bags taken by the CBWTDF are provided with the QR code which is used for the tracing while in transit by both the occupiers and authorities of CBWTDF. In addition to this the vehicles of CBWTDF are provided with GPS. In the case of hospitals having captive facilities the biomedical waste are disposed of via incinerators conforming to the standards specified in the rules. Needles after autoclaving are disposed in concrete pits and non biodegradable wastes are autoclaved, shredded and sent to recyclers. It is also verified that these hospitals have system for the management and disposal of general solid waste.

With respect to the solid waste management in the District, the seven municipalities and Thrissur Corporation are implementing

received from the CBWTDF of failure of HCFs to transfer their waste to them, strict directions are given and compliance to the Authorisation is ensured.

It is submitted that in all the 7 municipalities, door to door collection of solid waste has started. The collected dry waste is collected in Material Collection Facilities (MCF) in the local bodies themselves. Recyclable waste from the MCFs are sold to authorised recyclers or collected by Clean Kerala Company, the agency under the State Government entrusted with the responsibility. The non-recyclable solid waste from MCFs are also handled by Clean Kerala Company and transferred for final disposal for road tarring and cement industries, as per Rules. Almost all of the 88 panchayaths in the district follow the same system as in the Municipalities. A very few local bodies have been found to be facing some difficulties in implementation of the system. Such local bodies are being directed and facilitated by the District Level Monitoring Committee (DLMC), formed as per orders of the Hon'ble NGT under the chairmanship of the District Collector, to achieve compliance and progress is being made. There are 17 Authorised recyclers of plastic waste, registered as per Plastic Waste Management Rules, 2016, which are also periodically monitored to ensure compliance with conditions of Consent and Registration.

It is submitted that there has been no incident of illegal dumping of solid waste in large scale in the district or any report of illegal transport of solid waste outside the district in recent past. All the HCFs are found to be segregating, storing and handing over their waste to CBWTDF, in all the recent inspections.

BEFORE THE NATIONAL GREEN TRIBUNAL (SOUTHERN ZONE) CHENNAI

O.A.No. 100 OF 2021

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Tribunal on its own motion Suo Motu based on the News item published in The Hindu Newspaper, Chennai Edition Dt.09.04.2021, "Dumping of garbage Foiled near Anamalai, trucks seized"

...Applicant

AND

The Chief Secretary to Govt. of Tamil Nadu, Govt. Secretariat, Fort St. George Chennai, Tamil Nadu – 600 009 and 14 Others

...Respondents

COMPLIANCE REPORT
Government of Kerala on behalf of respondents R2, R4, R6, R8 and R10

M/s. E.K.KUMARESAN

Standing counsel for Kerala (SZ)
Counsel for R2, R4, R6, R8 and R10