

JOINT COMMITTEE REPORT OF THE HON'BLE TRIBUNAL ORDER
DATED 22.02.2023 In the matter of Original Application No. 33/2023
Rahul Solanki Versus State of Rajasthan

The joint committee comprising State PCB and District Magistrate, Udaipur constituted vide order of NGT dated 22.02.2023, in order to verify the contents of the complaint, inspected the unit on 18.03.2023.

Earlier NGT cases in this regard:

Also it is being noted that the issue in this original application no. 33/2023 was already dealt by the Central Zonal Bench of this Hon'ble Tribunal in OA No. 74/2021 Kailash Kumar Chagnani Vs State of Rajasthan & Others. The Hon'ble Tribunal by order dated 27.09.2021 constituted a joint committee comprising of Representative of CPCB, RSPCB and Chief Medical Officer, Udaipur, Rajasthan. It is submitted that the Hon'ble Tribunal after considering the joint committee report, disposed the original application no. 74/2021 by order dated 11.05.2022, the observations made by the Hon'ble Tribunal are as follows:-

“33. In view of the above facts, the allegations as leveled by the applicant are not tenable and baseless. However, for proper disposal of Bio Medical Waste, we direct as follows:

(i) The respondents are directed to follow the guidelines issued by the Central Pollution Control Board which was communicated vide order dated 21.07.2020 and strict action should be initiated for noncompliance of the guidelines with reference to disposal of materials collected, used and thrown in COVID-19.

(ii) The Rajasthan State Pollution Control Board is directed to have a strict vigil to ensure the compliance of the Bio-Medical Waste Rules and in case it is found that there is a violation of the rules, strict action should be initiated including calculation of environmental compensation and its recovery according to law.”

And also the same issue was dealt by the Principal Bench of this Hon'ble Tribunal in the OA no. 695/2022 Rahul Solanki Vs State of Rajasthan. The Hon'ble Tribunal by order dated 09.11.2022 sought a factual

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report in OA No. 695/2022, accordingly report dated 27.01.2023 has been filed and it is submitted that the Hon'ble Tribunal after considering the joint committee report, disposed the original application no. 695/2022 by order dated 06.03.2023, the observations made by the Hon'ble Tribunal are as follows:-

“3. Accordingly, report dated 27.01.2023 has been filed inter-alia stating that no specific non compliance was found. It is further stated that the same issue has been earlier dealt with by Central Zonal Bench of this Tribunal in O.A. No. 74/2021, Kailash Kumar Chagnani Vs State of Rajasthan & Others vide order dated 11.05.2022.”

Observations during the course of inspection in reference to compliance of CTO conditions:-

The unit was commissioned in the year 2005 i.e. prior to the EIA Notification dated 14.09.2006 and hence no EC was required. However, CTE was granted by the RSPCB on dated 24.03.2005.

A. At the time of visit CBWTF was operational at full capacity. As per consent, the unit is having 50 kg/hr capacity incinerator, 50 kg/cycle autoclave and shredders of 50 kg/Hr. As per annual report submitted by the CBWTF, total health care facility (HCF) being covered is 1248 HCFs (09 districts) and on average basis, 1289 kg waste collected per day in which 800 to 900 kg waste is incinerable category (yellow) and remaining is recyclable (red) and sharp waste and this much quantity will take 16-18 Hr for incineration. The BMW present at the site were Yellow: 246 Kg, Red: 9 Kg, White: 2 Kg and Blue: 78 Kg.

Yellow category includes: Human Anatomical Waste, Animal Anatomical Waste, items contaminated with blood, body fluids like dressings, plaster casts, cotton swabs and bags containing residual or discarded blood and blood components, discarded linen, mattresses, beddings contaminated with blood or body fluid, blood bags, laboratory cultures, stocks or specimens of micro organisms, or attenuated vaccines, human and animal cell cultures used in

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research etc.

Red category includes: Wastes generated from disposable items such as tubing, bottles, intravenous tubes and sets, urine bags, syringes, gloves and other plastic wastes.

White category includes: Needles, syringes with fixed needles, needles from needle tip cutter or burner, scalpels, blades, or any other contaminated sharp object that may cause puncture and cuts. This includes used, discarded and contaminated metal sharps

Blue category includes: Metallic Body Implants and broken or discarded and contaminated glass including medicine vials and ampoules except those contaminated with cytotoxic wastes.

- B. The recyclable waste is autoclaved followed by shredder. The unit has also provided concrete make sharp pit for disposable of metal sharp and needles.
- C. The waste is collected from the member HCFs by the 10 dedicated GPS enabled registered vehicles and every day the collection starts in the morning and completed in the evening. The collected waste is treated/incinerated same day.
- D. The incinerator is found equipped with Air Pollution Control Device (APCD) which comprises ventury scrubber, demister attached with 30 meter stack. The water is used as the medium in ventury scrubber to suppress the dust emission from laden flue gas. The dust emission trapped in the water is collected as sludge in the settling tank.
- E. For the treatment of waste water generated from floor washing, vehicle washing and scrubber, the unit has provided 5 KL capacity ETP which comprised of Oil and Grease trap, Chemical dosing tank, coagulation Chamber, Primary Settling Tank, secondary settling Tank, Pressure Sand Filter & Activated Carbon Filter and Disinfection Tank. Treated water is stored in over head tank and further used in horticulture and gardening purpose.
- F. The unit has provided DG sets for emergency operation of plant and machinery in case of power supply failure.

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- G. The temperature of primary chamber and secondary chamber was observed 851°C and 1053°C respectively.
- H. Disposal of BMW was as per norms.
- I. Online Continuous Monitoring system was found operational and according to OCEMS combustion efficiency of incinerator was found 99% and PM value – 45 mg/m³ for the emission of stack. Both the parameters were found within prescribed limits as stipulated in consent to operate issued by RSPCB.
- J. Effluent treatment plant was found operational and no discharge of treated/ untreated waste water outside the premises.
- K. For the control of air pollution unit has installed scrubber and stack height (30 m) found as per rule.
- L. Incineration ash and ETP sludge (after drying and then incinerated in the incinerator) is being to Rajasthan Waste Management Project (CSTWDF - RAMKY) for disposal of hazardous waste.

That the State Board has granted consent to operate to M/s En Vision Enviro Engineers (P) Ltd. Umarda Tehsil-Girwa, District- Udaipur vide letter dated 15.05.2018 having validity up to 31.03.2023 for Bio Medical Waste Treatment and Disposal- 2,000.0 Kg/ Day, Incineration- 400.0 Kg/Day, Incineration Ash- 30.0 Kg/Day & Authorization on 15.05.2018 for operation of the CBWTDF with validity up to 31.03.2023.

Verification of Complaint: As per the allegations of the complainant, the bio-medical waste is being burnt in open and also being dumped at different places in most illegal manner. However, during the inspection, no open burning of waste was found (Photographs enclosed) and the bio-medical waste received was stored in segregated areas of yellow, red etc. waste and not found to be littered or illegally disposed haphazardly.

During the course of inspection, Monitoring of stack attached with incinerator and Ambient Air Quality was conducted. No specific non-compliance was observed and also results in analysis report of Air samples were found within prescribed and permissible limits. The photo copy of the analysis reports are annexed herewith and marked as **Annexure-R/1**.

So far as the black smoke from chimney is concerned, it is quite possible that during firing of the unit for a few minutes the black smoke may be

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visible and the complainant took pictures at the same time. However, the monitoring of stack is not conducted for one or two minutes only but 1000 litre of flue gas is required to be passed through thimble and as per calculation, the stack monitoring was conducted around 35 minutes to have isokinetic conditions and even if during that time, black smoke comes for 1-2 minutes, it is averaged and the standard are maintained.

The unit has also installed OCEMS and results are regularly depicted on the RSPCB Server and checked regularly. So far as the online continuous emission monitoring data which is available on web server is concerned, it was examined and it was found that in the past three months there are no exceedances from the standards of stack emissions. Also the temperature of primary chamber and secondary chamber was observed 851°C and 1053°C respectively which is as per the requirement i.e. 900°C ± 50°C and 1100°C ± 50°C respectively and hence the bio-medical waste is not burnt at ordinary temperature but at the required temperature. Hence, the complaint is not substantiated.

The transportation of BMW from the generator health care facilities to the disposal facility (CBWTDF) is carried by 10 GPS enabled registered vehicles to ensure that BMW is not haphazardly disposed and record of the same kept at HCFs and CBWTDF for cross verification and was matched during visit.

Looking to the above, it was found that the complaint is not sustainable and strict vigil on the unit shall be kept in future too.

(Sharad Saksena)
Regional Officer, RSPCB, Udaipur

(Tara Chand Meena)
District Collector, Udaipur

Photograph during the visit



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