

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 695/2022

In the matter of

Rahul Solanki

Applicant

Versus

State of Rajasthan

Respondents(s)

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क्षेत्रीय अधिकारी
राजस्थान राज्य प्रदूषण नियंत्रण मण्डल
उदयपुर (राज.)



(Nishant Awana)

COUNSEL FOR

RAJASTHAN STATE POLLUTION CONTROL BOARD

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 695/2022

In the matter of

Rahul Solanki

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Versus

State of Rajasthan

Respondents(s)

**COMPLIANCE REPORT OF THE HON'BLE TRIBUNAL ORDER
DATED 09.11.2022 ON BEHALF OF RAJASTHAN STATE
POLLUTION CONTROL BOARD**

MAY IT PLEASE THIS HON'BLE TRIBUNAL

The humble answering-respondent most respectfully submit compliance report as under:-

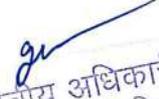
1. That the Hon'ble Tribunal has passed order dated 09.11.2022 as follows:-

"1. Grievance in this application is against violation of environmental norms in operation of bio-medical waste facility by N Vision Enviro Engineers Pvt. Ltd at village Umarda, Udaipur, Rajasthan. According to the applicant, there is unregulated burning of waste in open and there are no safeguards against toxic emissions generated in the plant.

2. Having regard to the above, we direct the Rajasthan State PCB to ascertain the factual position and furnish a factual and action taken report in the matter within one month by e-mail at judicial7 ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF."

2. That the complaint filed before this Hon'ble Tribunal was also received at the State Board on 27.06.2022 from the applicant. The State Board in order to verify the contents of the complaint inspected the unit on 28.06.2022, during the course of inspection observations made are as under:-

A. Disposal of BMW was as per norms.


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(राज.)

- B. Online Continuous Monitoring system was found operational and according to OCEMS combustion efficiency of incinerator was found 99.99 % and PM value – 05 Mg/M3 for the emission of stack. Both the parameters were found within prescribed limits as stipulated in consent to operate issued by RSPCB.
- C. Effluent treatment plant was found operational and no discharge of treated/ untreated waste water outside the premises.
- D. No open burning of waste was found.
- E. For the control of air pollution unit has installed scrubber and stack height found as per rule.

Photo copy of the complaint received on 27.06.2022 and verification report dated 28.06.2022 are annexed herewith and marked as **Annexure-1**.

3. That the officials of the State Board again inspected the unit on 10.10.2022, during the course of inspection, Monitoring of stack attached with incinerator, Ambient Air Quality, sample of ETP outlet was collected. No specific non-compliance was observed and also results in analysis report of Air and Water samples were found within prescribed limits. The photo copy of the inspection report dated 10.10.2022 and analysis reports are annexed herewith and marked as **Annexure-2**.
4. 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 CBWTFDF with validity up to 31.03.2023. The photo copy of the consent to operate & authorization letters dated 15.05.2018 are annexed herewith and marked as **Annexure-3**.
5. That the issue in the complaint was 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. The copy of the Hon'ble Tribunal order dated 27.09.2021 is annexed herewith and marked as **Annexure-4**.

It is pertinent to mention here that the applicant in the present has mislead this Hon'ble Court by using the old photographs alongwith his complaint as a ground, which were earlier submitted in OA No. 74/2021

21/10
नेत्रीग अधिकाारी

6. That in compliance of the directions passed by the Hon'ble Tribunal in OA No. 74/2021, the joint committee inspected M/s En Vision Enviro Engineers Pvt. Ltd. on 20.10.2021. The photo copy of the joint committee report 20.10.2021 is annexed herewith and marked as **Annexure-5**.

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.”

The copy of the Hon'ble Tribunal order dated 11.05.2022 is annexed herewith and marked as **Annexure-6**.

7. That OA No. 74/2021 was decided by the Central Zonal Bench of this Hon'ble Tribunal by order dated 11.05.2022. The applicant has annexed the photographs of waste burning alongwith his complaint dated 02.07.2022, these photographs were already part of OA No. 74/2021. This fact clearly shows the mala-fide intention of the applicant.

Prayer

It is, therefore, most humbly prayed that the compliance report on behalf of Rajasthan State Pollution Control Board may kindly be taken on record. The original application may kindly be dismissed.

मं
क्षेत्रीय अधिकारी
राजस्थान राज्य प्रदूषण नियंत्रण मण्डल
उदयपुर (राज.)

HUMBLE ANSWERING -RESPONDENT
THROUGH HIS COUNSELS


(Nishant Awana)
ADVOCATE

भीम



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Regional office

Rajasthan State Pollution Control Board

Address: F 470, Near UCCI Building, M.I.A, Udaipur (Raj.)

Email : rorpcbudaipur@gmail.com Phone no : 0294-2491269

No.: RPCB/RO U/UDR/ 556

Dated : 11/07/22

Member Secretary.

Rajasthan State Pollution Control Board,
Jaipur.Sub: - Complaint verification report of M/S En-Vision Enviro Engineers (P) Ltd.
Umarada, Udaipur

Ref: - Inspection dated 28.06.2022.

Sir,

With reference to above, the inspection report for verification of complaint of M/S En Vision Enviro Engineers (P) Ltd. Umarada, Udaipur, is enclosed. for your information.

Enclosure: As above

Yours Faithfully,

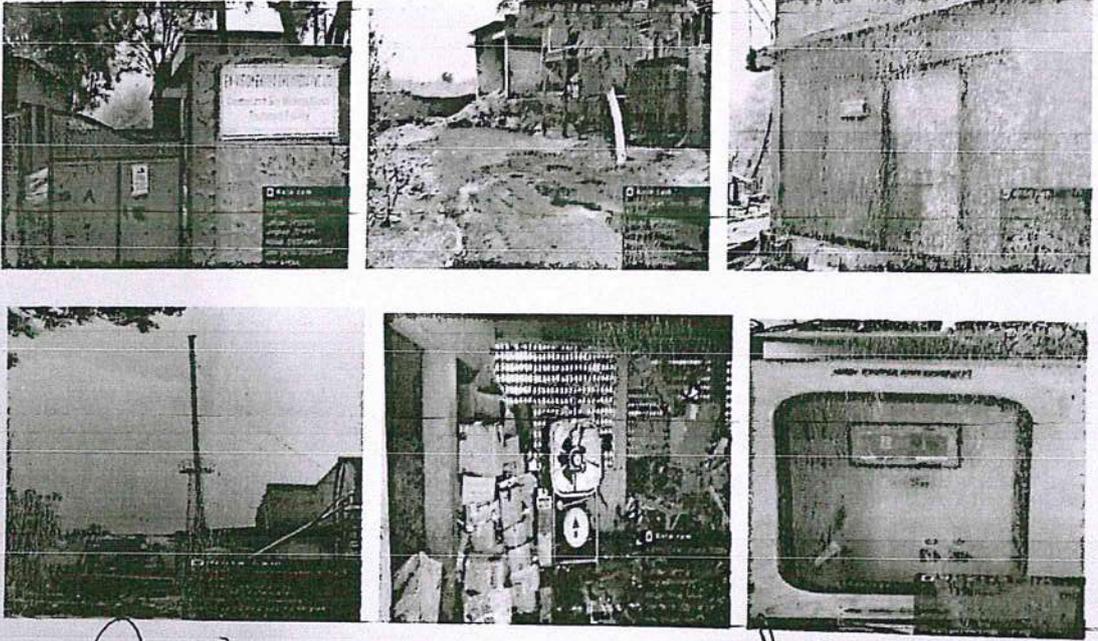
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उदयपुर (राज.)

(Sharad Saksena)
Regional Officer

शिकायत सत्याचन प्रतिवेदन

दिनांक 27.06.2022 को M/s Envision Enviro Engineers P. Ltd, Umarda, Udaipur की शिकायत संबंधित सूचना प्राप्त हुई। तत्पश्चात् दिनांक 28.06.2022 को मण्डल द्वारा गठित टीम के द्वारा उक्त इकाई का निरीक्षण किया गया। निरीक्षण के दौरान निम्न बिन्दु अंकित किए गए :-

1. इकाई ने राजस्थान राज्य प्रदूषण नियंत्रण मण्डल से वैध संचालन सम्मति ले रखी है।
2. इकाई संचालन में पाई गई तथा इकाई प्रतिनिधि श्री कुशल जी की उपस्थिति में निरीक्षण किया गया।
3. निरीक्षण के दौरान इकाई परिसर में बायोमेडिकल वेस्ट का निस्तारण प्रक्रिया अनुसार किया हुआ पाया गया।
4. निरीक्षण के दौरान OCEMS कार्यशील पाया गया जिसके अनुसार combustion efficiency 99.99% पायी गई जो कि, Bio-medical Waste Management Rules 2016, के अनुसार है तथा PM की वैल्यू PM-05 Mg/M³ पायी गई थी। जो कि मंडल द्वारा जारी संचालन सम्मति में दर्शाये गए निर्धारित मानक 50 mg/Nm³ के अनुरूप पाए गए थे।
5. निरीक्षण के दौरान इकाई परिसर से उपचारित/अनुपचारित जल बाहर निकलते हुए नहीं पाया गया तथा अपशिष्ट जल के उपचार के लिए इकाई द्वारा ईटीपी का संचालन किया जा रहा है।
6. निरीक्षण के दौरान, इकाई द्वारा खुले में कचरा नहीं जलाया जा रहा था।
7. इकाई द्वारा वायु प्रदूषण नियंत्रण हेतु स्क़रबर स्थापित कर रखा है तथा चिमनी की ऊँचाई नियमानुसार पायी गई थी।
8. शिकायत में वर्णित अन्य बिन्दु राजस्थान प्रदूषण मण्डल से सम्बन्धित नहीं है।



(डॉ. उदित सोनी)
क. वैज्ञानिक अधिकारी
रा.प्र.नि.मं., उदयपुर

(प्रशापाल जेलिया)
क. पर्यावरण अभियन्ता
रा.प्र.नि.मं., उदयपुर

प्रतिहस्ताक्षर
शरद सक्सेना
क्षेत्रीय अधिकारी
रा.प्र.नि.मं., उदयपुर

क्षेत्रीय अधिकारी
राजस्थान राज्य प्रदूषण नियंत्रण मण्डल
उदयपुर (राज.)

दिनांक 26.06.2022

श्रीमान् क्षेत्रीय अधिकारी

राज. रा. प्रदूषण नियंत्रण मण्डल उदयपुर (राजस्थान)

विषय: उदयपुर में कार्यरत संस्था एन विजन इन्वायरो इंजीनियर्स के कर्मचारियों द्वारा मेरे साथ अभद्रता एवं मारपीट कर जान से मारने की धमकी के संबंध में

महोदय

उपरोक्त विषयान्तर्गत निवेदन है कि मैं प्रार्थी राहुल सोलंकी पिता सालम सोलंकी, उम्र - 23 वर्ष, जाति - भिलाला, निवासी - गढी थाना - बिष्टान जिला खरगोन (मध्य प्रदेश) महोदय मैं आवेदक भिलाला जाति का होकर आदिवासी समाज से हूँ और पर्यावरण रक्षा दल के साथ कार्य करता हूँ जो कि पर्यावरण संरक्षण के लिये कार्य करती है। विगत दिनों में और मेरा साथी अदनान मंसूरी, निवासी - इन्दौर उदयपुर में घूमने के उद्देश्य से आये थे। घूमते-घूमते हम दोनों मेसर्स एन विजन इन्वायरो इंजीनियर्स प्रायवेट लिमिटेड, उदयपुर जो कि उदयपुर में संयुक्त जीव चिकित्सा अपशिष्ट निपटान संयंत्र चलाने का कार्य करते हैं के ग्राम उमारदा, उदयपुर राजस्थान में स्थापित संयंत्र तक पहुँचे।

उपरोक्त संयंत्र पर पहुँचने पर हमें वहाँ मौजूद हालात को देखकर बहुत आश्चर्य हुआ वहाँ जो गतिविधियाँ संचालित हो रही थीं वह पर्यावरण नियमों के विपरीत थीं। हमने देखा कि उपरोक्त संयंत्र की चिमनी से काला धुआँ निकल रहा था प्लांट के पास जाकर देखा तो खुले में कचरा जलाया जा रहा था और प्रदूषित पानी प्लांट के बाहर बहाया जा रहा था। मेसर्स एन विजन इन्वायरो इंजीनियर्स प्रायवेट लिमिटेड, उदयपुर द्वारा ग्राम उमारदा, उदयपुर राजस्थान में पर्यावरण नियमों का उल्लंघन कर संयुक्त जीव चिकित्सा अपशिष्ट निपटान संयंत्र चलाया जा रहा था। उपरोक्त संयंत्र द्वारा जल अधिनियम 1974, वायु अधिनियम 1981 एवं पर्यावरण अधिनियम 1986 तथा जीव चिकित्सा अपशिष्ट नियम 2016 का उल्लंघन कर प्रदूषण फैलाया जा रहा था। उपरोक्त संस्था द्वारा संयंत्र के परिसर खुले में संयुक्त जीव चिकित्सा अपशिष्ट को जलाया जा रहा था साथ ही संस्था द्वारा स्थापित संयुक्त जीव चिकित्सा अपशिष्ट निपटान संयंत्र भी केन्द्रीय प्रदूषण नियंत्रण मण्डल की नियमावली एवं दिशा-निर्देशों के अनुरूप कार्य नहीं किया जा रहा है तथा जब भी उक्त संयंत्र चलाया जाता है आसपास के रहवासियों से चर्चा करने पर पाया कि रहवासी क्षेत्र में काला धुआँ प्रायः ही देखा जा सकता है। उक्त संयंत्र द्वारा प्रोसेस के दौरान निकलने वाले दूषित जल को भी बिना उपचार के आसपास के खुले क्षेत्र में बहा दिया जाता है जिससे भू-गर्भीय जल भी प्रदूषित होता जा रहा है।

इस प्रकार हमने पाया कि उक्त संस्था द्वारा आसपास के पर्यावरण व जल स्रोतों को लगातार प्रदूषित किया जा रहा है तथा आसपास रहने वाले लोगों के स्वास्थ्य के साथ भी खिलवाड किया जा रहा है।

इस प्रकार की अवैध गतिविधियों की जब मैंने और मेरे मित्र ने अपने कैमरे से फोटो और वीडियो ली तो उमारदा में स्थित संयुक्त जीव चिकित्सा अपशिष्ट निपटान संयंत्र के कर्मचारी शरद तम्बोली ने हमें फोटो और वीडियो लेते देख लिया और फोटो और वीडियो लेने की बात पर शुरू में तो हमसे विवाद किया और फिर अपने 6 अन्य साथी कर्मचारियों को संयंत्र से बुलाकर हमसे हमारी गाडी, पर्स व मोबाइल इत्यादि

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उदयपुर (राज.)

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छीन लिये और हम दोनों को बंधक बनाकर हमें हर तरह से मारा जैसे - लात, धूसे, बैल्ट, लकड़ी, तार इत्यादि से मारा एवं हम दोनों को धमकी देकर कहा कि यदि आईदा से हमारे प्लांट के आसपास दिखे तो तुम्हें जान से मार देंगे।

इसके बाद शरद तम्बोली ने अपनी कंपनी के डायरेक्टर जिसका नाम नमीशा निहार है को मोबाइल कर पूरे घटनाक्रम की जानकारी दी तो नमीशा निहार ने मोबाइल पर ही शरद तम्बोली को कहा कि इन दोनों को अभी और मारो और इनके हाथ पैर तोड़ दो जिससे ये लोग दोबारा अपने संयंत्र के आसपास भी न भटकें। इसके बाद शरद तम्बोली और उसके साथी हम दोनों के कपड़े उतारने लगे और कहने लगे कि अब तुम दोनों यहाँ से नग्न हालत में ही जाओगे तुम लोगों की यही सजा है। कुछ समय उपरांत निहार डॉक्टर का फोन आया और उनके कहने पर शरद तम्बोली ने हमसे बोला कि जो मैं बोल रहा हूँ वैसा तुम बोलो हमें रिकॉर्डिंग करनी है।

हमारे बहुत मिन्नतें करने पर गिडगिडाने पर शरद तम्बोली और उसके साथियों ने हमें छोड़ा और हमारा सामान हमें वापिस किया। जाते जाते हम दोनों से हमारे पूरे नाम व पते पूछे और मेरी जाति बताने पर मुझे लगातार अपशब्द कहे तदोपरांत हमसे कहा गया कि हम जैसा बोलते हैं वैसा कहो नहीं तो और मारेंगे और हमसे उनके कहे अनुसार वीडियो रिकॉर्डिंग करवाई गई और फिर हमें छोड़ा गया।

महोदय उपरोक्त पूरे घटनाक्रम का विवरण मुझ प्रार्थी ने एफ आई आर क्रमांक 0346 दिनांक 24.06.2022 समय रात्रि 9.40 पर पुलिस थाना हिरणमगरी जिला उदयपुर (राज.) के माध्यम से पंजीकृत करा दिया है जिसमें थाना प्रभारी महोदय द्वारा भारतीय दण्ड संहिता का अधिनियम 1860 की धारा 143, भारतीय दण्ड संहिता का अधिनियम 1860 की धारा 342, भारतीय दण्ड संहिता का अधिनियम 1860 की धारा 323 तथा अनुसूचित जाति एवं अनुसूचित जनजाति (नृशंसता निवारण) अधिनियम, 1989 (संशोधन 2015) की धारा 3(2)(va) लगाई गई हैं।

अतः महोदय से सविनय निवेदन है कि मुझ प्रार्थी के आवेदन पर विचार कर मुझ प्रार्थी को न्याय दिलाकर संस्था एन विजन इन्चार्जरो इन्जीनियर्स प्रायवेट लिमिटेड, उदयपुर के कर्मचारी शरद तम्बोली (अनावेदक) के खिलाफ कड़ी से कड़ी दण्डात्मक कार्यवाही करें साथ ही पर्यावरण प्रदूषित करने के कारण भी इन पर कार्यवाही करें तथा मुझ प्रार्थी का कृतार्थ करें।

धन्यवाद सहित

राहुल

आवेदक

राहुल सोलंकी पिता सालम सोलंकी
जाति - भिलाला (आदिवासी)
निवासी-गढी थाना-बिष्टान जिला खरगोन

संलग्न: ०१. एफ. आई. आर. की छाया प्रति
०२. मेरे द्वारा कैमरे से लिये गये संयंत्र के फोटो

क्षेत्रीय अधिकारी
राजस्थान राज्य प्रदूषण नियंत्रण मण्डल
उदयपुर (राज.)

FIRST INFORMATION REPORT
(Under Section 154 Cr.P.C.)
(प्रथम सूचना रिपोर्ट)
(धारा 154 बख्त प्रक्रिया रक्षिता के तहत)

1 District (जिला): उदयपुर P.S. (थाना): हिरणमगरी Year (वर्ष): 2022

2 FIR No. (प्र.सू.रि.सं.): 0346 Date and Time of FIR (एफआईआर की तिथि/समय): 24/06/2022 21:40 बजे

S.No. (क्र.सं.)	Acts (अधिनियम)	Sections (धाराएँ)
1	भा दं नं 1860	143
2	भा दं नं 1860	342
3	भा दं सं 1860	323
4	अनुसूचित जाति एवं अनुसूचित जनजाति (नृशंसता निवारण) अधिनियम, 1989 (संशोधन 2015)	3(2)(vii)

3. (a) Occurrence of offence (अपराध की घटना):

1. Day(दिन): शुक्रवार Date From (दिनांक से): 24/06/2022 Date To (दिनांक तक): 24/06/2022

Time Period (समय अवधि): पहर 1 Time From (समय से): 00:00 बजे Time To (समय तक): 00:00 बजे

(b) Information received at P.S. (थाना जहाँ सूचना प्राप्त हुई): Date (दिनांक): 24/06/2022 Time (समय): 17:00 बजे

(c) General Diary Reference (रोजनामचा संदर्भ): Entry No. (प्रविष्टि सं.): 076 Date & Time (दिनांक एवं समय): 24/06/2022 21:26:00 बजे

4. Type of Information (सूचना का प्रकार): लिखित

5. Place of Occurrence (घटनास्थल):

1. (a) Direction and distance from P.S. (थाने से दिशा और दूरी): दक्षिण - पूर्व, 19.79 किमी Beat No. (बीट सं.): 207

(b) Address(पता): N. VISION ANVIRO ENGINEERING, UMARDA

(c) In case, outside the limit of this Police Station, then (यदि थाना सीमा के बाहर है तो)

Name of P.S. (थाना का नाम): District(State) (जिला (राज्य)):

Complainant / Informant (शिकायतकर्ता / सूचनाकर्ता):

- (a) Name(नाम): RAHUL
 (b) Father's Name (पिता का नाम): SALAM JI
 (c) Date/Year of Birth (जन्म तिथि/ वर्ष): 1999 (d) Nationality(राष्ट्रीयता): भारत
 (e) UID No(यूआईडी सं.):
 (f) Passport No. (पासपोर्ट सं.):
 Date of Issue (जारी करने की तिथि): Place of Issue (जारी करने का स्थान):
 (g) Id details (Ration Card, Voter ID Card, Passport, UID No., Driving License, PAN) (पहचान विवरण(राशन कार्ड, मतदाता पहचान पत्र, पारपत्र, आधार कार्ड सं., ड्राइविंग लाइसेंस, पैन)):

S.No.	Id Type	Id Number
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(h) Occupation (व्यवसाय):

(i) Address(पता):

S.No. (क्र. सं.)	Address Type (पता का प्रकार)	Address (पता)
1	वर्तमान पता	GADHI, खर्गोन, मध्य प्रदेश, भारत
2	स्थायी पता	GADHI, खर्गोन, मध्य प्रदेश, भारत

(j) Phone number (दूरभाष न.):

Mobile (मोबाइल न.): 91-6260929054

7. Details of known/suspected/unknown accused with full particulars

(ज्ञात/संदिग्ध/अज्ञात अभियुक्त का पुरे विवरण सहित वर्णन):

Accused More Than(अज्ञात आरोपी एक से अधिक हो तो संख्या):

S.No. (क्र.सं.)	Name (नाम)	Alias (उपनाम)	Relative's Name (रिश्तेदार का नाम)	Address (पता)
1	SHARAD TAMBOLI			1. UMARDA, हिरणमगरी, उदयपुर, राजस्थान, भारत

8. Reasons for delay in reporting by the complainant/informant

(शिकायतकर्ता / सूचनाकर्ता द्वारा रिपोर्ट देरी से दर्ज कराने के कारण):

9. Particulars of properties of interest (Attach separate sheet, if necessary)

(सम्बन्धित सम्पत्ति का विवरण(यदि आवश्यक हो, तो अलग पृष्ठ नत्पी करें)):

S.No. (क्र.सं.)	Property Category (सम्पत्ति श्रेणी)	Property Type (सम्पत्ति के प्रकार)	Description (विवरण)	Value(In Rs/-) (मूल्य(रु में))
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श्री
 क्षेत्रीय अधिकारी
 राजस्थान राज्य प्रदूषण नियंत्रण मण्डल
 उदयपुर (राज.)

10 Total value of property stolen(In Rs/-)
(चोरी हुई संपत्ति का कुल मूल्य(रु में)):

11 Inquest Report / U.D. case No., if any (मृत्यु समीक्षा रिपोर्ट / यू.डी.प्रकरण न., यदि कोई हो):

S.No.	UIDB Number
(क.सं.)	(यू.आई.डी.बी. संख्या)

12. First Information contents (Attach separate sheet, if necessary)

(प्रथम सूचना तथ्य(यदि आवश्यक हो , तो अलग पृष्ठ नत्थी करे)):

मेरा मैं

श्रीमान थानाधिकारी महोदय
पुलिजम थाना हिरणमगरी उदयपुर (राज.)

मेरा मैं,

मैं राहुल मोलंकी जाति भिलाला आदिवासी समाज से हूं मैं साथी अदनान मंसूरी निवासी इंदौर के साथ उदयपुर शहर घूमने के उद्देश्य से आया हुआ था चूंकि मैं पर्यावरण रक्षा दल संस्था में कार्यरत हूं जो कि पर्यावरण संरक्षण के लिए कार्य करती हैं और मेरे साथी ने ग्राम उमरडा तहसील गिरवा उदयपुर में पर्यावरण के विरुद्ध गतिविधियां देखी जिसमें वायु प्रदूषण एवं जल प्रदूषण को बढ़ावा मिल रहा है ऐसी गतिविधियों को हमने फोटो लेनी चाही तो उमरडा स्थित कचरा फैक्ट्री जो एन. विजन. एनवाईरो इंजीनियरिंग के नाम से स्थित है वहां से उसी कंपनी का कर्मचारी जिसका नाम शरद तंबोली है उसने हमारे साथ फोटो की बात को लेकर विवाद किया और अपने अन्य 6 साथियों को फैक्ट्री से बुलाकर हमसे गाड़ी, मोबाइल और पर्स जबरदस्ती छीन लिया और हम दोनों को बंधक बनाकर हर तरफ की मार जैसे लात गुस्से वेल्ड लकड़ी तार इत्यादि से मारा एवं जान से मार डालने की धमकी दी कुछ देर अपनी कंपनी के डायरेक्टर को शरद तंबोली ने फोन किया जिसका नाम नमीशा निहार डाक्टर , निहार इंद्रजीत डॉक्टर है तो उनके डायरेक्टर ने उन्हें कहा कि इन्हें और मारो और इनके हाथ पैर तोड़ दो कुछ देर के बाद शरद एवं उसके साथी हमारे कपड़े उतारने लगे और कहने लगे कि नग्न हालत में जाओ हमने उनसे मिन्नते की और उन्होंने हमारा सामान लौटाकर छोड़ दिया और कहा कि कभी भी मरवा देने एवं चूंकि मुझसे मेरा नाम पूछा उसके बाद मेरी जाति को लेकर लगातार अपशब्द कहे और हमसे कहा कि हम जैसा बोलते हैं वैसा बोल दो और वीडियो रिकॉर्डिंग करवा लो तुम्हें छोड़ देना अन्यथा हमारी वीडियो रिकॉर्डिंग की गई।

एसडी- प्रार्थी राहुल व अदनान

नाम-राहुल पिता शालम आदिवासी जाति पता-गढी थाना बिसटान
जिला खरगोन म. प्र. मो. नं. 6260929054

कार्यवाही पुलिस थाना हिरणमगरी जिला उदयपुर (राज.)

दिनांक- 24.06.2022 समय- 9.26 PM

1. उक्त लिखित रिपोर्ट प्रार्थी श्री राहुल पिता शालम जी जाति भिलाला आदिवासी उम्र 23 वर्ष नि. गढी थाना बिसटान जिला खरगोन (M.P.) ने मय अदनान मंसूरी के उपस्थित थाना हो पेश कि।

2. मजमून रिपोर्ट से मामला अपराध धारा 143,342,323 IPC व 3(2)Va SC/ST एक्ट के वक्तुवे में आना पाया जाने से उच्चधिकारियों के आदेशानुसार प्र. सं. 346/2022 दर्ज रजिस्टर कर अनुसंधान CO सा. नमर पूर्व श्री जरनैल सिंह जी के जिम्मे किया गया।

3. FIR व SR की प्रतियां नियमानुसार जारी की गई।

क्षेत्रीय अधिकारी
राजस्थान राज्य प्रदूषण नियंत्रण मण्डल
उदयपुर (राज.)

Action taken : Since the above information reveals commission of offence(s) u/s as mentioned at Item No. 2

की गई कार्यवाही: चूंकि उपरोक्त जानकारी से पता चलता है कि अपराध करने का तरीका मव सं.2 में उल्लेख द्वारा के तहत है:

(1) Registered the case and took up the investigation (प्रकरण दर्ज किया गया और जाँच के लिए लिया गया):

or (या)

(2) Directed (Name of I.O.): Jarnail Singh Rank उप अधीक्षक पुलिस/पुलिस उपाधीक्षक
(जाँच अधिकारी का नाम): (पद):

No(सं.): to take up the investigation (को जाँच अपने पास में लेने के लिए निर्देश दिया गया) or(या)

3. Refused investigation due to
(जाँच के लिए):

or (के कारण इंकार किया, या)

4. Transferred to P.S.(थाना): District (जिला):
on point of jurisdiction (को क्षेत्राधिकार के कारण हस्तांतरित).

F.I.R. read over to the complainant/informant, admitted to be correctly recorded and a copy given to the complainant/informant free of cost.

(शिकायतकर्ता / सूचनाकर्ता को प्राथमिकी पढ़ कर सुनाई गई, सही दर्ज हुई माना और एक प्रति निशुल्क शिकायतकर्ता को दी गई।)
R.O.A.C.(आर.ओ.ए.सी.)

14. Signature/Thumb impression of the complainant / Informant
(शिकायतकर्ता / सूचनाकर्ता के हस्ताक्षर / अंगूठे का निशान):

PIEM

Signature of Officer in charge, Police Station
(थाना प्रभारी के हस्ताक्षर)

Signed by: Laxman Singh
Chundawat.
Location: Rajasman
Date: 2/11/2022

15. Date and time of dispatch to the court
(अदालत में प्रेषण की दिनांक और समय):

Name(नाम): LAXMAN SINGH

Rank (पद): SI (Sub-Inspector)

No(सं.):

क्षेत्रीय अधिकारी
राजस्थान राज्य प्रदूषण नियंत्रण मण्डल
उदयपुर (राज.)

थानाधिकारी
पुलिस थाना हिरणमगरी
जिला उदयपुर (राज.)
Ph. 0294-2466757



Regional office

Rajasthan State Pollution Control Board

Address: F-470, Near UCCI Building, M.I.A, Udaipur (Raj.)

Email : rorpcbudaipur@gmail.com

No. RPCB/ROU/ Envision Vol-II/ 1334

Date:- 16/11/22

Group In charge (BMW),
RSPCB
Jaipur

Sub:- Inspection Report of M/s Envision Enviro Engineers Pvt. Ltd. Plot No. 5008
Village: Umarda Tehsil: Girwa Distt. Udaipur, Rajasthan.

Sir,

With reference to above it is to be submitted that CBWTF i.e. M/s Envision Enviro Engineers Pvt. Ltd., Plot No. 5008 Village Umarda, Tehsil: Girwa, Distt. Udaipur was inspected & monitored by Board Officials on dated 10.10.2022.

The detailed inspection report along with Analysis report is being submitted for information & further necessary action.

Encl:-As Above

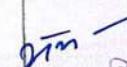
क्षेत्रीय अधिकारी
राजस्थान राज्य प्रदूषण नियंत्रण मण्डल
उदयपुर (राज.)

Yours Faithfully,

(Sharad Saksena)
Regional Officer

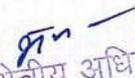
**Inspection Report of M/s. Envision Enviro Engineers Pvt. Ltd. (CBWTF)
Udaipur, Rajasthan**

S.No.	Details	Information										
01.	Name of CBWTF with contact details	M/s Envision Enviro Engineers Pvt.Ltd. Plot No. 5008 Village: Umarda Tehsil: Girwa Distt. Udaipur Rajasthan CONTACT: MR. JAINEN PATEL Mobile: 94280 01868 Ph. No. 0294 2481513 Email ID: bmw.udaipur@en-vision.in										
02.	Name of officials and date of visit	Sh. K.B.Paliwal, S.O., RSPCB,Udaipur October 10, 2022										
03.	Location of CBWTF residential / Industrial / sensitive area. Please give details	CBWTF located at isolated location of Udaipur city near Village: Umarda Tehsil: Girwa Distt. Udaipur Industries such as fertilizers SSP and DCP located in the vicinity of 500-1000 meters. 										
04.	Year of establishment	August 2004										
05.	CBWTF set up by (Association/PPP/own)	Own investment including infrastructure and vehicle. Land allotted by Govt. of Rajasthan through local bodies.										
06.	CBWTF operated by	M/s Envision Enviro Engineers Pvt. Ltd. Udaipur										
07.	Total number of healthcare facilities and beds covered											
	S. No.	Covering Area	No. of HCF	No. of Beds covered	No. of Beds Covered	Total estimated BMW generation in Kg/ Day	Total Existing Treatment capacity in Kg			Total BMW Treated and Disposed in Kg Day		
			Bedded	Non - Bedded			Incineration	Autoclaving/ Hydroclaving/ Microwaving	Chemical Disinfection	Deep Burial	Any Other mode of disposal	
	1	Udaipur	155	267	99/2	839	1200	1200				
	2	Dungarpur	43	102		182						120
	3	Banswara	36	70		107						12
	4	Rajamnd	39	66		144						
	5	Pali	16	48		71						
	6	Sirohi	44	66		71						
	7	Jalore	22	62		65						
	8	Chittorgarh	71	82		126						
	9	Pratapgarh	15	44		68						
	*As per information collected from representative during inspection											
08.	Waste treatment capacity of CBWTF	Incinerator - 50 Kg Hlr Autoclave - 50 kg/cycle Shredder - 50 Kg/Hr										


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 उदयपुर (राज.)

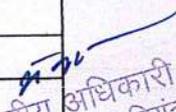


		ETP - 5 KLD	
09.	SPCB authorization & CTO validity	<p>The unit has granted the authorization for operating a facility Collection, Disposal, Incineration, Reception, Transport, Treatment of Biomedical Wastes) vide HO letter no. F(BMW)/Udaipur(Girwa)/17(1)/2009-2010/930-932 dated 15.05.2018 and which is valid for the period 01/04/2018 to 31/03/2023.</p> <p>The unit has Consent to Operate under section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and under section 21(4) of Air (Prevention & Control of Pollution) Act, 1981 vide HO letter no. F(BMW)/Udaipur(Girwa)/17(1)/2009-2010/933-935 dated 15.05.2018 and which is valid for the period 01/04/2018 to 31/03/2023 for Bio Medical Waste Treatment and Disposal @ 2000 Kg/Day, Incineration @ 400 Kg/Day and Incineration Ash @ 30 Kg/day.</p>	
10.	Investment in setting up the CBWTF	Approx. 50 Lacks initially Including machinery and vehicle.	
11.	Plot size or area of CBWTF (in acres or Sq.Mtr)	Total area	1.2 Acre
		Built up area	250 Sq. mtr.
		Open area for green belt	<ul style="list-style-type: none"> - Total 2500 sq.mtr. land available as free space. - The facility has planted trees at periphery of the facility.
		 <p>Latitude 24.541042 Longitude 73.900914 Elevation 587.87+4m Accuracy 7.0 m Time 10-10-2022 13:02 Note: En Vision</p>	
		Plantations	
12.	Name of district and radius in km covered by CBWTF	The facility has covered Udaipur, Sirohi, Pali, Jalore, Pratapgarh, Rajsamand, Dungarpur, Banswara and Chittaurgarh area.	
13.	Vaccination of staff	All the necessary vaccination i.e. Tetanus and Hepatitis-B, done to staff engaged in waste collection and records also maintain for the same. (Copy enclosed)	
14.	Running hours of equipments in Hr/Day	Incinerator	Approx. 16-18 Hrs./day including temp. Rising and cooling time.


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		Autoclave	<ul style="list-style-type: none"> - Mostly incinerable waste is received by the operator and less quantity of plastic waste is being received. - Autoclave is mainly used for autoclaving of plastic waste before shredding. - As the plastic waste not received in large quantity hence it is operated on alternate day or waste available for autoclaving. 																				
		Shredder																					
15.	Existing Treatment charges in Rs. And criteria of rate fixation	HCF (Rs. per bed/ day)	Rs. 5.40/- Private Rs. 4.05/- Government																				
		Blood bank	1270/- month.																				
		Pathology	1150/- month																				
		Others (Dental and vet.)	800/- month																				
16.0	Total quantity of bio-medical waste treated (kg per day)																						
16.1	By incineration	Approx. 800-1000 Kg/Day as per record.																					
16.2	By autoclaving	Approx. 100-140 Kg/day, the facility has installed one big shape horizontal autoclave with PLC & printer facility. As informed by the operator it is mostly used for autoclaving of the plastic waste before shredding and quantity of plastic waste is very less hence it is not operated on regular basis.																					
16.3	Chemical disinfections	NA																					
16.4	Treatment and disposal of plastic waste	Treated and shredded plastic is being sold to local recycler as no vendor authorized by RPCB.																					
17.0	Staff involvement in CBWTF operation (number of persons)																						
17.1	Managerial Administration	/ 07 Nos.																					
17.2	Equipment operations	16 Nos.																					
7.3	Transportation of BMW and no. of vehicle.	The facility has 09 dedicated vehicles and 01 stand by for collection of waste the details of vehicles as given below:																					
		<table border="1"> <thead> <tr> <th>S. No.</th> <th>Vehicle Regd. No.</th> </tr> </thead> <tbody> <tr> <td>01</td> <td>RJ 05 GA 0861</td> </tr> <tr> <td>02</td> <td>RJ 27 GC 3111</td> </tr> <tr> <td>03</td> <td>RJ09 GB 0734</td> </tr> <tr> <td>04</td> <td>RJ 30 GA 7088</td> </tr> <tr> <td>05</td> <td>RJ 27 GC 9792</td> </tr> <tr> <td>06</td> <td>RJ 12 GA 3620</td> </tr> <tr> <td>07</td> <td>RJ27 GC 8740</td> </tr> <tr> <td>08</td> <td>RJ14 GD 5972</td> </tr> <tr> <td>09</td> <td>RJ27 GC 3060</td> </tr> </tbody> </table>		S. No.	Vehicle Regd. No.	01	RJ 05 GA 0861	02	RJ 27 GC 3111	03	RJ09 GB 0734	04	RJ 30 GA 7088	05	RJ 27 GC 9792	06	RJ 12 GA 3620	07	RJ27 GC 8740	08	RJ14 GD 5972	09	RJ27 GC 3060
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17.4	Sanitation and others	02 Nos.																					
18.0	Treatment equipment installed at CBWTF																						
18.1	Incinerator details	1. Make of incinerator	M/s Thermex.																				
		2.Capacity of the incinerator	50 Kg/Hr.																				


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CEMS attached
incinerator: Yes
Observed values
Temperature : Primary 852° C
Secondary 1053° C

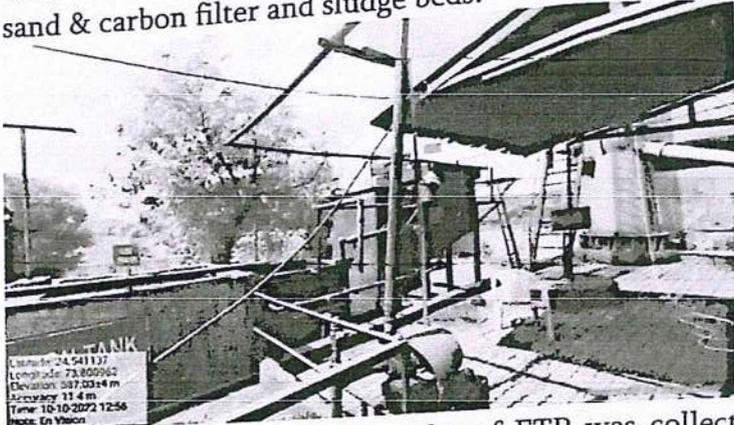
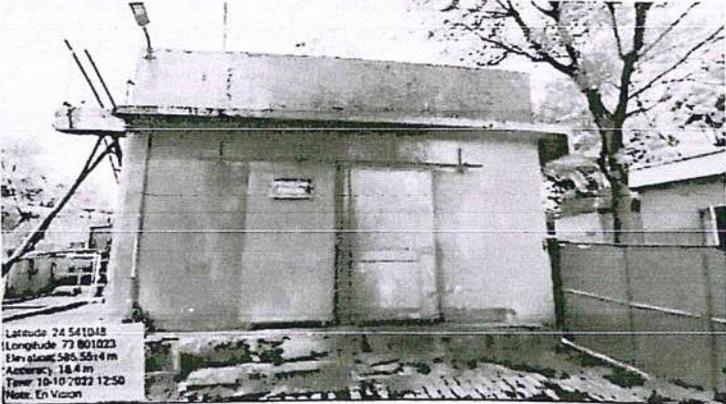
			<p>CEMS attached incinerator: Yes Observed values Temperature : Primary 852° C Secondary 1053° C</p>
		3. Waste feeding system automatic / manual	Feeding system has provided with PLC by the operator and after weighing BMW is being auto feeder to incinerator with conveyer facility.
		4. PLC attached with printer facility	<ul style="list-style-type: none"> - The facility has provided PLC and printer facility for recording the process parameters of incinerator. - The control panel displays the instant temperature of incinerator. - The log book of incinerator operation has maintained properly.
		5. Water Column for measuring negative draft at primary chamber and ventury scrubber.	The facility has provided water column to measure the negative draft at both the location.
		6. Air pollution control device installed including height of stack.	<ul style="list-style-type: none"> - The unit has provided ventury scrubber, droplet separator attached with 30 mtr. Stack height. - The 05 HP motor has installed for recirculation of water in scrubber.
		7. Fuel used	Diesel.
18.2	<p>1. List the shortcomings and any other observations on incineration system with reference to guidelines.</p> <p>2. Problems being faced in operation of incinerator.</p>	<ul style="list-style-type: none"> - Un-segregated waste containing broken glass, kitchen waste and other solid waste which are not belongs to BMW category is creating problem in incineration. - High moisture content waste and wet waste also major threats of incineration of waste. - As informed by facility operator In-spite of personal so many awareness programme interactions with staff and CHC & PHC, problem of waste segregation at source is not solved. 	
18.3	Details of heat recovery system installed with incinerator	NA	
18.4	Capacity of autoclave / microwave / hydroclave and	<ul style="list-style-type: none"> - The facility has provided the autoclave with the capacity y of 50 kg/cycle and found operational. However less quantity of 	<p>क्षेत्रीय अधिकारी राज्य सरकार (राज.)</p>

(Signature)

	make. Facility of spore testing. Printer facility for process parameters.	plastic waste is being received hence it was not operated on regular basis. - Spore testing by strip is performed and facility also carried a culture test for biological indicator at Microbiology Diagnostic Centre, Surat. - Printer facility is available to record process parameters.	
18.5	Capacity of shredder and make	The separate room/facility of size 6x6 ft has been installed 50 kg/Hr. shredder for crushing of plastic waste and found functional during visit.	
18.6	List the shortcomings and any other observations on autoclave / and shredder system with reference to CPCB guidelines	- Shredder found operational - Autoclave found operational & log book Copy of log book enclosed	
18.7	Give details of Ash pit / sharp pit / encapsulation facility	- The unit has provided separate room for intermediate storage of ash, which is finally dispose to CTDF site, Gudli, Udaipur.	
18.8	Give details on vehicle / container washing facility	The unit has provided pucca platform with ramp at back side of the facility for washing of vehicles and containers and all the waste water is being collected in a sump for further treatment in ETP.	
19.0	Water balance		
19.1	Source and quantity of water intake per day (cu.m / day)	Bore well is available to fulfill the daily water requirement and approx 04 to 05 KL water is consumed per day. Unit has provided the flow meter at bore well also.	
19.2	Break up of water usage (such as washing, scrubbing etc.)	Details	
		Scrubbing	2000-2500 LPD
		Domestic	500-700 LPD
		Vehicle, containers and floor washing	800-1000 LPD
	Total	3300- 4200 LPD	
19.3	Total water effluent generated per day (cubic mtr/day.)	- Approx. 2500-3000 Ltr. waste water generated per day which includes vehicle washing, floor washing, domestic and scrubbing water. - Water evaporated in scrubber for which fresh water is added daily. Scrubber water is being re-circulated after treatment through ETP. - Soak pits and septic tank has provided for disposal of domestic waste water.	
20.0	Effluent treatment plant details		

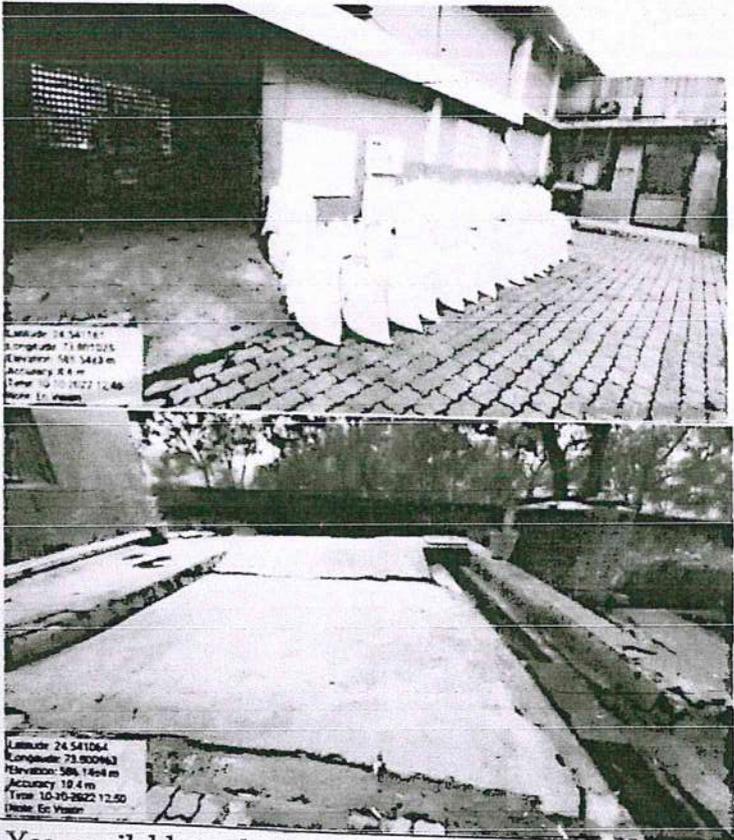
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<p>20.1</p>	<p>Units and Flow diagram of ETP</p>	<p>- The facility has provided ETP which consist of equaliza tank, reaction tank, Aeration tank settling tank followed sand & carbon filter and sludge beds.</p>  <p>- Treated water sample from outlet of ETP was collected and sample is submitted to Regional Office Laboratory, Udaipur & results of parameters were found well within the permissible limit. (Report Enclosed).</p> <p>- Unit has provided the flow meter at out let of ETP.</p> <p>- No discharged of waste water found during visit.</p>
<p>20.2</p>	<p>If treated water reused, give details. If not, mode of disposal and compliance to the regulatory requirements.</p>	<p>-During inspection no overflow and discharged was observed from the ETP.</p> <p>-As informed by the facility operator treated water is being reused for Scrubber as well as used for gardening purpose and dust suppression. Treated waste water sample was collected from ETP outlet & sample is submitted to Regional Office Laboratory, Udaipur. As per A/R results were found well within the standard</p>
<p>21.0 Status of infrastructure</p>		
<p>21.1</p>	<p>Treatment equipment room</p>	<p>The unit has provided 10m x 70m hall for incineration of waste with impervious stone flooring.</p>
<p>21.2</p>	<p>Main waste storage room (Either separate partition provided for each category)</p>	<p>-The unit has provided 4m x 1.7m size separate room for storage of waste adjacent to instrument room. Unit has recently constructed a separate storage room for biomedical waste with proper ventilation.</p> 
<p>21.3</p>	<p>Treated waste storage room</p>	<p>Adjacent to main waste storage 15 Ft X 10 Ft room has provided to store treated waste and autoclave. Impervious stone flooring has provided with color coded separator.</p>

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21.4	Administrative room	The facility has provided administrative room and all the records i.e. log books of incinerator, route chart of vehicle and waste collection record.
21.5	Generator set (size and regulatory compliance details)	The unit has provided 20 KVA capacities DG to maintain the minimum power supply in case of emergency and interlocking with PCM's i.e. Scrubbing system.
21.6	Site security (boundary walls, fencing, guarded gates etc.)	- The site is located at outskirts of Udaipur city near in industrial area of Umarda. - The facility operator has constructed boundary wall with 8-10 feet height.
21.7	Parking facility	Pucca platform and proper slope for waste water drainage has provided at vehicles parking and washing area.
21.8	Sign board	The unit has provided sign board at main entrance and information regarding Name, Address, BMW logo and Contact no. is available.
22.0	General facility	
22.1	Washing room	Pucca cemented floor/ platform provided for washing the vehicles etc. 
22.2	First aid box	Yes, available and all the required medicines available for any emergency.
22.3	Lighting arrangements	Yes, provided.
22.4	Remedial measures adopted for odour control	Wet moping by phenyl is done on regular basis at incinerator room and pesticide spraying is also done on requirement basis.
22.5	Fire fighting and emergency facilities	Yes, fire extinguisher provided.
22.6	Measures for control of pests / insects etc.	- Yes, pesticide spray and wet moping of phenyl water is being done to control pests/insects. - UV tube-light (Fly catcher) has provided to arrest the

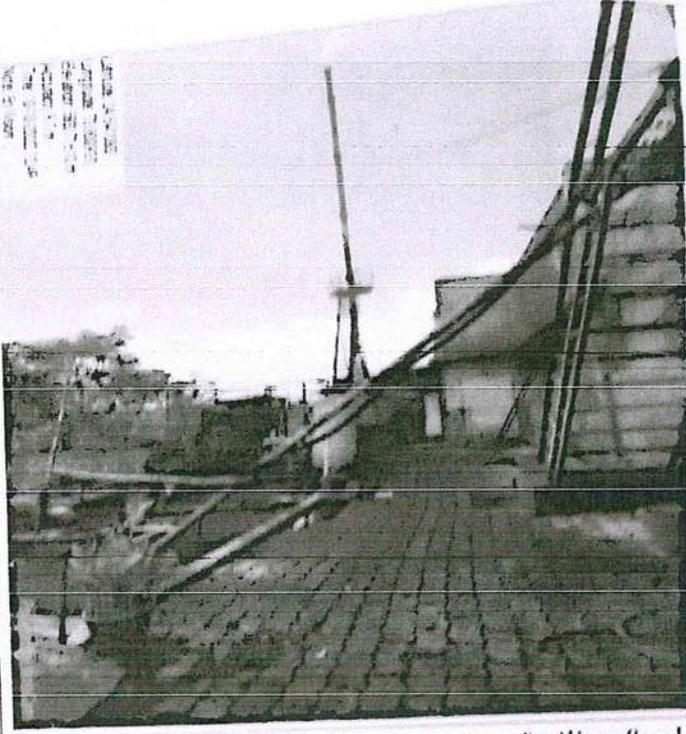
		flying insects.
22.7	Protective gear for waste handlers	Yes, protective gadgets i.e. long boot, apron, hand gloves, long forceps are provided to all employee handling waste site.
22.8	Telephone facility	Yes, provided.
22.9	Record keeping details Does the CBWTF operator have record keeping system as per the CPCB guidelines (waste movement records, log book for equipment, site records etc.) Specify shortcomings observed, if any	Yes, all the log books found maintained related to operation of incinerator and autoclave. Waste movement records and vehicle log-books were also made and maintained on regular basis. The unit is not complied with provision of bar coding system for collection and transport of BM waste.
23.0	Collection and transportation status	
23.1	Whether waste collected in colour coded container with label as per the Rules?	Yes, collected in color coded bin.
23.2	Whether the log book of BMW collection is being maintained?	Yes.
23.3	Precaution being taken to prevent spillage / pilferage/ during loading and transportation.	As informed by facility operator all necessary precaution is being taken and all the vehicles having rubber flooring.
23.4	Is the vehicle labeled with the symbol and display the name, address, telephone number etc.?	Yes, all the necessary information displayed on all waste collection vehicles. The vehicles are also connected with GPS (VTS24 GPS tracking system) based server to track the locations.
23.5	The CBWTF operator collects waste daily or alternate day?	Daily basis in urban areas and alternate day in rural and remote area including CHC & PHC.
23.6	Awareness camp for HCFs organized by CBWTF	As informed by the CBWTF operator they have organised awareness camp, workshops and seminar to educate the hospital staff and paramedical staff for better management of BMW at source. Also informed by the CBWTF Operator that regular site vis ^{it} also done by members units. Visitor log book maintained.
24.0	Disposal of treated waste	
24.1	Mode of Plastic waste disposal and address of SPCB authorized recycler of plastic waste.	After Autoclave plastic waste is shredded and sold to local plastic Recycler.
24.2	Treated sharps	It was observed treated sharps are being stored in treated waste storage room and buried in pit.
24.3	Mode of Incineration ash disposal and TSDF membership details	- The incinerator ash is being stored in room adjacent to main equipment room. - The facility having the membership of TSDF and Regd. no is 565. With Ramky

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(Signature)

24.4	Other treated solid wastes	NA
24.5	Treated wastewater	The facility has provided ETP with the capacity of 5.0 KLD. Treated water is being reused for scrubbing purpose and partially used in gardening or dust suppression inside the premises.
25.0	Monitoring details	
25.1	Frequency of inspection and monitoring by SPCBs/ PCCs any other agencies	Mostly half year basis or as per guideline. And on quarterly basis third party agency is taking sample and copy of report was available at facility.
26.0	SPCB's monitoring details	
26.1	<p>Operating parameters of Incinerator-</p> <ul style="list-style-type: none"> - stack emission (parameters stipulated in the Rules, temperature attainment in the chambers, residence time in the secondary chamber etc.) - Flue gas analyzer 	<ul style="list-style-type: none"> - During the visit temperature of primary chamber was observed 852°C and in secondary chamber 1053°C. - The facility has installed the Continuous Stack Emission Monitoring System (CSEMS) for the gases CO, CO₂, O₂, PM Temperature- 1(Primary Chamber 852° C) & Temperature-2 (Secondary Chamber 1053° C) - The data of Continuous Stack Emission Monitoring System (CSEMS) for the CO, CO₂, O₂, SPM, Temperature- 1(Primary Chamber) & Temperature-2 (Secondary Chamber) is uploaded at RPCB/CBCB server. - OCEMS <div data-bbox="651 1115 1469 1581" data-label="Image"> <p>Latitude: 24.541034 Longitude: 73.80113 Elevation: 596.17±55 m Accuracy: 53.3 m Time: 10-10-2022 12:03 Note: En Yashin</p> </div> <ul style="list-style-type: none"> - OCEMS - Unit has provided the Stack of 30 meter height with monitoring facility for incinerator attached with ventur scrubber, during the visit stack monitoring & AAQM near main gate was conducted. Samples are submitted to Regional Office Laboratory, Udaipur. (A/R enclosed) and results was found well within the prescribed standard.

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 उदयपुर (राज.)

		
26.2	Validation / efficacy test of autoclave	- Yes, performed by strip spore testing facility & also carried a culture test for biological indicator at Microbiology Diagnost. Centre, Surat.
26.3	ETP outlet parameters (parameters as per the required regulatory requirement)	- Treated water sample from outlet of ETP was collected and sample is submitted to Regional Office Laboratory, Udaipur & results of parameters were found well within the permissible limit. (A/R enclosed)
27.0	Facility was inspected in reference to the routine monitoring & compliance of CTO under Air/ Water Act & Authorization and OCEMS verification in presence of Shri. Sharad Tamboli, facility in-Charge.	<p>Other Observations/ Findings:</p> <ol style="list-style-type: none"> 1. As per the information provided by the representative on average basis, they are receiving Incinerable Waste 800 to 900 Kg/ Day and Autoclavable Waste 600 to 800 Kg/ Day and the capacity of the plant for Incineration is 50 Kg/ Hour (50 X 24 Hour = 1200 Kg/ Day) and Autoclaving 50 Kg/ Hour (50 X 24 Hour = 1200 Kg/ Day). 2. In the consent to operate dated 15.05.2018 Board has mentioned capacity of Bio Medical Waste Treatment and Disposal- 2,000.00 Kg/Day, Incineration - 400.00 Kg/ Day and Incineration Ash- 30.0 Kg/ Day. In this regard unit has submitted a letter that their installed capacity is 1200 Kg/ Day Autoclaving + 1200 Kg/ Day Incineration (which includes Yellow category waste @ 800 Kg/ Day and captive dry ETP sludge @ 400 Kg/ Day). Hence the total capacity of BMW treatment comes out to be 2000 Kg/ Day which includes 1200 Kg/ Day autoclaving and 800 Kg/Day incineration. However as per the information collected from the representative the ETP sludge generated is not more than 30-40 Kg fortnightly. 3. As per the office record and the information provided by representative of M/s Envision Enviro Engineers Pvt. Ltd. in the jurisdiction of this office BMW of all units whether

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સાબરમતી જિલ્લા સ્વાસ્થ્ય મંડળ

(B. D. M.)

government or private is being collected by the same and hence there are no such units where deep burial is practiced for disposal of BMW.

4. Facility submitted the report of Bio Medical waste collection on monthly basis
5. During Visit all necessary safety kit were wear by workers.
6. The facility had installed the automatic feeding system to prevent the odor generated from waste handling.
7. Unit had maintained records of Emission Monitoring System (CSEMS) for the gases CO, CO₂, O₂, PM. Temperature- 1(Primary Chamber) & Temperature-2 (Secondary Chamber)
8. Unit has provided the flow meter at bore well & outlet of ETP.
9. Garland drain was constructed around ETP platform.

Observation communicated during inspection:

1. Unit should maintain the housekeeping near waste collection facility.
2. Unit should increase area of plantation.

I R is being put up for information & necessary action.

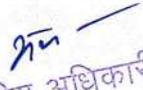

(K.B.Paliwal)

SO, RPCB, Udaipur

Counter Signature


(Sharad Saksena)

R.O.RPCB, Udaipur


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उदयपुर (राज.)

FORM - X
RAJASTHAN STATE POLLUTION CONTROL BOARD
REPORT OF THE STATE BOARD ANALYST

(See Rule - 24)

Final Report

Report No. : 4674

Report On : 01/11/2022

I hereby certify that I Ms Pnyal Pancholi, State Board Analyst duly appointed under sub Section(3) of Section 53 of the Water (Prevention & Control of Pollution) Act, 1974 received on the 11/10/2022 from Kunj Bihari Paliwal, SO, Udaipur, RSPCB Udaipur a sample of Waste Water of M/S En Vision Enviro Engineers (P) Ltd. , Plant - , , City- Umarda Tehsil- Girwa , District- Udaipur Collected from Final outlet of ETP Collected on 10/10/2022. The Sample was in a condition fit for analysis as reported below :-

I further certify that I have analyzed the aforementioned sample on 01/11/2022 and declare the result of the analysis to be as below :-

S. No.	Parameters	Result
1	pH	8.27
2	Total Suspended Solids mg/l	86
3	Chemical Oxygen Demand (COD) mg/l	196
4	Bio-Chemical Oxygen Demand (BOD) (5days at 27° C) mg/l	22
5	Oil & Grease mg/l	4

The condition of the seals, fastening and container on receipt was as follows : Intact
Signed This On 01/11/2022

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BOARD ANALYST

Rajasthan State Pollution Control Board
Regional Office Udaipur
F / 470, Madri Ind. Area, Udaipur
Phone: 0294-2491269

Branch Office : 128/103, 1st Floor, Samruddhi Complex, Opp. Krishi Mandi, Nr. Reti Stand, Udaipur, Rajasthan.
Ph. No. (0294) 2481543 e-mail : bmw.udaipur@en-vision.in, Visit us at : www.en-vision.in
Site : Plot No. 5008, Village : Umarda, Tehsil : Girwa, Dist.: Udaipur, Rajasthan.

Date: 04th June 2018
REF: EEEPL/UDR/012/2020-21

To,
Rajasthan State Pollution Control Board
4, Institutional Area,
Jhalana Doongari,
Jaipur-302 004
Rajasthan.

SUB: REQUEST FOR CORRECTION IN CAPACITY OF INCINERATOR IN CONSENT TO OPERATE ORDER GRANTED TO US.

REF: CONSENT TO OPERATE VIDE ORDER NO. 2018-2019/BMW/5959 DATED 15.05.2018

Dear Sir,
We are very much thankful to you for granting us the Consent to Operate vide order no. 2018-2019/BMW/5959 Dated 15.05.2018 valid up to 31.03.2023. In this connection we would like to inform that due to some typographical errors occurs in capacity of Incineration, we seek amendment in the CCA order granted to us as below;

• **Condition No. 2, page no. 1:**

Details as per CCA Renewal order granted vide no. 2018-2019/BMW/5959 dated 15.05.2018			Correction required in CCA Renewal order		
Particular	Type	Quantity with unit	Particular	Type	Quantity with unit
Bio Medical Waste Treatment & Disposal	Service	2,000.00 Kg/Day	Bio Medical Waste Treatment & Disposal	Service	2,000.00 Kg/Day
Incineration	Service	400.00 Kg/Day	Incineration	Service	1200.00 Kg/Day
Incineration Ash	Service	30.00 Kg/Day	Incineration Ash	Service	50.00 Kg/Day

In-light of above facts, we request you to grant us the necessary amendment in the Consent to Operate order with correction in the capacity of Incineration at your earliest and do the needful.

Thanking You,
Yours Faithfully,

For **EN - VISION ENVIRO ENGINEERS PVT. LTD.,**

N. S. Subh
NIHAR DOCTOR
DIRECTOR

goll
16.11.21
क्षेत्रीय अधिकारी
राजस्थान राज्य प्रदूषण नियंत्रण मण्डल
उदयपुर (राज.)

Branch Office : 128/103, 1st Floor, Samruddhi Complex, Opp. Krishi Mandi, Nr. Reti Stand, Udaipur, Rajasthan
Ph. No. (0294) 2481113 e-mail : bmv.udaipur@en-vision.in, Visit us at : www.en-vision.in
Site : Plot No. 5008, Village- Umarda, Tehsil Girwa, Dist. Udaipur, Rajasthan

Date:- 14th, November, 2022

EEEEPL/2022/

To,
The Regional Officer,
Rajasthan State Pollution Control Board
470, Near UCCI Building, M.I.A.
Udaipur(Raj.)

Subject: Regarding Bio Medical Waste category received for disposal at CBWTF- Udaipur (Raj.)

Respected Sir,

Greetings from EN- Vision Enviro Engineers Pvt. Ltd.!

With due respect, we would like to inform you that Bio Medical Waste category with average qty. of waste receiving at CBWTF Udaipur per day are as follows:-

S.No.	Waste Category	Average qty. receiving at CBWTF Udaipur
1	Incinerable (Yellow Category)	800-900 kg per day
2	Autoclavable or others	600-800 kg per day

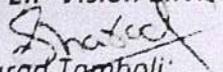
**Receiving qty. of waste is not uniform, it may up & down.

This is only for your kind reference & necessary information please.

Thanking you

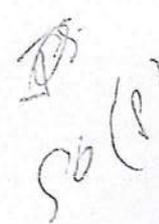
Yours faithfully

For En- Vision Enviro Engineers Pvt. Ltd.


Sharad Tamboli

(Facility Incharge)




16/11/22
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राजस्थान राज्य प्रदूषण नियंत्रण मण्डल
उदयपुर (राज.)

Branch Office: 125/103, 1st Floor, Samudra Complex, Opp. Kirti Mandir, Nr. Reti Stand, Udaipur, Rajasthan
 Ph. No. (0294) 2482543 e-mail: eme.udaipur@en-vision.in, Visit us at: www.en-vision.in
 Site: Plot No. 5008, Village: Umarda, Tehsil: Girwa, Dist: Udaipur, Rajasthan

UNDERTAKING

I Mr. Nihar Doctor (Director) do solemnly affirm and declare as under:

We are operating Centralized bio-medical Waste Treatment Facility named M/s EN-VISION ENVIRO ENGINEERS PVT. LTD., at Address Plot No. 5008, Tahsil: Girwa, Dist: Udaipur Rajasthan

This is with reference granting us the Consent to operate vide order no. 2018-2019/BMW/5959 Dated 15.05.2018 valid up to 31.03.2023. In this connection we would like clarify that we have grad below renewal Oder

Details as per CCA Renewal order granted vide no. 2018-2019/BMW/5959 dated 15.05.2018

Particular	Type	Quantity with unit
Bio Medical Waste Treatment & Disposal	Service	2,000.00 kg/Day
Incineration	Service	400.00 kg/Day
Incineration Ash	Service	30.00 Kg/Day

We are declaring that our total Plant Capacity is us under:

Equipment	Capacity	Remark
Incinerator	50kg/Hour – 1200 Kg/Day	yellow category biomedical waste and incineration of Dry ETP sludge,
Autoclave	50kg/Hour – 1200 Kg/Day	Red and Blue Category Waste
-	-	Incineration Ash dispose @ TSDF Site

Thanking You,
Yours Faithfully,

For **EN - VISION ENVIRO ENGINEERS PVT. LTD.,**



Date: 16.11.2022

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उदयपुर (राज.)

So (P)
16.11.22

FORM - X
RAJASTHAN STATE POLLUTION CONTROL BOARD
REPORT OF THE STATE BOARD ANALYST
(See Rule - 10)
Final Report

Report No. : 5089

Report On : 19/10/2022

I hereby certify that I Ms Payal Pancholi, State Board Analyst duly appointed under sub Section(2) of Section 29 of the Air (Prevention & Control of Pollution) Act, 1981 received on the 11/10/2022 from Shri Kunj Bihari Paliwal, SO, Udaipur ,RSPCB Udaipur a sample of Ambient Air Quality of M/S En Vision Enviro Engineers (P) Ltd. , Plant - Ms. Envision Enviro Engineers Pvt. Ltd. [949] ,Plot No 5008, Village Umarda, Tehsil Girwa, District Udaipur , City- Umarda Tehsil- Girwa , District- Udaipur Collected from AAQM near Main gate of the unit. Collected on 10/10/2022. The Sample was in a condition fit for analysis as reported below :-

I further certify that I have analyzed the aforementioned sample on 19/10/2022 and declare the result of the analysis to be as below :-

S. No.	Parameters	Result
1	Particulate Matter (PM10) $\mu\text{g}/\text{m}^3$	96
2	Sulphur Dioxide as SO ₂ $\mu\text{g}/\text{m}^3$	7.4
3	Oxides of Nitrogen as NO _x $\mu\text{g}/\text{m}^3$	20.3

The condition of the seals, fastening and container on receipt was as follows : **Intact**
Signed This On 19/10/2022

Payal
BOARD ANALYST

Rajasthan State Pollution Control Board
Regional Office Udaipur
F / 470, Madri Ind. Area, Udaipur
Phone: 0294-2491269

Payal
क्षेत्रीय अधिकारी
राजस्थान राज्य प्रदूषण नियंत्रण मण्डल
उदयपुर (राज.)

FORM - X
RAJASTHAN STATE POLLUTION CONTROL BOARD
REPORT OF THE STATE BOARD ANALYST
(See Rule - 10)
Final Report

Report No. : 5090

Report On : 19/10/2022

I hereby certify that I Ms Payal Pancholi, State Board Analyst duly appointed under sub Section(2) of Section 29 of the Air (Prevention & Control of Pollution) Act, 1981 received on the 11/10/2022 from Shri Kunj Bihari Paliwal, SO, Udaipur ,RSPCB Udaipur a sample of Source Emission (Stack) of M/S En Vision Enviro Engineers (P) Ltd. , Plant - Ms. Envision Enviro Engineers Pvt. Ltd. [949] .Plot No 5008, Village Umarda, Tehsil Girwa, District Udaipur , City- Umarda Tehsil- Girwa , District- Udaipur Collected from stack of Incinerator attached with Ventury scrubber system. Collected on 10/10/2022. The Sample was in a condition fit for analysis as reported below :-

I further certify that I have analyzed the aforementioned sample on 19/10/2022 and declare the result of the analysis to be as below :-

S. No.	Parameters	Result
1	NOx mg/NM3	18.6
2	Particulate Matter mg/Nms	45

The condition of the seals, fastening and container on receipt was as follows : **Intact**

Signed This On 19/10/2022

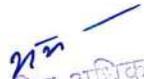

BOARD ANALYST

Rajasthan State Pollution Control Board

Regional Office Udaipur

F / 470, Madri Ind. Area, Udaipur

Phone: 0294-2491269


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उदयपुर (राज.)

Head Office (BMW)

Rajasthan State Pollution Control Board

4, Institutional Area, Jhalana Doongari, Jaipur-302 004

Phone: 141-5159600 Fax: 0141-5159697



Registered

File No : F(BMW)/Udaipur(Girwa)/17(1)/2009-2010/933-935

Order No : 2018-2019/BMW/5959

Date: 15/05/2018

Unit Id : 949

M/s En Vision Enviro Engineers (P) Ltd.

Umarda Tehsil:Girwa

District:UDAIPUR

Sub: Consent to Operate under section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and under section 21(4) of Air (Prevention & Control of Pollution) Act, 1981.

Ref: Your application for Consent to Operate dated 06/03/2018 and subsequent correspondence.

Sir,

Consent to Operate under the provisions of section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 (hereinafter to be referred as the Water Act) and under section 21 of the Air (Prevention & Control of Pollution) Act, 1981, (hereinafter to be referred as the Air Act) as amended to date and rules & the orders issued thereunder is hereby granted for your **Ms. Envision Enviro Engineers Pvt. Ltd.** plant situated at **Plot No 5008, Village Umarda, Tehsil Girwa, District Udaipur Udaipur Tehsil:Girwa District:Udaipur**, Rajasthan, subject to the following conditions:-

- 1 That this Consent to Operate is valid for a period from **01/04/2018** to **31/03/2023**.
- 2 That this Consent is granted for manufacturing / producing following products / by products or carrying out the following activities or operation/processes or providing following services with capacities given below.

Particular	Type	Quantity with Unit
BIO MEDICAL WASTE TREATMENT & DISPOSAL	Service	2,000.00 KG/DAY
INCINERATION	Service	400.00 KG/DAY
Incineration Ash	Service	30.00 KG/DAY

- 3 That this consent to operate is for existing plant, process & capacity and separate consent to establish/operate is required to be taken for any addition / modification / alteration in process or change in capacity or change in fuel.
- 4 That the quantity of effluent generation along with mode of disposal for the treated effluent shall be as under:

Digitally signed by
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उदयपुर (राज.)



Head Office (BMW)
Rajasthan State Pollution Control Board
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 Phone: 141-5159600 Fax: 0141-5159697

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File No : F(BMW)/Udaipur(Girwa)/17(1)/2009-2010/933-935

Order No : 2018-2019/BMW/5959

Date: 15/05/2018

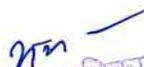
Unit Id : 949

Type of effluent	Max. effluent generation (KLD)	Recycled Qty of Effluent (KLD)	Disposed Qty of effluent (KLD) and mode of disposal
Domestic Sewage	0.800	NIL	0.800 Septic Tank and Soakpit
Trade Effluent	1.400	NIL	1.400 On Land For Irrigation

- 5 That the sources of air emissions along with pollution control measures and the emission standards for the prescribed parameters shall be as under:

Sources of Air Emissions	Pollution Control Measures	Prescribed	
		Parameter	Standard
DG Set(20KVA)	ACOUSTIC ENCLOSURE , ADEQUATE STACK HEIGHT	--	--
Incinerator(50KG/HOUR)	VENTURY SCRUBBER	HCL	50 mg/Nm ³
		Total dioxins and furans	0.1 ng TEQ/Nm ³ at 11 percent Oxygen
		Particulate Matter	50 mg/Nm ³
		NOx	400 mg/Nm ³
		Hg and its compounds	.05 mg/Nm ³

- 6 That the trade effluent shall be treated before disposal so as to conform to the standards prescribed under the Environment (Protection) Act-1986 for disposal **On Land for irrigation** . The main parameters for regular monitoring shall be as under


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 उदयपुर (राज.)

Head Office (BMW)



Rajasthan State Pollution Control Board
 4, Institutional Area, Jhalana Doongari, Jaipur-302 004
 Phone: 141-5159600 Fax: 0141-5159697

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File No : F(BMW)/Udaipur(Girwa)/17(1)/2009-2010/933-935

Order No : 2018-2019/BMW/5959

Date: 15/05/2018

Unit Id : 949

Parameters	Standards
Total Suspended Solids	Not to exceed 100 mg/l
pH Value	Between 5.5 to 9.0
Oil and Grease	Not to exceed 10 mg/l
Chemical Oxygen Demand	Not to exceed 250 mg/l
Bio-assay Test	90% survival of fish after 96 hours in 100% effluent
BOD (3 days at 27C)	Not to exceed 30 mg/l

- 7 That the Common Bio-medical Waste Treatment & Disposal Facility will comply with the standards as prescribed vide MOEF notification No. GSR 826(E) dated 16th November, 2009 with respect to National Ambient Air Quality Standards.
- 8 That the hospital shall comply the provisions of Bio-medical Waste Management Rules, 2016 and amendment thereof.
- 9 That Bio-medical waste shall be treated and disposed of in accordance with Schedule I, and in compliance with the standards provided in Schedule-II of BMW Rules 2016 and amendment thereof, by common bio-medical waste treatment facility
- 10 That after ensuring treatment by autoclaving or microwaving followed by mutilation or shredding, whichever is applicable, the recyclables from the treated bio-medical wastes such as plastics and glass shall be given to such recyclers having valid authorization or registration from State Board.
- 11 That you shall maintain a record of recyclable wastes referred in sub-rule (9) of Bio-medical Waste Management Rules, 2016 and amendment thereof, which are auctioned or sold and the same shall be submitted to the State Board as part of its annual report
- 12 That the handling and disposal of all the mercury waste and lead waste shall be in accordance with the respective rules and regulations
- 13 That you shall transport the bio-medical waste from the premises of an occupier to any off-site bio-medical waste treatment facility only in the vehicles having label as provided in part 'A' of the Schedule IV along with necessary information as specified in part 'B' of the Schedule IV.
- 14 That the treated effluent will be used for plantation inside the premises after treatment and no industrial effluent will be discharged outside the premises

Digitally signed by
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 उदयपुर (राज.)

Head Office (BMW)

Rajasthan State Pollution Control Board

4, Institutional Area, Jhalana Doongari, Jaipur-302 004

Phone: 141-5159600 Fax: 0141-5159697

Registered

File No : F(BMW)/Udaipur(Girwa)/17(1)/2009-2010/933-935

Order No : 2018-2019/BMW/5959

Date: 15/05/2018

Unit Id : 949

- 15 That online emission monitoring system will be operated as per the prescribed guidelines by CPCB/RPCB.
- 16 That, notwithstanding anything provided hereinabove, the State Board shall have power and reserves its right, as contained under section 27(2) of the Water Act and under section 21(6) of the Air Act to review anyone or all the conditions imposed here in above and to make such variation as it deemed fit for the purpose of Air Act & Water Act.
- 17 That the grant of this Consent to Operate is issued from the environmental angle only, and does not absolve the project proponent from the other statutory obligations prescribed under any other law or any other instrument in force. The sole and complete responsibility to comply with the conditions laid down in all other laws for the time-being in force, rests with the industry/ unit/ project proponent.
- 18 That the grant of this Consent to Operate shall not, in any way, adversely affect or jeopardize the legal proceeding, if any, instituted in the past or that could be instituted against you by the State Board for violation of the provisions of the Act or the Rules made thereunder.

This Consent to Operate shall also be subject, besides the aforesaid specific conditions, to the general conditions given in the enclosed Annexure. The project proponent will comply with the provisions of the Water Act and Air Act and to such other conditions as may, from time to time , be specified, by the State Board under the provisions of the aforesaid Act(s). Please note that, non compliance of any of the above stated conditions would tantamount to revocation of Consent to Operate and project proponent / occupier shall be liable for legal action under the relevant provisions of the said Act(s).

This bears the approval of the competent authority.

Yours Sincerely

Group Incharge [BMW]

Copy To:-

- 1 Master file BMW cell, RPCB, Jaipur.
- 2 Regional Officer, Regional Office, Rajasthan State Pollution Control Board, Udaipur for information please

Group Incharge [BMW]

9th
 क्षेत्रीय अधिकारी
 राजस्थान राज्य प्रदूषण नियंत्रण मण्डल
 उदयपुर (राज.)

Signature Not
 Verified
 Digitally signed by
 VIJAI KUMAR
 SINGHAL
 Date: 2018.05.15
 15:31:56 +05:30

Head Office (BMW)

Rajasthan State Pollution Control Board

4, Institutional Area, Jhalana Doongari, Jaipur-302 004

Phone: 141-5159600 Fax: 0141-5159697

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File No : F(BMW)/Udaipur(Girwa)/17(1)/2009-2010/933-935

Order No: 2018-2019/BMW/5959

Date: 15/05/2018

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उदयपुर (राज.)



RAJASTHAN STATE POLLUTION CONTROL BOARD
4, Institutional Area, Jhalana Doongari, Jaipur-302 004
 Phone: 141-5159600 Fax: 0141-5159697



Registered

F(BMW)/Udaipur(Girwa)/17(1)/2009-2010/930-932

Date: 15/05/2018

Unit Id : 949

FORM IV
 (SEE Rule 10 of BMW Rules, 2016)

(Authorization for operating a facility for Collection, Disposal, Incineration, Reception,
 Transport, Treatment of Biomedical Wastes)

- 1 Authorization Letter No. BMW/2018-2019/BMW/BMW/10.
- 2 **Mr. Nihar Doctor, Director of En Vision Enviro Engineers (P) Ltd. is hereby granted an authorization under Rule 10 of Bio-Medical Waste (Management & Handling) Rules, 2016 (BMW Rules,2016) to operate a facility for Collection, Disposal, Incineration, Reception, Transport, Treatment of biomedical waste on the premisses situated at , Umarda, Tehsil Girwa, District Udaipur.**
- 3 This authorization shall be in force for a period from 01/04/2018 to 31/03/2023 .
- 4 This authorization is valid for operation of the CBWTFDF with 0 (zero) number of beds.
- 5 This authorization is subject to the conditions contained in enclosed annexure and to such other conditions/guidlines as may be specified under BMW Rules, 2016 by Central Pollution Control Board, Delhi or Ministry of Environment & Forests(MoEF), Government of India (GOI) or Department of Environment (DOE), Government of Rajasthan (GOR).
- 6 Segregation, packing, transportation, storage, treatment & disposal of bio medical waste shall be in accordance with Rule 7 & 8 of BMW Rules, 2016. The bio medical waste shall be disposed of at Common Biomedical Waste Treatment & Disposal Facility (CBWTFDF) established for the area viz M/s Ramky Enviro Engineers-Ltd.
- 7 The mercury bearing waste arising due to breakage of thermometers,pressure gauges and other instruments is not to be treated as bio-medical waste or other solid waste.The mercury bearing waste is to be segregated, collected , stored and disposed in accordance with the provisions of Hazardous Waste and other wastes (Management and Transboundary Movement) Rules, 2016.
- 8 The Annual report in accordance with Rule 13 for the period 1st January to 31st December of previous year shall be submitted On or before 30th June of every year in form - IV as prescribed in the Rules and the annual report shall also be made available on the web-site of the occupier. Further, all the health care facilities shall develop their website within two years from the date of notification of the BMW Rules,2016, in case not already developed.


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 उदयपुर (राज.)

Signature Not
 Verified
 Digitally signed by
 VIJAI KUMAR
 SINGHAL
 Date: 2018.05.15
 15:30:28 +05:30



RAJASTHAN STATE POLLUTION CONTROL BOARD
4, Institutional Area, Jhalana Doongari, Jaipur-302 004
 Phone: 141-5159600 Fax: 0141-5159697

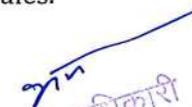
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F(BMW)/Udaipur(Girwa)/17(1)/2009-2010/930-932

Date: 15/05/2018

Unit Id : 949

- 9 The hospital shall maintain the record of biomedical waste as per Rule 14 & shall be produced during the inspection.
- 10 That the hospital shall phase out use of chlorinated plastic bags, gloves and blood bags within two years from the date of notification of the BMW Rules, 2016.
- 11 That the hospital shall establish a Bar-Code System for bags or containers containing bio-medical waste to be sent out of the premises or place for any purpose within one years from the date of the notification of the BMW Rules, 2016.
- 12 That the hospital shall provide training to all its health care workers and others, involved in handing of bio-medical waste at the time of induction and thereafter at least once every year and the details of training programs conducted, number of personnel trained and number of personnel not undergone any training shall be provided in the Annual Report.
- 13 The application for renewal of authorization shall be submitted online in prescribed form along with requisite fee, affidavit, assessment format, annual report & copy of valid agreement with CBMWTDF at least 120 days before the date of expiry of this authorization.
- 14 In case of expansion in bed capacity or increase in pollution load, the hospital shall obtain prior Consent to Establish under Water (Prevention and Control of Pollution) Act, 1974, Air (Prevention and Control of Pollution) Act, 1981 & revised Authorization under BMW Rules, 2016.
- 15 That the hospital shall comply the provisions of Bio-medical Waste Management Rules, 2016.
- 16 That the hospital shall comply with the standards for treatment disposal of Bio-medical Waste as specified under schedule II of Bio-medical Waste Management Rules, 2016.
- 17 That infected hospital liquid waste must be given chemical treatment by using at least 10% hypochlorite solution or any other equivalent chemical reagent to ensure required disinfection as prescribed in part-2 of schedule-I of the Rules.


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RAJASTHAN STATE POLLUTION CONTROL BOARD
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F(BMW)/Udaipur(Girwa)/17(1)/2009-2010/930-932

Date: 15/05/2018

Unit Id : 949

- 18 That the CTDF shall comply the provisions of Bio-medical Waste Management Rules, 2016 and amendment thereof.
- 19 That Bio-medical waste shall be treated and disposed of in accordance with Schedule I, and in compliance with the standards provided in Schedule-II of BMW Rules 2016 and amendment thereof, by common bio-medical waste treatment facility
- 20 That after ensuring treatment by autoclaving or microwaving followed by mutilation or shredding, whichever is applicable, the recyclables from the treated bio-medical wastes such as plastics and glass shall be given to such recyclers having valid authorization or registration from State Board.
- 21 That you shall maintain a record of recyclable wastes referred in sub-rule (9) of Bio-medical Waste Management Rules, 2016 and amendment thereof, which are auctioned or sold and the same shall be submitted to the State Board as part of its annual report
- 22 That the handling and disposal of all the mercury waste and lead waste shall be in accordance with the respective rules and regulations
- 23 That you shall transport the bio-medical waste from the premises of an occupier to any off-site bio-medical waste treatment facility only in the vehicles having label as provided in part 'A' of the Schedule IV along with necessary information as specified in part 'B' of the Schedule IV.
- 24 That the treated effluent will be used for plantation inside the premises after treatment and no industrial effluent will be discharged outside the premises.
- 25 That the hospital shall maintain record of collection, storage and transportation of bio-medical waste to Common Bio-Medical Waste Treatment and Disposal Facility (CBWTDF) for disposal. The quarterly abstract related to the collection, storage, transportation and disposal shall be submitted to the H.O. and Regional Office in the format given below:

Sr. No.	Month & Year	Disposal of bio-medical waste as per colour code (in Kg.)				Number of collection trips by CBMWTDF
		Yellow	Red	Blue / White	Black	

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 उदयपुर (राज.)

Signature Not Verified
 Digitally signed by
 VIJAI KUMAR
 SINGHAL
 Date: 2018.05.15
 15:30:28 +05:30



RAJASTHAN STATE POLLUTION CONTROL BOARD
4, Institutional Area, Jhalana Doongari, Jaipur-302 004
 Phone: 141-5159600 Fax: 0141-5159697

Registered

F(BMW)/Udaipur(Girwa)/17(1)/2009-2010/930-932

Date: 15/05/2018

Unit Id : 949

- 26 This Authorization is issued from the environmental angle only, and does not absolve the project proponent from the other statutory obligations prescribed under any other law or any other instrument in force. The sole and complete responsibility, to comply with the conditions laid down in all other laws for the time being in force, rests with the hospital/ unit / project proponent.
- 27 This Authorization shall not, in any way, adversely affect or jeopardize the legal proceedings, if any, instituted in the past or that could be instituted against you by the State Board for violation of the provisions of the Act or the Rules made there under.

This bears the approval of the competent authority.

Enclose :- Annexure

Yours Sincerely

Group Incharge

Copy To:-

- 1 Regional Officer, Regional Office, Rajasthan State Pollution Control Board,Udaipur for information please
- 2 Master File SWMC Cell, RPCB, Jaipur

Group Incharge

To :

M/s En Vision Enviro Engineers (P) Ltd.

Umarda Tehsil:Girwa

District:UDAIPUR

(Handwritten Signature)
 क्षेत्रीय अधिकारी
 राजस्थान राज्य प्रदूषण नियंत्रण मण्डल
 उदयपुर (राज.)

Item No.06

**BEFORE THE NATIONAL GREEN TRIBUNAL
CENTRAL ZONE BENCH, BHOPAL
(Through Video Conferencing)**

Original Application No. 74/2021 (CZ)

Kailash Kumar Changani

Applicant (s)

Versus

State of Rajasthan & Ors

Respondent(s)

Date of hearing: **27.09.2021**

**CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

For Applicant(s):

Mr. Bhavdeep Singh, Adv.

For Respondent(s):

None

ORDER

1. The issue raised in this application is violation of the Bio Medical Waste Management Rules, 2016 by wrongly operating CBWTF at RNT Medical College Udaipur wherein more than half of the waste is not being treated and is being dumped at Balicha dumping ground Udaipur which is owned by Udaipur Municipal Corporation and there is huge gap in generation of Bio Medical Waste and capacity to treat it.
2. Issue notice to the respondents. Returnable within four weeks.
3. Applicant is directed to take necessary steps for service to the respondents by both ways and also on available email.


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उदयपुर (राज.)

- 4 Respondents are directed to submit their reply within six weeks through e-filing portal, preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.
- 5 We deem it just and proper to call a report on the matter in issue, in present application, from a Joint Committee consisting of:-
- (i) Representative of CPCB, Rajasthan.
 - (ii) Representative of Rajasthan Pollution Control Board.
 - (iii) Chief Medical Officer, Udaipur, Rajasthan
6. The Committee is directed to visit the place and submit the factual and action taken report within six weeks. The State PCB will be the nodal agency for coordination and logistic support.
7. The report in the matter be filed by the Committee by email at ngtczbbho-mp@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.
8. Applicant is directed to supply the required documents and copy of the application to the Committee and respondents within a week and after compliance of service, the applicant has to submit an affidavit that the notice and copy of the application have been served on the respondent as well as the Committee.

List it on **1st December, 2021.**

Sheo Kumar Singh, JM

Arun Kumar Verma, EM

27th September, 2021
O.A. No. 74/2021 (CZ)
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Joint Committee Inspection Report

In the Matter of

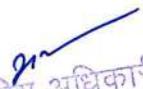
Original Application No.74/2021
'Kailash Kumar Changani Vs State of Rajasthan & Ors'

w.r.to

Hon'ble National Green Tribunal Central Bench Bhopal
order dated 27.09.2021

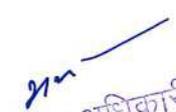
Date of Visit: 20 October, 2021

Location: Udaipur, Raj.


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Glossary

APCD	Air Pollution Control Device
BMWM	Bio Medical Waste Management
CEMS	Continuous Emission Monitoring System
CO	Carbon Monoxide
CO ₂	Carbon Dioxide
CPCB	Central Pollution Control Board
CBWTF	Common Bio-medical Waste Treatment Facility
DG	Diesel Generator
ETP	Effluent Treatment Plant
GPS	Global Positioning System
HCF	Health Care Facility
HWM	Hazardous Waste Management
MT	Metric Ton
OCMS	Online Continuous Monitoring System
PLC	Programmable Logic Controller
PM	Particulate Matter
RSPCB	Rajasthan State Pollution Control Board
TSDF	Treatment Storage Disposal Facility


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Joint Committee Inspection Report in the matter of Kailash Kumar Changani Vs State of Rajasthan &Ors'

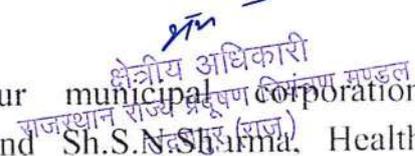
Hon'ble NGT (CZ), Bhopal vide its order dated 27September, 2021 in OA no. 74/2021 'Kailash Kumar Changani Vs State of Rajasthan &Or s' directed under Para 1, 5 and 6 as :-

1. *The issue raised in this application is violation of the Bio Medical Waste Management Rules, 2016 by wrongly operating CBWTF at RNT Medical College Udaipur wherein more than half of the waste is not being treated and is being dumped at Balicha dumping ground Udaipur which is owned by Udaipur Municipal Corporation and there is huge gap in generation of Bio Medical Waste and capacity to treat it.*
5. *We deem it just and proper to call a report on the matter in issue, in present application, from a Joint Committee consisting of:-*
 - (i) *Representative of CPCB, Rajasthan.*
 - (ii) *Representative of Rajasthan Pollution Control Board.*
 - (iii) *Chief Medical Officer, Udaipur, Rajasthan*
6. *The Committee is directed to visit the place and submit the factual and action taken report within six weeks. The State PCB will be the nodal agency for coordination and logistic support.*

In view of the above direction the M/s RNT medical campus, Udaipur Balicha dumping ground Udaipur and M/s En-Vision Enviro Pvt. Ltd. which is functioned as Common Biomedical Waste Treatment Facility (CBWTF) has been visited by the joint committee on 20th October, 2021 to assess the factual status of allegation made in petition, compliance status of Bio-medical Waste Management, Rules 2016 and Guidelines issued in this regard from time to time. The joint committee comprised of the following officers:

1. Sh. Vinay Katta, Regional Officer, RSPCB Udaipur
2. Sh. Dinesh Kharadi CMHO, Udaipur
3. Dr. Anoop Chaturvedi, Scientist 'B' Regional Directorate, CPCB, Bhopal

During visit representative of Udaipur municipal corporation Sh. Mahendra Samdhani Executive Engineer and Sh. S. N. Sharma, Health Officer representative of RNT medical college Ms. Shahin Banu Infection



control nurse, Sh. Gorav and representative of M/s En-vision Enviro Sh. Shrad Tamboli were present during the inspection and informed about present waste management practice and status of legal compliance. Ms. Payal Pancholi SO cum lab in-charge of regional office RSPCB Udaipur was also present along with her monitoring team.

The main issues raised in the petition by the applicant regarding the RNT medical college, Balicha trenching ground and CBWTF unit verification points as per 27.9.2021 order areas under :-

1. Illegal operation of CBWTF at RNT college campus and mismanagement of BMW.
2. Dumping of BMW at Balicha trenching ground.
3. M/s En-vision Enviro Ltd. (CBWTF) not complying the BMW guidelines.
4. CBWTF not having the capacity to treat BMW.

To verify the factual status the team has visited three locations i.e. RNT medical campus, Balicha trenching ground and CBWTF and observed the biomedical waste management related activity which includes verification of storage and segregation practice adopted, treatment equipments, record keeping, data transmission, APCD and ETP status etc. During the visit the team also interacted with RNT medical collage staff who are associated with waste management, workers of Balicha site, drivers, contract workers and helpers to find out the awareness level and subject knowledge of work assigned, and also tried to fetch out any other information which is related to this matter.

During visit geographical coordinates, photographs and other relevant information were also collected which are incorporated in the Report. The main observation of the team is given below:

ISSUE 1 - Illegal operation of CBWTF at RNT college campus and mismanagement of BMW.

1. Ravindra Nath Tagore Medical College, Udaipur is a Govt. medical college. The college was established in 1961, R.N.T. Medical College, Udaipur City. There are five hospitals attached to this Medical College. These are Maharana Bhupal Govt Hospital; Pannadhay Rajkiya Mahila Chikitsalaya; Seth Ram Vilas Bhuwalka Yakshma Arogya Sadan;

Shri Khemraj Katara Satellite Hospital, Hiran Magri sector no 6 & Shri Sunder Singh Bhandari District Hospital, Chandpole.

2. The Maharana Bhupal Govt Hospital having the 1146 bed strength and consent was expired on 30.11.2013 and further applied for renewal on the basis of that RSPCB, RO Udaipur visited the hospital on 20.11.2020 and issued notice on 28.6.2021 for necessary improvements, hospital yet to submit the action taken report, hence renewal still under consideration with RSPCB. The copy of the notice enclosed as Annexure-01
3. The Pamadhay Rajkiya Mahila Chikitsalaya having the 540 bed strength and consent expired on 31.8.2021.
4. It was observed that there is no CBWTF installed in RNT medical college campus and entire BMW is being sent to M/s En-vision Enviro Ltd. which is located around 20 km away from the RNT medical college. Hence it is false allegation as mentioned in the petition.
5. During inspection randomly 05 wards i.e. Emergency, NICU, Medicine, Surgical, and Orthopedics visited in RNT medical college and interacted with paramedical staff to know the factual status and it was observed that they have knowledge about BMW segregation, but its implementation was poor due to casual attitude and weak supervision.
6. The BMW shall be segregated into containers or bags at the point of generation in designated colour coded bin/container but it was observed at most of the nursing station, waste generation points only one or two bins are available, hence proper segregation of BMW is not being done. It was also observed during the visits that lack of segregation practices results in the mixing of hospital wastes with general wastes.
7. The general housekeeping work including waste collection from ward to ward has been outsourced but outsourced staff is not that much trained about the 4 type of BMW segregation, so unknowingly they are mixing the waste. A formal short duration training (1 or 2 days) was given to doctors and nurses only, that too not very frequently, while a majority of the waste handlers especially the ward boys, sweepers and sanitary workers had not undergone practical training for safe handling of BMW and hence they probably unaware about proper management. However the attitude of infection control department and BMW management supervisors were found very positive and they are working sincerely for continual improvement of waste management in limited infrastructure and budget.
8. The hospital has provided isolated centralized BMW storage facility. It was observed that the BMW and MSW are being stored separately but at common location hence the possibility of interchanging of waste bags may not be ruled out. The hospital administration has unknowingly purchased

green colour bags for BMW collection but this colour is not recommended for collection of any category of waste so that it creates the confusion and probably this issue may be main cause for mismanagement. However hospital administration assured to sort out this issue very soon.

9. Both the hospitals having membership of CBWTF and sending entire BMW to CBWTF on regular basis and records are being maintained. It was observed that M/s En-vision environ ltd. collecting the BMW from medical college campus on regular basis which was also verified by GPS tracking data for the complaint period (1.8.2021 to 7.8.2021) and previous day (19.10.2021) of inspection. The GPS data sheet enclosed as Annexure-02
10. For tracking of waste bar coding is required however hospitals have not adopted bar code system so far as the matter of its implementation is pending at government level.
11. As per the waste collection data of CBWTF it was observed that less quantity of plastic waste reached for treatment hence the possibility of its pilferage from the wards may not be ruled out.
12. As discussed with contractor of housekeeping, in-charge of waste management and other associated members of waste management they accept that during the peak time of second wave of Covid minor mismanagement was happened due to acute shortage of *trained staff*, unwillingness of waste collection by sanitary staff and unknown fear of corona virus but same has been managed very soon.
13. As informed that the present man power supplier agency is not working properly and internal complaints of poor services were received from last few months, in this regard hospital administration issued letter and verbal instruction also given for further improvements. As no improvement observed so finally hospital decided no further renewal will be granted to this firm.
14. The NICU was maintained properly w.r.to BMW management and same type of practices may be adopted in other wards also.

ISSUE 2 - Dumping of BMW at Balichadumping ground.

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1. The team also visited Balicha dumping ground to verify illegal dumping of BMW and it was observed that it is open dumping ground and there is no fencing around it.
2. Complaints related to dumping of BMW at this site was also published recently in local news paper in this regard Regional Officer R.SPCB take self

cognizance and his team visited the place on 13.8.2021 then issued a notice to municipal corporation Udaipur on 9.9.2021 for taking necessary steps to prevent it. In compliance of that municipal corporation taking the corrective action and informed RSPCB on 28.9.2021 which is enclosed as Annexure-03

3. The municipal corporation started the fencing work all around the dumping site to prevent any unauthorized dumping. Security guards were also deputed for round the clock monitoring. The security guard maintaining all vehicle details and keeping vigil about which type of waste is being dumped by the vehicles but this arrangement was not available earlier.
4. It was observed that none of the government hospital and *most of the non-bedded HCFs* still not adopting the bar code system for waste tracking, so in this type of situation it very difficult to trace out the source of BMW dumped at dumping ground. The medical waste generated from households is being dumped at Balicha dumping ground by Municipal Corporation as there is no agreement with M/s En-vision enviro ltd. for its disposal. Hence the possibility of BMW dumping by non-member HCFs may not be ruled out.

ISSUE 3 - CBWTF not complying the BMW guidelines:

1. Team also visited M/s En-vision Enviro ltd. (work as CBWTF) to verify the provisions of BMWM Rules 2016.
2. The CBWTF has valid authorization upto 31.3.2023.
3. 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. On average basis 1200 kg waste treated per day in which 700 to 800 kg waste is incinerable category and remaining is recyclable and sharp waste.
4. The recyclable waste is autoclaved followed by shredder. The unit has also provided concrete make sharp pit for disposable of metal sharp and needles.
5. It was observed that the PLC system is attached with the incinerator and incinerator is partially operated on it.
6. In compliance of CPCB guidelines for management of Covid waste revision-4, the unit has provided separate waste collection mechanism with dedicated vehicle but same could not be physically verified because all the vehicles were in the field for waste collection.


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7. The unit has provided separate area for treated and untreated waste storage (15 ft X 20 ft) and seems it is sufficient to fulfill the present requirement of waste storage. It was observed that proper segregated and bar coded waste is not being received at the facility hence operator re-segregated the waste at the facility for sorting the recyclable material.
8. It was also observed that significant quantity of recyclable waste collected and received in yellow category bag which is further autoclaved. The traceability of this type of bags could not be done as there is no bar coding system and nothing mentioned on the bag regarding its identification.
9. As informed by the in charge of the facility the waste is collected from the member HCFs by the dedicated vehicles and every day the collection starts in the morning and completed in the evening. The collected waste is treated / incinerated same day.
10. During visit semi automatic feeding was practiced. As informed by the unit representative the up-gradation work of present incinerator has been completed and now it is complying the 2 second residence time. The certificate provide by the firm is enclosed as Annexure-04
11. 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.
12. The temperature of primary chamber and secondary chamber was observed 829°C and 1052°C respectively, but same as not transmitted or updated on CPCB website.
13. 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, PSF & ACF, Disinfection Tank. As informed by operator treated water is stored in over head tank and further used in horticulture and gardening purpose.
14. The unit has provided DG sets for emergency operation of plant and machinery in case of power supply failure.

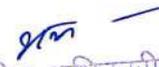
ISSUE 4 - CBWTF not having the capacity to treat BMW

1. The unit has installed 50 Kg/Hr capacity incinerator. It is observed from the record that compare to the yellow category incinerable waste received at the

- site and the capacity of incinerator is near about to its maximum treatment capacity. On average basis 800 to 900 Kg yellow category of waste received at CBWTF and this much quantity will take 16-18 Hr for incineration.
2. The functionality of the autoclave was also verified as autoclave was in operation during visit. Spore test of each batch and records were maintained as per rules which is enclosed as Annexure-05
 3. Shredder was found operational and kept near autoclave fixed on RCC foundation. The capacity of shredder is 50 kg/Hr and presently this capacity is sufficient to shred the receiving waste.
 4. The unit has claimed that as the operation of new facility in Dungurpur area approx 1500 beds reduced from the present capacity. As mentioned in petition Ananta institute of medical college and American international institute of medical science having 810 and 700 beds respectively but as per annual report submitted by the institutes they are having 650 and 100 beds only, so the gap of near about 800 beds is exist.
 5. As per the direction of district administration of Rajasthan the unit collecting the waste from Sirohi and Pali rural area, however it is not in the coverage area of this unit but due to unavailability of the facility in that area the unit is providing his services in this area.
 6. In the view of above it seems that presently the unit is able to treat the collected waste but further addition of large number of beds may create the problem as the incinerator is running at its optimum capacity.

OCEMS, Bar coding facility:

1. As per the guideline of CPCB, the unit has installed M/s Prima, make CEMS in incinerator stack to monitor primary & secondary chamber temperature, CO and CO₂. The CEMS data available at CPCB and RSPCB website which was verified during visit. The OCEMS data sheet for the duration of 1.10.2021 to 21.10.2021 enclosed as Annexure-06
2. During inspection, it is informed by the CBWTF that data is being transferred to the RSPCB/CPCB server through internet but due to poor internet connectivity in this area data transfer is sometimes hampered.
3. The unit has started the bar coding facility but its implementation at ground level was found poor. As per the record most of the HCFs are still not adopting the bar coding system due to lack of awareness in the matter. However implementation of the bar code system is the joint responsibility of the Occupier as well as Operator of a CBWTF.


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Record keepings :

The overall record keeping was found average and it need to improvement through digital type of proof rather than manual. Manual log book for incinerator, autoclave, shredder and ETP operation were maintained however as per norms PLC prints out or electronic tamper pro of record is to be maintained.

Emission and Ambient air quality monitoring

1. During the visit the team conducted the stack emission monitoring to assess the performance of APCD and emission value are given in the table below:

S.No	Location	PM (mg/Nm ³)	NO _x (mg/Nm ³)	Remarks
01	Incinerator stack	44	11	Emission values complying the norms.
	Standard limit	50	400	

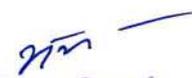
All the emission results were found within the limit, as given in BMWM Rules, 2016.

As per the emission data received by CEMS the values of CO and CO₂ were observed 0.131% and 0.90% respectively on the basis of it the combustion efficiency is 79.57% against standard of at least 99.0% it may be because of mix type of waste burned during monitoring.

2. To assess the air quality in the vicinity of the unit ambient air monitoring performed at two locations i.e. inside the plant premises in down and up wind direction. The result of ambient monitoring as given below:

S. No.	Location	PM ₁₀ (ug/Nm ³)	SO ₂ (ug/Nm ³)	NO ₂ (ug/Nm ³)	Remarks
01	Near main gate of the unit	81	7.6	12.1	Monitoring affected due to heavy vehicle movement in front of CBWTF.
	Standard	100	80	80	

The ambient monitoring shows that all the values are well within the limit.

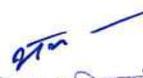

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Others :

1. The only positive thing is that the present Superintendent and his infection control team shown the responsive and cooperative attitude to adopt functional BMW system through time targeted action plan.
2. As informed by facility operator in-spite of organizing so many awareness program and personnel interaction with cleaning staff and CHC & PHC, problem of waste segregation at source is not solved even some of the hospital not willing to give waste and also not obtaining the membership of CBWTF.
3. The unit has obtained authorization under HW Rules for generation of incineration ash. As informed by the unit representative recently they have disposed 3.98 MT of ash through TSDF, Gudli on 4.10.2021. It was observed still 1 to 2 MT of ash still stored inside the room for disposal. The unit has displayed the hazardous information board at main gate of the unit but it was not updated properly. Copy of the manifest enclosed as **Annexure-07**
4. The plastic and other recyclable material collected from various hospitals is being stored inside the room for further treatment. The collected plastic disinfected and shredded and sold to authorize plastic waste recycler. Recently the unit has sold out 14 T of plastic and record of the same has been maintained. The receipt of plastic waste recycling enclosed as **Annexure-08**
5. As per the CPCB guideline the unit has downloaded the 'COVID19BWM' app and submitting the Covid waste collection data on it.
6. The facility has done all the necessary vaccination to staff engaged in waste collection and treatment i.e. Tetanus and Hepatitis-B.
7. As the unit is collecting and storing the medical waste so it is obvious some foul smell is generated inside the untreated waste storage room but outside the premises there was no foul feel observed by committee members during the visit. However unit is spraying disinfectant solution on regular basis to control the odor related problem if any.

Recommendation:-

On the basis of the joint inspection and monitoring by committee the following recommendations are given by the committee:-


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Action by RNT medical college:

1. The BMW and MSW must be stored at different location to avoid any mixing or interchanging of bags.
2. Hospital administration may coordinate with RSPCB regarding organizing awareness and training program at department level w.r.t. segregation, collection, storage, and proper documentation.
3. The BMW must be collect in designated color bag as given in schedule-I of BMW Rules, 2016.
4. The consent and authorization must be obtained from RSPCB at the earliest.
5. Bar code system must be adopted for waste tracking.
6. Documentation of waste management must be maintained properly.
7. Strict instruction may be given to waste contractor and supervisor regarding proper on site segregation and collection.
8. Special training may be given to sanitary workers and outsourced staff for better management of BMW.

Action by Udaipur municipal corporation:

1. Fencing work at the periphery of the dumping site must be completed at the earliest.
2. For disposal of house hold BMW a agreement must be signed with CBWTF.
3. Computerized record of waste and vehicles may be maintained at dumping site.
4. If any illegal BMW received at site then the information should be given to RO,RSPCB and M/s En-vision Enviro Ltd. immediately.
5. Sign board of waste characterization may be placed at prominent location of site for awareness.
6. If BMW found in any collection bin inside the city the action must be taken as per rule.
7. Possibility of CCTV installation may be explored for better monitoring round the clock basis at the dump site.

Action by M/s En-vision Enviro Ltd:

1. New membership should be stopped when bed strength will be reached upto 10000 beds or total waste quantity reaches above the treatment capacity whichever is earlier.
2. To provide all necessary help to state government regarding awareness & training and establishment of bar code system.
3. To improved the combustion efficiency of the plant put more

emphasis on the spot segregation or whatever rectification required in this regard.

4. Possibility of higher capacity of incinerator and autoclave installation may be explored with all necessary permission from RSPCB or other concern agency.
5. To maintain all the logbooks properly and temper proof related to incineration system, waste movement and collection system and treated waste disposal.
6. To organize more awareness programs and interaction meet with member hospitals so that waste could be segregated properly at source.
7. To maintain all the safety measure and good housekeeping at all the time.
8. The unit shall comply all the condition as given in authorization.

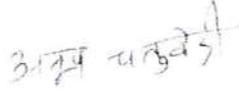
Action Taken :-

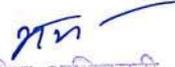
1. On the basis of committee recommendation RSPCB may issue notice to RNT, UMC and CBWTF for the compliance of the above points and directing them to submit the time bond action plan for its timely execution. The Regional office of RSPCB, Udaipur communicated the matter to Head Office Jaipur for issuing the same.
2. Due to the overburden on the medical facilities and large quantities of BMW waste being generated as a result of the outbreak of second wave of COVID-19 pandemic, and the importance of medical college and CBWTF, the said facility was allowed to operate for the time being, and no stringent action has been taken at that time.


(Dinesh Kharadi)
CMHO, Udaipur

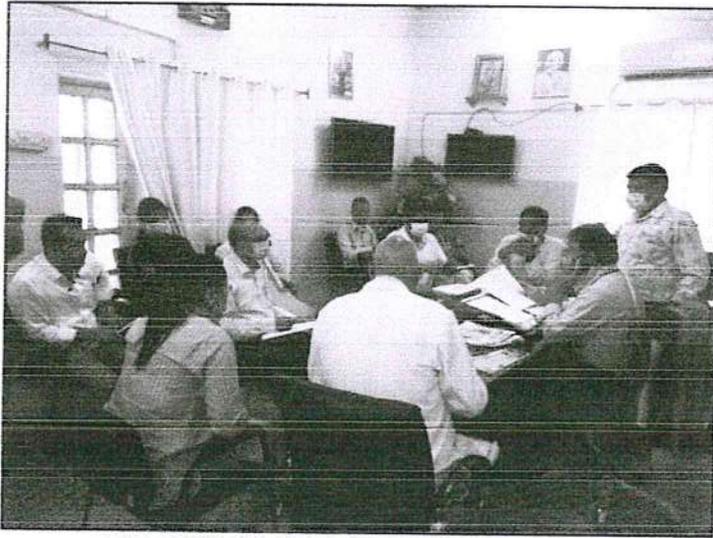

(Vinay Katta)
Regional Officer, RSPCB, Udaipur


(Payal Pancholi)
Scientific Officer, RSPCB, Udaipur

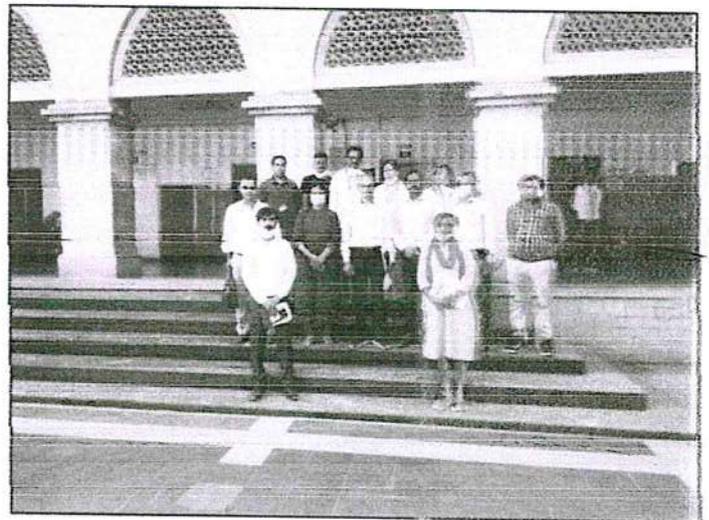

(Dr Anoop Chaturvedi)
Scientist-B, CPCB-RD-Bhopal


क्षेत्रीय अधिकारी
राजस्थान राज्य प्रदूषण नियंत्रण मण्डल
उदयपुर (राज.)

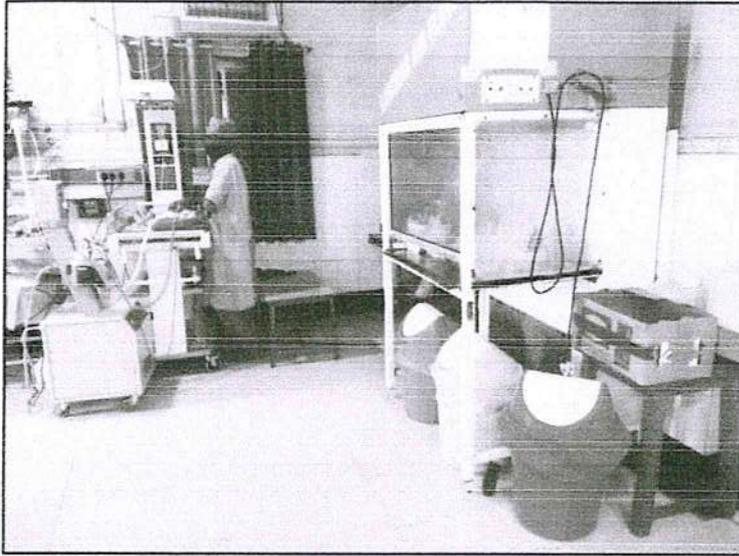
Photograph during the visit



Committee meeting and visit of sites
on 20.10.2021



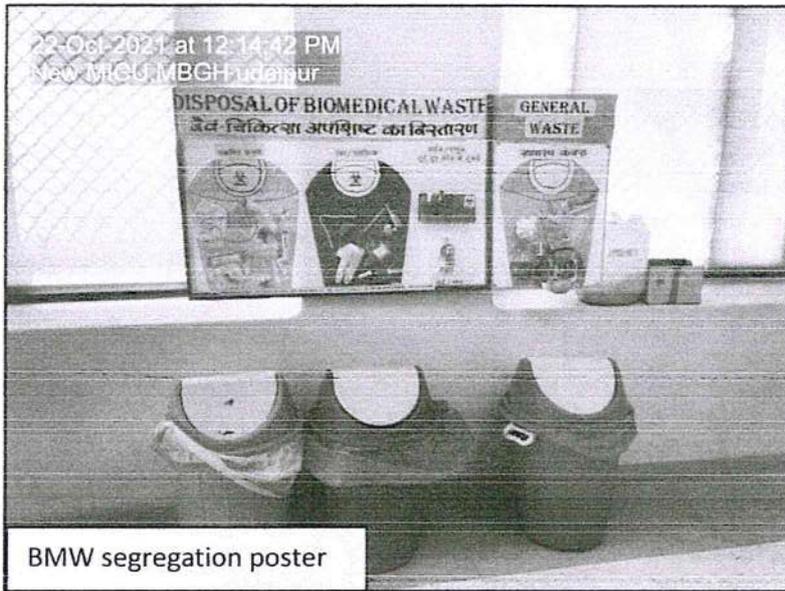
Handwritten signature
राजस्थान राज्य प्रदूषण नियंत्रण मण्डल
उदयपुर (राज.)



BMW segregation and collection system



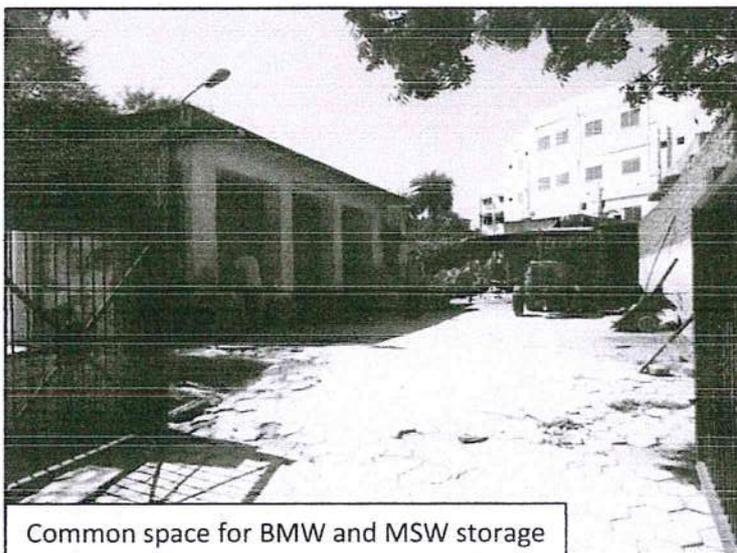

क्षेत्रीय अधिकारी
राजस्थान राज्य प्रदूषण नियंत्रण मण्डल
उदयपुर (राज.)



BMW segregation poster

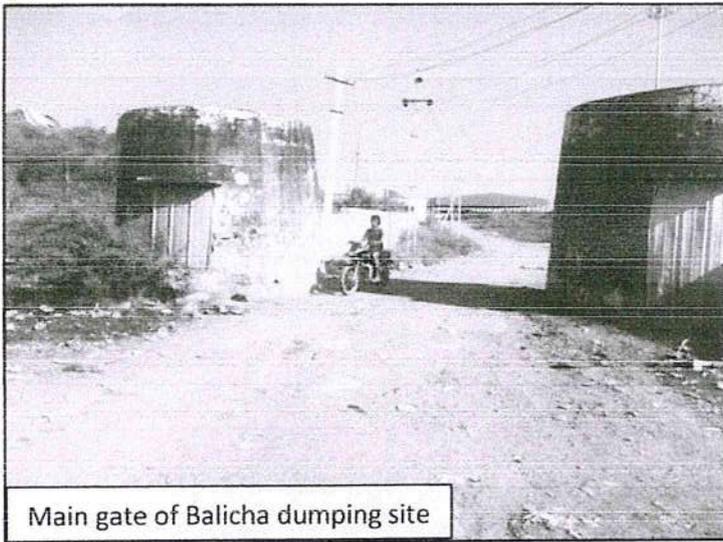


BMW storage room

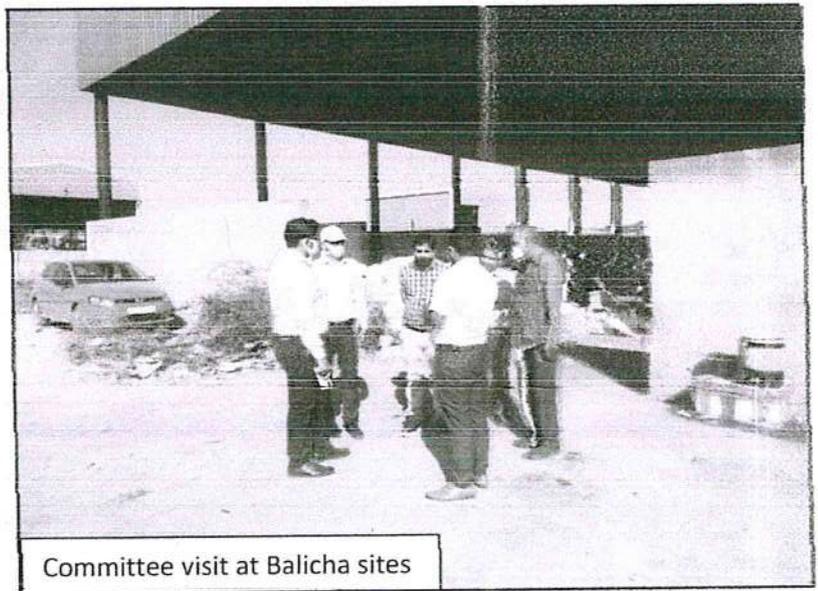


Common space for BMW and MSW storage

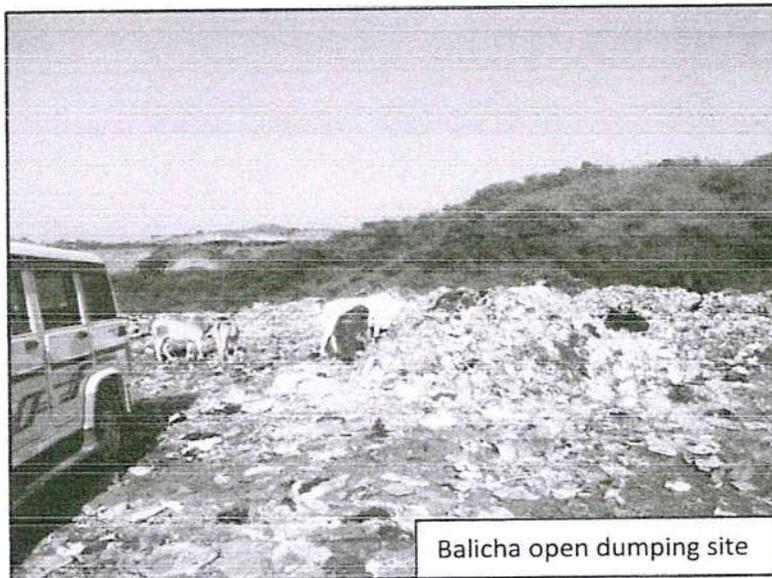
क्षेत्रीय अधिकारी
राजरथान राज्य प्रदूषण नियंत्रण मण्डल
उदयपुर (राज.)



Main gate of Balicha dumping site



Committee visit at Balicha sites

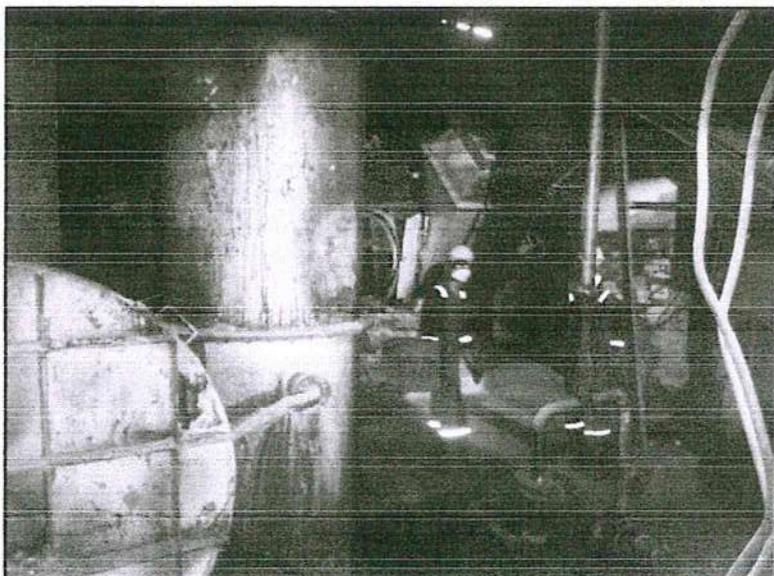
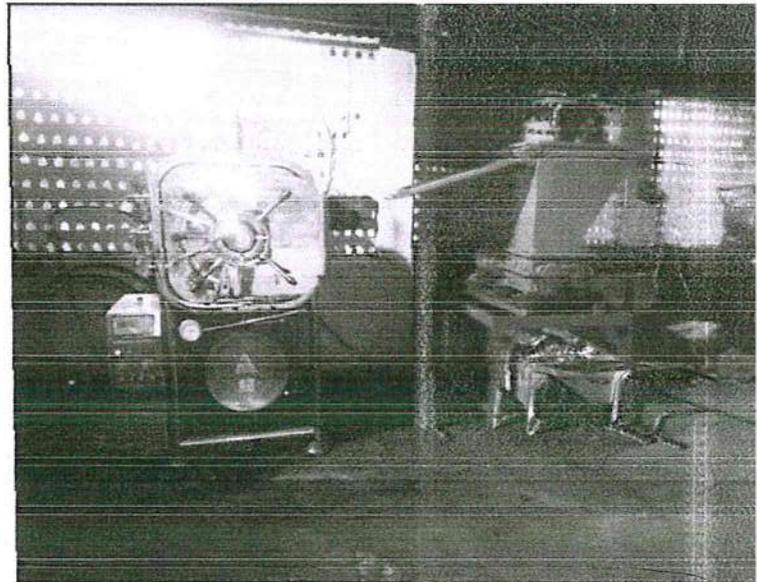


Balicha open dumping site

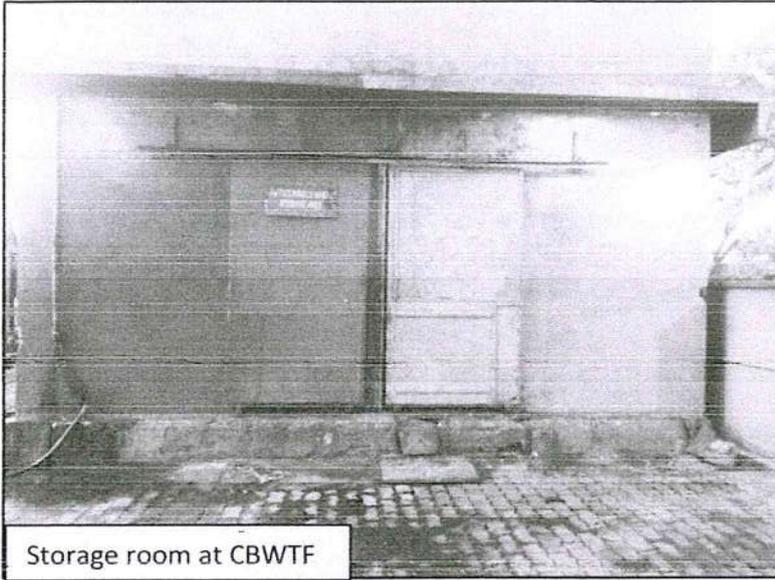
2
क्षेत्रीय अधिकारी
राजस्थान राज्य प्रदूषण नियंत्रण मण्डल
उदयपुर (राज.)



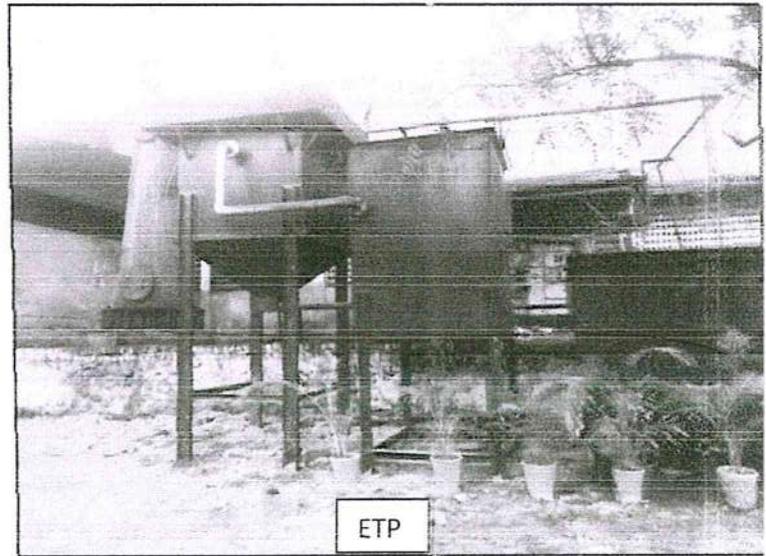
View of M/s Envision Enviro (CBWTF)
Udaipur




क्षेत्रीय अधिकारी
राजस्थान राज्य प्रदूषण नियंत्रण मण्डल
उदयपुर (राज.)



Storage room at CBWTF

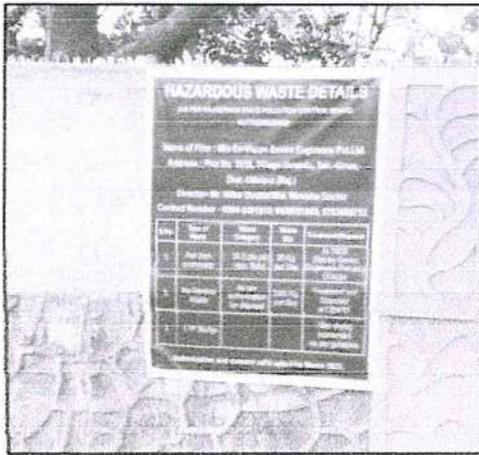


ETP

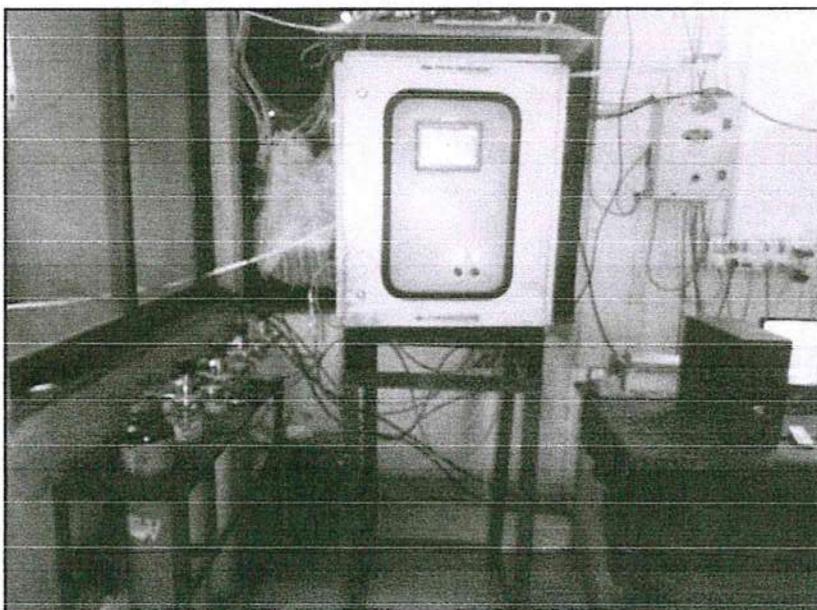
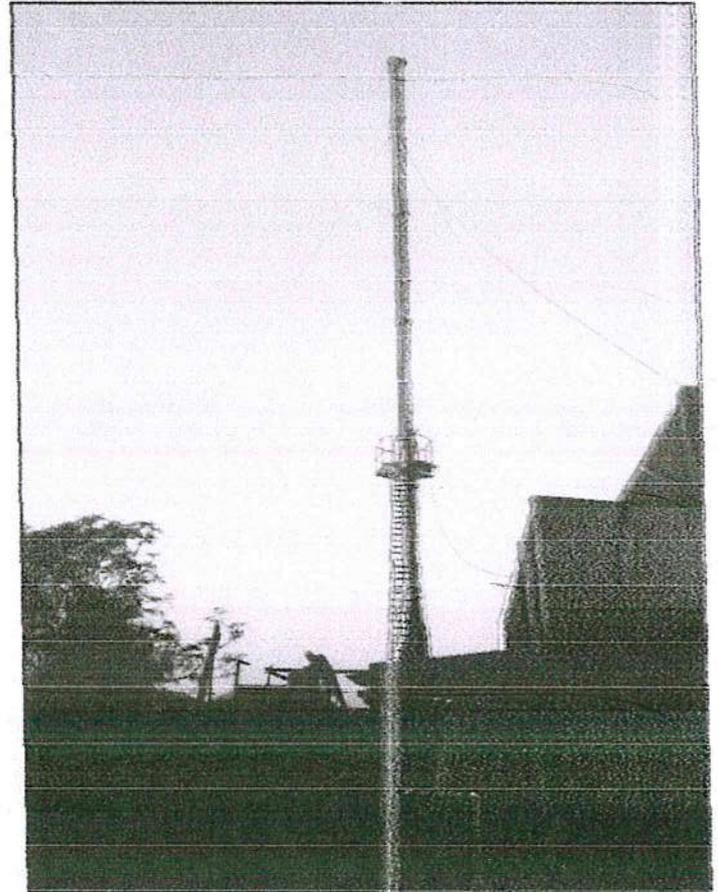


Ash storage area


क्षेत्रीय अधिकारी
राजस्थान राज्य प्रदूषण नियंत्रण मण्डल
सदरमुकाम (राज.)



View of Stack, OCEMS and Hazardous display board at site



क्षेत्रीय अधिकारी
राजस्थान राज्य प्रदूषण नियंत्रण मण्डल
उदयपुर (राज.)



Headquarter, 4, Institutional Area, Jhalana Doongri, Jaipur-302004

Phone :0141-2711263 e-mail : member-secretary@rpcb.nic.in

Toll Free Help Line No. : 18001806127 Ext. 7

Registered Post

F.16 (BMW-64) RPCB/BMW/ 300

Date: 28/06/24

The Superintendent,
M/s Maharana Bhupal Government Hospital,
Near Chetak Circle,
Udaipur.

(Handwritten signature)

Sub: Show cause notice for intended refusal of applications for Authorization under Biomedical Waste Management Rules, 2016 and consent to establish & consent to operate under Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981.

Ref.: (i) Applications for ACTO dated 09.12.2013, 27.11.2014, 23.12.2015, 21.04.2016 and 08.04.2019.

(ii) Show cause notices/ letters dated 31.01.2014, 14.08.2014, 08.07.2015, 25.05.2016, 10.08.2016, 19.02.2020, 05.10.2020.

1. Whereas the Environment (Protection) Act, 1986 (hereinafter referred to as the "Act") came into force in whole of country with effect from 19/11/1986.
2. And whereas the Central Government in exercise of the powers conferred upon it has notified the Biomedical Waste Management Rules, 2016 (hereinafter referred to as BMW Rules, 2016). These Rules are in force with effect from 28.03.2016.
3. And whereas under the provisions of Rule 4, every occupier of an institution generating/ handling biomedical waste, as defined under the BMW Rules, 2016, is required to take all steps to ensure that such waste is handled and disposed without any adverse effect to the human health and the environment.
4. And whereas the provisions of Rule 7 further provides that biomedical waste is to be treated and disposed of in accordance with Schedule II and in compliance of the standards prescribed in Schedule II.
5. And whereas under the provisions of Rule 10, it is mandatory on the part of an occupier generating biomedical waste to seek authorization from the State Pollution Control Board.
6. And whereas the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 (hereinafter referred to as the "Acts"), have come into force in the whole of the country with effect from 23.03.1974 and 16.05.1981 respectively.
7. And whereas, the Acts have been enacted to provide for the prevention, control and abatement of water and air pollution and for maintaining and restoring the wholesomeness of water and air.
8. And whereas you are operating the hospital in the name of M/s Maharana Bhupal Government Hospital near Chetak Circle, Udaipur.
9. And whereas authorization under Biomedical Waste Management Rules, 2016 for 1146 beds granted vide this office letter dated 10.05.2011 expired on 30.11.2013.
10. And whereas you are operating the hospital without obtaining authorization under Biomedical Waste Management Rules, 2016 and consent to operate under Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 and thus violating the various provisions of the referred Acts/ Rules.

(Handwritten signature)
क्षेत्रीय अधिकारी
राजस्थान राज्य प्रदूषण नियंत्रण मण्डल
उदयपुर (राज.)



Rajasthan State Pollution Control Board

75

Headquarter, 4, Institutional Area, Jhalana Doongri, Jaipur-302004

Phone :0141-2711263 e-mail : member-secretary@rpcb.nic.in

Toll Free Help Line No. : 18001806127 Ext. 7

11. And whereas your authorization and consent applications were examined and deficiencies were communicated vide letters under reference and the last show cause notice issued vide this office letter dated 05.10.2020.
12. And whereas you have submitted reply vide letters dated 23.12.2021, 12.01.2021, 12.02.2021, 04.03.2021 and 25.03.2021.
13. And whereas your reply has been examined and found unsatisfactory in view of following—
 - i. Copy of Environmental Clearance issued by the competent authority has not been submitted.
 - ii. Fee deposited with CTE application is inadequate. Total fee applicable for (1542–1146=) 396 beds + 50 beds proposed is Rs. 4,36,000/-.
14. And whereas the hospital was inspected by officials of the Board on 20.11.2020. during inspection. it was observed that –
 - i. Segregation of biomedical waste at point of generation needs improvement.
 - ii. Metering arrangement has not been provided at source of water and log book of water consumption is also not maintained.
 - iii. Separate storage room for biomedical waste has not been provided.
 - iv. Housekeeping needs improvement.
15. And whereas it is evident that the hospital has not complied with the provisions of Water Act, 1974, Air Act, 1981 and EP Act, 1986.
16. And whereas violation of provisions of Water Act, 1974, Air Act, 1981 and EP Act, 1986 is an offence under the provisions of these Acts.

In view of above, this show cause notice is being issued as to why the applications for authorization, consent to establish and consent to operate under reference may not be refused. In case, if you wish to submit any objection/clarification to the above intended refusal of authorization, consent to establish and consent to operate, you may submit your reply along with the evidence based supporting documents to this office as well as a copy of it to the Regional Office, Udaipur by 31.07.2021 failing which, the applications for authorization, consent to establish and consent to operate may be refused without any further notice to you in the matter.

Yours sincerely

(Vishnu Datt Purohit)
Environmental Engineer (BMW)

Copy to following for information and necessary action:-

1. Regional Officer, Rajasthan State Pollution Control Board, Udaipur for information and necessary action.
2. Master File, BMW, RPCB, Jaipur.

Environmental Engineer (BMW)
क्षेत्रीय अधिकारी
राजस्थान राज्य प्रदूषण नियंत्रण मण्डल
उदयपुर (राज.)



Travel Daily Summary

RJ 27 GC 8740 - Truck - 358480085305250 from 01-08-2021 00:00:00 to 07-08-2021 23:55:00

क्षेत्रीय अधिकारी
राजस्थान राज्य प्रदूषण नियंत्रण मण्डल
उदयपुर (राज.)



Travel Daily Summary

RJ 27 GC 8740 - Truck - 358480085305250 from 01-08-2021 00:00:00 to 07-08-2021 23:55:00

Summary

Distance	786.37000000000001
Running	32:56
Idle	04:59
Stop	130:00
Inactive	00:00
Alert	0

Detail

Date	First Ignition ON	Start Location	Distance	Running	Idle	Stop	Inactive	AVG	MAX	Distance	Duration	Alert	Start Odometer	End Odometer	Last Ignition Off	End Location
01-08-2021	01-08-2021 08:09	317, Old RTO Rd, JIT Colony, Pratap Nagar, Udaipur, Rajasthan (SW)	66.91	02:31	00:06	21:23	00:00	27	61	NA	NA	0	55118.98	55185.89	01-08-2021 12:32	17, Udaipur R Pratap Nagar, Rajasthan (SE)
02-08-2021	02-08-2021 06:17	17, Udaipur Rd, JIT Colony, Pratap Nagar, Udaipur, Rajasthan (SE)	101.66	04:39	00:49	18:32	00:00	22	72	NA	NA	0	55185.89	55287.57	02-08-2021 16:32	17, Udaipur R Pratap Nagar, Rajasthan (SE)
03-08-2021	03-08-2021 06:26	17, Udaipur Rd, JIT Colony, Pratap Nagar, Udaipur, Rajasthan (SE)	161.03	06:15	00:46	16:59	00:00	26	71	NA	NA	0	55287.57	55448.59	03-08-2021 17:43	17, Udaipur R Pratap Nagar, Rajasthan (SE)
04-08-2021	04-08-2021 06:29	17, Udaipur Rd, JIT Colony, Pratap Nagar, Udaipur, Rajasthan (SE)	104.2	04:26	00:51	18:43	00:00	23	70	NA	NA	0	55448.59	55552.8	04-08-2021 15:32	17, Udaipur R Pratap Nagar, Rajasthan (SE)
05-08-2021	05-08-2021 07:03	17, Udaipur Rd, JIT Colony, Pratap Nagar, Udaipur, Rajasthan (SE)	109.37	04:30	00:52	18:38	00:00	24	72	NA	NA	0	55552.8	55662.16	05-08-2021 16:28	17, Udaipur R Pratap Nagar, Rajasthan (SE)
06-08-2021	06-08-2021 06:24	17, Udaipur Rd, JIT Colony, Pratap Nagar, Udaipur, Rajasthan (SE)	121.96	05:04	00:49	18:07	00:00	24	72	NA	NA	0	55662.16	55784.14	06-08-2021 17:55	17, Udaipur R Pratap Nagar, Rajasthan (SE)
07-08-2021	07-08-2021 07:02	17, Udaipur Rd, JIT Colony, Pratap Nagar, Udaipur, Rajasthan (SE)	123.24	05:31	00:46	17:38	00:00	22	67	NA	NA	0	55784.14	55907.38	07-08-2021 17:11	17, Udaipur R Pratap Nagar, Rajasthan (SE)

क्षेत्रीय अधिकारी
राजस्थान राज्य प्रदूषण नियंत्रण मण्डल
उदयपुर (राज.)



कार्यालय नगर निगम, उदयपुर
टाउनहॉल लिंक रोड, उदयपुर (राज.) 313001



दूरभाष स.0294-2421255, 2426013, Helpline no.0294-2426262

वेबसाइट www.udipurmc.org.com

क्रमांक - निविदा / 21-22 / 584

दिनांक - 28/07/2021

क्षेत्रीय अधिकारी
राजस्थान राज्य प्रदूषण नियंत्रण मण्डल
उदयपुर

विषय :- चिकित्सा ईकाईयो द्वारा जनित बायोमेडिकल वेस्ट का, म्यूनिसिपल सॉलिड वेस्ट मैनेजमेन्ट एण्ड डिस्पोजल साइट, बलीचा में निस्तारण के सम्बन्ध में।

सन्दर्भ:- आपका पत्रांक RPCB/ROU/UDR/100 दिनांक 09.09.2021

महोदय

उपरोक्त विषयान्तर्गत लेख है कि नगर निगम की बलीचा स्थित डम्पिंग साइट पर म्यूनिसिपल सॉलिड वेस्ट का संग्रहण एवं निस्तारण किया जाता है। बलीचा डम्पिंग साइट पर किसी भी प्रकार का बायोमेडिकल वेस्ट का निस्तारण नहीं किया जाता है।

गत दिनों उदयपुर शहर के न्युज चैनलों पर प्रसारित सूचना के आधार पर प्रदूषण नियंत्रण मण्डल, उदयपुर एवं नगर निगम उदयपुर के अधिकारियों के संयुक्त निरीक्षण के दौरान वहाँ किसी अज्ञात द्वारा बलीचा डम्पिंग साइट पर एक स्थान पर म्यूनिसिपल सॉलिड वेस्ट के साथ कुछ बायोमेडिकल वेस्ट भी डाला पाया गया। इस प्रकार की घटना की पुनरावृत्ति नहीं हो इसके लिये नगर निगम उदयपुर द्वारा बलीचा डम्पिंग के प्रवेश द्वार के पास वाउण्ट्रीवाल निर्माण का कार्य प्रारम्भ करा दिया है तथा प्रवेश द्वार के पास ही एक गार्ड नियुक्त कर दिया गया है जिसके द्वारा डम्पिंग साइट पर आने वाले प्रत्येक कचरा वाहक वाहन के नम्बर, ड्राइवर का नाम, मोबाईल नम्बर इत्यादि का विवरण संधारित किया जाता है।

वास्ते सूचनार्थ एवं अग्रिम कार्यवाही हेतु प्रेषित है

क्षेत्रीय अधिकारी
राजस्थान राज्य प्रदूषण नियंत्रण मण्डल
उदयपुर (राज.)

आयुक्त
नगर निगम, उदयपुर

Travel Daily Summary

RJ 27 GC 8740 - Truck - 358480085305250 from 01-10-2021 00:00:00 to 31-10-2021 23:59:00

क्षेत्रीय अधिकारी
राजस्थान राज्य प्रदूषण नियंत्रण मण्डल
उदयपुर (राज.)

Summary

Distance	3232.7400000000000002
Running	130.45
Idle	19.46
Stop	556.32
Inactive	36.51
Alert	2345

Detail

Date	First Ignition ON	Start Location	Distance	Running	Idle	Stop	Inactive	AV G	MAX	Distance	Duration	Alert	Start Odometer	End Odometer	Last Ignition Off	End Location
01-10-2021	01-10-2021 06:23	17, Udaipur Rd, UIT Colony, Pratap Nagar, Udaipur, Rajasthan (SE)	130.57	05:12	00:32	18:15	00:00	25	71	NA	NA	0	61458.44	61589.0	01-10-2021 17:55	17, Udaipur Rd, U Pratap Nagar, Udaipur, Rajasthan (SE)
02-10-2021	02-10-2021 06:58	17, Udaipur Rd, UIT Colony, Pratap Nagar, Udaipur, Rajasthan (SE)	119.93	04:50	00:16	18:54	00:00	25	74	NA	NA	0	61589.0	61708.92	02-10-2021 16:51	17, Udaipur Rd, U Pratap Nagar, Udaipur, Rajasthan (SE)
03-10-2021	03-10-2021 07:53	17, Udaipur Rd, UIT Colony, Pratap Nagar, Udaipur, Rajasthan (SE)	92.39	03:15	00:10	20:34	00:00	28	72	NA	NA	0	61708.92	61801.3	03-10-2021 13:51	17, Udaipur Rd, U Pratap Nagar, Udaipur, Rajasthan (SE)
04-10-2021	04-10-2021 06:26	17, Udaipur Rd, UIT Colony, Pratap Nagar, Udaipur, Rajasthan (SE)	129.21	04:56	00:31	18:33	00:00	26	72	NA	NA	15	61801.3	61930.5	04-10-2021 17:28	17, Udaipur Rd, U Pratap Nagar, Udaipur, Rajasthan (SE)
05-10-2021	05-10-2021 06:30	17, Udaipur Rd, UIT Colony, Pratap Nagar, Udaipur, Rajasthan (SE)	132.3	05:17	00:22	18:20	00:00	25	72	NA	NA	124	61930.5	62062.8	05-10-2021 17:02	17, Udaipur Rd, U Pratap Nagar, Udaipur, Rajasthan (SE)
06-10-2021	06-10-2021 06:10	17, Udaipur Rd, UIT Colony, Pratap Nagar, Udaipur, Rajasthan (SE)	155.01	05:57	00:57	17:06	00:00	26	73	NA	NA	116	62062.8	62217.81	06-10-2021 19:17	17, Udaipur Rd, U Pratap Nagar, Udaipur, Rajasthan (SE)
07-10-2021	07-10-2021 06:21	17, Udaipur Rd, UIT Colony, Pratap Nagar, Udaipur, Rajasthan (SE)	145.06	05:33	00:51	17:36	00:00	26	72	NA	NA	110	62217.81	62362.88	07-10-2021 18:55	17, Udaipur Rd, U Pratap Nagar, Udaipur, Rajasthan (SE)

क्षेत्रीय अधिकारी
राजस्थान राज्य प्रदूषण नियंत्रण मण्डल
उदयपुर (राज.)

Travel Daily Summary

RJ 27 GC 8740 - Truck - 358480085305250 from 01-10-2021 00:00:00 to 31-10-2021 23:59:00

Detail

Date	First Ignition ON	Start Location	Distance	Running	Idle	Stop	Inactive	AVG	MAX	Distance	Duration	Alert	Start Odometer	End Odometer	Last Ignition Off	End Location
08-10-2021	08-10-2021 06:22	17, Udaipur Rd, UIT Colony, Pratap Nagar, Udaipur, Rajasthan (SE)	138.58	05:19	00:33	18:08	00:00	26	72	NA	NA	146	62362.88	62501.46	08-10-2021 17:25	17, Udaipur Rd, UI Pratap Nagar, Uda Rajasthan (SE)
09-10-2021	09-10-2021 06:59	17, Udaipur Rd, UIT Colony, Pratap Nagar, Udaipur, Rajasthan (SE)	136.06	05:32	00:47	17:40	00:00	25	70	NA	NA	94	62501.46	62637.52	09-10-2021 18:25	17, Udaipur Rd, UI Pratap Nagar, Uda Rajasthan (SE)
10-10-2021	10-10-2021 06:27	17, Udaipur Rd, UIT Colony, Pratap Nagar, Udaipur, Rajasthan (SE)	57.38	02:00	00:26	21:32	00:00	29	72	NA	NA	56	62637.52	62694.9	10-10-2021 16:51	NH27, Rajasthan (
11-10-2021	11-10-2021 08:38	NH27, Rajasthan (NE)	0.94	00:03	00:01	17:33	06:23	8	8	NA	NA	6	62694.9	62695.84	11-10-2021 18:23	NH27, Rajasthan (
12-10-2021	12-10-2021 08:11	NH27, Rajasthan (NE)	4.76	00:15	00:06	14:47	08:50	19	67	NA	NA	14	62695.84	62700.6	12-10-2021 21:03	Ajmer Vidhut Vitran Limited, Airport Road Water House, Opp Nagda Petrol Pump Nagar, Udaipur, R. (SE)
13-10-2021	13-10-2021 06:39	Ajmer Vidhut Vitran Nigam Limited, Airport Road Near Water House, Opp. Near Nagda Petrol Pump, Pratap Nagar, Udaipur, Rajasthan (SE)	130.7	05:21	01:00	17:38	00:00	24	73	NA	NA	114	62700.6	62831.3	13-10-2021 18:28	17, Udaipur Rd, UI Pratap Nagar, Uda Rajasthan (SE)
14-10-2021	14-10-2021 07:17	17, Udaipur Rd, UIT Colony, Pratap Nagar, Udaipur, Rajasthan (SE)	59.41	02:43	00:26	20:51	00:00	22	58	NA	NA	66	62831.3	62890.72	14-10-2021 17:03	17, Udaipur Rd, UI Pratap Nagar, Uda Rajasthan (SE)
15-10-2021	15-10-2021 06:34	17, Udaipur Rd, UIT Colony, Pratap Nagar, Udaipur, Rajasthan (SE)	48.22	01:42	00:05	20:06	02:07	28	64	NA	NA	34	62890.72	62938.94	15-10-2021 13:51	17, Udaipur Rd, UI Pratap Nagar, Uda Rajasthan (SE)
16-10-2021	16-10-2021 06:47	17, Udaipur Rd, UIT Colony, Pratap Nagar, Udaipur, Rajasthan (SE)	141.81	05:44	00:29	12:57	04:50	25	66	NA	NA	128	62938.94	63080.75	16-10-2021 17:14	17, Udaipur Rd, UI Pratap Nagar, Uda Rajasthan (SE)

क्षेत्रीय अधिकारी
मान राज्य प्रदूषण नियंत्रण मण्डल
जयपुर (राज.)

Travel Daily Summary

RJ 27 GC 8740 - Truck - 358480085305250 from 01-10-2021 00:00:00 to 31-10-2021 23:59:00

Detail

Date	First Ignition ON	Start Location	Distance	Running	Idle	Stop	Inactive	AV G	MAX	Distance	Duration	Alert	Start Odometer	End Odometer	Last Ignition Off	End Locat
17-10-2021	17-10-2021 08:31	Shri Rameshvar Mahadev Temple, Dagiyon Ki Pancholi, Udaipur, Rajasthan (NW)	21.75	00:43	00:07	08:29	14:41	31	60	NA	NA	20	63080.75	63102.5	17-10-2021 18:59	17, Udaipur Rd, U Pratap Nagar, Uda Rajasthan (SE)
18-10-2021	18-10-2021 06:26	17, Udaipur Rd, UJT Colony, Pratap Nagar, Udaipur, Rajasthan (SE)	142.01	05:46	00:55	17:19	00:00	25	71	NA	NA	126	63102.5	63244.5	18-10-2021 18:42	17, Udaipur Rd, U Pratap Nagar, Uda Rajasthan (SE)
19-10-2021	19-10-2021 06:49	17, Udaipur Rd, UJT Colony, Pratap Nagar, Udaipur, Rajasthan (SE)	119.3	05:03	00:36	18:21	00:00	24	74	NA	NA	146	63244.5	63363.8	19-10-2021 17:33	17, Udaipur Rd, U Pratap Nagar, Uda Rajasthan (SE)
20-10-2021	20-10-2021 06:34	17, Udaipur Rd, UJT Colony, Pratap Nagar, Udaipur, Rajasthan (SE)	84.68	03:36	00:46	19:38	00:00	23	72	NA	NA	90	63363.8	63448.48	20-10-2021 20:03	17, Udaipur Rd, U Pratap Nagar, Uda Rajasthan (SE)
21-10-2021	21-10-2021 06:37	17, Udaipur Rd, UJT Colony, Pratap Nagar, Udaipur, Rajasthan (SE)	133.47	05:33	00:36	17:51	00:00	24	74	NA	NA	132	63448.48	63581.95	21-10-2021 17:59	17, Udaipur Rd, U Pratap Nagar, Uda Rajasthan (SE)
22-10-2021	22-10-2021 06:26	17, Udaipur Rd, UJT Colony, Pratap Nagar, Udaipur, Rajasthan (SE)	105.63	04:50	02:00	17:10	00:00	22	73	NA	NA	166	63581.95	63687.61	22-10-2021 19:02	17, Udaipur Rd, U Pratap Nagar, Uda Rajasthan (SE)
23-10-2021	23-10-2021 07:16	17, Udaipur Rd, UJT Colony, Pratap Nagar, Udaipur, Rajasthan (SE)	102.16	04:36	01:19	18:05	00:00	22	70	NA	NA	96	63687.61	63789.8	23-10-2021 19:03	17, Udaipur Rd, U Pratap Nagar, Uda Rajasthan (SE)
24-10-2021	24-10-2021 06:52	17, Udaipur Rd, UJT Colony, Pratap Nagar, Udaipur, Rajasthan (SE)	88.13	03:06	00:12	20:42	00:00	28	66	NA	NA	32	63789.8	63877.94	24-10-2021 14:22	17, Udaipur Rd, U Pratap Nagar, Uda Rajasthan (SE)
25-10-2021	25-10-2021 06:55	17, Udaipur Rd, UJT Colony, Pratap Nagar, Udaipur, Rajasthan (SE)	106.27	04:46	01:01	18:13	00:00	22	63	NA	NA	94	63877.94	63984.21	25-10-2021 22:25	17, Udaipur Rd, U Pratap Nagar, Uda Rajasthan (SE)
26-10-2021	26-10-2021 07:57	17, Udaipur Rd, UJT Colony, Pratap Nagar, Udaipur, Rajasthan (SE)	107.39	04:54	00:52	18:14	00:00	22	60	NA	NA	82	63984.21	64091.61	26-10-2021 20:38	17, Udaipur Rd, U Pratap Nagar, Uda Rajasthan (SE)

क्षेत्रीय अधिकारी
राजस्थान राज्य प्रदूषण नियंत्रण मण्डल
उदयपुर (राज.)

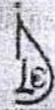
Travel Daily Summary

RJ 27 GC 8740 - Truck - 358480085305250 from 01-10-2021 00:00:00 to 31-10-2021 23:59:00

Detail

Date	First Ignition ON	Start Location	Distance	Running	Idle	Stop	Inactive	AVG	MAX	Distance	Duration	Alert	Start Odometer	End Odometer	Last Ignition Off	End Local
27-10-2021	27-10-2021 06:25	17, Udaipur Rd, UIT Colony, Pratap Nagar, Udaipur, Rajasthan (SE)	152.56	05:53	00:40	17:27	00:00	26	72	NA	NA	44	64091.61	64244.17	27-10-2021 17:56	17, Udaipur Rd, L Pratap Nagar, Udaipur, Rajasthan (SE)
28-10-2021	28-10-2021 06:31	17, Udaipur Rd, UIT Colony, Pratap Nagar, Udaipur, Rajasthan (SE)	157.63	06:09	00:54	16:58	00:00	26	67	NA	NA	92	64244.17	64401.81	28-10-2021 17:31	17, Udaipur Rd, L Pratap Nagar, Udaipur, Rajasthan (SE)
29-10-2021	29-10-2021 06:57	17, Udaipur Rd, UIT Colony, Pratap Nagar, Udaipur, Rajasthan (SE)	114.13	04:55	00:55	18:10	00:00	23	73	NA	NA	84	64401.81	64515.95	29-10-2021 17:14	17, Udaipur Rd, L Pratap Nagar, Udaipur, Rajasthan (SE)
30-10-2021	30-10-2021 08:08	17, Udaipur Rd, UIT Colony, Pratap Nagar, Udaipur, Rajasthan (SE)	122.3	05:23	01:04	17:33	00:00	23	64	NA	NA	86	64515.95	64638.25	30-10-2021 18:26	17, Udaipur Rd, L Pratap Nagar, Udaipur, Rajasthan (SE)
31-10-2021	31-10-2021 09:07	17, Udaipur Rd, UIT Colony, Pratap Nagar, Udaipur, Rajasthan (SE)	53.0	01:53	00:13	21:52	00:00	28	68	NA	NA	32	64638.25	64691.25	31-10-2021 14:36	17, Udaipur Rd, L Pratap Nagar, Udaipur, Rajasthan (SE)


 क्षेत्रीय अधिकारी
 राजस्थान राज्य प्रदूषण नियंत्रण मण्डल
 उदयपुर (राज.)



L. D. ENGINEERING™
The Designers

Plot No: 44+45/A/7, Phase 1, GIDC,
Vatva, Ahmedabad-382445, Gujarat, India
M : +91-92246 97666
Email : mugesha@ldengg.com
ldmugesha@gmail.com || Web : www.ldengg.com

To,
En-Vision Enviro Engineers Pvt. Ltd.
Plot No: 5008, Villegge: Umarda,
Tehsil: Girwa,
Dist: Udaipur
Rajasthan.

This is certify that the undernoted product has been tested with satisfactory result in accordance with the relevant requirement of the En-Vision Enviro Engineers Pvt. Ltd.

Incinerator Tested By: L.D. ENGINEERING, Ahmadabad
Incinerator Type DISPOSED OF BIO-MEDICALWASTE

A STANDARDS FOR INCINERATION

	Results
1. Combustion efficiency (CE)	99.50%
2. Temperature of the primary chamber:	847 C
3. Temperature of secondary chamber:	1097 C
4. Secondary chamber gas residence:	2 seconds

B EMISSION STANDARDS

Parameters	Unit	Results
1. Average Flue Gas Velocity:	M/Sec	2.03
2. Suspended Particulars Matter:	Mg/Nm ³	102
3. NOx:	Mg/Nm ³	6.7
4. HCL:	Mg/Nm ³	4.10

A copy of this certificate should be carried on board a vessel fitted with this equipment at all times.

Certificate No: LDE/0001/2019
Issue Date: 08/09/2019

L.D. Engineers

Signature

Seal



21
क्षेत्रीय अधिकारी
राजस्थान राज्य प्रदूषण नियंत्रण मण्डल
उदयपुर (राज.)

En-Vision Enviro Eng. (P) Ltd.

002199

Centralised BioMedical Waste Treatment Facility, Udaipur

LOG BOOK FOR OPERATING THE AUTOCLAVE

Batch Number	Quantity of waste feeding per batch in Kg.	Temperature and pressure in every ten minutes		Consumption of electricity and Diesel		Net Quantity of waste received in Kg.	Net Quantity Of waste left over in kg 10 = 9-(4)
		Temperature in °C	Pressure in PSI	Diesel in liters	Diesel in liters		
3	4	5	6	7	8	9	
1		410	0.1 kg				
1		590	10.4 kg				
1		740	10.9 kg				
1		980	1.1 kg				
1		1180	1.3 kg				
1		1220	1.5 kg				
1		-	-				
1		-	-				



27/11
 क्षेत्रीय अधिकारी
 राजस्थान राज्य प्रदूषण नियंत्रण मंडल
 उदापुर (राज.)

Scan Timestamp	CO (%)	CO2 (%)	O2 (%)	PM (mg/m3)	TEMPP (deg C)	TEMPS deg C)
20-Oct-2021 07:30:01	0.3	0.52	15.06	2.99	785.89	970.6
19-Oct-2021 07:30:01	0.12	0.85	20.22	3	777.55	967.97
18-Oct-2021 07:30:01	0.29	0.01	13.91	3	776.37	958.65
17-Oct-2021 07:30:01	0.21	0.01	11.7	2.99	711.97	879.01
16-Oct-2021 07:30:01	0.19	0	10.38	3	813.92	1005.13
15-Oct-2021 07:30:01	0.07	0	11.91	3	463.53	572.34
14-Oct-2021 07:30:01	0.09	0	16	2.99	611.06	754.41
13-Oct-2021 07:30:01	0.11	0.68	19.39	3	755.66	933.19
12-Oct-2021 07:30:01	0.16	0	17.73	2.99	845.56	1042.02
11-Oct-2021 07:30:01	0.26	2.39	15.01	3	818.34	1010.36
10-Oct-2021 07:30:01	0.46	2.62	14.48	3	841.04	1038.31
09-Oct-2021 07:30:01	0.31	1.78	14.37	3	849.43	1048.31
08-Oct-2021 07:30:01	0.21	0	8.73	3	635.47	784.73
07-Oct-2021 07:30:01	0.47	2.47	13.49	3	817.1	1008.65
06-Oct-2021 07:30:01	0.21	3.32	10.2	3	686.51	847.55
05-Oct-2021 07:30:01	0.43	3.18	12.94	3	843.72	1041.34
04-Oct-2021 07:30:01	0.05	0.48	2.03	2.98	135	165.76
03-Oct-2021 07:30:01	0.47	0.01	9.59	3	849.2	1048.03
02-Oct-2021 07:30:01	0.28	2.38	12.5	3	851	1050.31
01-Oct-2021 07:30:01	0.37	0.27	14.75	2.99	837.66	1034.05



क्षेत्रीय अधिकारी
राजस्थान राज्य प्रदूषण नियंत्रण मण्डल
उदयपुर (राज.)

FORM-10

[See Rule 19 (1)]

MANIFEST FOR HAZARDOUS AND OTHER WASTE

1.	Sender's name and mailing address (including phone no. and e-mail)	En-Vision Enviro Eng. Pvt. Ltd. 5008, Umarda (Raj) Udaipur bmw.udaipur@en-vision.in Mob 9783080757			
2.	Sender's authorisation No.	BMW/2018/BMW/BMW-14/51332			
3.	Manifest Document No.	51332			
4.	Transporter's name and address (including Phone No. and e-mail)	Rajasthan Waste Management (RWMP) Debari - Udaipur (Raj.)			
5.	Type of vehicle	(Truck/Tanker/Special Vehicle) Haz Waste Ve			
6.	Transport's registration No.	RPCB/HWM/2020-21/HSW/HS W/76			
7.	Vehicle registration No.	RJ27 - GC - 7620			
8.	Receiver's name and mailing address (including Phone No. and e-mail)	RAJASTHAN WASTE MANAGEMENT PROJECT (A Div. of Ramky Enviro Engineers Ltd.) SURVEY No.-1018/13, Village-Gudli, Teh.-Mavli, Dist.-Udaipur Phone No. : 0294-2858253-54 E-Mail : rwmp@ramky.com			
9.	Receiver's authorisation No.	RPCB/HWM/2017-2018/HSW HSW/195			
10.	Waste description	Ash from incinerator			
11.	Total quantity No. of Containers	3.980 M ³ or MT Bags No. Nos.			
12.	Physical form	(Solid/Semi-Solid/Sludge/Oily/Tarry/Sticky/Liquid)			
13.	Special handling instructions and additional information	Use Safety Equipments during handling waste.			
14.	Sender's Certificate	I hereby declare that the contents of the consignment are accurately described above by proper shipping name categorised, packed, marked, and labeled, and are in all proper conditions for transport by road according to applicable government regulations.			
	Name & Stamp	Signature	Month	Day	Year
	En-Vision Enviro	[Signature]	10	04	2020
15.	Transporter's acknowledgement of receipt of waste				
	Name & Stamp	Signature	Month	Day	Year
	R.W.M.P.	[Signature]	10	04	2020
16.	Receiver's certification for receipt of hazardous and other waste				
	Name & Stamp	Signature	Month	Day	Year
			10	04	2020

COPY

White Copy

To Be Forwarded To The RSPCB By The C

क्षेत्रीय अधिकारी
राजस्थान राज्य प्रदूषण नियंत्रण मण्डल
उदयपुर (राज.)

Branch Office : 128/103, 1st Floor, Samruddhi Complex, Opp. Krishi Mandi, Nr. Reti Stand, Udaipur, Rajasthan
Ph. No. (0294) 2481513 e-mail : bmw.udaipur@en-vision.in, Visit us at : www.en-vision.in
Site : Plot No. 5008, Village Umarda, Tehsil Girwa, Dist. Udaipur, Rajasthan

Annexure 7

EEEPL/2021/1079

Date: 5th October, 2021

To,
The Member Secretary
Rajasthan State Pollution Control Board
4, Institutional Area, Jhalana Doongri,
Jaipur- 302004

Subject: - Regarding Submission of Manifest for Hazardous Waste transportation & Disposal at TSDF -Udaipur.

Respected Sir,

Greetings of the day!

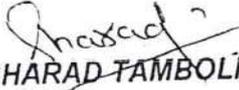
In line of above subject herewith, we are submitting herewith the manifest no. 51332 for transportation and disposal of Ash from Incinerator to TSDF (Treatment Storage and Disposal Facility- Rajasthan Waste Management Project) Udaipur for disposal as per Hazardous waste management Rules.

This is for your kind reference only.

Thanking you

Yours faithfully,

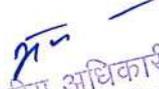
For En - Vision Enviro Engineers Pvt. Ltd.

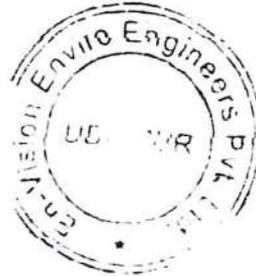

SHARAD TAMBOLI

(FACILITY INCHARGE)

Copy to:-

- (1.) The Regional Officer
Rajasthan State Pollution Control Board
F- 470, MIA, Near UCCL Building,
Udaipur (Raj.)
- (2.) BMW CELL GROUP, INCHARGE


क्षेत्रीय अधिकारी
राजस्थान राज्य प्रदूषण नियंत्रण मण्डल
उदयपुर (राज.)





Certificate No: EERL/S/PI/21/001
Date: 15/10/2021

Recycling Certificate

This is to certify that, we have successfully recycled 14000 Kg of Treated Plastic sent by M/s. Envision Enviro Engineers Pvt. Ltd. located at Plot No: 500B, Village: Umarda, Tehsil: Girwa, Dist: Udaipur, Rajasthan on dated: 14/10/2021 for compliance of Waste PWM Rule 2016 and its subsequent amendments. The Certificate of the quantity mentioned is not issued to any other entity.

The vehicle wise receipt details are as under:

Receipt Date	Type of Waste Material	Vehicle No.	Recycled Qty.
15-10-2021	Treated Plastic Waste	MH48BM7603	14000 Kg

For Ecovision Environmental Resources LLP



Authorized Signatory

Dr. ...
क्षेत्रीय अधिकारी
राजस्थान राज्य प्रदूषण नियंत्रण मण्डल
उदयपुर (राज.)

Ecovision Environmental Resources LLP.

Regd. Office: A Wing HG2, Survoday Co. Op. Housing Soc. Ltd., Karan Park, Kalpana Chavla Road, Adajan, Choryasi, Surat, Gujarat - 395009, India

Site Address: Plant at Plot No. 11, 12, 13 Gamtal Bhatar, Surat-395007 Gujarat.

T: +91 261 2223002, Helpline: 18002333002

Web: www.eco-vision.co.in,

Email: info@eco-vision.co.in



Item No.3

**BEFORE THE NATIONAL GREEN TRIBUNAL
CENTRAL ZONE BENCH, BHOPAL
(Through Video Conferencing)**

Original Application No. 74/2021 (CZ)

Kailash Kumar Changani

Applicant(s)

Versus

State of Rajasthan & Ors

Respondent(s)

Date of Hearing: 11.05.2022

**CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

For Applicant(s):

Mr. Bhavdeep Singh, Adv

For Respondent(s):

Mr. Yadvendra Yadav, Adv.
Mr. Sandeep Singh Baghel, Adv.
Mr. Deepesh Joshi, Adv.
Mr. Ajay Jain, Adv
Mr. Rohit Sharma, Adv

ORDER

1. The issue of management and disposal of bio- medical waste has been raised with the prayer –
 - I. To direct the Respondent Authorities to find an alternate solution for disposal of the Bio-medical waste generated in Udaipur, Dongarpur, Chitorgarh, Rajsamand, Pratapgarh and Banswara.
 - II. To shut down the operation of the Respondent No.4 unit for causing loss to the Environment for years and years.
 - III. To direct the Respondent authorities to take strict action against Respondent No. 4 En-Vision Enviro Engineer Pvt. Ltd. for violation of BMW guidelines, on the ground that that Respondent no.4 is wrongfully operating a CBWTF at RNT MEDICAL COLLEGE, Udaipur wherein more than half

of the waste is not being treated and is being dumped at Balicha Dumping Ground, Udaipur, which is owned by Udaipur Municipal Corporation. Moreover, such intolerant act of respondent no.4 is being done since year 2006 and therefore on today's date there is a heap of untreated bio-medical waste lying at that dumping ground which is actually an open place and the said plant was initially installed for treating the Bio-Medical waste generated specifically from RNT Medical College only. Therefore the incinerators that were installed are static, having capacity to treat not more than 50KGs of biomedical waste per hour.

- IV. The RNT Medical College itself Is having 2000 beds (approx.) and therefore got its own bio-medical waste treatment plant which was operated by Respondent no.4. But Respondent no.4 further applied to respondent no.2 for declaring itself as a CBWTF. It likely seems that respondent no.2 subsequently issued certificate to respondent no.4 to operate as a CBWTF.
- V. The unit of Respondent no.4 is declared a CBWTF by Respondent No.2 without acknowledging the fact that the incinerators installed in their unit do not have the capacity to treat any further Bio-medical waste.
- VI. As on today's date, the facility of respondent no.4 has a capacity to treat only 1000kgs (1ton) of blo medical waste per day as it uses static incinerators. Whereas the said facility is catering a vast area which includes Udaipur, Dungarpur, Chhittorgarh, Rajsamand, Pratapgarh and Banswara which in total generates more than 6000kgs of bio-medical waste every day.
- VII. That, the prescribed calculation for analysing the need of a CBWTFs is, that the bio-medical waste emitted from 1000 beds comes out to be 400kg/day. In Udaipur itself, there

are 5 medical colleges which emit more than 2000kgs of bio-medical waste per day as enlisted below:

S. No	Medical unit	Capacity	B. Waste
1	Geetanjali medical college & hospital (gmc), Udaipur	1150 beds	460 kgs
2	RNT medical college, udaipur with Five Associated Group of Hospitals.	2000 beds	800 kgs
3	Pacific Institute of medical sciences - [PIMS] UDAIPUR	900 beds	360 kgs
4	Ananta Institute of Medical Sciences & Research Centre, Udaipur	810 beds	324 kgs
5	American International Institute of Medical Sciences, Udaipur	700 beds	280 kgs
	Total	5560 beds	1924 Kgs

2. The matter was taken up on 27th September, 2021 and a Committee consisting representative of CPCB, representative of Rajasthan Pollution Control Board and Chief Medical Officer, Udaipur, Rajasthan was constituted with a direction to submit the factual and action taken report. The Committee visited the place and submitted the report as follows:

The main issues raised in the petition by the applicant regarding the RNT medical college, Balicha trenching ground and CBWTF unit verification points as per 27.9.2021 order areas under :-

1. Illegal operation of CBWTF at RNT college campus and mismanagement of BMW.
2. Dumping of BMW at Balicha trenching ground.
3. IWS En-vision Enviro Ltd. (CBWTF) not complying the BMW guidelines.
4. CBWTF not having the capacity to treat BMW.

To verify the factual status the team has visited three locations i.e. RNT medical campus, Balicha trenching ground and CBWTF and observed the biomedical waste management related activity which includes verification of storage and segregation practice adopted, treatment equipments, record keeping, data transmission, APCD and ETP status etc. During the visit the team also interacted with RNT medical collage staff who are associated with waste management, workers of Balicha site, drivers, contract workers and helpers to find out the awareness level and subject knowledge of work assigned,

and also tried to fetch out any other information which is related to this matter.

During visit geographical coordinates, photographs and other relevant information were also collected which are incorporated in the Report. The main observation of the team is given below:

ISSUE 1 - Illegal operation of CBWTF at RNT college campus and mismanagement of BMW

1. Ravindra Nath Tagore Medical College, Udaipur is a Govt. medical college. The college was established in 1961, R.N.T. Medical College, Udaipur City. There are five hospitals attached to this Medical College. These are Maharana Bhupal Govt. Hospital; Pannadhay Rajkiya Mahila Chikitsalaya; Seth Ram Vilas Bhuwalka Yakshma Arogya Sadan; Shri Khemraj Katara Satellite Hospital, Hiran Magri sector no 6 & Shri Sunder Singh Bhandari District Hospital, Chandpole.
2. The Maharana Bhupal Govt. Hospital having the 1146 bed strength and consent was expired on 30.11.2013 and further applied for renewal on the basis of that RSPCB, RO Udaipur visited the hospital on 20.11.2020 and issued notice on 28.6.2021 for necessary improvements, hospital yet to submit the action taken report, hence renewal still under consideration with RSPCB.
3. The Pannadhay Rajkiya Mahila Chikitsalaya having the 540 bed strength and consent expired on 31.8.2021.
4. It was observed that there is no CBWTF installed in RNT medical college campus and entire BMW is being sent to IWs En-vision Enviro Ltd. which is located around 20 km away from the RNT medical college. Hence it is false allegation as mentioned in the petition.
5. During inspection randomly 05 wards i.e. Emergency, NICU, Medicine, Surgical, and Orthopedics visited in RNT medical college and interacted with paramedical staff to know the factual status and it was observed that they have knowledge about BMW segregation, but its implementation was poor due to casual attitude and weak supervision.
6. The BMW shall be segregated into containers or bags at the point of generation in designated colour coded bin/container but it was observed at most of the nursing station, waste generation points only one or two bins are available, hence proper segregation of BMW is not being done. It was also observed during the visits that lack of segregation practices results in the mixing of hospital wastes with general wastes.
7. The general housekeeping work including waste collection from ward to ward has been outsourced but outsourced staff is not that much trained about the 4 type of BMW segregation, so unknowingly they are mixing the waste. A formal short duration training (1 or 2 days) was given to doctors and nurses only, that too not very frequently, while a majority of the waste handlers especially the ward boys, sweepers and sanitary workers had not undergone practical training for safe handling of BMW and hence

- they probably unaware about proper management. However the attitude of infection control department and BMW management supervisors were found very positive and they are working sincerely for continual improvement of waste management in limited infrastructure and budget.
8. The hospital has provided isolated centralized BMW storage facility. It was observed that the BMW and MSW are being stored separately but at common location hence the possibility of interchanging of waste bags not be ruled out. The hospital administration has unknowingly purchased green colour bags for BMW collection but this colour is not recommended for collection of any category of waste so that it creates the confusion and probably this issue may be main cause for mismanagement. However hospital administration assured to sort out this issue very soon.
 9. Both the hospitals having membership of CBWTF and sending entire BMW to CBWTF on regular basis and records are being maintained. It was observed that \zls En-vision environ ltd. collecting the BMW from medical college campus on regular basis which was also verified by GPS tracking data for the complaint period 1.8.2021 to 7.8.2021 and previous day (19.10.2021) of inspection.
 10. For tracking of waste bar coding is required however hospitals have not adopted bar code system so far as the matter of its implementation is pending at government level.
 11. As per the waste collection data of CBWTF it was observed that less quantity of plastic waste reached for treatment hence the possibility of its pilferage from the wards may not be ruled out.
 12. As discussed with contractor of housekeeping, in-charge of waste management and other associated members of waste management they accept that during the peak time of second wave of Covid minor mismanagement was happened due to acute shortage of trained staff, unwillingness of waste collection by sanitary staff and unknown fear of corona virus but same has been managed very soon.
 13. As informed that the present man power supplier agency is not working properly and internal complaints of poor services were received from last few months, in this regard hospital administration issued letter and verbal instruction also given for further improvements. As no improvement observed so finally hospital decided no further renewal will be granted to this firm.
 14. The MCU was maintained properly w.r.to BMW management and same type of practices may be adopted in other wards also.

ISSUE 2 - Dumping of BMW at Balicha dumping ground.

1. The team also visited Balicha dumping ground to verify illegal dumping of BMW and it was observed that it is open dumping ground and there is no fencing around it.

2. Complaints related to dumping of BMW at this site was also published recently in local news paper in this regard Regional Officer RSPCB take self cognizance and his team visited the place on 13.8.2021 then issued a notice to municipal corporation Udaipur on 9.9.2021 for taking necessary steps to prevent it. In compliance of that municipal corporation taking the corrective action and informed RSPCB on 28.9.2021.
3. The municipal corporation started the fencing work all around the dumping site to prevent any unauthorized dumping. Security guards were also deputed for round the clock monitoring. The security guard maintaining all vehicle details and keeping vigil about which type of waste is being dumped by the vehicles but this arrangement was not available earlier.
4. It was observed that none of the government hospital and most of the non-bedded HCFs still not adopting the bar code system for waste tracking, so in this type of situation it very difficult to trace out the source of BMW dumped at dumping ground. The medical waste generated from households is being dumped at Balicha dumping ground by Municipal Corporation as there is no agreement with IWs En-vision enviro ltd. for its disposal. Hence the possibility of BMW dumping by non-member HCFs may not be ruled out.

ISSUE 3 - CBWTF not complying the BMW guidelines:

1. Team also visited IWs En-vision Enviro ltd. (work as CBWTF) to verify the provisions of BMW Rules 2016.
2. The CBWTF has valid authorization, upto 31.3.2023.
3. At the time of visit CBWTF was operational at full capacity. As per consent, the unit is having 50 kg/tu capacity incinerator, 50 kg/cycle autoclave and shredders of 50 kg/hr. On average basis 1200 kg waste treated per day in which 700 to 800 kg waste is incinerable category and remaining is recyclable and sharp waste.
4. The recyclable waste is autoclaved followed by shredder. The unit has also provided concrete make sharp pit for disposal of metal sharp and needles.
5. It was observed that the PLC system is attached with the incinerator and incinerator is partially operated on it.
6. In compliance of CPCB guidelines for management of covid waste revision-4, the unit has provided separate waste collection mechanism with dedicated vehicle but same could not be physically verified because all the vehicles were in the field for waste collection.
7. The unit has provided separate area for treated and untreated waste storage (15 ft X 20 ft) and seems it is sufficient to fulfill the present requirement of waste storage. It was observed that proper segregated and bar coded waste is not being received at the facility hence operator re-segregated the waste at the facility for sorting the recyclable material.
8. It was also observed that significant quantity of recyclable waste collected and received in yellow category bag which is further autoclaved. The traceability of this type of bags

- could not be done as there is no bar coding system and nothing mentioned on the bag regarding its identification.
9. As informed by the in charge of the facility the waste is collected from the member HCFs by the dedicated vehicles and every day the collection starts in the morning and completed in the evening. The collected waste is treated incinerated same day.
 10. During visit semi automatic feeding was practiced. As informed by the unit representative the up-gradation work of present incinerator has been completed and now it is complying the 2 second residence time.
 11. 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.
 12. The temperature of primary chamber and secondary chamber was observed 829°C and 1052°C respectively, but same as not transmitted or updated on CPCB website.
 13. 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, PSF & ACF, Disinfection Tank. As informed by operator treated water is stored in over head tank and further used in horticulture and gardening purpose.
 14. The unit has provided DG sets for emergency operation of plant and machinery in case of power supply failure.

ISSUE 4 - CBWTF not having the capacity to treat BMW:

1. The unit has installed 50 Kg/Hr capacity incinerator. It is observed from the record that compare to the yellow category incinerable waste received at the site and the capacity of incinerator is near about to its maximum treatment capacity. On average basis 800 to 900 Kg yellow category of waste received at CBWTF and this much quantify will take 16-18 Hr for incineration.
2. The functionality of the autoclave was also verified as autoclave was in operation during visit. Spore test of each batch and records were maintained as per rules.
3. Shredder was found operational and kept near autoclave fixed on RCC foundation. The capacity of shredder is 50 kg/Hr and presently this capacity is sufficient to shred the receiving waste.
4. The unit has claimed that as the operation of new facility in Dungurpur area approx 1500 beds reduced from the present capacity. As mentioned in petition Ananta institute of medical college and American international institute of medical science having 810 and 700 beds respectively but as per annual report submitted by the institutes they are having 650 and 100 beds only, so the gap of near about 800 beds is exist.
5. As per the direction of district administration of Rajasthan the unit collecting the waste from Sirohi and Pali rural

area, however it is not in the coverage area of this unit but due to unavailability of the facility in that area the unit is providing his services in this area.

6. In the view of above it seems that presently the unit is able to treat the collected waste but further addition of large number of beds may create the problem as the incinerator is running at its optimum capacity.

OCEMS, Bar coding facility:

1. As per the guideline of CPCB, the unit has installed M/s Prima, make CEMS in incinerator stack to monitor primary & secondary chamber temperature, CO and CO₂. The CBMS data available at CPCB and RSPCB website which was verified during visit.
2. During inspection, it is informed by the CBWTF that data is being transferred to the RSPCB/CPCB server through internet but due to poor internet connectivity in this area data transfer is sometimes hampered.
3. The unit has started the bar coding facility but its implementation at ground level was found poor. As per the record most of the HCFs are still not adopting the bar coding system due to lack of awareness in the matter. However implementation of the bar code system is the joint responsibility of the Occupier as well as Operator of a CBWTF.

Record keeping:

The overall record keeping was found average and it need to improvement through digital type of proof rather than manual. Manual log book for incinerator, autoclave, shredder and ETP operation were maintained however as per norms PLC prints out or electronic tamper proof record is to be maintained.

Emission and Ambient air Quality monitoring

During the visit the team conducted the stack emission monitoring to assess the performance of APCD and emission value are given in the table below:

S No	Location	PM	NO _x	Remarks
01	Incinerator stack	44	11	Emission values
	Standard limit	50	400	complying the norms

All the emission results were found within the limit, as given in BMW Rules, 2016

As per the emission data received by CEMS the values of CO and CO₂ were observed 0.131% and 0.90% respectively on the basis of it the combustion efficiency is 79.57% against standard of at least 99.0% it may be because of mix type of waste burned during monitoring.

To assess the air quality in the vicinity of the unit ambient air monitoring performed at two locations i.e. inside the plant premises in down and up wind direction. The result of ambient monitoring as given below:

S No	Location	PM 10	SO2	NO2	Remarks
1	Near main gate of the unit	81	7.6	12.1	monitoring affected due to heavy vehicle movement in front of CBWTF
	Standard	100	80	80	

The ambient monitoring shows that all the values are well within the limit.

Others

1. The only positive thing is that the present Superintendent and his infection control team shown the responsive and cooperative attitude to adopt functional BMW system through time targeted action plan.
2. As informed by facility operator in-spite of organizing so many awareness program and personnel interaction with cleaning staff and CHC & PHC, problem of waste segregation at source is not solved even some of the hospital not willing to give waste and also not obtaining the membership of CBWTF.
3. The unit has obtained authorization under HW Rules for generation of incineration ash. As informed by the unit representative recently they have disposed 3.98 MT of ash through TSDF, Gudli on 4.10.2021. It was observed still 1 to 2 MT of ash still stored inside the room for disposal. The unit has displayed the hazardous information board at main gate of the unit but it was not updated properly.
4. The plastic and other recyclable material collected from various hospitals is being stored inside the room for further treatment. The collected plastic disinfected and shredded and sold to authorize plastic waste recycler. Recently the unit has sold out 14 T of plastic and record of the same has been maintained.
5. As per the CPCB guideline the unit has downloaded the 'COVID19BWM' app and submitting the Covid waste collection data on it.
6. The facility has done all the necessary vaccination to staff engaged in waste collection and treatment i.e. Tetanus and Hepatitis-B.
7. As the unit is collecting and storing the medical waste so it is obvious some foul smell is generated inside the untreated waste storage room but outside the premises there was no foul feel observed by committee members during the visit. However unit is spraying disinfectant solution on regular basis to control the odor related problem if any.

Recommendation

On the basis of the Joint Inspection and monitoring by Committee the following recommendations are given by the Committee:

Action by RNT medical college:

1. The BMW and MSW must be stored at different location to avoid any mixing or interchanging of bags.
2. Hospital administration may coordinate with RSPCB regarding organizing awareness and training program at department level w.r.t. segregation, collection, storage, and proper documentation.
3. The BMW must be collect in designated color bag as given in schedule-I of BMWM Rules,2016.
4. The consent and authorization must be obtained from RSPCB at the earliest.
5. Bar code system must be adopted for waste tracking.
6. Documentation of waste management must be maintained properly.
7. Strict instruction may be given to waste contractor and supervisor regarding proper on site segregation and collection.
8. Special training may be given to sanitary workers and outsourced staff for better management of BMW.

Action by Udaipur Municipal Corporation:

1. Fencing work at the periphery of the dumping site must be completed at the earliest.
2. For disposal of house hold BMW a agreement must be signed with CBWTF.
3. Computerized record of waste and vehicles may be maintained at dumping site.
4. If any illegal BMW received at site then the information should be given to RO,RSPCB and N//s En-vision Enviro Ltd. immediately,
5. Sign board of waste characterization may be placed at prominent location of site for awareness.
6. If BMW found in any collection bin inside the city the action must be taken as per rule.
7. Possibility of CCTV installation may be explored for better monitoring round the clock basis at the dump site.

Action by M/s En-vision Enviro Ltd:

1. New membership should be stopped when bed strength will be reached upto 10000 beds or total waste quantity reaches above the treatment capacity whichever is earlier.
2. To provide all necessary help to state government regarding awareness & training and establishment of bar code system.
3. To improved the combustion efficiency of the plant put more emphasis on the spot segregation or whatever rectification required in this regard.
4. Possibility of higher capacity of incinerator and autoclave installation may be explored with all

- necessary permission from RSPCB or other concern agency.
5. To maintain all the logbooks properly and temper proof related to incineration system, waste movement and collection system and treated waste disposal.
 6. To organize more awareness programs and interaction meet with member hospitals so that waste could be segregated properly at source.
 7. To maintain all the safety measure and good housekeeping at all the time.
 8. The unit shall comply all the condition as given in authorization.

Action Taken:

1. On the basis of committee recommendation RSpCB may issue notice to RNT, UMC and CBWTF for the compliance of the above points and directing them to submit the time bond action plan for its timely execution. The Regional office of RSPCB, Udaipur communicated the matter to Head Office Jaipur for issuing the same.
2. Due to the overburden on the medical facilities and large quantities of BMW waste being generated as a result of the outbreak of second wave of COVID-19 pandemic, and the importance of medical college and CBWTF, the said facility was allowed to operate for the time being, and no stringent action has been taken at that time.
3. The matter was again taken up on 01st December, 2021 and the Tribunal after submission of the report observed as follows:

"Rajasthan Pollution Control Board is directed to take necessary steps for compliance and taking necessary legal action in light of the recommendation of the Committee. It is further directed that in case of violation of environmental norms, State Pollution Control Board, Rajasthan has to take necessary steps for calculation and realisation of environmental compensation. Action taken report may be filed within 30 days."

4. After submission of the reply the matter was heard on 03rd February, 2022 and the Tribunal directed as follows:

"1. Learned Counsel for the applicant has raised the question that there is a huge gap between the generation and capacity to treat and since the facility which is available in the city has no capacity to treat the waste which is generated throughout the area, waste generated is being dumped here & there or in the precinct of the facility centre. Some objections have been raised on the joint committee report for which learned counsel representing the CPCB has submitted that the copy of the objections has not been provided to him, to file the reply. Copy of the objection as filed by the applicant, be provided to the learned

counsel for the Centre Pollution Control Board, State Pollution Control Board and all other respondents to file the reply, if any.

2. Learned counsel for the applicant has further submitted that authorities, waste generator and State Pollution Control Board are not taking proper and necessary steps to ensure that bio-medical waste is handled properly without any adverse effect to human health and the environment in accordance with the Bio-Medical Waste Management Rules, 2016, and there is no proper treatment in accordance with Schedule-1 of the Rules and the waste is not properly segregated and there is no maintenance of records relating to generation, collection, reception, storage, transportation, treatment, disposal or any other form of handling of bio-medical waste. Accordingly, we direct the State Pollution Control Board to submit a report with regard to –
 - 1) Total generation of bio-medical waste within the area (within the jurisdiction of the facility available)
 - 2) Total collection of bio-medical waste.
 - 3) Manner of storage, reception and transportation.
 - 4) Capacity to treat (per day) in ratio of generation per day.
 - 5) Report with regard to the dumping of medical waste at any point within the area under question and the responsibility of the person throwing the medical waste without observing prescribed method of transportation or manner of disposal according to Rules.
 - 6) The State Pollution Control Board is further directed to fix the responsibility of the person/agency generating the medical waste and throwing it in the open place without any treatment facility and to take necessary legal action in addition to calculation and realisation of environmental compensation in accordance with the Rules and Guidelines issued by the CPCB.
 - 7) Action taken report by the CPCB for monitoring and implementing the Bio-Medical Waste Management Rules, 2016 and in the cases of non-compliance the action taken report by the Central Pollution Control Board.
 - 8) Generation capacity of RNT Medical Collage, Udaipur (with all five attached hospitals) generation of waste, manner of transportation and manner of disposal of waste generated by the RNT Medical Collage, Udaipur.
 - 9) Total number of member Health Care Facilities (HCFs) and total number of beds available in all these Health Care Facilities separately.
 - 10) Operational system of incinerator and auto-clave system and its operational capacity.

- 11) Occupational safety of health care workers and others involved in handling of bio-medical waste.
- 12) Health check-up of all those who are involved in handling of bio medical waste.
- 13) Maintenance and updating of day to day bio-medical waste management register and displaying the monthly record on the website according to the bio-medical waste generated in terms of category is specified in Schedule-1.
- 14) Detailed report of the action taken by the Centre Pollution Control Board and State Pollution Control Board should be filed within ten days."

5. We have heard the learned counsel for the parties and perused the record with the reply and compliance report of the State Pollution Control Board.

6. In the 21st century with increased use of disposable material and the presence of dreaded disease like Hepatitis B and AIDS, it is utmost important to take care of the infected and hazardous waste to save the mankind from disaster. The Health care institution or hospitals which are responsible for care of morbid population are emitting voluminous quantity of rubbish, garbage and bio medical waste matter each day from wards, operation theatre and outpatient areas. Proper management of hospital waste is essential to maintain hygiene, aesthetics, cleanliness and control of environmental pollution. The hospital waste like body parts, organs, tissues, blood and body fluids along with soiled linen, cotton, bandage and plaster casts from infected and contaminated areas are very essential to be properly collected, segregated, stored, transported, treated and disposed of in safe manner to prevent hospital acquired infection. Various communicable diseases, which spread through water, sweat, blood, body fluids and contaminated organs, are important to be prevented. The bio medical waste scattered in and around the hospitals invites flies, insects, rodents, cats and dogs that are responsible for the spread of communication disease like plague and rabies. Rag pickers in the hospital, sorting out the garbage are at a risk of getting tetanus and HIV infections. The recycling of disposable

syringes, needles, IV sets and other article like glass bottles without proper sterilization are responsible for Hepatitis, HIV, and other viral diseases. It becomes primary responsibility of Health administrators to manage hospital waste in most safe and eco-friendly manner.

7. Learned counsel appearing for the CPCB has argued that SPCB is required to prepare an inventory or review with regard to the Bio Medical Waste Generation at-least once in five years in the coverage area of the existing Bio-Medical Waste Treatment and Disposal Facility. The prescribed authority is also required to extrapolate the coverage area wise Bio-Medical Waste generation for the next ten years. SPCB/PCC is required to conduct gap analysis with respect to coverage area of the Bio - Medical Waste generation and also projected over a period of next ten years, adequacy of existing treatment capacity of the C. B. W. T. F. in each coverage area of radius 75 KM. In a coverage area where there is a pre - existing C. B. W. T. F., a new C. B. W. T. F may be allowed in such a locality in compliance of various provisions notified under the Environment (Protection) Act, 1986, to cater services only to such additional bed strength of the Health Care Facilities located, in case, number of beds is exceeding >10,000 beds in a locality (i.e. coverage area of the C. B. W.T.F under reference) and the existing treatment capacity is not adequate. In context of above guidelines, the adequacy of treatment capacity of existing CBWTFs refers to availability of adequate infrastructure to treat the quantity of waste received and also the adequacy to comply with environmental standards notified under Biomedical Waste Management Rules, 2016
8. The RSPCB, Respondent No.2 has submitted that the State board is carrying out regular inspection of CBWTF facility, at present it is having incinerator of capacity 50 kg/hr and as per annual report of R-4, 9962 beds are connected. It is further submitted that one complaint was received from news channels regarding disposal of bio medical waste in MSWMS, Balicha, Udaipur, the state board carried out inspection of the disputed site on 13.08.2021. On the basis of observation made during

inspection, the state board issued letter dated 09.09.2021 to Nagar Nigam, Udaipur. The Nagar Nigam, Udaipur vide letter dated 28.09.2021 informed the state board that they have started construction of boundary wall at Balicha Dumping Yard, appointed one guard at main gate who will maintain record of vehicles, driver name, mobile number, etc and as per the consent to operate letter dated 15.08.2018 the R-4 will treat bio medical waste and, the facility is having incinerator with a capacity of 50 kg/hr.

9. The Respondent No. 4 has submitted the reply with the following facts:

"2. that the Joint Inspection was carried out in view of order dated 27.09.2021 passed by the Hon'ble Tribunal which while answering Issue — I, had categorically submitted in its para 4 as under 'It was observed that there is no CBIPTF (Common Bio Medical Waste Treatment Facility) installed in RNT Medical College campus and entire BMW is being sent to M's En-vision Enviro Ltd which is located around 20 kms away from the RNT medical college. Hence, it is false allegation as mentioned in the petition. It is further submitted that the Applicant has leveled false and baseless allegation upon the answering respondent with regard to dumping of Bio Medical Waste at Balicha Dumping ground, however no documents in support of the same has been filed, infact the photographs annexed and marked as Annexure — P/1 also nowhere reveals the involvement of the answering respondent. Further, the said issue has duly been answered by the Joint Committee Inspection Report while answering Issue no. 2. It was categorically mentioned in clause 4 of Issue 2 as: It was observed that none of the government hospital and most of the non bedded HCFs still not adopting the bar code system for waste tracking, so in this type of situation it is very difficult to trace out the source of BMW dumped at dumping ground. The medical waste generated from households is being dumped at Balicha dumping ground by Municipal Corporation as there is no agreement with M's En-vision enviro ltd. for its disposal. Hence the possibility of BMW dumping by non member HCFs may not be ruled out'. The aforesaid report categorically reveals that the allegations with regard to dumping of Bio Medical Waste at Balicha Dumping ground is baseless and unfounded.

3. That the answering respondent had established a Unit after obtaining necessary permissions and consents from the

respondent no. 2. It is submitted that vide order dated 24.03.2005, the Consent to establish under Section 21 of Air (Prevention & Control of Pollution) Act, 1981 & under Section 25/26 of Water (Prevention & Control of Pollution) Act, 1974 for installation of CBWTP at Village Umarda, Dist. Udaipur was issued by the respondent no. 2 in favour of the answering respondent. The aforesaid consent to operate duly got extended and as on this date the answering respondent has valid consent to operate and to operate a facility for collection, disposal, incineration, reception, transport & treatment of Biomedical wastes) uptill 31.03.2023. It is further submitted that the said Consent categorically provides the activities alongwith quantity to be treated by the answering respondent.

7. That as per the Annual report submitted by the Hospitals the actual beds and Bio Medical wastes collected are as follows:

S. No.	Medical Unit	Capacity of beds	Bio Medical Waste per day (approx.)
1.	Geetanjali Medical College & Hospital, Udaipur	1150	115 kgs
2.	RNT Medical College, Udaipur	1542	166 kgs
3.	Pacific Institute of Medical Sciences, Udaipur	900	97 kgs
4.	Atlanta Institute of Medical Sciences & Research Centre, Udaipur	650	20 kgs
5.	American International Institute of Medical Sciences, Udaipur	100	54 kgs

It is submitted that for obtaining Certificate to run a Medical College & Hospital, the concerned person is required to show number of beds, but the fact that remains that the same are not operational or filled upto the capacity. It may further be seen that the data collected by the Applicant is not supported by any documentary evidence and hence the same is denied being false. Further, with regard to the collection of Bio Medical Waste an Annual Report revealing the actual Bio Medical Waste collected by the answering respondent in compliance of Bio Medical Waste Management Rules, 2016 was submitted every year by the answering respondent which makes it evident that the actual Medical Waste collected is in accordance with the sanctioned permission & consent.

12. that as per the CPCB guidelines, no CBWTF is allowed within a radius of 150 kms and more so, the answering respondent is running the said unit in compliance with rules and laws. Hence, the allegations leveled against the answering respondent are baseless and unfounded and deserves to be dismissed.

10. After the submission of the report by the Joint Committee the Applicant filed an objection to the inspection report. The CPCB has filed the response of said objections which is quoted below:

Sl. No.	Objection	Reply												
1.	<p>That the Joint Committee inspection report therein after referred to as the said Report has not even mentioned the total Waste Generated from RNT Medical College. The report states that there are 3 hospitals attached to RNT Medical College but the said report specifies the bed strength of only two hospitals i.e.:</p> <p>a. Maharana Bhupal Govt. Hospital - 1146 Bed Strength</p> <p>b. Pannadhay RaikiYa Mahila Chikitsalaya - 540 Bed Strength</p> <p>The bed strength of remaining 3 hospital i.e.</p> <p>c. Seth Ram Vilas Bhuwalka Yakshma Arogya Sadan</p> <p>d. Shri Khemraj Katara Satellite Hospital</p> <p>e. Shri Sunder Singh Bhandari District Hospital</p> <p>Is not disclosed in the Report by which it could have already been established that the facility of Respondent No.4 is collecting waste beyond its capacity.</p>	<p>As the Applicant has only mentioned about RNT Medical College and the applicant the Medical Waste management thereon hence the Committee has visited both the Hospitals located inside the premises. Whereas other three facilities are located at far distance from the College Campus and were not visited. However as updated by the RSPCB the bed strength of the remaining 03 Hospitals is as below:</p> <table border="1"> <thead> <tr> <th>S.N.</th> <th>Hospital</th> <th>No. of Beds</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>Seth Ram Vilas 260 Bhuwalka Yakshma Arogya Sadan</td> <td>260</td> </tr> <tr> <td>2</td> <td>Shri Khemraj Katara Satellite Hospital</td> <td>100</td> </tr> <tr> <td>3</td> <td>Shri Sunder Singh Bhandari District Hospital</td> <td>50</td> </tr> </tbody> </table> <p>It can therefore be concluded that the Bed Strength of the CBWTF is within Consented Capacity.</p>	S.N.	Hospital	No. of Beds	1.	Seth Ram Vilas 260 Bhuwalka Yakshma Arogya Sadan	260	2	Shri Khemraj Katara Satellite Hospital	100	3	Shri Sunder Singh Bhandari District Hospital	50
S.N.	Hospital	No. of Beds												
1.	Seth Ram Vilas 260 Bhuwalka Yakshma Arogya Sadan	260												
2	Shri Khemraj Katara Satellite Hospital	100												
3	Shri Sunder Singh Bhandari District Hospital	50												
1.2	<p>That the Joint inspection Committee clearly found that Maharana Bhupal Govt. Hospital is operating without consent since 2013 and still the only action taken against the hospital is, that, RO Udaipur has issued Show Cause Notice to the Hospital on 28.06.2021, for which the hospital was supposed to submit its reply by 31.07.2021. No such reply has been annexed in the report and no further action has been taken against the hospital till date.</p>	<p>As the matter is related to Consent the appropriate authority to respond is RSPCB. However, the Committee has recommended that : "The consent and authorisation must be obtained from RSPCB at the earliest.</p>												
1.3	<p>That the Joint Committee has opted for a very liberal approach and therefore no recommendation for charging penalty on this hospital has been suggested. In fact, this fact is also ignored that a CBWTF cannot lift BMW from a unit which is not having consent. Still the CBWTF unit of Respondent no.4 is lifting BMW from this hospital since 2013 which is against the BMW Rules and Guidelines. No penalty has been recommended to be charged on the facility of Respondent No.4.</p>	<p>The procedural delay in obtaining the authorization may appropriately be responded by the prescribed Authority i.e. the RSPCB and the Occupier.</p> <p>As on 28.06.2021 the RSPCB has not confirmed the refusal of Authorisation sought by the Maharana Bhupal Govt. Hospital and the matter is under consideration of RSPCB. Hence the collection of waste from the Hospital is justified as the same falls under</p>												

		<p>Essential Services in health infrastructure.</p> <p>Also the Committee has recommended that "The consent and authorisation must be obtained from RSPCB at the earliest".</p>
1.4	<p>While investigating issue no.1, in para 7 and 13 the said report says that the housekeeping work including waste collection has been outsourced to a Firm, whereas the Report fails to mention the name or details of any such firm. It is submitted that the Hospital Authorities are trying to abscond from their liabilities by stating that the wrong method in collecting waste is not being done by them but by some other firm and the Joint Committee has least bothered to enquire further the name of any such firm which has been hired by hospital or any such annexure which corroborates the fact that some other firm has been hired to do the waste collection job.</p>	<p>The committee has fairly pointed out the probable reasons for unsatisfactory housekeeping and lapse in the management of Biomedical Waste at page no. 3 and 4 of the Joint Committee Report</p>
1.5	<p>That while investigating issue no. 1 at para 10, the said Report states that the hospital are not adopting bar code system, whereas as per "Guidelines for Bar Code System for efficient management of Bio Medical Waste, 2018", if bar code is not there the waste shall not be lifted. But, still the waste is being lifted. But, still the waste is being lifted from these hospitals by respondent no. 4 since years and still not penalty has been imposed on respondent no. 4 for not following mandatory guidelines.</p>	<p>As per BMWM, Rules 2016 Bar Coding of Waste Bags is mandatory for tracking and tracing of waste. If any Hospital does not adopt the Bar Code System the concerned SPCB may take action as per provisions of the Rules. Waste collection in given time line is the responsibility of CBWTF and this service comes under Essential Services under health infrastructure. Since the Respondent NO. 4 has collected the waste in the prescribed time, they can not be penalized for non implementation of Rules regarding Bar Coding as it is not their Statutory Responsibility. The responsibility of implementation of Bar Code System lies with the respective SPCB and Occupier.</p> <p>It is pertinent to mention that as per the BMWM Rules, 2016 there is no legal bar or prohibition on the CBWTF to lift and treat the waste from HCFs which not yet implemented the Bar Code System. On the contrary, looking to the hazardous nature of Biomedical Waste and the stipulated timeline for collecting the treating the said waste, the CBWTF cannot be stopped from lifting and treating such waste as per the Rules.</p>
B- ISSUE 2		
2.1	<p>That while investigating issue no. 2, at para 2 it is stated in the Report that, RO RSPCB has issued notice to municipal Corporation Udaipur for taking necessary steps to prevent the dumping of BMW at Balicha Dumping Ground. Subsequently, Municipal Corporation has informed RSPCB on 28.09.2021 about the necessary steps which has been taken i.e. Annexure no. 3</p>	<p>As there is no issued raised under this point, hence no reply is required.</p>
2.2	<p>That as per Annexure 03, BMW has been dumped at Balicha Dumping Ground by some unknown person/vehicles. In order to prevent such activity, boundary / fencing work has been initiated and a guard has been appointed to keep record of the vehicles dumping waste at Balicha Dumping Ground</p>	<p>As there is no issued raised under this point, hence no reply is required.</p>
2.3	<p>That, Annexure 03 is dated 28.09.2021 and the visit by Joint Inspection Committee is done on 20.10.2021, still no such fence has been shown in the pictures supplied in the Report.</p>	<p>On the day of field visit i.e. 20.10.2021 the work of boundary wall construction work was on going.</p> <p>As per the recent visit of RSPCB on 07.01.2022 the one side wall attached to entry gate has been constructed and fencing work not yet started. Copy of the relevant Report is annexed herewith and marked as Annexure R-3/1/</p>

2.4 AND 2.5	<p>That, the petitioner has supplied with the image of the vehicle which was caught red handed dumping the bio-medical waste at Balicha Dumping Ground. In the image, the vehicle is of Maharana Bhupal Chikitsalaya which is again part of RNT medical college but no investigation has been done on the matter.</p> <p>That, if there have been unknown people who have dumped bio-medical waste at Balicha Dumping Ground then it was very important to further investigate the register maintained by the guard of Balicha Dumping Ground in order to trace the vehicle numbers. But no such record of register has been investigated nor has been supplied as annexure along with the said report.</p>	<p>The registration number of the vehicle used for waste dumping was not visible in the image provided by the petitioner. Thus the committee was unable to investigate for the same.</p> <p>Moreover, the said incident happened 5 to 6 months prior to the Committee visit. However, the Committee interacted with Labour Contractor and other Vehicle Drivers to trace out the identity of vehicle and driver but driver who was seen in the photo was not recognized. The entry system of vehicle details coming to Balicha site was started after this incidence and as mentioned in Report also, this kind of arrangement was not available earlier.</p>
C- Issue 3		
3.1	<p>That, the Report states at para 3, that, 700 to 800 kg waste is incinerable, whereas the Committee neither stayed there for entire day neither did weigh the waste in their presence. The committee has stated the fact merely on the verdict of Respondent no. 4. Such investigation makes the entire purpose of making a joint committee infructuous.</p>	<p>The Committee has reported the average quantity, of incinerable waste based on the furnished to book Records of year 2027 by the CBWTF Operator.</p> <p>This Data is the baseline Data which can be correlated with the Average Generation of Biomedical Waste in the State and thus may not be disputable.</p>
3.2	<p>That the Report at Para 4 states that recyclable waste is first autoclaved and then shredded and after that it should go to registered recycler. But the report is silent regarding the fact that recyclable waste after shredder is going to which registered recycler.</p>	<p>The details of Registered Recyclers are given under Annexure - 8 of the Joint Committee Report. The recycler is M/s E co Vision Environmental Resources LLP</p>
3.3	<p>That from the said Report following irregularities can be easily pointed out which has been framed and stated in the report in very indirect manner, i.e.: Waste is being re-segregated at the Unit which is not permissible. Yellow Bags are being autoclaved, whereas yellow bags should only go into incinerators. Incinerators are being fed in semi-automatic manner whereas they should be 100% automated. Incinerators shall be entirely operating on PLC system and not in partial manner as practiced by unit of Respondent no. 4. Partial operation itself shows that the machine is running in a manipulative manner</p>	<p>The Report is very clear about the waste segregation and it has mentioned that most of the CHCs/PHCs were not segregating the waste in proper manner. Even in Maharaja Bhopal Hospital segregation of waste was not found to be as per the Rules. The operational issue related to electronic circuit of PLC attached with incinerator was observed by the Committee and same was reported. It was observed that Static Type Double Chamber Incinerator has been installed by the facility and the temperature of Primary Chamber and Secondary Chamber was observed 829C and 1052°C respectively. On the basis of the temperature shown on Control Panel it can be gathered that the incinerator was done as per the norms and proper temperature of Incineration is a key parameter for assessment of the performance of the Incinerator.</p>
3.4	<p>That Para 6 of the Report states that the vehicles dedicated for Covid waste collection cannot be physically verified whereas it could be very easily verified by the mother computer installed in the Unit. The Committee has not verified any such computer data.</p>	<p>The Committee verified the GPS details of the Vehicle and travel detail summary has been provided in the Committee's Report at Annexure - 2.</p>
3.5	<p>That Para 9 of the report just narrates the words of Respondent no. 4. This was not the purpose of the said Joint Committee. Regarding the irregularities in collecting and disposing of waste, this fact is pertinent to bring into notice of this Hon'ble tribunal that respondent no. 4 has signed agreement with HCF of Hanswara that it will be collecting waste in alternate days which itself is against the guidelines.</p>	<p>The Agreement with HCF of Hanswara expired on March 2020. As per BMCNM Guidelines, 2016 Waste must be disposed of within 48 hours for further disposal, so the CBWTF was not violating the guidelines as it was collecting waste within 48 hours. Presently a new facility is established at Dungarpur and most of the HCFs are obtaining the membership from said Facility.</p>
D- Issue 4		
4.1	<p>That the Joint Committee has tried their level best to conceal the original facts and save Respondent no. 4. It can be seen outright that by evaluating just 2 members i.e. Maharana Bhupal Govt Hospital and Pannadhay Rajkiya Mahila Chikitsalaya, a total of 1680 beds</p>	<p>The total beds covered by the Respondent No. 4 as per the Annual Report 2020 is 9962 which is still less than 10,000 nos. of beds as per the revised guideline for CBWTF, 2016. As per the Annual report, 2020 the</p>

	have reached. The unit of Respondent no. 4 is further collecting BMW from 372 members in Udaipur District itself which generates a bare minimum of 2800 kgs of BMW. The unit further collecting waste from Dugarpur, Chittorgarh, Rajsamand, Pratapgarh, Banswara, Sirohi and Pali also.	average annual incinerable waste collection is 1070kgs/day against the installed capacity i.e. 1200kg/ day Further it is submitted that a new CBWTF has been started in Dungarpur that catering the nearby district i.e., Banswara, Pratapgarh, Dungarpur. The reason of waste collection from rural are of Pali and Sirohi was reported at page no. 7 point no. 5 of the Committee's Report.
4.2 and 4.3	That the entire issue raised in the petition is that the Unit of Respondent no.4 is collecting waste from a waste area and has given membership to units beyond its capacity and because it does not have capacity to treat that much BMW, it is dumping the waste at Balicha Dumping Ground. But the committee has not investigated this point at all. That the report only states how much waste is being brought to the unit of Respondent no. 4 and has not disclosed how much BMW is being generated from the area which this facility is serving.	The total beds covered by the Respondent No. 4 as per the Annual Report 2020 is 9962 which is still less than 10,000 nos. of beds as per the revised guideline for CBWTF, 2016. The Committee has reported the average quantity, of incinerable waste i.e. 700 800kgs/day which is based on the furnished logbook records of Sept & October Months of 2021, by the CBWTF Operator.
4.4	That, respondent no. 4 has himself given a letter to Municipal Corporation Udaipur, 22.02.2021 to increase its capacity as the area which it is catering is generating 6000 kgs of BMW per day	The Respondent No. 4 has submitted the Application for its future expansion when bed strength will cross the 10000 numbers. The future estimation may be based on proposed expansion of existing HCFs or new members which will want to join the Facility. However this expansion process is not related with present status of Waste Management. The Committee has already recommended that "Possibility of higher capacity of incinerator and autoclave installation may be explored with all necessary permission from RSPCB or other concern agency and New membership should be stopped when bed strength will be reached upto 1000 beds or total waste quantity reaches above the treatment capacity whichever is earlier

11. In response to the Joint Committee report the State Pollution Control Board has submitted the affidavit with compliance of the order and directions and submitted that the board has issued SCN to the violators with respect to the observations made by the Joint Inspection Committee and further directed the Commissioner, Municipal Corporation, Udaipur to provide the Action Taken Report with respect to the observation made by the Joint Inspection Committee.

12. In compliance of the order dated 03.02.2022 with regard to the point wise reply, the SPCB has submitted the compliance report as follows:

Direction 1) **Total generation of bio-medical waste within** the area (within the jurisdiction of the facility available) **Compliance-** The total average generated quantity of BMW in the Jurisdiction of M/s En-vision Enviro Pvt Ltd is below:

- **For the year 2020:-** average BMW waste 1275 kg/day (incinerable 1070 kg/day, autoclaveable & shredder 203.35 kg/day and sharps 1.72 kg/day) as per the annual report submitted by CBWIDF to RSPCB
- **For the year 2021-** 1400-1500 Kg/day from 9778 beds as per document submitted by CBWTDF Presently, the facility providing the services in Udaipur, Chittorgarh, Banswara, Durgarpur, Rajsamand, Pratapgarh, Pali (Sumerpur block) and Sirohi (9 CRCs). The copy of Bio Medical Waste Record submitted by M/s En-vision for the period July, 2021 to January, 2022 is annexed herewith and marked as Annexure-1 (Collectively).

It is submitted that as per the Rule 13 (i) of BMWM, Rules 2016 Every occupier or operator of common biomedical waste treatment facility shall submit an annual report to the prescribed authority in Form-IV on or before the 30th June of every year. On the basis of the annual report submitted by the CBWTF the prescribed authority compiled the report of state and submit to CPCB. In the present case the annual report submitted by the CBWTF to RSPCB in prescribed format is being considered as proof of facts. The number of bed associated and waste collection is dynamic process as various factor i.e, new facility come in the area or HCFs discontinued the membership or new HCFs take the membership may affect the status. It is also the responsibility of the CBWTF to submit the factual data to prescribed authority as per rules.

A new facility has been started in the District Durgarpur. Hence the possibility of reducing the quantity of the waste at M/s En-vision Enviro Pvt Ltd, as earlier this facility also catering the service in this area.

Direction 2) Total collection of bio-medical waste.

Compliance- As far as the member HCFs the CBWTDF collected all the BMW within the stipulated time as per rule, which was verified by GPS records and telephonic discussion with random hospitals.

It is submitted that as per the Annual report of CBWTDF for the year 2020, total 1275 kg of BMW collected on daily basis which includes all categories. Further, the document submitted by CBWTDF for the year 2021 total 1400-1500 Kg of BMW collected on daily basis which includes all categories. The copy of CBWTDF Annual Report 2020 is annexed herewith and marked as Annexure-2.

Direction 3) Manner of storage, reception and transportation.

Compliance- For storage of BMW the CBWTDF has provided the colour category wise room inside the CBWTDF premises in which all BMW has been stored which was collected from various HCFs.

For collection of BMW the CBWTDF has provided 09 dedicated vehicles and specially 01 dedicated vehicle for Covid waste collection. All the collection vehicles are GPS enabled and its tracking was verified by the committee during

the visit on 20.10.2021. The copy of Daily Travel summary as submitted by the CBWTDF site is annexed herewith and marked as Annexure-3.

4) Capacity to treat (per day) in ratio of generation per day.

Compliance- For treatment of collected BMW, the facility has provided 50 Kg/Hr incinerator, 50 kg/Hr Shredder and 450 Ltr/Cycle Autoclave. On the basis of collection quantity for the year 2020 i.e. 1275 Kg/day. Existing treatment facility available for different tyre of waste at CBWTDF site is 2400 kg/day, therefore it may be concluded that the present capacity is adequate.

5) Report with regard to the dumping of medical waste at any point within the area under question and the responsibility of the person throwing the medical waste without observing prescribed method of transportation or manner of disposal according to Rules.

Compliance- As per the GPS data of the waste collecting vehicles of the CBWTDF Udaipur, it seems the CBWTDF collecting the waste from member HCFs and Occupier of the each HCF is the responsible authority for safe disposal and handing over the waste to CBWTF for treatment.

6) The State Pollution Control Board is further directed to fix the responsibility of the person/agency generating the medical waste and throwing it in the open place without any treatment facility and to take necessary legal action in addition to calculation and realization of environmental compensation in accordance with the Rules and Guidelines issued by the CPCB.

Compliance- The RSPCB had already fixed the responsibility of safe disposal of BMW and as per the Authorization under BMW Rules, 2016 every Occupier of each HCF is the responsible for the safe disposal of BMW in their respective premises.

For house hold generation of BMW the municipal corporation is the responsible authority for its collection, for further disposal of collected BMW to CBWTDF. Udaipur Municipal Council (UMC) also signed an agreement with CBWTDF for the same. The copy of agreement is annexed herewith and marked as Annexure-4

7) Action taken report by the CPCB for monitoring and implementing the Elio-Medical Waste Management Rules, 2016 and in the cases of noncompliance the action taken report by the Central Pollution Control Board.

Compliance- Shall be submitted by CPCB.

8) Generation capacity of RNT Medical Collage, Udaipur (with all Five attached hospitals) generation of waste, manner of transportation and manner of disposal of waste generated by the RNT Medical Collage, Udaipur.

Compliance- The five HCFs are associated with RNT medical college details as below:

Name of HCF	Beds	Avg. Generation
<i>M. B. Govt. Hospital</i>	<i>1592</i>	<i>233.5</i>
<i>Pannadhay Raj. Mahila</i>	<i>540</i>	<i>10.2</i>
<i>Seth Ram Vilas Bhuwallca Yakshatna Arogya Sedan,</i>	<i>260</i>	<i>9.4</i>
<i>Shri Khemraj Katara Satelite Hospital, Sec-06</i>	<i>100</i>	<i>8.2</i>
<i>Shri Sunder Singh Bhanderi District</i>	<i>50</i>	<i>5.2</i>

It is submitted that the generation of BMW is depending on occupancy of beds/day.

For collection and storage of BMW presently centralized storage facility as per colour code has been provided by the RNT medical college. The BMW generated in the various wards is being collected on daily basis and stored at designated place for further disposal. The stored BMW has been collected by the CBWTDF by the GPS enabled vehicle which can be monitored remotely.

9) Total number of member Health Care Facilities (HCFs) and total number of beds available in all these Health Care Facilities separately.

Compliance - For the year 2021, 1105 HCFs are active members having bed strength 9778. The details of active HCF's submitted by C3WTDF is annexed herewith and marked as Annexure-5.

10) Operational system of incinerator and auto-clave system and its operational capacity.

Compliance- The CBWTDF has provided 50 Kg/ Hr double chamber diesel tired incinerator with adequate stack height and OCEMS for measurement of PM, O₂, CO, CO₂ and temperature.

The CBWTDF has provided 450 Ltr/cycle vacuum type of autoclave.

11) Occupational safety of health care workers and others involved in handling of bio-medical waste.

Compliance- The facility and RNT medical college has vaccinated all the staff who is associated with the waste management system. The copy of the list of staff is annexed herewith and marked as Annexure-6.

12) Health check-up of all those who are involved in handling of biomedical waste.

Compliance- Annual health check-up has been carried out for all the workers of facility and RNT medical college who are associated with the biomedical waste

management. The Copy of the list of persons of the unit is annexed herewith and marked as Annexure-7.

13) Maintenance and updating of day to day bio-medical waste management register and displaying the monthly record **on the website according to the bio-medical waste generated in terms of category is specified in Schedule-1.**

Compliance- CBMWTF is maintaining and updating of day to day bio-medical waste management register. Directions were given by RSPCB for displaying the monthly record on the website according to the bio-medical waste generated in terms of category is specified in Schedule-I. The waste collection and disposal record of MB hospital for the month of Jan 2022 is annexed herewith and marked as Annexure-8.

13. The State Pollution Control Board had submitted further Action Taken Report on 23.03.2022 as follows:

"2. That Udaipur covers an area of 64 sq KM divided into 70 wards. The total solid waste generation in the city is about 180 TPD as per annual report 2020- 2021 submitted by the ULBs to RSPCB. In compliance of the directions passed by this Hon'ble Tribunal, the Municipal Corporation, Udaipur has adopted various practices for better management of solid waste which include Bio- Medical waste in the city, the details are as follows:

A) MSW generated from Udaipur City is door to door collected through auto trippers by Municipal Corporation, Udaipur and sent to transfer stations at Kumharo ka bhatta, Sikh colony, Udaipur.

B) In every tripper, there are three separate assortment bins for wet, dry, and household biomedical waste. These trippers carry the waste from households to the garbage transfer stations, from where the waste is moved to the dumping sites at Titardi and Balicha, Udaipur in hook loaders.

C) At transfer station, the dry and wet segregated waste is being transferred to dumping sites as per requirement through big capsule type container.

D) Balicha dumping site includes MRF Processing Facility- 50TPD, Bio-methanation Plant-20TPD, Sanitary landfill Area-2.1 Ha. (21,000Sqm).

E) Another dumping site Titardi includes MRF 30 TPD, for dry waste and a bio composting facility for wet waste on a land area about 1.5 Ha. Titardi was originally a 40 years old legacy waste dump site had around 80,000 meter cube of legacy waste. The land was reclaimed by Nagar Nigam Udaipur by sanitary capping of legacy waste in the year 2018 having a base area of 12,000 sq meter, top area of 4,000 sq meters and height of 10 meters.

The present waste collection infrastructure as below:

Total Wards 70	Primary waste door to door collection in 45 ward is being done by UMC and other wards are being done by outsourced agency
Secondary waste Collection Point	Four (Kali Bavdi, Amal Ka Kata, Nadakheda and Asin ki Haveli (Waste is collected through drainage line, road sweeping, through hand cart, tractors etc.)
Secondary Waste Collection Vehicle	3 tractor, 1 Dumper, 3 compactor and 10 auto tripper
Municipal Waste Generation	180 TPD
Door to Door collection vehicle	Outsourced
Waste dumping	About 12 Km from Udaipur city at Balicha dumping site About 10 KM from Udaipur City at Titardi dumping site
Street Sweeping and drain cleaning	Day to day basis on main roads and drain Waste drain cleaning
Waste transfer point	It is located near Kumharo Ka Bhatta, Sikh colony, Udaipur

F) Domestic biomedical Waste consists of material as sanitary pads, napkins, cotton bandages etc. This Biomedical waste is being collected in a separate bin which is attached at the back of the waste collection TA vehicle and painted with red colour. This biomedical waste is stored separately at the garbage transfer point from where the dedicated vehicle of CBWTFD collected it on regular basis for further disposal as per norms of BMW, Rules 2016.

3) That the Udaipur Municipal Corporation has made an agreement with M/s En-vision Enviro Ltd (CBWTFD) for daily collection of household biomedical waste from garbage transfer station located near sikh colony, the segregated waste is being handed over to the CBWTFD for final disposal. The copy of the agreement is annexed herewith and marked as Annexure-1.

4) That to prevent any kind of illegal dumping of biomedical waste at Balicha site, the municipal corporation has issued work order for fencing work all around the dumping site and permanent gate at the entry to prevent any kind of unauthorized dumping. MC, Udaipur has appointed a security guard 24X7 for vigilance and monitoring of all vehicles details from Sept, 2021.

5) That to verify the show cause notice issued by RSPCB to Municipal Corporation, Udaipur on dated 29/12/2021, RSPCB officials inspected site on 07/01/2022. The copy of inspection report is annexed herewith and marked as Annexure -2.

6) That the State Board has not received any such complaints of illegal dumping of bio medical waste at MSW disposal sites since 27.09.2021."

14. The Municipal Corporation, Udaipur, Rajasthan has submitted as follows:

4. That, it is further submitted that the Municipal Solid Waste(MSW) generated from Udaipur City is collected in segregated manner through auto trippers by Municipal Corporation, Udaipur and sent to transfer stations at Kumharo ka bhatta, Sikh colony, Udaipur. And each tripper has three separate assortment bins for wet, dry, and household biomedical waste. These trippers carry the waste from households to the garbage transfer stations situated at Kumharo ka bhatta, from where the waste is moved to the processing/Dumping site at Titardi and Balicha, Udaipur through hook loaders in capsule type container.

5. That, at transfer station, the dry and wet segregated waste is being transferred to the dumping sites as per requirement through big capsule type container. Balicha Dumping site has MRF Processing Facility: 50TPD, Bio-methanation Plant-20TPD, Sanitary landfill Area-2.1 Ha. (21,000Sq.m).

6. That, another dumping site at Titardi includes MRF 30 TPD, for dry waste and a bio composting facility of 60 TPD capacity for wet waste on a land area about 1.5 Ha. Titardi was originally a 40 years old legacy waste dump site had around 80,000 meter cube of legacy waste. The land was reclaimed by Nagar Nigam Udaipur by capping of legacy waste in the year 2018-19 having a base area of 12,000 sq meter, top area of 4,000 sq meters and height of 10 meters. The present waste collection infrastructure is produced in a tabular form below for the kind perusal of the Hon'ble Tribunal:

Total Wards 70	Primary waste door to door collection in all 70 wards are being done by outsourced agency
Secondary waste Collection Point	Three (Kali Bavdi, Nadakheda and Asin ki Haveli, Amal ka Katta) Waste is collected through drainage line

	road sweeping, through hand cart, tractors etc.)
Secondary Waste Collection Vehicle	1 Dumper, 3 Tractor Trolleys, 10 Auto tipper, 3 compactors
Municipal Waste Generation	180 TPD
Door to Door collection vehicle	Arranged by outsource agency
Waste dumping	About 12 Km from Udaipur city At Balicha dumping site About 10 KM from Udaipur City at Titardi dumping site
Street Sweeping and drain cleaning	Day to day basis on main roads dan drain and night sweeping at important tourist places
Waste transfer point	It is located near Kumharo ka Bhatta, Sikh colony, Udaipur

7. That, the domestic biomedical Waste consists of sanitary pads, cotton bandages etc. This Biomedical waste is being collected in a separate bin which is attached at the back of the waste collection vehicle and painted with red colour. This biomedical waste is stored separately at the garbage transfer point from where the dedicated vehicle of CBWTF (M/s En-vision Enviro Ltd) collect it on regular basis for further disposal as per norms of BMWM, Rules 2016.

8. That, it is pertinent to bring to the notice of this Hon'ble Tribunal that the Udaipur Municipal Corporation has made an agreement with M/s En-vision Enviro Ltd (CBWTF) for daily collection of household biomedical waste from garbage transfer station located near Kumharo ka bhatta Sikh colony, the segregated waste is being handed over to the CBWTF for final disposal.

9. That, further to prevent any kind of illegal dumping of biomedical waste at Balicha site, the municipal corporation has issued work order for fencing work all around the dumping site and permanent gate at the entry to prevent any kind of unauthorized dumping for which the construction work is in progress. MC, Udaipur has appointed a security guard 24X7 for vigilance and monitoring of all vehicles from, Sept, 2021. "

15. The Central Government in exercise of powers conferred by Environment (Protection) Act, 1986 made Bio-Medical Waste(Management and Handling) Rules, 1998 in short: (1998 Rules) and looking at the continuous need for improvisation of the technique involved in disposing off bio medical waste, the Rules were amended in the year 2016 and then in the year 2019. Under the said Rules, the Prescribed Authority for the implementation of Bio Medical Norms is Respondent No. 2 Rajasthan Pollution Control Board.

16. The State Government vide order dated 10.07.2012 directed all the operators of all the Plants in state to ensure strict the compliance of 1998 Rules and to prepare a list of all Veterinary Hospitals Nursing Home, Clinic, Dispensary, Veterinary Institution, Animal House, Pathological Laboratory, Blood Bank, Health Care Facility and Clinical Establishment and forward it to Health Department, Environment Department and Pollution Control Board.

17. In order to discharge the biomedical waste, a common biomedical waste treatment facility is installed which consists of an incinerator, auto clave and other machineries. The need for shifting from captive incinerator to treatment facility arose due to the hazardous impact and extreme vigilance required for treating the biomedical wastes.

18. As per Environment Impact Act Notification, 2006 as amended vide notification of S.O.1142 E dated April 17, 2015, 'biomedical waste treatment facility' is categorized under item 7 (da) in the schedule and requires 'Environmental Clearance' from the State Environment Impact Assessment Authority (SEIAA). It is further submitted that facility of Respondent No.3 was installed in the year 2008 which was prior to the said notification. As per the guidelines issued by CPCB, a facility may require 'Environmental Clearance' as follows:

a) Expansion and modernization with additional treatment capacity of existing bio-medical waste treatment facility (excluding augmentation of incineration facility for compliance to the residence time 11 as well as Dioxins and Furans without enhancing the existing treatment capacity) b) In case of any expansion in the treatment capacity or relocation of the existing CBWTF.

19. As per Rule 12(4) of BMW Rules, 2016 State Government shall constitute District Level Monitoring Committee in the districts under the Chairmanship of District Collector or District Magistrate or Deputy Commissioner or Additional District Magistrate to monitor the compliance

of the provisions of these rules in the health care facilities generating bio-medical waste and in the common biomedical waste treatment and disposal facilities. Further, as per Schedule III, State Government may take advise of State Pollution Control Boards on implementation of these Rules. Also, as mentioned hereinabove the said matter is presently pending before this Hon'ble Tribunal in Application No. 33 of 2017 (CZ) Rajdeep Biotech Vs. C.P.C.B and Others. Appropriate directions qua shifting of the said facility have been issued by this Hon'ble Tribunal in the said Application. The said Application being pending, the matter is rendered sub judice and thus does not merit a reply from the Answering Respondent save to the effect that the shifting of the said Facility be ensured by the State Government.

20. As per Rule 10 of BMW Rules, 2016 every operator of CBWTF is required to obtain authorization under said rules from concerned State Pollution Control Board or Pollution Control Committee for ensuring that biomedical waste is collected, received, stored, transported, treated, processed, 12 disposed or handled in line with the provisions under BMW Rules, 2016. Response in this regard may be sought from the Respondent RSPCB.

21. In exercise of the powers conferred by section 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), and in supersession of the Bio-Medical Waste (Management and Handling) Rules, 1998, the Central Government has framed the rules called the Bio-Medical Waste Management Rules, 2016 and relevant provisions are as follows:-

•

4. *Duties of the Occupier.- It shall be the duty of every occupier to-*

(a) *take all necessary steps to ensure that bio-medical waste is handled without any adverse effect to human health and*

the environment and in accordance with these rules;

(b) make a provision within the premises for a safe, ventilated and secured location for storage of segregated biomedical waste in colored bags or containers in the manner as specified in Schedule I, to ensure that there shall be no secondary handling, pilferage of recyclables or inadvertent scattering or spillage by animals and the bio-medical waste from such place or premises shall be directly transported in the manner as prescribed in these rules to the common bio-medical waste treatment facility or for the appropriate treatment and disposal, as the case may be, in the manner as prescribed in Schedule I;

(c) pre-treat the laboratory waste, microbiological waste, blood samples and blood bags through disinfection or sterilization on-site in the manner as prescribed by the World Health Organization (WHO) or National AIDs Control Organization (NACO) guidelines and then sent to the common bio-medical waste treatment facility for final disposal;

(d) phase out use of chlorinated plastic bags, gloves and blood bags within two years from the date of notification of these rules;

(e) dispose of solid waste other than bio-medical waste in accordance with the

provisions of respective waste management rules made under the relevant laws and amended from time to time;

(f) not to give treated bio-medical waste with municipal solid waste;

(g) provide training to all its health care workers and others, involved in handling of bio medical waste at the time of induction and thereafter at least once every year and the details of training programmes conducted, number of personnel trained and number of personnel not undergone any training shall be provided in the Annual Report;

(h) immunise all its health care workers and others, involved in handling of bio-medical waste for protection against diseases including Hepatitis B and Tetanus that are likely to be transmitted by handling of bio-medical waste, in the manner as prescribed in the National Immunisation Policy or the guidelines of the Ministry of Health and Family Welfare issued from time to time;

(i) establish a Bar- Code System for bags or containers containing bio-medical waste to be sent out of the premises or place for any purpose within one year from the date of the notification of these rules;

(j) ensure segregation of liquid chemical

waste at source and ensure pre-treatment or neutralisation prior to mixing with other effluent generated from health care facilities;

(k) ensure treatment and disposal of liquid waste in accordance with the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);

(l) ensure occupational safety of all its health care workers and others involved in handling of biomedical waste by providing appropriate and adequate personal protective equipments;

(m) conduct health check up at the time of induction and at least once in a year for all its health care workers and others involved in handling of bio- medical waste and maintain the records for the same;

(n) maintain and update on day to day basis the bio-medical waste management register and display the monthly record on its website according to the bio-medical waste generated in terms of category and colour coding as specified in Schedule I;

(o) report major accidents including accidents caused by fire hazards, blasts during handling of biomedical waste and the remedial action taken and the records relevant thereto, (including nil report) in Form I to the prescribed authority and also along with the annual report;

(p) make available the annual report on its


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web-site and all the health care facilities shall make own website within two years from the date of notification of these rules;

(q) inform the prescribed authority immediately in case the operator of a facility does not collect the bio-medical waste within the intended time or as per the agreed time;

(r) establish a system to review and monitor the activities related to bio-medical waste management, either through an existing committee or by forming a new committee and the Committee shall meet once in every six months and the record of the minutes of the meetings of this committee shall be submitted along with the annual report to the prescribed authority and the healthcare establishments having less than thirty beds shall designate a qualified person to review and monitor the activities relating to bio-medical waste management within that establishment and submit the annual report;

(s) maintain all record for operation of incineration, hydro or autoclaving etc., for a period of five years;

(t) existing incinerators to achieve the standards for treatment and disposal of bio-medical waste as specified in Schedule II for retention time in secondary chamber and Dioxin and Furans within


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two years from the date of this notification.

5. Duties of the operator of a common bio-medical waste treatment and disposal facility.-It shall be the duty of every operator to --
- (a) take all necessary steps to ensure that the bio-medical waste collected from the occupier is transported, handled, stored, treated and disposed of, without any adverse effect to the human health and the environment, in accordance with these rules and guidelines issued by the Central Government or, as the case may be, the central pollution control board from time to time;
- (b) ensure timely collection of bio-medical waste from the occupier as prescribed under these rules;
- (c) establish bar coding and global positioning system for handling of bio-medical waste within one year;
- (d) inform the prescribed authority immediately regarding the occupiers which are not handing over the segregated bio- medical waste in accordance with these rules;
- (e) provide training for all its workers involved in handling of bio-medical waste at the time of induction and at least once a year thereafter;
- (f) assist the occupier in training conducted by them for bio- medical waste

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- management;
- (g) undertake appropriate medical examination at the time of induction and at least once in a year and immunise all its workers involved in handling of bio-medical waste for protection against diseases, including Hepatitis B and Tetanus, that are likely to be transmitted while handling bio-medical waste and maintain the records for the same;
- (h) ensure occupational safety of all its workers involved in handling of bio-medical waste by providing appropriate and adequate personal protective equipment;
- (i) report major accidents including accidents caused by fire hazards, blasts during handling of biomedical waste and the remedial action taken and the records relevant thereto, (including nil report) in Form I to the prescribed authority and also along with the annual report;
- (j) maintain a log book for each of its treatment equipment according to weight of batch; categories of waste treated; time, date and duration of treatment cycle and total hours of operation;
- (k) allow occupier, who are giving waste for treatment to the operator, to see whether the treatment is carried out as per the rules;
- (l) shall display details of authorisation, treatment, annual report etc on its web-

site;

(m) after ensuring treatment by autoclaving or microwaving followed by mutilation or shredding, whichever is applicable, the recyclables from the treated bio-medical wastes such as plastics and glass, shall be given to recyclers having valid consent or authorisation or registration from the respective State Pollution Control Board or Pollution Control Committee;

(n) supply non-chlorinated plastic coloured bags to the occupier on chargeable basis, if required;

(o) common bio-medical waste treatment facility shall ensure collection of biomedical waste on holidays also;

(p) maintain all record for operation of incineration, hydroor autoclaving for a period of five years; and

(q) upgrade existing incinerators to achieve the standards for retention time in secondary chamber and Dioxin and Furans within two years from the date of this notification.

6. Duties of authorities.-The Authority specified in column (2) of Schedule-III shall perform the duties as specified in column (3) thereof in accordance with the provisions of these rules.

7. Treatment and disposal.-

(1) Bio-medical waste shall be treated and disposed of in accordance with Schedule I,

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and in compliance with the standards provided in Schedule-II by the health care facilities and common bio-medical waste treatment facility.

(2) Occupier shall hand over segregated waste as per the Schedule-I to common bio-medical waste treatment facility for treatment, processing and final disposal: Provided that the lab and highly infectious bio-medical waste generated shall be pre-treated by equipment like autoclave or microwave.

(3) No occupier shall establish on-site treatment and disposal facility, if a service of common biomedical waste treatment facility is available at a distance of seventy-five kilometer.

(4) In cases where service of the common bio-medical waste treatment facility is not available, the Occupiers shall set up requisite biomedical waste treatment equipment like incinerator, autoclave or microwave, shredder prior to commencement of its operation, as per the authorisation given by the prescribed authority.

(5) Any person including an occupier or operator of a common bio medical waste treatment facility, intending to use new technologies for treatment of bio medical waste other than those listed in Schedule I shall request the Central Government for laying down the standards or operating

parameters.

(6) On receipt of a request referred to in sub-rule (5), the Central Government may determine the standards and operating parameters for new technology which may be published in Gazette by the Central Government.

(7) Every operator of common bio-medical waste treatment facility shall set up requisite biomedical waste treatment equipments like incinerator, autoclave or microwave, shredder and effluent treatment plant as a part of treatment, prior to commencement of its operation.

(8) Every occupier shall phase out use of non-chlorinated plastic bags within two years from the date of publication of these rules and after two years from such publication of these rules, the chlorinated plastic bags shall not be used for storing and transporting of bio-medical waste and the occupier or operator of a common bio-medical waste treatment facility shall not dispose of such plastics by incineration and the bags used for storing and transporting biomedical waste shall be in compliance with the Bureau of Indian Standards. Till the Standards are published, the carry bags shall be as per the Plastic Waste Management Rules, 2011.

(9) After ensuring treatment by autoclaving or microwaving followed by

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mutilation or shredding, whichever is applicable, the recyclables from the treated bio-medical wastes such as plastics and glass shall be given to such recyclers having valid authorisation or registration from the respective prescribed authority.

(10) The Occupier or Operator of a common bio-medical waste treatment facility shall maintain a record of recyclable wastes referred to in sub-rule (9) which are auctioned or sold and the same shall be submitted to the prescribed authority as part of its annual report. The record shall be open for inspection by the prescribed authorities.

(11) The handling and disposal of all the mercury waste and lead waste shall be in accordance with the respective rules and regulations.

8. *Segregation, packaging, transportation and storage.*

-(1) No untreated bio-medical waste shall be mixed with other wastes.

(2) The bio-medical waste shall be segregated into containers or bags at the point of generation in accordance with Schedule I prior to its storage, transportation, treatment and disposal.

(3) The containers or bags referred to in sub-rule (2) shall be labeled as specified in Schedule IV.

(4) Bar code and global positioning system shall be added by the Occupier and common bio-medical waste treatment facility in one year time.

(5) The operator of common bio-medical waste treatment facility shall transport the bio-medical waste from the premises of an occupier to any off-site bio-medical waste treatment facility only in the vehicles having label as provided in part 'A' of the Schedule IV along with necessary information as specified in part 'B' of the Schedule IV.

(6) The vehicles used for transportation of bio-medical waste shall comply with the conditions if any stipulated by the State Pollution Control Board or Pollution Control Committee in addition to the requirement contained in the Motor Vehicles Act, 1988 (59 of 1988), if any or the rules made there under for transportation of such infectious waste.

(7) Untreated human anatomical waste, animal anatomical waste, soiled waste and, biotechnology waste shall not be stored beyond a period of forty -eight hours:

Provided that in case for any reason it becomes necessary to store such waste beyond such a period, the occupier shall take appropriate measures to ensure that the waste does not adversely affect

human health and the environment and inform the prescribed authority along with the reasons for doing so.

(8) Microbiology waste and all other clinical laboratory waste shall be pre-treated by sterilisation to Log 6 or disinfection to Log 4, as per the World Health Organisation guidelines before packing and sending to the common bio-medical waste treatment facility.

18. Liability of the occupier, operator of a facility.-

(1) The occupier or an operator of a common bio-medical waste treatment facility shall be liable for all the damages caused to the environment or the public due to improper handling of bio- medical wastes.

(2) The occupier or operator of common bio- medical waste treatment facility shall be liable for action under section 5 and section 15 of the Act, in case of any violation.”

22. The Schedule 1 of the rule provides the category of the bag which required to be used as a container and disposal option.

23. Part II of the rules provide as follows:-

1. All plastic bags shall be as per BIS standards as and when published, till then the prevailing Plastic Waste Management Rules shall be applicable.
2. Chemical treatment using at least 10% Sodium Hypochlorite having 30% residual chlorine for twenty minutes or any other

- equivalent chemical reagent that should demonstrate Log104 reduction efficiency for microorganisms as given in Schedule III.
3. *Mutilation or shredding must be to an extent to prevent unauthorized reuse.*
 4. *There will be no chemical pretreatment before incineration, except for microbiological, lab and highly infectious waste.*
 5. *Incineration ash (ash from incineration of any bio-medical waste) shall be disposed through hazardous waste treatment, storage and disposal facility, if toxic or hazardous constituents are present beyond the prescribed limits as given in the Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2008 or as revised from time to time.*
 6. *Dead Fetus below the viability period (as per the Medical Termination of Pregnancy Act 1971, amended from time to time) can be considered as human anatomical waste. Such waste should be handed over to the operator of common bio- medical waste treatment and disposal facility in yellow bag with a copy of the official Medical Termination of Pregnancy certificate from the Obstetrician or the Medical Superintendent of hospital or healthcare establishment.*

7. *Cytotoxic drug vials shall not be handed over to unauthorised person under any circumstances. These shall be sent back to the manufactures for necessary disposal at a single point. As a second option, these may be sent for incineration at common bio-medical waste treatment and disposal facility or TSDFs or plasma pyrolysis at temperature >1200 OC.*
8. *Residual or discarded chemical wastes, used or discarded disinfectants and chemical sludge can be disposed at hazardous waste treatment, storage and disposal facility. In such case, the waste should be sent to hazardous waste treatment, storage and disposal facility through operator of common bio-medical waste treatment and disposal facility only.*
9. *On-site pre-treatment of laboratory waste, microbiological waste, blood samples, blood bags should be disinfected or sterilized as per the Guidelines of World Health Organisation or National AIDS Control Organisation and then given to the common bio-medical waste treatment and disposal facility.*
10. *Installation of in-house incinerator is not allowed. However in case there is no common biomedical facility nearby, the same may be installed by the occupier after taking authorisation from the State*

Pollution Control Board.

11. *Syringes should be either mutilated or needles should be cut and or stored in tamper proof, leak proof and puncture proof containers for sharps storage. Wherever the occupier is not linked to a disposal facility it shall be the responsibility of the occupier to sterilize and dispose in the manner prescribed.*
12. *Bio-medical waste generated in households during healthcare activities shall be segregated as per these rules and handed over in separate bags or containers to municipal waste collectors. Urban Local Bodies shall have tie up with the common bio-medical waste treatment and disposal facility to pickup this waste from the Material Recovery Facility (MRF) or from the house hold directly, for final disposal in the manner as prescribed in this Schedule."*

24. The Learned Counsel appearing for CPCB has submitted that the action taken by the CPCB was in accordance with the guidelines and rules as framed in the Bio-Medical Waste Management Rules, 2016 and specifically in compliance of the order dated 15.07.2019 passed in *original application no.710/2017 Shaliesh Singh Vs. Sheela Hospital & Trauma Centre, Shahjahanpur & Ors.* in which the Principal Bench of this Tribunal directed as follows:

3. *Reference was also made to the report of the CAG placed on its website in May, 2017*


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as follows:

“Inadequate facility of bio-medical waste (BMW) treatment. As per the report paragraph 2.1.9.5 there were 8,366 Health Care Establishments (HCEs) out of which 3,362 HCEs were operating without authorization. Total BMW generated in the State was 37,498 kg/day out of which only 35,816 kg/day was treated and disposed of. BMW of 1,682 kg/day was being disposed of untreated due to inadequate treatment facility. But UPPCB failed to monitor unauthorised operation and untreated disposal of BMW and did not take any action against the defaulters.”

5. The Tribunal noted that the steps taken in the State of Uttar Pradesh for compliance of the BMW Rules were inadequate. The regulatory regime was required to be stern in view of impact on public health by unscientific disposal of bio-medical waste. Such unscientific disposal must result in prosecution and recovery of deterrent compensation so that non-compliance is not profitable. The Tribunal noted that not a single person was shown to have been convicted in spite of large violation, nor any compensation was shown to have been recovered. No scale of compensation had been

laid down, no action plan had been prepared. The unsatisfactory state of affairs was not confined to the State of Uttar Pradesh, Punjab, Haryana and Uttarakhand who were before the Tribunal but also to the other States. The BMW Rules provide for furnishing of annual reports by the States to the CPCB and by the CPCB to the MoEF&CC and also being made available on the website of the concerned State. The Tribunal directed all the States and UTs to furnish such reports by 30.04.2019, for the period such reports were due before 30.04.2019, failing which the defaulting States will be required to pay compensation at the rate of Rs. 1 Crore per month after 01.05.2019. The States were also required to prepare their respective action plans within one month. The Tribunal also directed the CPCB to furnish its comments on the action plans and to undertake study and prepare a scale of compensation to be recovered from the violators of BMW Rules without prejudice to the State PCBs taking steps for recovery of compensation from the polluters or laying down their own scales which should not be less than the scale of the CPCB.

6. Accordingly, a report has been filed by the CPCB certain extracts from the report are as follows:

**2.3.1 Inventory of HCFs and
Biomedical Waste Generation:**


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Incomplete inventory on biomedical waste generation is an evident from the fact that biomedical waste generation reported by SPCBs is not proportional to the population in States/UTs. Generation of biomedical waste across States is reported as Bihar (6 %), Delhi (4.4 %), Gujarat (5.21 %), Karnataka (12 %), Kerala (7.35 %), Maharashtra (11.10 %), Rajasthan (4.03 %), Tamil Nadu (8.39 %), Uttar Pradesh (7.81 %) & West Bengal (5.34 %) which is not proportional to population States. Therefore, SPCBs/PCCs should complete inventory of all HCFs (both bedded and non-bedded) to assess quantity of biomedical waste generation as well as to ensure effective treatment and disposal of biomedical waste generated by them.

As per annual information, out of 559 tonnes, about 518 tonnes of biomedical waste generated per day is treated and disposed through 198 no. of common facilities and 9,841 captive treatment facility installed by Healthcare facilities. However, quantity of biomedical waste reported is not reliable or accurate since inventory of healthcare facilities and biomedical waste generation in not yet

completed by all States.

States initiated Inventory studies: Lakshadweep, Andaman Nicobar, Tripura, Daman & Diu, Delhi, Chandigarh, Telangana, Kerala, Gujarat, Haryana, Punjab, Mizoram, Maharashtra, Puducherry, Rajasthan, Tamil Nadu, Jharkhand, Uttar Pradesh, Himachal Pradesh, Andhra Pradesh, MP and Meghalaya.

States not reported status of inventory study: Jammu & Kashmir, Sikkim, Arunachal Pradesh, West Bengal, Assam and Odisha.

2.3.2 Operation of Healthcare Facilities without Authorization:
As per BMW Rules, 2016, Healthcare Facilities are required to obtain authorization under said Rules, irrespective of quantity of biomedical waste generation. Annual information indicates that out of 2,38,259 of HCFs, only 97,099 (40%) no. of HCFs have applied for authorization and 84,805 (35%) HCFs are granted authorization under BMW Rules, 2016. This indicates that about 25 % of the identified HCFs are not yet authorized by SPCBs and biomedical waste management by such facilities could not be monitored.

States namely Assam, Bihar, Chhattisgarh, Himachal Pradesh, Jharkhand, Jammu & Kashmir, Karnataka, Madhya Pradesh, Maharashtra, Odisha, Rajasthan, Tamil Nadu, Uttarakhand, Uttar Pradesh & West Bengal permitted use of deep burial pits for the disposal of biomedical waste despite having Common Disposal Facilities.

2.3.5 States without Common Treatment & Disposal Facilities:

States like Arunachal Pradesh, Andaman & Nicobar, Goa, Lakshadweep, Mizoram, and Nagaland & Sikkim are not having CBWTF for the treatment & disposal of biomedical waste.

States namely Andaman Nicobar, Arunachal Pradesh, Assam, J & K, Lakshadweep, Mizoram, Orissa, Puducherry, Sikkim, Uttar Pradesh and West Bengal have not submitted any information on implementation of Barcode system.

2.3.11 Constitution of State Level Advisory Committees: States namely Jammu & Kashmir, Lakshadweep and Sikkim have not yet constituted the said Committees as required under BMWM Rules, 2016.

3.0 *Submission of Action Plans by State Governments:* States namely Assam, Bihar, Chhattisgarh, Daman & Diu and Dadra & Nagar Haveli, Goa, Jharkhand, Karnataka, Lakshadweep, Manipur, Meghalaya, Punjab, Tamilnadu, Telangana, Uttarakhand and West Bengal have not submitted Action plans within due date for submission, that is one month from order of Hon'ble Tribunal dated 12/03/2019.

3.1 *Performance Guarantee by Government of Uttar Pradesh State:* In this regard, Uttar Pradesh State has not submitted Performance Guarantee to CPCB on compliance to Action Plan submitted by them.

3.2 *Key Performance Indicators:* CPCB has identified the following Key Performance Indicators for assessing treatment and disposal of biomedical waste, and effectiveness in implementation of BMW Rules, 2016;

(1) *Inventory of all Healthcare Facilities and biomedical waste generation.*

(2) *Authorization to all Healthcare Facilities including non-bedded HCFs.*

(3) *Facilitate setting-up adequate number of Common Biomedical Waste Treatment Facilities (CBWTFs) to cover entire State or all HCFs.*

(4) *Constitution of State Advisory Monitoring Committee and District Level Monitoring Committee.*

(5) *Implementation status of Barcode system.*

(6) *Monitoring of Healthcare Facilities other than hospitals/clinics such as Veterinary Hospitals, Animal*

Houses, AYUSH Hospitals etc.

Review of Action Plans:

Table 3: Scoring of States/ UTs for effectiveness of Action Plans

S.No	Name of State	Action plan received from SPCB/PCCs & Health Department	S.No Name of State Score
1	Sikkim	Health Department	1
2	Arunachal Pradesh	SPCB	1
3	Lakshadweep	Health Department	2
4	J&K	Health Department	3
5	Mizoram	Health Department	3
6	Manipur	Health Department	3
7	Uttar Pradesh	Health	3
8	Nagaland	Department Health Department	3.5

A score of 7 and above is indicated as an adequate action plan, score between 4-6.5 considered as satisfactory action plan whereas a score of less than 4 is considered not satisfactory.

2.0 Environmental Compensation for Healthcare Facilities (HCFs):

Environmental Compensation for HCFs = HR x T x S x R x N

Where;

HR – Health Risk factor

T- Type of

Healthcare

Facility S –

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Size of Health

Care Facility

R – Environmental

Compensation factor N –

Number of days of

Violation

HR Health Risk (HR) is a number from 0 to 100 and increasing HR value denotes the increasing degree of health risk due to improper handling of BMW in healthcare facility.

Further, in any case minimum Environmental Compensation in respect to Healthcare Facility shall not be less than Rs.1200/- per day.

2.1 Deterrent Factor for Healthcare Facilities:

Incremental effect on Environmental compensation charges are given below:

Scenario	Applicable ECC
Up to 15 target date Days from target date	Original ECC
Between 15 to 30 days beyond target date	Two times
Fails to comply in 2nd Inspections including new violations if any	Two times
Between 30 to 45 days beyond target date	Four times
Fails to comply in 3rd inspections including new violations if any	Four times
Beyond 60 target date days from	Closure of HCF

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*Fails to comply in 4th Closure of HCF
consecutive inspection*

*3.0 Environmental Compensation for Common
Biomedical Waste Treatment Facility*

(CBWTF):

*Environmental Compensation for CBWTFs = PI x
S x R x N Environmental Compensation*

Where;

PI- Pollution Index

S – Size of Operation

R – Environmental

Compensation factor N –

Number of days of

Violation

Further, in any case minimum

Environmental Compensation in respect to

Common Biomedical Waste Treatment

Facility shall not be less than Rs. 3,000/-

per day.

3.1 Deterrent Factor for Common

Biomedical Waste Treatment Facilities:

Incremental effect on Environmental

compensation charges are given below:

Scenario	Applicable ECC
<i>Up to 30 days from target date</i>	<i>Original ECC</i>
<i>Between 30 to 60 days beyond target date</i>	<i>Two times</i>
<i>Fails to comply in 2nd inspection including new violations if any</i>	<i>Two times</i>
<i>Between 60 to 90 days beyond target date</i>	<i>Four times</i>
<i>Beyond 90 days</i>	<i>Closure of CBWTF</i>
<i>Fails to comply in 3rd consecutive inspection</i>	<i>Closure of CBWTF</i>

7. We have heard learned counsel for the parties available before this Tribunal. We do not see any objection to the recommendations of the CPCB. No meaningful objection has been raised by any of the parties. Accordingly, the report of the CPCB is accepted. The same may be placed on the website of the CPCB for three months. All the States/UTs may take action according to the said report.

8. The States/UTs may furnish complete inventory of HCFs and BMW generation within two months and where the inventories are incomplete, the same may be completed. We place on record our disapproval of the inaction of States in furnishing the inventory studies as well as for incomplete inventories. It is regretful to note that 25% of identified HCFs have not even taken authorization from the concerned State PCBs in absence of which, monitoring of waste management is not taking place. The States which have not set up common treatment and disposal facility must do so within two months as per Rules. The States who have not furnished the information on the barcode system may also furnish such information at the earliest but not beyond two months. The States which

have not yet constituted State Level Advisory Committee may also do so within two months. The action plans and their execution must be carried out having regard to the key performance indicators. The States which have inadequate action plans, not satisfactory action plans, needing further actions must also do the needful within two months realizing their responsibility to the environment and public health which ought to be monitored directly by the Chief Secretaries in terms of order of this Tribunal dated 16.01.2019 in O.A. No. 606/2018 and further orders in the said matter. By the further order in the said matter in the case of all the States, directions were issued that Chief Secretaries may personally monitor compliance of environmental norms (including BMW Rules) with the District Magistrate once every month. The District Magistrates may conduct such monitoring twice every month. We find it necessary to add that in view of Constitutional provisions under Articles 243 G, 243 W, 243 ZD read with Schedules 11 and 12 and Rule 15 of the Solid Waste Management Rules, 2016, it is necessary to have a District Environment Plan to be operated by a District Committee (as a part of District Planning Committee under Article 243 ZD) with representatives from Panchayats, Local

Bodies, Regional Officers, State PCB and a suitable officer representing the administration, which may in turn be chaired and monitored by the District Magistrate. Such District Environment Plans and Constitution of District Committee may be placed on the website of Districts concerned.

The monthly report of monitoring by the District Magistrate may be furnished to the Chief Secretary and may be placed on the website of the District and kept on such websites for a period of one year. This may be made operative from 1.08.2019. Compliance of this direction may also be seen by the Chief Secretaries of the States/UTs. This may not only comply with mandate of law but provide an institutional mechanism for effective monitoring of environment norms. Needless to say that right to clean environment being part of right to life, such effective monitoring is a must. Such monitoring must include issues specified in the order of this Tribunal dated 16.01.2019, O.A No. 606/2018, Para 40 which is as follows:-

"a. Status of compliance of SWM Rule, 2016, Plastic Waste Management Rules, 2016 and Bio-Medical Waste Management Rules, 2016 in their respective areas.

b. Status of functioning of Committees constituted by this order.

c. Status of the Action Plan in compliance vide order dated 20.09.2018 in the News Item published in "The Hindu" authored 25 by Shri Jacob Koshy Titled "More river stretches are now critically polluted: CPCB (Original Application No. 673/2018).

d. Status of functioning of Committees constituted in News Item Published in "The Times of India" Authored by Shri Vishwa Mohan Titled "NCAP with Multiple timelines to Clear Air in 102 Cities to be released around August 15" dated 08.10.2018.

e. Status of Action Plan with regard to identification of polluted industrial clusters in O.A. No. 1038/2018, News item published in "The Asian Age" Authored by Sanjay Kaw Titled "CPCB to rank industrial units on pollution levels" dated 13.12.2018.

f. Status of the work in compliance of the directions passed in

O.A. No. 173 of 2018, Sudarsan Das v. State of West Bengal &Ors. Order dated 04.09.2018.

g. Total amount collected from erring industries on the basis of 'Polluter Pays' principle, 'Precautionary principle' and details of utilization of funds collected.

h. Status of the identification and development of Model Cities and Towns in the State in the first phase which can be

replicated later for other cities and towns of the State.”

9. Further important issues flagged for monitoring include training programs for the officers concerned with enforcement of environment norms at the ground level, reuse of treated water, recharge of ground water, conservation of water bodies. It has been brought to our notice that State PCBs are facing certain handicaps in performing their functions for want of adequate staff and infrastructure. While this is a matter to be reviewed by concerned Chief Secretaries, the State PCBs/PCCs are free to prepare and execute appropriate plans for utilizing the environment restoration fund with the approval of CPCB. The expenditure may include hiring of experts and consultants, expanding air and water quality monitoring network, procurement of scientific equipment, undertaking restitution remediation and specialized studies on contaminated sites so that there is effective oversight for enforcement of law. Under no circumstances these funds be spent on salaries, logistics etc.

10. The compensation regime suggested by the CPCB may be adopted. It will be open to the State PCBs/PCCs to adopt a higher scale of compensation, having regard to the problems faced in such States/UTs.

11. It is made clear that if even after two

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months the States/UTs are found to be non-compliant, the compensation will be liable to be recovered from the said States/UTs at the rate of Rs. 1 Crore per month till the non-compliance continues.

12. The CPCB may file further progress report in the matter after coordination through the concerned authorities of the States, including the State Boards/other Health Departments.

13. The Chief Secretaries may furnish their respective compliance reports as per orders passed in O.A No. 606/2018, Compliance of Municipal Solid Waste Management Rules, 2016.

25. The Learned Counsel appearing for the applicant has submitted that that issue of segregation of the waste is the liability of the healthcare facility as envisaged in rule 4(b) and rule 4(j) and rule 3(m) of the Bio Medical Waste Management Rules, 2016. The relevant rules are quoted below:

Rule 3(m):

"occupier" means a person having administrative control over the institution and the premises generating bio- medical waste, which includes a hospital, nursing home, clinic, dispensary, veterinary institution, animal house, pathological laboratory, blood bank, health care facility and clinical establishment, irrespective of their system of medicine and by whatever name they are called;

Rule 4: It shall be a duty of every occupier to –

(b) make a provision within the premises for a safe, ventilated and secured location for storage of segregated biomedical waste in colored bags or containers in the manner as specified in Schedule I, to ensure that there shall be no secondary handling, pilferage of recyclables or inadvertent scattering or spillage by animals and the bio-medical waste from such place or premises shall be directly transported in the manner as prescribed in these rules to the common bio-medical waste treatment facility or for the appropriate treatment and disposal, as the case may be, in the manner as prescribed in Schedule I;

(j) ensure segregation of liquid chemical waste at source and ensure pre-treatment or neutralisation prior to mixing with other effluent generated from health care facilities.”

26. It is further argued that due to improper segregation of waste at source by the healthcare facilities the collected biomedical waste has been segregated in the premises before treatment by the CBWTF and the segregated incinerable waste had been fed into the of primary chamber through mechanical feeding system for incineration. Moreover, if the biomedical waste is not segregated before putting the waste in the incinerator, there is every likelihood of damage being

caused to the incinerator the non incinerable waste is treated in the incinerator.

27. It is further argued on behalf of the Learned Counsel for the applicant that handling, treatment and disposal of waste generated during treatment/diagnosis/quarantine of COVID-19 patients are not being done as per the direction and observation made by Principal Bench of this Tribunal passed in O.A. No. 124/2017. The Central Pollution Control Board has issued guidelines on 21st July, 2020 for handling, treatment and disposal of waste generated during treatment/diagnosis/quarantine of COVID-19 patients. In order to deal with the COVID-19 pandemic various steps have been initiated which include setting up of quarantine centers/camps/isolation wards, central collection centers and laboratories and therefore, Central Pollution Control Board on 21st July, 2020 has issued specific guidelines for the management of waste generated during diagnostics and treatment of COVID-19 suspect and confirmed patients and these guidelines have not been followed by the State Authorities and the respondents.
28. It is further argued that COVID-19 materials like masks, gloves, kits all other things which are being used by the medical staff or other patients and the authority are not being disposed of according to the rules or according to the parameter laid down by the Central Pollution Control Board.
29. After the COVID-19, the Central Pollution Control Board on 21.07.2020 issued revised guidelines for handling, treatment and disposal of waste generated during treatment/diagnosis/quarantine of COVID-19 patients as follows:-

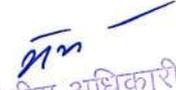
" In order to deal with COVID-19 pandemic,

State and Central Governments have initiated various steps which includes setting up of quarantine centers/camps, Isolation wards, samples collection centers and laboratories.

Following specific guidelines for management of waste generated during diagnostics and treatment of COVID-19 suspected/confirmed patients are required to be followed by all the stakeholders including isolation wards, quarantine centers, sample collection centers, laboratories, ULBs and common biomedical waste treatment and disposal facilities, in addition to existing practices under BMW Management Rules, 2016.

These guidelines are based on current knowledge on COVID-19 and existing practices in management of infectious waste generated in hospitals while treating viral and other contagious diseases like HIV, H1N1, etc. These guidelines will be updated if need arises. This revised guidelines issued to provide revised guidance on segregation of general solid waste and biomedical waste from quarantine centers/home-care/healthcare facilities treating COVID-19 patients and to recommend on disposal of PPEs.

Guidelines brought out by WHO, MoH&FW, ICMR, CDC and other concerned agencies from time to time may also be referred for


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understanding other aspects related to COVID-19.

Guidelines for handling, treatment and disposal of COVID-19 waste at Healthcare Facilities, Home-care, Sample Collection Centers, Laboratories, SPCBs/PCCs, ULBs and CBWTFs is give below:

(a) COVID-19 Isolation wards: (isolation wards are those where COVID-19 positive patients are being kept for treatment / diagnosis)

Healthcare Facilities having isolation wards including temporary Healthcare Facilities like rail coach wards, COVID Care Centers etc. for COVID-19 patients need to follow these steps to ensure safe handling and disposal of biomedical waste generated during treatment;

-Keep separate color coded bins (with foot operated lids)/bags/containers in wards and maintain proper segregation of waste as per BMW Rules, 2016 as amended and CPCB guidelines for implementation of BMW Management Rules.

-As precaution double layered bags (using 2 bags) should be used for collection of waste from COVID-19 isolation wards so as to ensure adequate strength and no-leaks;

-Collect and store biomedical waste separately prior to handing over the same

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CBWTF. Use a dedicated collection bin labelled as "COVID-19" to store COVID-19 waste and keep separately in temporary storage room prior to handing over to authorized staff of CBWTF. Biomedical waste collected in such isolation wards can also be lifted directly from ward into CBWTF collection van.

In addition to mandatory leveling, bags/containers used for collecting biomedical waste from COVID-19 wards, should be labeled as "COVID-19 Waste". This marking would enable CBWTFs to identify the waste easily for priority treatment and disposal immediately upon the receipt."

30. The matter of compliance of the disposal of waste was taken up by the Principal Bench of this Tribunal in O.A No. 95 of 2018 titled as *Aryavart Foundation vs. M/s Vapi Green Enviro Ltd. & Ors* vide order dated 05.02.2021 and observed as follows:

The environmental law principles, which this Tribunal is mandated to apply under sections 20 and 15 of the NGT Act, 2010, are – ‘sustainable development’, ‘precautionary’ and ‘polluter pays’. In Hanuman Luxman, (2019) 15 SCC 401, (paras 142-156), significance of environmental rule of law has been highlighted to achieve sustainable development goals for 14 prosperity, health and well being. This requires filling of gap between law and enforcement. In T.N. Godavarman Thirumulpad v. Union of India, (2002) 10 SCC 606, at page 621, it was observed that the State has to

“forge in its policy to maintain ecological balance and hygienic environment. Article 21 protects right to life as a fundamental right. Enjoyment of life and its attainment including the right to life with human dignity

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encompasses within its ambit, the protection and preservation of environment, ecological balance free from pollution of air and water, sanitation without which life cannot be enjoyed. Any contra acts or actions would cause environmental pollution. Therefore, hygienic environment is an integral facet of right to healthy life and it would be impossible to live with human dignity without a humane and healthy environment. Environmental protection, therefore, has now become a matter of grave concern for human existence. Promoting environmental protection implies maintenance of the environment as a whole comprising the man-made and the natural environment. Therefore, there is constitutional imperative on the Central Government, State Governments and bodies like municipalities, not only to ensure and safeguard proper environment but also an imperative duty to take adequate measures to promote, protect and improve the man-made environment and natural environment.”

13. In *A.P. Pollution Control Board v. Prof. M.V. Nayudu*, (1999) 2 SCC 718, at page 732, it was observed “..**Good governance is an accepted principle of international and domestic laws.It includes the need for the State to take the necessary “legislative, administrative and other actions” to implement the duty of prevention of environmental harm...**”. In *Techi Taga Tara*, supra, the Hon’ble Supreme Court referred to several Committees on **need for revamping the regulatory bodies by appointing persons of outstanding ability and high reputation to the State PCBs and equipping them with laboratories and other equipment for performing statutory functions**. Apart from the Tribunal being approached under sections 14 and 15 by aggrieved parties, pointing out degradation of environment and inaction of the statutory regulators, the Hon’ble Supreme Court has required this Tribunal to monitor compliance of such statutory obligations for protecting environment. This is not possible unless the statutory regulators are effective. Significant issues so referred by the Hon’ble Supreme Court include a) liquid waste management, (2017) 5 SCC 326, *Paryavaran Suraksha vs. Union of India & Ors.* wherein it was directed that requisite STPs, ETPs, CETPs must be set up by 31.3.2018, failing which coercive measures may be taken against concerned authorities, to enforce

statutory mandate of the Water (Prevention and Control of Pollution) Act enacted in 1974, prohibiting any water pollution, making it a criminal offence. b) compliance of solid waste management rules. Vide order dated 2.9.2014 in WP 888/1996, Almitra H. Patel Vs. Union of India & Ors. on the file of the Supreme Court, the issue has been referred to this Tribunal for monitoring compliance of Solid Waste Management Rules. c) In (2015) 12 SCC 764, MC Mehta v. UOI, issue of rejuvenation of Ganga stands referred to this Tribunal. d) Vide order dated 24.7.2017 in WP 725/1994, 'And quite flows Yamuna', rejuvenation of Yamuna stands referred to this Tribunal. It is not necessary to refer to several other orders. Finding that statutory regulators were not effective and serious damage was continuing, the Tribunal has appointed independent monitoring Committees on several issues. In substance, monitoring of the enacted environmental laws including the Water Act, Air (Prevention and Control of Pollution) Act, 1981 and the Environment (Protection) Act, 1986 and Rules framed thereunder needs to be reviewed and made effective in the interest of protection of environment and public health. This is not possible unless the regulatory bodies are duly manned and equipped and function efficiently. The report shows that it is not happening and there are huge gaps. With such gaps, it is only a dream to expect clean environment – fresh water or fresh air. Irreversible degradation of environment is bound to result in avoidable deaths and diseases and loss of scarce and good quality water, air and soil and biodiversity.

14. The findings in the report showing gaps resulting in large scale non compliances in enforcement of environmental laws are supported by observations of this Tribunal, which include the following:

- (i) OA 593/2017, Paryavaran Suraksha Samiti & Anr. vs. Union of India & Ors.4, involves monitoring of liquid waste management in terms of orders of the Hon'ble Supreme Court in (2017) 5 SCC 326. We have found that as a result of continuing failure of the statutory authorities to ensure compliance, industrial as well as municipal liquid waste is being discharged resulting in pollution of groundwater as well as surface water, including water bodies, drains, streams, rivers and coastal areas. The Tribunal has noted that as per data compiled by the CPCB, 351 river stretches are declared polluted. Comprehensive Environment Pollution Index (CEPI) prepared by the CPCB shows that 100 industrial clusters are polluted. The Tribunal is also dealing with the remedial action

for restoration of the 351 stretches in OA 673/20185, In Re: News item published in "The Hindu" authored by Shri Jacob Koshy, titled "More river stretches are now critically polluted: CPCB" for which the Tribunal has directed preparation and execution of action plans for each of such stretches by constituting River Rejuvenation Committees (RRCs) for all States/UTs headed by Environment Secretaries which action needs to be overseen by the Chief Secretaries at the State level and by a Central Monitoring Committee (CMC) headed by Secretary, Jal Shakti alongwith NMCG and CPCB at the national level. OA 829/20196, Lt. Col. Sarvadaman Singh Oberoi v. Union of India & Ors. deals with the remedying of coastal pollution for which directions have been issued on the same pattern for preparation and execution of action plans by the RRCs to be overseen by the Chief Secretaries at the State level and by the CMC at the national level. The same order also deals with utilisation of treated water, being OA 148/2016, Mahesh Chandra Saxena vs South Delhi Municipal Corporation & Ors. and OA 325/20157, Lt. Col. Sarvadaman Singh Oberoi v. Union of India & Ors., dealing with the issue of restoration of water bodies by removing encroachments and preventing pollution has been dealt with by this Tribunal. OA 176/2015, Shailesh Singh v. Hotel Holiday Regency, Moradabad & Ors. 8, the Tribunal has directed monitoring of groundwater extraction to give effect to the mandate in Hon'ble Supreme Court judgment in M.C. Mehta v. Union of India & Ors. (1997) 11 SCC 312.

(iii) Apart from water pollution, air pollution the issue air pollution has been dealt with by this Tribunal by separate order in OA 681/20189, News item published in "The Times of India" Authored by Shri Vishwa Mohan titled "NCAP with multiple timelines to clean air in 102 cities to be released around August 15" requiring constituted Air Quality Monitoring Committees in all States/UTs to prepare and execute action plans for control of air pollution in 122 nonattainment cities (where air quality is normally beyond the prescribed norms).

(iii) The issue of solid waste management has been dealt with by this Tribunal in OA 606/2018 in pursuance of directions of the Hon'ble Supreme Court in Writ Petition No. 888/1996, Almitra H. Patel & Anr. v. Union of India & Ors. In the said matter, the Chief Secretaries of all States/UTs were required to remain present before this Tribunal¹⁰ and after interaction with them, separate

orders for all States/UTs referring to the individual issues in such States/UTs, 11 particularly issue of legacy waste dump sites and remediation of current waste on scientific basis were dealt with and the Chief Secretaries were directed to monitor compliance every month by creating a monitoring cell, directly under them, in terms of directions of the Hon'ble Supreme Court and the District Magistrates monitoring such compliances every fortnight. It has been found that there are more than 3000 dump sites where legacy waste has accumulated over the years but the remedial action has not been taken except at very few places. This is resulting in water and air pollution and soil degradation on continuous basis, to the detriment of the environment and the public health. The statutory timelines have come to an end. Reference is made in this regard also to order dated 29.01.2021 in OA No. 519/2019, In re: News item published in "The Times of India" Authored by Jasjeev Gandhiok & Paras Singh Titled "Below mountains of trash lie poison lakes" and order dated 28.02.2020 in OA No. 606/2018, Compliance of Municipal Solid Waste Management Rules, 2016. It was directed, vide order dated 10.01.2020, that compensation will be payable for failure to comply with the requirement of taking steps mentioned in Rule 22 of the SWM Rules, 2016 at scales mentioned therein, depending on the size of local bodies, from 01.04.2020 till compliance. Compensation was also directed to be recovered at the laid down scale for delay in commencing and completing the legacy waste remediation measures.

(IV) With regard to bio-medical waste, the matter has been dealt with in OA 710/2017, Shailesh Singh, v. Sheela Hospital & Trauma Centre, Shahjahanpur & Ors. 12, with regard to hazardous waste, matter has been dealt with in OA 804/2017, Rajiv Narayan v. Union of India & Ors. 13, with regard to e-waste, matter has been dealt with in OA 512/2017, Shailesh Singh v. State of UP 14, with regard to plastic waste, matter has been dealt with in EA 13/2019 in OA 247/2017, Central Pollution Control Board v. State of Andaman & Nicobar & Ors. 15 for laying down liability to pay compensation for non-compliance.

17. As earlier observed, damage to environment is directly linked to the public health and neglecting compliance of environmental norms results in deaths and injuries. Violation of environmental norms needs to be taken as seriously as preventing crimes of homicides and assaults. It is more serious as the victims may be

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wide spread and unidentified. The consequences may even affect future generations. The compliance status is directly linked to effectiveness of monitoring which requires that the key office bearers of statutory regulators and oversight bodies are qualified, competent and reputed and exclusively dedicated to such work, instead of devoting part time, while simultaneously holding other positions. In this regard, the Tribunal has made observations vide order dated 02.02.2021 in OA 231/2014, Doaba Paryavaran Samiti v. State of U.P & Ors, finding that the Member Secretary of the PCB in UP was only devoting part-time, while holding several other positions. Adequate and well-equipped laboratories and effective machinery for implementation of "Polluter Pays" principle for assessment and collection of compensation is another important aspect of environmental governance.

21. Further, there is need to study the extent of environmental loss and the contributors to the same. Though environment is priceless, normative parameters are now available to determine the compensation for the loss caused for failure to observe laid down rules and regulations such as not clearing legacy waste as per Solid Waste Management Rules, causing air/water pollution. Environment is wealth which needs protection from being plundered by law violators, for their monetary interests, by adequate monitoring and stringent vigilance. Its scientific management, including enforcement of polluter pays principle, requires study of level of pollution and contributors thereto and cost of restoration to be recovered by efficient machinery. Such steps will advance the environmental rule of law and lead to sustainable development."

31. Learned counsel for the applicant has argued that the actual generation has been concealed by the R-4 and the State Pollution Control Board and there is a huge gap between the generation and capacity to treat and that the incinerator cannot continuously run for more than 2-3 hours and it needs rest thus the incinerator of R-4 the disposal facility has no capacity to dispose of the Bio Medical Waste in ratio to generation. In response to the question raised above, the learned counsel for the State Pollution Control Board has submitted that the facility of R-4 has a capacity to treat the waste generated and there is no report that there is any gap between the

generation and capacity to treat. It is further submitted that R-4 has submitted an application for extension of capacity to increase it which can be considered by the State Pollution Control Board in due course of time. A question was raised before the applicant to suggest the alternate remedy in case the generation is increased, and in reply thereof, the applicant had suggested the Common Bio Medical Waste Facility of R-4 or R-5 and for which the learned counsel for the State Pollution Control Board has submitted that it is for the SPCB to decide with regard to the generation, capacity and the distance of the project proponent. Affidavit and compliance report submitted by the State Pollution Control Board clearly shows that the MSW/BMW generated from Udaipur City is door to door collected through auto tippers by Municipal Corporation and send to transfer stations and there are separate bins for wet, dry and household bio-medical waste. At transfer station, the dry and wet waste are segregated and Bio-medical waste is stood separately at the garbage transfer point from where the dedicated vehicle of CBWTFDF collected it on regular basis for further disposal as per norms of BMW Rules, 2016. To prevent the illegal dumping of bio medical waste at Balicha site, the Municipal Corporation has issued work order for fencing work all around the dumping site and permanent gate at entry to any kind of unauthorized dumping. The affidavit and Action Taken Report submitted by the Municipal Corporation shows that there is a proper collection and segregation and disposal in accordance with the provisions contained in the rules and no violation has been reported to the Municipal Corporation. It is further submitted that, it is for the State Pollution Control Board to consider the extension of increasing capacity of disposal or in case of increase of generation to have an alternate arrangement, but at present the Bio Medical Waste is properly collected and sent to centre of R-4, where it is disposed of in accordance with law.

32. In view of the above facts, and the affidavit submitted by the Pollution Control Board, we are of the view that Bio Medical Waste Management Rules, 2016 are strictly complied with and nothing has been reported by the State Pollution Control Board and Municipal Corporation about the violation

of the rules. So far as alternate arrangement for disposal of Bio Medical Waste generated in Udaipur, Dongarpur, Chitorgarh and other areas are concerned, it is for the State Pollution Control Board to consider at relevant point of time when required.

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:

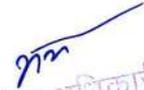
- (i) The respondents are directed to follow the guidelines issued by the Central Pollution Control Board which was communicated vide order dated 21.07.2020 and strict action should be initiated for non-compliance of the guidelines with reference to disposal of materials collected, used and thrown in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

34. With the above observations, the Original Application is finally disposed of.

Sheo Kumar Singh, JM

Dr. Arun Kumar Verma, EM

11th May, 2022
O.A. No.74/2021(CZ)
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