

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

ORIGINAL APPLICATION No. 820 of 2022

IN THE MATTER OF: -

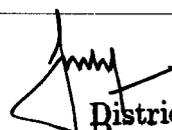
Naveen Kumar **Applicant**

Versus

UOI and Ors. **Respondents**

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District Magistrate,
Una, District Una (H.P.)

Through

Place: Una
Dated: 10.01.2023


Manish Kumar Advocate
Panel Counsel
For the State of H.P.
S-138, LGF, G.K-1
New Delhi, Ph:9971493975
E-mail: chambersofmanishkumar@gmail.com

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BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH AT NEW DELHI.
ORIGINAL APPLICATION No. 820 of 2022

IN THE MATTER OF: -

Naveen Kumar Applicant

Versus

UOI and Ors. Respondents

REPLY TO ORIGINAL APPLICATION UNDER
SECTION 14 OF THE NATIONAL GREEN TRIBUNAL
ACT- 2010 ON BEHALF OF RESPONDENT NO.7 I.E.
DISTRICT MAGISTRATE UNA DISTRICT UNA,
HIMACHAL PRADESH.

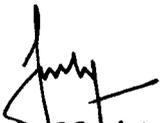
District Magistrate,
Una, District Una (H.P.)

MOST RESPECTFULLY SHOWETH:

REPLY ON MERITS: -

1. That the contents of para No.1 of the Original Application call for no submissions from the replying respondent being formal in nature.
2. That the contents of para No.2 of the Original Application call for no submissions from the replying respondent being formal in nature.
- 3(a). That the contents of para 3 (a) of the Original Application relate to respondents No.4 and 5, hence call for no submissions from the replying respondent.
- 3(b). That the contents of para No.3 (b) of the Original Application relate to respondents No. 4, 5 and 8, hence call for no submissions from the replying respondent.

- 3(c). That the contents of para No. 3 (c) of the Original Application relate to respondent No.5, hence call for no submissions from the replying respondent.
- 3(d). That in reply to para No.3 (d) of the Original Application it is submitted that as per the report received from the Chief Medical Officer Una vide his office letter No. HFW-Una (Court Cases)/2022-13028 dated 14.12.2022 (copy annexed as **Annexure R-I**), Shivalik Hospital, Jhalera Una Himachal Pradesh is registered under Clinical Establishment Act, 2010 w.e.f. 05.09.2022 for the next year i.e. up to 04.09.2023. The required certificate has been issued from the H.P. State Pollution Control Board w.e.f. 26.05.2022 to 25.05.2023 and agreement with Enviro Engineers w.e.f. 07.05.2022 to 31.03.2023. The rest of the contents of this para relate to respondent No.5 hence call for no submissions from the replying respondent.
- 3(e). That the contents of para No. 3(e) of the Original Application relate to respondents No.4, 5 & 8, hence call for no submissions from the replying respondent.
- 3(f). That the contents of para No. 3(f) of the Original Application relate to respondents No.4, 5 & 8, hence call for no submissions from the replying respondent.
- 3(g). That the contents of para No. 3(g) of the Original Application relate to respondents No.4, 5 & 8, hence call for no submissions from the replying respondent. It is however submitted that the Principal Scientific Officer, Himachal Pradesh State Pollution Control Board, Parwanoo, Tehsil Kasauli, District Solan (H.P.) vide his office letter No. PCB/C.Lab/Pwn/BMW/Shivalik Hospital


District Magistrate,
Una, District Una (H.P.)

Una/04-1203 dated 17.12.2022 (copy annexed as **Annexure R-II**) has reported that the State Board had requested the HCF vide letter No PCB/ lab/Pwn/Shivalik hospital/BMW/-461 dated 27.07.17 (copy annexed by the applicant as Annexure A1) to apply and obtain Consent under the provisions of Water (Prevention and Control of Pollution) Act 1974 as well as Authorization under Bio Medical Waste Management Rules, 2016. Although, the HCF applied for consent under Water Act, 1974 as well as authorization under BMW Rules, 2016 but the cases could not be considered due to incomplete application and asked the HCF vide letters dated 19.12.17, 15.03.18 (copy attached as Annex-Ia & Ib) to submit complete documents. Now, the consent to operate has been granted by the State Board through on-line mode vide letter No. 117 dated 16.8.2022 vide consent no CTO/WATER/NEW/LAB/2022/5060056 valid up to 31.3.2027 (copy attached as Annexure-II). The case for the grant of authorization vide application no. 7258169 dated 24.9.2022 submitted through on-line mode by the HCF has also been considered and the State Board granted authorization under BMW Rules 2016 vide authorization No. BMW-UNA-014 (Una) dated 16.12.2022 in concurrence with the validity of consent valid up to 31.03.2027 (copy annexed as Annexure- III).


District Magistrate,
Una, District Una (H.P.)

3(h). That the contents of para No. 3(h) of the Original Application relate to respondents No.4, 5 & 8, hence call for no submissions from the replying respondent. It is however submitted that the Principal Scientific Officer, Himachal Pradesh State Pollution Control Board,

Parwanoo, Tehsil Kasauli, District Solan (H.P.) vide his aforesaid office letter No. PCB/C.Lab/Pwn/BMW/Shivalik Hospital Una/04-1203 dated 17.12.2022 (copy already annexed as Annexure R-II) has also reported that the Shivalik Hospital, Una had applied for the grant of authorization to the Board & submitted the application on 01.9.2005 under provisions Bio Medical Waste (Management & Handling) Rules, 1998 and the said 05 bedded Health Care Facility (HCF) was granted authorization under the provisions of these Rules on 6.11.2006 (copy attached as Annex-IV) which was renewed from time to time and was last renewed on 21-3-2015 for 10 beds capacity valid up to 31.03.2017 (copy attached as Annex-V). In the Meanwhile, the Ministry of Environment, Forest & Climate Change, GOI in supersession of Bio-medical Waste (Management & Handling) Rules, 1998 vide notification No. G.S.R. 343(E), dated 28.03.2016 revised and issued Biomedical Waste Management Rules, 2016. **As per these rules, the HCFs are required not only to obtain authorization from the Board under revised Rules but also required to obtain Consent under Water Act 1974 and Air Act 1981. As per Rule 10 of these Rules, "Every occupier or operator handling bio-medical waste, irrespective of the quantity shall make an application in Form II to the prescribed authority i.e. State Pollution Control Board and Pollution Control Committee, as the case may be, for grant of authorization and the prescribed authority shall grant the provisional authorization in Form III and the validity of such authorization for the bedded health care facility**


District Magistrate,
Una, District Una (H.P.)

and operator of a common facility shall be synchronized with the validity of the consents”.

- 3(i). That the contents of para No. 3(i) of the Original Application relate to respondents No.4, 5 & 8, hence call for no submissions from the replying respondent. It is however submitted that the Principal Scientific Officer, Himachal Pradesh State Pollution Control Board, Parwanoo, Tehsil Kasauli, District Solan (H.P.) vide his office letter No. PCB/C.Lab/Pwn/BMW/Shivalik Hospital Una/04-1203 dated 17.12.2022 (copy already annexed as Annexure R-II) has further reported that the HCF initially submitted the application for consent under Water Act 1974 vide application dated 22.08.2017 but could not be considered being incomplete. Now, the consent to operate has been granted by the State Board through on-line mode vide letter No. 117 dated 16.8.2022 vide consent no. CTO/WATER/NEW/LAB/2022/5060056 valid up to 31.3.2027(copy attached as Annexure-II). The HCF was initially in agreement with BMWT Plant Pvt. Ltd., Village Pangoli, Pathankot w.e.f. 07.07.2005 for transportation and disposal of Bio-medical waste (copy attached as Annex-VI). Presently, the HCF is in agreement with Enviro Engineer, the Common Bio-medical Waste facility for collection/transportation/ treatment and disposal of bio-medical waste (copy attached as Annex-VII). Now, the case for the grant of authorization vide application vide no. 7258169 dated 24.9.2022 submitted through on-line mode by the HCF has been considered and the State Board granted authorization under BMW Rules 2016 vide


District Magistrate,
Una, District Una (H.P.)

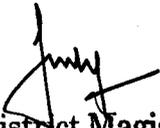
authorization No. BMW-UNA-014 (Una) dated 16.12.2022 in concurrence with the validity of consent valid up to 31.03.2027 (copy annexed as Annex- III).

- 3(j). That in reply to para No. 3 (j) of the Original Application it is submitted that as per the report received from the Assistant Town Planner, Sub Division Town Planning Office Una, District Una (H.P.) vide his office letter No. SADA (Una)-Case No. BP-630/2007-334 dated 05.12.2022 (copy annexed as **Annexure R-III**), the Development Plan for Una Planning Area was approved by the Government of Himachal Pradesh vide notification No. TCP-F (5)-7/96 dated 23.04.97. The Development Plan of Una Planning Area is valid till March, 2023. As per Development Plan of Una Planning Area the land falling under Shivalik Hospital situated at Mohal Jhalera has been earmarked for residential use. He has further reported that as per clause 7.2.1.1 of Sr. No. 7.2.1 (Residential Use) of Chapter Seven of Development Plan of Una Planning Area uses permitted in Residential Use are Residences, Hospitals, Boarding Houses, Nurseries, Kindergartens and Schools, Clinics, Social and Cultural Institutions, Public Utilities and buildings, except service and storage yards, agricultural gardens, nurseries and greenhouses, any neighbour hood recreational uses including clubs and other semi-public recreational uses, accessory uses clearly incidental to residential uses which will not create a nuisance and eco-hazard. He has further reported that the building maps for the construction of Two Storeyed Residential building at Khasra No.1546/14,


District Magistrate,
Una, District Una (H.P.)

1546/15, 1546/16, 1546/21, 1546/22 & 1546/23 as per jamabandi for the years 2003-04 of Mohal Jhalera Tehsil & District Una (H.P.) were approved vide No. SADA (Una) BP-630/2007-659 dated 22.11.2007 in the name of Shri Krishan Dass, Shri Akshay Kumar S/o Shri Krishan Das & Smt. Anupama W/o Sh. Akshay Kumar. The Shivalik Hospital is running in the building for which said maps were approved. The necessary directions under the provisions of TCP Act, 1977 have been issued to the proprietor of the Hospital vide No. SADA (Una)- Case No. BP-630/2007-333 dated 01.12.2022.

3(k). That in reply to para No. 3 (k) of the Original Application it is submitted that the Assistant Town Planner, Sub Division Town Planning Office Una, District Una vide his above-referred notice No. SADA (Una)- Case No. BP-630/2007-333 dated 01.12.2022 (copy annexed as **Annexure R-IV**) has directed the proprietor of respondent No.8 to submit the proposal/maps for obtaining the permission for change of building use failing which action under Section 39 of the Himachal Pradesh Town & Country Planning Act, 1977 shall be initiated against him.


District Magistrate,
Una, District Una (H.P.)

4. That the contents of para No.4 of the Original Application call for no submissions from the replying respondent. It is however submitted that consent to operate has been granted by the State Board vide No. 117 dated 16.8.2022 vide consent No. CTO/WATER/NEW/LAB/2022/5060056 valid up to 31.3.2027(copy attached as Annex-II). The State Board has also granted authorization under BMWM

Rules 2016 vide authorization No. BMW-UNA-014 (Una) dated 16.12.2022 in concurrence with the validity of consent valid up to 31.03.2027 (copy annexed as Annexure- III).

REPLY TO GROUNDS 5A TO 5E.

5. That the contents of para No.5 of the Original Application being formal in nature call for no submissions from the replying respondent. That the contents of Grounds Paras 5A to 5E relate to respondents No.4, 5 & 8, hence call for no submissions from the replying respondent.

PRAYER:

It is, therefore, prayed that in view of above submissions the present Original Application may kindly be dismissed against the replying respondent in the interest of justice & fair play.

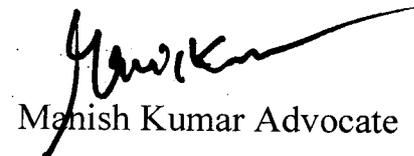


**District Magistrate,
Respondent No. (H.P.)**

Through

Place: Una

Dated: 16 .01.2023



Manish Kumar Advocate

Panel Counsel

For the State of H.P.

S-138, LGF, G.K-1

New Delhi, Ph:9971493975

E-mail: chambersofmanishkumar@gmail.com

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

ORIGINAL APPLICATION No. 820 of 2022

IN THE MATTER OF: -

Naveen Kumar

..... Applicant

Versus

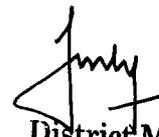
UOI and Ors.

..... Respondents

AFFIDAVIT

I, Raghav Sharma S/o Shri Matadeen Sharma, aged 35 years, permanent resident of House No. U-1, JDA Flats, Behind Satelite Hospital, Sethi Colony, Jawahar Nagar, Jaipur, Rajasthan presently, working as Deputy Commissioner, Una District Una (H.P.)do hereby solemnly affirm and declare as under:-

1. That the accompanying reply to the OA No. 820 of 2022 has been prepared and drafted at my instance and the contents of paras no. 1 to 5 of the reply are true and correct to the best of my knowledge as per information derived from the official record and legal advice received.
2. That no part of it is false and nothing has been concealed therefrom.


District Magistrate,
Una, District Una (H.P.)

Verification:-

That I the above-named deponent do hereby further state, verify declare on oath that the contents of the above affidavit are true and correct to the best of my knowledge and belief. No part of the same is false and nothing material has been concealed therefrom.

Verified at Una today on 10th day of January, 2023


District Magistrate,
Una, District Una (H.P.)

20379840
14-12-22

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ANNEXURE-R-1

OFFICE OF THE CHIEF MEDICAL OFFICER, UNA DISTRICT UNA H.P.

No HFW-Una(Court Cases)/ 2022-13028

Dated: 14-12-22

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To

The District Magistrate,
Una, District Una H.P.

Subject: Notice in Original Application No 820/2022 Naveen Kumar, Applicant versus
Union of India & Ors. ..Respondents.

Sir,

Kindly refer to your letter No 101-103/ADC/LFA dated 28-11-2022 on the
subject cited above.

In this regards it is submitted that Shivalik Hospital, Jhalera Una Himachal Pradesh
is registered under Clinical Establishment Act, 2010 w.e.f.05-09-2022 for next one year i.e. up to
04-09-2023. The required certificate from H.P. State Pollution control Board w.e.f. 26-05-2022 to
25-05-2023 and agreement with Enviro Engineers w.e.f. 07-05-2022 to 31-03-2023. The
Photocopies of registration issued to the concerned hospital by this office along with certificate
from H.P. State Pollution control Board w.e.f. 26-05-2022 to 25-05-2023 and agreement with
Enviro Engineers w.e.f. 07-05-2022 to 31-03-2023 are attached herewith for your ready references.

This is for your kind information and necessary action please.

Encls: DA as above.

Yours Faithfully,

Mangli Bell
Chief Medical Officer,
Una, District Una H.P. 14/12/22

ATTESTED

[Signature]

Superintendent Grade-I
O/o the Deputy Commissioner,
Una, Distt. Una (H.P.)

Ashams
06/12/22

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Provisional registration No:0202901063



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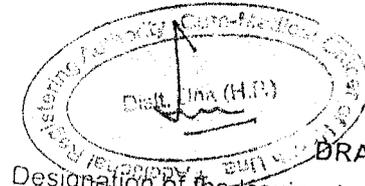
GOVERNMENT OF HIMACHAL PRADESH

District Registering Authority
UNA

CERTIFICATE OF PROVISIONAL REGISTRATION

This is to certify that *Shivalik hospital* located at *JHALERA* owned by *AKSHEY KUMAR* has been granted provisional registration as a clinical establishment under Section 15 of The Clinical Establishments (Registration and Regulation) Act, 2010. The Clinical Establishment is registered for providing medical services as a *Nursing Home, MultiHome, Polyclinic* under *Allopathy* System of Medicine.

This Certificate is valid for a period of one year from the date of issue.



DRA: Una
Designation of the Issuing Authority

Place: Una

Date of Issue: 05/09/2022

Terms and Conditions of Registration*

1. The holder of this Certificate of Registration shall comply with all the provisions of Clinical Establishment Act (Registration and Regulation) 2010 and the Rules made there under.
2. The Certificate of Registration is not transferable. The Certificate of Registration shall be displayed in a prominent place in a part of the premises open to the public.
3. Any change of ownership or change of category or change of management or on ceasing to function as a clinical establishment, the certificate of registration shall be surrendered to the authority and application for fresh registration submitted.

*Additional terms and conditions are as stipulated by the appropriate registering authority.

<http://clinicalestablishments.gov.in/AuthenticatedPages/DRA/Provisional.aspx?StatusId=Qqf1392%38ps%3d&DistrictId=BhaUfjNRsjA%3d>; Date:05/09/2022

ATTESTED

Superintendent Grade-I
O/o the Deputy Commissioner,
Una, Distt. Una (H.P.)

GENERAL **111** TERMS AND CONDITIONS

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- The terms of this agreement shall be from **07/05/2022 to 31/03/2023**
- Registration No. of this agreement is EEU/ **07/22** on dated **07/05/2022**
- Enviro Engineers will charge minimum Rs.1500/Month for handling, collection, transportation & disposal of Bio Medical Waste as per Notification by the Government of Himachal Pradesh No- HFV A(3)2/2020 Dated 26/02/2022.
- Enviro-Engineers will transport the BMW on alternate day .
- Taxes such as GST or any tax as and when applicable shall be to the waste generator's account.
- Enviro-Engineers will transport the Bio Medical Waste as per Management & handling Rule, 2016 can discontinue the services of the waste generator in the event if the waste generator is at default responsibilities/payments with seven days prior notice.
- Bio Medical Waste should be segregated, labelled, tagged and tied in proper colour & bar coded by i.e.:-

- **Yellow Bags:** (a) Human Anatomical (b) Human Anatomical Waste (c) Soiled waste: Item contaminated with blood, body fluids like dressings, plasters casts, cotton swabs and bandages containing residual or discarded blood and blood components.(d)Expired or Discard Medicines: Pharmaceutical waste like antibiotics, cytotoxic drugs including all item contaminated with cytotoxic drugs along with glass or plastic ampoules, vials etc.
- **Red bags:** Contaminated Waste (Recyclable)(a) Waste generated from disposable items such as tubing, bottles, intravenous tubes and sets, catheters, urine bags ,syringes(without needles and fixed needle syringes) and vactioners with their needles cut and gloves.
- **Blue Bags:** (a) Glassware: Broken or discarded and contaminated glass including medicine vial and ampoules except those contaminated with cytotoxic wastes.(b) Metallic Body Implants and ampoules except those contaminated with cytotoxic wastes.
- **White Bags:** Waste sharps including Metals: Needles, syringes with fixed needles, needles from needle tip cutter or burner, scalpels, blades, or any other contaminated sharp object that may cause puncture and cuts. This includes used, discarded and contaminated metal sharps.

Enviro Engineers

- The 1st party will not stop the services of collection without written intimation of HPSPCB. As per G.O. office order HPSPCB/AMW/01/Notification/27305-99 Dated 09/12/2019 no waste will be lifted without barcodes.
- Before handing over the Bio Medical waste the lab certificate of main chlorinated & thickness of micron must be given by 2nd party to 1st party.
- The service of collection & transportation will be started from 8:00 am to onward.
- The duplicate copy of agreement will be provided after written request along with Rs. 300/- in the shape of draft/cheque.
- Cheque bounce charges (in any shape) will be recovered from 2nd party i.e Rs.400/-.
- No change or modification or waiver of any of the terms and conditions of this agreement shall be effective, unless agreed to in writing and shall be in force as agreed upon by the both parties here to.
- Neither party shall transfer and nor assign the rights granted under the contract agreement without the prior assignee/transferee agreeing to assume all the said parties obligations and covenants contained herein.
- This agreement shall be governed by the law of India and shall be interpreted and construed in accordance with the laws of India and shall be in writing and delivered by hand against receipt, or send by registered post to the address of any of the parties.
- Any such notice or communication shall be deemed to have been duly given and served at the date and time or (1) delivery or of first refusal of delivery, if send by registered mail or delivered by hand or (2) either the date sent (if send during the receiving party's normal business hours) or next succeeding day, if sent by telefax.
- Enviro Engineers will not pick up the Bio-medical Waste from the Hospital if it is not segregated, packed and tied in proper colour coded bags marked with Bar code No. or mixed with other general waste as per the Bio-Medical (M&H) Rules,2016.

IN WITNESS WHEREOF THE PARTIES HERETO HAVE SET THEIR HAND AND SEAL, THE DAY OF MONTH AND YEAR FIRST ABOVE WRITTEN

On behalf of The Hospital

Dr. Akshay Kr. Sharma
Dr. Akshay Kr. Sharma

On behalf of Enviro Engineers,

ATTESTED

Enviro

Superintendent Grade-I
O/o the Deputy Commissioner,
Una, Distt. Una (H.P.)



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H.P. STATE POLLUTION CONTROL BOARD

HIM PARIVESH, PHASE-III, NEW SHIMLA-171009

HPSPCB No :117

HCF Registration ID: *HP12261225*

Date:26/05/2022

Application No: *5060025*

To,

Shivalik hospital , near police lines, jhalera, una
Near police lines, jhalera
Police lines jhalera
Una
174303

Subject: Consent to Establish under provisions of Water (Prevention & Control of Pollution) Act, 1974.

With reference to your application for obtaining 'Consent to Establish' u/s 25/26 of Water (Prevention & Control of Pollution) Act, 1974, the State Board on the recommendation of In-charge Central/ Regional Laboratory and as per this Office Order No. 21562-80 dated 4.10.2019, hereby grants Consent to Establish subject to the following terms and conditions:

1.Particulars of Consent to Establish under Water Act, 1974 granted to the HCF

Consent No.	
Date of issue :	<i>CTE/WATER/NEW/LAB/2022/5060025</i>
Date of expiry :	<i>26/05/2022</i>
Certificate Type :	<i>25/05/2023</i>
Previous CTE/CTO No. & Validity :	<i>NEW</i>

2.Particulars of the HCF/CBWTF/Unit

Name & Designation of the Applicant	<i>Dr Akshey, (MD)</i>
Address of Health Care Facility	<i>Shivalik hospital , near police lines, jhalera, una, Near police lines, jhalera, Police lines jhalera, Una-174303</i>
Type of HCF Allopathic/Ayurvedic/Veterinary/Others	<i>ALLOPATHIC PVT</i>
Bedded/Non-Bedded	<i>Bedded</i>
Bed Capacity	<i>10</i>
District	<i>Una</i>

Process of Treatment (if HCF has any treatment plant for chemical liquid waste, industrial, domestic or combined effluent)

Description	Quantity(in KLD)	Method of Treatment	Method of Disposal
Others	<i>0.020</i>	<i>Pretreatment</i>	<i>STP</i>
Domestic	<i>0.25</i>	<i>ETP cum STP</i>	<i>Drain</i>

Type of Liquid Waste Treatment System installed

ATTESTED

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To verify this document please scan the QR Code.

Superintendent Grade-I
O/o the Deputy Commissioner,
Una, Distt. Una (H.P.)

Sl. No.	Capacity	Quantity	Unit
Pre-treatment	0.030	1	KLD
ETP-cum-STP	3	1	KLD

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by APOORV
DEVGAN
Date: 2022.05.27
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Apoorv Devgan, IAS
Member Secretary
For & on behalf of
(H. P. State Pollution Control Board)

Copy To:-

The In-charge, HPSPCB, Central Lab. Parwanoo, Distt. Solan for information and directed to adjust the excess fees deposited by the HCF and undertake inspection, sampling of the HCF as per prescribed Schedule for compliance of norms as per provisions of the Water Act, 1974 and Bio-medical Waste Management Rules, 2016.



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by APOORV
DEVGAN
Date: 2022.05.27
09:27:01 +05'30'

Apoorv Devgan, IAS
Member Secretary
For & on behalf of
(H. P. State Pollution Control Board)

ATTESTED

Superintendent Grade-I
O/o the Deputy Commissioner,
Una, Distt. Una (H.P.)

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TERMS AND CONDITIONS

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A. SPECIFIC CONDITIONS

1. The Consent to Establish is valid 25/05/2023 till the commissioning of the unit whichever is earlier.
2. This Consent is only for the purpose of Water Act and Unit/HCF shall obtain requisite approval of other State/Central agencies as per their mandate.
3. The Unit/HCF shall obtain planning permission from concerned agencies as applicable
4. This Consent to establish is only for the purpose and under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 as the case may be, and will not construed as substitute for mandatory clearances required for the project under any other law/ regulation/ direction/ order and the applicant shall obtain any such mandatory clearances before taking any step to establish the Health Care Facility, operation or process or any treatment and disposal system or an extension or addition thereto.
5. Consent to establish is issued for:-
 - (a) **Liquid waste and domestic sewage generated from the HCF shall be disposed in common public sewer line having terminal treatment facility, if available and treatment shall confirm to the norms as prescribed in Environment (Protection) Act, 1986 and Bio-Medical Waste Management Rules, 2016 as amended from time to time.**
 - (b) **Liquid waste and domestic sewage generated from the HCF shall be treated in ETP/STP if provided by the HCF for treatment. The treatment shall confirm to the norms as prescribed in Environment (Protection) Act, 1986 and Bio-Medical Waste Management Rules, 2016, as amended from time to time.**
 - (c) **Liquid waste and domestic sewage generated from the HCF shall be treated in septic tank (only for the HCFs having bed capacity less than 10) as provided by the HCF. The HCF shall ensure that no liquid waste shall be discharged into open and treatment shall confirm to the norms as prescribed in Environment (Protection) Act, 1986 for as amended from time to time.**
 - (d) The Garbage shall be disposed of according to Solid Waste Management Rules, 2016.
 - (e) Bio-medical waste shall be disposed of either through the authorized Common Bio-medical Waste Treatment and Disposal Facilities or captive treatment facility (Deep Burial) as per the provisions of Bio-medical Waste Management Rules, 2016.
 - (f) The Chemical Liquid waste generated from the HCF shall be pre-treated and disposed of in accordance with the Water (Prevention and Control of Pollution) Act, 1974.
6. The buildup area of the HCF shall not exceed 20000 m² (only where Environment Clearance is not applicable)
7. The HCF shall apply for Renewal of Consent to establish under the Water (Prevention & Control of Pollution) Act, 1974, 3 months prior to expiry of this consent and shall also obtain Authorization under Bio-medical Waste Management Rules, 2016 & Hazardous and Other Waste (Management and Transboundary Movement) Rules, 2016.
8. The HCF shall provide adequate arrangement for fighting the accidental leakage's/ discharge of any air pollutant/ gas/ liquid from the vessel, mechanical equipments etc. which are likely to cause environmental pollution.
9. All underground water retaining structures shall be lined with an impervious layer so as to avoid seepage and contamination of sub soil/ water.
10. The HCF shall install Air Pollution Control devices so as to contain all the suspended particulate matter and gaseous emissions.
11. The HCF shall comply with any other conditions laid down or direction issued by the Board under the provision of the Water (Prevention and Control of Pollution) Act, 1974, Bio-medical Waste Management Rules, 2016 & Hazardous and Other Waste (Management and Transboundary Movement) Rules, 2016 from time to time.

ATTESTED



Superintendent Grade-I
O/o the Deputy Commissioner,
Una, Distt. Una (H.P.)

- 12. The HCF shall not discharge any fugitive emissions/odour.
- 13. The HCF shall ensure that the emission from each stack shall conform to the emission standards laid down by the board from time to time.
- 14. Nothing in this No Objection Certificate shall be deemed to preclude the institution of any legal action nor relieve the applicant from any responsibilities or penalties to which the applicant is or may be subject under the provisions of the Water Act.
- 15. The HCF shall plant minimum of three suitable varieties of trees with an appropriate density along the boundary of unit premises.
- 16. The HCF shall obtain consent to operate from this Board and install anti-pollution devices for prevention control and abatement of Water Pollution before coming into operation/before a final NOC is issued.
- 17. The pollution control devices shall be designed to meet the norms for effluent treatment plant, emission & noise.
- 18. The State Board reserves the right to revoke/ review and alter the conditions of Consent to Establish as the case may be.
- 19. The HCF shall provide acoustic enclosure over the DG set as per norms before come into production.
- 20. The HCF shall comply with the provisions of the e-Waste (Management) Rules, 2016, as may be, applicable to it.
- 21. This Consent to Establish is subject to the ratification by the State Board.



Apoorv Devgan, IAS
 Member Secretary
 For & on behalf of
 (H. P. State Pollution Control Board)

ATTESTED

Superintendent Grade-I
 O/o the Deputy Commissioner,
 Una, Distt. Una (H.P.)

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ANNEXURE - R-2
Through mail



Himachal Pradesh State Pollution Control Board
Central Laboratory, SCF-7-8, Sector-IV, Parwanoo,
Tehsil Kasauli, Distt.-Solan (H.P.), PIN 173220
Tel No. 01792-232540.

17

Website: <http://hppcb.nic.in> e-mail: pcblabparwanoo@gmail.com

No.: -PCB/C.Lab/Pwn/BMW/Shivalik Hospital Una/04- 1203

Dated:- 17/12/2022

To.

✓ The District Magistrate,
Una, Distt. Una (H.P.)

Sub: - Notice in Original Application No. 820/2022 Naveen Kumar, Applicant
versus V/s Union of India & ors. ..respondents.

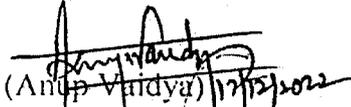
Sir.

This is in reference to letter no 107/ADC/LFA Dated 30.11.2022 on the
subject cited above. In this regard, as directed, the para-wise comment along with annexure
is enclosed for kind perusal, please.

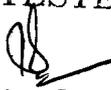
Thanking You.

Encl: as above (by mail also)

Yours faithfully


(Anup Vaidya)
Principal Scientific Officer.

ATTESTED


Superintendent Grade-I
O/o the Deputy Commissioner,
Una, Distt. Una (H.P.)

Point wise reply w.r.t. notice in original application No. 820/2022 Naveen Kumar, Applicant versus Union of India & ors., respondents before the Hon'ble NGT, New Delhi.

1. It is a matter of record.
2. It is a matter of record.
3. (a) It is a matter of record.
(b) It is a matter of record.
(c) It is a matter of record.
(d) It is true and matter of record.
(e) It is true and matter of record.
(f) It is true and matter of record

(g) The State Board requested the HCF vide letter No PCB/ lab/Pwn/Shivalik hospital/BMW/-461 dated 27.07.17 (copy annexed by the applicant as Annexure A1) to apply and obtain Consent under the provisions of Water (Prevention and Control of Pollution) Act 1974 as well as Authorization under Bio Medical Waste Management Rules, 2016. Although, the HCF applied for consent under Water Act, 1974 as well as authorization under BMWM Rules, 2016 but the cases could not be considered due to incomplete application and asked the HCF vide letters dated 19.12.17, 15.03.18 (copy attached as Annex-Ia & Ib) to submit complete documents. Now, the consent to operate has been granted by the State Board through on-line mode vide letter No 117 dated 16.8.2022 vide consent no CTO/WATER/NEW/LAB/2022/5060056 valid up to 31.3.2027 (copy attached as Annex-II). The case for the grant of authorization vide application vide no. 7258169 dated 24.9.2022 submitted through on-line mode by the HCF has also been considered and the State Board granted authorization under BMWM Rules 2016 vide authorization No. BMW-UNA-014 (Una) dated 16.12.2022 in concurrence with the validity of consent valid up to 31.03.2027 (copy annexed as Annex- III).

(h) As per the office record, Shivalik Hospital, Una had applied for the grant of authorization to the Board & submitted the application on 01.9.2005 under provisions Bio Medical Waste (Management & Handling) Rules, 1998 and the said 05 bedded Health Care Facility (HCF) was granted authorization under the provisions of these Rules on 6.11.2006 (copy attached as Annex-IV) which was renewed from time to time and was last renewed on 21-3-2015 for 10 beds capacity valid up to 31.03.2017 (copy attached as Annex-V). In the Meanwhile, the Ministry of Environment, Forest & Climate Change, GOI in supersession of Bio-medical Waste (Management & Handling) Rules, 1998 vide notification No. G.S.R. 343(E), dated 28.03.2016 revised and issued Bio- medical Waste Management Rules, 2016. As per these rules the HCFs are required not only to obtain the authorization from the Board under revised Rules but also required to

Principal Officer
H.P. Una
173550 (H.P.)

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Superintendent Grade-I
O/o the Deputy Commissioner,
Una, Distt. Una (H.P.)

obtain Consent under Water Act 1974 and Air Act 1981. As per Rule 10 of these Rules, "Every occupier or operator handling bio-medical waste, irrespective of the quantity shall make an application in Form II to the prescribed authority i.e. State Pollution Control Board and Pollution Control Committee, as the case may be, for grant of authorization and the prescribed authority shall grant the provisional authorization in Form III and the validity of such authorization for bedded health care facility and operator of a common facility shall be synchronized with the validity of the consents".

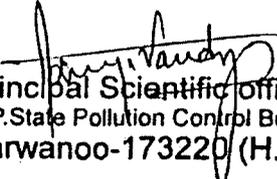
(i) The HCF initially submitted the application for consent under Water Act 1974 vide application dated 22.08.2017 but could not be considered being incomplete. Now the consent to operate has been granted by the State Board through on-line mode vide letter No 117 dated 16.8.2022 vide consent no CTO/WATER/NEW/LAB/2022/5060056 valid up to 31.3.2027(copy attached as Annex-II). The HCF was initially in agreement with BMWT Plant Pvt. Ltd., Village Pangoli, Pathankot w.e.f. 07.07.2005 for transportation and disposal of Bio-medical waste (copy attached as Annex-VI). Presently, the HCF is in agreement with Enviro Engineer, the Common Bio-medical Waste facility for collection/transportation/ treatment and disposal of bio-medical waste (copy attached as Annex-VII). Now, the case for the grant of authorization vide application vide no. 7258169 dated 24.9.2022 submitted through on-line mode by the HCF has been considered and the State Board granted authorization under BMW Rules 2016 vide authorization No. BMW-UNA-014 (Una) dated 16.12.2022 in concurrence with the validity of consent valid up to 31.03.2027 (copy annexed as Annex- III).

(j) Does not pertain to the State Board.

(k) Does not pertain to the State Board.

4. The consent to operate has been granted by the State Board vide No 117 dated 16.8.2022 vide consent no CTO/WATER/NEW/LAB/2022/5060056 valid up to 31.3.2027(copy attached as Annex-II). The State Board has also granted authorization under BMW Rules 2016 vide authorization No. BMW-UNA-014 (Una) dated 16.12.2022 in concurrence with the validity of consent valid up to 31.03.2027 (copy annexed as Annex- III).

5. The consent to operate has been granted by the State Board vide No 117 dated 16.8.2022 vide consent no CTO/WATER/NEW/LAB/2022/5060056 valid up to 31.3.2027(copy attached as Annex-II). The State Board has also granted authorization under BMW Rules 2016 vide authorization No. BMW-UNA-014 (Una) dated 16.12.2022 in concurrence with the validity of consent valid up to 31.03.2027 (copy annexed as Annex- III).


Principal Scientific Officer,
H.P.State Pollution Control Board,
Parwanoo-173220 (H.P.)

ATTESTED


Superintendent Grade-I
O/o the Deputy Commissioner,
Una, Distt. Una (H.P.)



H.P. STATE POLLUTION CONTROL BOARD
SCF-7-8, SECTOR-IV, PARWANOO, SOLAN
 Tel fax 01792-232540, e-mail pcbparwanoo@gmail.com

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PCB/Lab/Pwn/BMW/ Shivalik Hospital /- 816

Dated 19/12/17

To

Dr. Akshey Kumar (In-charge),
 Shivalik Hospital,
 Near Police Lines, Jhalara, Una District Una-HP-174303

Subject: Observation of inspection and compliance requirements under Biomedical Waste Management Rules, 2016

Sir,

In reference to inspection of your 5 bedded hospital conducted by Sr. Scientific Officer of this office on 23.11.17 and subsequent discussions held with you on the provisions of Biomedical Waste Rules, 2016 during the visit. You are directed to comply immediately on following issues so that your case for the grant of consent under Water Act and authorization under BMW Rules, 2016 could be forwarded to higher authorities:-

1. Submit a copy of project report of your hospital.
2. Submit a copy of design/drawing of septic tank of your hospital along with lay out of line for chemical liquid waste and sewage.
3. Provide a pre-treatment system for disinfection/neutralization of chemical liquid waste generated from your hospital to meet discharge norms.

Your compliance/action taken report should reach this office within 15 days to avoid action please.

Thanking you,

Yours faithfully,

(Dr TB Singh)

Pr. Scientific Officer

Central Laboratory, HPSPCB Parwanoo.

ATTESTED


 Superintendent Grade-I.
 O/o the Deputy Commissioner,
 Una, Distt. Una (H.P.)

(21)



H.P. STATE POLLUTION CONTROL BOARD

SCF-7-8, SECTOR-IV, PARWANOO, SOLAN
Tel fax 01792-232540, e-mail pcblabparwanoo@gmail.com

PCB/Lab/Pwn/BMW/ Shivalik Hospital /- 1103

Dated 15/03/18.

To

The Managing Director,
Shivalik Hospital,
Near Police Lines, Jhalera
District Una-HP-174303

Subject: Compliance requirements under Biomedical Waste Management Rules, 2016

Sir,

In reference to your application Form -II, XIII received in this office along with fees of Rs 1500=00. In this regard it is informed that additional fees for Rs 1500 =00 (Rs Four Thousand Five Hundred Only) is required to be submitted for considering the case for 5 years under Water Act, 1974 and Biomedical Waste Rules, 2016.

Please send DD in favour of ^{Principal} Senior Scientific Officer, HPSPCB, Parwanoo payable at Parwanoo.

Thanking you,

Yours faithfully,
(Signature)
(Dr TB Singh)

Pr. Scientific Officer.

Central Laboratory, HPSPCB Parwanoo.

ATTESTED

(Signature)
Superintendent Grade-I
O/o the Deputy Commissioner,
Una, Distt. Una (H.P.)

Principal Scientific Officer,
H.P. State Pollution Control Board,
Parwanoo-173 200 (H.P.)

10-17

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22



H.P.STATE POLLUTION CONTROL BOARD
HIM PARIVESH, PHASE-III, NEW SHIMLA-171009

HPSPCB No :117

Date:16/08/2022

HCF Registration ID: HP/2261225

Application No: 5060056

To,

Shivalik hospital , near police lines, jhalera, una
Near police lines, jhalera
Police lines jhalera
Una
174303

Subject: Consent to Operate under provisions of Water (Prevention & Control of Pollution) Act, 1974.

With reference to your application for obtaining 'Consent to Operate' u/s 25/26 of Water (Prevention & Control of Pollution) Act, 1974, the State Board on the recommendation of In-charge Central/ Regional Laboratory and as per this Office Order No. 21562-80 dated 4.10.2019, hereby grants Consent to Operate subject to the following terms and conditions:

1.Particulars of Consent to Operate under Water Act, 1974 granted to the HCF

Consent No.	CTO/WATER/NEW/LAB/2022/5060056
Date of issue :	16/08/2022
Date of expiry :	31/03/2027
Certificate Type :	NEW
Previous CTE/CTO No. & Validity :	5060025 valid upto 25/05/2023

2.Particulars of the HCF/CBWTF/Unit

Name & Designation of the Applicant	Dr Akshey, (MD)
Address of Health Care Facility	Shivalik hospital , near police lines, jhalera, una, Near police lines, jhalera, Police lines jhalera, Una-174303
Type of HCF Allopathic/Ayurvedic/Veterinary/Others	ALLOPATHIC PVT
Bedded/Non-Bedded	Bedded
Bed Capacity	10
District	Una

Process of Treatment (If HCF has any treatment plant for chemical liquid waste, industrial, domestic or combined effluent)

Description	Quantity(in KLD)	Method of Treatment	Method of Disposal
Others	0.020	Pretreatment	STP
Domestic	.25	etpcumstp	drain

Type of Liquid Waste Treatment System installed

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Page 1 of 4

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Superintendent Grade-I
O/o the Deputy Commissioner,
Una, Distt. Una (H.P.)

installed	Capacity	Quantity	Unit
STP	3	1	KLD
Pre-treatment	0.030	1	KLD



Apoorv Devgan, IAS
Member Secretary
For & on behalf of
(H. P. State Pollution Control Board)

Copy To:-

The In-charge, HPSPCB, Central Lab. Parwanoo, Distt. Solan for information and directed to inspect the HCF/ Unit as per prescribed schedule and compliance of norms by the HCF/ Unit as per provisions under Water Act, 1974/ Air Act, 1981 & BMW Rules, 2016.



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by APOORV
DEVGAN
Date:
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APOORV
DEVGAN

Apoorv Devgan, IAS
Member Secretary
For & on behalf of
(H. P. State Pollution Control Board)

ATTESTED

Superintendent Grade-I
O/o the Deputy Commissioner,
Una, Distt. Una (H.P.)

TERMS AND CONDITIONS

A. SPECIFIC CONDITIONS

1. The Consent to Operate is valid upto 31/03/2027
2. This Consent is only for the purpose of Water Act and Unit/HCF shall obtain requisite approval of other State/Central agencies as per their mandate.
3. The HCF shall obtain planning permission from concerned agencies as applicable
4. This Consent to Operate is only for the purpose and under the provisions of the Water (Prevention & Control of Pollution) Act, 1981 as the case may be, and will not construed as substitute for mandatory clearances required for the project under any other law/ regulation/ direction/ order and the applicant shall obtain any such mandatory clearances before taking any step to establish the Health Care Facility, operation or process or any treatment and disposal system or an extension or addition thereto. 31/03/2027
5. In case of HCFs having bed capacity less than 10, the Consent is granted as per the Office Order No. HPSPCB (12)Board Meeting (BMW)/-2719-2753 dated 18.02.2020.
6. This Consent to Operate is issued for:-
 - (a) Liquid waste and domestic sewage generated from the HCF shall be disposed in common public sewer line having terminal treatment facility, if available and treatment shall confirm to the norms as prescribed in Environment (Protection) Act, 1986 and Bio-Medical Waste Management Rules, 2016 as amended from time to time.
 - (b) Liquid waste and domestic sewage generated from the HCF shall be treated in ETP/STP if provided by the HCF for treatment. The treatment shall confirm to the norms as prescribed in Environment (Protection) Act, 1986 and Bio-Medical Waste Management Rules, 2016, as amended from time to time.
 - (c) Liquid waste and domestic sewage generated from the HCF shall be treated in septic tank (only for the HCFs having bed capacity less than 10) as provided by the HCF. The HCF shall ensure that no liquid waste shall be discharged into open and treatment shall confirm to the norms as prescribed in Environment (Protection) Act, 1986 for as amended from time to time.
 - (d) The Garbage shall be disposed of according to Solid Waste Management Rules, 2016.
 - (e) Bio-medical waste shall be disposed of either through the authorized Common Bio-medical Waste Treatment and Disposal Facilities or captive treatment facility (Deep Burial) as per the provisions of Bio-medical Waste Management Rules, 2016.
 - (f) The Chemical Liquid waste generated from the HCF shall be pre-treated and disposed of in accordance with the Water (Prevention and Control of Pollution) Act, 1974.
7. The buildup area of the HCF shall not exceed 20000 m² (only where Environment Clearance is not applicable)
8. The HCF shall apply for Renewal of Consent to Operate under the Water (Prevention & Control of Pollution) Act, 1974, 3 months prior to expiry of this consent and shall also obtain Authorization under Bio-medical Waste Management Rules, 2016 & Hazardous and Other Waste (Management and Transboundary Movement) Rules, 2016.
9. The HCF shall provide adequate arrangement for fighting the accidental leakage's/ discharge of any air pollutant/ gas/ liquid from the vessel, mechanical equipments etc. which are likely to cause environmental pollution.
10. All underground water retaining structures shall be lined with an impervious layer so as to avoid seepage and contamination of sub soil/ water.
11. The HCF shall comply with any other conditions laid down or direction issued by the Board under the provision of the Water (Prevention and Control of Pollution) Act, 1974, Bio-medical Waste Management Rules, 2016 & Hazardous and Other Waste (Management and Transboundary Movement) Rules, 2016 from time to time.
12. The HCF shall not discharge any fugitive emissions/odour.

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Page 3 of 4

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Superintendent Grade-I
O/o the Deputy Commissioner,
Una, Distt. Una (H.P.)

13. Nothing in this No Objection Certificate shall be deemed to preclude the institution of any legal action nor relieve the applicant from any responsibilities or penalties to which the applicant is or may be subject under the provisions of the Water Act.
14. The HCF shall plant minimum of three suitable varieties of trees with an appropriate density along the boundary of unit premises.
15. The State Board reserves the right to revoke/ review and alter the conditions of renewal of Consent Operate as the case may be.
16. The HCF shall comply with the provisions of the e-Waste (Management) Rules, 2016, as may be, applicable to it.
17. This Consent to Operate is subject to the ratification by the State Board



Apoorv Devgan, IAS
Member Secretary
For & on behalf of

ATTESTED

(H. P. State Pollution Control Board)

A handwritten signature in black ink, positioned above the name of the Superintendent Grade-I.

Superintendent Grade-I
O/o the Deputy Commissioner,
Una, Distt. Una (H.P.)

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H.P.STATE POLLUTION CONTROL BOARD
HPSPCB

HPSPCB/BMW :7258169

Date:12/12/2022

FORM III
AUTHORISATION ISSUED UNDER RULE 10 OF BIO MEDICAL WASTE MANAGEMENT
RULES ,2016

To,
Shivalik Hospital , Near Police Lines, Jhalera, Una
Near Police Lines, Jhalera
Amb
Una

Subject: Grant of Authorization for operating a facility for Generation, Segregation, ,Collection, Storage, Treatment or Processing or Conversion, Disposal or Destruction, of Bio-Medical Wastes under Bio-Medical Waste Management Rules, 2016.

(a) Number of authorization : BMW-UNA-014 (Una)
(b) Validity from - Validity Upto : 12/12/2022 - 31/03/2027
(c) No. of beds : 10
(d) Quantity of waste : Solid 0.540 Kgs per Day
Liquid 20 Ltr per Day
(e) Mode of Disposal : M/s Enviro Engineer Pandoga Una

As per powers delegated by the State Board vide Notification No. HPSPCB/BMW Notification (2)/22426-74 dated 01-03-2017, authorisation is hereby granted under Bio-Medical Waste Management Rules, 2016 to Shivalik Hospital , Near Police Lines, Jhalera, Una, Near Police Lines, Jhalera, Una for the following activities and term & conditions:

1. Generation, Segregation, ,Collection, Storage, Treatment or Processing or Conversion, Disposal or Destruction, of various categories of Bio-medical waste generated from your institution strictly as per the provisions/standards prescribed under the said rules.
2. The grant of authorization shall be synchronised with the validity of Consents from the date of issue and ensure the final treatment & disposal of liquid waste in accordance with Water (Prevention and Control of Pollution) Act, 1974.
3. The authorization is subject to the terms & conditions as stated overleaf and also to such conditions as may be specified in the rules for the time to time-in force under the Environment (Protection) Act, 1986.
4. The log book for the all categories of bio-medical waste generated should also be maintained and shall submit annual report on form-IV before 30th June every year to the State Board.
5. The mercury containing waste or mercury spillage shall be stored separately & record shall be maintained in the log book.
6. The plastic waste shall be handed over to the authorised operator of CBWTF or plastic waste recycling units registered under the Plastic Waste (Management & Handling) Rules, 2011.
7. The Chemical Liquid waste generated from the HCF/UNIT shall be segregated at source and shall be pre-treated or neutralized before mixing with other effluent generated from the HCF.

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Page 1 of 4


Superintendent Grade-I
O/o the Deputy Commissioner,
Una, Distt. Una (H.P.)

8. This authorisation is subject to the condition mentioned above and also to such conditions as may be specified in the rules from time to time in force under Environment (Protection) Act, 1986.
9. The HCF/UNIT shall apply for the renewal of an authorization within 3 months prior to expiry of the previous authorization, if applicable.

SPECIAL CONDITIONS

Apoorv Devgan, IAS
Member Secretary
For & on behalf of
(H. P. State Pollution Control Board)

Copy To:

1. The Incharge, Regional Laboratory Una, HPSPCB, District Una, HP for information and directed to ensure compliance of norms as per provisions of the Water Act, 1974 and BMW Rules, 2016.
2. The Incharge, Central Lab. Parwanoo for information.



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Apoorv Devgan, IAS
Member Secretary
For & on behalf of
(H. P. State Pollution Control Board)

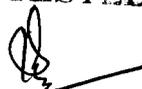
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Superintendent Grade-I
O/o the Deputy Commissioner,
Una, Distt. Una (H.P.)

TERMS AND CONDITIONS OF AUTHORIZATION

1. The unit/ operator/ generator of Bio-medical waste or transporter so authorized shall comply with the provisions of the Environment (Protection) Act, 1986, and the rules made there under.
2. The authorization or its renewal shall be produced for inspection at the request of an officer authorized by the Prescribed Authority.
3. The occupier shall 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.
4. The occupier shall 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 Organisation (WHO) or National AIDs Control Organisation (NACO) guidelines and then sent to the common bio-medical waste treatment facility for final disposal.
5. The occupier shall 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.
6. The occupier shall 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;
7. The occupier 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.
8. The occupier shall 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.
9. The occupier shall ensure treatment and disposal of liquid waste in accordance with the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974).
10. The occupier shall 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.
11. The occupier/ operator of the facility shall maintain proper housekeeping in the premises where the Bio-medical wastes are handled.
12. The occupier/ operator of the facility shall not change or alter either the quality or the quantity or the rate of discharge of liquid/ emission or temperature or the route of discharge without previous written permission from the Prescribed Authority.
13. The occupier shall 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.
14. The occupier/ operator of the facility, its heirs, legal representatives etc., shall have no claim whatsoever to the continuation or renewal of this authorization after the expiry of the period of authorization.
15. The occupier/ operator of a facility shall report in Form-I to the Prescribed Authority in case of any accident occur at any institution or facility or any other site where Bio-medical waste is handled or during transportation of such waste.
16. The occupier/ operator of the facility shall ensure that, the facility is handled, operated by only qualified personals in the field. The occupier/ operator of the facility shall also appoint qualified personals and create a separate cell/ department for compliance under the various conditions of the authorization.
17. The authorized person shall take prior permission of the Prescribed Authority to close down the facility.

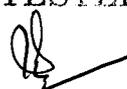
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Superintendent Grade-I
O/o the Deputy Commissioner,
Una, Distt. Una (H.P.)

18. The occupier/ operator of a facility shall treat and dispose the Bio-medical waste in accordance with the Rules.
19. The occupier/ operator of the facility are required to maintain equipments for requisite treatment of Bio-medical waste like, Incinerator, Autoclave, Microwave system, etc. The occupier/ operator shall comply with the standards for incinerator, autoclave and microwave system, deep burial pits etc. as the case may be as prescribed in the Rules
20. The occupier/ operator of the facility shall maintain records of handling Bio-medical waste in Form-IV as per rule and submit the Annual Report by 30th June every year to the Prescribed Authority. The report shall include information about the categories and quantities of Bio-medical waste handled during the preceding year. All the record shall be subjected to inspection and verification by the Prescribed Authority/ authorized person at any time.
21. The occupier/ operator of the facility shall ensure that the Bio-medical waste shall not be mixed with other waste.
22. The occupier/ operator of the facility shall segregate the Bio-medical waste and collect in the container bags at the point of generation in accordance with the Rules prior to storage, transportation, treatment and disposal. The containers shall be labelled in accordance with Schedule-IV.
23. The occupier/ operator of the facility shall ensure that no untreated Bio-medical waste shall be kept/ stored beyond a period of 48 hours, provided that if for any reason it becomes necessary to store waste beyond such period, the authorized person shall take permission of the Prescribed Authority and take measures to ensure that the waste does not adversely affect human health and environment.
24. The occupier /generator shall take services of Common Transport Facility from duly authorized transporter of Bio-Medical Waste, to transport its bio-medical waste to common treatment facility.
25. The Prescribed Authority reserves the right to review, impose additional condition or conditions, revoke, change or alter the terms and conditions of the authorization.
26. The occupier/ operator of the facility shall comply with the standards and specification as per rules and shall furnish compliance within 30 days from the date of receipt of this authorization.
27. Waste collecting bags require incineration shall be made of non/ chlorinated plastic with label and seal as per the specifications indicated under Bio-medical Waste Management Rules, 2016.
28. Any authorized change in personnel/ equipment or working conditions as mentioned in the application by the person authorized shall constitute a breach of this authorization.
29. The occupier/ operator of the facility shall not rent and sell, transfer or otherwise transport the Bio-medical waste without prior permission from the Prescribed Authority.
30. The hospital/UNIT shall submit the Analysis Report of liquid waste being discharged by the hospital within 3 months from date of the issue of authorization to ascertain the adequacy and efficiency of treatment systems.

ATTESTED


 Superintendent Grade-I
 O/o the Deputy Commissioner,
 Una, Distt. Una (H.P.)



By Order
 Member Secretary
 (H. P. State Pollution Control Board)



Himachal Pradesh State Environment Protection
&
Pollution Control Board

Paryavaran Bhawan, Phase-III, New Shimla-9
Tel: 2673766, 2673020 Fax: 2673018

30

No. EP&PCB/BWM (117)/ Shivalik Hospital/ Una / 06- 21258-59 Dated 6-11-06

To

The Medical Officer I/c,
Shivalik Hospital,
Near Old Bus Stand, Una,
District Una

Sub: Authorisation for operating a facility for Generation, Collection, Storage, Treatment/ Disposal and /or Handling of Bio-Medical Wastes.

1. (a) Number of authorisation : BMW/ UNA-014/ 05-08
(b) Date of Expiry : 31-3-2008
(c) No. of beds/Quantity of waste : 5 Beds / 7.3 Kg per month.
(d) Mode of Disposal : Through Common bio-medical waste treatment facility at Pathankot.
2. The prescribed authority in exercise of the powers conferred upon it under rule 7(5) of the Bio-Medical Waste (Management & Handling) Rules, 1998 of Environment (Protection) Act, 1986 hereby grant authorisation applied under rule 8(1) of the said rules to Shivalik Hospital, Near Old Bus Stand, Una, District Una for the following activities: -
3. Generation, Segregation, Treatment & Disposal of various categories of Bio-medical waste generated from your institution strictly as per the provisions/standards prescribed under the said rules.
4. The authorisation shall be in force upto 31st March, 2008.
5. The Medical institution shall apply for renewal of authorisation before 3 months of expiry of the authorisation period.
6. The authorisation is subject to the terms & conditions as stated overleaf and also to such conditions as may be specified in the rules for the time to time-in force under the Environment (Protection) Act, 1986.
7. The log book for the 10 categories of bio-medical waste generated should also be maintained.

Member Secretary
HPSEP&PCB

Copy to:

The Sr. Scientific Officer, HPSEP&PCB, SCF 7-8, Sector IV, Parwanoo, District Solan for information. The officer is requested to visit the said unit periodically and send the report.

Diary No. 619... 13/11/06

Member Secretary, HPSEP&PCB

Parwanoo-173220.

Member Secretary
HPSEP&PCB

ATTESTED

Superintendent Grade-I
O/o the Deputy Commissioner,
Una, Distt. Una (H.P.)

TERMS AND CONDITIONS OF AUTHORIZATION

2. The unit/ operator/ generator of Bio-medical waste or transporter so authorized shall comply with the provisions of the Environment (Protection) Act, 1986, and the rules made there under.
3. The authorization or its renewal shall be produced for inspection at the request of an officer authorized by the Prescribed Authority.
4. The occupier/ operator of the facility shall maintain proper house keeping in the premises where the Bio-medical wastes are handled.
5. The occupier/ operator of the facility shall not change or alter either the quality or the quantity or the rate of discharge of liquid/ emission or temperature or the route of discharge without previous written permission from the Prescribed Authority.
6. The occupier/ operator of the facility shall take all precautionary steps to avoid leakage/ spillage of Bio-medical waste from the storage area, the storage area shall be properly fenced/ protected with caution signboards.
7. The occupier/ operator of the facility, its heirs, legal representatives etc., shall have no claim whatsoever to the continuation or renewal of this authorization after the expiry of the period of authorization.
8. The occupier/ operator of a facility shall report in Form-III to the Prescribed Authority in case of any accident occur at any institution or facility or any other site where Bio-medical waste is handled or during transportation of such waste.
9. The occupier/ operator of the facility shall ensure that, the facility is handled, operated by only qualified personals in the field. The occupier/ operator of the facility shall also appoint qualified personals and create a separate cell/ department for compliance under the various conditions of the authorization.
10. The authorized person shall take prior permission of the Prescribed Authority to close down the facility.
11. The unit shall apply for the renewal of an authorization within 3 months prior to expiry of the previous authorization.
12. The occupier/ operator of a facility shall treat and dispose the Bio-medical waste in accordance with the Rules.
13. The occupier/ operator of the facility are required to maintain equipments for requisite treatment of Bio-medical waste like, Incinerator, Autoclave, Microwave system, etc. The occupier/ operator shall comply with the standards for incinerator, autoclave and microwave system, deep burial pits etc. as prescribed in the Rules.
14. The occupier/ operator of the facility shall maintain records of handling Bio-medical waste in Form-II as per rule (10) and submit the Annual Report by 31st January every year to the Prescribed Authority. The report shall include information about the categories and quantities of Bio-medical waste handled during the preceding year. All the record shall be subjected to inspection and verification by the Prescribed Authority/ authorized person at any time.
15. The occupier/ operator of the facility shall ensure that the Bio-medical waste shall not be mixed with other waste.
16. The occupier/ operator of the facility shall segregate the Bio-medical waste and collect in the container bags at the point of generation in accordance with Schedule-II prior to storage, transportation, treatment and disposal. The containers shall be labeled in accordance with Schedule-III.
17. The occupier/ operator of the facility shall ensure that no untreated Bio-medical waste shall be kept/ stored beyond a period of 48 hours, provided that if for any reason it becomes necessary to store waste beyond such period, the authorized person shall take permission of the Prescribed Authority and take measures to ensure that the waste does not adversely affect human health and environment.
18. The occupier /generator shall take services of Common Transport Facility from duly authorized transporter of Bio-Medical Waste, to transport its bio-medical waste to common treatment facility.
19. The Prescribed Authority reserves the right to review, impose additional condition or conditions, revoke, change or alter the terms and conditions of the authorization.
20. The occupier/ operator of the facility shall comply with the standards and specification as per rules and shall furnish compliance within 30 days from the date of receipt of this authorization.
21. Waste collecting bags require incineration shall be made of non/ chlorinated plastic with label and seal as per the specifications indicated under Schedule-III of the Bio-medical Rules, 1998.
22. Any authorized change in personnel/ equipment or working conditions as mentioned in the application by the person authorized shall constitute a breach of this authorization.
23. The occupier/ operator of the facility shall not rent and sell, transfer or otherwise transport the Bio-medical waste without prior permission from the Prescribed Authority.
24. The hospital shall submit the Analysis Report of stack emissions attached to incinerator and Analysis Report of liquid waste being discharged by the hospital within 3 months from date of the issue of authorization to ascertain the adequacy and efficiency of treatment systems.

ATTESTED



Superintendent Grade-I
O/o the Deputy Commissioner,
Una, Distt. Una (H.P.)

By Order
Member Secretary
HPSEP & PCR

TERMS AND CONDITIONS OF AUTHORIZATION

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33

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2. The authorization or its renewal shall be produced for inspection at the request of an officer authorized by the Prescribed Authority.
3. The occupier/ operator of the facility shall maintain proper house keeping in the premises where the Bio-medical wastes are handled.
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8. The occupier/ operator of the facility shall ensure that, the facility is handled, operated by only qualified personals in the field. The occupier/ operator of the facility shall also appoint qualified personals and create a separate cell/ department for compliance under the various conditions of the authorization.
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22. The occupier/ operator of the facility shall not rent and sell, transfer or otherwise transport the Bio-medical waste without prior permission from the Prescribed Authority.
23. The hospital shall submit the Analysis Report of stack emissions attached to incinerator and Analysis Report of liquid waste being discharged by the hospital within 3 months from date of the issue of authorization to ascertain the adequacy and efficiency of treatment systems.

ATTESTED,

Superintendent Grade-I
O/o the Deputy Commissioner,
Una, Distt. Una (H.P.)

By Order
Member Secretary
HPSCB

34

BMWPLANT PVT. LTD.

VILLAGE PANGOLI, DEFENCE ROAD, PATHANKOT - 145001
- SAINI EYE HOSPITAL, DHANGU ROAD, PATHANKOT,
(PUNJAB).

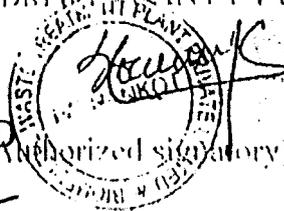
Telephone: - 0186 - 3290762, Mobile: - 09316073905

BIO - MEDICAL WASTE LIFTING CERTIFICATE

THIS IS CERTIFIED THAT BIO-MEDICAL WASTE (BMW) AS PER
SCHEDULE-I OF BIO-MEDICAL WASTE (Management & Handling)
RULES EXCEPT FOR LIQUID WASTE AS PER CAT.NO.08 OF M/S
Shivalik Hospital, UNA IS BEING COLLECTED BY
ME WITH EFFECT FROM 07th July 2006 FOR FURTHER
TREATMENT AT OUR FACILITY LOCATED AT VILLAGE
PANGOLI, DEFENCE ROAD, PATHANKOT.

FOR BMWPLANT PVT. LTD.

ATTESTED



(Authorized signatory)

[Handwritten signature]

Superintendent Grade-I
O/o the Deputy Commissioner,
Una, Distt. Una (H.P.)

AGREEMENT 133

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This agreement is entered on this 11 day of July of the year 2000

BETWEEN

BIO MEDICAL WASTE TREATMENT TRUST (BMWT), village Pangoli, Tehsil Pathankot through their representative- Sh-Vishwmitar s/o Sh.--Des Raj.

AND

Dr. AKSHAY KR SHARMA
MBBS M.B.(MAMC)
Consultant Surgeon
MCI No 7831

Shivalik Hospital,
Una.

Whereas Bio-Medical waste treatment trust (hereinafter referred to as BMWT) has set up a unit for common facility for collection, transportation, treatment and disposal of Bio-medical waste generated by the Healthcare establishments, Hospitals, Nursing homes, Blood banks, O.P.D clinics, Pathological laboratories, Diagnostic centers etc. (hereinafter called as generators)

Whereas BMWT offers to provide service to the generator on a user pay principal of collection, treatment and disposal of BMW at the nominal charges along with other terms and conditions, with a security advance equivalent to the payment of 60 days. Whereas BMWT undertakes the liability of collection, transportation, treatment, and disposal of BMW, the generator shall undertake to adhere to this contract of service by BMWT for a minimum period of two year from the agreement date. Whereas the generator is a hospital/O.P.D clinic/ Pathological laboratory/dental clinics, Diagnostic center etc. and agrees to avail the services being provided by BMWT with terms and conditions as listed on succeeding paras.

RESPONSIBILITIES OF BMWT

1. BMWT shall meet all the rules and regulations stipulated by HPSEP&PCB and generator shall not be liable for any improper transportation, treatment and disposal.

2. BMWT is liable for any violation of the Environment (Protection) Act 1986 and the relevant rules, after collection of BMW from the generator units as per the agreement terms and conditions.

3. BMWT shall ~~also~~ collect BMW from the generator premises as per the responsibilities of the generator.

4. In case BMWT vehicle fail to collect the BMW within 48 hrs. of the designated time (48 hrs.) due to any reason, the generator shall inform the BMWT office at Pathankot who will ensure to strictly collect the BMW within next 24 hrs. BMWT shall be solely responsible for the consequences, if any in this regard. BMWT office shall maintain a register for such complaints and allot complaint number to the generator. After the expiry of 72 hrs. BMWT shall bear all liabilities and penalties imposed by PCB, if any.

5. Other complaints if any shall also be made to BMWT Pathankot by the generator. BMWT promise to attend to all such complaints within the shortest possible time.

6. BMWT shall collect the segregated bio-medical waste from the identified common waste collection site in the premises of generator.

7. BMWT shall provide assistance to finalize the pick up location to the generator.

8. BMWT shall transport the segregated waste in closed container vehicle to its treatment plant.

9. If the generator desires the initial training about segregation of BMW in colour coded plastic bags and method of collection of BMW, shall be provided by BMWT at no extra cost.

10. BMWT shall schedule the timings for collecting the waste in consultation with the generator

11. BMWT promises to keep high standard of pollution control and shall update its equipment facility as and when required.

12. BMWT will not be liable for Environmental Protection Act 1986 or any similar regulations norms set up by PCB, Government bodies, in the event the generator violates any of the terms and conditions or violates any legal norm.

13. BMWT shall be responsible for appropriate treatment and shredding of disinfected waste at the centralized common bio-medical waste treatment facility as per Schedule -I of the BMW (M&H) rules 1998.

14. BMWT shall also undertake testing of treated waste to ensure safety to the environment.

15. BMWT shall be responsible for the disposal of treated waste into secured landfill or in recycling plants as applicable.

(Signature)
VISHWMITAR S/O SH. DES RAJ
BIO MEDICAL WASTE TREATMENT TRUST
PANGOLI, PATHANKOT

(Signature)
AKSHAY KR SHARMA
MBBS M.B.(MAMC)
Consultant Surgeon
MCI No 7831

ATTESTED

Superintendent Grade-I
O/o the Deputy Commissioner,
Una, Distt. Una (H.P.)

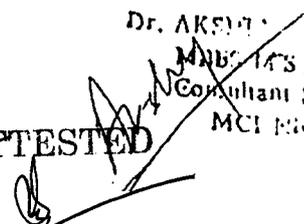
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1. The generator shall segregate the waste at the point of generation in accordance with BMW (M&H) rules, 1998 and in compliance with the standard prescribed there under.
2. The generator shall collect the segregated BMW in non-chlorinated plastics as stipulated by Pollution control board (PCB) norms.
3. All consumables like bags, disinfectants etc. shall be procured by the generator at its cost. BMWT is committed to supply the same at reasonable rates.
4. The bags used for collecting solid materials, placenta, amputated body parts etc. (required to be incinerated) shall be non-chlorinated plastic bags.
5. All the bags shall be sealed tightly by the generator and BMWT will collect the sealed bags only at a secured designated point in the premises of the generator.
6. The generator shall disinfect the sharps and mutilate them and hand them over in puncture proof container of BMWT.
7. The generator shall take all steps to ensure that the waste is handled without adverse effects to human health and environment.
8. The generator shall establish a common secured waste collection site within its premises for collection and final disposal to BMWT.
9. The generator shall furnish annual report regarding generation, collection, storage, transportation and disposal of Bio-medical waste in the prescribed format to pollution Control Board.
10. The generator shall maintain all the relevant record and report the accidents, if any, as prescribed under the rules.
11. The generator shall designate a NODAL OFFICER to interact with BMWT.
12. The collected waste material sent by the generator may be checked and suggestions may be given for improvement in segregation of waste.
13. The generator shall obtain authorization from the Pollution Control Board.
14. The generator shall be solely responsible for the number of beds being declared to BMWT which must be same for which the authorization is proposed to be got from Pollution Control Board. The generator shall inform PCB and BMWT within 7 days about any such change in number of beds.

TERMS OF MEMBERSHIP & PAYMENT

1. The generator shall pay a membership registration fee of Rs.-800=00 (Rupees Eight hundred only.) which is one time and non refundable.
2. The security advance equivalent to 60 days charges refundable/adjustable upon completion of this agreement against BMW collection.
3. Monthly charges to be paid to the operator shall be decided from time to time between the operator and BMW generator. Presently rate has been agreed at Rs. ~~450~~ per bed per day for the present bed strength of ~~5~~ beds comes to Rs. ~~2250~~ per month or at a lump sum amount of Rs. ~~1000~~ per month.
4. The generator shall pay in advance the monthly charges for cost of disposal by 1st of every month without fail. Payments that are not made by the 7th of every month shall be charged a late fee @Rs.50=00 per day up to 25th of the month.
5. BMWT shall stop collecting BMW from generator if the payment is not made by 25th of the month.
6. Renewal of the services shall be subject to a charge of Rs.500=00 in addition to the amount due including the fine.
7. All payments shall be made by local payee cheque / demand draft payable at Pathankot issued in favour of BMWT Trust. All outstation cheques should include outstation charges. All dishonored cheques shall be charged Rs. 200=00 extra in addition to the actual bank charges. No payment by cash shall be valid.
8. Any disputes arising out of this agreement shall be subject to the jurisdiction of Pathankot and Gurdaspur courts.

In witness whereof the parties hereto have set their hands to these presents on the date first above mentioned.

 Dr. AKSHAY
 M.B.B.S. (M. M. S.)
 Consultant Surgeon
 MCI No. 7811

ATTESTED
 Superintendent Grade-I
 O/o the Deputy Commissioner,
 Una, Distt. Una (H.P.)

CONTRACTUAL AGREEMENT

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This contractual agreement is entered on 01/04/2022 at Una (H.P.)

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BY AND BETWEEN

Enviro Engineers, CBWTF Industrial Area Pandoga, Una (H.P.) here in after, called as 1st party and authorized by the H.P. State Pollution Control Board, Paryavaran Bhawan, New Shimla 171009 for compliance of Bio-Medical Waste (Management & handling) Rules, 2016 through H.R. Thakur, CE Enviro Engineers, who has been duly authorized to execute and sign this agreement for and on behalf of Enviro Engineers, on the one part.

ND
Incharge, Shivalik Hospital near Police Lines Jhalera

hereinafter as 2nd Party, on the other part and is also referred to as Hospital.

Now the following terms of reference have been agreed upon by both the parties.

Responsibilities of Hospital

- ❖ Will take all steps to ensure that the waste is handled without adverse effect to human health & environment before collection by taking the steps to segregate the waste at the point of generation in accordance with schedule 1 & 2 of Bio-Medical Waste (Management & handling) Rule, 2016 in compliance with the standard prescribed.
- ❖ Will maintain the record of Bio-Medical Waste Generated/Handed over.
- ❖ Will fix a Bio-Medical Waste lifting point (collection and point) and will also authorize a person whose name designation will be submitted to 1st Party in writing to interact with Enviro Engineers/collection van staff and will sign the Enviro Engineers daily route chart and acknowledgement of the visit/BMW handed over.
- ❖ Will intimate the absentee, if any, very next day to Enviro Engineers office.
- ❖ Will destroy, disinfect sharps and mutilate them in puncture proof containers before collection.
- ❖ Will provide color coded bags for BMW collection along with barcodes to avoid any violation.
- ❖ Will renew their contractual agreement one month before the date of expiry.
- ❖ Will provide BMW by weight/electronic weighing machine.

Responsibilities of Enviro Engineers

- ❖ Will receive, collect and transport the BMW handed over by Hospital in color coded bags.
- ❖ Will hand over the incinerable waste to Bio Medical Waste Treatment plant site at Sandli/Pandoga for final disposal.
- ❖ Will submit the monthly report of the waste collected/continuation of the services of re-authorized Hospital to the prescribed authority and also submit the annual report to the prescribed authority.

Ashy Kumar
SHIVALIK HOSPITAL
Near Police Lines Jhalera
Una (H.P.) # 9505933644

For
[Signature]

ATTESTED

[Signature]

Superintendent Grade-I
O/o the Deputy Commissioner,
Una, Distt. Una (H.P.)

GENERAL TERMS AND CONDITIONS

136

Bed / 0

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- The terms of this agreement shall be from 01/04/2023 to 31/03/2024.
- Registration No. of this agreement is 11/22/23.
- Enviro-Engineers will charge Rs. 100/- per day from 26.02/2022 by the Government of Himachal Pradesh for collection, Transportation and Disposal of the Bio Medical Waste.
- Manifest will be provided by the authorized person.
- Enviro-Engineers will discontinue the services if generator is at default in responsibilities/payment.
- Bio Medical Waste should be segregated, leveled, i.e.

March 2023.
 dated 01/04/2023
 Notification No. H.W.A-02/2020
 for collection, Transportation and
 Disposal of Bio Medical Waste
 collection team with date and weight
 of waste generated in the event the waste
 is not collected within seven days prior notice
 and tied in proper color-coded bags.

- **Yellow Bags:** (a) Human Anatomical Waste (b) Human Anatomical Waste like dressings, plasters, bandages, band and blood component (c) Discarded Medicines: Pharmaceutical waste like antibiotics, cytotoxic drugs and other items contaminated with cytotoxic drugs along with glass or plastic ampoules, vials, etc.
- **Red bags: Contaminated Waste (Recyclable):** (a) Waste generated from disposable items such as tubing, bottles, intravenous tubes and sets, catheters, urine bags, syringes (without needles and fixed needle syringes) and vacutainers with their needles cut and glove.
- **Blue Bags:** (a) Glassware: Broken or discarded and contaminated glass including medicine vials and ampoules except those contaminated with cytotoxic wastes (b) Metallic Body Implants
- **White Bags:** Waste sharps including Metals: Needles, syringes with fixed needles, needles from needle tip cutter or burner, scalpels, blades, or any other contaminated sharp object that may cause puncture and cuts. This includes used, discarded and contaminated metal sharps.

Human Anatomical Waste (b) Human Anatomical Waste like dressings, plasters, bandages, band and blood component (c) Discarded Medicines: Pharmaceutical waste like antibiotics, cytotoxic drugs and other items contaminated with cytotoxic drugs along with glass or plastic ampoules, vials, etc.

- In case of Holidays/temporary dis-closure of unit, the 1st party will not stop the services of collection without written intimation of HPSPCB Parwanoo.
- As per NCT/ office order HPSPCB/H.W/02-notification/-2/395-99 Dated 19/12/2019 and no waste will be lifted without barcode.
- Before handing over the Bio Medical waste the lab certificate of non-Chlorinated & thickness of micron must be given by 2nd party to 1st party.
- The service of collection & transportation will be started from 8:00 am to onward.
- The duplicate copy of agreement will be provided after written request along with Rs. 300/- in the shape of draft/cheque/ncft.
- Cheque bounce charges (in any shape) will be recovered from 2nd party i.e. Rs. 400/-.

the 1st party will not stop the services of collection without written intimation of HPSPCB Parwanoo.
 HPSPCB/H.W/02-notification/-2/395-99 Dated 19/12/2019
 lab certificate of non-Chlorinated & thickness of micron must be given by 2nd party to 1st party.
 started from 8:00 am to onward.
 along with Rs. 300/-
 Rs. 400/-

No change or modification or waiver of any of the terms and conditions of this agreement shall be effective unless agreed upon in writing and shall be in force as agreed upon by the both parties here to.

Neither party shall transfer and nor assign the rights granted under the contract agreement without the prior assignee/transferee agreeing to assume all the said parties obligations and covenants contained herein.

As per NCT/ office order HPSPCB/H.W/02-notification/-2/395-99 Dated 19/12/2019 and no waste will be lifted without barcode.

This agreement shall be governed by the law of India and shall be interpreted and construed in accordance with the laws of India and shall be in writing and delivered by hand against receipt and by registered post to the address of any of the parties.

Any such notice or communication shall be deemed to have been duly given and served at the date and time or (1) delivery, or of first refusal of delivery, if send by registered mail or delivered hand or (2) either the date sent (if send during the receiving party's normal business hours) or the succeeding day, if sent by telefax.

the 1st party will not stop the services of collection without written intimation of HPSPCB Parwanoo.

Enviro Engineers will not pick up the Bio-medical Waste from Hospital if it is not segregated, packed and tied in proper color-coded bags marked with Bar code No. or mixed with other general waste as per the Bio-Medical (M&H) Rules, 2016.

IN WITNESS WHEREOF THE PARTIES HERETO HAVE SET THEIR HAND AND SEAL, THE DAY OF MONTH AND YEAR FIRST ABOVE WRITTEN

On behalf of Hospital

[Signature]

On behalf of Enviro Engineers

For
 Enviro Engineers

[Signature]

ATTESTED

[Signature]

Superintendent Grade-I
 O/o the Deputy Commissioner,
 Una, Distt. Una (H.P.)

20379359

06/12/22

TOWN AND COUNTRY PLANNING DEPARTMENT
HIMACHAL PRADESH

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ANNEXURE-R-

No.: SADA (Una)-Case No. BP-630/2007- 334

Dated: 05.12.22

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To

✓ The District Magistrate,
Una, District Una (H.P.).

Subject: - Notice in Original Application No. 820/2022 Naveen Kumar, Applicant
versus Union of India & Ors...respondent.

Reference: - Your good office letter No. 101-103/ADC/LFA Dated 28-11-2022.

Sir,

In context to Sr. No. j. & k. of Para No. 3 of the application No. 820/2022 received vide letter under reference it is submitted that the Development Plan for Una Planning Area was approved by the Govt. of Himachal Pradesh vide notification No. TCP-F(5)-7/96 Dated 23-4-97. The Development Plan of Una Planning Area is valid till March, 2023. As per Development Plan of Una Planning Area the land falling under Shivalik Hospital situated at Mohal Jhalehra, has been earmarked for Residential Use. It is further submitted that as per clause 7.2.1.1 of Sr. No. 7.2.1 (Residential Use) of Chapter Seven of Development Plan of Una Planning Area uses permitted in Residential Use are Residences, Hospitals, Boarding Houses, Nurseries, Kindergartens and Schools, Clinics, Social and cultural Institutions, Public Utilities and buildings, except service and storage yards, agricultural gardens, nurseries and green houses, any neighbourhood recreational uses including clubs and other semi-public recreational uses, accessory uses clearly incidental to residential uses which will not create a nuisance and eco-hazard.

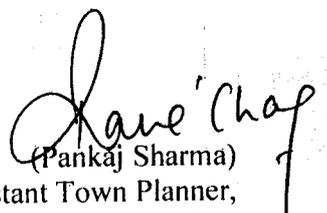
It is also brought in your kind notice that as per available office record the building maps for construction of Two Storeyed Residential Building at Khasra No. 1546/14, 1546/15, 1546/16 1546/21, 1546/22 & 1546/23 (the nakal jamabandi for the year 2003-04) Mohal Jhalehra Tehsil & Distt. Una (H.P.) were approved vide No. SADA (Una) BP-630/2007-659 Dated 22-11-07 in the name of Sh. Krishan Dass, Sh. Akshay Kumar S/o Sh. Krishan Das & Smt. Anupama w/o Sh. Akshay Kumar. The Shivalik Hospital is running in the building for which said maps were approved. The necessary directions under the provisions of TCP Act 1977 have been issued to the proprietor of the Hospital vide no. SADA(Una)-Case No. BP-630/2007-333 Dated 01.12.2022.

This is for your kind information and further necessary action, please.

ATTESTED



Superintendent Grade-I
O/o the Deputy Commissioner,
Una, Distt. Una (H.P.)



(Pankaj Sharma)
Assistant Town Planner,
Sub-Divisional Town Planning Office,
Una, Distt. Una (H.P.).
Phone No. 01975-223298.

ADC/LFA

ADR
6/12/22

- (xv) In proposals for plots of more than 250 sqm. two dwelling units of residential flats, provisions of one car parking per floor. Wherever possible, adequate safety measures, structural designs, will require to be considered.
- (xvi) Proposals for three and more dwelling units per floor on plots of more than 250 sqm. would be considered after additional requirement such as number of parking spaces of at least 50% of the proposed dwelling units; adequate fire safety measures; provisions of an additional fire escape stair case and structural designs are met with.
- (xvii) If a proposal is received for 100% car parking at the entry level of the building the said floor would not be counted as a storey provided its height from the surface of the floor to the lowest point of the ceiling does not exceed 2.20 mtrs.

7.2 Zoning Regulations.—The following general regulations shall apply to each of the land use zones specified below.

7.2.1 Residential Use:

~~Residences, Hospitals, Boarding Houses, Nurseries, Kindergartens and Schools, Clinic, Social and Cultural Institutions, Public utilities and buildings, except service and storage yards, agricultural and other uses, including industrial uses, including hotels and other service buildings, and other uses.~~

7.2.1.2 Uses that may be permitted on special grounds by Director, Town and Country Planning Department.—Places for worship, professional offices when situated in the same dwelling as the one occupied by the professional man or woman when located in shopping centre; commercial offices, service uses and retail shops of neighbourhood character when located in local shopping centres or in concentrated locations or as shown in the zonal plan when prepared; Hotels, Hospitals and Sanitoria not creating contagious diseases or mental patients; raising of poultry for non-commercial uses provided that no bird is housed closer than 5.00 metres of a dwelling or a property line, removal of gravel, clay, sand or stone for development of site which will not result in the stagnation of water or cause other nuisance, terminals, rail passenger and freight stations; taxi and rickshaw stand.

7.2.1.3 Uses Prohibited.—All uses not specifically permitted therein. Further all uses mentioned herein shall not be permitted to use machinery involving more than three horse power in capacity.

7.2.1.4 Minimum area of a plot for a detached house shall not be less than 150 sqm. In case of plot means for semi-detached and row housing, minimum size shall be 120 sqm. and 90 sqm. respectively provided that front, rear and side set backs regulations are fulfilled. Minimum width of the plot for row, semi-detached and detached type houses shall be 5.00 mt. 8.00 mt. and 10.00 mt. respectively. Ratio of depth to width of the plot shall normally range between 1.5 and 3.00. For social housing scheme sponsored by the public agency for economically weaker section and low income groups the minimum size of the plot shall be 60 sqm.

7.2.1.5 Semi-detached house construction shall be allowed on plot upto 250 sqm. and row housing on plots upto 120 sqm. subject to a maximum number of such plots do not exceed 8 in a row after a gap of 7 meters shall be left. Although minimum size of plot for construction in a row with two common walls has been kept 90 sqm. Yet in exceptional circumstances considering economy/sub-conditions minimum size of plot in a row with 2 common walls upto 60 sqm. for houses may be allowed provided front and rear set back regulations are fulfilled so as to provide smallest possible residential construction in a planned manner for the benefit of economically weaker sections of the society.

7.2.1.6 Maximum Permissible Covered area.—Maximum covered area in residential plots shall be as under:—

S.No.	Area of the plot	Maximum Permissible Covered Area
1.	Less than 200m	60% of plot area
2.	201 to 500 sqm.	50% of the plot or 135 sqm. which ever is more
3.	501 Sqm. and above	40% of the plot area or 250 Sqm. which ever is more.

ATTESTED

Superintendent Grade-I
 O/o the Deputy Commissioner,
 Una, Distt. Una (H.P.)

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SPECIAL AREA DEVELOPMENT AUTHORITY
UNA

ANNEXURE-R-4

No.: SADA (Una)-Case No. BP-630/2007- 333

Dated: 01.12.22

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To,

✓ Sh. Krishan Dass, Sh. Akshay Kumar S/o Sh. Krishan Das
& Smt. Anupama w/o Sh. Akshay Kumar,
C/o Shivalik Hospital Jhalehra,
Tehsil & Distt. Una (H.P.).

Subject: Notice in Original Application No. 820/2022 Naveen Kumar, Applicant versus Union of India & Ors...respondent.

In compliance of notice referred to above it is intimated that as per the record available in the o/o undersigned the building maps for construction of Two Storeyed Residential Building at Khasra No. 1546/14, 1546/15, 1546/16 1546/21, 1546/22 & 1546/23 (the nakal jamabandi for the year 2003-04) Mohal Jhalehra Tehsil & Distt. Una (H.P.) were approved vide No. SADA (Una) BP-630/2007-659 Dated 22-11-07 in the name of Sh. Krishan Dass, Sh. Akshay Kumar S/o Sh. Krishan Das & Smt. Anupama w/o Sh. Akshay Kumar and as per Development Plan of Una Planning & Special Area the land in question has been earmarked for Residential Use. But it has come to the notice of undersigned that you are running a Hospital named Shivalik Hospital in the building for which said maps were approved, without obtaining the permission for change of building use, from the o/o undersigned. Hence you are hereby directed to submit the proposal/maps for obtaining the permission for change of building use failing which action u/s 39 of the Himachal Pradesh Town Planning Act, 1977 shall be initiated against you.

Pankaj Sharma
(Pankaj Sharma)
Member Secreatry,

Special Area Development Authority,
Una-cum-A.T.P. Una, Distt. Una (H.P.).
Phone No.: 1975-223298.

ATTESTED

[Signature]
Superintendent Grade-I
O/o the Deputy Commissioner,
Una, Distt. Una (H.P.)