

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 820/2022

**IN THE MATTER OF:-**

Naveen Kumar

.....Applicant

Versus

Union of India through &ors.

.....Respondents

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**Respondent No. 4&5**

Place : Dharamshala  
Dated :- 17-01-2023

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 820/2022

**IN THE MATTER OF:-**

Naveen Kumar S/o Sh. Rajpal Singh R/o Gagsona, Post Phalawda Chaupal, Phalauda,  
Meerut, Uttar Pradesh-250401.

.....Applicant

Versus

1. Union of India through its Secretary Ministry of Environment & Forest, Paryavaran Bhawan, Jor Bag Road, New Delhi-110003.
2. Central Pollution Control Board through its Member Secretary, Paryavaran Bhawan East Arjun Nagar Delhi 110032.
3. State of Himachal Pradesh through Chief Secretary Secretariat Office Shimla Himachal Pradesh.
4. Himachal Pradesh State Pollution Control Board, through Member Secretary, Him Parivesh, Phase-III, Below BCS, New Shimla.
5. Principal Scientific Officer, Himachal Pradesh State Pollution Control Board, Sector -IV S.C.F. 6-8, HPSEP & PCB, Parwanoo, Solan Himachal Pradesh.
6. Department of Town and Country Planning through Chief Executive Officer Yojna Bhawan, Block No. 32A, SDA Complex Vikash Nagar Shimla Himachal Pradesh-171009.
7. District Magistrate-Una, DM Office Una, Himachal Pradesh.

ATTESTED

  
Oath Commission  
Meerut



8. Shivalik Hospital through Medical Officer Jhalera, Block-Amb, District-Una Himachal Pradesh.

.....Respondents

**Reply on behalf of Respondent No. 4 and 5 i.e. HP State Pollution Control Board**

**May it please your Lordships:-**

- 1-2 Contents of para 1-2 relating to address of the applicant and respondents which are a matter of record and need no reply from the replying respondent.
- 3(a-d) Contents of para 3(a-d) relate to provisions of Water Act, 1974 and Bio- Medical Waste Rules, 2016 under which Hospital Care Facilities (HCFs) are required to obtain Consent / Authorization from the State Board, which are a matter of record.
- 3(e-i) Contents of para (e-i) are wrongly portrayed. It is denied that respondent unit is operating without authorization since its establishment. As per record the State Board had granted authorization to Respondent No. 8 i.e. Shivalik Hospital, Una under Bio-Medical Waste (Management & Handling) Rules, 1998 on 6-11-2006 which was renewed from time to time and was last renewed on 21-3-2015 which was valid up to 31-03-2017 (copy annexed as **Annexure R-4/1**). During this period the Ministry of Environment, Forest & Climate Change, Govt. of India in supersession of Bio-medical Waste (Management & Handling) Rules, 1998 vide notification dated 28-03-2016 revised and issued Bio- Medical Waste Management Rules, 2016. As per Rule 10 of these revised Rules the Health Care Facilities (HCFs) were required to obtain the Consent under the Water Act, 1974 in addition to Authorization from the State Pollution Control Board.

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[Signature]

[Signature]

Accordingly the Principal Scientific Officer, HPSPCB, Parwanoo had asked the unit vide letter dated 27-7-2017 (Annexure-1 referred to by applicant) to respondent No. 8 to apply for Consent of the Board under the Water Act, 1974 and renewal of authorization under the new Bio Medical Waste Management Rules, 2016. In response to Board's said letter, the HCF has applied for consent and authorization of the State Board vide application dated 19-08-2017 and 22-8-2017. During the scrutiny of documents by the Laboratory In-charge, Parwanoo there were shortcomings in the application, therefore, the Principal Scientific Officer, Central Laboratory Parwanoo vide letter dated 19-12-2017 asked the unit to submit project report, copy of design/drawing of septic tank alongwith layout of pipe lines for chemical liquid waste and sewage and to provide a pre-treatment system for disinfection/neutralization of chemical liquid waste generated in the hospital. The Principal Scientific Officer also asked the unit vide letter dated 15-03-2018 to deposit prescribed fee to the HPSPCB for grant of consent (copies of letter dated 19-12-2017 and 15-3-2018 are annexed as **Annexure R-4/3 colly**).

The respondent No. 8 submitted fresh online application for grant of consent through online fresh online application No. 5060025 dated 8-3-2022 for 10 bedded hospital which was granted on 26-5-2022. Thereafter vide application No. 5060056 dated 17-3-2022, the Consent to operate under Water Act, 1974 was granted by the State Board on 16-8-2022 after ensuring compliance to norms. The Authorization under the Bio-Medical Waste Management Rules, 2016 was granted on 12-12-2022 on submission of online application No. 7258169 dated 24-9-2022. Copies of Consent and Authorization are annexed as **Annexure R-4/4 and R-4/5**.

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Public Communication

It is also submitted that an FIR No. 4/2022 under section 7 of Prevention of Corruption Act, 1988 was also registered in a matter pertaining to this against the then Chief Scientific Officer, Parwanoo and Officer In-charge for HCF in that region on 30-3-2022 by the State Vigilance & Anti Corruption Buearu HP. The matter is still under investigation by the State Vigilance & Anti Corruption Bureau. Copy of FIR is annexed as **Annexure R-4/6**.

It is further submitted that earlier the respondent No. 8 (Hospital Care Facility) was in agreement with (Bio Medical Waste Treatment Trust) BMWT Plant Pvt. Ltd., Village Pangoli, Pathankot w.e.f. 07-07-2005 for transportation and disposal of Bio-medical waste (copy annexed as **Annexure R-4/7**). Presently, the HCF of respondent No. 8 is in agreement with M/s Enviro Engineer, the Common Bio-medical Waste facility (CBWTF) Industrial area Pandoga, Una for collection/transportation / treatment and disposal of bio-medical waste (copy annexed as **Annexure R-4/8**). As such the respondent No. 8 has disposed off the bio medical waste earlier through BMWT Plant Pvt. Ltd., Pathankot and presently disposing off the bio medical waste through CBWTF i.e. the M/s Enviro Engineers, Una as per Bio-Medical Waste Management Rules, 2016.

During its period of operation no complaint or matter regarding improper disposal of bio medical waste or water pollution by the respondent No. 8 came to notice of the State Board. The respondent HCF has installed STP of 3 KLD as per Bio Medial Waste Management Rules, 2016 and the results of final outlet of STP installed by respondent No. 8 for the month of November, 2022 are meeting the prescribed norms. Copy of results are annexed as **Annexure R-4/9**. Further inspection and sampling of the unit shall continue to be carried out of the unit to ensure adherence to norms.

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of (Signature)

OK

3(j-k). Contents of paras 3(j-k) relate to planning area and change of land use, which pertains to and calls for reply of the Town & Country Planning.

4 Contents of para 4 are denied as stated in view of the submissions made in paras supra. Since respondent unit has obtained the Consent and Authorization of the State Board, no action under section 33-A of the Water Act, 1974 is warranted at this stage.

5. Contents of para 5 are baseless and the applicant is not entitled to the relief claimed.

**Reply to Grounds paras :-**

A-E Contents of the grounds taken up in para A-E already stand controverted in view of the detailed submissions made in paras supra.

**Reply to limitation para :-**

Contents of this para are denied as the Hospital care facility is operating since 2005, hence present Original Application is barred by limitation provided under section 16 of the NGT Act, 2010.

**PRAYER:**

In view of the submissions made in the foregoing paras above, it is respectfully prayed that the Application may please be dismissed qua the replying respondent in the interest of justice. Any other order deemed fit by this Hon'ble Tribunal may kindly be passed in public interest.

ATTESTED

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17/1/2023

Date: 17/1/2023

Place:- Dharamshala

17/1/23  
Respondent No. 4&5

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

Original Application No. 820/2022

IN THE MATTER OF:-

Naveen Kumar.

.....Applicant

Versus

Union of India & Others

.....Respondents

Affidavit

I, Sanjeev Sharma S/o Sh. Rameshwar Dass Sharma, aged 50 years, presently working as Senior Scientific Officer, H.P. State Pollution Control Board, Regional Laboratory Dharamshala and also holding charge of Regional Laboratory Una, H.P. do hereby solemnly declare and affirm on oath as under :-

1. That the accompanying reply has been drafted at my instance and under my instructions.
2. That the contents of paras 1-5 are true and correct to the best of my knowledge, derived from official record, no part of it is false and nothing material has been concealed therefrom.
3. I further affirm that the contents of this affidavit of mine are true and correct to my knowledge and belief, no part of it is false and nothing material has been concealed therefrom.

Verified at Dharamshala on 17<sup>th</sup> day of Jan, 2023.

4102, Case 17.1.23, Time 12:30

Writ identified by Sh. Rameshwar

*Rameshwar*  
Commissioner

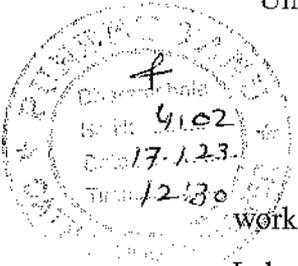
Commissioner H.P.S.P.C.B.R.L.  
Dharamshala

*[Signature]*  
DEPONENT

Certified that this affidavit was read over and explained in vernacular English to Himself by Sanjeev Sharma Dependent who is of sound mind and understood the same at the time of making thereof

Commissioner Dharamshala

Date



ATTESTED

*[Signature]*

Certified That The Above Who declared on oath solemnly affirmed before me at Dharamshala on the day of 17/1/23 by Sanjeev Sharma Dependent who is of sound mind and understood the same at the time of making thereof

Commissioner H.P.S.P.C.B.R.L.  
Dharamshala



## H.P. STATE POLLUTION CONTROL BOARD

"HIM PARIVESH" PHASE-III, BELOW BCS, NEW SHIMLA-9

Tel: 0177-2673766, 2673276, Fax No. 2673018

No. HPSPCB/BMW (117) Shivalik Hospital/ Una- 28783-24

Dated: 21.3.15

To

The Managing Director,  
Shivalik Hospital, Near Police Lines,  
Jhalera, District- Una- 174303 (H.P.)

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

- (a) Number of authorization : BMW/UNA-014/ 14-17  
(b) Date of Expiry : 31-3-2017  
(c) No. of beds/Quantity of waste : 10 Beds / 22.5 Kg & 35.0 Ltrs. per month  
(d) Mode of Disposal : Through BMWT Trust, Pathankot.

The prescribed authority in exercise of the powers conferred upon it under rule 7(4&5) of the Bio Medical Waste (Management & Handling) Rules, 1998 of Environment (Protection) Act, 1986 hereby grant renewal of authorization applied under rule 8(1) of the said rules to the Shivalik Hospital, Near Police Lines, Jhalera. District- Una (H.P.), the following activities: -

1. 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.
2. The renewal of authorization shall be in force upto 31<sup>st</sup> March, 2017.
3. The Medical institution shall apply for renewal of authorization before 3 months of expiry of the authorization period.
4. The renewal of 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.
5. The log book for the 10 categories of bio-medical waste generated should also be maintained.
6. The mercury containing waste or mercury spillage shall be stored separately & record shall be maintained in the log book.
7. The plastic waste after disinfection & shredding shall be handed over to the plastic waste recycling units registered under the plastic waste (Management & Handling) Rules, 2011.
8. You are requested to send back customer feedback dully filled to this office (copy enclosed).

(Vineet Kumar)IFS  
Member Secretary

Copy to:

1. The Scientific Officer cum In-charge, HPSPCB, Sector-IV, Parwanoo, District- Solan for information. The above renewal of authorization is granted on the basis of your recommendation on dated 27/02/2015; vide online inspection Id No. 201937 (APP). The officer is requested to visit the said unit periodically and to ensure the compliance of above referred conditions and send the report.
2. Case file.

30/12/2015  
28/03/2015  
25.3.15

(Vineet Kumar)IFS  
Member Secretary

### 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/ operator of the facility shall maintain proper house keeping in the premises where the Bio-medical wastes are handled.
4. 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.
5. 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.
6. 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.
7. 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.
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.
9. The authorized person shall take prior permission of the Prescribed Authority to close down the facility.
10. The unit shall apply for the renewal of an authorization within 3 months prior to expiry of the previous authorization.
11. The occupier/ operator of a facility shall treat and dispose the Bio-medical waste in accordance with the Rules.
12. 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.
13. **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 31<sup>st</sup> 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.**
14. The occupier/ operator of the facility shall ensure that the Bio-medical waste shall not be mixed with other waste.
15. 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.
16. 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.
17. **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.**
18. The Prescribed Authority reserves the right to review, impose additional condition or conditions, revoke, change or alter the terms and conditions of the authorization.
19. 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.
20. 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.
21. 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.
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.

By Order  
Member Secretary  
HPSPCB



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Annexure-4/3 (copy)

**H.P. STATE POLLUTION CONTROL BOARD**  
SCF-7-8, SECTOR-IV, PARWANOO, SOLAN  
Tel fax 01792-232540, e-mail [pchlabbparwanoo@gmail.com](mailto:pchlabbparwanoo@gmail.com)

PCB/Lab/Pwr/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,

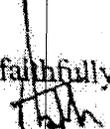
In reference to inspection of your 5 bedded hospital conducted by Sr. Scientific Officer of this office on 23.11.17 and subsequent discussions held with you on the provisions of Biomedical Waste Rules, 2016 during the visit. You are directed to comply immediately on following issues so that your case 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.

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Attested



Superintendent

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**H.P. STATE POLLUTION CONTROL BOARD**  
SCF-7-8, SECTOR-IV, PARWANOO, SOLAN  
Tel fax 01792-232540, e-mail [pcblabparwanoo@gmail.com](mailto: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

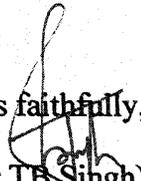
Subject: Compliance requirements under Biomedical Waste Management Rules, 2016

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 <sup>Principal</sup> Senior Scientific Officer, HPSPCB, Parwanoo payable at Parwanoo.

Thanking you,

Yours faithfully,  
  
(Dr TB Singh)

Pr. Scientific Officer.

Central Laboratory, HPSPCB Parwanoo.

Principal Scientific Officer,  
H.P. State Pollution Control Board,  
Parwanoo-173 211 (H.P.)

10-17



## H.P.STATE POLLUTION CONTROL BOARD

HIM PARIVESH, PHASE-III, NEW SHIMLA-171009

HPSPCB No :117

Date:16/08/2022

HCF Registration ID: HP12261225

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

-12-

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.



Digitally signed  
by APOORV  
DEVGAN  
Date:  
2022.08.18  
16:41:43 +05'30'

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

## 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 conform 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 conform 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 conform 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 m<sup>2</sup>. (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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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**  
**( H. P. State Pollution Control Board)**

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ANNEXURE - R - 4/5



## 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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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.



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

### 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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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.



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

**FIRST INFORMATION REPORT**  
(Under Section 154 Cr.P.C.)  
(प्रथम सूचना रिपोर्ट)  
(धारा 154 दंड प्रक्रिया संहिता के तहत)

1. District (ज़िला): STATE VIGILANCE AND P.S.(थाना): UNA Year(वर्ष): 2022  
FIR No(प्र.सू.रि.सं.): 0004 Date & Time of FIR (एफआईआर की तिथि / समय): 31/03/2022 11:57 AM

2. S.No.(क्र.सं.)	Acts(अधिनियम)	Sections(धारा(एँ))
1	THE PREVENTION OF CORRUPTION ACT, 1988	7

3. (a) Occurrence of offence (अपराध की घटना):  
 1. Day(दिन): Date From(दिनांक से): Date To(दिनांक तक):  
 Time Period (समय अवधि): Time From (समय से): Time To (समय तक):  
 (b) Information received at P.S.(थाना जहाँ सूचना प्राप्त हुई): Date(दिनांक): 30/03/2022 Time (समय): 12:54 PM  
 (c) General Diary Reference (रोजानामचा संदर्भ): Entry No.(प्रविष्टि सं.): 004 Time (समय): 31/03/2022 11:24 AM

4. Type of Information (सूचना का प्रकार): Written  
 5. Place of Occurrence (घटनास्थल):  
 1. (a) Direction and distance from P.S (थाना से दूरी और दिशा): Beat No(बीट सं.):  
 (b) Address(पता):  
 (c) In case, outside the limit of this Police Station, then (यदि थाना सीमा के बाहर है तो)  
 Name of P.S(थाना का नाम): District(State)(ज़िला(राज्य)):

6. Complainant / Informant (शिकायतकर्ता/सूचनाकर्ता):  
 (a) Name(नाम): Akshey Kumar  
 (b) Father's Name (पिता का नाम): K.D Sharma  
 (c) Date/Year of Birth (जन्म तिथि /वर्ष): (d) Nationality (राष्ट्रियता): INDIA  
 (e) UID No (यूआईडी सं.):  
 (f) Passport No. (पासपोर्ट सं.):  
 Date of Issue (जारी करने की तिथि): Place of Issue (जारी करने का स्थान):  
 (g) Id details (Ration Card, Voter ID Card, Passport, UID No., Driving License, PAN )

S.No.(क्र.सं.)	Id Type(पहचान पत्र का प्रकार)	Id Number(पहचान संख्या)
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(h) Occupation (व्यवसाय):  
 (i) Address(पता):

S.No. (क्र.सं.)	Address Type (पता का प्रकार)	Address (पता)
1	Present Address	COLONY-Shivalik Hospital , VILLAGE-Near Police Line Jhalera , TEHSIL-Una , DISTRICT-STATE VIGILANCE AND ANTI-CORRUPTION BUREAU (SV & ACB), STATE-HIMACHAL PRADESH, INDIA
2	Permanent Address	COLONY-Shivalik Hospital , VILLAGE-Near Police Line Jhalera , TEHSIL-Una , DISTRICT-STATE VIGILANCE AND ANTI-CORRUPTION BUREAU (SV & ACB), STATE-HIMACHAL PRADESH, INDIA

(j) Phone number (दूरभाष न.): Mobile (मोबाइल न.):  
 7. Details of known/suspected/unknown accused with full particulars (ज्ञात/संदिग्ध/अज्ञात अभियुक्त का पूरे विवरण सहित वर्णन):  
 Accused More Than (अज्ञात आरोपी एक से अधिक हों तो संख्या):

S.No. (क्र.सं.)	Name (नाम)	Relative's Name (रिश्तेदार का नाम)	Present Address (वर्तमान पता)	Parmanent Address (स्थायी पता)
1	J.B Singh		COLONY-Scientific Officer ,VILLAGE-Polution Control IBoard ,TEHSIL-Parwanoo,PS-PARWANOO,DISTRICT-SOLAN,STATE-HIMACHAL PRADESH,	COLONY-Scientific Officer ,VILLAGE-Polution Control IBoard ,TEHSIL-Parwanoo,PS-PARWANOO,DISTRICT-SOLAN,STATE-HIMACHAL PRADESH,

(14)

(50)

		INDIA	INDIA
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8. Reasons for delay in reporting by the complainant/informant (शिकायतकर्ता / सूचनाकर्ता द्वारा रिपोर्ट देरी से दर्ज कराने के कारण):
9. Particulars of properties of interest (Attach separate sheet, if necessary) (संबन्धित सम्पत्ति का विवरण (यदि आवश्यक हो, तो अलग पृष्ठ नत्थी करें)):
- | S.No. (क्र.सं.) | Property Category (संपत्ति श्रेणी) | Property Type (सम्पत्ति के प्रकार) | Nature Property (प्रकृति सम्पत्ति) | Description (विवरण) | Value(In Rs/-) (मूल्य (रु में)) |
|-----------------|------------------------------------|------------------------------------|------------------------------------|---------------------|---------------------------------|
|-----------------|------------------------------------|------------------------------------|------------------------------------|---------------------|---------------------------------|
10. Total value of property stolen (In Rs/-) (चोरी हुई सम्पत्ति का कुल मूल्य (रु में) ):
11. Inquest Report / U.D. case No., if any (मृत्यु समीक्षा रिपोर्ट / यू.डी. प्रकरण नं., यदि कोई हो):
- S.No. (क्र.सं.) UIDB Number (यू.आई.डी.बी. संख्या)
12. First Information contents (Attach separate sheet, if necessary) (प्रथम सूचना तथ्य (यदि आवश्यक हो, तो अलग पृष्ठ नत्थी करें)):

दिनांक 30.03.2022 को थाना में शिकायतकर्ता अक्षय कुमार द्वारा दिया गया शिकायत पत्र थाना प्रभारी द्वारा प्रारम्भिक छानबीन हेतु उप निरीक्षक जसवीर चन्द को दिया गया था। शिकायत पत्र का मजबूत इस प्रकार है:- सेवा में, प्रभारी पुलिस थाना, राज्य सतर्कता एवं भ्रष्टाचार रोधी ब्यूरो उना, जिला उना, हिमाचल प्रदेश। विषय: श्री टी.बी. सिंह Scientific Officer Pollution Control Board परमाणु, जिला सोलन द्वारा सरकारी कार्य करने के लिए 35 हजार रुपये रिश्तत के रूप में मांग किए जाने बारे शिकायत पत्र। श्रीमान जी, निवेदन इस प्रकार से है कि मैं डाक्टर अक्षय कुमार पुत्र श्री के.डी. शर्मा C/o शिवालिक होस्पिटल Near Police Line Jhalera, Distt. Una का रहने वाला हूँ तथा शिवालिक होस्पिटल का मालिक हूँ। Pollution Control विभाग के अधिकारी वातावरण प्रदूषण न होने के सम्बन्ध में तथा अस्पताल को Pollution मुक्त चलाने के लिए अपना Consent for Authorization/Renewal of Authorisation सर्टिफिकेट देते हैं। Pollution Free Certificate को प्राप्त करने के लिए मैंने माह नवम्बर 2021 को आवेदन किया तथा, जिसके साथ मैंने 5000/- रुपये का बैंक ड्राफ्ट नम्बर 570556 दिनांक 20-11-2021 अलग से Sr. Scientific Officer HP State Pollution Control Board Parwanoo, Solan के नाम संलग्न किया था। इसके पश्चात श्री टी.बी. सिंह Scientific Officer Pollution Control Board परमाणु, जिला सोलन मार्च 2022 में अस्पताल का निरीक्षण करने के लिए उना आए थे। जिनके द्वारा निरीक्षण के पश्चात मुझे Pollution Clearance Certificate नहीं दिया गया तथा मेरा आवेदन लम्बित रखा गया। जो इसके पश्चात मैंने 10 मार्च 2022 को HP State Pollution Control Board की साईट पर Online आवेदन किया। जो अभी तक भी लम्बित है। मैंने श्री टी.बी. सिंह Scientific Officer से इस सम्बन्ध में टेलिफोनिकली बात की तथा Consent for Authorization/Renewal of Authorisation सर्टिफिकेट न देने के बारे में पूछा तो इसने मुझे सीवरेज ट्रीटमेंट प्लांट के बारे में पूछा तथा कहा कि आपने यह मेरे आदमी से क्यों नहीं लगवाया है। जिस पर इसने फोन काट दिया तथा मुझे कहा कि Whats App पर बात करो। इसके बाद मैंने इसे इसके Whats App नम्बर पर काल की तथा फिर से सर्टिफिकेट न देने बारे पूछा। जिस पर इसने पुनः उपरोक्त बात को दोहराया तथा काल काट दी। इस सम्बन्ध में मैंने अपने एक परिचित रणवीर सैणी से बात की जिसने आगे श्री रवि कुमार जो कि व्यास डायगोनिस्टिक सेंटर में कार्यरत है से बात की तथा फिर रवि कुमार ने श्री टी.बी. सिंह Scientific Officer से बात की। जो बात रवि कुमार की श्री टी.बी. सिंह Scientific Officer से हुई वह सारी बात रवि कुमार द्वारा मुझे बतलाया गया कि टी. बी. सिंह को यह इसलिये जानता है क्योंकि श्री टी.बी. सिंह Scientific Officer ने व्यास डायगोनिस्टिक सेंटर का भी सर्टिफिकेट लटका कर ही दिया था। जो मैंने इसे कहा कि आप इससे बात करके देखें वो क्या बोलता है। इसके बाद श्री रवि कुमार द्वारा Scientific Officer Pollution Control Board परमाणु से फोन पर बात की गई तथा मुझे बतलाया गया कि श्री टी.बी. सिंह द्वारा उपरोक्त कार्य करने के लिए 35 हजार रुपये रिश्तत के रूप में देने की मांग की गई है तथा ये पैसे इसके द्वारा काल दिनांक 31-03-2022 को परमाणु में आकर देने के लिए कहे गए हैं। श्री टी.बी. सिंह रिश्तत के रूप में मांगे गए पैसे मेरे से नहीं लेगा तथा रवि कुमार कुमार ने बतलाया कि श्री टी.बी. सिंह ने इसे मेरे से रिश्तत के पैसे 35 हजार रुपये लेकर आने को कहा है। मैंने अपनी व श्री रवि कुमार की बातचीत को फोन के मेमरी कार्ड में रिकार्ड करके रखा है क्योंकि श्री टी.बी. सिंह Scientific Officer Pollution Control Board परमाणु, जिला सोलन मेरे से फोन पर सीधेतौर पर बात नहीं कर रहा है। रवि कुमार मेरी तरफ से श्री टी.बी. सिंह Scientific Officer से बात कर रहा है। मैं श्री टी. बी. सिंह Scientific Officer को किसी भी प्रकार से रिश्तत के रूप में कोई पैसा नहीं देना चाहता हूँ। अतः आपसे निवेदन है कि इसके विरुद्ध कानूनी कार्यवाही की जाए। Signed in English। डाक्टर अक्षय कुमार पुत्र श्री के.डी. शर्मा, C/o शिवालिक होस्पिटल Near Police Line Jhalera, Distt. Una, HP. 30/03/2022 मोबाईल नं 9805374994। छानबीन के दौरान शिकायतकर्ता के नाम व पता की सत्यता जानने के लिये शिनाख्त प्रमाण चैक किया गया तो शिकायतकर्ता श्री अक्षय कुमार पुत्र श्री कृष्ण दास शर्मा, नजदीक पुलिस लाईनस, वार्ड नम्बर 1, शिवालिक होस्पिटल, झलेडा उना, हिमाचल प्रदेश, 174303 का नाम व पता सही पाये गये। यह भी पाया गया कि शिकायतकर्ता का अस्पताल शिवालिक होस्पिटल पुलिस लाईनस झलेडा के पास है। यह भी पाया गया कि शिकायतकर्ता ने दिनांक 20.11.2021 को ड्राफ्ट नम्बर 570556 द्वारा 5000 रुपये SR. SCIENTIFIC OFFICER, HP STATE POLLUTION CONTROL BOARD PARWANOO, SOLAN को कागडा केन्द्रीय सहकारी बैंक समिती, शाखा झलेडा, उना से अदा किये हैं। शिकायतकर्ता द्वारा अपने मोबाईल से जो बात रवि कुमार से की है, उसकी रिकार्डिंग मोबाईल के मेमरी कार्ड में सेव की है। मेमरी कार्ड में रिकार्ड की गयी बातचीत को उसके फोन में ही सुना गया जिसमें रवि कुमार शिकायतकर्ता श्री अक्षय कुमार की तरफ से बात कर रहा है रवि कुमार की टी. पी. सिंह, Scientific Officer

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(S) (u) 70 (51)

Pollution Control Board परवाणु, जिला सोलन से जो बात हुई जिसमें उसने कहा है कि "मैं अज भी आन्दा पेया हां जे अज आणा ते अज आ जाओ नहीं ता कल आ जेओं, ओ ज्यादा मगदा पेया सी ओ केन्दा पहले ओ बन्दे का पता करो, जो लगा के गया है, साला कमा के ता ओ चला गया मैंने उससे भी लेना था कहता। 30 तक मनया।" इस प्रारम्भिक सत्यापन में गुप्त सूत्रों से पता चला है कि टी.पी. सिंह, Scientific Officer, Pollution Control Board परवाणु, जिला सोलन द्वारा उना में इस प्रकार के प्रदूषण सम्बन्धी अपनी Consent for Authorization/Renewal of Authorization सर्टिफिकेट जारी करने की एवज में अनुचित लाभ प्राप्त करता रहा है जिसका आचरण ठीक नहीं पाया गया है। प्रारम्भिक सत्यापन रिपोर्ट में प्राप्त उपरोक्त सभी तथ्यों के आधार पर पाया गया है कि टी.पी. सिंह, Scientific Officer, Pollution Control Board परवाणु, जिला सोलन द्वारा शिकायतकर्ता से Consent for Authorization/Renewal of Authorization सर्टिफिकेट जारी करने की एवज में 35 हजार रुपये रिश्वत की मांग करना भ्रष्टाचार निवारण अधिनियम 1988 की धारा 7 का अपराध करना पाया जा रहा है। कार्यवाही पुलिस SI जसवीर चन्द के द्वारा प्रारम्भिक छानबीन करके रिपोर्ट का बारिकी से अवलोकन किया गया। विवरण रिपोर्ट का अवलोकन करने के उपरान्त रिपोर्ट को शब्द व शब्द लिखा गया है। उप नि० जसवीर चन्द की अनुशन्सा के अनुसार टी.पी. सिंह, Scientific Officer, Pollution Control Board परवाणु, जिला सोलन के खिलाफ जुर्म जेर धारा 7 भ्रष्टाचार निवारण अधिनियम 1988 के वकूह में आना पाया जा रहा है। उपरोक्त आरोपी के खिलाफ मुकदमा जेर धारा भ्रष्टाचार निवारण अधिनियम 1988 पंजीकृत थाना किया गया। FIR की प्रतियां वजरिया प्रिन्टर निकाली जा रही है। जो अवलोकनार्थ माननीय अदालत व वरिष्ठ अधिकारियों की सेवा में भेजी जा रही है। मुकदमा विशेष प्रतिवेदित है तथा FIR को ही विशेष प्रतिवेदन समझा जाये। मामला फाईल तपत्तीश नि० संजीव कुमार के हवाले की जा रही है।

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

(की गयी कार्यवाही: चूंकि उपरोक्त जानकारी से पता चलता है कि अपराध करने का तरीका मद सं.2 में उल्लेख धारा के तहत है।):

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

or (या)

(2) Directed (Name of I.O.): (जांच अधिकारी का नाम): Sanjeev Kumar

Rank (पद): INSP. (Inspector)

No(सं.): NA

to take up the investigation (को जांच आपने पास में लेने के लिए निर्देश दिया गया)

(3) Refused investigation due to (जांच के लिए):

or (के कारण इन्कार किया या)

(4) Transferred to P.S.

District(जिला):

on point of jurisdiction (को क्षेत्राधिकार के कारण हस्तांतरित)

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

(शिकायतकर्ता / सूचनाकर्ता को प्राथमिकी पढ़ कर सुनाई गयी, सही दर्ज हुई माना और एक कॉपी निशुल्क शिकायतकर्ता को दी गयी।)

R.O.A.C.(आर.ओ.ए.सी.)

14. Signature/Thumb impression of the complainant / informant.

(शिकायतकर्ता / सूचनाकर्ता के हस्ताक्षर / अंगूठे का निशान):

[Blank box for signature/thumb impression]

Signature of Officer in charge, Police Station

(थाना प्रभारी के हस्ताक्षर)

Name(नाम): Anil Kumar

Rank (पद): Dy. SP (Deputy Superintendant of Police)

No(सं.):

15. Date and time of dispatch to the court

(अदालत में प्रेषण की तिनांक और समय):

(5)

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H.P. POLICE / हिमचल प्रदेश पुलिस  
I.I.F.-1 / एकीकृत बाँच फॉर्म-1

Attachment to Item 7 of First Information Report (प्रथम सूचना रिपोर्ट के मद 7 सहायक):  
Physical features, deformities and other details of the suspect/accused: (If known/seen)  
(सदिष्ट / अभियुक्त की शारीरिक विशेषताएँ, विकृतियाँ और अन्य विवरण : (यदि जात / देखा गया))

S.No. (क्र.सं.)	Sex (लिंग)	Date/Year of Birth (जन्म तिथि / वर्ष)	Build (बनावट)	Height (cms.) (ऊँचाई (से.मी.))	Complexion (रंग)	Identification Mark(s) (पहचान चिह्न)
1	Male	1992			6	7
Deformities/ Peculiarities (विकृतियाँ / विशिष्टताएँ)	Teeth (दाँत)	Hair (बाल)	Eyes (आँखें)	Habit(s) (आदतें)	Dress Habit(s) (पहनावा)	
8	9	10	11	12	13	
Place Of (का स्थान)					Others (अन्य)	
Burn Mark (जले हुए का निशान)	Leucoderma (धवल रोग)	Mole (महस)	Scar (घाव)	Tattoo (गूदे हुए का)	20	
15	16	17	18	19		

These fields will be entered only if complainant/informant gives any one or more particulars about the suspect/accused.  
(यह क्षेत्र तभी दर्ज किए जाएंगे यदि शिकायतकर्ता / सूचनाकर्ता सदिष्ट / अभियुक्त के बारे में कोई एक या उससे अधिक जानकारी देता है।)



AGREEMENT

This agreement is entered on this 11th day of July of the year 2005

BETWEEN

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

AND

**DR. AKSHEY KR SHARMA**  
MBBS M.S [MAMC]  
Consultant Surgeon  
MCI No 7841

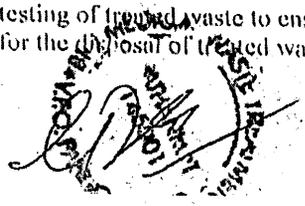
*Shivalik Hospital  
Una.*

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 regulation 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 -1 of the BMWT (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 recycling plants as applicable.



*DR. AKSHEY KR SHARMA*  
MBBS M.S [MAMC]  
Consultant Surgeon  
MCI No 7841

RESPONSIBILITIES OF THE GENERATOR

Page 2 of 2

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. ~~45~~ <sup>45</sup> per bed per day for the present bed strength of ~~5~~ <sup>5</sup> beds comes to Rs. ----- per month or at a lump sum amount of Rs. ~~7000~~ <sup>7000</sup> per month.
4. The generator shall pay in advance the monthly charges for cost of disposal by 1<sup>st</sup> of every month without fail. Payments that are not made by the 7<sup>th</sup> of every month shall be charged a late fee @Rs.50-00 per day up to 25<sup>th</sup> of the month.
5. BMWT shall stop collecting BMW from generator if the payment is not made by 25<sup>th</sup> 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 a/c 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.C.)  
 Consultant Surgeon  
 MCI No 7841

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ANNEXURE - A - 4/8  
7/11

### CONTRACTUAL AGREEMENT

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

BY AND BETWEEN

Enviro Engineers, CBWTF Industrial Area Pandoga, Una (H.P.) here in after, called as 1<sup>st</sup> party, 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, Enviro Engineers, who has been duly authorized to execute and sign this agreement for and on behalf of Enviro Engineers, on the one part.

*Incharge, Shivalik Hospital near Police Lines, Una (H.P.)*

hereinafter as 2<sup>nd</sup> 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 and 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) Rules, 2016 to avoid non-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 1<sup>st</sup> 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 Enviro Engineers to the 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.) # 9805933644

For  
*[Signature]*

### GENERAL TERMS AND CONDITIONS

Bed / 10

- ❖ The terms of this agreement shall be from 01/04/2022 to 31<sup>st</sup> March 2023.
- ❖ Registration No. of this agreement is HEU/22-23/07 on dated 01/04/2022
- ❖ Enviro-Engineers will charge Rs. 10/- per day from unit as per Notification No- HPW-A-AC/22/2020 on dated-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 of collection team with date and weight.
- ❖ Enviro-Engineers will discontinue the services of the waste generator in the event the waste generator is at default in responsibilities/payments with seven days prior notice.
- ❖ Bio Medical Waste should be segregated, leveled, tagged and tied in proper color & bar coded form i.e.: -
  - **Yellow Bags:** (a) Human Anatomical (b) Human Anatomical Waste (c) Soft Tissue Items contaminated with blood, body fluids like dressings, plasters, gauzes, etc. (d) bags containing residual or discarded blood and blood components (e) Discarded Medicines: Pharmaceutical waste like antibiotics, cytotoxic drugs including all 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 vacuolators with their needles cut and gloves.
  - **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.
- In case of Holidays/temporary dis-closure of unit, the 1<sup>st</sup> party will not stop the services of collection without written intimation of HPSPCB Parwanoo.
- As per NGT/ office order HPSPCB/BMW/02 notification/-27395-99 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/neck.
- 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 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 (MI&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,

On behalf of Enviro Engineers,

For  
 Enviro Engineers  
 Authorized Signatory

*A. S. Malik*

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ANNEXURE-R-4/9

FORM -X  
REPORT BY STATE BOARD ANALYST  
(See Rule 26)

Report No. W-457.

Date: 14.12.2022

I hereby certify that I, **Dr. Ramakant Awasthi**, State Board Analyst duly appointed under sub-section (3) of section 53 of the Water (Prevention & Control of Pollution) Act, 1974 (6 of 1974) received on the **19th day of November, 2022** from **Sh. Baldev Singh, Jr.SO, HPSPCB, Central Laboratory Parwanoo** a **Grab** sample of **Final outlet of STP of Shivalik Hospital, near Police line, Jhalera, Una, Distt. Una** for analysis. The sample was in a condition fit for analysis reported below:

I further certify that I have analysed the aforementioned sample from **19-11-2022 to 13-12-2022**. The results of the analysis reported below.

Method of analysis							
IS- 2488(I-V), IS-3025 (Part 44):1933, "Standard Method for the Examination of Water", 22 <sup>th</sup> Edition prepared & published jointly by:-							
1. American Public Health Association.							
2. American Water Works Association.							
3. Water Pollution Control Federation.							
S.No.	Parameter	Results	Unit	S.No.	Parameter	Results	Unit
1	pH	7.01		22	Temperature (T)	---	°C
2	Conductivity	---	µmho/cm	23	Antimony (Sb)	---	mg/l
3	TDS	---	mg/l	24	TKN	---	mg/l
4	TSS	5.0	mg/l	25	Mercury (Hg)	---	mg/l
5	COD	24.0	mg/l	26	Arsenic (As)	---	mg/l
6	BOD	4.0	mg/l	27	Selenium	---	mg/l
7	Sulphate(SO <sub>4</sub> )	---	mg/l	28	Manganese(Mn)	---	mg/l
8	NO <sub>3</sub> -N	---	mg/l	29	Fluoride (F)	---	mg/l
9	Chloride (Cl)	---	mg/l	30	Vanadium as V	---	mg/l
10	Sodium (Na)	---	mg/l	31	Potassium(K)	---	mg/l
11	Total Hardness	---	mg/l	32	Phenol	---	mg/l
12	Total Iron (Fe)	---	mg/l	33	Sulphide (S)	---	mg/l
13	Total Chromium	---	mg/l	34	Chlorine	---	mg/l
14	Zinc (Zn)	---	mg/l	35	NH <sub>3</sub> -N	---	mg/l
15	Copper (Cu)	---	mg/l	36	Chromium <sup>+6</sup>	---	mg/l
16	Nickel (Ni)	---	mg/l	37	T.PO <sub>4</sub>	---	mg/l
17	Lead (Pb)	---	mg/l	38	Boron (B)	---	mg/l
18	Cadmium (Cd)	---	mg/l	39	TC	---	MPN/100 ml
19	Total Cyanide	---	mg/l	40	FC	---	MPN/100 ml
20	Oil & Grease	0.00	mg/l	41	Ca <sup>++</sup>	---	mg/l
21	Phosphate	---	mg/l	42	Mg <sup>++</sup>	---	mg/l

The condition of the seals, fastening and container on receipt was as: Sealed as PCB  
Signed on this 14th day of December, 2022.

From : H.P. STATE POLLUTION CONTROL BOARD  
Central Laboratory, Parwanoo, Solan-173212

To: Shivalik Hospital,  
near Police line, Jhalera,  
Una, Distt. Una, HP

  
State Board Analyst

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**Himachal Pradesh State Pollution Control Board**  
Central Laboratory, SCF-7-8, Sector-IV, Parwanoo,  
Tehsil Kasauli, Distt.-Solan (H.P.), PIN-173220  
Website: <http://hpspcb.nic.in> e-mail: [pchlalparwanoo@gmail.com](mailto:pchlalparwanoo@gmail.com)

*[Handwritten Signature]*  
AZBOL  
Asst. Mahant

### Comparative Statement

Report No. W-457, dated 14.12.2022

S. No.	Parameter	Results	Permissible Limits	Remarks
1.	pH	7.01	6.5-9.0	Within Limit
2.	TSS	5.0 mg/l	100.0 mg/l	Within Limit
3.	COD	24.0 mg/l	250.0 mg/l	Within Limit
4.	BOD	4.0 mg/l	30.0 mg/l	Within Limit
5.	Oil & Grease	0.00 mg/l	10.0 mg/l	Within Limit

*[Handwritten Signature]*  
Pr. Scientific Officer