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

Miscellaneous Application No. 98/2022
In
Original Application No. 180/2021

In the matter of:

Mukul Kumar

Applicant

Versus

State of Uttar Pradesh & Ors.

Respondent(s)

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Rajkumar

Filed by Adv. Rajkumar
On behalf of Central Pollution Control Board

Place: Delhi

Dated: 13.12.2024

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Report on Compliance to orders passed in the matter of M.A. No. 98/2022 in Original Application No. 180/2021 filed by Mukul Kumar before Hon'ble National Green Tribunal

1 Hon'ble National Green Tribunal (NGT) has been reviewing the implementation of Biomedical Waste Management Rules, 2016 (BMWM Rules, 2016) by States/UTs in the matter of M.A. No. 98/2022 filed in Original Application No. 180/2021. CPCB last submitted the consolidated report on 31.08.2024 to Hon'ble NGT indicating status of implementation of BMWM Rules, 2016, which was discussed and admitted by Hon'ble NGT on 02.09.2024. During the hearing, following order was passed:

“...In terms of the earlier directions, Central Pollution Control Board (CPCB) was required to obtain the report from the States/Union Territories (UTs) and file a fresh report showing compliance by the different States and UTs.

3. *The report dated 31.08.2024 has been filed by the CPCB showing that the CPCB did not receive the reports from the States of Assam, Jharkhand, Jammu and Kashmir, Ladakh, Lakshadweep, Manipur, Mizoram and Sikkim. The report itself states that out of 36 States/UTs, the reports have been received from 28 States/UTs.*

4. *Learned Counsel for State of Manipur has informed that the report has already been filed on 10.05.2024 and it is available at the website. CPCB may download the reports of States/UTs which are available at the website. Counsel for the CPCB submits that a communication will be sent to the States/UTs from whom the reports are awaited, and thereafter, a fresh report will be filed before the Tribunal.*

5. *So far as the Table 2 in the latest report of the CPCB dated 31.08.2024 is concerned, the said table shows the State/UT-wise situation of authorization of Health Care Facilities (HCFs) and reveal that a number of unauthorised HCFs are operating in various States. Hence, the CPCB is required to ensure appropriate expeditious action against the unauthorised HCFs. The report of the CPCB further mentions that some action has been taken against 14,853 violating HCFs/Common Biomedical Waste Treatment Facilities (CBWTFs) but their details have not been provided by the SPCBs/PCCs of Gujarat, Jharkhand, J&K, Karnataka, Madhya Pradesh, Maharashtra, Manipur, Mizoram, Odisha and Uttar Pradesh. These States are directed to provide the requisite details of violating HCFs/CBWTFs to the CPCB without any delay.*

6. *From the table 4 of the report of the CPCB, we also take note of the fact that there is gap of 19.03 TPD in biomedical waste generation (tons/day) and*

biomedical waste treatment, especially in respect of the States of Assam, Bihar, J&K, Jharkhand and Nagaland.

7. We also find from Table 5 that no CBWTFs are available in Andaman and Nicobar, Arunachal Pradesh, Ladakh, Lakshadweep, Mizoram, Nagaland and Sikkim. Under the Bio-medical Waste Management Rules, 2016, especially in terms of Rule 6 read with Rule 9(3) and Entry 4 of Schedule III of the Rules, the responsibility lies with the CPCB to the extent indicated in these rules.

8. With regard to gap analysis adequacy should be properly assessed so that no pilferage of waste goes into hands of unauthorized processors.....”

Copy of order dated 02.09.2024 is attached herewith as **Annexure-I**.

2 Action taken by CPCB in compliance of order dated 02.09.2024 in the matter of M.A. 98 of 2022

Based on the orders passed by Hon’ble NGT on 02.09.2024, CPCB has taken following actions:

- 2.1 CPCB issued letter dated 01.10.2024 to SPCBs/PCCs including the gaps observed in implementation of Biomedical Waste Management Rules, 2016 as well as gaps mentioned in the order dated 02.09.2024 of Hon’ble NGT. The SPCBs/PCCs were also communicated to ensure compliance to orders passed by Hon’ble NGT and submit the report within a week to CPCB. Copy of the letters is attached as **Annexure II**.
- 2.2 CPCB again issued reminder letter to the SPCBs/PCCs on 13.11.2024 wherein the gaps observed in implementation of Biomedical Waste

Management Rules, 2016 as well as gaps mentioned in the order dated 02.09.2024 of Hon'ble NGT was communicated to ensure compliance to orders passed by Hon'ble NGT and submit the action taken report to CPCB for further compilation. Copy of the letter is attached as **Annexure III**.

2.3 CPCB issued direction dated 11.12.2024 under section 5 of Environment (Protection) Act, 1986 to all SPCBs/PCCs directing to:

- a. Initiate appropriate action immediately against the HCFs which are operational without having authorisation;
- b. Take appropriate action against HCFs and CBWTFs for violation of BMWM Rules, 2016;
- c. Ensure that there is no gap in biomedical waste generation and treatment by ensuring adequate numbers/capacity of treatment facilities in the State/UT;
- d. Ensure deep burial disposal system is adopted by HCFs located only in rural or remote areas where there is no access to CBWTF with prior approval from SPCB/PCC and in compliance with standards prescribed under Schedule-III of BMWM Rules, 2016;
- e. Submit gap analysis report to CPCB with respect to biomedical waste generation and treatment of biomedical waste; Copy of the said direction dated 11.12.2024 is attached as **Annexure IV**.

2.4 CPCB also went through website of Hon'ble NGT to download reports submitted by the States/UTs, as directed by Hon'ble NGT.

2.5 Meeting held with SPCBs/PCCs on 04.12.2024 regarding use of captive treatment facilities including deep burials and requested

SPCBs/PCCs to restrict use of captive treatment facilities including deep burials and also requested to ensure their compliance to BMWM Rules, 2016.

3 Status of Compliance to Hon'ble NGT direction

The directions passed by Hon'ble NGT is regarding implementation of Biomedical Waste Management Rules, 2016 (BMWM Rules, 2016) in States and Union Territories (States/UTs).

CPCB was directed to prepare a consolidated report in the matter and accordingly, CPCB prepared and circulated a format to receive the information on BMWM Rules, 2016 from SPCBs/PCCs. Based on information received from SPCBs/PCCs, CPCB issued customised letters to SPCBs/PCCs communicating the gaps observed in implementation of BMWM Rules, 2016 to ensure compliance and submit the information with respect to gaps observed.

3.1 Status of Authorization of Healthcare Facilities and action taken by SPCBs/PCCs

As per BMWM Rules, 2016, every occupier handling biomedical waste is required to obtain authorization from the prescribed authority i.e. SPCB/PCC. State/UT wise details of number of Healthcare Facilities along with their authorization status is given in Table 1.

Table 1: State/UT wise status of authorisation of Healthcare Facilities

S. No.	Name of State/UT	Total no. HCFs	Authorization Status		Action taken against unauthorised HCFs
			Authorised HCFs	Unauthorized HCFs	
1	Andaman & Nicobar	272	149	123	Direction u/s 5 of E(P) Act, 1986/ Notices have been issued to all unauthorised HCFs
2	Andhra Pradesh	14,768	14,404	364	Direction u/s 5 of E(P) Act, 1986/ Notices have been issued to all unauthorised HCFs
3	Arunachal Pradesh	510	424	86	Direction u/s 5 of E(P) Act, 1986/ Notices have been issued to all unauthorised HCFs
4	Assam	1,558	602	956	Direction u/s 5 of E(P) Act, 1986/ Notices have been issued to all unauthorised HCFs
5	Bihar	26,472	25,878	594	Direction u/s 5 of E(P) Act, 1986/ Notices

					have been issued to all unauthorised HCFs
6	Chandigarh	950	950	0	All HCFs are authorised
7	Chhattisgarh	7,901	7,901	0	All HCFs are authorised
8	DD & DNH	219	207	12	Direction u/s 5 of E(P) Act, 1986/ Notices have been issued to all unauthorised HCFs
9	Delhi	10,974	10,974	0	All HCFs are authorised
10	Goa	1,543	1,543	0	All HCFs are authorised
11	Gujarat	37,396	32,787	4,609	Direction u/s 5 of E(P) Act, 1986/ Notices have been issued to all unauthorised HCFs
12	Haryana	7,549	7,282	267	Direction u/s 5 of E(P) Act, 1986/ Notices have been issued to all unauthorised HCFs
13	Himachal Pradesh	9,727	9,491	236	Direction u/s 5 of E(P) Act, 1986/ Notices have been issued to all unauthorised HCFs
15	Jharkhand	2,451	2,090	361	Direction u/s 5 of E(P) Act, 1986/ Notices

					have been issued to all unauthorised HCFs
14	Jammu & Kashmir	7,865	808	7,057	Direction u/s 5 of E(P) Act, 1986/ Notices have been issued to 3389 no. of unauthorised HCFs and list of 3668 no. of unauthorised HCFs have been communicated to State Health Department.
16	Karnataka	54,594	48,320	6,274	Direction u/s 5 of E(P) Act, 1986/ Notices have been issued to all unauthorised HCFs
17	Kerala	24,196	22,062	2,134	Direction u/s 5 of E(P) Act, 1986/ Notices have been issued to all unauthorised HCFs
18	Ladakh	402	161	241	Direction u/s 5 of E(P) Act, 1986/ Notices have been issued to all unauthorised HCFs
19	Lakshadweep	34	34	0	All HCFs are authorised

20	Madhya Pradesh	11,985	10,228	1,757	Direction u/s 5 of E(P) Act, 1986/ Notices have been issued to all unauthorised HCFs
21	Maharashtra	73,122	69,344	3,778	Direction u/s 5 of E(P) Act, 1986/ Notices have been issued to all unauthorised HCFs
22	Manipur	931	931	0	All HCFs are authorised
23	Meghalaya	1,294	1,117	177	Direction u/s 5 of E(P) Act, 1986/ Notices have been issued to all unauthorised HCFs
24	Mizoram	670	448	222	Direction u/s 5 of E(P) Act, 1986/ Notices have been issued to all unauthorised HCFs
25	Nagaland	710	642	68	Direction u/s 5 of E(P) Act, 1986/ Notices have been issued to all unauthorised HCFs
26	Odisha	5,979	5,773	206	Direction u/s 5 of E(P) Act, 1986/ Notices have been issued to all unauthorised HCFs

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27	Puducherry	450	450	0	All HCFs are authorised
28	Punjab	15,137	14,377	760	Direction u/s 5 of E(P) Act, 1986/ Notices have been issued to all unauthorised HCFs
29	Rajasthan	10,692	9,842	850	Direction u/s 5 of E(P) Act, 1986/ Notices have been issued to all unauthorised HCFs
20	Sikkim	351	351	0	All HCFs are authorised
31	Tamil Nadu	31,158	30,895	263	Direction u/s 5 of E(P) Act, 1986/ Notices have been issued to all unauthorised HCFs
32	Telangana	10,793	10,657	136	Direction u/s 5 of E(P) Act, 1986/ Notices have been issued to all unauthorised HCFs
33	Tripura	1,986	1,986	0	All HCFs are authorised
35	Uttarakha-nd	6,636	6,045	591	Direction u/s 5 of E(P) Act, 1986/ Notices have been issued to all unauthorised HCFs

34	Uttar Pradesh	43,757	37,561	6196	Direction u/s 5 of E(P) Act, 1986/ Notices have been issued to 5754 no. of unauthorised HCFs and action taken against 442 no. of HCFs is not submitted by SPCB
36	West Bengal	9,927	9,927	0	All HCFs are authorised
	Total	4,34,959	3,96,641	38,318	37,876

As per information provided by SPCBs/PCCs, there are 4,34,959 no. of HCFs, out of which 3,96,641 (92%) no. of HCFs are authorized and 38,318 (8%) no. of HCFs are unauthorized.

SPCBs/PCCs submitted that directions under section 5 of E(P) Act, 1986/notices were issued to 37,876 out of 38,318 no. of HCFs to obtain authorization under BMW Rules, 2016. However, action taken against 442 out of 38,318 no. of HCFs is not submitted by Uttar Pradesh SPCB.

During last three months (September to November), no. of unauthorised HCFs has been decreased from 40,131 to 38,318 and the action taken by SPCBs/PCCs against unauthorised HCFs has increased from 35,449 to 37,876. Also, SPCBs/PCCs submitted that issuance of authorisation is a continuous process under which compliance is verified and action is taken under Water (Prevention and Control of Pollution) Act, 1974, Air

(Prevention and Control of Pollution) Act, 1981 and Environment (Protection) Act, 1986.

States/UTs namely Chandigarh, Chhattisgarh, Delhi, Lakshadweep, Manipur, Puducherry, Sikkim, Tripura and West Bengal, has 100 % authorised HCFs.

3.2 Status of Action taken by SPCB/PCC against violating CBWTFs and HCFs

As reported by SPCBs/PCCs, Directions / Notices u/s 5 of E(P)Act, 1986 have been issued to the CBWTFs and HCFs for violation of BMWM Rules, 2016. State-wise details on number of violations reported by HCFs & CBWTFs and action taken by SPCBs/PCCs during year 2023-24 is given in Table 2.

Table 2: State/UT wise status of action taken against HCFs/CBWTFs

S.No	Name of State/UT	Total no. of violation by HCFs & CBWTFs	Total No. of show cause notices/ Directions issued to defaulter HCFs/CBWTFs	Action taken by SPCBs/PCCs against defaulting HCFs/CBWTFs
1.	Andaman & Nicobar	128	128	Directions/notices issued to all HCFs/CBWTFs

				violating BMWM Rules, 2016
2.	Andhra Pradesh	1016	1016	Directions/notices issued to all HCFs/CBWTFs violating BMWM Rules, 2016
3.	Arunachal Pradesh	172	172	Direction/notice issued to all HCFs/CBWTFs violating BMWM Rules, 2016
4.	Assam	956	956	SPCB has conducted workshops for the govt. HCFs and waived off fees for non-bedded govt. HCFs to ease the process of authorisation. Many HCFs applied for authorisation.
5.	Bihar	1641	1641	Direction/notice issued to all HCFs/CBWTFs violating BMWM Rules, 2016

6.	Chandigarh	0	0	No violation observed by Chandigarh PCC
7.	Chhattisgarh	187	187	Direction/notice issued to all HCFs/CBWTFs violating BMWM Rules, 2016
8.	Daman & Diu and Dadra & Nagar Haveli	28	28	Direction/notice issued to all HCFs/CBWTFs violating BMWM Rules, 2016
9.	Delhi	2	2	Direction/notice issued to all HCFs/CBWTFs violating BMWM Rules, 2016
10.	Goa	529	529	SPCB is in the process of issuing Show Cause Notice to remaining 92 unauthorised HCFs
11.	Gujarat	5270	5270	Direction/notice issued to all HCFs/CBWTFs violating BMWM Rules, 2016

12.	Haryana	765	765	Direction issued to all HCFs/CBWTFs violating BMWM Rules, 2016
13.	Himachal Pradesh	249	249	Direction issued to all HCFs/CBWTFs violating BMWM Rules, 2016
14.	Jharkhand	361	361	Direction issued to all HCFs/CBWTFs violating BMWM Rules, 2016
15.	J & K	7058	7058	Direction/ Notice issued to 3390 defaulting HCFs/CBWTFs. However, list of 3668 no. of defaulting HCFs has been communicated to State Health Department to take action.
16.	Karnataka	7910	6697	Direction/ Notice issued to 6697 defaulting HCFs/CBWTFs.

				However, action taken against 1213 no. of defaulting HCFs/CBWTFs is under process.
17.	Kerala	2299	2299	Direction/notice issued to all HCFs/CBWTFs violating BMWM Rules, 2016
18.	Ladakh	399	399	Direction/notice issued to all HCFs violating BMWM Rules, 2016.
19.	Lakshadweep	0	0	No violation observed by Lakshadweep PCC
20.	Madhya Pradesh	1757	1757	Direction/notice issued to all HCFs/CBWTFs violating BMWM Rules, 2016.
21.	Maharashtra	4087	3801	Directions/Notices issued to 3801 no. of defaulting HCFs/CBWTFs. However, action taken

				against 286 no. of defaulting HCFs/CBWTFs is under process.
22.	Manipur	0	0	No violation observed by Manipur SPCB.
23.	Meghalaya	183	183	Direction/notice issued to all HCFs/CBWTFs violating BMWM Rules, 2016.
24.	Mizoram	222	222	Direction/notice issued to all HCFs/CBWTFs violating BMWM Rules, 2016.
25.	Nagaland	68	68	Direction/ Notice issued to all defaulting HCFs. List of HCFs has been communicated to the Health & Family Welfare Department for directing the HCFs to obtain authorisation

26.	Odisha	213	213	Direction/notice issued to all HCFs/CBWTFs violating BMWM Rules, 2016.
27.	Puducherry	6	6	Direction/notice issued to all HCFs/CBWTFs violating BMWM Rules, 2016.
28.	Punjab	859	859	Direction/notice issued to all HCFs/CBWTFs violating BMWM Rules, 2016.
29.	Rajasthan	1501	1501	Direction/notice issued to all HCFs/CBWTFs violating BMWM Rules, 2016.
30.	Sikkim	4	4	Direction/notice issued to all HCFs violating BMWM Rules, 2016.
31.	Tamil Nadu	277	277	List of unauthorised HCFs communicated to Health & Family Welfare department

				requested to direct the unauthorised HCFs to obtain authorization
32.	Telangana	276	276	Direction/notice issued to all HCFs/CBWTFs violating BMWM Rules, 2016.
33.	Tripura	2	2	Direction/notice issued to all HCFs violating BMWM Rules, 2016.
34.	Uttarakhand	1175	1175	Direction/ Notice issued to 1175 defaulting HCFs/CBWTFs.
35.	Uttar Pradesh	8608	7304	Direction/ Notice issued to 7304 defaulting HCFs/CBWTFs. However, action taken against 1304 no. of defaulting HCFs/CBWTFs is under process.
36.	West Bengal	201	201	Direction/notice issued to all HCFs/CBWTFs

				violating BMWM Rules, 2016.
	Total	48,409	45,606	

SPCBs/PCCs reported that 48,409 no. of HCFs & CBWTFs have violated the provisions of BMWM Rules, 2016 and accordingly, action has been taken against 45,606 no. of HCFs & CBWTFs. The violations reported by SPCBs/PCCs in respect of 48,409 no. of HCFs/CBWTFs also includes HCFs operating without authorisation.

In the previous report filed by CPCB, details on action taken against 14,853 no. of violating HCFs/CBWTFs were not provided by some SPCBs/PCCs. However, after communicating these gaps to respective SPCBs/PCCs, SPCBs/PCCs submitted updated information indicating that during last three months, SPCBs/PCCs initiated action against violating HCFs/CBWTFs and action taken against 2,803 no. of HCFs/CBWTFs is under process in States/UTs namely Maharashtra (286), Karnataka (1213) and Uttar Pradesh (1304). Additionally, SPCBs namely Assam, Mizoram, Nagaland and Tamil Nadu have communicated list of violating HCFs to Health and family Welfare Department of their respective States requesting them to direct these HCFs to obtain authorisation under BMWM Rules, 2016.

3.3 Biomedical waste generation and treatment

3.3.1 Status on generation & treatment of biomedical waste

As per BMWM Rules, 2016, every HCF is required to segregate the biomedical waste as per colour coded system prescribed under the said Rules and handover the segregated waste to CBWTF operator for its final treatment and disposal.

In the previous report of CPCB, gaps in generation and treatment of biomedical waste were observed in 05 States/UTs namely Assam, Bihar, J &K, Jharkhand and Nagaland. These gaps in the data were communicated to respective States/UTs vide email dated 22.08.2024, letter dated 01.10.2024 and 13.11.2024 and clarifications were sought from these 05 SPCBs/PCCs. SPCBs/PCCs provided clarification and accordingly State/UT wise updated details of biomedical waste generation & treatment is given in Table 3.

Table 3: Details of biomedical waste generation & treatment in State/UT

S.No	Name of State/UT	BMW Generation (Tons/day)	BMW Treatment (Tons/day)	Gap between BMW generation and treatment
1.	Andaman and Nicobar Islands	0.73	0.73	0
2.	Andhra Pradesh	16	16	0
3.	Arunachal Pradesh	0.46	0.46	0
4.	Assam	8.08	7.07	1.02

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5.	Bihar	26.06	14.56	11.50
6.	Chandigarh	6.35	6.35	0
7.	Chhattisgarh	7.5	7.5	0
8.	Dadar Nagar Haveli	0.36	0.36	0
9.	Delhi	31.2	31.2	0
10.	Goa	2.13	2.13	0
11.	Gujarat	51.82	51.82	0
12.	Haryana	25.27	25.27	0
13.	Himachal Pradesh	3.77	3.77	0
14.	Jammu and Kashmir	8.82	8.82	0
15.	Jharkhand	6.59	6.59	0
16.	Karnataka	76	76	0
17.	Kerala	68.12	68.12	0
18.	Ladakh	0.08	0.08	0
19.	Lakshadweep	0.06	0.06	0
20.	Madhya Pradesh	16.68	16.68	0

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21.	Maharashtra	75.71	75.71	0
22.	Manipur	1.68	1.68	0
23.	Meghalaya	2.26	2.26	0
24.	Mizoram	0.62	0.62	0
25.	Nagaland	1.04	1.04	0
26.	Odisha	12.24	12.24	0
27.	Puducherry	4.75	4.75	0
28.	Punjab	22.55	22.55	0
29.	Rajasthan	19.91	19.91	0
30.	Sikkim	0.59	0.59	0
31.	Tamil Nadu	49.70	49.70	0
32.	Telangana	26.32	26.32	0
33.	Tripura	1.79	1.79	0
34.	Uttarakhand	8.77	8.77	0
35.	Uttar Pradesh	91	91	0
36.	West Bengal	43.12	43.12	0
	TOTAL	718.13	705.61	12.52

In the previous report of CPCB, the gap of 19.03 Tons/day in biomedical waste generation and treatment was submitted for the States namely Bihar, Assam, Jharkhand, J &K and Nagaland. Further as per the updated report, Jharkhand, J & k and Nagaland have improvised on treatment of biomedical waste and the gap is now left only in States namely Bihar and Assam, which is 12.52 Tons/day. In this regard, clarifications were sought from Bihar and Assam and CPCB received the clarifications as given in Table 4.

Table 4: Submission of Bihar & Assam SPCBs/PCCs regarding gap in generation and treatment of biomedical waste

S.No.	State/UT	Submission of States/UTs	Action Taken by CPCB for gap in generation & treatment of biomedical waste
1.	Bihar	Bihar SPCB agreed that there is gap of 11.5 Tons/day in generation and treatment of biomedical waste in the reports submitted by HCFs and CBWTFs of Bihar State and informed that to minimise these gap Bihar SPCB has initiated establishment of 5 new	CPCB issued direction dated 11.12.2024 under section 5 of E (P) Act, 1986 to SPCBs/PCCs to ensure that there is no gap in biomedical waste generation and treatment by ensuring adequate numbers of treatment facilities in the State/UT.

		CBWTFs which is under process. However, the matter is pending before Hon'ble High Court of Patna.
2.	Assam	The gap in generation and treatment was due to incomplete information provided by HCFs with respect to disposal by deep burials.

3.3.2 Biomedical Waste generation and available treatment capacity

BMWM Rules, 2016 stipulates that HCFs shall handover segregated biomedical waste to CBWTF for final treatment and disposal.

As per reports submitted by SPCBs/PCCs, all biomedical waste generated by the HCFs is being treated & disposed off by CBWTFs in 12 States/UTs namely Andhra Pradesh, Chandigarh, DD & DNH, Delhi, Goa, Gujarat, Haryana, Puducherry, Punjab, Telangana, Tamil Nadu and West Bengal. Aforementioned States/UTs submitted that at present, available treatment capacity of CBWTFs is sufficient to treat all biomedical waste generated in

these States/UTs and captive treatment facilities are not used in these States/UTs.

Further, in 24 States/UTs captive treatment facilities are also being operated besides CBWTFs. The Figure 1 given below represents percentage of biomedical waste treated through CBWTF and captive treatment facilities including deep burials.

Figure 1: Percentage of biomedical waste treated through CBWTF and captive treatment facilities including deep burials

CPCB conducted a meeting on 04.12.2024 with SPCBs/PCCs to discuss on compliance to BMWM Rules, 2016 by captive treatment facilities. CPCB requested all SPCBs/PCCs to restrict use of captive treatment facilities including deep burials and also requested to ensure their compliance to BMWM Rules, 2016. State/UT wise status on biomedical waste generation and treatment is given in Table 5.

Table 5: Biomedical waste generation and treatment capacities of CBWTFs & captive treatment facilities

S.No.	Name of State	BMW Generation (Tons/day)	BMW Treatment (Tons/day)	Available treatment capacity of CBWTFs (Tons/day)	Treatment capacity of captive facility (Tons/day)	Total treatment capacity of CBWTFs and

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						captive facility (Tons/day)
1	Andaman and Nicobar Islands	0.73	0.73	No CBWTF	6.4	6.4
2	Andhra Pradesh	16	16	62.4	0	62.4
3	Arunachal Pradesh	0.46	0.46	No CBWTF	0	0
4	Assam	8.08	7.07	25.6	14	39.6
5	Bihar	26.06	14.56	42.4	1.2	43.6
6	Chandigarh	6.35	6.35	7	0	7
7	Chhattisgarh	7.5	7.5	28.9	0.4	29.3
8	Dadar Nagar Haveli	0.36	0.36	Utilising CBWTF of Gujarat		
9	Delhi	31.2	31.2	62.8	0	62.8
10	Goa	2.13	2.13	16	0	16
11	Gujarat	51.82	51.82	86.8	0	86.8
12	Haryana	25.27	25.27	67.3	0	67.3
13	Himachal Pradesh	3.77	3.77	12.8	0.24	13.04

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14	Jammu and Kashmir	8.82	8.82	13.4	0	13.4
15	Jharkhand	6.59	6.59	16.3	6.4	22.7
16	Karnataka	76	76	149.4	9.6	159.2
17	Kerala	68.12	68.12	85	21.3	106.3
18	Ladakh	0.08	0.08	No CBWTF	1.6	1.6
19	Lakshadweep	0.06	0.06	No CBWTF	0	0
20	Madhya Pradesh	16.68	16.68	120.4	Information not provided	120.4
21	Maharashtra	75.71	75.71	162.9	1.11	164.01
22	Manipur	1.68	1.68	0.6	Information not provided	0.6
23	Meghalaya	2.26	2.26	2	1.6	3.6
24	Mizoram	0.62	0.62	No CBWTF	3.6	3.6
25	Nagaland	1.04	1.04	No CBWTF	0.8	0.8
26	Odisha	12.24	12.24	7	0	7
27	Puducherry	4.75	4.75	48.1	0	48.1
28	Punjab	22.55	22.55	26.9	1.36	28.26

29	Rajasthan	19.91	19.91	39.4	0	39.4
30	Sikkim	0.59	0.59	No CBWTF	4	4
31	Tamil Nadu	49.7	49.7	98.6	0	98.6
32	Telangana	26.32	26.32	71.9	0	71.9
33	Tripura	1.79	1.79	32.5	0.1	32.6
34	Uttarakhand	8.77	8.77	170.8	3.2	174
35	Uttar Pradesh	91	91	26.4	1.6	28
36	West Bengal	43.12	43.12	108.2	0	108.2
Total (Tons/day)		718	705	1592	78	1670

Table 5 shows that for available treatment capacity of CBWTFs and captive facilities (1670 Tons/day) is sufficient to treat biomedical waste generation of 718 Tons/day.

Further, in States/UTs namely Andaman & Nicobar, Assam, Chhattisgarh, Himachal Pradesh, Jharkhand, J & K, Karnataka, Kerala, Ladakh, Lakshadweep, Madhya Pradesh, Maharashtra, Meghalaya, Mizoram, Nagaland, Odisha, Rajasthan, Sikkim, Tripura, Uttarakhand and Uttar Pradesh where CBWTFs are not covering the entire State/UT, captive treatment facilities including deep burials are also being used for treatment/disposal of biomedical waste. In absence of captive incinerator and CBWTF in the state of Arunachal Pradesh and Lakshadweep deep burial system is the only option for disposal of biomedical waste.

Further, as reported by SPCBs/PCCs the deep burial pits are also being used in States/UTs namely Andaman & Nicobar, Assam, Chhattisgarh, Himachal Pradesh, Jharkhand, J & K, Karnataka, Kerala, Ladakh, Lakshadweep, Madhya Pradesh, Maharashtra, Meghalaya, Mizoram, Nagaland, Odisha, Rajasthan, Sikkim, Tripura, Uttarakhand and Uttar Pradesh as CBWTFs are not covering the entire State/UT for treatment and disposal of biomedical waste, captive treatment facilities (including deep burials) are also being used. As reported by SPCBs/PCCs these captive facilities are being operated by HCFs located at remote areas.

3.3.3. Action taken with respect to establishment of CBWTF in 7 States/UTs where no CBWTF is available

CPCB in its previous report submitted that there is no CBWTF in States namely Andaman Nicobar, Arunachal Pradesh, Ladakh, Lakshadweep, Mizoram, Nagaland and Sikkim. Further, CPCB deliberated the matter with SPCBs/PCCs of these States/UTs during meeting held on 04.12.2024 and also issued letter dated 01.10.2024 and 13.11.2024 to expedite the process of setting up of CBWTF(s) to ensure treatment & disposal of biom,edical waste in line with provisions under BMWM Rules, 2016. It was also communicated to restrict the use of captive treatment facilities (including deep burial) and to ensure that the same are utilised in remote and rural areas.

Accordingly, States/UTs submitted the action taken reports which is shown in Table 6.

Table 6: Initiative taken by States/UTs where no CBWTF is present

S.No.	State/UT	Action taken by SPCBs/PCCs
1	Andaman Nicobar	No reply submitted by UT regarding setting up of new CBWTF
2	Arunachal Pradesh	Arunachal Pradesh SPCB requested State Health & Family Welfare Department to initiate action for establishment of CBWTF
3	Ladakh	In Ladakh, department of health floated tender for establishment of CBWTF on 22/06/2022, for which no response has been received till date, and now the department is again seeking Expression of Interest (EOI) for establishment of CBWTF in Leh, Ladakh.
4	Lakshadweep	Feasibility of setting up of CBWTF is limited due to islands. Therefore, Department of Health has tied up with IMAGE, Kerala for transportation of disinfected Red, Blue and White category waste for final disposal. And only yellow category waste is being treated and disposed off in islands through captive incinerators including deep burials
5	Mizoram	Construction of one CBWTF is completed which will cover 5 districts. The CBWTF will be fully operational by December, 2024
6	Nagaland	Initiative has been taken by Nagaland SPCB has for setting of one CBWTF.
7	Sikkim	Land has been identified for establishment of CBWTF and diversion of the land is under process

3.4 Frequency of training related to biomedical waste management

BMWM Rules, 2016 stipulates that SPCBs/PCCs shall organise training programmes for staff of HCFs and CBWTFs on segregation, collection, storage, transportation, treatment and disposal of biomedical wastes. BMWM Rules, 2016 also stipulates that HCFs and CBWTFs shall organise training for all healthcare workers involved in biomedical waste management at least once in a year.

Training programs helps in sensitization of the healthcare workers and improvement in collection, segregation, processing, treatment and disposal of biomedical wastes in an environmentally sound management.

Information on frequency of training programme conducted by SPCBs/PCCs is given in following Table 7.

Table 7: State/UT wise status on training programme conducted by SPCBs/PCCs

S. No.	States/UT	Frequency of training programs
1.	Andaman & Nicobar	Training is being conducted. Frequency of training program not mentioned.
2.	Assam	Training is being conducted. Frequency of training program not mentioned.
3.	Andhra Pradesh	Frequency is not provided but total 1078 trainings were conducted

4.	Arunachal Pradesh	Two or Three times in a year
5.	Bihar	Training is being conducted. Frequency of training program not mentioned.
6.	Chandigarh	Monthly training programme is conducted
7.	Chhattisgarh	Training / workshops are conducted time to time for the effective implementation of BMW Rule, 2016. However, frequency is not mentioned.
8.	DD & DNH	Quarterly
9.	Delhi	Quarterly by DPCC/CBWTF
10.	Goa	15 training were conducted by GSPCB for the last 2 years
11.	Gujarat	Monthly training programme is conducted
12.	Haryana	Training is being conducted. Frequency of training program not mentioned.
13.	Himachal Pradesh	119 such trainings were conducted by the State Board in 2023-24 and 29 trainings have been conducted till June, 2024
14.	Jammu & Kashmir	Training is being conducted. Frequency of training program not mentioned.

15.	Jharkhand	86 training were conducted. However, frequency is not mentioned.
16.	Karnataka	Once in 3 months
17.	Kerala	Training is being conducted. Frequency of training program not mentioned.
18.	Ladakh	Half-Yearly
19.	Lakshadweep	Annually
20.	Madhya Pradesh	As per requirement
21.	Maharashtra	Annually
22.	Manipur	Training is being conducted. Frequency of training program not mentioned.
23.	Meghalaya	Annually
24.	Mizoram	Half-Yearly (Nil in latest report)
25.	Nagaland	Nagaland Health Project conducts workshop/trainings once or twice in a year. Nagaland Pollution Control Board also conducted 49 nos. of awareness programs on management of bio medical waste.

26.	Odisha	Training is being conducted. Frequency of training program not mentioned.
27.	Puducherry	Half-Yearly
28.	Punjab	Annually/ As per the requirements
29.	Rajasthan	2 Training programs conducted by RSPCB in 2023 & State Board has organised training/workshops in 31 districts for officials/other stakeholders
30.	Sikkim	4 Training Programs conducted during 2023-24. Frequency of training program not mentioned.
31.	Tamil Nadu	Every 6 months TNPCB is conducting training programme for district level stakeholders.
32.	Telangana	As per requirement. During Jan 2023 to June, 2024, 984 no. of training/workshops for district level stakeholders and healthcare workers.
33.	Tripura	Training is conducted but frequency is not mentioned.
34.	Uttarakhand	Training is being conducted. Frequency of training program not mentioned.
35.	Uttar Pradesh	Quarterly

36.	West Bengal	Training is provided to healthcare workers regularly
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States/UTs namely Arunachala Pradesh, Chandigarh, Delhi, DD & DNH, Karnataka, Ladakh, Lakshadweep, Gujarat, Maharashtra, Meghalaya, Mizoram, Puducherry, Punjab, Tamilnadu and Uttar Pradesh, have fixed frequency of training program (monthly to yearly). Remaining States/UTs conducted trainings, however, frequency is not informed.

4 Revision of guidelines by CPCB

CPCB has prepared the guidelines for Common Biomedical Waste Treatment Facility (CBWTF) in December, 2016. These guidelines were prepared in line with re-notification of Biomedical Waste Management Rules, 2016 under Environment (Protection) Act, 1986 by Ministry of Environment Forest & Climate Change. These guidelines outlined the criteria for setting up of new CBWTF as well as operating parameters for CBWTF in compliance to standards prescribed under BMWM Rules, 2016. Further, while reviewing the status of biomedical waste in the Country, Hon'ble NGT directed CPCB to re-visit the guidelines to meet the current requirement of biomedical waste management so that there will be no gap in its generation and treatment. In order to review the current requirement of treatment capacity in States and UTs, CPCB requested SPCBs/PCCs to conduct the gap analysis as required under CPCB said guidelines.

CPCB has also constituted an Expert Committee comprising of members from Ministry of Health and Family Welfare, National Environment Engineering Research Institute, Nagpur, Indian Medical Association, Safdarjung Hospital and

VMMC, CBWTF Association of India and SPCBs. First meeting of said Expert Committee was conducted on 30.04.2024 and second meeting was conducted on 22.10.2024 in which the matter related to the review of CPCB guidelines for biomedical waste management was also discussed. Minutes of meeting held on 22.10.2024 is given at **Annexure-V**. Further, as per the directions of Hon'ble Tribunal, clauses related to revision of distance criteria and related to separate colour coding for vehicles transporting the biomedical waste is also being considered in the revision of guidelines. In this regard, it is humbly submitted that revision of guidelines is under the consultation of bio-medical waste stakeholders and expected to be finalised within three months.

Further, it is also to mention that CPCB prepared a methodology for carrying out the gap analysis which was also submitted in the last report filed before Hon'ble NGT. However, CPCB has observed non-uniformity and ambiguity in the gap analysis reports received from few SPCBs/PCCs (13 nos.). Hence, CPCB has issued revised version of methodology as Version 1 and also circulated to SPCBs/PCCs vide CPCB letter dated 11.12.2024 to complete the gap analysis.

4.1.1 Status of gap analysis conducted by SPCBs/PCCs is as follows:

As per available information 19 State/UT namely Andaman and Nicobar, Andhra Pradesh, Assam Bihar, Chandigarh, Delhi, Goa, Gujarat, Haryana, Himachal Pradesh, J&K, Lakshadweep, Madhya Pradesh, Puducherry, Punjab, Sikkim, Telangana, Tripura and West Bengal conducted gap analysis with respect to generation and treatment of biomedical waste.

According to gap analysis, 8 States/UTs namely Chandigarh, Goa, Haryana, Himachal Pradesh, Madhya Pradesh, Punjab, Telangana and Tripura submitted that no CBWTF is required as the available treatment capacity of CBWTF is adequate to treat bio-medical waste .

Additional CBWTFs are required in States/UTs namely Andhra Pradesh, Bihar, Delhi, Gujarat, Puducherry, Sikkim and West Bengal. These States/UTs are under process of setting up new CBWTF. States/UTs namely Chhattisgarh, Daman and Diu, Kerala, Maharashtra, Mizoram, Odisha, Tamil Nadu, Uttarakhand and Rajasthan, reported that gap analysis is under process.

Andaman & Nicobar and Lakshadweep are required to develop criteria for setting up of CBWTFs / captive treatment facilities depending upon the distance between the islands and their connectivity to transport the biomedical waste.

However, the gaps have been observed by CPCB in the gap analysis reports submitted by States/UTs. Accordingly, CPCB vide letter dated 12.12.2024 communicated remarks on the gap analysis reports to respective SPCBs/PCCs. Some of the common remarks of CPCB on the gap analysis reports is as follows:

- Coverage area of CBWTFs is not mentioned clearly.
- Clause of coverage area of CBWTF is not considered while concluding on requirement of new CBWTFs.
- Adequacy of CBWTFs in terms of compliance to BMWM Rules, 2016 is not considered, while concluding on requirement of new CBWTFs.
- Method for extrapolation varies in districts of State/UT.

Non-uniformity in gap analysis report has been observed. Therefore, to maintain uniformity, CPCB revised methodology for conduct of gap analysis with respect to biomedical waste generation and treatment and circulated to SPCBs/PCCs vide letter dated 12.12.2024.

Remaining SPCBs/PCCs are required to conduct the gap analysis to check adequacy of operational CBWTFs and facilitate for setting up of additional treatment capacity if required.

4.1.2 Coverage of districts and distance by CBWTFs in State/ UT:

CPCB has collected information from CBWTFs regarding distance covered, districts covered and treatment capacity to assess the current status of coverage of CBWTFs across the Country. The summary of information collected from CBWTFs is given in following Table 8 and Figure 2.

Table 8: State/UT wise details of districts covered/not covered by CBWTFs

S. No.	Name of the State/UT	No. of CBWTFs	Total No. of Districts in State / UT	No. of Districts covered by CBWTF	No. of Districts not yet covered by CBWTF	Name of districts not covered by CBWTFs
1	Andaman Nicobar	0	3	No CBWTF		NA
2	Andhra Pradesh	13	26	26	0	NA

3	Arunachal Pradesh	0	27	No CBWTF		NA
4	Assam	2	35	11	24	Biswanath, Cachar, Charaideo, Darrang, Dhemaji, Dhubri, Dibrugarh, Golaghat, Hailakandi, Hojai, Jorhat, Karbi Anglong, Karimganj, Lakhimpur, Majuli, Sivasagar, Sonitpur, South Salmara-Mankachar, Tinsukia, Udalguri, West Karbi Anglong, Bajali, Tamulpur, Biswanath
5	Bihar	4	38	38	0	NA
6	Chandigarh	1	1	1	0	NA

7	Chhattisgarh	5	33	20	13	Balod, Bastar, Bijapur, Bilaspur, Dakshin Bastar Dantewada, Kabeerdham, Kanker, Kondagaon, Korla, Narayanpur, Sukma, Khairagarh Chhuikhadan Gandai, Manendragarh Chirmiri Bharatpur Mcb, Mohla Manpur Ambagarh Chouki
8	DD & DNH	Utilising CBWTF of Gujarat	3	3	0	NA
9	Delhi	2	11	11	0	NA
10	Goa	1	2	2	0	NA
11	Gujarat	20	33	33	0	NA
12	Haryana	11	22	22	0	NA

13	Himachal Pradesh	3	12	11	1	Lahaul and Spiti
14	J &K	3	20	20	0	NA
15	Jharkhand	4	24	23	1	Sahebganj
16	Karnataka	30	31	28	3	Belagavi, haveri, Kodagu
17	Kerala	2	14	14	0	NA
18	Ladakh	0	2	No CBWTF		NA
19	Lakshadweep	0	1	No CBWTF		NA
20	Madhya Pradesh	19	55	48	7	Pandhurna, Mauganj, Mehar, Jhabua, Badwani,Harda, Alirajpur
21	Maharashtra	29	36	32	4	Bhandara, Gadchiroli, Hingoli, Wardha
22	Manipur	1	16	6	10	Chandel, Churachandpur, Jiribam, Kamjong, Kangpokpi, Noney, Pherzawl,

						Tamenglong, Ukhrul, Tengenoupal
23	Meghalaya	1	12	1	11	East Garo Hills, West Garo Hills, South Garo Hills, South West Garo Hills, North Garo Hills, West Khasi Hills, Ri-Bhoi, South-West Khasi Hills, East Jaintia Hills, west Jaintia Hills, Eastern West Khasi Hills
24	Mizoram	0	11	No CBWTF		NA
25	Nagaland	0	16	No CBWTF		NA
26	Odisha	7	30	26	4	Malkangiri, Kendujhar, Balasore, Subarnapur
27	Puducherry	1	4	4	0	NA

28	Punjab	6	23	23	0	NA
29	Rajasthan	12	50	50	0	Some HCFs of remote area are not covered by CBWTFs
30	Sikkim	0	6	No CBWTF		NA
31	Tamil Nadu	10	38	34	4	Viluppuram, Thiruvarur, Thoothukudi, Tiruchirappalli
32	Telangana	11	33	30	3	Hanumakonda, Komaram Bheem Asifabad, Rajanna Sircilla
33	Tripura	1	8	3	5	Dhalai, North Tripura, Sepahijala, South Tripura, Unakoti
34	Uttarakhand	2	13	8	5	Bageshwar, Chamoli, Champawat, Pithoragarh, Rudraprayag

35	Uttar Pradesh	23	75	57	18	Ambedkar Nagar, Amethi, Azamgarh, Bahraich, Ballia, Banda, Budau, Chitrakoot, Kasganj, ,Lakhimpur Kheri, Mahoba, Mau, Rae Bareli, Shravasti, Sonebhara, Laitpur, Sultanpur
36	West Bengal	7	23	23	0	
Total		232	787	608	179	

Figure 2: Chart showing no. of Districts covered/not covered by CBWTFs in the Country

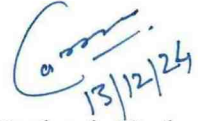
As per the information submitted by SPCBs/PCCs and CBWTF operators, Out of 787 no. of districts, 608 no. of district are covered by CBWTFs and 179 no. of districts are not covered by CBWTFs. SPCBs/PCCs may consider this fact with regard to unavailability of service of CBWTF in above mentioned 179 nos. of Districts while preparing gap analysis report for their respective State / UT.

5 Recommendations:

The following are recommended with respect to gaps / observations made in above paras:

- i. SPCBs/PCCs namely Maharashtra, Karnataka and Uttar Pradesh, shall immediately initiate action against 2,803 no. of violating HCFs / CBWTFs.
- ii. SPCBs/PCCs namely Assam and Bihar, shall ensure treatment & disposal of biomedical waste in line with provisions of BMWM Rules, 2016 in a time bound manner.
- iii. Each State/UT shall complete the gap analysis in line with CPCB guidelines and revised methodology to review the requirement of CBWTFs for the treatment and disposal of biomedical waste.
- iv. SPCBs/PCCs namely Assam, Chhattisgarh, Himachal Pradesh, Jharkhand, Karnataka, Madhya Pradesh, Maharashtra, Manipur, Meghalaya, Odisha, Rajasthan, Tamilnadu, Telanagana, Tripura, Uttarakhand and Uttar Pradesh shall ensure that the districts mentioned in Table 8 where service of CBWTF is not available, are covered by CBWTFs for treatment & disposal of biomedical waste in a time bound manner.
- v. SPCBs/PCCs shall compile the information on quantum of biomedical waste being disposed off through deep burial pits and also shall verify their compliance in line with standards prescribed under BMWM Rules, 2016. SPCBs/PCCs shall also restrict the use of deep burial pits only in rural or remote area in accordance with BMWM Rules, 2016.
- vi. 24 SPCBs/PCCs namely Andaman and Nicobar Islands, Arunachal Pradesh, Assam, Bihar, Chhattisgarh, Himachal Pradesh, J&K, Jharkhand, Karnataka, Kerala, Ladakh, Lakshadweep, Madhya Pradesh, Maharashtra,

Manipur, Meghalaya, Mizoram, Nagaland, Odisha, Rajasthan, Sikkim, Tripura, Uttar Pradesh and Uttarakhand, where captive treatment facilities are still being used by HCFs should monitor the compliance to standards as prescribed under BMW Rules, 2016 regularly and take action against defaulting facility.



(Vijay Prakash Yadav)

Scientist 'F'

Central Pollution Control Board

1396

Item No. 13

Court No. 1

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

M.A. No. 98/2022

In

Original Application No. 180/2021

Mukul Kumar

Applicant

Versus

State of Uttar Pradesh & Ors.

Respondent(s)

Date of hearing: 02.09.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Respondent: Mr. Raj Kumar, Adv. for CPCB
Mr. Rahul Khurana, Adv. for the State of Haryana & HSPCB
Mr. Pradeep Misra & Mr. Daleep Dhyani, Advs. for UPPCB (Through VC)
Ms. Anupama Ngangom, Adv. for the State of Manipur (Through VC)
Mr. Ghansham Singh, Member Secretary, J&K PCC (Through VC)

ORDER

1. The Tribunal in this original application is examining the issue of remedial action against non-compliance of the Bio-Medical Waste (BMW) Rules, 2016.
2. In terms of the earlier directions, Central Pollution Control Board (CPCB) was required to obtain the report from the States/Union Territories (UTs) and file a fresh report showing compliance by the different States and UTs.
3. The report dated 31.08.2024 has been filed by the CPCB showing that the CPCB did not receive the reports from the States of Assam, Jharkhand, Jammu and Kashmir, Ladakh, Lakshadweep, Manipur, Mizoram and Sikkim. The report itself states that out of 36 States/UTs, the reports have been received from 28 States/UTs.

4. Learned Counsel for State of Manipur has informed that the report has already been filed on 10.05.2024 and it is available at the website. CPCB may download the reports of States/UTs which are available at the website. Counsel for the CPCB submits that a communication will be sent to the States/UTs from whom the reports are awaited, and thereafter, a fresh report will be filed before the Tribunal.

5. So far as the Table 2 in the latest report of the CPCB dated 31.08.2024 is concerned, the said table shows the State/UT-wise situation of authorization of Health Care Facilities (HCFs) and reveal that a number of unauthorised HCFs are operating in various States. Hence, the CPCB is required to ensure appropriate expeditious action against the unauthorised HCFs. The report of the CPCB further mentions that some action has been taken against 14,853 violating HCFs/Common Bio-medical Waste Treatment Facilities (CBWTFs) but their details have not been provided by the SPCBs/PCCs of Gujarat, Jharkhand, J&K, Karnataka, Madhya Pradesh, Maharashtra, Manipur, Mizoram, Odisha and Uttar Pradesh. These States are directed to provide the requisite details of violating HCFs/CBWTFs to the CPCB without any delay.

6. From the table 4 of the report of the CPCB, we also take note of the fact that there is gap of 19.03 TPD in biomedical waste generation (tons/day) and biomedical waste treatment, especially in respect of the States of Assam, Bihar, J&K, Jharkhand and Nagaland.

7. We also find from Table 5 that no CBWTFs are available in Andaman and Nicobar, Arunachal Pradesh, Ladakh, Lakshadweep, Mizoram, Nagaland and Sikkim. Under the Bio-medical Waste Management Rules, 2016, especially in terms of Rule 6 read with Rule 9

(3) and Entry 4 of Schedule III of the Rules, the responsibility lies with the CPCB to the extent indicated in these rules.

8. With regard to gap analysis adequacy should be properly assessed so that no pilferage of waste goes into hands of unauthorized processors.

9. In the aforesaid background, learned Counsel for CPCB seeks further four weeks' time to file a fresh report.

10. Counsel for CPCB has also informed that to review the Guidelines, a Committee has been formed which is in the process of undertaking the said exercise.

11. List on 16.12.2024.

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

September 02, 2024
M.A. No. 98/2022
In Original Application No. 180/2021
dv

By Speed Post

F. No. CM-13011/88/2021-WM-I-HO-CPCB-HO(2096) 5267-5273 October 01, 2024

To,

The Member Secretary,
 (Andaman and Nicobar, Arunachal Pradesh, Ladakh, Lakshadweep, Mizoram, Nagaland and
 Sikkim)

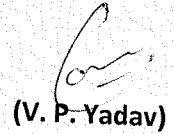
Sub: Compliance to the Order dated 02.09.2024 passed by Hon'ble NGT in the matter of M.A. No. 98/2022 (PB) in O.A. No. 180 of 2021 titled Mukul Kumar Vs State of Uttar Pradesh & Ors – reg.

Sir/Madam,

This has reference to order passed by Hon'ble National Green Tribunal (NGT) on 02.09.2024 in the matter of M.A. No. 98/2022 (PB) in O.A. No. 180 of 2021 titled Mukul Kumar Vs State of Uttar Pradesh & Ors. In this regard, it is to mention that as per available information, there is currently no Common Biomedical Waste Treatment Facility (CBWTF) operational in your State/UT for treatment & disposal of biomedical waste. The issue was also highlighted by Hon'ble NGT in its order dated 02.09.2024 in the aforementioned matter.

In view of above, it is requested to kindly initiate action for establishment of new CBWTF in your State/UT. It is also requested to kindly submit a report on the actions taken in this regard to this office within a week.

Yours faithfully



(V. P. Yadav)

Director & Head

Waste Management -I Division

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केन्द्रीय प्रदूषण नियंत्रण बोर्ड
 दिनांक..... 01/10/2024
 स्थान.....

By Speed Post

F. No. B-31011/BMW (2096/42.77)/2024/WMD-I 5266

October 01, 2024

To,

The Member Secretary,
Mizoram Pollution Control Board,
New Secretariat Complex,
Khatla Thlanmual Peng, Khatla,
Aizawl- 796 001, Mizoram

Sub: Compliance to the Order dated 02.09.2024 passed by Hon'ble NGT in the matter of M.A. No. 98/2022 (PB) in O.A. No. 180 of 2021 titled Mukul Kumar Vs State of Uttar Pradesh & Ors – reg.

Sir,

This has reference to order passed by Hon'ble National Green Tribunal (NGT) on 02.09.2024 in the matter of M.A. No. 98/2022 (PB) in O.A. No. 180 of 2021 titled Mukul Kumar Vs State of Uttar Pradesh & Ors. In the report dated 31.08.2024 filed by CPCB before Hon'ble NGT regarding implementation of the Biomedical Waste Management Rules, 2016, CPCB considered the report provided by your board in response to previous orders of Hon'ble NGT.

Accordingly, Hon'ble NGT in its order dated 02.09.2024 mentioned that the report was not filed to CPCB by your State and action has not been imitated against all the violating HCFs operational in your State.

Furthermore, it is to mention that the report received from your board was based on the old format, and an updated report, in accordance with the format circulated by the CPCB on 08.07.2024 and reiterated in reminder emails dated 22.08.2024, is still pending. A copy of the aforementioned orders is enclosed for your reference.

In view of above, it is requested to kindly initiate action against all violating HCFs operational in your State. It is also requested to ensure compliance with the Hon'ble Tribunal's order and submit the required information in the attached format (Annexure-I) within one week.

Yours faithfully



(V. P. Yadav)

Director & Head

Waste Management -I Division

केन्द्रीय प्रदूषण नियंत्रण बोर्ड

निर्गत... 21/10/2024

By Speed Post

F. No. B-31011/BMW (2096/42.77)/2024/WMD-I 5264

October 01, 2024

To,

The Member Secretary,
Assam Pollution Control Board,
Bamunimaidan,
Guwahati- 781 021, Assam

Sub: Compliance to the Order dated 02.09.2024 passed by Hon'ble NGT in the matter of M.A. No. 98/2022 (PB) in O.A. No. 180 of 2021 titled Mukul Kumar Vs State of Uttar Pradesh & Ors – reg.

Sir,

This has reference to order passed by Hon'ble National Green Tribunal (NGT) on 02.09.2024 in the matter of M.A. No. 98/2022 (PB) in O.A. No. 180 of 2021 titled Mukul Kumar Vs State of Uttar Pradesh & Ors. In the report dated 31.08.2024 filed by CPCB before Hon'ble NGT regarding implementation of the Biomedical Waste Management Rules, 2016, CPCB considered the report provided by your board in response to previous orders of Hon'ble NGT.

Accordingly, Hon'ble NGT in its order dated 02.09.2024 mentioned that the report was not filed to CPCB by your State and gap has been observed in biomedical waste generation and treatment & disposal.

Furthermore, it is to mention that the report received from your board was based on the old format, and an updated report, in accordance with the format circulated by the CPCB on 08.07.2024 and reiterated in reminder emails dated 22.08.2024, is still pending. A copy of the aforementioned orders is enclosed for your reference.

In view of above, it is requested to kindly ensure that all biomedical waste generated in your State is treated and disposed of in line with BMW Rules, 2016. It is also requested to ensure compliance with the Hon'ble Tribunal's order and submit the required information in the attached format (Annexure-I) within one week.

Yours faithfully


(V. P. Yadav)

Director & Head

Waste Management -I Division

অসম পলিউশন কন্ট্রোল বোর্ড
সি.ও.
সি.এম.ও.
২/১০/২০২৪

By Speed Post

F. No. B-31011/BMW (2096/42.77)/2024/WMD-I 5263

October 01, 2024

To,

The Member Secretary,
Jammu & Kashmir Pollution Control Committee,
Parivesh Bhawan, Forest Complex,
Gladni, Narwal, transport Nagar,
Jammu - 180 004, Jammu and Kashmir

Sub: Compliance to the Order dated 02.09.2024 passed by Hon'ble NGT in the matter of M.A. No. 98/2022 (PB) in O.A. No. 180 of 2021 titled Mukul Kumar Vs State of Uttar Pradesh & Ors – reg.

Sir,

This has reference to order passed by Hon'ble National Green Tribunal (NGT) on 02.09.2024 in the matter of M.A. No. 98/2022 (PB) in O.A. No. 180 of 2021 titled Mukul Kumar Vs State of Uttar Pradesh & Ors. In the report dated 31.08.2024 filed by CPCB before Hon'ble NGT regarding implementation of the Biomedical Waste Management Rules, 2016, CPCB considered the report provided by your board in response to previous orders of Hon'ble NGT.

Accordingly, Hon'ble NGT in its order dated 02.09.2024 mentioned that the report was not filed to CPCB by your State, gap has been observed in biomedical waste generation and treatment & disposal and action has not been initiated against all the violating CBWTFs and HCFs.

Furthermore, it is to mention that the report received from your board was based on the old format, and an updated report, in accordance with the format circulated by the CPCB on 08.07.2024 and reiterated in reminder emails dated 22.08.2024, is still pending. A copy of the aforementioned orders is enclosed for your reference.

In view of above, it is requested to kindly ensure that all biomedical waste generated in your State is treated and disposed of in line with BMW Rules, 2016 and initiate action against all violating CBWTFs & HCFs. It is also requested to ensure compliance with the Hon'ble Tribunal's order and submit the required information in the attached format (Annexure-I) within one week.

Yours faithfully

(V. P. Yadav)

Director & Head

Waste Management -I Division

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
निर्गत *NSingh*
दिनांक *4/10/2024*
6/C

By Speed Post

F. No. B-31011/BMW (2096/42.77)/2024/WMD-I 5265

October 01, 2024

To,

The Member Secretary,
Manipur Pollution Control Board,
Lamphelpat, Near Imphal West D.C. Office,
Imphal – 795 004, Manipur

Sub: Compliance to the Order dated 02.09.2024 passed by Hon'ble NGT in the matter of M.A. No. 98/2022 (PB) in O.A. No. 180 of 2021 titled Mukul Kumar Vs State of Uttar Pradesh & Ors – reg.

Sir,

This has reference to order passed by Hon'ble National Green Tribunal (NGT) on 02.09.2024 in the matter of M.A. No. 98/2022 (PB) in O.A. No. 180 of 2021 titled Mukul Kumar Vs State of Uttar Pradesh & Ors. Further, Hon'ble NGT in the aforementioned order dated 02.09.2024 mentioned that the report was not filed to CPCB by your State/UT and action has not been initiated against violating CBWTF/HCFs operational in your State. During hearing in the aforementioned matter on 02.09.2024, it was reported by your board that report has been filed on 10.05.2024.

In this regard, it is to mention that the report submitted was as per old format and updated report is not yet submitted by your board as per the format circulated by CPCB vide letter dated 08.07.2024 & reminder emails dated 22.08.2024. Copy of aforesaid orders is enclosed for ready reference.

In view of above, it is requested to kindly ensure compliance to the order passed by Hon'ble Tribunal and submit the information in the format attached at Annexure-I within in a week to this office.

Yours faithfully



(V. P. Yadav)

Director & Head

Waste Management -I Division

o/c
केन्द्रीय प्रदूषण नियंत्रण बोर्ड

दिनांक... 01/10/2024

By Speed Post

F. No. B-31011/BMW (2096/42.77)/2024/WMD-I 5262

October 01, 2024

To,

The Member Secretary,
Lakshadweep Pollution Control Committee,
Department of Science, Technology & Environment,
Kavarati-682 555, Lakshadweep

Sub: Compliance to the Order dated 02.09.2024 passed by Hon'ble NGT in the matter of M.A. No. 98/2022 (PB) in O.A. No. 180 of 2021 titled Mukul Kumar Vs State of Uttar Pradesh & Ors – reg.

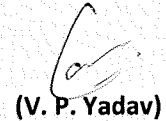
Sir,

This has reference to order passed by Hon'ble National Green Tribunal (NGT) on 02.09.2024 in the matter of M.A. No. 98/2022 (PB) in O.A. No. 180 of 2021 titled Mukul Kumar Vs State of Uttar Pradesh & Ors. Hon'ble NGT in the aforementioned order dated 02.09.2024 mentioned that the report was not filed to CPCB by your State/UT. Copy of aforesaid orders is enclosed for ready reference.

In this regard, it is to mention that the report is not yet received as per the format circulated by CPCB vide letter dated 08.07.2024 & reminder emails dated 16.07.2024 & 22.08.2024.

In view of above, it is requested to kindly ensure compliance to the order passed by Hon'ble Tribunal and submit the information in the format attached at Annexure-I within in a week to this office.

Yours faithfully



(V. P. Yadav)

Director & Head

Waste Management -I Division

o/c

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
निर्दिष्ट
दिनांक 4/10/2024

1405

By Speed Post

F. No. B-31011/BMW (2096/42.77)/2024/WMD-I 5261

October 01,2024

To,

The Member Secretary,
Sikkim State Pollution Control Board,
Department of Forest, Environment & Wildlife Management,
Deorali, Gangtok, - 737 102, Sikkim

Sub: Compliance to the Order dated 02.09.2024 passed by Hon'ble NGT in the matter of M.A. No. 98/2022 (PB) in O.A. No. 180 of 2021 titled Mukul Kumar Vs State of Uttar Pradesh & Ors – reg.

Sir,

This has reference to order passed by Hon'ble National Green Tribunal (NGT) on 02.09.2024 in the matter of M.A. No. 98/2022 (PB) in O.A. No. 180 of 2021 titled Mukul Kumar Vs State of Uttar Pradesh & Ors. Hon'ble NGT in the aforementioned order dated 02.09.2024 mentioned that the report was not filed to CPCB by your State/UT. Copy of aforesaid orders is enclosed for ready reference.

In this regard, it is to mention that the report is not yet received as per the format circulated by CPCB vide letter dated 08.07.2024 & reminder emails dated 16.07.2024 & 22.08.2024.

In view of above, it is requested to kindly ensure compliance to the order passed by Hon'ble Tribunal and submit the information in the format attached at Annexure-I within in a week to this office.

Yours faithfully



(V. P. Yadav)

Director & Head

Waste Management -I Division

o/c

कोसीय प्रदूषण नियंत्रण बोर्ड
नि.सं. N/Singh
दि.सं. 01/10/2024

1406

By Speed Post

F. No. B-31011/BMW (2096/42.77)/2024/WMD-I

5274-5276

October 01, 2024

To,

The Member Secretary,
(Nagaland, Bihar, Jharkhand)

Sub: Compliance to the Order dated 02.09.2024 passed by Hon'ble NGT in the matter of M.A. No. 98/2022 (PB) in O.A. No. 180 of 2021 titled Mukul Kumar Vs State of Uttar Pradesh & Ors – reg.

Sir,

This has reference to order passed by Hon'ble National Green Tribunal (NGT) on 02.09.2024 in the matter of M.A. No. 98/2022 (PB) in O.A. No. 180 of 2021 titled Mukul Kumar Vs State of Uttar Pradesh & Ors. In the said order, Hon'ble NGT mentioned that there is gap in Biomedical waste generation and Biomedical waste treatment. Copy of aforesaid orders is enclosed for ready reference.

In view of above, it is requested to kindly ensure compliance to the order passed by Hon'ble Tribunal. It is also requested to ensure that all biomedical waste generated in your State is treated and disposed off in line with BMWM Rules, 2016. Action taken in this regard may be submitted to this office within in a week.

Yours faithfully



(V. P. Yadav)

Director & Head

Waste Management -I Division

Encl. As above

o/c

केन्द्रीय प्रदूषण नियंत्रण बोर्ड

दिनांक.....

दिनांक.....

1407

By Speed Post

F. No. B-31011/BMW (2096/42.77)/2024/WMD-I 5277-5282 October 01,2024

To,

The Member Secretary,
(Gujarat, Karnataka, Maharashtra, Madhya Pradesh, Odisha, Uttar Pradesh)

Sub: Compliance to the Order dated 02.09.2024 passed by Hon'ble NGT in the matter of M.A. No. 98/2022 (PB) in O.A. No. 180 of 2021 titled Mukul Kumar Vs State of Uttar Pradesh & Ors – reg.
Sir,

This has reference to order passed by Hon'ble National Green Tribunal (NGT) on 02.09.2024 in the matter of M.A. No. 98/2022 (PB) in O.A. No. 180 of 2021 titled Mukul Kumar Vs State of Uttar Pradesh & Ors. Copy of aforesaid order is enclosed for ready reference.

In the said order, Hon'ble NGT mentioned that the details of action taken againstno. violating of HCFs/CBWTFs, out ofviolating HCFs/CBWTFs is not provided to CPCB by your State. (Violating HCFs/CBWTFs includes HCFs operational without authorisation)

In view of above, it is requested to kindly submit the details of action taken against all violating HCFs/CBWTFs in your State within in a week to this office.

Yours faithfully



(V. P. Yadav)

Director & Head

Waste Management -I Division

केन्द्रीय प्रदूषण नियंत्रण बोर्ड

दिनांक Nsiny

दिनांक 01/10/2024

Reminder -IBy Speed PostF. No. CM-13011/88/2021-WM-I-HO-CPCB-HO(2096) ~~6228~~ -6282

November 13, 2024

To,

The Member Secretary,
(Andaman and Nicobar, Ladakh, Lakshadweep, Nagaland and Sikkim)

Sub: Compliance to the Order dated 02.09.2024 passed by Hon'ble NGT in the matter of M.A. No. 98/2022 (PB) in O.A. No. 180 of 2021 titled Mukul Kumar Vs State of Uttar Pradesh & Ors – reg.

Ref: CPCB letter no.: F. No. CM-13011/88/2021-WM-I-HO-CPCB-HO(2096)- 5267-5273 dated 01.10.2024

Sir/Madam,

This has reference to above referred CPCB letter dated 01.10.2024 regarding initiation of action and submission of action taken report for establishment of new CBWTF in line with order passed by Hon'ble National Green Tribunal (NGT) on 02.09.2024 in the matter of M.A. No. 98/2022 (PB) in O.A. No. 180 of 2021 titled Mukul Kumar Vs State of Uttar Pradesh & Ors. However, action taken report is not yet received by CPCB from your State/UT.

In view of above, it is requested to kindly initiate action for establishment of new CBWTF in your State/UT. It is also requested to kindly submit a report on the actions taken in this regard to this office within a week.

Yours faithfully



(V. P. Yadav)

Director & Head

Waste Management -I Division

o/c

Reminder -IBy Speed Post

F. No. CM-13011/88/2021-WM-I-HO-CPCB-HO(2096)

6233 -6237

November 13, 2024

To,

The Member Secretary,
(Lakshadweep, Sikkim, Manipur, Assam, J & K)

Sub: Compliance to the Order dated 02.09.2024 passed by Hon'ble NGT in the matter of M.A. No. 98/2022 (PB) in O.A. No. 180 of 2021 titled Mukul Kumar Vs State of Uttar Pradesh & Ors – reg.

Ref: CPCB letter no.: F. No. CM-13011/88/2021-WM-I-HO-CPCB-HO(2096)- 5261-5266 dated 01.10.2024

Sir,

This has reference above referred CPCB letter dated 01.10.2024 regarding compliance to the order passed by Hon'ble National Green Tribunal (NGT) on 02.09.2024 in the matter of M.A. No. 98/2022 (PB) in O.A. No. 180 of 2021 titled Mukul Kumar Vs State of Uttar Pradesh & Ors. and submit the information regarding implementation of Biomedical Waste Management Rules, 2016 in the format circulated by CPCB. However, the report is not yet received by CPCB.

In view of above, it is requested to kindly ensure compliance to the order passed by Hon'ble Tribunal and submit the information in the format attached at Annexure-I within in a week to this office.

Yours faithfully



(V. P. Yadav)

Director & Head

Waste Management -I Division

o/c

1410

Reminder -I

By Speed Post

F. No. B-31011/BMW (2096/42.77)/2024/WMD-I

6238-6243

November 13, 2024

To,

The Member Secretary,
(Gujarat, Karnataka, J &K, Maharashtra, Odisha, Uttar Pradesh)

Sub: Compliance to the Order dated 02.09.2024 passed by Hon'ble NGT in the matter of M.A. No. 98/2022 (PB) in O.A. No. 180 of 2021 titled Mukul Kumar Vs State of Uttar Pradesh & Ors – reg.

Ref: CPCB letter no.: F. No. CM-13011/88/2021-WM-I-HO-CPCB-HO(2096)- 5277-5282 dated 01.10.2024

Sir,

This has reference to above referred CPCB letter dated 01.10.2024 regarding submission of details of action taken against all violating HCFs/CBWTFs in line with order passed by Hon'ble National Green Tribunal (NGT) on 02.09.2024 in the matter of M.A. No. 98/2022 (PB) in O.A. No. 180 of 2021 titled Mukul Kumar Vs State of Uttar Pradesh & Ors. However, the details of action taken againstno. violating of HCFs/CBWTFs is not provided to CPCB by your State/UT.

In view of above, it is requested to kindly submit the details of action taken against all violating HCFs/CBWTFs in your State within in a week to this office.

Yours faithfully



(V. P. Yadav)

Director & Head
Waste Management -I Division

o/c

1411

By Speed Post

F. No. B-31011/BMW (2096/42.77)/2024/WMD-I-6244

November 13, 2024

To,

The Member Secretary
Nagaland Pollution Control Board
Signal Point, Dimapur, Nagaland – 797112

Sub: Compliance to the Order dated 02.09.2024 passed by Hon'ble NGT in the matter of M.A. No. 98/2022 (PB) in O.A. No. 180 of 2021 titled Mukul Kumar Vs State of Uttar Pradesh & Ors – reg.

Ref: CPCB letter no.: F. No. CM-13011/88/2021-WM-I-HO-CPCB-HO(2096)- 5274-5276 dated 01.10.2024

Sir,

This has reference to above referred CPCB letter dated 01.10.2024 to ensure that all biomedical waste generated in your State is treated and disposed off in line with BMWM Rules, 2016 in line with order passed by Hon'ble National Green Tribunal (NGT) on 02.09.2024 in the matter of M.A. No. 98/2022 (PB) in O.A. No. 180 of 2021 titled Mukul Kumar Vs State of Uttar Pradesh & Ors.

In view of above, it is requested to ensure that all biomedical waste generated in your State is treated and disposed off in line with BMWM Rules, 2016. Action taken in this regard may be submitted to this office within in a week.

Yours faithfully



(V. P. Yadav)

Director & Head

Waste Management -I Division

o/c

Reminder -IBy Speed Post

F. No. B-31011/BMW (2096/42.7)/2024/WMD-I/5381-5400

6248-6262

November 13, 2024

To,

The Member Secretary,
(As per list)**Sub: Regarding conduct of gap analysis as per CPCB guidelines prior to allow any new CBWTF****Ref:** CPCB letter No. : (i) F. No. B-31011/BMW (3398)/2023/WMD-I/4933-4968 dated 10.10.2023

(ii) F. No. B-31011/BMW (3398)/2024/WMD-I/7956-7999 dated 28.12.2023

(ii) F. No. B-31011/BMW (3398)/2024/WMD-I/dated 26.04.2024

(iii) F. No. B-31011/BMW (2096/42.77)/2024/WMD-I/5381-5400 dated 01.10.2024

Sir/Madam,

This has reference to above referred letters wherein your board/committee was requested to conduct gap analysis with respect to biomedical waste generation and treatment as per CPCB guidelines prior to allow any new CBWTF. However, gap analysis report is not yet submitted by your Board/Committee to CPCB.

In view of above, it is requested to kindly conduct gap analysis with respect to generation and treatment of biomedical waste and submit the report to CPCB within 15 days.

Yours faithfully

**(V. P. Yadav)**

Director & Head

Waste Management -I Division

o/c

S.No.	Name of State/UT	Address of SPCB/PCC
1.	Delhi	The Member Secretary, Delhi Pollution Control Committee, Government of N.C.T. Delhi, 4th Floor, ISBT Building, Kashmere Gate, Delhi-110 006
2.	Punjab	The Member Secretary, Punjab Pollution Control Board, Vatavaran Bhawan, Nabha Road, Patiala – 147 001, Punjab
3.	Tripura	The Member Secretary, Tripura State Pollution Control Board, Vigyan Bhawan Pandit Nehru Complex, Gorkhabasti, PO: Kunjaban, Agartala – 799 006, Tripura
4.	Assam	The Member Secretary, Assam Pollution Control Board, Bamunimaidan, Guwahati- 781 021, Assam
5.	Chhattisgarh	The Member Secretary, Chhattisgarh Environment Conservation Board, Paryavas Bhavan, Paryavas Bhavan, North Block Sector-19, Atal Nagar, Raipur -492 002, Chhattisgarh
6.	Daman &Diu and Dadra & Nagar Haveli	The Member Secretary, Pollution Control Committee, Dadra and Nagar Haveli and Daman and Diu, 1st Floor, Udhyog Bhavan Bhenslore, Dunetha Nani Daman, Daman – 396 210, Daman
7.	Jharkhand	The Member Secretary, Jharkhand State Pollution Control Board, T.A Building, HEC, P.O. Dhurwa, Ranchi – 834 004, Jharkhand
8.	J & K	The Member Secretary, Jammu & Kashmir Pollution Control Committee, Parivesh Bhawan, Forest Complex, Gladni, Narwal, transport Nagar, Jammu - 180 004, Jammu and Kashmir
9.	Karnataka	The Member Secretary, Karnataka State Pollution Control Board, Parisara Bhavan, 4th & 5th Floor,# 49, Church Street, Bangalore-560 001, Karnataka
10.	Kerala	The Member Secretary, Kerala State Pollution Control Board, Plamoodu Jn., Pattom Palace P.O., Thiruvananthapuram-695 004, Kerala

11.	Maharashtra	The Member Secretary, Maharashtra Pollution Control Board, Kalpataru Point, 2nd – 4th Floor, (Opp. Cine Planet Cinema), Nr. Sion Circle, Sion, Mumbai – 400 022, Maharashtra
12.	Manipur	The Member Secretary, Manipur Pollution Control Board, Lamphepat, Near Imphal West D.C. Office, Imphal – 795 004, Manipur
13.	Meghalaya	The Member Secretary, Meghalaya State Pollution Control Board, Arden-Lumpynggad, Shillong- 793 014, Meghalaya
14.	Odisha	The Member Secretary, Odisha State Pollution Control Board, A-118, Nilakanta Nagar, Unit –VIII, Bhubaneshwar – 751 012, Odisha
15.	Rajasthan	The Member Secretary, Rajasthan State Pollution Control Board, 4, Jhalana Institutional Area, Jhalana Doongri, Jaipur- 302 004, Rajasthan
16.	Tamil Nadu	The Member Secretary, Tamil Nadu Pollution Control Board, 76, Mount Salai, Guindy, Chennai - 600 032, Tamil Nadu
17.	Uttarakhand	The Member Secretary, Uttarakhand Pollution Control Board, Gaura Devi Bhawan, 46 B IT Park Sahastradhara, Dehradun – 248 001, Uttarakhand
18.	Uttar Pradesh	The Member Secretary, Uttar Pradesh Pollution Control Board, Building No. TC-12V, Vibhuti Khand, Gomti Nagar, Lucknow - 226 010, Uttar Pradesh

By Registered Post

F. No. CP-23/78/2021-WM-I-HO-CPCB-HO- 19698

December 11, 2024

To,

The Chairman,
(All SPCBs/PCCs)

7207-7242

DIRECTION UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986 – FOR COMPLIANCE TO BIOMEDICAL WASTE MANAGEMENT RULES, 2016

WHEREAS the Central Government has notified the Biomedical Waste Management Rules, 2016 (herein after referred as BMW Rules, 2016) in suppression of the Bio-medical Waste (Management & Handling) Rules, 1998 and amendments thereof under the Environment (Protection) Act, 1986 to improve the collection, segregation, processing, treatment and disposal of the biomedical wastes in environmentally sound manner and thereby reducing its impact on the environment; and

WHEREAS as per Rule 9 (1) of BMW Rules, 2016, "The prescribed authority for ensuring implementation of the provisions of Rules is the State Pollution Control Board (SPCB) in respect of State and Pollution Control Committee (PCC) in respect of Union territory"; and

WHEREAS as per Rule 10 of BMW Rules, 2016, "Every occupier or operator handling bio-medical waste, irrespective of the quantity shall make an application in Form II to the prescribed authority for grant of authorisation and the prescribed authority shall grant the provisional authorisation in Form III and the validity of such authorisation for bedded health care facility and operator of a common facility shall be synchronised with the validity of the consents."; and

WHEREAS in the matter of Miscellaneous Application No. 98 of 2022 in Original Application No. 180 of 2021 titled Mukul Kumar Vs State of Uttar Pradesh & Ors., Hon'ble National Green Tribunal (Hon'ble NGT) reviewed implementation of BMW Rules, 2016 in the country. In the said matter, Hon'ble NGT directed all States/UTs to submit report on implementation of BMW Rules, 2016. Further, Central Pollution Control Board (CPCB) was directed to prepare a consolidated report indicating the compliance of various provisions of the BMW Rules, 2016 by each State/UT. Accordingly, the as per the information submitted by SPCBs/PCCs, CPCB submitted the compiled report to Hon'ble NGT; and

WHEREAS Hon'ble NGT heard the aforesaid matter on 02.09.2024 and directed that CPCB shall update the report by taking updated information from all SPCBs/PCCs on implementation to BMW Rules, 2016; and

WHEREAS CPCB has received updated information from 34 nos. of SPCBs/PCCs and while examining the reports it is observed that there are gaps in implementation of BMW Rules, 2016 such as operating Health Care Facilities (HCFs) without having authorisation under BMW Rules, 2016, action not being initiated against violating HCFs/CBWTFs, gap between biomedical waste generation and treatment, captive treatment facility (deep burial) in practice etc.; and

WHEREAS the Central Government vide notification S.O. 730 (E) dated July 10, 2002, has delegated the powers under Section 5 of the Environment (Protection) Act, 1986 to the Chairman, Central Pollution Control Board (CPCB), to issue directions for violation of the standards and rules relating to BMW notified under the Environment (Protection) Act, 1986; and

NOW, THEREFORE, in exercise of the powers vested under Section 5 of the Environment (Protection) Act, 1986, it is directed herewith to:

- a. Initiate appropriate action immediately against the HCFs which are operational without having authorisation;
- b. Take appropriate action against HCFs and CBWTFs for violation of BMWM Rules, 2016;
- c. Ensure that there is no gap in biomedical waste generation and treatment by ensuring adequate numbers/capacity of treatment facilities in the State/UT;
- d. Ensure deep burial disposal system is adopted by HCFs located only in rural or remote areas where there is no access to CBWTF with prior approval from SPCB/PCC and in compliance with standards prescribed under Schedule-III of BMWM Rules, 2016;
- e. Submit gap analysis report to CPCB with respect to biomedical waste generation and treatment of biomedical waste;

Action taken report on above be submitted to the Central Pollution Control Board within 15 days from the date of receipt of these directions.


 (Tanmay Kumar)
 Chairman

Copy for information to:

- i. The Additional Secretary, HSM Division, : For kind information
 Ministry of Environment, Forest & Climate Change,
 Indira Paryavaran Bhawan,
 Jorbagh Road, New Delhi - 110 003.
- ii. Regional Directorates CPCB : For kind information and follow-up
 (As per jurisdiction)
- iii. I/c IT Division : For information and necessary
 action


 (Bharat Kumar Sharma)
 Member Secretary





Central Pollution Control Board
Waste Management- I Division

Minutes of Second meeting of Expert Committee to review guidelines related to biomedical waste management and evaluation of project proposal for treatment of biomedical waste held on 22.10.2024.

Background

CPCB has constituted an Expert Committee to review the guidelines related to biomedical waste management and examine the proposals received by CPCB for treatment of biomedical waste. First meeting of the committee was conducted on 30.04.2024. Based on the outcomes of the first meeting and for further discussion on review of the guidelines related to biomedical waste management and to examine the proposals received by CPCB for treatment of biomedical waste, 2nd meeting of the Expert Committee was conducted on 22.10.2024 at 11:30 in hybrid mode. List of Participants is placed at **Annexure-I**.

Discussion and Conclusions

Sh. V.P. Yadav, Director, CPCB welcomed the participants and briefed them about the agenda of the 2nd meeting i.e. as follows:

1. Review of guidelines for Common Biomedical Waste Treatment and Disposal Facilities (CBWTFs)
2. Review of methodology for conducting gap analysis with respect to biomedical waste generation and treatment
3. Review of standards for treated liquid waste from Healthcare Facilities (issue of bio-assay test)
4. Evaluation of proposal received by CPCB for treatment of biomedical waste.

Further, Ms. Youthika, Sc. 'E', WM-I gave detailed presentation on agenda items. Agenda wise discussion has been summarized as follows:

(1) Review of guidelines for CBWTFs

(a) Coverage area of CBWTFs as per guidelines for Common Bio-medical Waste Treatment and Disposal Facilities- It was appraised to the Committee members that Hon'ble NGT has passed directions regarding reassessing the criteria for setting up of CBWTFs in a coverage area as defined under CBWTF guidelines of CPCB to ensure proper treatment & disposal of biomedical waste. Coverage area is already specified under the CPCB guidelines which is 75 km at radial distance and CBWTF may be allowed to cater services up to 150 km radial distance in case 10,000 beds are not available in a coverage area. It was emphasised that compliance to standards as prescribed under BMWM Rules, 2016 is prime requirement for implementation of BMWM Rules, 2016. Committee members were also informed about the methodology for conducting gap analysis by SPCBs to examine the requirement of additional CBWTFs.

Matter of inventory of health care facilities was also discussed. Members of IMA submitted that IMA has information of member doctors (holding MBBS and higher qualifications), it does not possess a complete inventory of all Health Care Facilities (HCFs). Additionally, members from DGHS informed that hospitals are registered either under the Clinical


Establishments (Registration and Regulation) Act, 2010 in certain States/UTs (through the Civil Surgeons of respective States/UTs), or under the Shop and Establishment Act, 1948 (through municipal body). After detailed discussion, following action points were decided:

- CBWTF Association of India shall submit inventory on healthcare facilities for all States/UTs covering district wise information (HCFs taken membership of CBWTFs, HCFs not taken membership of CBWTFs, unauthorised HCFs taken membership of CBWTF etc.)
- A separate working group of following members may be constituted for review of guidelines for CBWTFs by assessing gap analysis report prepared by SPCBs/PCCs:
 - i. Dr. Amar Supate, Ex, PSO, Maharashtra SPCB
 - ii. Sh. Vinod Kachhadia, CBWTF Association of India
 - iii. Sh. Vikas Gahlot, CBWTF Association of India
 - iv. Ms. Mousumi Bardalai, Assam SPCB
 - v. Ms. Youthika, CPCB

(b) Vehicles used for transportation of biomedical waste- It was appraised to committee that CBWTF Association has submitted the proposal for colour of vehicle used for transportation of biomedical waste. After detailed discussion, following action points were decided:

- The colour of vehicle is decided as white, logo colour as red/black and details of CBWTFs will be in green colour.
- CBWTF Association of India shall suggest proportion of font size and logo size with respect to size of vehicles.

(2) Review of methodology for conducting gap analysis with respect to biomedical waste generation and treatment – It was appraised that a meeting was conducted with CBWTF Association of India to discuss the methodology for conducting gap analysis and outcomes of the said meeting deliberated before the committee members. After detailed discussion, following action points were decided:

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- Biomedical waste generation from bedded HCFs may be considered as 277 grams/bed/day taking reference of report on health-care waste management status in countries of the South-East Asia Region by WHO which is also nearly equal to the average biomedical waste generation per day per bed as per Annual Report information received from States/UTs.
 - Biomedical waste generation from non- bedded HCFs may be considered as 240 grams/day taking reference of data received from CBWTF Association of India regarding biomedical waste collected from non-bedded HCFs by CBWTFs of 12 States.
 - Method of extrapolation may be fixed as linear method and previous 5 years' record of waste generation may be considered for extrapolation.
 - CPCB will circulate revised methodology to all SPCBs/PCCs requesting to conduct gap analysis.

- o The Gap Analysis report prepared by States/UTs may be reviewed by CPCB and then remarks may be circulated to respective SPCB/PCC.

(3) **Review of standards for treated liquid waste from Healthcare Facilities (issue of bio-assay test)** – Member of IMA represented the issue faced by HCFs related to compliance of bio-assay test and requested for exemption from bio-assay test under BMW Rules, 2016. After detailed discussion, it was decided that CPCB may conduct the study on liquid waste discharge from the HCFs wherein qualitative and quantitative assessment of parameter mentioned under BMW Rules, 2016 will be made (directly to sewer or after treatment through Effluent Treatment Plant). Further, findings of the study will be shared with MoEF &CC to take any decision, if required.

(4) **Evaluation of proposal received by CPCB for treatment of biomedical waste-**

Committee members were apprised about the five project proposals received by CPCB. Decision of committee is summarized in following table:

S. No.	Proposals	Decision
(i)	Proposal regarding inclusion of word safety needle in guidelines related to HCFs, received from Hindustan Syringes & Medical Devices Ltd.	Word "safety needle" may be included as red category waste under guidelines for management of healthcare waste.
(ii)	ENVOMED80 proposed by M/s Delhi Supply Ltd. – based on chemical sterilization and shredding of biomedical waste.	Project proponent may be called through VC to present their technology before Committee members
(iii)	Sterished and Steriplus proposed by M/s Delhi Supply Ltd. based on shredding followed by steam sterilization.	
(iv)	Sanmit Infra Ltd. - regarding treatment of biomedical waste using technology microwave with ultraviolet radiation	
(v)	Sterilewell proposed by M/s Meledom Traders Pvt. Ltd.	

Meeting ended with thanks to chair.

CENTRAL POLLUTION CONTROL BOARD DELHI


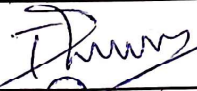

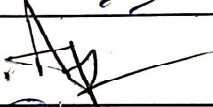



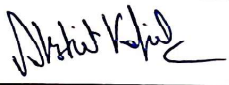
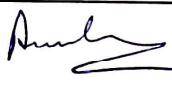

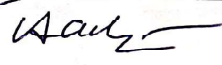

Waste Management Division - I

Attendance Sheet


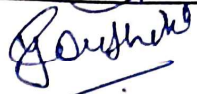


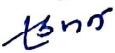

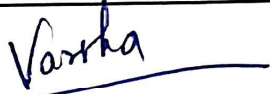
Date: Oct. 22, 2024

Venue: 2nd Floor, conference Hall

Time: 11:00 AM

S. No.	Name	Designation	Signature
1.	V. P. Yadav	Director, CPCBS	
2.	Dr. Joshi		
3.	Dr. Subale	Ex-PCO, MPCB Residing Professor JSTB	
4.	Ajay Arora	CBWTF Associate	
5.	Vinod Kachhadri	CBWTF Associate at Indr	
6.	Vikas Ghallot	CBWTF Associate D. J. S. G.	
7.	Paveen Saluja	SEE, PPCB	
8.	AKSHIT KAPIL	AEE, PPCB	
9.	Dr. Rajan M. N. N. N.	ZMA HQ	
10.	Dr. Rajender Sharma	IMA HQ.	
11.	Dr. Aarti Taran	JD, NCDC	
12.	Dr. AVINASH SUNTHIA	MOHFW	

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13.	Dr. Akila P	MOHFW	
14.	Youthik P	AD, LPUB	
15.	Niralee Verma	SCC, CPCB	
16.	M. OUSUMI BARDALAI	Adl. Chief Env. Engr. PCBA	
17.	Suman Thakur	Supdt SO, RSPCB	
18.	Ankit Tripathi	Scientist 'B', CPCB	
19.	Dr. Varsha Sharma	Research Associate	
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