

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI
IN**

**APPLICATION NO 43 of 2017 (SZ)
[SUO MOTO]**

Applicant : **The Tribunal on its own motion on the
Implementation of the Bio-Medical Waste
Management Rules, 2016 in Kerala**

Respondents : **The State of Kerala & Others**

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Dated this the 30th day of May 2021

Rema Smrithi, Advocate
ADDITIONAL STANDING COUNSEL FOR THE 5th RESPONDENT

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

ORIGINAL APPLICATION NO 43 of 2017 (SZ)

[SUO MOTU]

**REPORT FILED BY THE ENVIRONMENTAL ENGINEER,
KERALA STATE POLLUTION CONTROL BOARD, FOR AND
ON BEHALF OF THE 5TH RESPONDENT**

Adv. Rema Smrithi.

ADDITIONAL STANDING COUNSEL FOR THE 5TH RESPONDENT:

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

**APPLICATION NO 43 of 2017 (SZ)
[SUO MOTO]**

Applicant : The Tribunal on its own motion on the implementation of the Bio-Medical Waste Management Rules, 2016 in Kerala

Respondents : The State of Kerala & 7 Others

**REPORT FILED BY THE ENVIRONMENTAL ENGINEER ON
BEHALF OF THE 5th RESPONDENT**

I, Mini Mary Sam, aged 54 years, W/o. Sri. Ranjan Jacob, Environmental Engineer, Regional Office, Ernakulum do hereby submit that I am authorized to represent the 5th respondent and that I am conversant with the facts of the said case and I may state as follows:

1. The Hon'ble Tribunal in its order dated 25.02.2021 had directed that "The Chief Secretary, State of Kerala, Principal Secretary for Health, State of Kerala as well as the Kerala State Pollution Control Board are directed to file a further report to this Tribunal showing the improvement and implementation of the direction issued by this Tribunal in this regard"

MS

**Mini Mary Sam
Environmental Engineer(HG)**



2. It is respectfully submitted that the Board inspected the above hospital on 18.02.2021 and collected legal sample of the waste water being discharged. Analysis of the legal sample collected shows that the parameters are exceeding the standards prescribed by the Board.
3. It is humbly submitted that the Board has initiated steps to file complaint before the Hon'ble First Class Judicial Magistrate Court as per the section 49 of Water (Prevention and Control of Pollution) Act, 1974 and provisions of Environmental Protection Act 1986. The sanction accorded to the Environmental Engineer of the respective District Office of the Board to make complaint vide proceedings dated 17.3.2021 is enclosed and marked as **Annexure- R5(1)**
4. It is respectfully submitted that due to the pandemic situation, further inspection of the hospital could not be conducted. On enquiry, the hospital authorities informed that biomedical medical wastes are stored in sheds with proper roofing and enclosure and these are disposed through Common Biomedical Treatment Facility. They have also reported that the works of STP will be completed by the end of June 2021.
5. Considering the present pandemic situation and the efforts taken by the State Government against the pandemic and moreover this Government hospital is presently working as a Covid Treatment Center, the Board has requested the



Mini Mary Sam
Environmental Engineer(HG)



Government to direct the Health Department to provide all necessary assistances to the Hospital Authorities in completing the construction of Sewage Treatment Plant.

6. Regarding the Common Biomedical Waste Treatment facility in the State, it is respectfully submitted that besides the CBWTF at Kanjikode, Palakkad, one more common biomedical Waste Treatment facility of capacity 16 tonnes per day started operation at Ambalamedu, Ernakulam by Kerala Enviro Infrastructure Limited(KEIL).Consent to operate/authorization was issued to KEIL on 11.05.2021 for operating this CBWTF at Ambalamedu for a term up to 30.06.2024. KEIL informed that the Common Bio-Medical WasteTreatment Facility started collecting bio-medical waste from certain government hospitals in Ernakulam district including non COVID BMW from Government Medical College, Kalamassery.
7. It is respectfully submitted that, immediately after the lockdown, another inspection will be conducted to the hospital and further necessary action will be taken.

All that stated above is true to the best of my knowledge, information and belief.

Dated this the 30th Day of May 2021

Mini Mary Sam
Environmental Engineer(HG)


Deponent



**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

IN

**ORIGINAL APPLICATION NO.43/2017(SZ)
[SUO MOTO]**

**Applicant : The Tribunal on its own motion on the
Implementation of the Bio-Medical Waste
Management Rules, 2016 in Kerala**

Versus

Respondents : The State of Kerala & 7 Others

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Dated this the 30th day of May 2021

Rema Smrithi, Advocate
ADDITIONAL STANDING COUNSEL FOR THE 5th RESPONDENT

PROCEEDINGS

Sub: Govt. Medical College, Ernakulam - violation of provision of sections 24 & 25 of Water (Prevention and Control of Pollution) Act - initiating legal action- sanction accorded- order issued

KERALA STATE POLLUTION CONTROL BOARD

No.PCB/HO/EE4/Government Medical College/2021 Thiruvananthapuram Dated: 17/03/2021

- Read: 1. Inspection conducted on 31.12.2020, 05.02.2021, 18.02.2021
2. Show Cause Notice no. PCB/EKM/DO-I/O.A- 1115/15 dated 04/01/2021
3. Report No. PCB/CL/LEGAL/ES11/2019 dated 05.03.2021
4. Letter No.PCB/EKM/DO-1/GEN-NOTE FILE/16 dated 09.03.2021

ORDER

Based on information received from the Chairman, State Level Monitoring Committee on dumping of bio-medical wastes in the premises of Government Medical College, Kalamassery, inspection was conducted by the Board officer on 31.12.2020. As it was seen that the STP of the hospital was non-functional and the hospital was functioning without adequate sewage treatment facility and without valid consent of the Board, Show Cause Notice was issued vide letter read (2) above to show cause why legal action shall not be initiated against the hospital.

Based on the reply from the hospital, inspection was again conducted on 05.02.2021 and on 18.02.2021. During inspections, it was noticed that the STP was still not in operation. Legal sample was collected during the inspection on 18.02.2021.

Vide letter read (4) above, the Environmental Engineer, District Office-I, Ernakulam has reported that results of the legal samples received vide letter read (3) above are exceeding the prescribed limits and hence requested sanction for legal proceedings against the occupier of the Government Medical College, Ernakulam.

The matter has been examined. Sanction is hereby accorded under section 49 of the Water (Prevention and Control of Pollution) Act, 1974 to Smt. Sreelekshmi P.B., Environmental Engineer, DO-1, Ernakulam to make complaint against the occupier of Govt. Medical College, Ernakulam and also against the Government Medical College, Ernakulam in the respective Judicial Magistrate Court of First Class for violation of provisions of sections 24 and 25 of the Water (Prevention and Control of Pollution) Act, 1974.

Sd/-
CHAIRMAN

To

Smt. Sree Lekshmi P.B.
Environmental Engineer
District Office- I
Ernakulam

Copy to:

1. The Chief Environmental Engineer
Regional Office, Ernakulam
2. The Environmental Engineer,
Legal Cell, Ernakulam
3. The Environmental Engineer-1
Head Office

FORWARDED/BY ORDER

P. V. Gopal
ENVIRONMENTAL ENGINEER-4