

**Factual and Action Taken Report
of
Joint Committee
In the Matter of**

**Original Application No.32/2021
Jitendra Bairagi Vs Hostech Eco
Management Pvt. Ltd. (Indore) &Ors.
w.r.t.**

**Hon`ble National Green Tribunal [Central Bench]
Bhopal order dated 07.06.2021**



Date of Visit: 20th July, 2021

Location: Ujjain, M.P.

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**Joint Committee Inspection Report of M/s Hostech Eco
Management Pvt. Ltd. Ujjain, M.P.**
Original Application No.32/2021
**Jitendra Bairagi Vs Hostech Eco Management
Pvt. Ltd. (Indore) &Ors.**

Hon'ble NGT (CZ), Bhopal in OA No. 32/2021 vide its order dated 07th June, 2021 in the matter of "Jitendra Bairagi Vs Hostech Eco Management Pvt. Ltd.(Indore) & Ors." directed under para 11 and 12 as :-

"11. We also deem it just and proper to constitute a committee and direct to submit factual and action Taken Report with regard to the facts narrated in the application against Respondent no. 1.

- 1. Central Pollution Control Board or its representative Bhopal.*
- 2. M.P. State Pollution Control Board or its representative Bhopal*

12. The report in the matter be filed by the Committee by email at ngtzbhho-mp@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF."

In view of the above direction the M/s Hostech Eco Management Pvt. Ltd. Ujjain M.P. (further mentioned as 'Unit') which is proposed as Common Biomedical Waste Treatment Facility (CBWTF) has been visited by the joint committee on 20 July, 2021 to assess the factual status with regard to the facts narrated in the application against the Unit. The joint committee comprises of the following officers:

1. Dr. Y. K. Saxena, Scientist 'C' Regional Directorate, CPCB, Bhopal
2. Sh. P. K. Trivedi, Director (Env.) MPPCB, HO, Bhopal

Dr. Ankur Agrawal, Proprietor of the said CBWTF & Sh. H. K. Tiwari, Regional Officer, MPPCB Ujjain was also present during the inspection and informed about present status of the Unit and status of legal compliance.

The main issues raised in the petition by the applicant against the CBWTF unit and verification points as per 07.06.2021 order are as given below:-

"The present Original Application has been preferred against the action of setting up of the proposed Common Bio Medical Waste Treatment Facility at Village Kaliyadeh, Tehsil – Ghattiya, District Ujjain by Respondent M/s Hostech Eco Management Pvt. Ltd., without adopting the procedure laid down for the said purpose and against the public interest at large of the vicinity which shall cause great hardship, pollution will be hazardous for the persons living close to the proposed site. The said proposed set up of Bio Medical Waste Plant if allowed to be installed/ set up at the same place, shall discharge poisonous chemical gases causing great damage to the human life as well as of the Wildlife surrounding near the village. Improper practices such as dumping Bio-medical waste in municipal dustbins, open spaces, water bodies etc. leads to the spread of diseases. Emission from incinerators and open burning also lead to exposure to harmful gases which can cause cancer and respiratory diseases."

To verify the factual status the team has visited the unit and observed the site conditions, status of legal compliances for establishment of the Unit & status of machinery installation for biomedical waste treatment & disposal related activity which includes treatment equipments, data transmission, APCD and ETP etc. The plant was not in operational condition at the time of visit. During the visit the team also interacted with proprietor, Secretary of Gram Panchayat and residents to find out about the problems encountered by them as well as awareness about this issue.

The photographs taken during the visit is given at **Annexure- 01** and the google map showing the location of plant and village is given at **Annexure- 02**. Other relevant information were also collected which are incorporated in the Report. The main observation of the team is given below:

A. Legal permissions:

1. Consent to Establishment was given by the MPPCB to the Unit under the Water (Prevention and Control of Pollution) Act 1974 and Air (Prevention and Control of Pollution) Act 1981 **Annexure- 03**
2. Environmental clearance has been obtained by the Unit from M. P. State Environment Impact Assessment Authority (SEIAA) vide letter no. 2079/SEIAA 2019 dt. 29/01/2019, enclosed as **Annexure-04**.

3. Report of proceedings of Public Hearing of the project Dt. 15/06/2018 conducted as per provisions of EIA Notification, 2006 enclosed as **Annexure- 05.**

B. Capacity of the CBWTF:

During the visit it was observed that as per the legal permissions issued to the unit the follows machineries and pollution control devices installed at the CBWTF:-

Particulars	Incinerator	Autoclave	Shredder
CBWTF Capacity- 2400 MT/Annum	300 kg/hr Static Dry (Make - Alfa Therm Ltd.)	1200 Ltr./Batch (Make - Precious techno Engineering, Delhi)	80 kg/hr (Make - Payas Engineering Solution)

- The Facility is established in 1.36 acres of land and application has been made for Consent to Operate and Authorization under BMW rules from the MPPCB and it is said to be started its operation after obtaining the same.
- Chimney of 30 m height has been installed as Air Pollution Control Device (APCD) along with Cyclonic Scrubber, Gas Cooler, Chemical Dozer & Bag Filter.
- ETP of 12 KLD Capacity, consisting Primary reaction cum chemical dosing tank, Lamella Clarifier, Pressure Sand Filter, Activated Carbon Filter installed and after chlorination the treated waste water will be used for gardening and plantation in the premises.
- Two PTZ cameras have been installed in the facility, one in panel room and the other in the plant.
- Online Continuous Emission Monitoring Systems (OCEMS) has also been installed by the unit.
- The CBWTF will be operated by computerized method i.e. the incinerator and Autoclave will be operated through PLC as per BMW guidelines.
- The CBWTF is having separate storage arrangements for treated and

untreated wastes, ash storage room and separate space provided for segregation of wastes.

C.Observations:

1. An application was submitted to the Board vide inward number 788705 dated 12/03/2019 for Consent to Operate and authorization by the Unit, but during the inspection no plant and machinery was found installed at the site and the Unit representative did not appear for technical presentation. Due to this the said application was cancelled vide outward number 98911 dated 01/08/2019 (**Annexure-06**).
2. Earlier, there was a soap manufacturing unit named M/s Roopgandh Khadi Gramodyog (Village-Kaliyadeh, Tehsil- Ghatitya, District-Ujjain (MP)) at the proposed site, which had obtained the registration of the Industries Department for the establishment of the industry. As per sale agreement dated 25.05.2011(**Annexure-07**) M/s Hostech Eco Management Pvt. Ltd., Village-Kaliyadeh, Tehsil Ghattia, District Ujjain purchased the land/shed where the unit is being established.
 - a. Name of the owner:- Mr. Surendra Jain and partner Mr. R.K. Jain
 - b. Commissioning Year of the Industry:- 2001-2002
 - c. Consent under Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981: - As per letter number 2726 of the Regional Office Ujjain dated 17.11.2000, conditional consent and subsequent renewal were also granted. (**Annexure-08**)
 - d. Product & Production Capacity:-
 - (i) Production-Detergent Powder& Cake -3600 Metric Ton/Year
 - (ii) Raw material - Acid slurry, soda, dolomite powder etc.

Most of the plant and machinery has been installed by the proposed unit in the shed located on the same industry land.

3. The compliance of Para 9(2) of NGT orderdt.07/06/2021 in OA No. 32/2021,the Bio-Medical waste generation for the year 2020 is about 20 MT per day and details of its disposal for districts of Madhya Pradesh along with details of the biomedical disposal facilities are enclosed as **Annexure-09**.

J.K. Saxena

4. In compliance of Para 10 of NGT order dt. 07/06/2021 in OA No. 32/2021, as per Rule 4(a) of Bio-Medical Waste Management Rules, 2016 "It shall be the duty of every HCF occupier to take all necessary steps to ensure that bio-medical waste is handled without any adverse effect to human health and the environment and in accordance with these rules." & as per Rule 5(a) "It shall be the duty of every CBWTF operator to take all necessary steps to ensure that the bio-medical waste collected from the occupier is transported, handled, stored, treated and disposed of, without any adverse effect to the human health and the environment, in accordance with these rules and guidelines issued by the Central Government or, as the case may be, the central pollution control board from time to time."

It is evident from above that sole responsibility for handling, segregation, collection, storage, transportation, treatment and disposal of bio-medical waste resides with concerned HCF & CBWTF only. On account of violation of environmental norms by HCF & CBWTF resulting in failure to scientifically manage waste, water, air, forest conservation Act and other specified act, Environmental Compensation will be imposed on violators as per Polluter Pay Principal in accordance with guidelines issued by CPCB regarding the same on dt.12.03.2019 in the matter of O.A. 710 of 2017.

5. During the inspection by the members of the committee, the Unit was not found in operation and assessment of its impact on the surrounding water & air quality is only possible when the plant will be commissioned. Unit has applied for Consent to Operate (Air/Water), BMW & HOWM authorization on Dt. 09/07/2021 and it is proposed to be commissioned after obtaining the same.
6. However, the unit will have to comply with the following conditions before starting its operations [These conditions will also be a part of the consent to operate, if granted]:-
- Ensure zero liquid discharge condition and no wastewater discharge outside the unit premises.
 - Separate arrangements should be made with covered shed for different categories of biomedical waste (blue, white, yellow and red) & hazardous waste in the unit.
 - Proper storage with covered shed should be arranged for Solid Waste and effective disposal must be ensured.

V.K. Sharma

- d. The raw material storage area in the unit may cause nuisance due to excessive odour, to prevent it, green belt should be developed around it.
- e. Install PTZ cameras at ETP outlets, hazardous/solid waste storage sites and chimney of the unit and ensure its connectivity to the Board's Environmental Monitoring Centre. Another PTZ camera should also be installed in the operating room of the plant.
- f. Install Continuous Emission Monitoring System in the unit and ensure its connectivity to the Board's Environmental Monitoring Center.
- g. If the unit intends to use ground water for operation, it can be asked to obtain NOC from the Central Ground Water Board.
- h. Surface drain network must be kept separate & unit shall ensure that under no circumstances drains/pipes carrying waste water shall be connected to the surface drain.
- i. The unit must obtain authorization from the Board under the Hazardous and Other Wastes (Management and Trans-boundary Movement) Rules, 2016.

D. Facts narrated in the application against Respondent no. - 1 & the comments are as follows:-

S. No.	Facts narrated in the application against Respondent no. - 1	Comments
1.	The present Original Application has been preferred against the action of setting up of the proposed Common Bio Medical Waste Treatment Facility at Village Kaliyadeh, Tehsil - Ghattiya, District Ujjain by Respondent M/s Hostech Eco Management Pvt. Ltd. Without adopting the procedure laid down for the said purpose and against the public interest at large of the vicinity which shall cause great hardship, pollution will be hazardous for the persons living close to the proposed site. The said proposed set up of Bio Medical Waste Plant if allowed to be	<ul style="list-style-type: none"> ➤ The unit has obtained the Consent to Establishment under the Water (Prevention and Control of Pollution) Act 1974 and Air (Prevention and Control of Pollution) Act 1981 from the MPPCB. (Annexure- 03) ➤ Report of proceedings of Public Hearing of the project Dt. 15/06/2018 conducted as per provisions of EIA Notification, 2006 is enclosed as (Annexure- 05). ➤ Environmental clearance has

<p>installed/set up at the same place, shall discharge poisonous chemical gases causing great damage to the human life as well as of the Wildlife surrounding near the village. Improper practices such as dumping Bio-medical waste in municipal dustbins, open space water bodies etc., leads to the spread of disease. Emission from incinerators and open burning also leads to exposure to harmful gases which can cause cancer and respiratory disease.</p>	<p>been obtained by the Unit from the M. P. State Environment Impact Assessment Authority vide letter no. 2079/SEIAA 2019 dt. 29/01/2019. (Annexure- 04)</p> <ul style="list-style-type: none"> ➤ No Objection Certificate was issued by Gram Panchayat Kaliyadeh, Janpad Panchayat Ghattiya, District Ujjain dt.02/02/2012 (Annexure- 10) &16/04/2021. ➤ M/s Hostech Eco Management Pvt. Ltd. submitted an application to the Gram Panchayat Kaliyadeh Janpad Panchayat Ghattiya District-Ujjain On dt. 09/04/2021, to get the no-objection letter again & vide letter no. 138 dated 16.04.2021 the Gram Panchayat issued No Objection Certificate as per the resolution passed in the Gram Sabha meeting dated 14/04/2021 for setting up & operating. (Annexure- 11) ➤ NOC of Forest Department has also been obtained vide letter no. 775 dated 09.03.2017. (Annexure- 12) ➤ During the inspection by the members of the committee, the Unit was not found in operation and assessment of its impact on the surrounding water & air quality is only possible when the plant will be operational for which unit has applied for Consent to Operate & authorization and it is proposed to be commissioned after obtaining the CTO and authorization from MPPCB..
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[Handwritten Signature]

2.	<p>It is pertinent to mention here that as per the protocols, the Respondent Company never conducted a Public Hearing of the Villagers in Kaliyadeh and neither them. Based on this Public Hearing the Respondent Company was issued the Environmental Clearance on 29.01.2019 to set up the factory in Village Kaliyadeh, Tehsil - Ghatiya, distt. Ujjain, but the local residents of the said village were never heard, neither they have given any No Objection Certificate to the Respondent Company to set up the factory.</p>	<ul style="list-style-type: none"> ➤ MPPCB, HO, Bhopal vide letter No. 40 Dt. 22/03/2018 requested Collector, Distt. Ujjain to carry out the Public Hearing for the proposed CBWTF, the venue and date was decided by Collector, Distt. Ujjain on dt. 15/06/2018 at Kothi Palace, Ujjain (M. P.) (Annexure- 5) ➤ No Objection Certificate was issued by Gram Panchayat Kaliyadeh, Janpad Panchayat Ghatiya, District Ujjain dt.02/02/2012 & again M/s Hostech Eco Management Pvt. Ltd. submitted an application to the Gram Panchayat Kaliyadeh Janpad Panchayat Ghatiya District-Ujjain On dt. 09/04/2021, to get the no-objection letter again & vide letter no. 138 dated 16.04.2021 the Gram Panchayat issued No Objection Certificate as per the resolution passed in the Gram Sabha meeting dated 14/04/2021 for setting up, operating.
3.	<p>Further a certified letter on the letter head of the office of Gram Panchayat dated 24.02.2021 was issued by the Secretary of Gram Panchayat certifying that the Gram Panchayat, Kaliyadeh has not granted any permission to M/s Hostech dated 20.03.2021 is made by the Sarpanch stating that he has never given any such permission to M/s Hostech Eco Management Pvt. Ltd. And neither has given the No Objection Certificate till date to the said Company to establish the said factory.</p>	<ul style="list-style-type: none"> ➤ No Objection Certificate was issued by Gram Panchayat Kaliyadeh, Janpad Panchayat Ghatiya, District Ujjain dt. 16/04/2021. ➤ M/s Hostech Eco Management Pvt. Ltd. submitted an application to the Gram Panchayat Kaliyadeh Janpad Panchayat Ghatiya District-Ujjain On dt. 09/04/2021, to get the no-objection letter again & vide letter no. 138 dated 16.04.2021 the Gram Panchayat issued No Objection Certificate

		as per the resolution passed in the Gram Sabha meeting dated 14/04/2021 for setting up and operating.
4.	Further, as per the Guidelines of the Central Pollution Control Board, the proposed factory should be preferably by setup at a distance of 500m from the residential and sensitive areas but the said proposed factory is approximately 70m away from the nearest residential area which will cause harmful damages to the residents living nearby.	<p>➤ As per the Guidelines of the Central Pollution Control Board, Dt. 21/12/2016 "A CBWTF can be located at a place reasonably far away from notified residential and sensitive areas and should have a buffer distance of preferably 500 m so that it shall have minimal impact on these areas. In case of non-availability of such a land, the buffer zone distance from the notified residential area may be reduced to less than 500 m by SPCB/PCC without referring the matter to CPCB by prescribing additional control measures such as (i) adoption of best available technologies (BAT) by the proponent of CBWTF; (ii) prescribing stringent standards for operation of the CBWTF by the SPCB/PCC; (iii) adoption of zero liquid discharge by the CBWTF and (iv) in case of any complaints from the public, then CBWTF should prove that the facility is not causing any adverse impact on environment and habitation in the vicinity."</p> <p>➤ Distance of M/s Hostech Eco Management Pvt. Ltd. from Residential/Village area is about 600 m & CBWTF is surrounded by agriculture lands & Nearest residential farm is about 89.4 m .</p>
5.	That, as per the notification dated	➤ As per rule 7(3) of Bio-Medical

	<p>28.03.2016 by the Ministry of Environment, Forest and Climate Change (MoEF& CC), the distance between two Common Bio Medical Waste treatment Facility (CBMWTF) should be 75 km but the distance between the factory of the Respondent Company and the other Common Bio Medical Waste Treatment Facility i.e. M/s Hoswin Incinerators Pvt. Ltd. is 65 km which is clearly violating the norms laid down by the MoEF& CC.</p>	<p>Waste Management Rules, 2016 "No occupier shall establish on-site treatment and disposal facility, if service of common biomedical waste treatment facility is available at a distance of seventy-five kilometer." (Annexure- 13)</p> <ul style="list-style-type: none"> ➤ Distance from Indore to M/s Hostech Eco Management Pvt. Ltd. (CBWTFs) is 68 Km and the other CBWTF at Sehore is 168 Km & CBWTF Ratlam is 103 Km. ➤ The coverage area review report of CBWTF prepared by MPPCB in 2017 is enclosed. Copy of the report is enclosed (Annexure- 14)
6.	<p>That upon the violations caused by the Respondent Company, the petitioner herein filed an application on 19.03.2019 under Section 133 of the code of Criminal Procedure before the Sub-Divisional Officer, Tehsil-Ghatiya, Distt. Ujjain. Keeping in mind the adverse effect caused by the Respondent Company on the lives of the nearby Villagers and the wildlife, the Sub-Divisional officer vide order dated 29.03.2019, has put a stay on the establishment of the factory. That even after the said order passed by the Ld. Sub-Divisional Officer, The Respondent Company by violating the order passed by the Ld. Sub-Divisional Officer, commenced with the construction of the said factory.</p>	<ul style="list-style-type: none"> ➤ Order dated 29.03.2019 passed by the Court of Sub-Divisional Officer in the case of Jitender Bairagi, Advocate Vs. M/s Hostech Eco Management Company Pvt. Ltd., Indore (Annexure- 15) was set aside by the Court of Hon'ble First Class Additional Sessions Judge, Ujjain vide its order dated 26.03.2021. (Annexure- 16)
7.	<p>It is submitted that the very condition No. 10 of the Consent to Establish is that the construction shall not start unless the Authorization under the Bio Medical Waste Management & Handling Rules</p>	<ul style="list-style-type: none"> ➤ The Unit was not found in operation at the time of inspection. No Bio-medical Waste was received by the Unit.



	1998 from the State Pollution Board else the CTE shall be treated as null and void. There is nothing on record and after inquiring from the Pollution Control Board, the applicant could not get any satisfactory answer as to whether such an authorization has been taken or not.	
8.	No public hearing conducted prior to obtaining the EC, and without the opinion of the majority the setting up of the factory construction is being started. That as per the protocols the minimum distance between the factory and the Village has not been followed. Also, the Gram Panchayat has never given any No Objection Certificate to start up the factory in the said area.	➤ There was no provision for obtaining EC for Bio-Medical Waste Treatment Facilities in EIA notification, 2006 when CTE was issue to the CBWTF. It was added by amendment dt. 17/04/2015 as category "7(da)" which was complied by the facility. (Annexure- 17)
9.	Environmental Clearance without conduction the public hearing of the local bodies/villagers/farmers.	➤ MPPCB, HO, Bhopal vide letter No. 40 Dt. 22/03/2018 requested Collector, Distt. Ujjain to carry out the Public Hearing for the proposed CBWTF, the venue and date was decided by Collector, Distt. Ujjain as on dt. 15/06/2018 at Kothi Palace, Ujjain (M. P.) & public hearing was conducted as scheduled. (Annexure- 5)

E. Action Taken Report

1. Following procedure followed for establishment of M/s Hostech Eco Management Pvt. Ltd. Ujjain M.P.:

- Consent to Establishment was given by the MPPCB to the Unit under the Water (Prevention and Control of Pollution) Act 1974 and Air (Prevention and Control of Pollution) Act 1981 on dated 25.01.2012.
- Public Hearing of the project Dt. 15/06/2018 conducted as per provisions of EIA Notification 2006.
- Environmental clearance has been obtained by the Unit from M. P.

Y.K. Sharma

State Environment Impact Assessment Authority vide letter no. 2079/SEIAA 2019 dt. 29/01/2019.

- No Objection Certificate was issued by Gram Panchayat Kaliyadeh, Janpad Panchayat Ghattiya, District Ujjain dt. 02/02/2012, 16/04/2021.
 - NOC of Forest Department has also been obtained vide letter no. 775 dated 09.03.2017.
 - Unit has applied for Consent to Operate & authorization and it is proposed to be commissioned after obtaining the same.
 - The Unit was not found in operation at the time of inspection. No Bio-medical Waste was received by the Unit.
2. Distance from Indore to M/s Hostech Eco Management Pvt. Ltd. (CBWTFs) is about 68 Km and the other CBWTF at Sehore is 168 Km & CBWTF Ratlam is 103 Km.
 3. Distance of M/s Hostech Eco Management Pvt. Ltd. from Residential/Village area is about 600 m & CBWTF is surrounded by agriculture lands & Nearest residential farm is about 89.4 m.
(As per the Guidelines of the Central Pollution Control Board, Dt. 21/12/2016 "A CBWTF can be located at a place reasonably far away from notified residential and sensitive areas and should have a buffer distance of preferably 500 m so that it shall have minimal impact on these areas. In case of non-availability of such a land, the buffer zone distance from the notified residential area may be reduced to less than 500 m by SPCB/PCC without referring the matter to CPCB by prescribing additional control measures such as (i) adoption of best available technologies (BAT) by the proponent of CBWTF; (ii) prescribing stringent standards for operation of the CBWTF by the SPCB/PCC; (iii) adoption of zero liquid discharge by the CBWTF and (iv) in case of any complaints from the public, then CBWTF should prove that the facility is not causing any adverse impact on environment and habitation in the vicinity.")
 4. The unit comes under the highly polluting category and environment clearance has been obtained by the unit for the site from M. P. State Environment Impact Assessment Authority under the Environment Protection Act 1986 along with no objection certificate from various departments like forest department & village panchayat. Thus, the issue of site selection automatically concludes.
 5. The unit has provided all the requisite pollution control measures as per the BMW guidelines. The unit was found not in operation during the inspection by the members of the committee and assessment of its impact on the surrounding water & air quality is only possible when the plant

Y. H. Jaiswal

will be commissioned.

6. Further the unit will be directed to comply with the provisions of Water (Prevention and Control of Pollution) Act 1974, Air (Prevention and Control of Pollution) Act 1981, Biomedical Waste Management Rules 2016, Solid Waste Management Rules 2016, Construction and Demolition Waste Management Rules 2016, and Hazardous and Other Waste (Management and Trans-boundary Movement) Rules, 2016.
7. In view of the above the committee opines that the proposed CBWTF is complied all the previous formalities i.e. obtained CTE, EC, NOC from Village Panchayat and Forest Department. Moreover the coverage area review report 2017 of MPPCB proposed a CBWTF in Ujjain. Therefore CTO may be issued to M/s Hostech Eco Management Pvt. Ltd. provided that the coverage area of existing facility may not be overlap and bed strength in the area is above 10000.



(Dr. Y. K. Saxena)
Scientist-C
CPCB-RD-Bhopal

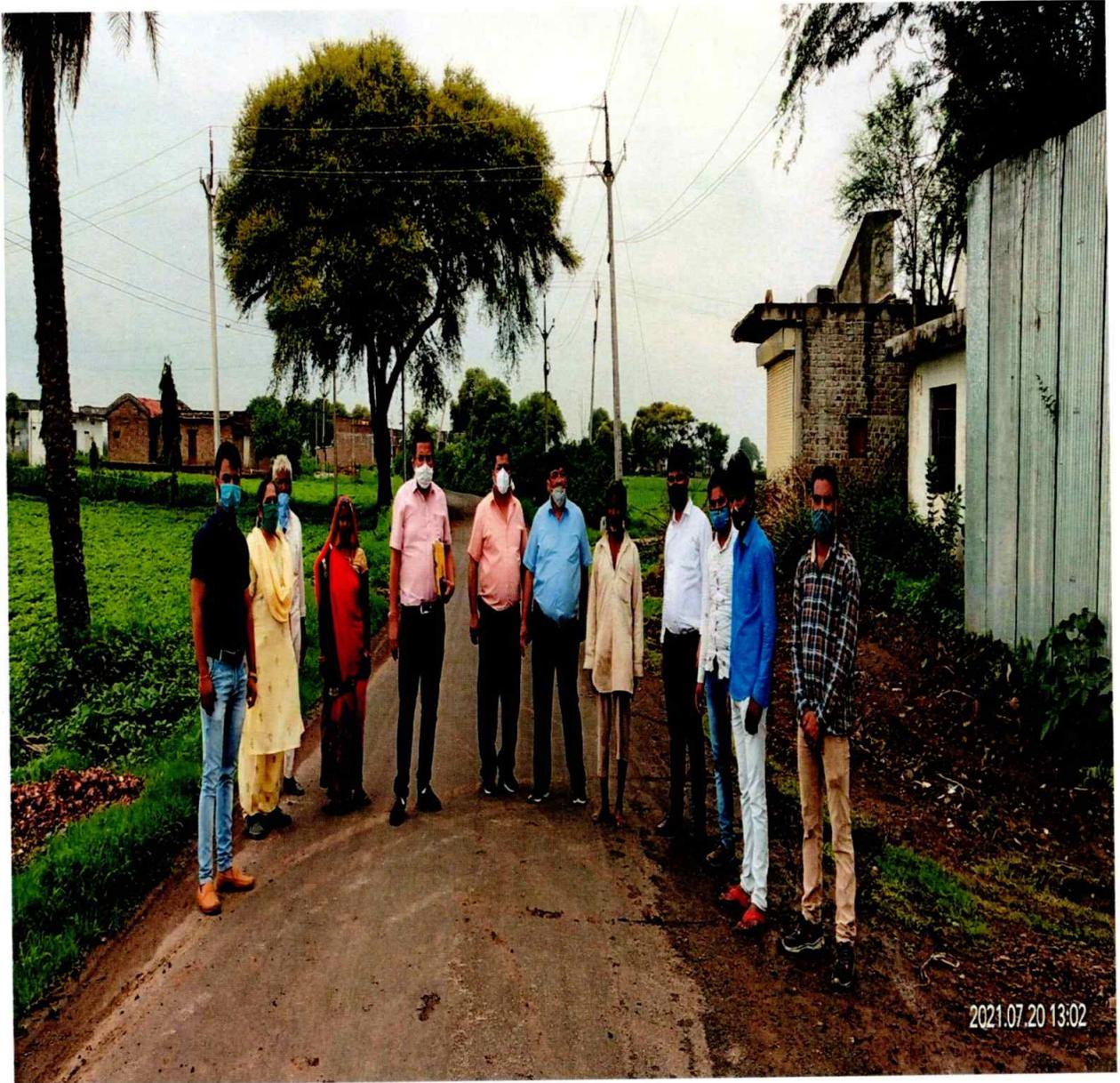


(P. K. Trivedi)
Director (Env.)
MPPCB-Bhopal



Plant Boundary wall







Chimney



Bag Filter

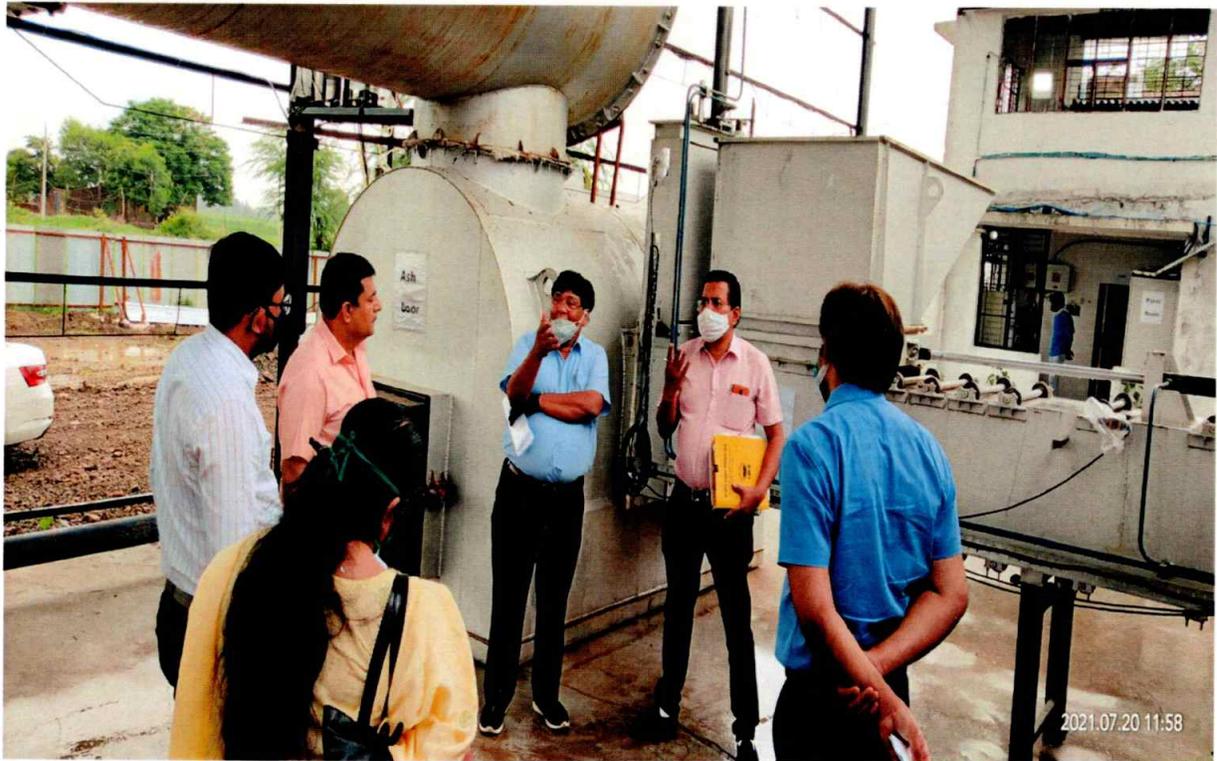


Gas Cooler



Chemical Dosing





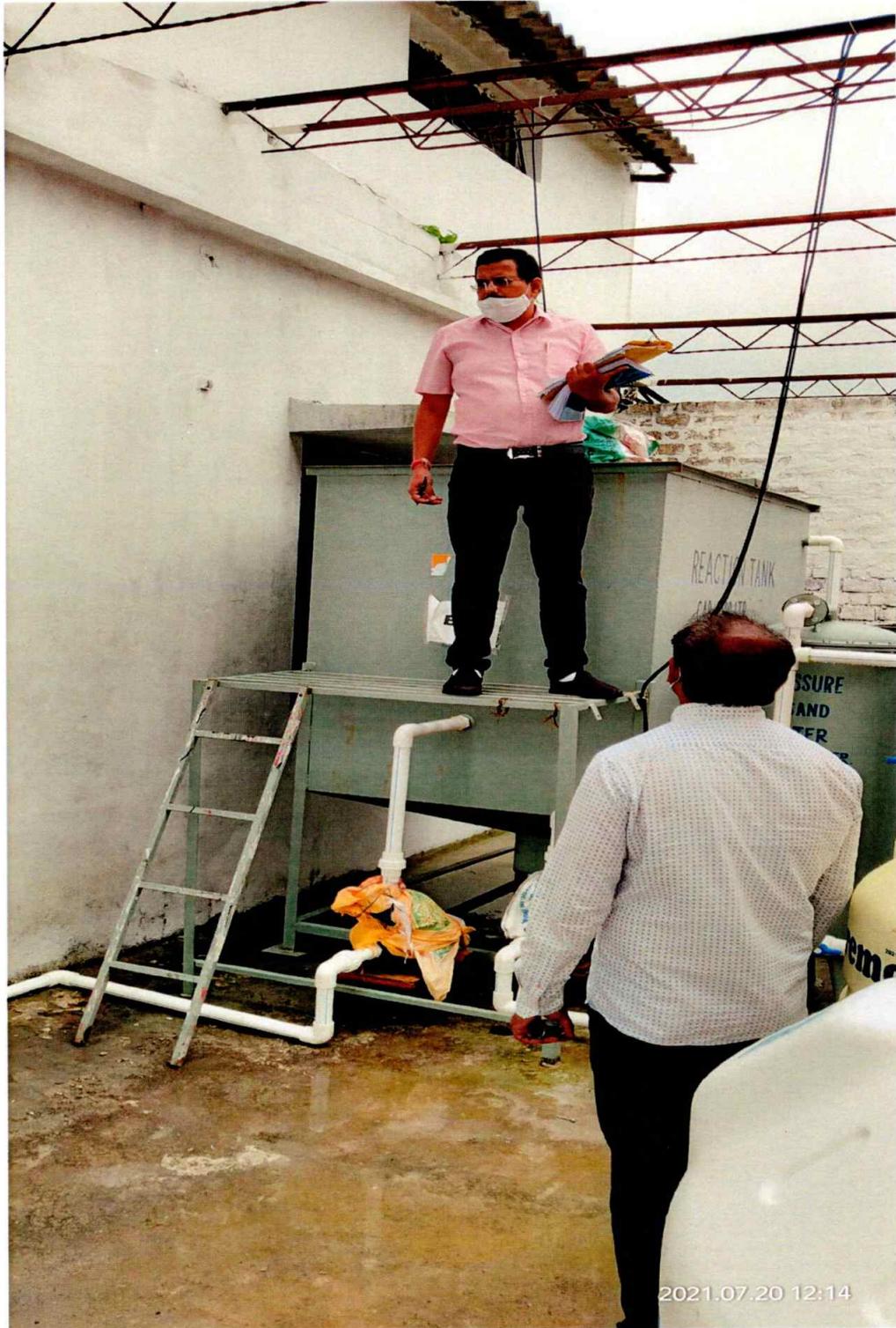
Pusher



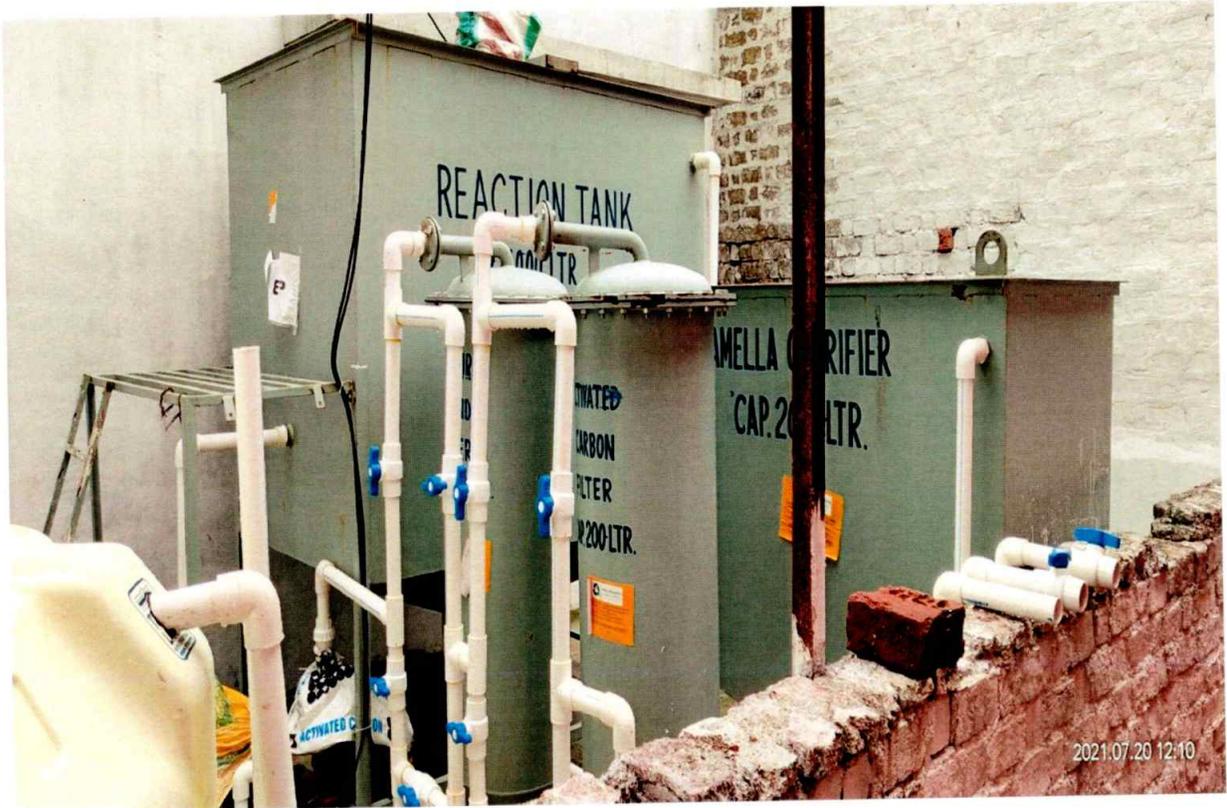
Shredder



Auto Clave

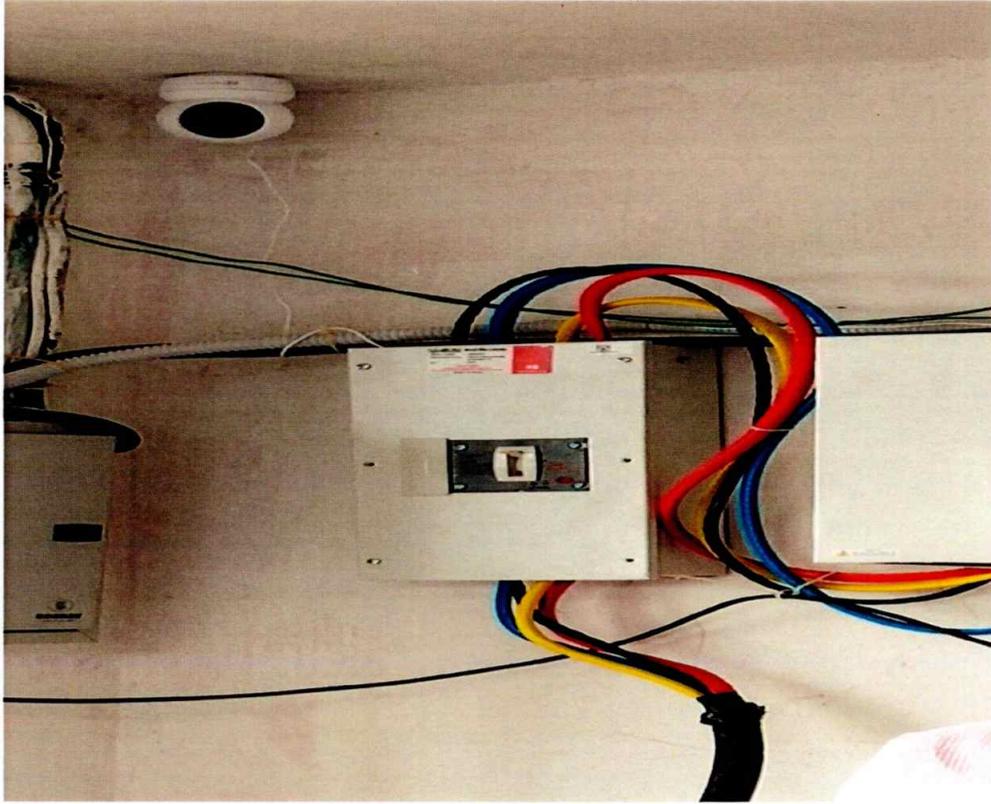


ETP





Panel Room



IP Camera



Online

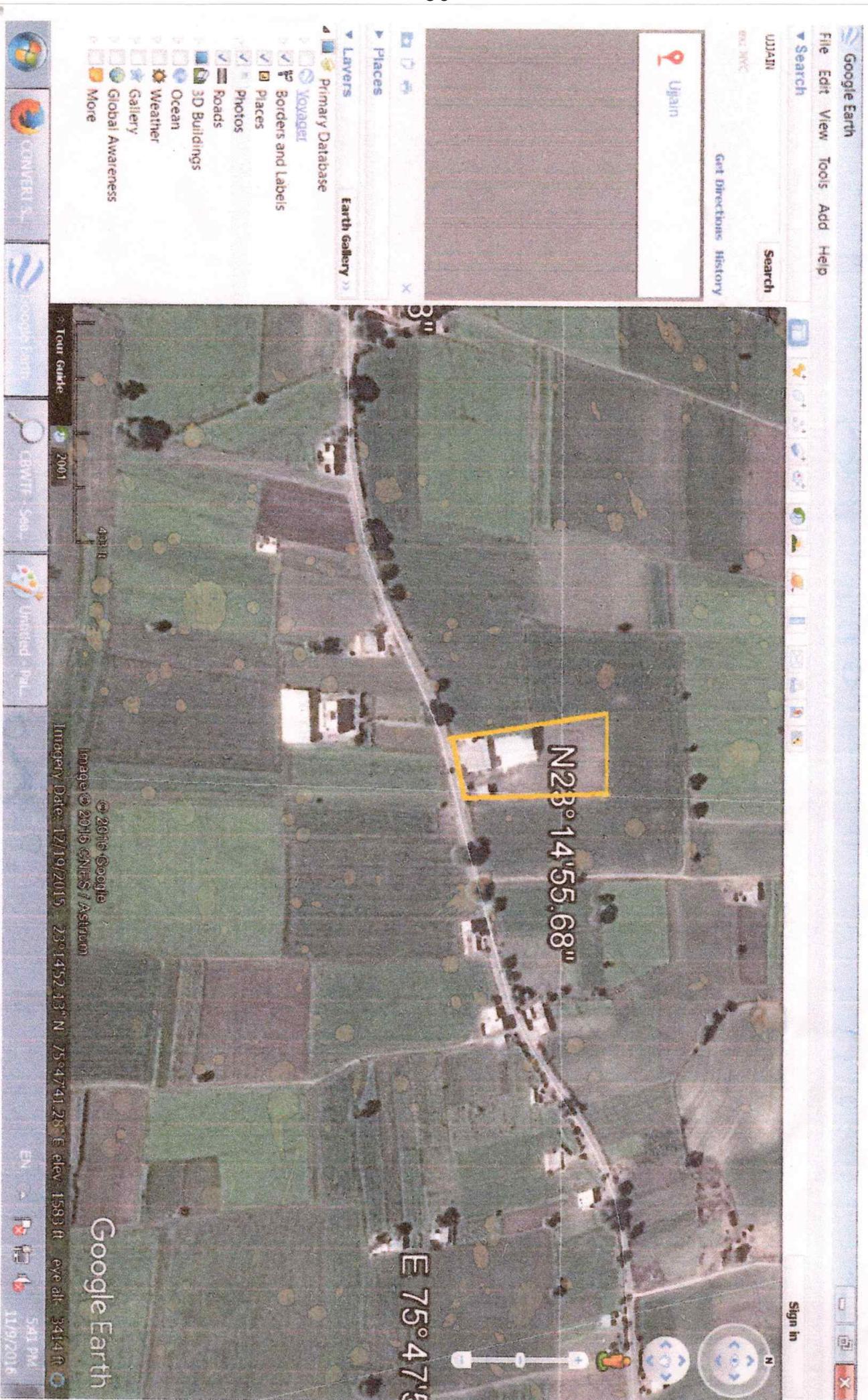
ONLINE STACK GAS ANALYZER

Monitoring

VASTHI

GUNTUR - 522 002, Andhra Pradesh, India
E-mail : info@vasthi.com, sales@vasthi.com
Contact : +91 7382708685, +91 9581678685

2021.07.20 12:17

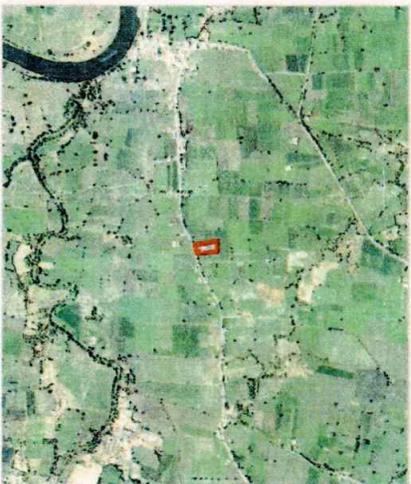




A Map of India



B State of Madhya Pradesh, India



D Project Site



C Ujjain District, Madhya Pradesh



© GREENCINDIA Consulting Private Limited 2016

Map, Madh, Prade



Legend
 Project Site

Source:
 1. Project Layout Plan, M/s HEMPI
 2. Data Provided by FAE (LU)
 3. Google Satellite Imagery 2016

Software Used:
 1. ArcGIS 10.1.2
 2. AutoCAD 2012
 3. ER Mapper 7.4
 4. Erdas Imagine 10

Figure 2.1: Location of the Project Site

Project:
 Establishment of a Common Biomedical Waste Treatment Facility

Village: Kaliyadeh, District Ujjain, Madhya Pradesh

Project Proponent:
 M/s Hostech Eco Management Private Limited

Environment Consultant:
GREENCINDIA Consulting Private Limited
 (No. 53/8607 QMS, ISO: 14001 EMS & OHSAS: 18001 HACCP Certified by SGS)
 (COP) MSET Accredited Environment Consultant Certificate No. MBE/TE/MS/AO/44/41

Graphic Scale:
 0 250 500 1,000 1,500 2,000 m

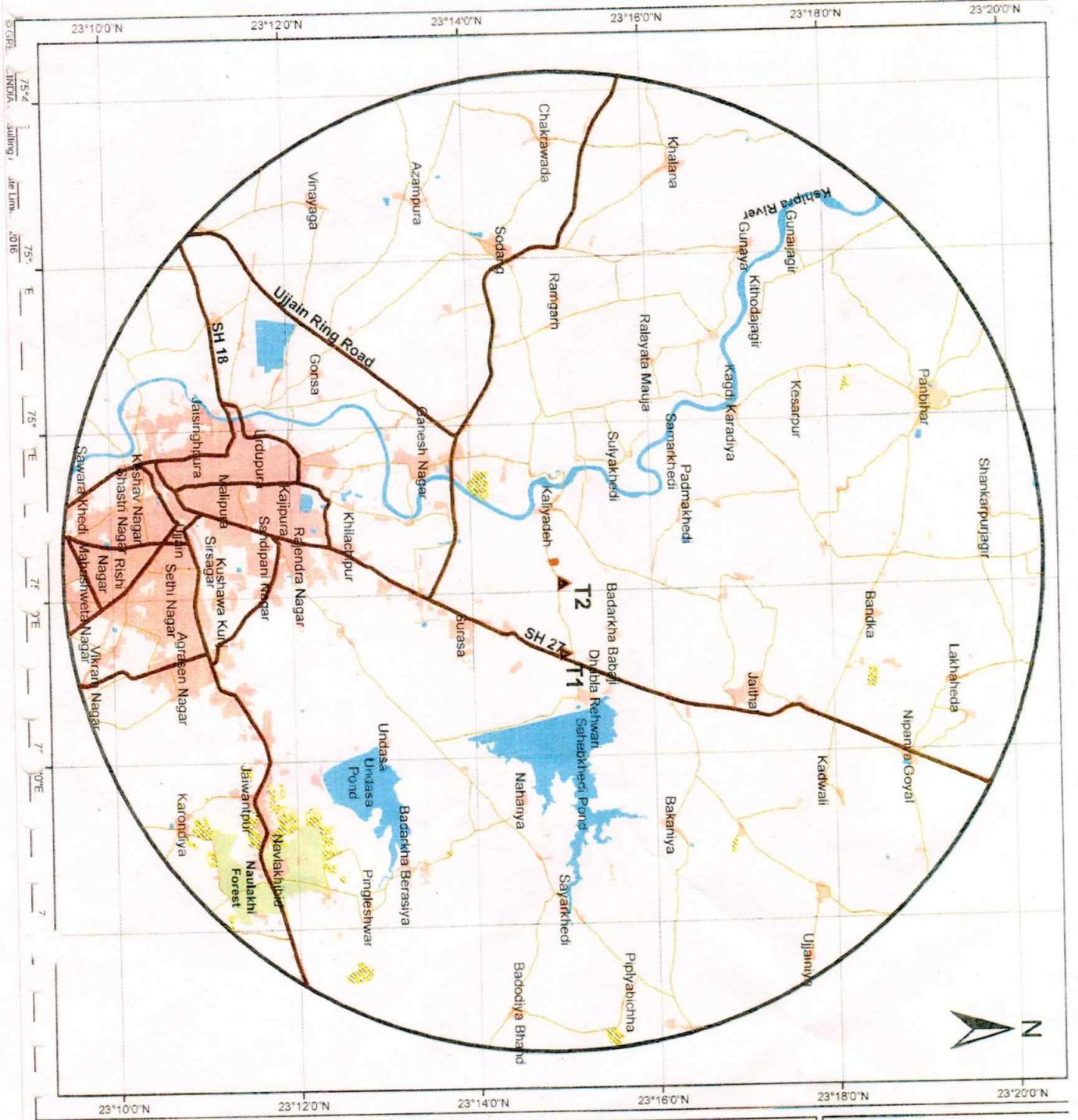
Drafted By: _____ **Checked By:** _____ **Approved By:** _____

Date: 04/01/2017

Revision: _____

M/s Hostech Eco Management Pvt Ltd

Path: D:\Project\In\anduse\BMW-Ujjain\Map\Location Map.rvt



Legend

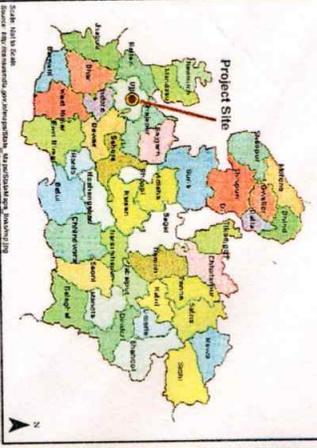
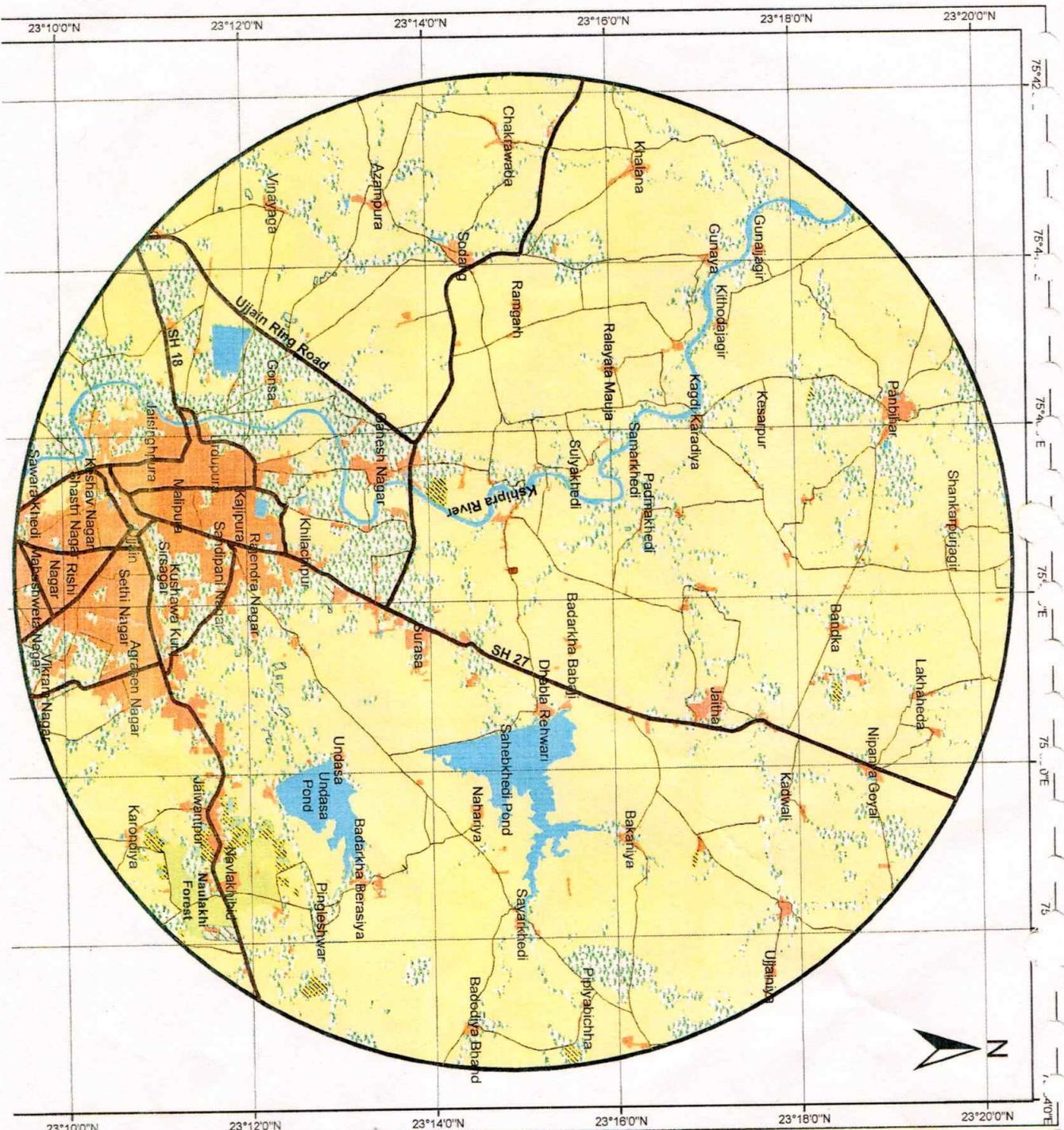
- Traffic Survey Locations
- Minor Roads
- Major Roads
- Project Site
- 10km Buffer
- Builtup
- Forest
- Mining Activities
- Waterbody

Source:
 1. Project Layout Plan, M/s HEMPI
 2. Data provided by F&E (L1)
 3. Google Satellite Imagery, 2016

Software Used:
 1. ArcGIS 10.1, 2. AutoCAD 2012, 3. ER Mapper 7, 4. Erdas Imagine 10

Figure 3.23: Traffic Survey Location Map

Project: Establishment of a Common Biomedical Waste Treatment Facility Village, Kalyadeh, District: Ujjain, Madhya Pradesh			
Project Proponent: M/s Hostech Eco Management Private Limited			
Environment Consultant: GRENCINDIA Consulting Private Limited (An ISO 9001:2015, ISO 14001 EMS & OHSAS 18001 F&ES MS Certified by BSI) OCHA/ABET Accredited Environment Consultant Certificate No. MBE/ENV/INDIA/014014			
Graphic scale: 0 750 1,500 3,000 4,500 6,000 m			
Drafted By:	Checked By:	Approved By:	
Date: 07/01/2017			
Visit:	Path: Project	Interview: Ujjain	Traffic:



Legend

- Minor Roads
- Major Roads
- Project Site
- 10km Buffer
- Builtup
- Forest
- Open Scrub
- Waste Land
- Mining Activities
- Mining Sump
- Waterbody
- Agriculture Land

Source:
 1. Project Layout Plan, M/s HEMPL
 2. Data Provided by F&E (L), 2016
 3. Google Satellite Imagery, 2016

Software Used:
 1. ArcGIS 10.1, 2. AutoCAD 2012, 3. ER Mapper 7, 4. Erdas Imagine 10

Figure 3.4: Landuse Pattern of Study Area

Project:
 Establishment of a Common Biomedical Waste Treatment Facility
 Village: Kalyadeh, District: Ujjain, Madhya Pradesh

Project Proponent:
 M/s Hostech Eco Management Private Limited

Environment Consultant:
GREENINDIA Consulting Private Limited
 (An ISO-9001:2008, ISO-14001:2004 & OHSAS-18001 HAS AEC Certified by BSI)
 DCI/VAJET Accredited Environmental Consultant Certificate No. NABET/ENR/01/0011

Graphic Scale:
 0 750 1500 3,000 4,500 6,000 m

Drafted By: _____ **Checked By:** _____ **Approved By:** _____

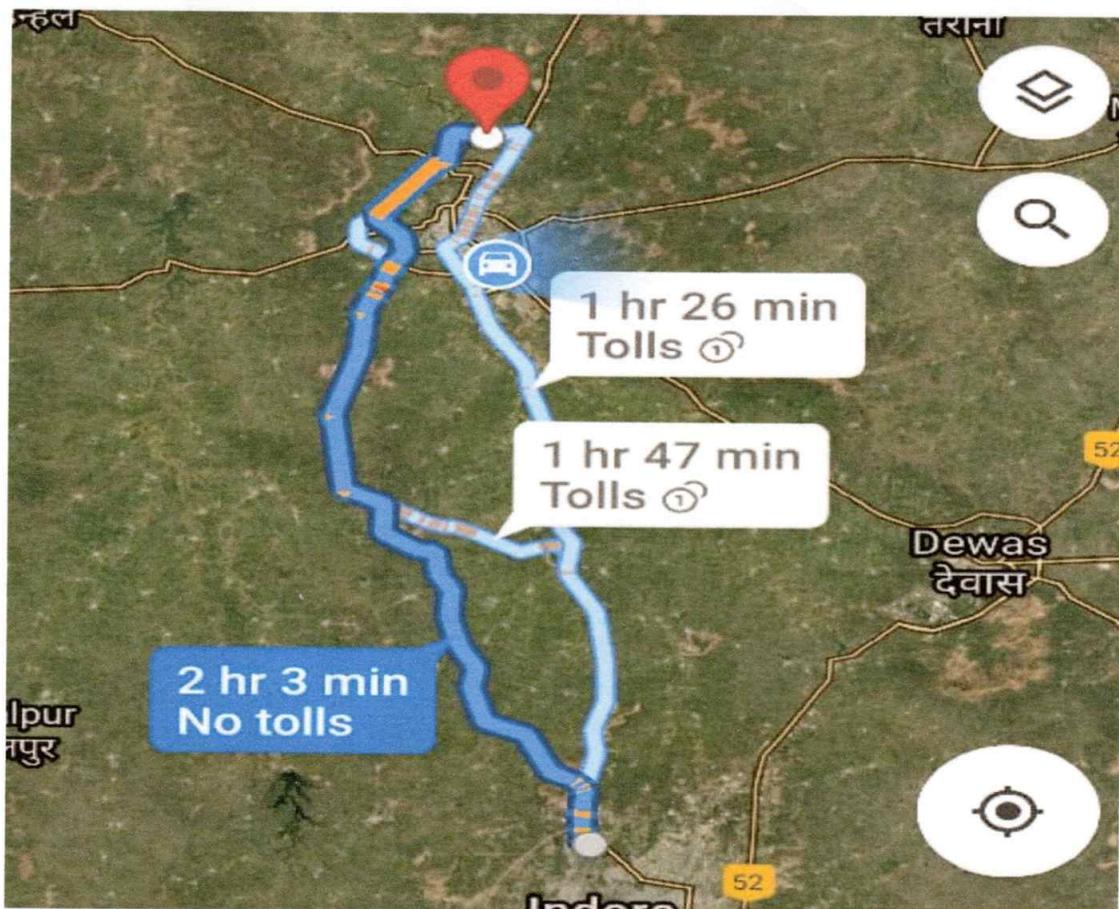
Distance from Indore (M/s Hoswin Incinerator Pvt Ltd) to M/s Hostech Eco Management Pvt. Ltd. (CBWTFs)

← ○ Hoswin Incinerator Pvt Ltd ⋮
📍 Kaliyadeh ↕

🚗 2 hr 3 🏍️ 1 hr 25 🚆 — 🚶 11 hr

⚠️ Wearing a mask in public spaces is required due to COVID-19

[Learn more](#)



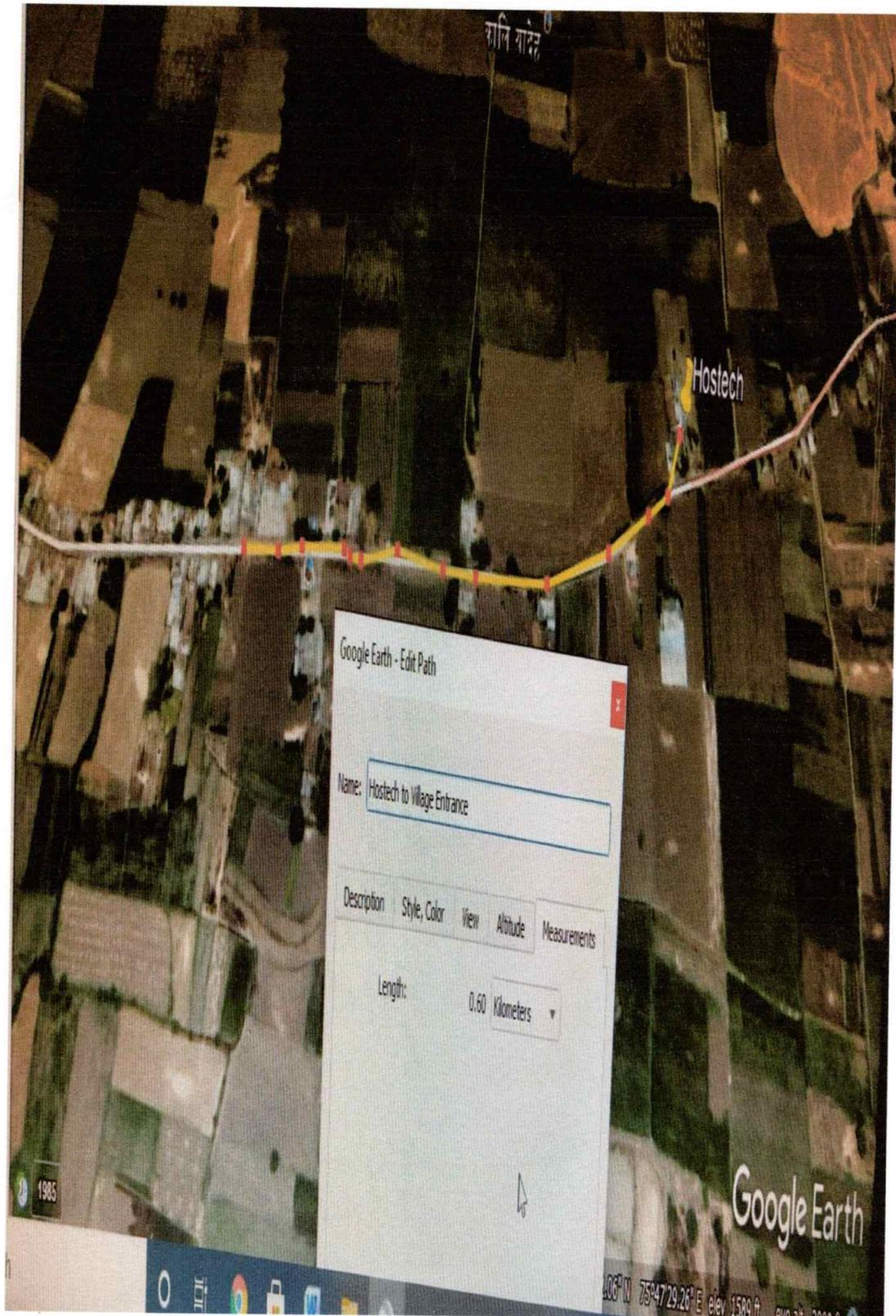
2 hr 3 min (68 km)

>> Preview

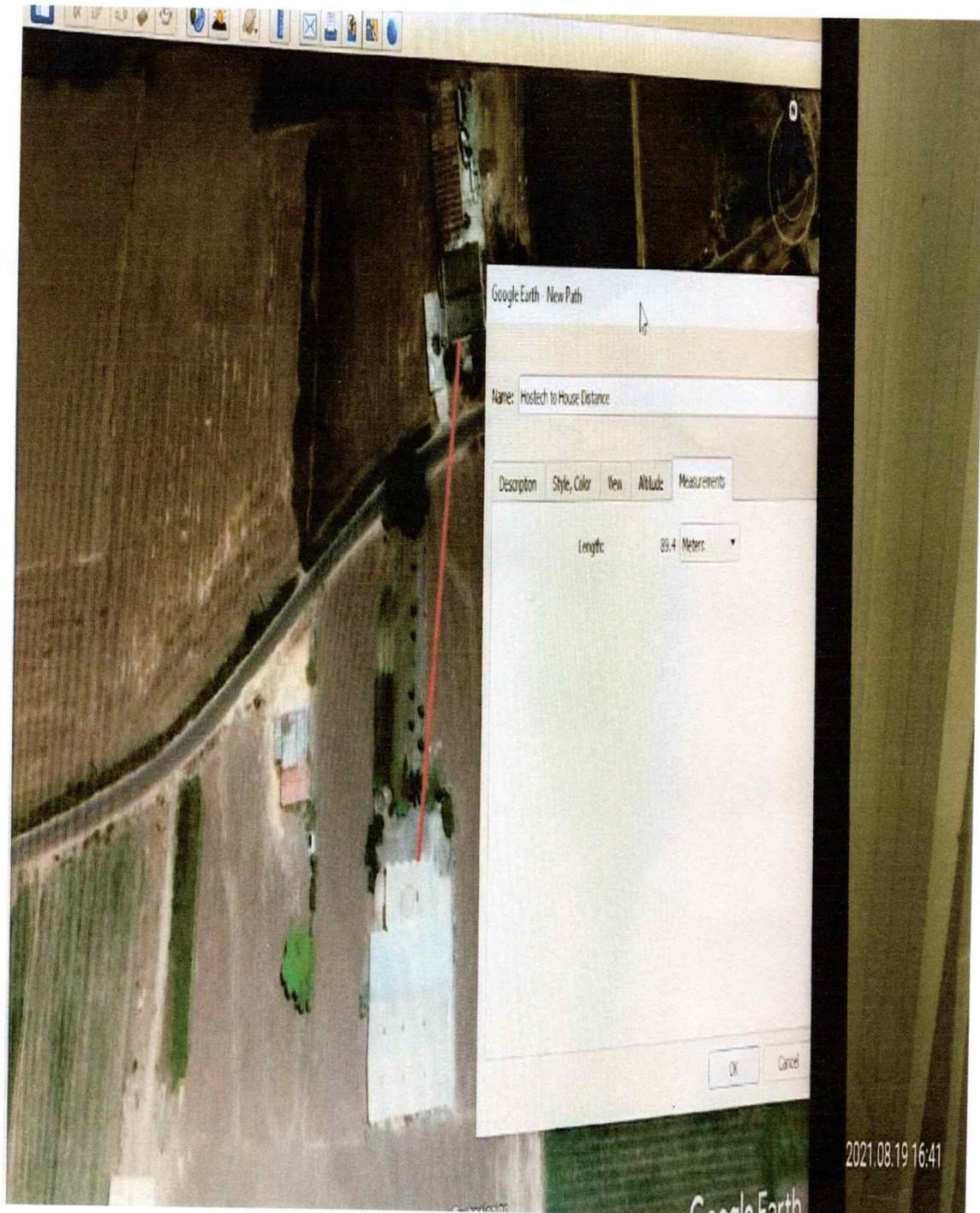
☰ Steps

📌 Pin

Distance of M/s Hostech Eco Management Pvt. Ltd. from Residential/Village area



Distance of M/s Hostech Eco Management Pvt. Ltd. from Nearest residential farm



समस्त ③

VALID FOR SSI UNIT ONLY

ID No 24714/R/CTE-13702

REGIONAL OFFICE, M.P. POLLUTION CONTROL BOARD,
17, Bharatpuri, Ujjain.

No. 2520 /ROU/MPPCB/2012

Ujjain, Date: - 25/4/12

To,

M/s Hostech Eco Management Pvt. Ltd.
10, Y N Road, Ankur Hospital, Indore
Distt. Indore (M.P.)

Sub: - Permission to establish the unit.

Ref: - Your application dated 17.01.2012

Without prejudice to the powers of this Board under the Air {Prevention & Control of Pollution} Act, 1981, Water {Prevention & Control of Pollution} Act, 1974 & without reducing your responsibilities under the said Acts, and after going through your proposal for achieving the effluent and gaseous emission standards, the Board grants permission, ONLY FOR ESTABLISHING the "Common Bio-Medical Waste Treatment Facility" unit proposed to be located at Survey No. 323/1, 323/2/1, 323/2/2 Gram Kaliyadeh, Tehsil Ghattiya, Distt. Ujjain (M.P.)

This consent is valid for product & production capacity of:-

1. **Incineration & Disposal of Bio-Medical Waste -- 2400 MT/Yr.**
{CBWTF Facility}
(Two Thousand Four Hundred Metric Tonnes per year only)

SUBJECT TO FOLLOWING CONDITIONS:-

1. The quantity of the industrial and domestic effluent shall not exceed 4.5 M³/day.
2. The unit shall provide adequate facility for proper treatment of industrial/domestic waste water effluent and shall ensure that the treated effluent quality meets the standards prescribed by the Board and notified in the M.P. Gazette dated 25-03-1988 & 15-11-2002.
3. The unit shall install separate electric metering arrangement for running of pollution control devices and this arrangement shall be made in such fashion that any non-functioning of pollution control devices shall immediately stop the electric supply to the production and shall remain tripped till such time unless the pollution control device/devices are made functional. The record of electricity consumption for running of pollution control equipments shall be maintained and submitted to the Board every month. A separate log book shall be maintained.

4. The construction of effluent treatment plant shall be taken up simultaneously with other civil work.
5. Unit shall utilize effluent for horticulture/plantation purpose. Unit shall not discharge any effluent outside of the factory premises in any circumstances. Hence zero discharge condition shall be practiced.
6. Unit shall install suitable air pollution control equipment to control the emission of air pollutants from various section.
7. Unit shall take appropriate air pollution control measures to ensure that the ambient air quality at the boundary of premises shall conform to the norms prescribed in Ministry of Environment Forest Gazette Notification no. GSR/826 (E) dated 16-11-2009
8. Minimum stack height of all the stacks shall be as per CPCB norms.
9. Environmental Cell with technically qualified personnel shall be setup under the Control of Senior Executive.
10. Unit shall not start any construction activity & also shall not accept or receive any Bio Medical Waste without "Authorization under Bio Medical waste {Management & Handling} Rules 1998" from M.P.Pollution Control Board Bhopal, failing to which this permission letter shall be automatically treated as null & void.
11. Unit shall make suitable arrangement for handling and disposal of solid waste and sludge from process and ETP.
12. Unit shall install acoustic enclosure/canopy in D.G. set to control the noise Pollution. The ambient noise level shall not exceed the limit 75 dB [A] during the Day time and 70 dB[A] during the night time.
13. Unit shall take effective steps for extensive tree plantation in and around their Premises for general improvement of environmental conditions.
14. Unit shall ensure the compliance of Guidelines of Centre Pollution Control Board for "Common Bio-Medical Waste Treatment facility", failing to which this permission letter shall be automatically treated as null & void.
15. Unit shall take adequate precautionary measures before and during operation, maintenance and cleaning of pollution control equipment to avoid accidental hazard.

16. After notice and/or opportunity of hearing, this consent or any of the above Condition can be modified, amended, revoked or withdrawn as a whole or in part as and when deemed necessary.

The consent [for operation] as required under the Water {Prevention & Control of Pollution} Act, 1974 and the Air {Prevention & Control of Pollution} Act, 1981 shall be granted to your unit after fulfillment of all the conditions mentioned above. For this purpose you shall have to make an application to this Board in the prescribed proforma at least two months before the expected date of commissioning of your unit. The applicant shall not without valid consent [for operation] of the Board bring in to use any out let for the discharge of effluent and gaseous emission.

For & on behalf of, M.P. Pollution Control Board,

[Signature]
(Regional Officer)
Regional Office



State Environment Impact Assessment Authority, M.P.
(Government of India, Ministry of Environment, Forest & Climate Change)

Environmental Planning Coordination Organization (EPCO)
Paryavaran Parisar, E-5, Arera Colony
Bhopal-4620 16

visit us <http://www.mpseiaa.nic.in>

Tel: 0755-2466970, 2466859

Fax : 0755-2462136

No: 2079 /SEIAA/2019

Date: 29.1.19

To,
Director, M/s Hostech Eco Management Pvt. Ltd,
10, Yashvant Niwas Road,
Indore, MP- 452001

Sub: Case No.5542/2017: Prior Environment Clearance for Establishing a Common Biomedical Waste Treatment Facility at Khasra no. 323/1, 323/2/1, 332/2/2 Village- Kaliyadeh, Tehsil- Ghatiya, Dist.- Ujjain (MP) Total plot area 0.554 ha (1.22 acres) Proposed Capacity - 2400 tonnes per annum by Director, M/s Hostech Eco Management Pvt. Ltd, 10, Yashvant Niwas Road, Indore, MP- 452001, Mob. No. 09893269299, E-mail: hostecheco@gmail.com Env't. Consultant: Visiontek Consultancy Servives Pvt. Ltd., Bhubaneshwar

Ref: Your application dtd. 29.03.17 received in SEIAA office on 31.03.2017

With reference to the above, the proposal has been appraised as per prescribed procedure & provisions under the EIA notification issued by the Ministry of Environment & Forests vide S.O. 1533 (E), dated 14th September 2006 and its amendments, on the basis of the mandatory documents enclosed with the application viz., Form I, pre-feasibility report, ToR, EIA Report, ppt. and additional clarifications furnished in response to observations by the State Expert Appraisal Committee (SEAC) and State Environment Impact Assessment Authority (SEIAA) constituted by the competent Authority.

- The proposed project is Common Bio-medical Waste Treatment facility of Bio Medical Waste collected from the various health care establishments / unit generating bio medical wastes. Facility includes Incinerator, Autoclave, Shredder and Effluent Treatment Facility.
- Biomedical waste in Ujjain region is presently managed by Hoswin Incinerator Private Limited, Indore. All the wastes generated from various health care units in the region is transported to Indore. Since there is no CBWTF in the region, the closest CBWTF Hoswin Incinerator Private Limited, Indore is providing services to HCFs in the area. Hoswin Incinerator Private Limited, Indore do not any objection to set up of proposed project and provide services in Ujjain area which is presently covered by them. PP has submitted No objection certificate from Hoswin Incinerator Private Limited, Indore.
- The proposed treatment facilities at the site are, Bio Medical Waste Segregation, Autoclave, Shredding and Incineration. The project is aimed to cater the needs of the Bio Medical waste generation units in the nearby Health Care Units of Ujjain district of the state with an approximation of 6.57 tonnes per day (6575kg/day). The propped unit set up for treatment of bio-medical waste at Ujjain covering presently 9300 beds.

Case No. 5542/2017

Issued vide letter no. dated

proposed site; hence general conditions are not attracted as per EIA Notification 2006 its amendments.

- x. Regarding land documents, PP has submitted sale deed dtd. 25.05.11 and as per the land documents the land is the name of Director, M/s Hostech Eco Management Pvt. Ltd
- xi. Public hearing was conducted for the proposed Common Biomedical Waste Treatment Facility at Kaliyadeh Village, Ghatiya Tehsil, Ujjain District in Madhya Pradesh on 15.06.2018 at 11.00 am at Mela Office and Ujjain Kothi Palace under the chairmanship of Additional District Collector of Ujjain. Some issues regarding air & water pollution, biological environment and health problems which were addressed by PP.
- xii. The total water requirement for the proposed facility is 11.7 KLD the fresh water 4.31 KLD met from water tankers.
- xiii. The wastewater generated will be treated in in-house ETP of capacity 12 KLD. The treated water shall be reused in APCDs, greenbelt, etc. The facility shall be developed as Zero Liquid Discharge (ZLD) system. No treated wastewater shall be let out of the premises of the proposed CBWTF. Process effluent will be re-circulated in process after proper treatment. The domestic wastewater will be collected and treated in packages STP and reused for greenbelt.
- xiv. A surface water drainage line which collects and removes all surface runoff. PP has proposed proper utilization of rainwater by harvesting by appropriate rain water-harvesting mechanism. Roof water will be collected by adopting proper treatment (oil & grease trap); the collected water will be used for various uses (dust suppression, floor washings, toiler flushing, greenbelt, etc.). Based on the rainfall intensity of the plant area, storm water drainage system will be designed
- xv. Incineration ash (ash from incineration of any bio-medical waste) shall be disposed through hazardous waste treatment, storage and disposal facility (TSDF), if toxic or hazardous constituents are present beyond the prescribed limits as given in Schedule-II of the Hazardous and Other Waste Management & Trans-boundary Movement Rules or as revised from time to time. Presently no TSDF facility is available in Ujjain & the nearest TSDF facility identified is located at an aerial distance of about 71 km in SSE direction. Common Treatment, Storage and Disposal Facility of M/s Ramky Enviro Engineers Limited, Hyderabad is available at Plot no. 104, Industrial Area No. II, Pithampur District, Dhar (M.P). MoU with the company is in process.
- xvi. Power requirement will be sourced from existing line of Madhya Pradesh State Electricity Board (MPSEB). In case of power failure, D.G. set will be used.
- xvii. Air emission from flue gases from incinerator due to combustion of biomedical waste, SO₂/NO₂ due to vehicular emissions, During Loading, Unloading and cleaning/sweeping activities, during transportation, Handling & Treatment of Biomedical waste. For control of air emission Incinerator will be provided with a stack height meeting MOEFCC Guidelines (wet scrubber/absorption etc.) Water sprinkling during loading & unloading activities, Development of thick plantation along railway siding Internal roads will be concreted / asphalted to reduce dust emissions, Proper parameters (air & temperature) to be maintained during combustion, to reduce the flue gases formation.

- xviii. The proposed CBWTF shall not be handling chlorinated plastics and no incineration will be done on chlorinated bags. There is no change of dioxin and furans generation during incineration.
- xix. The green belt will be developed for the proposed project in an area of 3127 sq. m (56 %) of the total site area. Greenbelt will be developed all along the periphery of the project maintaining a distance of around 2m between each plant. Inside the project, around 50 plants shall be planted maintaining a distance of around 3.5 m between each plant.
- xx. Under CSR activities PP has proposed as per MoEF&CC's OM dated 1st May, 2018, 2% of the project cost is to be spent on CER (Corporate Environment Responsibility) activities for green-field projects having project cost <100 crores. As such for the proposed project, an amount of Rs. 10 lakhs has to be earmarked for spending under CER activities.

S.No.	Activities	Total Cost allocated for 5 years (in Rs.Lakh)
1	Construction of Borewell/Tubewell nearby village	2.5
2	Revamping of school/Aanganwadi as per requirement of Gram Panchyat.	7.5
Total		10.0

- xxi. The proposed project cost is Rs. 475 lakhs
- xxii. **Benefits of the project:** The beneficial impact of proposed project on the civic amenities will be substantial after the commencement of project activities. The basic requirement of the community needs will be strengthened by extending healthcare to the community, building/strengthening of existing roads in the area which will help in uplifting the living standards of local communities. The project will create opportunities for employment to the nearby villagers.

Based on the information submitted at Para i to xxii above and others, the State Level Environment Impact Assessment Authority (SEIAA) considered the case in its 516th meeting held on 20.12.2018 and decided to accept the recommendations of 320th. SEAC meeting held on dtd 23.10.18

Hence, Prior Environmental Clearance is accorded under the provisions of EIA notification dtd. 14th September 2006 & its amendments for the proposed Establishing a Common Biomedical Waste Treatment Facility at Khasra no. 323/1, 323/2/1, 332/2/2 Village- Kaliyadeh, Tehsil-Ghatiya, Dist.- Ujjain (MP) Total plot area 0.554 ha (1.22 acres) Proposed Capacity - 2400 tonnes per annum by Director, M/s Hostech Eco Management Pvt. Ltd, 10, Yashvant Niwas Road, Indore, MP- 452001 subject to the compliance of the Standard Conditions and the following additional Specific Conditions as recommended by SEIAA & SEAC in its meetings.

A. Specific Conditions as recommended by SEIAA

1. The entire demand of fresh water should be met through licensed tanker and there should be no extraction of ground water.
2. This EC will be subject to the location criteria to be decided by the MPPCB specially the proximity to the human settlement.

3. PP will take prior permission of MPPCB for establishing CBWTF at the site in reference to revised guideline of CPCB-2016 for CBWTF before installation.
4. PP should install adequate ETP for treatment and disposal of effluent and Zero discharge should be maintained.
5. Process effluent/any waste water should not be allowed to mix with storm water.
6. Guidelines of CPCB/MPPCB for Bio-Medical Waste Common Hazardous Wastes Incinerators shall be followed.
7. No landfill site is allowed within the CBWTF site.
8. Ecosorb (organic and biodegradable chemical) and alumina will be used around odor generation areas at regular intervals for dilution of odorant by odor counteraction or neutralize.
9. PP will ensure to use only non chlorinated bags for handling and storing bio medical waste. In any case, PP is not allowed to use poly and plastic bags.
10. All safety measures will be strictly followed by workers for handling of Bio medical waste bags during storage and feeding at incinerator to prevent health hazards.
11. Incinerator should be properly interlocked with venture scrubber to control air pollution.
12. Incinerated ash and ETP sludge shall be disposed at approved TSDF and MoU made in this regard should be done prior to the commencement.
13. Color coding for handling waste be strictly followed as per BMW Rules 2016.
14. PP should ensure the rain water harvesting by providing of recharging pits. In addition, PP should provide recharging trenches. The base of the trenches should be Kachha with pebbles.
15. PP will install continuous online monitoring system to monitor the emissions from the stack. Periodical air quality monitoring in and around the site shall be carried out. The parameters shall include Dioxin and furan.
16. Proper Parking facility should be provided for employees & transport used for collection & disposal of waste materials..
17. Necessary provision shall be made for firefighting facilities within the complex.
18. PP should carryout periodical air quality monitoring in and around the site including VOC, HC.
19. PP shall ensure to conduct quarterly health check up of workers working in the plant.
20. PP will construct garland drain of appropriate size and settling tank with stone pitching all around the plant premises.
21. PP should develop 8 m green belt all along the periphery of the species that are significant and used for the pollution abatement. Besides this, PP will explore the possibility to develop dense green belt by planting thick foliage trees to develop buffer zone in the additional land belongs to PP on eastern direction towards road to suppress emissions.
22. Incineration plants shall be operated (combustion chambers) with such temperature, retention time and turbulence, so as to achieve Total Organic Carbon (TOC) content in the slag and bottom ashes less than 3%, or their loss on ignition is less than 5% of the dry weight of the material.

23. Transportation and handling of Bio-medical Wastes shall be as per the Biomedical Wastes (Management and Handling) Rules, 2000 including the section 129 to 137 of Central Motor Vehicle Rules, 1989.
24. The proponent should ensure that the project fulfills all the provisions of Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008 including collection and transportation design etc and also guidelines for Common Hazardous Waste Incineration - 2005, issued by CPCB.
25. The Leachate from the facility shall be collected and treated to meet the prescribed standards before disposal.
26. PP should ensure installation of photovoltaic cells (solar energy) for lighting in common areas, LED light fixtures, and other energy efficient plant machineries and equipments.
27. The containers should be covered during transportation in order to prevent exposure of public to odors and contamination.
28. PP should have two storage rooms separately for treated and untreated waste.
29. PP should ensure the traffic movement plan, parking facilities and road width.
30. Under CSR activities PP has proposed to construction of bore well/tubewell & revamping of school/aanganwadi as per requirement of Grampanchayat with budgetary provision of Rs. 10.0 Lakhs upto 5 year. PP should ensure the implementation of CSR activities on regular basis in consultation with the Gram Panchayat of the respective villages.
31. PP should develop green belt at least minimum of 33% in plant premises as per CPCB guidelines with native species/Pollution absorbing species.

B. Specific Conditions as recommended by SEAC

1. The EC shall be valid for establishing Common Bio Medical Waste Treatment and Disposal Facility at Kaliyadeh Village, Ghatiya Tehsil, Distt. - Ujjain, (M.P.) with following treatment capacity –

Rotary Kiln Incinerator	- 2.4 TPD (one number)
Autoclave	- 0.5 TPD (one number)
Shredder	- 0.50 Ton (one number)

(A) PRE-CONSTRUCTION PHASE

2. During any construction/plant erection activity, curtaining of site should be carried out to protect nearby areas.
3. For dust suppression, regular sprinkling of water should be undertaken.
4. The entire area should be covered with 03 meters MS sheets and due care should be taken for noise and vibration control during demolition work.
5. PP will obtain other necessary clearances/NOC from respective authorities.
6. Provisions shall be made for the housing of construction/plant erection labor within the site with all necessary infrastructure and facilities such as mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. The housing may be in the form of temporary structure to be removed after completion of the period.
7. Take all necessary steps to ensure that the bio-medical waste collected from the occupier is transported, handled, stored, treated and disposed of, without any adverse effect to the human health and the environment, in accordance with the Bio-Medical

Waste Management Rules, 2016 and guidelines issued by the Central Pollution Control Board from time to time.

8. Ensure timely collection of bio-medical waste from the occupier as prescribed under the rules.

(B) CONSTRUCTION PHASE

9. Inform the prescribed authority immediately regarding the occupiers which are not handing over the segregated bio-medical waste in accordance with the rules.
10. Provide training for all its workers involved in handling of bio-medical waste at the time of induction and at least once a year thereafter.
11. Undertake appropriate medical examination at the time of induction and at least once in a year and immunize all its workers involved in handling of bio-medical waste for protection against diseases, including Hepatitis B and Tetanus, that are likely to be transmitted while handling bio-medical waste and maintain the records for the same.
12. Shall display details of authorization, treatment, annual report etc on its web-site.
13. PPE's such as helmet, ear muffs etc should be provide to the construction workers.
14. Fire extinguishers should be provided on site during construction period.
15. All internal roads will be concreted / asphalted to reduce dust emissions.
16. All vehicles carrying raw material should be covered with tarpaulin and unloading/loading activities should be stopped during windy period. Properly tuned construction machinery and good condition vehicles (low noise generating and having PUC certificate) should be used. Bar Code System should be developed by the facility operator as per the guidelines issued by the Central Pollution Control Board for ensuring compliance to the BMWM Rules, 2016.
17. Waste construction material should be recycles as far as possible and remaining should be disposed off at a designated place in consultation with the local authority.
18. Peripheral plantation inclusive of avenue and aromatic plantation at all around the project boundary shall be carried out using tall saplings of minimum 2 meters height of species which are fast growing with thick canopy cover preferably of perennial green nature. As proposed the project plan to develop green belt in 3127 m2 area and 600 plants are proposed to be planted along the periphery of the project and inside the project.
19. PP should explore the possibility of providing solar street light. & LED should be preferred over of tube lights/CFL.
20. Waste oil generated from the DG sets, ash and ETP sluge should be disposed off in accordance with the Hazardous and Other Wastes (Management and Transboundary Movement) Rules; 2016 after obtaining authorization.
21. The total water requirement for the project is 11.7 KLD.
22. Land use breakup details as proposed by PP for this facility are as follows:

Land use Break-Up for proposed unit,		Total Area 5540 Sq. mt.
Particulars	Area in sq.meter	
Security Hut	12	
Workers Room	24	
Parking	80	

Admin & Storage	256
Incinerator Area	360
ETP	36
Green area	3127
Open area	1645

23. As proposed, the effluent generated from industrial activities in the proposed plant will be treated in ETP (Capacity 12.0 KLD and re-circulated in venturi scrubber. Waste water generated from domestic use will be sent to the packaged STP and the treated water will be used for flushing and dust suppression. No effluent from the facility shall be discharged outside the premises and Zero discharge shall be maintained. PP should also install Internet Protocol PTZ camera with night vision facility along with minimum 05X zoom and data connectivity must be provided to the MPPCB's server for remote operations.
24. The height of the stack shall be not less than 30 mtrs. Only low Sulphur fuel like Light Diesel Oil or Low Sulphur Heavy Stock or Diesel, Compressed Natural Gas, Liquefied Natural Gas or Liquefied Petroleum Gas shall be used as fuel in the incinerator. On line continuous monitoring system shall also be installed to monitor the stack emission and data connectivity must be provided to the MPPCB's server for remote operations.
25. Monitoring of the stack gaseous emissions (under optimum capacity of the incinerator) will be done once in three months through a laboratory approved under the EPA, 1986 /NABL and record of such analysis results shall be maintained and submitted to the prescribed authority. In case of dioxins and furans, monitoring will be done once in a year.
26. Ventury scrubber with mist eliminator, Bag Filter, APCs and dust collector shall be provided as air pollution control equipment.
27. Combustion gas analyzer to measure CO₂, CO and O₂ should be installed.
28. Spraying of "Ecosorb" should be performed on regular intervals to avoid any odor nuisance.
29. The PP should comply with the provisions made in Hazardous Waste (management, handling & Trans-boundary Movement) Rules 2016.
30. Dedicated parking facility for unloading of materials/wastes shall be provided in the facility premises. PP shall develop and implement good traffic management system for their incoming and outgoing vehicles to avoid congestion on the public road.
31. PP shall ensure that 02-03 additional vehicle shall be available all the time in addition to the required number of vehicle for collection and transportation of bio medical waste.
32. No hazardous waste should be disposed off in this facility.
33. Proper fire fighting arrangements in consultation with the fire department should be provided against fire incident.
34. In case of power failure, stand by D.G. Set/s having power generation capacity equivalent to the requirement of power to run the facility shall be installed, so that the facility shall always be operated round the clock even in case of power failure. The overall noise level in and around the facility area and D.G. Set shall be kept well within the standards by providing noise control measures including engineering controls like acoustic insulation hoods, silencers, enclosures etc. on all sources of noise

generation. The ambient noise level shall conform to the standards prescribed under The Environment (Protection) Act, 1986 & Rules.

35. All recommendations and pollution mitigative measures proposed in the EMP shall be binding for the project authorities.
36. Pucca flooring / impervious layer shall be provided in the work areas, chemical/waste oil storage areas and chemical handling areas to minimize soil contamination.
37. Good housekeeping shall be maintained within the facility premises. All pipes, valves and drains shall be leak proof. Leakages from the pipes, pumps, shall be minimal and if occurs, shall be arrested promptly. Floor washing shall be admitted in to the effluent collection system for subsequent treatment and disposal.
38. The storm water drains shall be kept separate and shall remain dry throughout the year except monsoon.
39. After ensuring treatment by autoclaving or microwaving followed by shredding, the recyclables from the treated bio-medical wastes such as plastics and glass shall be given to such recyclers having valid authorization or registration from the respective prescribed authority.
40. The Occupier or Operator of facility shall maintain a record of recyclable wastes referred to in sub-rule (9) of Bio-Medical Waste Management Rules, 2016 which are auctioned or sold and the same shall be submitted to the prescribed authority as part of its annual report. The record shall be open for inspection by the prescribed authorities.
41. The handling and disposal of all the mercury waste and lead waste shall be in accordance with the respective rules and regulations.
42. The facility operator shall adhere to the "STANDARDS FOR TREATMENT AND DISPOSAL OF BIO-MEDICALWASTE BY INCINERATION AND PLASMA PYROLYSIS OR GASIFICATION," as per Schedule II of the Bio-medical Waste Management Rules, 2016.
43. Report major accidents including accidents caused by fire hazards, blasts during handling of biomedical waste and the remedial action taken and the records relevant thereto (including nil report) in Form I to the prescribed authority and also along with the annual report.
44. Maintain a log book for each of its treatment equipment according to weight of batch; categories of waste treated; time, date and duration of treatment cycle and total hours of operation.
45. Allow occupier, who are giving waste for treatment to the operator, to see whether the treatment is carried out as per the rules.
46. Supply non-chlorinated plastic colored bags to the various occupiers, if required.
47. Common bio-medical waste treatment facility shall ensure collection of biomedical waste on holidays also.
48. Maintain all record for operation of incineration and other activities such as autoclaving & shredding etc for a period of five years.

(C) ENTIRE LIFE OF THE PROJECT

49. PP has proposed Rs. 21.50 lacks for environmental monitoring and environmental management inclusive of green belt development and Rs. 17.10 lacks/year for recurring expenses in the proposed EMP of this project.

50. The environmental policy with Environmental Management Cell as per MoEF guideline will be prepared by PP and the with suitably qualified staff for implementation of the stipulated environmental safeguards and for monitoring functions shall be setup under the control of the Chief Executive of the company.
51. As proposed, the green belt development / plantation activities should be completed within the first three years of the project and the proposed species should also be planted in consultation with the forest department.
52. In case of any, change in scope of work, technology, modernization and enhancement of capacity/ built-up area/ project area shall again require prior environmental clearance as per EIA notification, 2006.
53. PP shall be responsible for discrepancy (if any) in the submissions made by the PP to SEAC & SEIAA.
54. The validity of the EC shall be as per the provisions of EIA Notification subject to the following: Expansion or modernization in the project, entailing capacity/ built-up area/ project area, addition with change in process and or technology and any change in product - mix in proposed unit shall require a fresh Environment Clearance.

Standard Conditions:

1. All activities / mitigative measures proposed by PP in Environmental Management Plan and approved by SEAC must be ensured.
2. All parameters listed in Environmental Monitoring Plan approved by SEAC must be monitored at approved locations and frequencies.
3. "Consent for Establishment" shall be obtained from the MPPCB under the Air and Water Act and a copy shall be furnished to the MPSEIAA, before taking up any construction activity at the site.
4. Guidelines of State Pollution Control Board (MPPCB) for Common Hazardous Wastes Incinerators shall be followed.
5. Periodical air quality monitoring in and around the site shall be carried out. The parameters shall include Dioxin and furans.
6. Use only low sulphur diesel. No other oil shall be used.
7. The proponent shall comply with the Environmental standards notified by Ministry of Environment, Forest & Climate Change for incinerators along with the technology/guidelines.
8. Necessary provision shall be made for firefighting facilities within the complex. The Project Proponent should carryout periodical air quality monitoring in and around the site including VOC, HC.
9. The Project Proponent should develop green belt all along the periphery of the TSDF with plant species that are significant and used for the pollution abatement.
10. Treated flue gas emissions discharge through stack to atmosphere shall always be less than or equal to the parameter-specific emission standards notified by the CPCB.
11. All the facilities shall be designed to achieve a minimum temperature of 1100°C in secondary combustion chamber and with a gas residence time in secondary combustion chamber not less than 2 (two) seconds.

12. Incineration plants shall be operated (combustion chambers) with such temperature, retention time and turbulence, so as to achieve Total Organic Carbon (TOC) content in the slag and bottom ashes less than 3%, or their loss on ignition is less than 5% of the dry weight of the material.
13. Piezometric holes shall be identified/constructed in all directions for monitoring.
14. Guidelines published by the Central Pollution Control Board from time to time for common incineration facilities shall be referred for implementation.
15. Transportation and handling of Bio-medical Wastes shall be as per the Bio-medical Wastes (Management and Handling) Rules, 2000 including the section 129 to 137 of Central Motor Vehicle Rules, 1989.
16. The Leachate from the facility shall be collected and treated to meet the prescribed standards before disposal.
17. The proponent should obtain necessary clearance from the Central Ground Water Board Authority if required.
18. Project proponent should prepare and implement an On Site Emergency Management Plan.
19. Project proponent should carry out periodical ground water/soil monitoring in and around the site to check the contamination including TCLP test for heavy metals.
20. Green belt of 15 meters shall be provided all along the periphery of the site, as committed. The green belt area shall not be used for any other purpose.
21. All measures for air pollution control shall be adopted.
22. There should not be any spillage from the transportation vehicles.
23. Zero discharge system shall be adopted.
24. Double containment system shall be provided for all waste transport vehicles to avoid spillage. The spillage shall be cleared immediately.
25. Vehicles should prominently display complaint numbers for use of public as well as antidotes to any toxic waste.
26. All the recommendations of EMP/DMP shall be strictly complied.
27. The project proponent will set up separate environmental management cell for effective implementation of the stipulated environmental safeguards under the supervision of a Senior Executive.
28. Untreated domestic effluent should not be discharged into open drain. The domestic effluent should be treated in a well designed septic tank with soak pit. As soon as the sewerage system is made operational the domestic effluent from the project should be discharged only into the sewerage system for treatment in STP.
29. All the commitment made regarding issues raised during the public hearing / consultation meeting shall be satisfactorily implemented. Item-wise details along with time bound action plan should be prepared and submitted to the Ministry's Regional Office at Bhopal. Implementation of such program shall be ensured as per office Memorandum dated 18.05.12 of MoEF, GoI and its amendments.

30. The applicant (Project proponent) will take necessary measures for prevention, control and mitigation of Air Pollution, Water Pollution, Noise Pollution and Land Pollution including solid waste management as mentioned by him in Form-1, Final EIA reports and Environment Management Plan (EMP) in compliance with the prescribed statutory norms and standards.
31. Corporate Environment Responsibility:
 - a) The Company shall have a well laid down Environment Policy approved by the Board of Directors.
 - b) The Environment Policy shall prescribe for standard operating process/procedures to bring into focus any infringements/deviation/violation of the environmental or forest norms/ conditions.
 - c) The hierarchical system or Administrative Order of the company to deal with environmental issues and for ensuring compliance with the environmental clearance conditions shall be furnished.
 - d) To have proper checks and balances, the company shall have a well laid down system of reporting of non-compliances/ violations of environmental norms to the Board of Directors of the company and/ or shareholders or stakeholders at large.
32. Ambient noise level should not exceed the permissible limit. The overall noise levels in and around the plant area shall be kept well within the standards by providing noise control measures including acoustic hoods, silencers, enclosures etc. on all sources of noise generation. The ambient noise levels should conform to the standards prescribed under EPA Rules, 1989 & its amendments.
33. There shall not be removal/destruction of vegetative cover both at the establishment as well as the operational stage, without the sanction of appropriate authority.
34. Adequate measures shall be adopted to ensure industrial safety. Proper fire detection & protection systems shall be provided to control fire and explosion hazards. The implementation and monitoring of Environmental Management Plan and Disaster Management Plan should be carried out.
35. Environmental Management Information System shall be in position and maintained properly.
36. No further expansion or modifications in the project should be carried out without prior approval of the State Environmental Impact Assessment Authority (MP-SEIAA).
37. The gaseous emissions from various process units should conform to the load/mass based standards prescribed by the MoEF & CC and the State Pollution Control Board from time to time. At no time the emission level should go beyond the prescribed standards.
38. A separate Environmental Management Cell with suitable qualified personnel shall be set-up under the control of a Senior Executive, who will report directly to the Head of the Organization.
39. Project Proponent has to strictly follow the direction/guidelines issued by MoEF, CPCB and other Govt. Agencies from time to time.
40. The funds earmarked for environmental protection measures shall be kept in separate account and shall not be diverted for other purpose. Year wise expenditure shall be reported to the MoEF, Gol, and its Regional Office, Bhopal.



41. The Regional Office, MoEF, Gol, Bhopal & MPPCB shall monitor compliance of the stipulated conditions. A complete set of documents including Environment Impact Assessment Report, Environmental Management Plan, and Environmental Monitoring Plan as approved by SEAC should be submitted to Regional Office, MoEF, Gol, Bhopal & MPPCB within six months.
42. Action plan with respect to suggestion/improvement and recommendations made and agreed during public hearing consultation shall be submitted to the Regional Office, MoEF, Gol, Bhopal, MP PCB within six months.
43. A copy of the environmental clearance shall be submitted by the Project Proponent to the Heads of the Local Bodies (Panchayat and Municipal Bodies), District Collector and DFO as applicable and responsible for controlling the proposed projects who in turn has to display the same for 30 days from the date of receipt.
44. The Project Proponent shall advertise at least in two local newspapers widely circulated, one of which shall be in the vernacular language of the locality concerned, within 7 days of the issue of the clearance letter informing that the project has been accorded environmental clearance and a copy of the clearance letter is available with the State Pollution Control Board and also at web site of the State Level Environment Impact Assessment Authority (SEIAA) website at www.mpseiaa.nic.in and a copy of the same shall be forwarded to the Regional Office, MoEF & CC Gol, Bhopal.
45. The Project Proponent has to upload only soft copy of half yearly compliance report of the stipulated prior environmental clearance terms and conditions on 1st June and 1st December of each calendar year on MoEF & CC web portal - <http://www.environmentclearance.nic.in/> or <http://www.efclearance.nic.in/>.
46. The proponent shall upload the status of compliance of the stipulated EC conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of MoEF, the respective Zonal Office of CPCB and the SPCB. The criteria of pollutant levels namely; SPM, RSPM, SO₂, NO_x (ambient levels as well as stack emissions) or critical sectoral parameters, indicated for the project shall be monitored and displayed at a convenient location near the main gate of the company in the public domain.
47. Full Cooperation should be extended to the Officers and staff from the Ministry and its Regional Office at Bhopal / the CPCB / the SPCB during monitoring of the project.
48. The SEIAA of M.P. reserves the right to add additional safeguard measures subsequently, if found necessary, and to take action including revoking of the environment clearance under the provisions of the Environmental (Protection) Act, 1986, to ensure effective implementation of the suggested safeguard measures in a time bound and satisfactory manner.
49. These stipulations would be enforced among others under the provisions of Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and control of Pollution) Act 1981, the Environment (Protection) Act, 1986, the Public Liability (Insurance) Act, 1991 and EIA Notification, 2006.
50. Concealing factual data or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of Environment (Protection) Act, 1986.
51. The Environmental Clearance shall be valid for a period of five years from the date of issue EC as per EIA Notification, 2006 Para 9.

52. Any appeal against this prior environmental clearance shall lie with the National Green Tribunal, if necessary, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.
53. The above conditions will be enforced inter-alia, under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the Public Liability Insurance Act, 1991 along with amendments and rules.
54. The environmental statement for each financial year ending 31st March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of EC conditions and shall also be sent to the Regional Office of MoEF.
55. The project authorities shall inform the Regional Office as well as the Ministry, the date of financial closure and final approval of the project by the concerned authorities and the date of start of the project.

2080
Endt No. / SEIAA/ 2019

Dated 29.1.19

Jitendra Singh Raje
(Jitendra Singh Raje)
Member Secretary

Copy to:-

- (1). Principal Secretary, Urban Development & Environment Deptt. 3rd Floor, Mantralaya Vallabh Bhawan, Bhopal.
- (2). Secretary, SEAC, Research and Development Wing Madhya Pradesh Pollution Control Board, Paryavaran Parisar, E-5, Arera Colony Bhopal-462016.
- (3). Member Secretary, Madhya Pradesh Pollution Control Board, Paryavaran Parisar, E-5, Arera Colony, Bhopal-462016.
- (4). The Collector, Ujjain, District Ujjain (M.P.)
- (5). Director, I.A. Division, Monitoring Cell, MoEF, Gol, Ministry of Environment & Forest Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi - 110 003
- (6). Director (S), Regional office of the MOEF, (Western Region), Kendriya Paryavaran Bhawan, Link Road No. 3, Ravi Shankar Nagar, Bhopal-462016.
- (7). Guard file.

Sanjeev Sachdev
(Dr. Sanjeev Sachdev)
Officer-in-Charge



MADHYA PRADESH POLLUTION CONTROL BOARD

Paryawaran Parisar, E-5, Arera Colony, BHOPAL- 462 016

{0755} 2464428, 2466191 Fax : {0755} 2463742 e-mail: it.mppcb@rediffmail.com

No. 39 /BMW/MPPCB/2018,

Bhopal, date: 22/03/2018

To,

**Regional Officer,
Regional Office
M. P. Pollution Control Board
UJJAIN (M.P.)**

Sub : Order to conduct public hearing under EIA Notification No. 1533 dated: 14/09/06 for the proposed **Common Bio-medical Waste Treatment Facility at Village: Kaliyadeh, Tehsil: Ghatiya, dist. Ujjain by M/s. Hostech Eco Management Pvt. Ltd.**

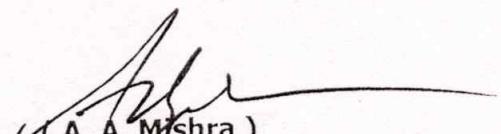
- Ref : 1. TOR issued by SEAC, Bhopal vide letter No. 325/PS-MS/MPPCB/SEAC-I/TOR (289)/2017, Bhopal, dated: 15/05/17. (Case no. 5542/2017)
2. Project proponent letter No. Nil, dated: 24/02/18.

M/s. Hostech Eco Management Pvt. Ltd. submitted an application under reference for conducting public hearing as per the provisions of EIA Notification No. 1533 dated: 14/09/06 with draft EIA report for Public Consultation in respect of Environmental Clearance for the proposed **Common Bio-medical Waste Treatment Facility at Village: Kaliyadeh, Tehsil: Ghatiya, dist. Ujjain (M.P.)**

A copy of letter of request is enclosed herewith for further necessary action. Copies of the draft EIA Report (hard & soft) and summary of the draft EIA report in English & Hindi (hard & soft) shall be submitted by the project proponent directly to your office.

Now, you are hereby directed to finalize the date, time and exact venue for the public hearing as per the provisions of the notification, in consultation with the district Collector. The administrative expenses Rs. 25,000/- through demand draft is received in Head Office. The same shall be advertised in one major National Daily and one regional vernacular daily. A minimum notice period of 30 (thirty) days shall be provided to the public for furnishing their responses. The information for the public about the places or offices where the public could access the draft Environmental Impact Assessment Report and the summary of Environmental Impact Assessment report before the public hearing shall also be mentioned in the advertisement. You are directed to follow the procedure as per the provisions given in of EIA notification dated: 14/09/06 and to ensure the compliance of the orders issued by MoEF from time to time in this regards.

Encls: As above


(A. A. Mishra)
Member Secretary

o/c



MADHYA PRADESH POLLUTION CONTROL BOARD

Paryawaran Parisar, E-5, Arera Colony, BHOPAL- 462 016

{0755} 2464428, 2466191 Fax : {0755} 2463742 e-mail: it.mppcb@rediffmail.com

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Endt. No. 40 /BMW/MPPCB/2018

Bhopal, dated: 22/03/2018

Copy to :

1. Collector, District Ujjain for information and request to carry out the public hearing for the project as per the provisions of the EIA Notification, 2006
2. **M/s. Hostech Eco Management Pvt. Ltd., 10, Y. N. Road, Indore - 452 003 (M.P.)** for information. You are requested to contact the Regional Officer, M. P. Pollution Control Board, Ujjain along with sufficient hard and soft copies of documents for conduction of public hearing. It is also requested to forward one hard and one soft copy of the above draft EIA report along with the summary EIA report to the SEIAA and to the following authorities or offices within whose jurisdiction the project is being located :
 - a) District Magistrate/s
 - b) Zila Parishad or Municipal Corporation
 - c) District Industries Centre
 - d) Regional Office of the Ministry of Environment, Forests and Climate Change, Bhopal.
3. In-charge, IT Section, M. P. Pollution Control Board, Bhopal. One soft copy of the executive summary in English & Hindi is enclosed for uploading the same on the official web site of the Board for display, as per the provisions of the notification.

Encl: As above.

(A. A. Mishra)
Member Secretary

o/c

कार्यालय अतिरिक्त जिला दण्डाधिकारी, जिला उज्जैन(म.प्र.)

क्रमांक- 84⁰/रीडर/एडीएम/2018

उज्जैन: दिनांक- 05/05/2018

प्रति,

श्री पी.के. त्रिवेदी,
क्षेत्रिय अधिकारी,
क्षेत्रिय कार्यालय,
म.प्र. प्रदूषण नियंत्रण बोर्ड, उज्जैन



विषय : लोक सुनवाई के संबंध में तिथि निर्धारित करने बाबत।

सन्दर्भ : आपका पत्र क्रमांक 230/क्षेकाउ/प्रनिबो/2018 दिनांक 01/05/2018 ।

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उपरोक्त विषयांकित एवं सन्दर्भित पत्र के अनुसार For the proposed Common Bio-Medical Waste Treatment Facility at village Kaliyadeh, Teh. Ghattiya, Dist. Ujjain by M/s Hostech Eco Manganment Pvt.Ltd. की लोक सुनवाई के संबंध में ई.आई.ए. नोटिफिकेशन के तहत प्रस्तावित रबीकृती (इन्वायरमेंट क्लीरेंस) की लोक सुनवाई हेतु बोर्ड में आवेदन किया गया है। नियम के प्रावधान के अनुसार लोक सुनवाई सूचना हेतु दैनिक समाचार पत्रों में प्रकाशित विज्ञापन में न्यूनतम 30 दिवस में सुझाव/विचार/आपत्ति आदि प्रस्तुति हेतु समय देना आवश्यक है। सन्दर्भित पत्र द्वारा लोक सुनवाई की कार्यवाही हेतु दिनांक में संशोधन किये जाने का अनुरोध किया गया था।

अतः लोक सुनवाई की कार्यवाही हेतु दिनांक 15/06/2018 प्रातः 11:00 बजे उज्जैन कोर्ट परिसर स्थित गेला कार्यालय का निर्धारण किया जाता है।

अतः एतद् द्वारा आपको निर्देशित किया जाता है कि एतद् के अन्तर्गत सुझाव/विचार/आपत्ति आदि प्रस्तुत करने हेतु दैनिक समाचार पत्रों में प्रकाशन कराया जाये।

Additional District Magistrate
Ujjain

mc(s)/-

June
K



MADHYA PRADESH POLLUTION CONTROL BOARD

Paryawaran Parisar, E-5, Arera Colony, BHOPAL- 462 016

{0755} 2464428, 2466191 Fax : {0755} 2463742 e-mail: it.mppcb@rediffmail.com

No.
To,

105 /BMW/MPPCB/2018

Bhopal, date: 13/08/2018

**The Member Secretary,
State Level Environmental Impact
Assessment Authority,
EPCO, Paryawaran Parisar, E-5, Arera Colony,
BHOPAL - 462 016 (M.P.)**

Sub: Proceedings of public hearing conducted as per provisions under EIA Notification S.O. 1533 dated: 14/09/06 **for the proposed Common Bio-medical Waste Treatment Facility at Village: Kaliyadeh, Tehsil: Ghatiya, dist. Ujjain by M/s. Hostech Eco Management Pvt. Ltd.**

Ref: TOR issued by SEAC, Bhopal vide letter No. 325/PS-MS/MPPCB/SEAC-I/TOR (289)/2017, Bhopal, dated: 15/05/17. (Case no. 5542/2017)

The M. P. Pollution Control Board has conducted public hearing on 15/06/18 at Mela Office, Kothi Palace, Ujjain (M.P.) as per the provisions of EIA Notification S.O. 1533 dated: 14/09/06 **for the proposed Common Bio-medical Waste Treatment Facility at Village: Kaliyadeh, Tehsil: Ghatiya, dist. Ujjain (M.P.)**

The hard and soft copy of the proceedings of public hearing along with objections and suggestions are enclosed herewith in original for necessary action.

Encls : As above

(A. A. Mishra)

Member Secretary

Endt No. 106 /TS/MPPCB/2018

Bhopal, dated: 13/08/2018

Copy to:-

- 1 Dy. Secretary, Urban Development & Environment Department, Govt. of M.P., Mantralaya, Bhopal for information.
- 2 **M/s. Hostech Eco Management Pvt. Ltd., 10, Y. N. Road, Indore - 452 003 (M.P.)** for information.
- 3 I.T. Section, M. P. Pollution Control Board, Bhopal along with the copy of Public Hearing document for display on website soft copy of document is enclosed.

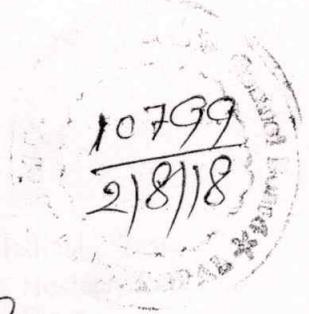
(A. A. Mishra)

Member Secretary

o/c



क्षेत्रीय कार्यालय, म.प्र.प्रदूषण नियंत्रण बोर्ड,
17, भरतपुरी, उज्जैन दूरभाष व फैक्स-0734-2510984
ई-मेल-romppcb_ujjain@yahoo.co.in



कमांक- 817 / प्रनिबो / क्षेत्राउ / 2018 उज्जैन, दिनांक 11 / 07 / 2018
प्रति,

सदस्य सचिव,
म.प्र.प्रदूषण नियंत्रण बोर्ड,
भोपाल (म.प्र.)

विषय :- **For the proposed Common Bio-Medical Waste Treatment Facility at Village Kaliyadeh, Tehsil Ghatiya, Distt. Ujjain by M/s Hostech Eco Management Pvt. Ltd.** की पर्यावरण स्वीकृति के लिए लोक सुनवाई दिनांक 15.06.2018 का कार्यवाही विवरण बाबत ।

संदर्भ :- मुख्यालय का पत्र कमांक-39 दिनांक 22.03.2018

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उपरोक्त विषयान्तर्गत प्रस्तावित परियोजना हेतु दिनांक 15.06.2018 को लोक सुनवाई की जाकर निम्नानुसार प्रपत्र दो प्रतियों में संलग्न कर आवश्यक कार्यवाही हेतु प्रेषित है :-

1. कार्यवाही विवरण-संलग्नक-1
2. लोक सुनवाई हेतु समाचार पत्र विवरण -संलग्नक-2
3. कार्यवाही विवरण पत्र की पावती- संलग्नक-3
4. साफ्टकापी वी.डी.ओ. डी.वी.डी.-संलग्नक-4
5. उपस्थिति पत्रक-संलग्नक-5
6. टीका टिप्पणी प्रपत्र-संलग्नक-6
7. निराकरण प्रतिवेदन-संलग्नक-7

संलग्न :- उपरोक्तानुसार ।

CC-1/(BMW)

Set made for file
10/7/18

(पी.के. त्रिधेदी),
क्षेत्रीय अधिकारी

:- कार्यवाही विवरण :-

पर्यावरण स्वीकृति आवेदन के संबंध में For the proposed Common Bio-Medical Waste Treatment Facility at Village Kaliyadeh, Tehsil Ghatiya, Distt. Ujjain by M/s Hostech Eco Management Pvt. Ltd. की लोक सुनवाई दिनांक 15.06.2018 का कार्यवाही विवरण

—00—

भारत सरकार पर्यावरण एवं वन मंत्रालय, नई दिल्ली की पर्यावरण प्रभाव आंकलन (ई.आई.ए.) अधिसूचना क्रमांक एस.ओ. 1533 दिनांक 14/09/2006 के प्रावधानों के अनुसार For the proposed Common Bio-Medical Waste Treatment Facility at Village Kaliyadeh, Tehsil Ghatiya, Distt. Ujjain by M/s Hostech Eco Management Pvt. Ltd. हेतु राज्य शासन के पर्यावरण एवं वन मंत्रालय भोपाल के द्वारा गठित एक्सपर्ट अप्राईजल कमेटी द्वारा परियोजना को जारी टी.ओ.आर. में लोक सुनवाई कराने की शर्त रखी गई है। परियोजना के द्वारा म.प्र. प्रदूषण नियंत्रण बोर्ड में लोक सुनवाई के लिए आवेदन दिया गया, जिस पर बोर्ड द्वारा आवश्यक कार्यवाही करते हुए नियमानुसार लोक सुनवाई का आयोजन सुनिश्चित किया गया है। कार्यालय कलेक्टर, जिला उज्जैन द्वारा सूचित व उल्लेखित स्थल स्थानीय कोठी पैलेस स्थित मेला कार्यालय, उज्जैन (म.प्र.) पर निर्धारित दिवस व समय में लोक सुनवाई दिनांक 15.06.2018 शुक्रवार को आयोजित की गयी।

अधिसूचना के प्रावधानों के अनुसार लोक सुनवाई के संबंध में सूचना का प्रकाशन दो समाचार पत्रों में दिनांक 10.05.2018 को प्रकाशित कराया गया एवं प्रचार प्रसार हेतु क्षेत्र में बैनर तथा क्षेत्र की संबंधित ग्राम पंचायत कालियादेह तहसील घटिट्या जिला उज्जैन (म.प्र.) में लोक सुनवाई संबंधी सूचना से अवगत हेतु प्रचार अंतर्गत मुनादी भी हुई।

लोक सुनवाई दिनांक 15.06.2018 को अपर कलेक्टर उज्जैन श्री भारत भूषण सिंह तोमर की अध्यक्षता में आयोजित हुई। इस दौरान मध्यप्रदेश प्रदूषण नियंत्रण बोर्ड के क्षेत्रीय अधिकारी श्री पी.के.त्रिवेदी द्वारा लोक सुनवाई की कार्यवाही सम्पन्न कराई गई। लोक सुनवाई के दौरान संस्था के डायरेक्टर श्री जावेद वारसी, डॉ. सुरेश अग्रवाल, डॉ. अंकुर अग्रवाल व श्री अंकित राणा, पर्यावरण सलाहकार मेसर्स विस्कॉन्टेक कन्सलटेंसी प्रा.लि. भुवनेश्वर, अन्य स्थानीय अधिकारीगण तथा ग्राम कालियादेह सहित आसपास के ग्रामवासी भी उपस्थित थे।

लोक सुनवाई में उपस्थित व्यक्तियों का विवरण (उपस्थिति पंजीका) संलग्नक-1 के अनुसार है।

सर्वप्रथम श्री पी.के.त्रिवेदी, क्षेत्रीय अधिकारी, म. प्र. प्रदूषण नियंत्रण बोर्ड, उज्जैन द्वारा पर्यावरण प्रभाव आंकलन अधिसूचना दिनांक 14/09/2006 तथा लोकसुनवाई की प्रकिया बाबत संक्षिप्त जानकारी दी गई। यह भी बताया गया कि दो समाचार पत्रों में लोक सुनवाई सूचना का प्रकाशन कराया गया था। प्रावधान अनुसार इस सूचना के प्रकाशन दिनांक से 30

दिवस के अंदर सर्व संबंधितों से उक्त संबंध में सुझाव, विचार, टीका टिप्पणी, आपत्ति एवं आक्षेप संबंधी विचार लिखित अथवा मौखिक रूप से क्षेत्रीय अधिकारी, क्षेत्रीय कार्यालय 17, भरतपुरी उज्जैन को कार्यालयीन समय में प्रस्तुत हेतु अनुरोध किया गया था। उक्त परियोजना से संबंधित ई.आई.ए. रिपोर्ट एवं कार्यकारी सारांश साफ्ट कॉपी सहित सर्वसंबंधितों के अवलोकनार्थ क्षेत्रीय कार्यालय, म. प्र. प्रदूषण बोर्ड कार्यालय उज्जैन, कलेक्टर कार्यालय जिला उज्जैन, जिला व्यापार एवं उद्योग केन्द्र, उज्जैन, जिला पंचायत उज्जैन, क्षेत्रीय कार्यालय, भारत सरकार, पर्यावरण एवं वन मंत्रालय, केन्द्रीय पर्यावरण भवन, ई-5 अरेरा कालोनी, भोपाल व मुख्यालय म.प्र.प्रदूषण नियंत्रण बोर्ड ई-5 अरेरा कालोनी भोपाल में उपलब्ध होना बताया गया तथा इसे बोर्ड Website [www. mppcb.nic.in](http://www.mppcb.nic.in) पर भी अपलोड किया गया है, इसका उल्लेख किया ।

उक्त के संबंध में लोक सुनवाई दिनांक 15.06.2018 दिन शुक्रवार को प्रातः 11:00 बजे से उल्लेखित स्थल स्थानीय कोठी पैलेस स्थित मेला कार्यालय, उज्जैन (म.प्र.) में प्रारम्भ करने की सूचना दी गई। साथ ही परियोजना प्रबंधन द्वारा उक्त स्थलों पर जन साधारण के अवलोकनार्थ कार्यकारी सारांश, ई.आई. रिपोर्ट आदि भी नियमानुसार उपलब्ध कराई गई। यदि कोई सुझाव, आपत्ति उन्हें प्राप्त होती है तो क्षेत्रीय कार्यालय, उज्जैन को प्रेषित करने का कष्ट करे । उक्त सूचना के परिपेक्ष्य में क्षेत्रीय कार्यालय उज्जैन में किसी से भी क्षेत्रीय कार्यालय को कोई सुझाव, आपत्ति आदि अप्राप्त रहे।

तत्पश्चात् परियोजना के अधिकारी से आग्रह किया गया कि वे परियोजना के बाबत विस्तृत जानकारी एवं ई. आई. ए. रिपोर्ट के सारांश को इस क्षेत्र की भाषा हिन्दी में प्रस्तुत करे । संस्था के डायरेक्टर डॉ. सुरेश अग्रवाल, डॉ. अंकुर अग्रवाल ने सभी उपस्थित अधिकारियों एवं उपस्थित जन-सामान्य का स्वागत किया तथा कॉमन बायोमेडिकल वेस्ट ट्रीटमेंट फेसिलिटी ग्राम कालियादेह तहसील घटिढ्या जिला उज्जैन मेसर्स होस्टेक इको मनेजमेंट प्रा.लि. बाबत विस्तृत जानकारी प्रस्तुत की । यह भी बताया गया है कि इस परियोजना के तहत लगभग 2400 मेट्रीक टन प्रतिवर्ष बायो मेडिकल वेस्ट के इन्सीनरेशन, आटो क्लेव डिस्पोजल,शेडर तथा दूषित जल उपचार संयंत्र स्थापित किया जाना प्रस्तावित है । पर्यावरणीय सुरक्षा के अंतर्गत डायरेक्टर डॉ. सुरेश अग्रवाल व श्री वारसी व्दारा प्रावधान रखा जाना बताया गया है । परियोजना के अंतर्गत प्रमुख रूप से बताया गया कि :-

- परियोजना में कार्यरत सभी श्रमिकों के लिए आवश्यकतानुसार सुरक्षा उपाय किये जावेंगे।
- परियोजना से आसपास के क्षेत्रों में सीधे तथा परोक्ष रूप से स्थानीय लोगों रोजगार प्राप्त होगा तथा उज्जैन,शाजापुर, आगर व देवास जिलों में स्थित अशासकीय व शासकीय चिकित्सालयों से उत्पन्न बायो मेडिकल वेस्ट के डिस्पोजल हेतु सुविधा प्राप्त होगी, जिससे जीव चिकित्सा अपशिष्ट नियमों के प्रावधानों में उल्लेखित समयवधि में जीव चिकित्सा अपशिष्ट को डिस्पोजल करने में सहायक होगा ।

- पर्यावरण की सुरक्षा हेतु परियोजना में एम्बिएंट ऐयर क्वालिटी मॉनिटरिंग, वाटर क्वालिटी मॉनिटरिंग, इकोलॉजीकल अध्ययन, ध्वनि लेवल मॉनिटरिंग, ड्रेनेज आदि की व्यवस्था की जाना प्रस्तावित है ।
- परियोजना निर्माण के दौरान प्रभावित क्षेत्रों में यदि वृक्षों आदि की कटाई किये जाने की आवश्यकता होती है तो वृक्षों का मुआवजा तथा शासकीय प्रावधानुसार वृक्षारोपण किया जाना प्रस्तावित है ।

इसके पश्चात् बोर्ड के अधिकारी द्वारा परियोजना स्थल के आसपास स्थित ग्रामवासियों को परियोजना बाबत अन्य जानकारी प्राप्त करने, सुझाव, आपत्ति, टीका टिप्पणी करने के लिए आमंत्रित किया गया । उपस्थित लोगों द्वारा प्रस्तुत सुझाव , आपत्ति , टीका टिप्पणी मुख्य बिन्दु निम्नानुसार है :-

1. परियोजना से क्षेत्र में स्थापित चिकित्सा संस्थाओं को जीव चिकित्सा अपशिष्ट डिस्पोजल की व्यवस्था सुगम होगी ।
2. परियोजना आने से स्थानीय लोगों को रोजगार प्राप्त होगा ।
3. परियोजना निर्माण समय से ही पर्यावरण एवं प्रदूषण नियंत्रण हेतु आवश्यक उपाय किये जावे, जिससे कि पर्यावरण पर विपरीत प्रभाव न पड़े ।
4. परियोजना निर्माण समय से ही पर्यावरण एवं प्रदूषण नियंत्रण हेतु आवश्यक उपाय किये जावे, जिससे कि पर्यावरण पर विपरीत प्रभाव न पड़े ।

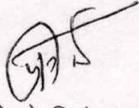
क्षेत्रीय अधिकारी, श्री पी.के.त्रिवेदी द्वारा ड्राफ्ट ई.आई.ए. रिपोर्ट में प्रस्तावित समस्त पर्यावरण संरक्षण उपायों व पर्यावरण नियमों का कड़ाई से परिपालन अपेक्षित किया गया है । अपर कलेक्टर जिला उज्जैन व क्षेत्रीय अधिकारी द्वारा उपस्थित जन समुदाय को आश्वासन दिया गया कि उनके द्वारा जो आपत्ति व सुझाव दर्ज कराई गई है । उन्हें मूलतः म.प्र.प्रदूषण नियंत्रण बोर्ड के माध्यम से भारत सरकार के पर्यावरण एवं वन मंत्रालय नई दिल्ली के द्वारा गठित विशेषज्ञ अपीलिय समिति को प्रेषित की जावेगी । इन आपत्तियों पर विशेषज्ञ कमेटी द्वारा विचार किया जावेगा एवं परियोजना के पर्यावरण स्वीकृति आवेदन पर निर्णय पूर्व सभी आपत्तियों का उचित निराकरण सुनिश्चित कराया जावेगा ।

लोक सुनवाई के दौरान कुल 34 आपत्ति / सुझाव , टीका टिप्पणी लिखित रूप से प्राप्त हुई । प्राप्त आपत्तियों का विवरण संलग्नक-2 है । इसके उपरांत क्षेत्रीय अधिकारी द्वारा उपरोक्त प्राप्त आपत्तियों , सुझावों, विचार, टीका टिप्पणी के संबध में परियोजना प्रबंधन के लिखित प्रत्युत्तर प्रस्तुत करने हेतु कहा गया ।

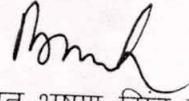
परियोजना प्रबंधन द्वारा इस संबध में दिये गये प्रत्युत्तर का विवरण (Statement of Issues) प्रस्तुत किया गया है जो इस कार्यवाही विवरण के साथ संलग्न है (संलग्नक-3) उपस्थित लोगो द्वारा सुझाव / आपत्ति प्रस्तुत करने एवं प्रतिनिधि द्वारा जवाब प्रस्तुत करने

के उपरांत लोक सुनवाई की कार्यवाही विवरण की जानकारी उपस्थित जन समुदाय को बताई गई सभी बिन्दुओं पर परियोजना प्रतिनिधि द्वारा जवाब प्रस्तुत करने के पश्चात् श्री भारत भूषण सिंह तोमर, अपर कलेक्टर जिला उज्जैन द्वारा बताया गया कि यह परियोजना रोजगार के अवसर बढ़ेगे जो कि क्षेत्र में स्थापित शासकीय व अशासकीय चिकित्सालयों से उत्पन्न जीव चिकित्सा अपशिष्ट के डिस्पोजल में नींव का पत्थर साबित होगी एवं जीव चिकित्सा अपशिष्ट का निष्पादन नियमानुसार समयावधि में होगा । तत्पश्चात् अपर कलेक्टर द्वारा लोक सुनवाई की कार्यवाही के प्राप्त विवरण मूलतः संबंधित को भेजने का आश्वासन दिए गए ।

अन्त में मुख्य रसायनज्ञ डॉ. एस.के.श्रृंगी, म. प्र. प्रदूषण नियंत्रण बोर्ड उज्जैन द्वारा कलेक्टर महोदय एवं उपस्थित जन समुदाय व परियोजना डायरेक्टर का लोक सुनवाई में उपस्थित होने के लिए धन्यवाद ज्ञापित किया गया ।



(पी.के.त्रिवेदी)
क्षेत्रीय अधिकारी,
म.प्र. प्रदूषण नियंत्रण बोर्ड, उज्जैन



(भारत भूषण सिंह तोमर)
अपर कलेक्टर
जिला उज्जैन



M.P. Pollution Control Board

E-5, Arera Colony
Paryavaran Parisar, Bhopal - 16 MP
Ph: 0755-2466191, Fax-0755-246374

24714

REJECTION ORDER

BY. R.P.A.D.

In exercise of the power conferred by clause (b) of sub-section (1) of section 27 of the Water (Prevention and control of Pollution) Act, 1974 and sub-section (4) of section 21 of the Air (Prevention and control of Pollution) Act, 1981 and Rule 6(2) of Hazardous and other Waste Management Handling & Trans-boundary Movement) Rules 2016, framed under Environment (Protection) Act -1986. This Board is empowered to reject the CCA

The CCA applied for vide Inward application No : 788705, Dated 12/03/19 by M/s. Hostech Eco Management Pvt.Ltd. (Cbwtf) for the industrial plant located at 323/1, 323/2/1, 323/2/2 (Area 5540 Sqmts.), Kaliyadeh Tehsil Ghattiya Distt. Ujjain, City : Kaliyadeh, Dist : Ujjain for the manufacture of products mentioned in the application is hereby refused by the Board by the following reasons :

Reasons for Rejection

- 1 Air Pollution Control Measures not Installed / Insufficient / Inadequate
- 2 Not compliance with the conditions mentioned in consent order.

Specific Reason :

1. Industry has not installed the requisite plant and machines necessary for the operations of a CBWTF viz. incinerator etc
2. Industry has failed to appear for the technical presentation despite opportunities and information given from time to time.
3. Industry has thus so far not complied with the conditions stipulated in the CTE, without which the case will not be considered.

Please note that to operate an industrial plant without prior consent under the Water Act-1974 and Air Act-1981 and Authorization under the Hazardous Waste Rules are an Offence punishable under the Water , Air & EPA 1986

Hence you are directed to comply above reasons and re apply for obtaining valid CCA.

For and on behalf of
M.P. Pollution Control Board

(R. S. Kori, Member Secretary

NO. PCB / UJJ / CCA / 98911 - 01/08/2019

ISSUED TO :-

Hostech Eco Management Pvt.Ltd. (Cbwtf),
323/1, 323/2/1, 323/2/2 (Area 5540 Sqmts.), Kaliyadeh Tehsil Ghattiya Distt. Ujjain,
City : Kaliyadeh,, Tal : Ghatiya, SIDC : Not In SIDC
Dist : Ujjain , Phone : 9827060693

Copy to :

- 1)The Regional Office, PCB Board , Ujjain
- 2) NOC rejection file.

भारतीय गैर न्यायिक

Section 7

बीस रुपये

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मध्य प्रदेश MADHYA PRADESH

॥ श्री हरि ॥

06AA 329321

विक्रय - इकरारनामा

यह विक्रय इकरारनामा निष्पादन कर देने वाले विक्रेता पक्ष क्र-1 राजेन्द्र कुमार पिता चैनरूप जैन निवासी - 29, अग्रसेन नगर, मंगल कालोनी, उज्जैन म.प्र. क्र-2 हर्षवर्धन पिता राजेन्द्र कुमार जैन निवासी - 29, अग्रसेन नगर, मंगल कालोनी, उज्जैन म.प्र. यह विक्रय इकरारनामा अपने पक्ष तथा हित में लिखवा लेने वाले - क्रेता पक्ष - निदेशक श्री सुरेश अग्रवाल तर्फ हास्टेक इको मैनेजमेन्ट प्रायवेट लिमिटेड 45, न्यु देवास रोड, इन्दौर के हित में सहमति प्रदान करते हुये यह अनुबंध निम्न अनुसार शर्तों के आधार पर लिखकर देते हैं कि -

(वर्तमान लेख में विक्रेता पक्ष एवं क्रेता पक्ष दोनों के समस्त हितगृहित, स्वत्वगृहित, निष्पादक, प्रशासक, असायनीज, वेध उत्तराधिकारी, मुखत्यार इत्यादि समस्त व्यक्ति नी सम्मिलित हैं)

दोनों पक्षों के मध्य निम्नानुसार शर्तों पर दायित्वों के अधीन लिखा जाता है-

1. यह कि, विक्रेता पक्ष - राजेन्द्र कुमार पिता चैन स्वरूप जैन एवं हर्षवर्धन पिता राजेन्द्र कुमार जैन दोनों निवासी 29, अग्रसेन नगर, मंगल कालोनी, उज्जैन से उनका संयुक्त स्वामीत्व एवं आधिपत्य की कृपि एग परिवर्तित मुनि ग्राम कालिया सह जिरा पर करीब 10,000 फिट बना हुआ औद्योगिक शड पटवारी इल नगर 40 तहजिल घटिया पिता

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Harsh Jain

भारतीय गैर न्यायिक

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उज्जैन की सर्वे क्रमांक 332/1 पेकी 0.174 आरे एवं 332/2/1 पेकी 0.320 आरे एवं 332/2/2 पेकी 0.060 आरे कुल रकबा 0.554 हेक्टर है। उक्त भूमि पर राहुल उद्योग एवं यशवर्धन इंडिस्ट्रीज नाम से गठित थी, अपना उद्योग उक्त भूमि पर विक्रेता पक्ष द्वारा काफी समय से बंद कर दिया गया है इस कारा से एव इस कम्पनी के प्रोप्राइटर होने के नाते से विक्रेय पक्ष के द्वारा उक्त भूमि एवं औद्योगिक शेड हेतु विक्रय अनुबंध पत्र का निष्पादन किया जा रहा है। अनुबंधित संपत्ति का विस्तृत विवरण व चतुः सीमा निम्नानुसार है:-

06AA 329322

राजस्व भु अभिलेख के उल्लेख एवं अन्य प्रमाण अनुसार विक्रय हेतु अनुबंधित संपत्ति का विवरण

अ.) उक्त भूमि पुना पिता भुवान आजना निवासी चक्रावदा से उनकी कुल भूमि सर्वे क्र. 332/1 पेकी 2.175 में से 0.875 विक्रेता पक्ष क्र. 1 के नाम से दिनांक 19.10.2001 को पंजीयन क्र. 2949 के द्वारा मे खरीद कर पटवारी अभिलेख में नामांतरण करवाया गया था। उक्त भूमि में से 0.701 हेक्टर राजुवाई पति हुकमा यजारा को सन 2006-07 में विक्रय कर देने के बाद 0.174 हेक्टर कृषि भूमि में मालविगत एक एवं अधिकांश की है। जा इस विक्रय अनुबंध के द्वारा विक्रय की जा रही है।

Harsh Jain

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ब) उक्त भूमि में सर्वे क्र. 332/2 पकी 0.500 हेक्टर जमीन पुना पिता भुमि से विक्रेता

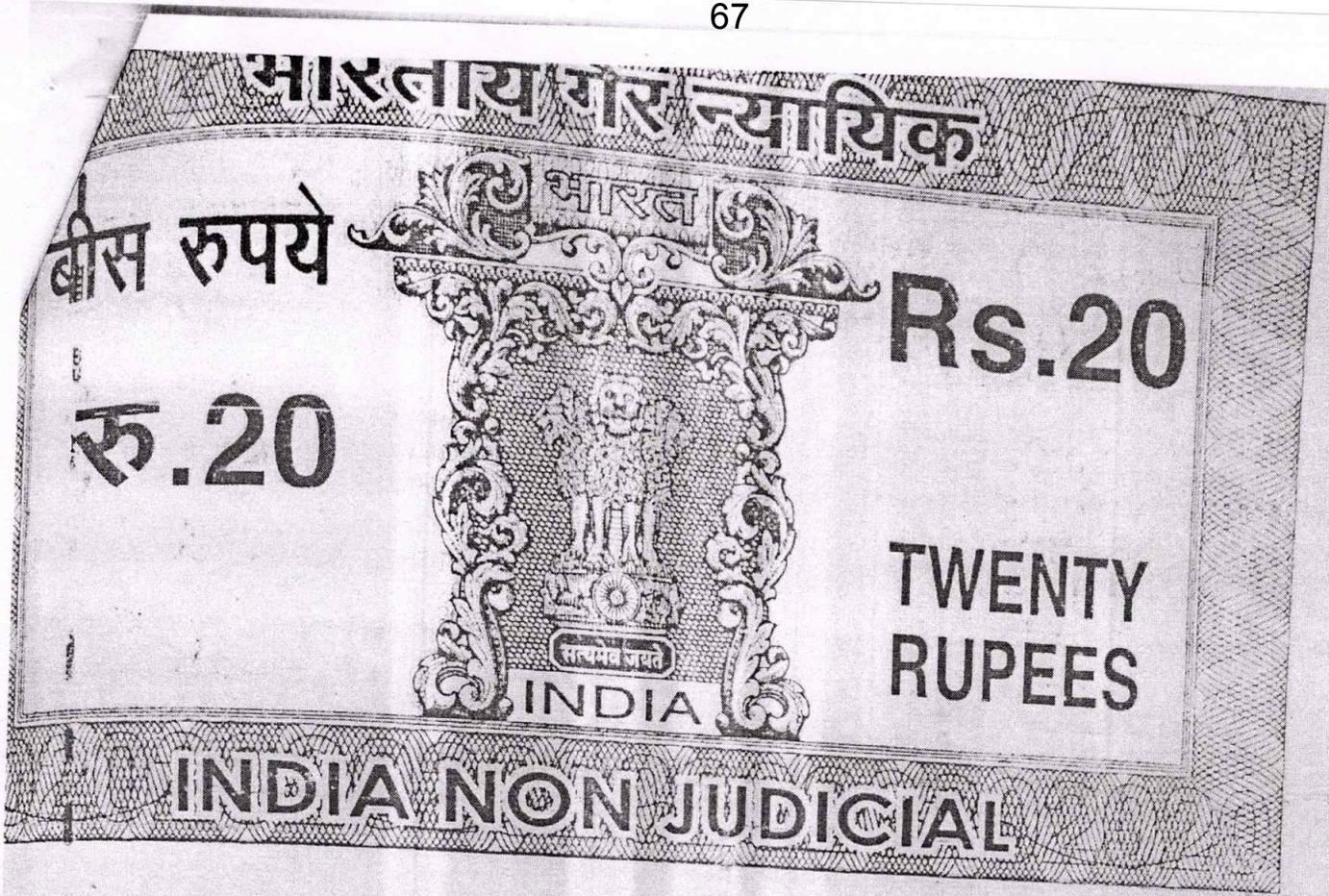
06AA 329323

पक्ष क्र. 2 द्वारा दिनांक 13 जुलाई 2000 को बजिरवे रजिस्टर्ड विक्रय क्र. 2321 द्वारा विधिवत रूप से क्रय की गई थी। उक्त भुखंड में से 0.120 हेक्टर लखमोचंद पिता नाथुराम जैन को 2002-03 में विक्रय की गई है। बची हुई भुमि 0.380 हेक्टर में से 0.060 हेक्टर भुमि विक्रेता पक्ष क्र. 2 को दिनांक 18.12.02 को पजीयन क्र. 4277 द्वारा विक्रय की जा चुकी है एवं विक्रेता पक्षकार क्र. 1 की बाकी बची भुमि 0.320 हेक्टर एवं विक्रेता पक्षकार क्र. 2 की 0.060 हेक्टर भुमि इस विक्रय अनुबंध में शामिल है।

स.) उक्त भुमि में सर्वे क्र. 322/2/1 रकबा 0.320 ओर में से प्रकरण क्र. 0-02/1 अ-2/99, 2000 में पारित आदेश क्र. दिनांक 15.11.02 अनुसार $75 \times 75 = 5625$ वर्ग फिट भुमि को वाणिज्यिक प्रयोजन हेतु भु परिवर्तन किया गया एवं दक्षिण - पूर्व दिशा का एक भाग (भुखंड) विक्रेता पक्ष क्र. 2 के द्वारा 145.18 वर्ग मीटर भुखंड रास्ते के रूपयोग हेतु विक्रेता पक्ष क्र. 1 से दिनांक 20.11.07 को रजिस्टर्ड विक्रय क्र. 4080 के द्वारा विधिवत रूप से क्रय की गई है।

उक्त भुमि का एक भाग उद्योगिक प्रयोजन हेतु घास 172 (ग) यू - रजिस्ट्रार के अंतर्गत व्यवर्तन विक्रेता पक्ष द्वारा श्रीमान अगुविमागीय अधिकार, घटिया रा. प्रकरण क्रमांक 76/अ-2/2002-2003 में दिनांक 26.12.2002 को पारित आदेश के द्वारा $80 \times 80 = 6400$ वर्ग फिट करवाया गया एवं अतएव दोनों आदेशों द्वारा कुल भुमि 12025 वर्ग

Harish Jain



मध्य प्रदेश MADHYA PRADESH

06AA 329324

फिट की भू परिवर्तन किया जा चुका है। उक्त भूमि पर भू परिवर्तन के पश्चात करीब 10,000 फिट के औद्योगिक शेड एवं सर्वेट क्वाटर का निर्माण करीब 10 वर्ष पूर्व करवाया गया है। उक्त भूमि निजी स्वामित्व की होकर औद्योगिक एवं कृषि प्रयोजन की है। उक्त भूमि पर निर्मित शेड विक्रय अनुबंध करने का विक्रेता पक्ष को पुर्ण अधिकार है।

विक्रेता पक्षकार सर्वे नंबर	रकबा (आरे में)		
क्र.1 राजेन्द्र कुमार जैन	332/2/1	0.320	
राजेन्द्र कुमार जैन	332/1/2/1	0.174	
क्र.2 हर्षवर्धन जैन	332/2/2	0.060	कुल 0.554 आरे

इस प्रकार कुल भूमि एवं उस पर बना हुआ औद्योगिक शेड मकान वगैरह जहाँ है जैसी है उसी स्थिति में सभी स्थायी एवं अस्थायी लागत के दीर्घ जा रही है। जो भी खुला सामान स्ट्रैक वगैरह है उसे विक्रेता पक्ष वहाँ से ले जाकर खाली हाकल में देने हेतु स्वतंत्र है। उक्त भूमि के साथ औद्योगिक शेड एवं इसमें हार्स पॉवर का विद्युत कनेक्शन भी बेचा जा रहा है। जिसे क्रंता पक्ष अपने नाम पर हस्तांतरण करवा सकते हैं। इस हेतु जो भी पेनल बोर्ड वगैरह लगे हुये है वह उसी स्थिति में रहेंगे। उक्त सम्पूर्ण भूमि हर

Ref- Harsh Jain

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व्यक्ति प्रकार के क्रेता भारत से मुक्त व की होल्ड होकर सर्वथा अंतरित करने योग्य है।

06AA 329325

अनुबंधित संपत्ति की चतुःसिमा निम्नानुसार है :-

पूर्व को	:	लक्ष्मण बंजारा की कृषि भूमि
पश्चिम को	:	राकेश की भूमि एवं बाद में लक्ष्मण बंजारा की कृषि भूमि
उत्तर को	:	लक्ष्मण बंजारा की कृषि भूमि
दक्षिण को	:	सड़क

उपरोक्त वर्णित व चतुःसिमा के मध्य स्थित भूमि मय तल जमीन के मालकी अधिकारों एवं निर्मित शेड विक्रय अनुबंधित किया जा रहा है। जिसे लेख में सुविधा के लिए राक्षेप में उक्त संपत्ति शब्द से संबंधित किया गया है।

2. यह कि उपरोक्त सम्पूर्ण वर्णित संपत्ति विक्रेता पक्ष के क्रेतापक्ष को कुल रुपये 78,00,000/- (अक्षरी रुपये अठ्ठतर लाख मात्र) में विक्रय करना तय किया है, जिसके बयाने पेटे विक्रेता पक्ष ने क्रेतापक्ष से दिनांक 01.04.11 को सौदा चिट्ठी के राशि रुपये 1,00,000/- (अक्षरी रुपये एक लाख) नगदी प्राप्त किये हैं। आज दिनांक 12.05.2011 को रुपये 19,00,000/- (अक्षरी रुपये उन्नीस लाख) एवं रुपये 5,00,000/- (अक्षरी रुपये पाँच लाख) चेक क्र. 127459 चेक दिनांक 12.05.11 स्टेट बैंक ऑफ इंडिया मिल एरिया ब्रांच द्वारा विक्रेता पक्ष को क्रेता पक्ष से प्राप्त होना स्वीकार है। इस प्रकार कुल रुपये 25,00,000/- (अक्षरी रुपये पच्चीस लाख) आज दिनांक तक विक्रेता पक्ष को

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क्रेता पक्ष से प्राप्त होना स्वीकार्य है। जिसकी स्वीकृति बावद विक्रेता पक्ष ने अपने हस्ताक्षर पर स्वीकृति प्रदान की है। इस विक्रय अनुबंध की शेष रही संपूर्ण धनराशि विक्रेता पक्ष क्रेता पक्ष से दिनांक (01.08.11) तक प्राप्त कर विक्रीत भूमि के विक्रय पत्र पंजीयन करेगा। उपरोक्तानुसार विक्रय प्रतिफल की संपूर्ण शेष धनराशि प्राप्त हो जाने पर हम विक्रेता पक्ष आप क्रेता पक्ष के हित में या निर्देशित नाम पर एक भाग में अलग अलग नाम जैसा भी क्रेता पक्ष कहेगा आप क्रेता पक्ष के खर्च से सहर्ष विक्रय प. पंजीयन की कार्यवाही करवा देंगे। जिससे विक्रेता पक्ष को कोई उजर या आपत्ति करेगी नहीं।

3. यह कि, विक्रेता पक्ष वचन देते हैं कि आज दिनांक से अनुबंध की समयावधि पूर्ण होने के 1 माह पूर्व में विक्रेता पक्ष सभी शासकीय विभाग जैसे की एम. पी. एफ. सी., एक्ससाइज, वाणिज्य कर, आयकर, औद्योगिक रजिस्ट्रेशन, श्रम विभाग, बैंक, एम. पी. ई. बी., भु प्रवर्तन विभाग, स्थानीय कर, वैक, इंकम टैक्स, सेल टैक्स एवं अन्य वह सभी टैक्स जो उक्त गठित कंपनी पर देय हो एवं संबंधित अन्य सभी विभागों से जिस हेतु क्रेता पक्ष को सुविधानुसार जरूरत हो नो ड्युज सर्टिफिकेट आदि भी अपने खर्च से कर क्रेता पक्ष को देवेगे। अगर विभागीय एन ओ सी प्राप्त नहीं होने से रजिस्ट्री की समय सीमा बढ़ती है तो इस हेतु हम विक्रेता पक्ष जवाबदार रहेगे।
4. यह कि उक्त संपत्ति के संबंध में कब्जा दिनांक तक लगने वाले समस्त ड्युज एम.पी. एफ.सी., एक्ससाइज, वाणिज्य कर, आयकर, औद्योगिक रजिस्ट्रेशन, श्रम विभाग, बैंक, एम. पी.ई.बी., भु प्रवर्तन विभाग, स्थानीय कर, वैक, इंकम टैक्स, सेल टैक्स इत्यादि का वकाया कर दायित्व विक्रेता पक्ष वहन करेगे तथा कब्जा प्राप्ति दिनांक के पश्चात से उक्त संपत्ति के संबंध में लगने वाले समस्त ऐसे दायित्व क्रेता पक्ष द्वारा वहन किये जावेगे।
5. यह कि, विक्रेता पक्ष यह वचन देते हैं कि इस विक्रय अनुबंध की प्रभावशालता में विक्रेता पक्ष का उक्त संपत्ति पर किसी प्रकार का हस्तांतरण योग्य हित अधिकार नहीं रहेगा तथा वे उक्त संपत्ति हस्तांतरण, व्यवहार अन्य पक्ष से करने के अधिकारी नहीं रहेगे न ही ऐसा कोई कृत्य या व्यवहार करेगे जिससे उक्त संपत्ति किसी प्रकार हस्तांतरित, भांशित, बोझित हों।
6. यह कि, विक्रेता पक्ष संपूर्ण प्रतिफल राशि प्राप्त करते समय पटवारी से भूमि नपती करवा कर आप क्रेतापक्ष को देगा, भूमि नपती का समस्त खर्च विक्रेता पक्ष द्वारा वहन किया जावेगा।
7. यह कि, उक्त संपत्ति बैंक इलाहाबाद बैंक फिर्गज में बंधक है, जिसका समस्त वकाया विक्रेता पक्ष विक्रय अनुबंध अवधि में चुकता कर उक्त संपत्ति को सर्वभारमुक्त करेगे। बैंक का ड्युज जो भी हो उसे क्रेता पक्ष भी जमा कर सकेगा लेकिन कर्ज में जमा रकम

Marish Jain

- अनुबंध के अनुसार क्रेतापक्ष को देय रकम से ज्यादा नहीं होगी एवं इस रकम को प्रतिफल की राशी में से कम किया जाएगा।
8. इस विक्रय व्यवहार में देलाल केशर सिंह चौहान एवं कृष्णा अग्रवाल जी की दलाली जो भी नियत जो वह विक्रेतापक्ष द्वारा वहन की जावेगी।
9. यह कि, विक्रेतापक्ष यह इकरार करता है कि उक्त भूमि वर्तमान में किसी भी शासकीय, अशासकीय, विकास योजना रोड बाईडिंग स्कीम के तहत समाविष्ट नहीं है और न ही अधिग्रहण हेतु प्रस्तावित है। भविष्य में योजना आदि में आई तो उसकी जवाबदारी क्रेता की रहेगी।
10. यह कि, उक्त अनुबंध लेख की देय शेष रही संपूर्ण धनराशि का भुगतान विक्रेता पक्ष को आप क्रेता पक्ष ने निश्चित समयबाधित तक अदा कर अपने हित में या निर्देशित नाम पर विक्रय पत्र पंजीयन के निष्पादन की तत्परता नहीं दिखलाई तो विक्रेता को अधिकार होगा कि आप क्रेता पक्ष के द्वारा अदा की गई बचाना राशि जप्त कर ली जाकर यह अनुबंध निरस्त कर देवेगे। उसी प्रकार यदि क्रेतापक्ष शेष रही संपूर्ण धनराशि का भुगतान करने के लिए तत्पर रहे व विक्रेता पक्ष के द्वारा आप क्रेता पक्ष के हित में या निर्देशित नाम पर विक्रय पत्र पंजीयन के निष्पादन से इकार किया या आनाकानी की या समय अनुबंध से ज्यादा समय की मांग की तो आप क्रेता पक्ष को अधिकार होगा कि विशिष्ट अनुबंध पूर्ति का वाद दायर कर आपके क्रेता पक्ष अपने हित में या निर्देशित नाम पर विक्रय पत्र पंजीयन का निष्पादन करवा सकेंगे। जिसमें लगने वाला समस्त खर्च का भार मुझ विक्रेता पक्ष द्वारा वहन किया जावेगा।
11. यह कि, उपरोक्त वर्णित भूमि विक्रेता पक्ष के स्वयं स्वामित्व व अधिपत्य की होकर उसे विक्रय करने का पूर्ण व वैधानिक अधिकार प्राप्त है। उक्त भूमि विक्रेता पक्ष ने इस विक्रय अनुबंध से पूर्व आप क्रेता पक्ष के अलावा अन्यत्र किसी भी व्यक्ति या संस्था को किसी भी अंतरण, हस्तांतरण शीति से अंतरित अथवा भारित बोधित की हुई नहीं होकर ऐसे किसी भी तथाकथित अंतरण व भार के लिये कोई लिखत आदि का भी निष्पादन नहीं किया है। उक्त भूमि के स्वामित्व बाबद वर्तमान में किसी भी प्रकार का परिवारिक या न्यायिक विवाद आदि वर्तमान में लंबित नहीं है और न ही सदर संपत्ति सामान्यतः किसी भी व्यक्ति या संस्था के अधिकारों के अधिन है। वर्तमान में उक्त भूमि पूर्णतया भार रहित अवस्था में परिवारजन की सहमति से परिवार के हितार्थ में विक्रय की जा रही है।
12. यह कि, उपरोक्त वर्णित भूमि के स्वामित्व बाबद किसी भी प्रकार का कोई विवाद उत्पन्न होगा व अथवा किसी भी व्यक्ति या संस्था के द्वारा जादिर सूचना पत्रादेश में किसी वैधानिक उजर या आपत्ति दर्ज करवाई जाती है अथवा कोई मालकाना हक प्रादेशित किया जाता है तो उसके संपूर्ण निराकरण का दायित्व सम्यक् विक्रेता पक्ष का रहेगा। इस कारण से आप क्रेता पक्ष को कोई खर्च या नुकसानी नहीं लगने देवेगे नहीं।

Amal

Raj

Harsh Jain

13. यह कि, उपरोक्त सम्पूर्ण संपत्ति के विक्रय में भू-राजस्व संहिता की धारा 165/6/7 एबी की कोई कानुनी बाधा नहीं आती है। ब्रिकीतशुदा भूमि मंदिर, मस्जिद अथवा भूदान यज्ञ में अथवा शासकिय पट्टे पर प्राप्त की हुई नहीं है।
14. यह कि, उक्त विक्रय इकरारनामा को निष्पादन करने हेतु हम अधोहस्ताक्षरकर्ता समक्ष एवं अधिकृत होने की हैसियत से इस विक्रय अनुबंध को निष्पादित करते हैं।
15. यह कि, यह अनुबंध पत्र उभय पक्ष व उनके वारसान आदि को मान्य होकर कार्याकारक रहेगा तथा उसके पालन हेतु वे वचनबद्ध रहेंगे।

उपरोक्तानुसार यह विक्रय इकरारनामा विक्रेता पक्ष ने अपनी राजी मर्जी से बिना किसी दबाव के शरीर व मन गरिष्ठ की पूर्ण स्वस्थ हालत में बिना नशे के पुरे होशों हवास में दो ग्वाहदारों के समक्ष अपने हस्ताक्षर से निष्पादित कर दिया सौ सही। ताकि वक्त जरूरत काम आवे।

इति, इंदौर दिनांक : 25/5/11.....

सही - विक्रेता पक्ष

गवाह :-

(राजेन्द्र कुमार पिता चैनरूप जैन)

1. सही KS Jais

Harsh Jain

नाम : हरशर्धन चौधरी

(हर्षवर्धन पिता राजेन्द्र कुमार जैन)

पता : 310 आनंदपुरी मन्दास इन्डिया

गवाह :-

2. सही : Surish

सही - क्रेता पक्ष

नाम : सुरेश जैन

Surish

पता : 25 इन्दौर नगर, इन्दौर

निदेशक डॉ. सुरेश पिता गंगाधर जी अग्रवाल
तर्फे - हारस्टेक इको मनेजमेंट प्रा. लि.

14/11/2000 (8)

Regional Office,
M.P. Pollution Control Board,
17, Bharatpuri, Ujjain.

S.No. 2726/PCB/URD/2000.

Ujjain, date 17/11/2000

To,

M/S Roopgandh Gramotthan Samiti,
7, Tanya Tope Marg,
Freeganj, Ujjain.

Sub:- Consent u/s 25/26 of water (prevention and control of pollution) Act, 1974.

Ref:- Your application inward dated 10.10.2000.
This office letter no. 2385 dated 17.10.2000.
Your letter inward dated 9.11.2000.

With reference to your above mentioned application consent is hereby granted for a period of twelve month starting from the first date of month of commencement of industry subjected to the fulfilment of terms and condition incorporated in the schedule of consent letter annexed hereto.

This consent is valid for the following product & production capacity :-

1. Detergent powder & Cake :- 3600 MT/year.

(Three thousand six hundred metric tonn per year only).

Please acknowledge the receipt of this letter.

For & on behalf of,
M.P. Pollution Control Board,

Bm
(Regional Officer)

Regional Office,
M.P. Pollution Control Board,
Ujjain.

.....2

1/2/11

No. 2727

Re. 17/11/2000

Copy to :-

- 1) Cess Section, M.P. Pollution Control Board,
Bhopal. A copy of application form is
attached herewith.

Encl:- As above.

//Tara//

Bm
(Regional Officer)
Regional Office,
M.P. Pollution Control Board,
Ujjain.

o/c
S

(1)

ANNEXURE

Enclosure to Consent Letter Issued to
 M/s. D. P. G. G. Gramothan Samiti, Ujjain.
 Location of factory Survey no. 332, Kharsa No. 20, Kalidoh village.
 Vide CONSENT No. NI/147/M.P.P.C.B./77 DATED 17/11/2000

A GENERAL CONDITIONS :

All discharges authorised shall be consistent with terms and conditions of this Consent Facility expansions, production, increases or process Modifications which result in new or increased discharges of pollutants must be reported by submission of a new Consent, application or if such new, or increased discharge does not violate the effluent limitations specified in the Consent, by submission to the Board details of such new or increased discharges of pollutants in which case the consent may be modified to specify effluent limitations for any pollutants not identified and limited herein the discharge of any pollutant more frequently than or at a level in excess of that identified and authorised by this Consent shall constitute a violation of the terms and conditions of the Consent.

2. After notice and opportunity for the hearing, this consent may be modified, suspended or revoked by the Board in whole or in part during its term for cause including, but not limited to, the following :

- (a) Violation of any terms and conditions of this Consent.
- (b) Obtaining this Consent by misrepresentation or failure to disclose fully all relevant facts.
- (c) A change in any condition that requires temporary or permanent reduction or elimination of the authorised discharge.

3. Notwithstanding para (2) above, if a toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established for a toxic pollutant which is present in the discharge authorised herein and such standard or prohibition is more stringent than any limitation upon such pollutant in this Consent the Consent shall be revised or modified in accordance with the toxic effluent standard or prohibition that the Board may consider and the applicant shall be so notified.

4. The applicant shall allow the staff of Madhya Pradesh Pollution Control Board and/or their authorised representative, upon the Presentation or credentials :

- (a) To enter upon the applicant's premises where an effluent source is located or in which any records are required to be kept under the terms and conditions of this Consent.
- (b) To have access to and copy at reasonable times any records required to be kept under the terms and conditions of this Consent.
- (c) To inspect at reasonable times any monitoring equipment or monitoring method required in this Consent; or,
- (d) To sample at reasonable times any discharge or pollutants.

5. The Applicant shall at all times maintain in good working order and operate as efficiently as possible all treatment or control facilities of system installed or used by him to achieve compliance with the terms and conditions of this Consent.

6. The issuance of this Consent does not convey any property rights in either real or personal property or any exclusive privileges, nor does it authorised any injury to private property or any invasion of personal rights, nor any infringement of Central, State or local laws or regulation.

7. The Consent does not authorise or approve the construction of any physical structures or facilities or the undertaking of any work in any water course.

8. The specific effluent limitations and other pollution controls applicable to the discharge permitted herein are set forth below specific conditions. Also set forth below are self-monitoring and reporting requirements. Unless otherwise specified, the applicant shall submit duplicate original copies of all reports to the Madhya Pradesh Pollution Control Board. Except for date determined to be confidential, all such reports shall be available for public inspection at the office of the Madhya Pradesh Pollution Control Board. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in section 42 of the Act.

B. SPECIAL CONDITION :

1. Initial Effluent limitations: During the period beginning on the effective date of his consent and lasting until one calender year discharge from outfalls shall be limited and monitored by the applicant as specified below

- (a) The following shall be limited by the applicant as specified.

(2)

S. No.	EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATION				MONITORING REQUIREMENTS	
		AVERAGE		MAXIMUM		Frequency of Measurement*	Type of Sample†
		Mg/l	Kg/day	Mg/l	Kg/day		

* Daily / Weekly / Monthly / Trimonthly.

† Grab / 24 Hour Composite.

In addition to above discharge shall be limited and monitored as specified below :

S. No.	EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATION				MONITORING REQUIREMENTS	
		AVERAGE		MAXIMUM		Frequency of Measurement*	Type of Sample†
		Mg/l	Kg/day	Mg/l	Kg/day		

* Daily / Weekly / Monthly / Trimonthly.

† Grab / 24 Hour Composite.

(3)

For the purpose of this sub-section, the daily average discharge is the total discharge by weight during the calendar month divided by the number of days in month the production or commercial facility was operating for the purpose of the sub-section the daily maximum discharge means the total discharge by weight during any calendar day.

(b) The PH shall not be less than 5.5 or greater than 9.0

2. Final Effluent Limitation : During the period beginning from first date of
...month of commencement of industry.

and lasting until the date of expiration of this Consent, discharge from the outfalls shall be limited and monitored by the applicant as specified below :

(a) The following shall be limited and monitored by the applicant as specified.

S. No.	EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATION				MONITORING REQUIREMENTS	
		AVERAGE		MAXIMUM		Frequency of Measurement*	Type of Sample†
		Mg/l	Kg/day	Mg/l	Kg/day		
1.	B.O.D.			30	0.105	six monthly	composite
2.	C.O.D.			250	0.875		
3.	S.S.			100	0.35		
	PH-- 5.5 to 9.0 Flow-- (Domestic) .5(Industrial)					Daily	Grab

* Daily / Weekly / Monthly / Trimonthly. /six monthly.

† Grab / 24 Hour Composite.

Additionally, outfalls shall be monitored as follows :

- (i) Flow, Temperature and Total solids : one per month.
- (ii) Grab Samples Maximum discharge temperature above upstream receiving water shall be in accordance with the standard of ISI at 40° C.
- (iii) Uniform as per ISI at 40° C

The temperature shall be monitored once per month on each outfall, For the purpose of the sub-section the daily average is the total discharge by weight during calendar month divided by the number of days in month that the production or commercial facility was operating for the purpose of this sub-section, the daily maximum discharge means the total discharge by weight during any calendar day.

(b) The pH shall not be less than 5.5 or greater than 9.0 for outfalls The samples are taken as monthly, grab samples.

3. Schedule of Compliance for Effluent Limitation : The applicant shall achieve compliance with the Effluent limitation : specified above for discharge from outfalls in accordance with the following schedule :

- (i) Report of progress six monthly.

(4)

- (i) Completion of final plans by.....
- (ii) Award of contract or other commitment of financing.....
- (iv) Commencement of construction by.....
- (v) Report of construction progress.....
- (vi) Completion of construction by.....
- (vii) Attainment of operational level by.....

Please see page 7

(b) The applicant shall submit to the Consent issuing Authority the required report of progress or where a specific action is required in (a) above to be taken by a certain date, a written notice of compliance or non-compliance with each of the above scheduled dates, post marked not later than 14 days following each elapsed date. Each notice of non-compliance shall include the following information :

- (1) A short discription of the non-compliance.
- (2) A discription of any action taken or proposed by the applicant to comply with the elapsed scheduled requirement without further delay.
- (3) An estimate of any factors which tend to explain or mitigate the non-compliance, and
- (4) An estimate of the date, the applicant will comply with the elapsed scheduled requirement and assessment of the possibility that the applicant will meet the next scheduled requirement in time.

4. Compilation of monitoring Data-(a) Samples and measurements taken to meet the monitoring requirements specified above shall be representative of the volume and nature of monitored discharge.

(b) Following promulgation of guidelines establishing test procedures for the analysis of pollutants, all sampling and analytical methods used to the meet monitoring requirements specified above shall conform to such guidelines. Unless otherwise specified sampling and analytical methods shall conform to the latest edition of the Indian Standard specifications and here it is not specified the guidelines as per standard methods for the examination of Water & Waste Waters 13th Edition of the American Public Health Association, New York U.S.A. shall be used.

(c) The applicant shall take samples and measurement to meet the monthly requirements specified above at the location indicated below :

POINT OF SAMPLING

- (i) Outfalls of waste.
- (ii) 100 meters from point to confluence, down stream to river or lake.

5. Recording of Monitoring activities and Results - (a) The applicant shall make and maintain records of all information resulting from monitoring activities by this Consent.

(b) The applicant shall record for each measurement or sample take pursuant to the requirements of this Consent the following information :

- (1) The date exact place and time of sampluig.
- (2) The dates on which analysis were performed.
- (3) Who performed the analysis.
- (4) The analytical techniques of methods used and
- (5) The result of all required analysis.

(c) If the applicant monitors any pollutant more frequently as is required as is by this Consent he shall include the results of such monitoring in the calculation and reporting of values required in the discharge monitoring reports which may be prescribed by the Board. such increased frequency shall be indicated on the Discharge Monitoring Report Form.

(d) The applicant shall retain for a minimum of 3 years all records of monitoring activities and results including all records of calibration and maintenance of instrumentation and original strip chart regarding continuous monitoring instrumentation. This period or retention shall be

(5)

extended during the course of any unresolved litigation regarding the discharge of pollutants by the applicant or when requested by the Central or State Board.

6. Reporting of Monitoring Results : (a) Monitoring information required by this Consent shall be summarised and reported by submitting a Discharge Monitoring Report from duly filled in and signed, to the Board's office at the following address :

' Madhya Pradesh Pollution Control Board',
Parvawarn Parisar,
Sector E-5, Arera Colony, BHOPAL

(b) Each submitted Discharge Monitoring Report shall be signed as follows :

(i) If submitted by Corporation by a Principal Executive Officer of at least the level of Vice-President or his duly authorised representative, if such representative is responsible for the overall operation of the facility from which the discharge described in the discharge Monitoring Report originates.

(ii) If submitted by a partnership by a general partner.

(iii) If submitted by a sole proprietor, the proprietor.

(iv) If submitted by a Municipal, State or Central Government or other public enterprise, by a Principal Executive Officer, ranking elected official, commanding officer, or other duly authorised employee.

(c) All information submitted on the Discharge Monitoring Form shall be based upon measurements and sampling carried out during the three previous calendar months. The first Discharge Monitoring Report shall be submitted for a period ending 60 days from issuance. Thereafter reporting period shall end on the last date of each month. The applicant shall submit a Discharge Monitoring Report post marked no later than 28th day of the month following each completed reporting period.

7. Limitation of Discharge of Oil Hazardous Substances in harmful quantities : The applicant shall not discharge oil in quantities defined as harmful in regulations. In addition the applicant shall not discharge hazardous substances into natural water course in quantities defined as harmful in regulations promulgated by the Board. Nothing in this Consent shall be deemed to preclude the institution of any legal action nor relieve the applicant from any responsibilities, liabilities, or penalties to which the applicant is or may be subject to clauses.

8. Limitation of visible Floating Solids and foam: During the period beginning 'date of issuance' and lasting until the date of expiration of this Consent the applicant shall not discharge floating solids or visible foam.

9. Disposal of Collected Solids : (a) Intake Water Treatment : Solids Sludges, dirt, silt or other pollutant separated from or resulting from treatment of intake or supply waters period to use by the applicant shall be disposed of in such a manner as to prevent any pollutant from such materials from entering any such water. Any live fish, shall fish or other animals collected or trapped as a result of intake water screening or treatment may be returned to waters body habitat.

(b) Waste water Treatment, Solids sludges, filter, backwash of other pollutant removed from or resulting from treatment or control of waste waters shall be disposed of in such a manner as to prevent any pollutants from such materials from entering natural water,

10. Non-compliance with Effluent Limitations : (a) If for any reason the applicant does not comply with or will be unable to comply with any daily maximum effluent limitations specified in this Consent the applicant shall immediately notify the Consent issuing authority or his designee by telephone No. Bhopal 62143/or 64684 and provide the Consent issuing Authority with the following information in writing within 5 days of such notification :

(a) Cause of non-compliance.

(b) A description of the non-complying discharge including its impact upon the receiving water.

(c) Anticipated the time condition of non-compliance is expected to continue or if such condition has been corrected, the duration of non-compliance.

(d) Steps taken by the applicant to reduce and eliminate the non-complying discharge, and

(e) Steps to be taken by the applicant to prevent recurrence of condition of not compliance.

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(b) The applicant shall take all responsible steps to minimise any adverse impact to natural waters resulting from non-compliance with any effluent limitation specified in his Consent including such accelerated or additional monitoring as necessary to determine the nature and impact of the non-complying discharge.

(c) Nothing in this Consent shall be construed to relieve the applicant from civil or criminal penalties for non-compliance, whether or not such non-compliance is due to factors beyond his control such as equipment break-down, electric power failure, accident or natural disaster.

Limitation of Batch Discharges.

SPECIAL CONDITIONS

12 Provision for Electric Power Failure : The applicant shall either-

(a) no later than..... certify in writing to the consent issuing authority that applicant has installed or provided for an alternative electric power source sufficient to operate all facilities utilized by the applicant to maintain compliance with the terms and conditions of the Consent or.

(b) no later than 30 days after the effective date of his Consent, certify in writing to the consent issuing authority that upon the reduction, loss, or failure of one or more of the primary sources of electric power to any facilities utilized by the applicant to maintain compliance with the terms and conditions of his consent, the applicant shall halt, reduce or otherwise control production and/or all discharges in order to maintain compliance with the terms conditions of this Consent.

13 Prohibition of By Pass of Treatment Facilities : The diversion or by-pass of any discharge from facility utilised by the applicant to maintain compliance with the terms and conditions of this Consent is prohibited except :

- (i) where unavoidable to prevent loss of life severe property damage, or
- (ii) where excessive storm drainage or run off would damage any facilities necessary for compliance with the terms and conditions of this Consent. The applicant shall immediately notify the consent issuing authorities in writing of each such diversion or by-pass in accordance with the procedure specified above for reporting non-compliance.

14 Spill Prevention and Containment Plan: Within 90 days of the effective date of the Consent the applicant shall prepare and submit to the consent issuing authority; a Spill Prevention; Containment and Countermeasure Plan for the facility covered by this Consent. Such Plan shall include the following information and procedures relating to the prevention of spills and unauthorised discharges of oil and hazardous substances :

- (a) a description of a reporting system to be used to notify immediately persons responsible for management of the facility and appropriate State and Central authorities;
- (b) a description of equipment or facilities (including overall facility) for the prevention, containment of spills and unauthorised discharges;
- (c) a list of all oil and hazardous materials used processed or stored at the facility including the normal quantity maintained on the premises for each listed material;
- (d) a brief description of any spills or unauthorised discharge which occurred during the 36 months period preceding the effective date of this Consent and subsequent measures taken by the applicant to prevent or reduce the possibility of further spills or unauthorised discharges; and,
- (e) an implementation schedule for additional equipment or facilities which might be required for sub para (b) above but which are not yet operational.

(7)

15. Special Condition :

1. The industry shall have to provide adequate facility for proper treatment of industrial and domestic water effluent. The industry shall ensure that the treated effluent must conform to the limits mentioned in page no.3 of annexure and other parameters shall be as per M.P. Pollution Control Board gazette notification dated 25.3.88.
2. The industry shall take effective steps for utilization of treated effluent for land use only and in no case shall the effluent be discharged outside the premises.
3. Monitoring report of the treated effluent shall be submitted to the Board six monthly.
4. Any change in production capacity, process, raw material use etc. shall be intimated to the Board. For any enhancement of the above prior permission of the Board shall be obtained.
5. The industry shall take effective steps for extensive tree plantation in and around their premises for general improvement of Environmental conditions.
6. The industry shall make proper arrangement for safe disposal of sludge and solid waste (if any).
7. The Board reserves the right to amend/cancel any of the above conditions as and when deem necessary.
8. After an opportunity of hearing or notice, this consent can be amended modified revoked or cancelled in whole or in part.

This Consent and the authorisation to discharge shall expire on midnight of ~~after one~~ calendar year from the first date of month of commencing of the industry
 The applicant shall not discharge after the date of expiration. The applicant shall submit such information, forms and fees as required by the Board not later than 180 days prior to the above date of expiration.

By authority of Madhya Pradesh Pollution Control Board Bhopal.

[Signature]
 (Regional Officer)

Ujjain.

[Signature]
 Member Secretary

क्षेत्रीय कार्यालय,
म. प्र. प्रदूषण नियंत्रण बोर्ड,
17, भरतपुरी, उज्जैन.

क्र. 2728 — प्र निबो/सिकाउ/तक./00.
प्रति,

उज्जैन, दिनांक 17/11/2000

उद्योग प्रबंधक,
भे0 स्वर्गंध ग्रामोत्थान समिति,
07, तात्याटोपे मार्ग, फ्रीगेज,
उज्जैन म. प्र. म.
=====

विषय - : वायु प्रदूषण निवारण एवं नियंत्रण अधिनियम-1981 की धारा-21 के तहत सम्मति बाधत ।

सन्दर्भ - : 1. आपका आवेदन पत्र आंक दिनांक 10.10.00
2. इस कार्यालय का पत्र क्र. 2385 दिनांक 17.10.00
3. आपका आवेदन पत्र आंक दिनांक 09.11.00

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उपरोक्त संदर्भ में वायु प्रदूषण निवारण एवं नियंत्रण अधिनियम-1981 की धारा-21 के तहत उद्योग प्रारंभ होने की दिनांक के माह की प्रथम दिनांक से 12 माह बाहर माह की कालावधि हेतु निम्नलिखित शर्तों के अधीन सम्मति प्रदान की जाती है

1. यह सम्मति निम्नलिखित उत्पाद एवं उत्पादन क्षमता हेतु वैध है
1— डिटरजेंट, ^{पाउडर} सैड केक — 3600 मे. टन/वर्ष .
तीन हजार छः सी मेट्रिक टन प्रतिवर्ष
2. उद्योग समस्त उत्सर्जन बिन्दुओं पर उपयुक्त क्षमता के वायु प्रदूषणरोधी संयंत्रों की स्थापना करेगा तथा यह सुनिश्चित करेगा, कि यह संयंत्र उचित तरीके से कार्य करते रहें । उक्त संयंत्रों की कार्य प्रणाली में व्यवधान आने पर शीघ्र उनका निराकरण किया जावेगा अथवा अन्य कोई वैकल्पिक व्यवस्था की जावेगी ।
3. उद्योग परिसर की सीमा पर वायु गुणवत्ता निम्नलिखित मानकों के भीतर होनी चाहिये ...
1. सस्पेन्डेड पार्टिकुलेट मैटर्स — 500 माईक्रोग्राम/घन मीटर .
2. सल्फर डाय आक्साईड — 120 —'—'—'—'—'—'
3. नाईट्रोजन आक्साईड — 120 —'—'—'—'—'—'
4. कार्बन मोनो आक्साईड — 5000 —'—'—'—'—'—'
4. उद्योग परिसर में कम से कम दो बिन्दुओं पर वर्ष में एक बार वायु मोंपन कर परिषाम बोर्ड को प्रस्तुत करेगा । वायु गुणवत्ता का मोंपन कम से कम दो बिन्दुओं पर वायु के बहाव की ऊपरी व निचली दिशा में किया जाना अनिवार्य है ।

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5. उद्योग पर्यावरण के संरक्षण हेतु परिसर में एवं उसके चारों ओर राधन वृक्षारोपण करेगा ।
6. उद्योग को एक माह के भीतर भूमि प्रत्यावर्तन प्रमाण पत्र प्रस्तुत करना होगा ।
7. उद्योग द्वारा हाउस कीपिंग पर विशेष ध्यान दिया जाये ।
8. कच्चे माल, उत्पादन प्रक्रिया, उत्पाद अथवा उत्पादन क्षमता में किसी भी प्रकार का परिवर्तन करने के पूर्व बोर्ड को सूचित करना होगा एवं इस हेतु बोर्ड की पूर्व सम्मति लेना आवश्यक होगा ।
9. यह सम्मति पत्र में उल्लेखित अवधि के लिये वैध है तथा इसका प्रतिवर्ष नवीनीकरण कराया जाना आवश्यक है । सम्मति की वैधता समाप्त होने के चार माह पूर्व उद्योग को आवश्यक वार्षिक लायसेन्स शुल्क सहित नवीनीकरण हेतु आवेदन करना होगा ।
10. उद्योग उत्पादन प्रारंभ करने के एक माह पूर्व बोर्ड को सूचित करना होगा ।
11. आवश्यकता होने पर उपरोक्त सभी शर्तों में संशोधन अथवा रद्द करने का अधिकार बोर्ड के पास सुरक्षित होगा ।
यू.म.या इस पत्र की पावती भेजे ।

म. प्र. प्रदूषण नियंत्रण बोर्ड के लिये,
तथा उसकी ओर से,

132
क्षेत्रीय अधिकारी

क्षेत्रीय कार्यालय,

म. प्र. प्रदूषण नियंत्रण बोर्ड, उज्जैन.

दूरभाष कार्यालय-510984

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:::साहले:::
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• पंचायती राज अमर रहे •



कार्यालय ग्राम पंचायत ~~कालियादेह~~
जनपद पंचायत ~~झारिया~~ जिला ~~उज्जैन~~ (म.प्र.)

क्रमांक

दिनांक : 16-8-2000

मह. उन्मादित किसानों हेतु

कैपगंध वसुधोद्योग समिती को ग्राम

पंचायत कालियादेह वैदरिया धारिया

विकारधर्म को ग्राम योग स्थापित करे ।

हेतु पंचायत द्वारा अनुशंसा कि जाहि हे

कत. उन्मादित किसान

जाता सत्य है।

जो उन्मादित किसानों हेतु ग्राम कालियादेह
को जनसंख्या 98-88 है।

जुलै 2000

सचिव
ग्राम पंचायत कालियादेह
जनपद पंचायत धारिया

Annexure-16**District-wise Bio-medical Waste Generation (for the previous calendar year 2020)**

S.No	Name of the State/Union Territory	Name of District	Bio-medical Waste Generation (in Kg/day)
1.	Madhya Pradesh	Sheopur	98
2.		Morena	324
3.		Bhind	681
4.		Gwalior	2753
5.		Datia	141
6.		Shivpuri	30.62
7.		Guna	102.23
8.		Ashok Nagar	44.62
9.		Rajgarh	56.88
10.		Dewas	194.89
11.		Shajapur	247.46
12.		Ratlam	142
13.		Ujjain	636
14.		Agar-Malwa	50
15.		Mandsaur	92
16.		Neemuch	87
17.		Indore	5671
18.		Burhanpur	411
19.		Khargone	519
20.		Barwani	513
21.		Khandwa	491
22.		Dhar	535
23.		Alirajpur	29
24.		Jhabua	84
25.		Bhopal	1455.715
26.		Sehore	80.983
27.		Raisen	59.46
28.		Vidisha	137.608
29.		Betul	172.10

30.	Hoshangabad	185.86
31.	Harda	72.28
32.	Sagar	483
33.	Damoh	85
34.	Panna	59
35.	Chhatarpur	108
36.	Tikamgarh	20
37.	Jabalpur	1215
38.	Narsinghpur	265
39.	Seoni	85
40.	Mandla	68
41.	Balaghat	125
42.	Chhindwara	151
43.	Katni	235.10
44.	Rewa	292.09
45.	Sidhi	60.01
46.	Singrauli	86.01
47.	Satna	167
48.	Umaria	64
49.	Shahdol	207
50.	Dindori	41
51.	Anuppur	87
52.	Niwari	8
Total BMW Generation (in Kg/day)		20008.917

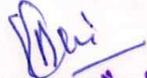

बी. एस. चौधरी
 मानचित्रकार

**Information on Common Bio-medical Waste Treatment & Disposal Facilities
(CBWTFs)**

(For the Year 2020)

Sr. No.	Name of the CBWTF	Name of the Cities /areas covered by CBWTF	Total Quantity of BMW Treated by CBWTF (in Kg/ day)
1.	M/s. Elite Engineers, 48, Narmada Road, Jabalpur	Jabalpur, Katni	1715.80
2	M/s. Krupa Wastages, Pindraikhurd, Seoni	Seoni, Mandla, Balaghat, Dindori, Chhindwada & Narsinghpur	507.0
3	M/s. Hoswin Incinerator Pvt. Ltd., 196 A-198 B, Sector-F, Sanwer Road, Indore	Indore, Barwani, Dhar, Ujjain, Dewas, Jhabua, Shajapur, Alirajpur & Agarmalwa	9309.05
4	M/s. Indo Water Management & Pollution Control Corporation, Satna	Satna, Panna, Chhatarpur, Rewa, Sidhi, Singrauli	1247.54
5	M/s. M.P. Bio-Medical Waste Disposal System, Umariya	Shahdol, Anuppur & Umariya	358.0
6	M/s. Bio-Medical Waste Management System, Ratlam	Ratlam, Mandsour, Neemuch	400.0
7.	M/s. India Waste Management (P) Ltd, Mandideep, Raisen (Unit is disposing Bio-Medical waste since 01/04/2020 which is collected & transported by M/s BIL, Bhopal)	Bhopal & Raisen	804.37
8	M/s. J.K. Medical Waste Management System, Tehsil Chanderi, Dist. Ashok Nagar	Guna Shivpuri, Ashoknagar, Rajgarh, Tikamgarh & Niwari	554.81
9	M/s J.R.R waste management Pvt. Ltd, Etmarpur, Agra (authorised only for transportation of Bio medical waste)	Morena & Bhind	740.00

10	M/s Davis Surgico Bundelkhand Medical College campus, Tili road, Sagar (Due to modernization and shifting of plant, incinerable bio- medical waste disposed by M/s. Elite Engineer, Jabalpur)	Sagar, Damoh	300.00
11	M/s Davis Surgico, J.A. Hospital campus, kampoo lashkar, Gwalior	Gwalior, Datia & Sheopur	3257.00
12	Bhopal Incinerator Pvt. Ltd., Industrial Area, Govindpura, Bhopal (Unit is closed since 01/04/2020 and obtained authorisation only for collection & transportation of Bio- Medical waste which is disposed by M/s IWM Mandideep, Raisen)	Bhopal & Raisen	344.73
13	Environmental Protection Corporation, Sehore	Sehore, Betul, Harda, Hoshangabad, vidisha & Bhopal	831.47
14	M/s BMW Solutions, Berasiya Road, Bhopal	Bhopal	111.87
15	M/s Medisure Incinerators (These districts were allotted to M/s. Hoswin Incinerator Pvt. ltd. which will be covered by this facility from 01/01/2021.)	Khandwa, Khargone & Burhanpur	0


वी. एस. चौधरी
मानचित्रकार

॥ पंचायत राज अमर रहे ॥



कार्यालय ग्राम पंचायत कालियादेह

जनपद पंचायत घटिया जिला-उज्जैन (म. प्र.)

सरपंच
आत्माराम टेलर

मो. 9165506097

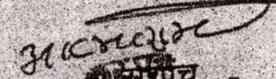
दिनांक 20/2/2020

क्रं/व्यू/पचा./

॥ अनापत्ति प्रमाण पत्र ॥

यह प्रमाणित किया जाता है कि ग्राम कालियादेह में सर्वे नं.332/2/1, 332/1/2/1, 332/2/2 रकबा क्रमशः 0.320, 0.174 एवं 0.060 कुल किता 3 कुल रकबा 0.554 आरे की भूमि स्थित है जिसके स्वामी मेसर्स होस्टेक इको मेनेजमेंट प्रा.लि. द्वारा निदेशक - डॉ.सुरेश अग्रवाल, 45, न्यू देवास रोड, इन्दौर ने उक्त भूमि पर होस्टेक इको मेनेजमेंट प्रा.लि. की इकाई की स्थापना हेतु ग्राम पंचायत से विधिवत रूप से अनुमति चाही है।

इसी तारतम्य में यह प्रमाणित किया जाता है कि ग्रामवासियों को रोजगार प्राप्त होने के बिंदु को दृष्टिगत रखते हुए होस्टेक इको मेनेजमेंट प्रा.लि. की इकाई की स्थापना उपरोक्त सर्वे नंबरान की भूमि पर नियमानुसार किये जाने में ग्राम पंचायत कालियादेह को किसी प्रकार की कोई आपत्ति नहीं है। भविष्य में यदि उक्त कंपनी द्वारा किसी भी प्रकार का प्रदूषण या अन्य कोई नियम विरुद्ध किया जाता है अथवा कंपनी की उक्त इकाई ग्राम पंचायत के रहवासियों के जनस्वास्थ्य अथवा व्यवस्था के मान से प्रतिकूल प्रतीत होती है तो ग्राम पंचायत कालियादेह द्वारा एकपक्षीय कार्यवाही कर अनुमति को तत्काल निरस्त किया जा सकेगा।


सरपंच
ग्राम पंचायत कालियादेह

॥ पंचायत राज अमर रहे ॥

Ann. - (11)



कार्यालय ग्राम पंचायत कालियादेह

जनपद पंचायत — छाट्टीया — जिला उज्जैन — (म. प्र.)

क्रमांक/क्यू/पंचा/2021/137

दिनांक 16/04/2021

प्रति,

संचालक महोदय,
मेसर्स होस्टेक इको मेनेजमेंट प्राईवेट लिमिटेड इन्दौर
10 y.n. रोड़ इन्दौर मध्यप्रदेश — 452001

विषय — ग्राम पंचायत द्वारा संयंत्र स्थापित करने, संचालित करने तथा संयंत्र में उपयोग होने वाले प्रतिदिन 15000 लीटर पानी पर अनापत्ति प्रमाण पत्र देने बाबत।

महोदय,

आपकी संस्था द्वारा आवेदन कर ग्राम पंचायत कालियादेह से अपना संयंत्र स्थापित करने, संचालित करने एवं संयंत्र में उपयोग होने वाले प्रतिदिन 15000 लीटर पानी पर अनापत्ति प्रमाण पत्र मांगा गया है एवं आपके द्वारा यह विश्वास दिलाया है कि उक्त संयंत्र से ग्रामवासियों को किसी भी प्रकार का कोई नुकसान नहीं होगा तथा आप संयंत्र को शासन के सभी नियमों का पालन करते हुए संयंत्र स्थापित एवं संचालित करेंगे।

अतः दिनांक 14/04/2021 को हुई ग्राम पंचायत की ग्राम सभा के प्रस्ताव क्रमांक 01 एवं ठहराव क्रमांक 01 में इस बात का निर्णय लिया है कि संयंत्र स्थापित करने, संचालित करने एवं संयंत्र में उपयोग होने वाले प्रतिदिन 15000 लीटर पानी पर ग्राम पंचायत को कोई आपत्ति नहीं होगी।

अतः पंचायत मेसर्स होस्टेक इको मेनेजमेंट प्राईवेट लिमिटेड इन्दौर को यह अनापत्ति प्रमाण पत्र प्रदान करता है।

दिनांक — 16/04/2021

(Signature)
सचिव

ग्राम पंचायत कालियादेह



कार्यालय ग्राम पंचायत कालियादेह

जनपद पंचायत — घट्टिया जिला — उज्जैन (म. प्र.)

क्रमांक/क्यू/पंचा/2021/138

दिनांक 16/04/2021

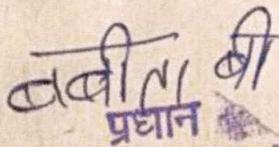
ग्राम पंचायत कालियादेह की ग्राम सभा की बैठक दिनांक 14 अप्रैल 2021 को प्रातः 11.00 बजे आयोजित की गई। जिसमें एजेन्डा बिंदु क्रमांक 01 पर विचार विमर्श कर निर्णित किया गया की —

प्रस्ताव क्रमांक 01

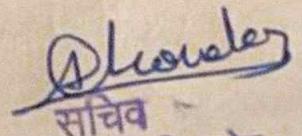
मेसर्स होस्टेक इको मेनेजमेंट प्रा.लि.इन्दौर के आवेदन पर संस्था द्वारा ग्राम में संचालित किए जाने वाले सयंत्र हेतु अनापत्ति प्रमाण पत्र एवं सयंत्र में प्रतिदिन 15000 लीटर पानी के उपयोग हेतु अनापत्ति प्रमाण पत्र पर चर्चा।

ठहराव क्रमांक-01

उक्त प्रस्ताव के संबंध में ग्रामीणजनों ने खुलकर अपने विचार व्यक्त किए और यह निर्णय लिया कि उक्त मेसर्स होस्टेक इको मेनेजमेंट प्रा.लि. इन्दौर के द्वारा यह विश्वास दिलाया गया है कि इसके स्थापित होने से ग्रामवासियों को किसी प्रकार का कोई नुकसान नहीं होगा तथा वह शासन के सभी नियमों का पालन करते हुए उक्त सयंत्र को स्थापित एवं संचालित करेंगे। अतः सभा में ग्रामीणजनो ने ग्राम सभा में निर्णित किया कि इस सयंत्र को स्थापित करने, संचालित करने तथा सयंत्र में उपयोग होने वाले प्रतिदिन 15000 लीटर पानी पर ग्राम पंचायत को कोई आपत्ति नहीं है, अतः अनापत्ति प्रमाण पत्र प्रदान करने हेतु पंचायत के सचिव को अधिकृत किया गया।


प्रधान

ग्राम पंचायत कालियादेह
ज.पं. घट्टिया जि. उज्जैन


सचिव

ग्राम पंचायत कालियादेह
ज.पं. घट्टिया जि. उज्जैन



ग्राम सभा के सदस्यों की उपस्थिति पंजी

प्रकार - 2 (नियम - 6 के तहत)

1. ग्राम पंचायत का नाम साहिबगंज 4. सम्मिलन का स्थान पंचायत भवन
 2. ग्राम सभा का नाम डा. किरण देव सुन्दर देव 5. सम्मिलन का समय 11 बजे
 3. सम्मिलन की तारीख 14/04/2021

अनु.क्र. (1)	सम्मिलन में उपस्थित सदस्यों के नाम (2)	सदस्यों के हस्ताक्षर (3)
1	सरपंच <u>वकीला बी</u>	<u>तलील बी</u>
2	<u>हेरु पेटेल उप सरपंच</u>	<u>हेरु पेटेल</u>
3	<u>जी के खोला की नौदल की</u>	<u>डि.डी. 14-04-2021</u>
4	<u>मोराध पेटेल</u>	<u>सोराध पेटेल</u>
5	<u>बोकल</u>	<u>शौकत</u>
6	<u>राजाराम</u>	<u>राजाराम</u>
7	<u>रामसिंह</u>	<u>जामसिंह</u>
8	<u>आदीक</u>	<u>रामदेव</u>
9	<u>कुशतक पेटेल महा.सचिव</u>	<u>कुशतक</u>
10	<u>आशीक</u>	<u>आशीक</u>
11	<u>फारुक पेटेल</u>	<u>फारुक पेटेल</u>
12	<u>भद्रनाथ</u>	<u>भद्रनाथ</u>
13	<u>उममाल</u>	<u>उममाल</u>
14	<u>जुवेर</u>	<u>जुवेर</u>
15	<u>रमेश</u>	<u>रमेश</u>
16	<u>राजलाम</u>	<u>राजलाम</u>
17	<u>कल्याण</u>	<u>कल्याण</u>
18	<u>लोकरा</u>	<u>लोकरा</u>

ग्राम पंचायत कार्यालय
 ज.पं. पहिला वि. उज्जैन

अनु.क्र. (1)	सम्मिलन में उपस्थित सदस्यों के नाम (2)	सदस्यों के हस्ताक्षर (3)
19	<u>मुजीब</u>	<u>मुजीब</u>
20	<u>रमेश</u>	<u>रमेश</u>
21	<u>भारत</u>	<u>भारत</u>
22	<u>बालकृष्ण</u>	<u>बालकृष्ण</u>
23	<u>करणसिंह</u>	<u>करणसिंह</u>
24	<u>सिद्ध</u>	<u>सिद्ध</u>
25	<u>सचिव जलम चौधरी</u>	<u>Shawley</u>

उपस्थित सदस्यों की कुल संख्या (शब्दों में) प.र.डी.डी.
 स्थान: ज.पं. पहिला वि. उज्जैन
 तारीख: 14/04/2021
 सचिव Shawley
 सचिव के हस्ताक्षर (मुद्रा) Shawley
 ग्राम पंचायत कार्यालय
 ज.पं. पहिला वि. उज्जैन

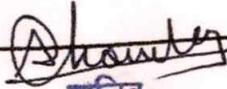
प्रारूप - 2 (नियम - 6 देखिए)



ग्राम सभा के सदस्यों की उपस्थिति पंजी

1. ग्राम पंचायत का नाम कालियादेह 4. सम्मिलन का स्थान पंचायत भवन
2. ग्राम सभा का नाम डा. अशोक अश्वेडकर ज्योती
3. सम्मिलन की तारीख 14/04/2021 5. सम्मिलन का समय 11 बजे

अनु.क्र. (1)	सम्मिलन में उपस्थित सदस्यों के नाम (2)	सदस्यों के हस्ताक्षर (3)
1	सरपंच <u>बबिता डी</u>	<u>बबिता डी</u>
2	<u>हेड पेट्रोल उपसरपंच</u>	<u>हेड पेट्रोल</u>
3	<u>वी. के. बाली की नाडल काठि.</u>	<u>वी. के. बाली</u> 14-04-2021
4	<u>सोराप पटेल</u>	<u>सोराप पटेल</u>
5	<u>बौकल</u>	<u>बौकल</u>
6	<u>शंजाराम</u>	<u>शंजाराम</u>
7	<u>रामकिशन</u>	<u>रामकिशन</u>
8	<u>सादीक</u>	<u>सादीक</u>
9	<u>मुहताब पटेल महा-सचिव</u>	<u>मुहताब पटेल</u>
10	<u>काशीक</u>	<u>काशीक</u>
11	<u>पारवक पटेल</u>	<u>पारवक पटेल</u>
12	<u>भदर न रण</u>	<u>भदर न रण</u>
13	<u>उस्मान</u>	<u>उस्मान</u>
14	<u>जुवेर</u>	<u>जुवेर</u>
15	<u>रमेश</u>	<u>रमेश</u>
16	<u>रव-राम</u>	<u>रव-राम</u>
17	<u>गणेश</u>	<u>गणेश</u>
18	<u>जोकिश</u>	<u>जोकिश</u>


 सचिव
 ग्राम पंचायत कालियादेह
 प्र.पं. घडिया जि. उज्जैन

कार्यालय वनमण्डलाधिकारी वनमण्डल उज्जैन

क्रमांक/मा.चि./ 2017/ 775
प्रति,

उज्जैन/दिनांक/9/03/2017

✓ Hostech Eco Managment
Private Limited, Indore

विषय :- ग्राम कालियादेह तहसील घट्टिया, जिला उज्जैन की निजी/शासकीय भूमि सर्वे नं. 332/1, 332/2/1 एवं 332/2/2 का कुल रकबा 0.554 हे. में से 0.554 हे. क्षेत्र पर बॉयो मेडिकल वेस्ट ट्रीटमेंट एण्ड डिस्पोजल यूनिट हेतु अनापत्ति/अभिमत दिये जाने बाबत।

संदर्भ :- आपका पत्र दिनांक 16.01.2017, उप वनमण्डलाधिकारी, उप वनमण्डल, उज्जैन का पत्र क्र. 244 दिनांक 04.03.2017

-***-

उपरोक्त विषयान्तर्गत संदर्भित पत्र से वन परिक्षेत्र, उज्जैन के अन्तर्गत आपके द्वारा आवेदित स्थल ग्राम कालियादेह तहसील घट्टिया, जिला उज्जैन की निजी/शासकीय भूमि सर्वे नं. 332/1, 332/2/1 एवं 332/2/2 का कुल रकबा 0.554 हे. में से 0.554 हे. क्षेत्र पर बॉयो मेडिकल वेस्ट ट्रीटमेंट एण्ड डिस्पोजल यूनिट हेतु अनापत्ति चाही गई है। जिसकी जी.पी.एस. रीडिंग निम्नानुसार है :-

N- 23°14'53.05"	N- 23°14'56.8"	N- 23°14'56.8"	N- 23°14'53.2"
E- 75°47'40.1"	E- 75°47'39.8"	E- 75°47'38.0"	E- 75°47'38.8"

इस संदर्भ में वन परिक्षेत्राधिकारी, उज्जैन द्वारा मौका स्थल निरीक्षण उपरान्त एवं उप वनमण्डल अधिकारी, उप वनमण्डल, उज्जैन की अनुशंसा सहित प्रस्तुत प्रतिवेदन अनुसार अभिमत निम्नानुसार है :-

- 05 आवेदित क्षेत्र वनभूमि नहीं है।
- 06 वन क्षेत्र से लगभग 7.5 कि.मी. दूर है।
- 07 आवेदित क्षेत्र में बॉयो मेडिकल वेस्ट ट्रीटमेंट एण्ड डिस्पोजल यूनिट स्थापित किये जाने पर इस कार्यालय को कोई आपत्ति नहीं है।

अतः प्रतिवेदन आवश्यक कार्यवाही हेतु प्रेषित है।

वनमण्डलाधिकारी
वनमण्डल उज्जैन

[Published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i)]

**GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE**

NOTIFICATION

New Delhi, the 28th March, 2016

G.S.R. 343(E).-Whereas the Bio-Medical Waste (Management and Handling) Rules, 1998 was published *vide* notification number S.O. 630 (E) dated the 20th July, 1998, by the Government of India in the erstwhile Ministry of Environment and Forests, provided a regulatory frame work for management of bio-medical waste generated in the country;

And whereas, to implement these rules more effectively and to improve the collection, segregation, processing, treatment and disposal of these bio-medical wastes in an environmentally sound management thereby, reducing the bio- medical waste generation and its impact on the environment, the Central Government reviewed the existing rules;

And whereas, in exercise of the powers conferred by sections 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government published the draft rules in the Gazette *vide* number G.S.R. 450 (E), dated the 3rd June, 2015 inviting objections or suggestions from the public within sixty days from the date on which copies of the Gazette containing the said notification were made available to the public;

And whereas, the copies of the Gazette containing the said draft rules were made available to the public on the 3rd June, 2015;

And whereas, the objections or comments received within the specified period from the public in respect of the said draft rules have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by section 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), and in supersession of the Bio-Medical Waste (Management and Handling) Rules, 1998, except as respects things done or omitted to be done before such suppression, the Central Government hereby makes the following rules, namely:-

1. **Short title and commencement.**- (1) these rules may be called the Bio-Medical Waste Management Rules, 2016.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. **Application.**-

(1) These rules shall apply to all persons who generate, collect, receive, store, transport, treat, dispose, or handle bio medical waste in any form including hospitals, nursing homes, clinics, dispensaries, veterinary institutions, animal houses, pathological laboratories, blood banks, ayush

7. **Treatment and disposal.**- (1) Bio-medical waste shall be treated and disposed of in accordance with Schedule I, and in compliance with the standards provided in Schedule-II by the health care facilities and common bio-medical waste treatment facility.

(2) Occupier shall hand over segregated waste as per the Schedule-I to common bio-medical waste treatment facility for treatment, processing and final disposal:

Provided that the lab and highly infectious bio-medical waste generated shall be pre-treated by equipment like autoclave or microwave.

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

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

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

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

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

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

(9) After ensuring treatment by autoclaving or microwaving followed by mutilation or shredding, whichever is applicable, the recyclables from the treated bio-medical wastes such as plastics and glass shall be given to such recyclers having valid authorisation or registration from the respective prescribed authority.

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

Review of Coverage Areas
of
Common Bio-Medical Waste Treatment and Disposal
Facilities (CBWTFs) of Madhya Pradesh



YEAR - 2017

Madhya Pradesh Pollution Control Board

Paryawaran Parisar, E-5 Arera Colony - Bhopal

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1. Preamble :

Ministry of Environment, Forest and Climate Change , Government of India, in exercise of the powers conferred by section 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), and in supersession of the Bio-Medical Waste (Management and Handling) Rules, 1998, notified new rules of Bio Medical Waste Management on dated 28th march 2016 named as "the Bio-Medical Waste Management Rules, 2016."

Some of the important provisions of the rules pertaining to waste collection , transportation and treatment are as follows :

(a) These rules shall apply to all persons who generate, collect, receive, store, transport, treat, dispose, or handle bio medical waste in any form including hospitals, nursing homes, clinics, dispensaries, veterinary institutions, animal houses, pathological laboratories, blood banks, Ayush hospitals, clinical establishments, research or educational institutions, health camps, medical or surgical camps, vaccination camps, blood donation camps, first aid rooms of schools, forensic laboratories and research labs.

(b) The duties of an occupier, common treatment facility, central and state authorities are very well defined in these rules. As per these rules, the Bio-medical waste shall be treated and disposed of in accordance with ***Schedule I***, and in compliance with the standards provided in ***Schedule-II*** by the health care facilities and common bio-medical waste treatment facility.

(c) The health care facility/ waste generator (the Occupier) shall hand over segregated waste as per the Schedule-I to common bio-medical waste treatment facility for treatment, processing and final disposal, Provided that the lab and highly infectious bio-medical waste generated shall be pre-treated by equipment like autoclave or microwave. ***As per these rules "No occupier shall establish on-site treatment and disposal facility, if a service of 'common biomedical waste treatment facility is available at a distance of seventy-five kilometre.***

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

(e) No untreated bio-medical waste shall be mixed with other wastes. The bio-medical waste shall be segregated into containers or bags at the point of generation in accordance with ***Schedule-I*** prior to its storage, transportation, treatment and disposal.

(f) The operator of common bio-medical waste treatment facility shall transport the bio-medical waste from the premises of an occupier to any off-site bio-medical waste treatment facility only in the dedicated vehicles having label as provided in part 'A' of

the *Schedule - IV* along with necessary information as specified in part 'B' of the Schedule IV. The vehicles used for transportation of bio-medical waste shall comply with the conditions if any, stipulated by the State Pollution Control Board in addition to the requirement contained in the Motor Vehicles Act, 1988 (59 of 1988), if any or the rules made there under for transportation of such infectious waste.

(g) The untreated human anatomical waste, animal anatomical waste, soiled waste and, biotechnology waste shall not be stored beyond a period of forty-eight hours. Provided that in case for any reason it becomes necessary to store such waste beyond such a period, the occupier shall take appropriate measures to ensure that the waste does not adversely affect human health and the environment and inform the prescribed authority along with the reasons for doing so.

(h) Disposal by deep burial is permitted only in rural or remote areas where there is no access to common bio-medical waste treatment facility. This will be carried out with prior approval from the prescribed authority and as per the Standards specified in Schedule-III. The deep burial facility shall be located as per the provisions and guidelines issued by Central Pollution Control Board from time to time.

(i) Bio-medical waste generated in households during healthcare activities shall be segregated as per these rules and handed over in separate bags or containers to municipal waste collectors. Urban Local Bodies shall have tie up with the common bio-medical waste treatment and disposal facility to pickup this waste from the Material Recovery Facility (MRF) or from the house hold directly, for final disposal in the manner as prescribed in this Schedule.

(j) Municipalities or Corporations, Urban Local Bodies and Gram Panchayats have assigned duties in these rules to provide or allocate suitable land for development of common bio-medical waste treatment facilities in their respective jurisdictions as per the guidelines of Central Pollution Control Board.

(k) State Pollution Control Boards are responsible for Inventorisation of Occupiers and data on bio-medical waste generation, treatment & disposal, Compilation of data and submission of the same in Annual report to Central Pollution Control Board. Board is also responsible to grant and renewal, suspension or refusal of authorisation, Monitoring of compliance of various provisions and conditions of authorisation and action against health care facilities or common biomedical waste treatment facilities for violation of these rules. State Board is also responsible for organizing training programmes to staff of health care facilities, common bio-medical waste treatment facilities and State Pollution Control Board Staff on segregation, collection, storage, transportation, treatment and disposal of bio-medical wastes. State Board has also to undertake or support research or operational research regarding bio-medical waste management. SPCB has also to undertake and support third party audits of the common bio-medical waste treatment facilities in their State.

2. Term of Reference of Review Committee:

As per Rule 7 (3) of Bio-Medical Waste Management Rules, 2016, no occupier shall establish on-site treatment and disposal facility, if a service of "Common Biomedical Waste Treatment Facility" is available at a distance of seventy-five kilometres.

M.P.P.C.B. vide Office Order no 143 /BMW/MPPCB/2017 letter dated 10.8.17, constituted a review committee comprising, Director (Env.), Chief Chemist - Incharge-Bio-medical waste Management and two other Field officers i.e. Regional Officers Indore and Bhopal for review of coverage area of existing CBWTFs and to explore the possibility of establishment of new Common Facilities to ensure proper collection, treatment and safe disposal of Bio-Medical Waste looking in to the population growth of State and future need of CBWTFs.

The committee reviewed the current status of Bio-Medical Waste Management on the basis of record available with BMW in-charge, keeping following points in consideration as per guidelines issued by CPCB:

- (1) A buffer zone or safe distance available between the source of pollution in CBWTF and the receptor for Health and environment safety.
- (2) Potential for spread of infection from wastes stored in the premises.
- (3) Applicable standards for pollution control and the relative efficiency of the existing incinerators and emission control systems.
- (4) Potential of fugitive dust emission from incinerators.
- (5) Potential for discharge of wastewater, odour problem & noise pollution.
- (6) The risk posed to health and safety of general public due to exposure of infectious waste during transportation and emissions from incinerators.
- (7) Possibility of strengthening of treatment network in State by setting up new facilities in each district in future and immediate need of CBWTFs in present scenario.
- (8) As far as possible, the CBWTF shall be located near to its area of operation in order to minimize the transportation distance in waste collection, thus enhancing its operational flexibility for ensuring collection, treatment and safe disposal of bio-medical waste within 48 hours.

3.0 Need of Review of Coverage Areas of CBWTFs :

Ministry of Environment Forests & Climate Change, Govt. Of India has notified Bio-Medical Waste Management Rules, 2016 which are effective from 28th March 2016. According to these rules, the bio-medical waste generated from various sources must be collected and disposed off scientifically in safe manner.

State of Madhya Pradesh has 308,000 square kilo-meters geographical area covered under 51 districts, having population about 72,62,70,000 (As per senses 2011) and as per projected population for 2016 it is 77,87,50,000 and expected to be increased to 83,13,50,000 (in 2021) and 8,41,11,000 (in 2022) respectively.

The Bio-medical waste is being generated from various sources like Govt. and Private hospital, Medical Colleges, District Hospitals, Civil Hospitals, Community Health Centres, Primary health centres, Dispensaries, Pathology labs., Veterinary Colleges, Research Labs., etc. As per inventorization carried out by various Regional Offices of M.P. Pollution Control Board and information received from Madhya Pradesh Health Directorate, there are 5,000 such institute identified in Madhya Pradesh which are generating about 13,000 Kg/day bio-medical waste. Apart from this the household bio-medical waste is also being generated and disposes of along with Municipal Solid Waste. Such waste has to be collected and handed over to Municipal Authority for separate collection and disposal in designated CBWTF.

There are 10 authorized CBWTF being operated in various parts of Madhya Pradesh these common facilities are having incinerators, autoclave, shredders for treatment of bio-medical waste. These CBWTFs are having dedicated vehicles for collection of bio-medical waste from surrounding areas but entire waste is not being collected by these facilities.

The details of common facilities, its coverage areas, waste collection and treatment along with no of vehicles associated with facility are given in enclosed tables.

At present about 9000 Kg/day BMW is being collected by these common facilities which is about 70% of total waste generation from Madhya Pradesh. Thus there is a gap of about 30 % waste (4000 Kg/day) which is still to be collected, transported and treated in these dedicated CBWTFs. After thorough review of each CBWTF, its treatment capacity, coverage area, number of health care facilities, generation of waste, collection of waste, number of member HCFs following points have been emerged which have to be addressed on priority to bridge the gap of waste generation and treatment :-

- (a) The area of coverage required to be reviewed in light of waste collection and its transportation and treatment within stipulated time i.e. within 48 hrs, because few facilities are collecting waste from more than 150 Kms. and covering many districts but the waste is not being collected from all HCFs of districts covered by these facilities. Therefore infectious waste left unattended may cause adverse impact on health of general public.
- (b) All the HCFs are to be covered under CBWTFs so that untreated BMW could not be thrown /deep buried illegally.

- (c) There should not be any backlog of collected BMW at the level of CBWTF which is not treated within 48 hours. It is observed that few facilities used to store the infectious waste in their waste storage rooms even beyond 48 hours.
- (d) The common facilities are not collecting waste from rural and remote areas therefore such waste found to be accumulated at source of generation.
- (e) The vehicles associated with few CBWTF for collection of waste are travelling even more than 800 KM/day and taking lot of time in collection and transportation. This practice lead to bear and tear of vehicles and long time travelling of infectious waste on the route between source of waste generation and treatment facility. It also increases the possibility of exposure of infectious waste to the general public during transportation.
- (f) As per Rule 7 (3), No occupier shall establish on-site treatment and disposal facility, if a service of "Common Biomedical Waste Treatment Facility" is available at a distance of seventy-five kilometres.

The location of various existing CBWTFs, its coverage area are shown on the map of M.P. and the tables showing numbers of facilities, its coverage area , number of HCFs associated with common facility, number of beds and waste generation are enclosed.

4.0 Common Bio-medical Waste treatment and Disposal Facility (CBWTF) :

According to the Bio-medical Waste Management Rules, 2016, "Bio-medical waste treatment and disposal facility" means any facility wherein treatment, disposal of bio - medical waste or processes incidental to such treatment and disposal is carried out, and includes common bio - medical waste treatment facilities and "operator of a common bio - medical waste treatment facility" means a person who owns or controls Common Bio-medical Waste treatment and Disposal Facility (CBWTF) for the collection, reception, storage, transport, treatment, disposal or any other form of handling of bio - medical waste .

CPCB has published guidelines for Common Bio-medical Waste treatment and Disposal Facility (CBWTF) and some of the important provisions are as follows :

- (4.1) The Bio-medical Waste Management Rules, 2016 (hereafter referred as BMWM Rules) restricts occupier for establishment of on-site or captive bio-medical waste treatment and disposal facility, if a service of common bio- medical waste treatment and disposal facility is available within a distance of seventy-five kilometer, as installation of individual treatment facility by health care facility (HCF) requires comparatively high capital investment. In addition, it requires separate dedicated and trained skilled manpower and infrastructure development for proper operation and maintenance of treatment systems. The concept of CBWTF is not only addresses such problems but also prevents proliferation of treatment technologies in a particular town or city. In turn, it reduces the monitoring pressure on regulatory agencies. By running the treatment equipment at CBWTF to its full capacity, the cost of treatment of per kilogram bio-

medical waste gets significantly reduced. Its considerable advantages have made CBWTF popular and proven concept in most part of the world.

- (4.2) The CBWTFs are also required to set-up, based on the need for ensuring environmentally sound management of bio-medical waste keeping in view the techno-economic feasibility and viable operation of the facility with minimal impact on human health and environment.
- (4.3) The CBWTF as an option for treatment of bio-medical waste also been legally introduced in India. Considering the likely impacts that may cause to the patients undergoing treatment because of operation of the captive treatment equipment within the health care facilities (HCFs), now the Bio-medical Waste Management Rules, 2016 restricts the Occupier (i.e., HCF) for ensuring treatment and disposal of generated bio-medical waste through a CBWTF, located within a distance of 75 KM. Further, these rules eased the bottleneck in upbringing the CBWTF by making department in the business allocation of land assignment in the State or UT administration responsible for providing a suitable site (s) within its jurisdiction.
- (4.4) The concept of CBWTF is also being widely accepted in India among the healthcare units, medical associations and entrepreneurs. In order to set up a CBWTF to its maximum perfection, care shall be taken in choosing the right technology, development of CBWTF area, proper designing of transportation system to achieve optimum results etc.

5.0 Criteria for development of a new Common Bio-medical Waste Treatment and Disposal Facility for a locality or region.

As per guidelines of CPCB, following criteria or steps may be followed prior to allowing any new CBWTF:

- (5.1) State Pollution Control Board (SPCB) is required to prepare an inventory or review with regard to the bio-medical waste generation at least once in five years in the coverage areas of the existing bio-medical waste treatment and disposal facility. The prescribed authority is also required to extrapolate the coverage-area wise bio-medical waste generation for the next ten years.
- (5.2) SPCB is required to conduct gap analysis with respect to coverage area of the bio-medical waste generation and also projected over a period of next ten years, adequacy of existing treatment capacity of the CBWTF in each coverage area of radius 75 KM and based on the gap analysis, action plan for development of new CBWTFs is required to be prepared and submitted to MoEF & CC & CPCB within six months' time. *In case, any coverage area requires additional treatment capacity, in such a case, action may be initiated by the prescribed authority for allowing a new CBWTF in that locality without interfering the coverage area of the existing CBWTF and beds covered by the existing CBWTF.*

- (5.3) SPCB shall identify the coverage area, which require additional treatment facility and bring it to the notice of the concerned department in the business allocation of land assignment in the respective State Government . The department in the business allocation of land assignment shall be responsible for providing suitable site in the identified coverage area for setting up of a CBWTF, in consultation with the prescribed authority i.e. SPCB other stakeholders and in accordance with these guidelines issued by CPCB from time to time.
- (5.4) Alternately, a CBWTF may also be allowed to be established on a land procured by an entrepreneur in accordance with the location criteria suggested under these guidelines.
- (5.5) The SPCB or concerned department in the business allocation of land assignment in the respective State Government may seek expression of interest from the proponents for development of new CBWTF (s) in the identified coverage area. Upon allocation of site to the proponent, the proponent is required to take necessary approvals as required under the Environment (Protection) Act, 1986 for development of the new CBWTF in accordance with these guidelines.
- (5.6) In the absence of expression of interest by any proponent, then SPCB shall insist health care facilities to form association and to develop its own CBWTF in line with these guidelines or to have captive treatment facilities for ensuring treatment and disposal of generated bio-medical waste as stipulated under the BMWM Rules, 2016.
- (5.7) In case of any regulatory action including closure of any existing CBWTF is inevitable, the respective SPCB may take action under the BMWM Rules including for making alternate arrangement to ensure safe disposal of the Bio-medical waste generated from the member health care facilities of such default CBWTF through CBWTF located nearby.

6.0 Legal Provisions for commissioning or operation of a CBWTF :

Operation of a CBWTF leads to air emissions as well as waste water generation as in case of an industrial operation. Most common sources of waste water generation in CBWTFs are vehicle washing, floor washing, and scrubbed liquid effluent from air pollution control systems attached with the incinerator. Incineration as well as DG Set is the general source of air emissions.

- 6.1 Any other approvals (such as Land Use /Change in Land Use as applicable) required from the concerned authorities under various laws have to be complied with by the proponent of the CBWTF prior to development of a CBWTF.
- 6.2 Consents under Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 as well as Authorization under the BMWM Rules, 2016

The project proponent of the CBWTF is required to obtain 'Consent to Establishment' under Rule 25 of the Water (Prevention and Control of Pollution) Act, 1974 and under Rule 21 of the Air (Prevention and Control of Pollution) Act, 1981, from the respective prescribed authority i.e. SPCB/PCC. Upon installation of the requisite equipment, the CBWTF Operator is also required to obtain authorization under BMW Rules, 2016 co-terminus with consent to operate under Water (Prevention and Control of Pollution) Act, 1974 & Air (Prevention and Control of Pollution) Act, 1981 from the respective SPCB/PCC prior to commencement of the CBWTF.

7.0 Requirement of Environmental Clearance :

Ministry of Environment, Forest & Climate Change (MoEF & CC), notified amendment to the EIA Notification 2006 and published vide MoEF & CC Notification of S.O. 1142 (E) dated April 17, 2015. According to this notification, the 'bio-medical waste treatment facility' is categorized under the Item 7 (da) in the schedule, requiring 'environmental clearance' from the State Environment Impact Assessment Authority (SEIAA). Therefore, the CBWTF operator is also required to obtain 'Environmental Clearance (EC)' from the respective SEIAA or Ministry of Environment, Forest & Climate Change (MoEF & CC), as the case may be, before any construction work, or preparation of land by the projects management, which include the following:

- (7.1) All new projects or activities pertaining to the bio-medical waste treatment facility; and
- (7.2) Expansion and modernization with additional treatment capacity of existing bio-medical waste treatment facility (excluding augmentation of incineration facility for compliance to the residence time as well as Dioxins and Furans without enhancing the existing treatment capacity).
- (7.3) Any expansion or modification in the treatment capacity or relocation of the existing CBWTF (requires compliance to the relevant provisions notified under the Environment (Protection) Act, 1986 by the MoEF & CC .

8.0 Location criteria of Common Bio-medical Waste Treatment Facility :

As far as possible, the CBWTF shall be located near to its area of operation in order to minimize the transportation distance in waste collection, thus enhancing its operational flexibility as well as for ensuring compliance to the time limit for treatment and disposal of bio-medical waste as stipulated under the BMW Rules (i.e., within 48 hours). The location shall be decided in consultation with the State Pollution Control Board (SPCB).

The location criteria for development of a CBWTF are as follows:

- (a) A CBWTF shall preferably be developed in a notified industrial area without any requirement of buffer zone.
- (b) A CBWTF can be located at a place reasonably far away from notified residential and sensitive areas and should have a buffer distance of preferably 500 m so that it shall have minimal impact on these areas. In case of non-availability of such a land, the buffer zone distance from the notified residential area may be reduced to less than 500 m by SPCB/PCC without referring the matter to CPCB by prescribing additional control measures such as (i) adoption of best available technologies (BAT) by the proponent of CBWTF; (ii) prescribing stringent standards for operation of the CBWTF by the SPCB; (iii) adoption of zero liquid discharge by the CBWTF and (iv) in case of any complaints from the public, then CBWTF should prove that the facility is not causing any adverse impact on environment and habitation in the vicinity. If SPCB is not in a position to resolve the issue relating to buffer zone while selecting the site for CBWTFs, in such a case, SPCBs may refer the matter to CPCB.
- (c) The CBWTF can also be developed as an integral part of the Hazardous Waste Treatment Storage and Disposal Facility (TSDF) subject to obtaining of necessary approvals from the authorities concerned including 'environmental clearance' as per Environmental Impact Assessment 2006 and further amendments notified under the Environment (Protection) Act, 1986, provided there is no CBWTF exist within 150 KM distance from the existing TSDF.

9.0 Land requirement for CBWTFs :

Sufficient land shall be allocated to the CBWTF to provide all requisite systems which include dedicated space for storage of waste (both treated and untreated), waste treatment equipment, vehicle washing bay, vehicle parking space, ETP, incineration ash storage provision, administrative room, space for DG Set etc :

- (a) Preferably, a CBWTF shall be set up on **a plot size of not less than one acre** in all the areas. However, a CBWTF can be developed in adjacent plots but cannot be set up in two or more different plots located in different areas. Separate plots can be permitted only for vehicle parking if located in the close vicinity of the proposed CBWTFs or the existing CBWTFs.
- (b) In case of upcoming or new CBWTFs (both in municipal limits with population more than 25 lakhs or in rural areas), the land area requirement may be relaxed (but in any case not less than 0.5 acre) by the SPCB, with additional control measures such as zero liquid discharge, increase in stack height, stringent emission norms, odour control measures or any other measures felt necessary by the prescribed authority on case-to-case basis, only in consultation with CPCB.

10. Collection and transportation of Bio-medical waste

The collection and transportation of bio-medical waste shall be carried out in a manner so as to prevent any possible hazard to human health and environment. Collection and transportation are the two operations where the chances of segregated bio-medical waste coming in contact with the public, rag pickers, animals/birds, etc. are high. Therefore, all care shall be taken to ensure that the segregated bio-medical waste handed over by the healthcare units reach CBWTF without any damage, spillage or unauthorized access by public, animals etc. A responsible person from the CBWTF operator shall always accompany the vehicle to supervise the collection and transportation of bio-medical waste. Also, the private transport vehicles should not be authorised by the SPCBs/PCCs only for transportation of the Bio-medical Waste. The CBWTF operator should be made responsible for collection and transportation of bio-medical waste.

a) Collection of bio-medical waste:

Generator of the bio-medical waste is responsible for providing segregated waste in accordance with the provisions of the Bio-medical Waste Management Rules, 2016, to the CBWTF operator. Dedicated temporary storage at healthcare unit shall be designated. The coloured bags handed over by the healthcare units shall be collected in similar coloured containers with proper cover. Each bag shall be labeled as per Schedule IV of the Bio-medical Waste Management Rules as well as with bar coding system (to be complied by the occupier or operator of a CBWTF as per BMWM Rules) so that at any time, the healthcare units can be traced back that are not segregating the bio-medical wastes as per BMWM Rules. The coloured containers should be strong enough to withstand any possible damage that may occur during loading, transportation or unloading of such containers. These containers shall also be labeled as per Schedule IV of the Rules. Sharps shall be collected in puncture resistant container. The person responsible for collection of bio-medical wastes shall also carry a register with him to maintain the records such as name of the healthcare unit, the type and quantity of waste received, time at which waste collected from the member HCF, signature of the authorised person from the healthcare unit etc. During transportation, the containers should be covered in order to prevent exposure of public to odours and contamination.

(b) Transportation of the collected bio-medical waste to the CBWTF:

All the vehicles used by the CBWTF operator shall not be sub-letted or contract vehicles should not be used by the CBWTF operator. All the vehicles owned by the CBWTF operator and intended only for collection of bio-medical waste from the member health care facilities should be registered under the Motor Vehicle Act with the respective RTO/Transport Department and such vehicle numbers should

also be registered with the respective SPCB for the purpose of collection of bio-medical waste from the member health care facilities.

The bio-medical waste collected in designated coloured containers shall be transported to the CBWTF in a fully covered vehicle. Such vehicle shall be dedicated for transportation of bio-medical waste only. Depending upon the volume of the wastes to be transported, the vehicle may be a two or three-wheeler, light motor vehicle or heavy duty vehicle. In either case, the vehicle must possess the following:

- (i) Transportation vehicle shall be fitted with GPS to track the movement of the vehicle.
- (ii) Separate cabins shall be provided for driver/staff as well as for placing the designated colour coded bio-medical waste containers.
- (iii) Two wheeler registered under the Motor Vehicle Act shall be permitted for collection of bio-medical waste only from the clinics or dispensaries located in places where the lanes are narrow and not easily accessible to four wheeler vehicles. Such two wheeler vehicle (s) should have a provision of a suitable fixed waste collection box marked with bio-hazard symbol, contact details, proper lid, emergency spill collection procedure, first aid box and manifest record in accordance with the BMWM Rules
- (iv) The base of the waste cabin shall be leak proof to avoid pilferage of liquid during transportation.
- (v) The waste cabin may be designed for storing waste containers in tiers and also should be provided with a lighting provision.
- (vi) The waste cabin shall be so designed that it is easy to wash and disinfect.
- (vii) The inner surface of the waste cabin shall be made of smooth surface to minimize water retention.
- (viii) The waste cabin shall have provisions for sufficient openings in the rear and/or sides so that waste containers can be easily loaded and unloaded.
- (ix) The vehicle shall be labeled with the bio-hazard symbol (as per Schedule IV of the BMWM Rules) and should display the name, address and contact telephone and mobile number of the CBWTF.
- (x) The vehicle driver should carry always valid registration of the vehicle obtained from the concerned transport authority and also carry valid 'pollution under control certificate' issued by the authorized certificate issuing agency.

Depending upon the area to be covered under the CBWTF, the route of transportation shall be worked out. The transportation routes of the vehicle shall be designed for optimum travel distance and to cover all member healthcare units of the CBWTF. The CBWTF operator should ensure online and real time tracking & monitoring provisions (GPS provision) should be given access with passwords to the SPCB and CPCB to cross check the movement of the transportation vehicles on any time by the SPCB/CPCB. As far as possible, the transportation shall be carried out during non-peak traffic hours.

If the area to be covered is very large, a satellite station may be established to store the bio-medical waste collected from the adjoining areas. The wastes so stored at satellite station may then be transported to the CBWTF in a big vehicle.

It shall be ensured that the total time taken from generation of bio-medical waste to its treatment, which also includes collection and transportation time, shall not exceed 48 hours.

11. Coverage Area of CBWTF :

Suggested coverage area for development of a CBWTF is as follows:

- a) A CBWTF located within the respective State/UT shall be allowed to cater healthcare units situated at a radial distance of 75 KM. However, in a coverage area where 10,000 beds are not available within a radial distance of 75 KM, existing CBWTF in the locality (located within the respective State/UT) may be allowed to cater the healthcare units situated up to 150 KM radius w.r.to its location provided the bio-medical waste generated is collected, treated and disposed of within 48 hours as stipulated under the BMWM Rules.
- b) In case, number of beds is exceeding >10,000 beds in a locality (i.e. coverage area of the CBWTF under reference) and the existing treatment capacity is not adequate, in such a case, a new CBWTF may be allowed in such a locality in compliance to various provisions notified under the Environment (Protection) Act, 1986, to cater services only to such additional bed strength of the HCFs located.
- c) In case of hilly areas, considering the geography; only one CBWTF with adequate treatment capacity may be developed covering atleast two districts to cater treatment services to the HCFs located in the respective Districts. The selection and allocation of site etc. should be done as per the criteria suggested under these guidelines. The treatment charges to be prescribed by the respective SPCB/PCC in consultation with the State Advisory Committee to be constituted under the BMWM Rules by the respective State Government or UT Administration.

12.0 Outcome of Review / Recommendations:

Based on the review of existing common Biomedical Waste treatment facilities, its area distribution and the waste being collected by these common facilities, It is observed that an immediate action should be initiated for collection and treatment of 4000 Kg per day bio-medical waste which is not being collected / treated by existing CBWTFs .

It is also observed that some facilities are not covering entire area with respect to collection of Biomedical Waste from government hospitals located in remote areas like Community Health centres, Primary Health centres, dispensaries etc. Therefore the area of few facilities is required to be limited in accordance to the guidelines issued by Central Pollution Control Board, So that the facilities could deliver their services effectively.

At present 10 facilities are in operation (one facility at Seoni has been closed and one captive common facility of people group of hospitals is operating in populated area) covering 51 districts of Madhya Pradesh. These facilities are not able to collect entire Bio-medical Waste from all the areas. Thus a gap of 4000 Kg/ day is being reflected in annual report of Bio- waste which is still unattended. Therefore, there is immediate need of new facilities which may be set up for coverage of entire Madhya Pradesh effectively based on cluster approach.

Looking into current scenario of Biomedical Waste Management in the State , a gap of treatment of about 4-5 metric ton per day and future growth of state, the committee has arrived on the following conclusions that:-

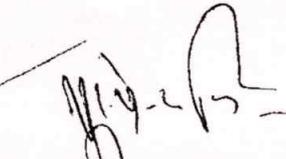
1. Every district should have Common Bio-medical Waste Treatment Facility (CBWTF) for timely collection and disposal of Biomedical Waste, so that travelling of infectious Biomedical Waste across many districts could be avoided.
2. On review of treatment capacities of existing Common Bio-medical Waste Treatment Facility (CBWTF), its coverage area of surrounding districts, number of Hospitals and beds associated with particular common facility, it is felt that in each Metro city i.e. Indore, Bhopal, Jabalpur and Gwalior more than one common facilities may be established for complete and safe disposal of infectious waste. These facilities may be established at such location so that the entire area of the city and its surrounding may be covered conveniently for effective collection and disposal of Biomedical Waste.
 - 2.1 In Indore one CBWTF is operational having 903 Health Care Facilities (HCFs) as a member out of 1247 HCFs in Indore area covering 25340 beds of Indore, Khandwa, Kargone, Badwani, Burhanpur, Ujjain, Dhar, Dewas, Shajapur, Rajgarh, Jhabua, Alirajpur and Agar-Malwa. Therefore, looking in to gap of HCFs still to be associated with common facility, number of beds associated beyond the permissible limit prescribed in CPCB guidelines (i.e. max. 10,000) and to ensure effective collection and safe treatment and disposal of infectious waste one more facility may be promoted in Indore district.

- 2.2 In Bhopal, one CBWTF is operational having 626 Health Care Facilities (HCFs) as a member out of about 1000 HCFs in Bhopal area covering 13831 beds of Bhopal and Raisen districts. Furthermore one captive common facility is operational in the campus of People General Hospital established for its group hospitals which has now been surrounded by population and there is no enough buffer zone between the facility and the habitation as defined in guidelines of CPCB, therefore such captive facilities should be closed and the waste of group hospitals may be sent to nearest common facility located within 75 kilometres distance as per the guidelines issued by Central Pollution Control Board. Therefore, looking in to gap of HCFs still to be associated with common facility, number of beds associated beyond the permissible limit prescribed in CPCB guidelines (i.e. max. 10,000) and to ensure effective collection and safe treatment and disposal of infectious waste, one more facility may be promoted in Bhopal district.
- 2.3 In Jabalpur, one CBWTF is operational having 343 Health Care Facilities (HCFs) as a member out of 514 HCFs in Jabalpur area covering 6855 beds of Jabalpur, Katni, Mandla, Seoni, Narsinghpur, Balaghat and Dindori. Therefore, looking in to gap of HCFs still to be associated with common facility and to ensure effective collection and safe treatment and disposal of infectious waste, one more facility may be promoted in Jabalpur district.
- 2.4 In Gwalior, one CBWTF is operational having 416 Health Care Facilities (HCFs) as a member out of approx 1000 HCFs in Gwalior area covering 8441 beds of Gwalior, Datia, Bhind, Morena and Seopur districts. Therefore, looking in to gap of HCFs still to be associated with common facility and to ensure effective collection and safe treatment and disposal of infectious waste, one more facility may be promoted in Gwalior district.
3. The guidelines also says that "In case, number of beds is exceeding >10,000 beds in a locality (i.e. coverage area of the CBWTF under reference) and the existing treatment capacity is not adequate, in such a case, a new CBWTF may be allowed in such a locality in compliance to various provisions notified under the Environment (Protection) Act, 1986, to cater services only to such additional bed strength of the HCFs located."
4. Each common facility must engage sufficient numbers of well designed vehicles according to its coverage area to collect Biomedical Waste effectively within shortest possible time so that the exposure of general public could be minimised/ avoided.
5. The maximum distance allowed to be travelled by a vehicle of common facility is 150 KM (75 KM radius) and the maximum numbers of beds are allowed to be covered are 10,000 as per the guidelines issued by CPCB. Therefore in first phase, new facilities may be set up immediately at Khargone, Ujjain, Dhar, Hoshangabad, Seoni, Morena and Sidhi on cluster based approach and in near future more and more facilities may be allowed to ensure at least one facility in each district as per need of field conditions.

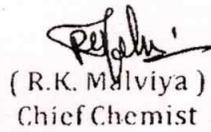
6. The coverage area of any facility may be extended or reduced by M.P. Pollution Control Board i.e. the prescribed authority defined in the rules, as per the requirement of field conditions, quantity of infectious waste generation, number of Health Care Facility coming up in any area and Environmental conditions to be maintained in particular district.
7. The project proponent of the CBWTF is required to obtain 'Consent to Establishment' under Rule 25 of the Water (Prevention and Control of Pollution) Act, 1974 and under Rule 21 of the Air (Prevention and Control of Pollution) Act, 1981, from the respective prescribed authority i.e. SPCB/PCC. Upon installation of the requisite equipment, the CBWTF Operator is also required to obtain authorization under BMW Rules, 2016 co-terminus with consent to operate under Water (Prevention and Control of Pollution) Act, 1974 & Air (Prevention and Control of Pollution) Act, 1981 from the respective SPCB/PCC prior to commencement of the CBWTF. The coverage area of the CBWTF shall be mentioned in the consent and Authorization letters.



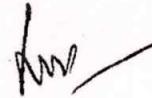
(R.K. Gupta)
R.O. Indore



(Dr. P.S. Bundela)
R.O. Bhopal



(R.K. Malviya)
Chief Chemist



(R.S. Kori)
Director (Environment)

Table -1**District wise Health Care Facilities & BMW Generation**

Sr. No.	District	No. Of HCF	No. of Beds	Quantity of BMW (Kg/day)
1.	Syopur	16	280	19
2.	Morena	61	1105	202
3.	Bhind	45	933	123
4.	Gwalior	231	5615	1141
5.	Datia	19	508	20
6.	Shivpuri	37	485	94
7.	Guna	41	1405	184
8.	Ashok Nagar	34	572	25
9.	Rajgarh	48	813	23
10.	Dewas	99	2052	44
11.	Shajapur	47	920	21
12.	Ratlam	86	4275	530
13.	Ujjain	156	4002	990
14.	Aagar Malwa	14	305	75
15.	Mandsour	80	1457	360
16.	Neemuch	56	955	230
17.	Indore	384	11388	2831
18.	Burhanpur	45	683	178
19.	Khargone	124	1427	339
20.	Badwani	64	968	243
21.	Khandwa	86	965	243
22.	Dhar	105	2014	201

Sr. No.	District	No. Of HCF	No. of Beds	Quantity of BMW (Kg/day)
23.	Alirajpur	37	551	38
24.	Jhabua	38	679	65
25.	Bhopal	438	13831	1430
26.	Sehore	58	886	87
27.	Raisen	41	820	22
28.	Vidisha	73	1209	77
29.	Betul	67	1098	74
30.	Hoshangabad	65	1654	178
31.	Harda	27	391	43
32.	Sagar	184	2692	177
33.	Damoh	70	813	65
34.	Panna	63	462	50
35.	Chhatarpur	113	1167	101
36.	Tikamgarh	49	970	68
37.	Jabalpur	198	4627	788
38.	Narsinghpur	46	1106	141
39.	Sioni	51	945	131
40.	Mandla	44	740	124
41.	Balaghat	67	1010	146
42.	Chhindwara	114	1874	46
43.	Katni	72	1415	392
44.	Rewa	150	2318	359
45.	Sidhi	48	844	40

Sr. No.	District	No. Of HCF	No. of Beds	Quantity of BMW (Kg/day)
46.	Singrauli	47	881	79
47.	Satna	151	2314	198
48.	Umaria	23	344	46
49.	Shahdol	23	344	46
50.	Dindori	36	382	32
51.	Anuppur	35	426	70

* Above figure are based on the information provided by Regional officers.

Table -2**Latest status of Existing Common Bio-Medical Waste Treatment Facilities (CBWTF) and its coverage area**

S. No.	Name of CBWTF	Coverage Area (District)	No. of HCFs	No. of member HCF	BMW collected (Kg)	No. of vehicle
1.	Hoswin Incinerator Pvt. Ltd., Indore	Indore, Khandwa, Khargone, Badwani, Burhanpur, Ujjain, Dhar, Dewas, Shajapur, Rajgarh, Jhabua, Alirajpur, Aagar-Malwa	1247	903	3584	16
2.	Bhopal Incinerator Pvt. Ltd., Bhopal	Bhopal, Raisen	> 1000	626	1345	10
3.	Environment Protection Corp. Sehore	Sehore, Harda, Vidisha, Betul, Hoshangabad	290	243	525	06
4.	Elite Engineers, Jabalpur	Jabalpur, Katni, Mandla, Sioni, Narsinghpur, Balaghat, Dindori	514	343	1288	10
5.	Davis Surgico (J.A. Group of Hospital) Gwalior	Gwalior, Datia, Bhind, Morena, Syopur	> 1000	416	885	06
6.	Davis Surgico (Bundelkhand Medical of College) Sagar	Sagar	184	66	120	03
7.	Indo Water Management Control Corp., Satna	Satna, Rewa, Sidhi, Singrauli, Panna, Chhatarpur, Tikamgarh, Damoh	691	398	658	12
8.	M.P. Bio-Medical Waste Disposal System, Umaria	Shahdol, Annupur, Umaria	113	60	113	05
9.	Bio-Medical Waste Management System, Ratlam	Ratlam, Neemuch, Mandsour	222	159	250	05
10.	J.K. Medical Waste Management System, Chanderi, Ashoknagar,	Guna, Shivpuri, Ashoknagar	112	56	150	04
11.	Chandra Project, Chhindwara	Chhindwara	114	56	46	01
12.	People College of Medical Science & Research Centre, Bhopal	People Group of Hospital, Bhopal	05	05	85	01

* Above figure are based on the information provided by Regional officers.

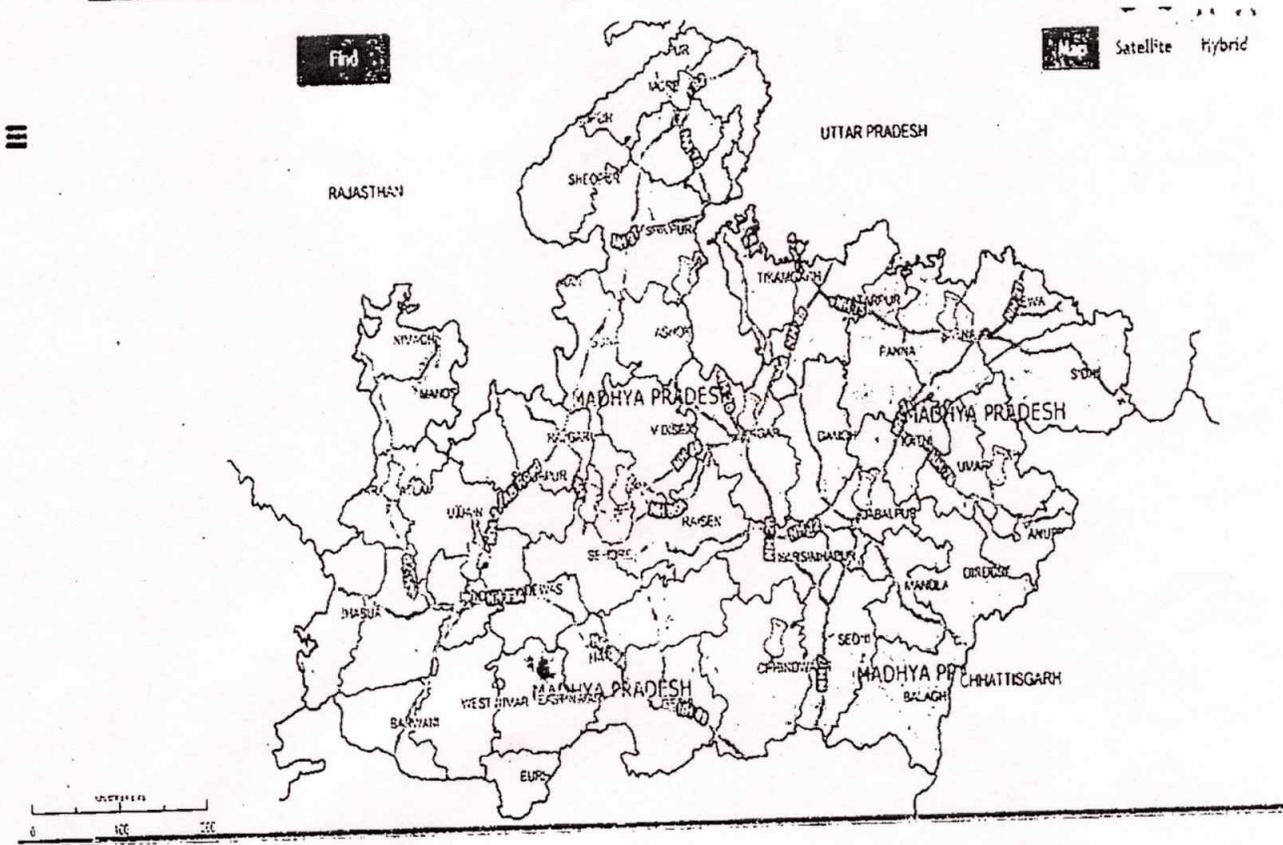
Table -3**Existing CBWTFs, coverage area and proposed new facilities**

Sr. No.	Name of CBWTF	Coverage area	No. of Beds	Quantity of BMW (kg/day)	Remark
1.	Hoswin Incinerator Pvt. Ltd., Indore	Indore distt.	11388	2831	Limited up to 10,000 beds or safe capacity of treatment
2.	Proposed CBWTF at Khargone	Barwani - 86.5 km Khandwa - 87.4 km Burhanpur - 137.8 km	4043	1020	
3.	Proposed CBWTF at Ujjain	Shajapur - 64.6 km. Rajgarh - 144.2 km Dewas - 37.3 km.	8092	1153	
4.	Proposed CBWTF at Dhar	Jhabua - 90.5 km Alirajpur - 153.2 km	3244	304	
5.	Bhopal Incinerator Ltd., Bhopal	Bhopal district	13831	1430	Limited upto 10,000 beds
6.	Environment Protection Corpn., Sehore	Vidisha - 91.3 km Raisen - 93.9 km	2915	186	Facility shall also cover excess 3831 beds of Bhopal distt.
7.	Proposed CBWTF at Hoshangabad	Betul - 105.3 km Harda - 89.2 km	3143	295	
8.	Elite Engineers, Jabalpur	Narsinghpur - 95.4 km Mandla - 132 km Dindori - 138 km	6855	1092	
9.	Proposed CBWTF at Seoni	Balaghat - 88.2 km Chhindwara - 69.7 km	3829	323	
10.	Devis Surgico (J.A. Group of Hospital) Gwalior	Gwalior district	5615	1141	
11.	Proposed CBWTF at Morena	Sheopur - 110 KM Bhind - 102.0 km Datia - 135 km	2826	364	
12.	Indo Water Management and Pollution Control Corpn., Satna	Rewa - 57.1 km. Panna - 50.8 km Chhatarpur - 142.6	6265	708	

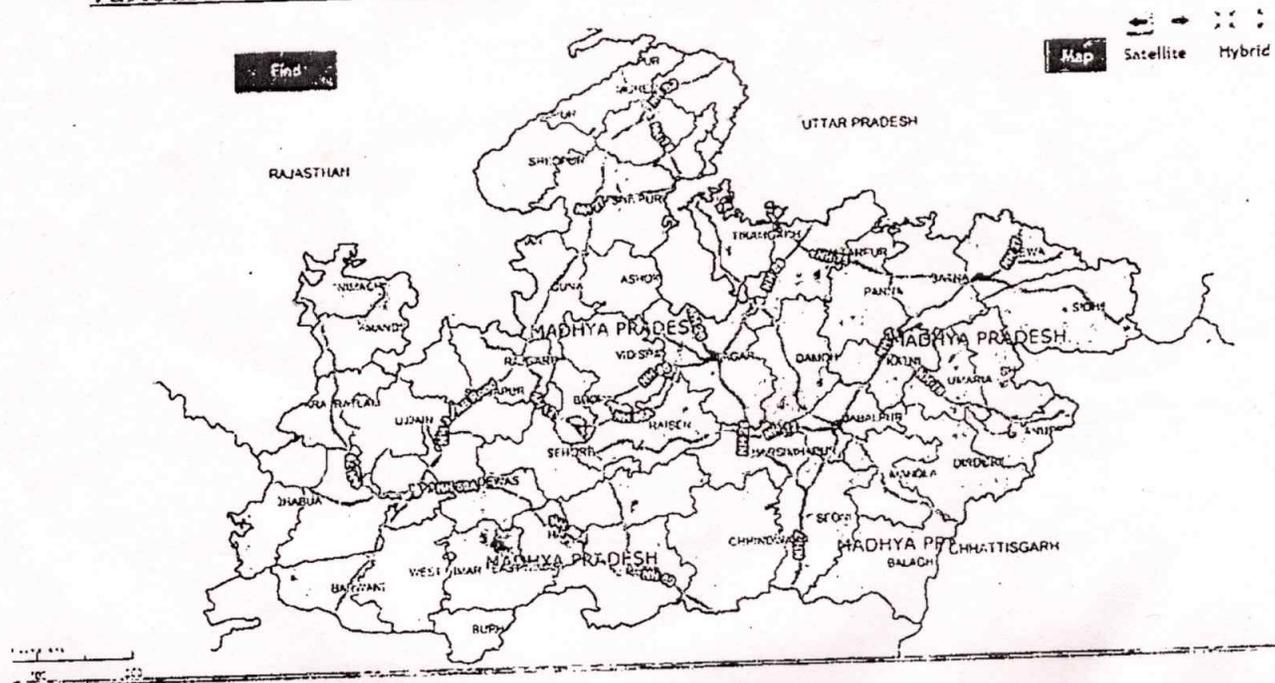
Sr. No.	Name of CBWTF	Coverage area	No. of Beds	Quantity of BMW (kg/day)	Remark
13.	M.P. Biomedical Waste Disposal System, Umaria	Shahdol - 70.5 km Anuppur - 120.6 km Katni - 121 km	4024	588	
14.	Biomedical Waste Management System, Ratlam	Mandsour - 90.5 km Neemuch - 146.2 km	6687	1120	
15.	J. K. Medical Waste Management System, Chanderi, Ashoknagar	Guna - 108.4 km Shivpuri - 102.8 km Tikamgarh - 84.9 km	3432	371	
16.	Devis Surgico (BMC) Sagar	Damoh - 81.9 km	3505	242	
17.	Proposed CBWTF at Sidhi	Singrauli - 108 km.	1725	119	

* Above figure are based on the information provided by Regional officers.

Location of Existing CBWTFs

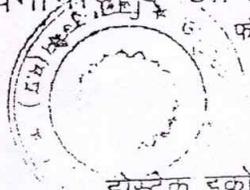


Various districts of state



Location of Existing and Proposed CBWTFs

न्यायालय अनुविभागीय सहायक अधिकारी अनुभाग घड़िया जिला उ
फौजदारी प्रकरण कमांक 0002 अंतर्गत धारा-1



जितेन्द्र बैरागी एडवोकेट
विरुद्ध

होस्टेक इको मेनेजमेंट कम्पनी प्रायवेट लिमिटेड इंदौर
द्वारा डॉ. सुरेश अग्रवाल पिता गंगाधर निवासी इन्दौर हा0मु0 का

// आदेश //
(दिनांक 29/03/2019)

आवेदक श्री जितेन्द्र बैरागी एडवोकेट द्वारा अंतर्गत धारा-133 द.प्र.सं. 1973 के प्रस्तुत कर यह निवेदन किया है, कि ग्राम पंचायत कालियादेह तहसील घड़िया जिला उज्जैन में होस्टेक इको मेनेजमेंट कम्पनी प्रायवेट लिमिटेड इंदौर के द्वारा कामन बायो मेडिकल वेस्ट को जलाने के लिए एक फैक्ट्री लगाई जा रही है। यह कि उपरोक्त फैक्ट्री लगाई जाने की सूचना किसी भी स्तर पर किसी भी प्रकार से ग्राम पंचायत एवं गाँव वालों को नहीं दी गई है। यह कि, उपरोक्त फैक्ट्री क्षिप्रा नदी के पास स्थापित की जा रही है और फैक्ट्री के लगने के बाद जहरीले रासायनिक कचरे को जलाने से जो जहरीली रासायनिक गैस निकलेगी उससे आस-पास के गाँवों एवं पर्यावरण, मानव एवं पशु-पक्षियों के स्वास्थ्य पर प्रतिकूल प्रभाव पड़ेगा जिससे अनेकों तरह की बीमारियों जैसे अस्थमा एवं फेफड़ों से संबंधित रोग, चर्म रोग, आदि फैलेगें एवं मानव जीवन एवं जीव जन्तुओं की जान का खतरा उत्पन्न होगा। यह कि, उपरोक्त फैक्ट्री के दुषित एवं जहरीले पानी के रिसाव से नदी एवं भू-गर्भीय जल स्रोतों का पानी तथा कृषि के लिये सिंचाई के लिये उपयोग में आने वाले कुएँ, ट्युबवेल एवं तालाब दुषित होंगे जिससे कृषि योग्य भूमि पर विपरीत असर पड़ेगा एवं भूमि बंजर हो जावेगी एवं कृषकगण कृषि उपज प्राप्त नहीं कर पायेंगे। यह कि, फैक्ट्री को लगाने के लिये शासन नियमानुसार जन सामान्य को इस संबंध में कोई सूचना नहीं दी गई है एवं वैधानिक प्रक्रिया का पालन नहीं किया गया है। पूर्व में उपरोक्त के संबंध में जन प्रतिनिधियों द्वारा इस संबंध में आपत्तियाँ दर्ज करवाई गई हैं। जिसकी प्रतियाँ आवेदन पत्र के साथ संलग्न की गई हैं। यह कि होस्टेक इको मेनेजमेंट कम्पनी प्रायवेट लिमिटेड इंदौर फैक्ट्री के निर्माण कार्य को रोका जाना मानव हित में परम आवश्यक है। अन्यथा ग्रामीण में आक्रोश उत्पन्न होगा एवं कोई भी अप्रिय घटना मोके पर घटित हो सकती है। यह निवेदन आवेदक के द्वारा किया गया है।

तहसीलदार तहसील घड़िया से जांच प्रतिवेदन प्राप्त किया गया।

तहसीलदार तहसील घड़िया के जांच प्रतिवेदन अनुसार ग्राम कालियादेह स्थित निजी भूमि सर्वे कमांक 332/1/मीन-1, व 332/2/1 मीन-1 रकबा 0.494 हे. व सर्वे कमांक 332/2/2 रकबा 0.060 हे. कुल रकबा 0.554 हे. भूमि डॉ. सुरेश अग्रवाल पिता गंगाधर निवासी इन्दौर के नाम से दर्ज है। उक्त भूमि पर होस्टेक इको मेनेजमेंट कम्पनी प्रायवेट लिमिटेड इन्दौर के द्वारा कामन बायो मेडिकल वेस्ट को जलाने के लिए फैक्ट्री लगाई जा रही है।

निरंतर.....2

जितेन्द्र बैरागी एडवोकेट
घड़िया जिला उज्जैन (वाम)

जितेन्द्र बैरागी एडवोकेट
घड़िया जि. उज्जैन



1/2/1

की लगने के बाद जहरीले रासायनिक कचरे को जलाने से जहरीली गैस निकलेगी
जिरा... पास के वातावरण में मनुष्य व पशु पक्षियों के स्वास्थ्य पर प्रतिकूल प्रभाव पड़ेगा
जिरा... प्रकार की बीमारियों का खतरा उत्पन्न होगा तथा कृषि भूमि पर भी विपरीत प्रभाव
पड़ेगा... फैक्ट्री लगने में ग्रामोणों को भी आपत्ति है। अतः उक्त फैक्ट्री के लगने से लोक
न्यून... होगा जिसे रोका जाना आवश्यक है।

मद-133 में दर्ज किया गया।

तहसीलदार के प्रतिवेदन के आधार पर धारा 133 बखर्क 1973 के तहत मौज
कारि... रिथत निजी भूमि बखर्क क्रमांक 332/1/मीन-1 व 332/2/1 मीन-1 रकबा 0.
49... बखर्क क्रमांक 332/2/2 रकबा 0.060 हे. कुल रकबा 0.554 हे. भूमि पर डॉ. सुरेश
अ... गंगाधर निवासी इन्दौर द्वारा उक्त फैक्ट्री लगाये जाने पर तत्काल प्रभाव से
रोक... जाती है।

श आज दिनांक 29.03.2019 को मेरे हस्ताक्षर एवं पदमुद्रा से पारित किया गया।
अ... पति तहसीलदार एवं थाना प्रभारी थाना भेरुगढ़ को तामीली एवं पालन कराने हेतु
भे...
प्रकारण नस्ती होकर दाखिल रिकार्ड हो।


28/3/19
अनुविभागीय दण्डाधिकारी
अनुविभागीय दण्डाधिकारी
घाटिया जिला-उज्जैन (म.प्र.)
घाटिया दिनांक 29.03.2019

पृ... /द.प्र.स./2019 388-A
प्रति

तहसीलदार एवं कार्यपालिक दण्डाधिकारी तहसील घाटिया
प्रभारी थाना भेरुगढ़ की ओर तामीली एवं पालन कराने हेतु भेजी जावे।


28/3/19
अनुविभागीय दण्डाधिकारी
अनुविभागीय दण्डाधिकारी
घाटिया जिला-उज्जैन (म.प्र.)




लोक सेवा केन्द्र
घाटिया जि. उज्जैन

1352... 20

**न्यायालय:-पंकज चतुर्वेदी, प्रथम अपर सत्र न्यायाधीश
उज्जैन (म.प्र.)**

आप पुनरीक्षण क्रमांक-08/2021
Registration No.-CRR/08/2021
Filing No.-CRR/11411/2020
CNR No.-MP1301-013184-2020
Filing Date-29/12/2020

होस्टेक ईको मैनेजमेंट कंपनी प्रा.लि. इंदौर,
द्वारा-डायरेक्टर,
डॉ. सुरेश अग्रवाल पुत्र गंगाधर अग्रवाल,
निवासी-10, वाय.एन. रोड,
जिला-इंदौर (म०प्र०)

.....पुनरीक्षणकर्ता / आवेदक

विरुद्ध

जितेन्द्र बैरागी,
एडवोकेट जिला उपाध्यक्ष,
विधि एवं मानवाधिकार विभाग, उज्जैन म०प्र० कांग्रेस कमेटी, भोपाल
निवास-ग्राम जैथल, तहसील घट्टिया,
जिला उज्जैन (म०प्र०)
कार्यालय-25, कुशलपुरा, शीतला माता मंदिर के सामने,
जिला-उज्जैन (म०प्र०)

.....प्रतिपुनरीक्षणकर्ता / अनावेदक

आदेश

(आज दिनांक 26/03/2021 को पारित)

दण्ड प्रक्रिया संहिता की धारा-397 के अंतर्गत यह पुनरीक्षण याचिका अनुविभागीय दंडाधिकारी अनुभाग घट्टिया जिला उज्जैन के फौजदारी प्रकरण क्रमांक 0002/धारा 133 दं०प्र०सं० (आपराधिक)/2019 (म०प्र० शासन विरुद्ध जितेन्द्र बैरागी) में पारित आदेश दिनांक 29.03.2019 के विरुद्ध प्रस्तुत की गई है जिसके द्वारा पुनरीक्षणकर्ता को मोजा कालियादेह स्थित निजी भूमि सर्वे क्रं. 332/1/मीन-1 व 332/2/1 मीन-1 रकबा 0.494 है० व सर्वे क्रं. 332/2/2 रकबा 0.060 है० पर फैक्ट्री लगाए जाने पर तत्काल प्रभाव से रोक लगाई गई है।

Lalwani
26.3.21
(पंकज चतुर्वेदी)
प्रथम अपर सत्र न्यायाधीश
उज्जैन (म.प्र.)

02- पुनरीक्षण याचिका के तथ्य एवं आधार सारांशतः यह है कि प्रतिपुनरीक्षणकर्ता/अनावेदक ने आवेदन दिनांक 19.03.2019 इस आशय का पेश किया कि पुनरीक्षणकर्ता/आवेदक के द्वारा कॉमन बायो मेडिकल वेस्ट के निपटान सुविधा के लिए फैक्ट्री लगाई जा रही है जिसकी सूचना ग्राम पंचायत व गांव वालों को नहीं दी गई तथा उपरोक्त फैक्ट्री क्षिप्रा नदी के पास स्थित की जा रही है जिसके लगने के बाद जहरीले रासायनिक कचरे को जलाने से जो जहरीली रासायनिक गैस निकलेगी उससे आस-पास में गांव एवं पर्यावरण, मानव व पशु-पक्षियों के स्वास्थ्य पर प्रतिकूल प्रभाव पड़ेगा अनेक बीमारियां फैलेगी, मानव एवं जीव-जंतुओं के जीवन को खतरा उत्पन्न होगा, नदी व भूगर्भी जल स्रोतों का पानी दूषित होगा। उक्त आवेदन पर से अनुविभागीय दंडाधिकारी अनुभाग घट्टिया ने दिनांक 20.03.2019 को तहसीलदार से रिपोर्ट तलब की और दिनांक 21.03.2019 को पटवारी ने तहसीलदार को रिपोर्ट सौंपी, जो दिनांक 22.03.2019 को अनुविभागीय दंडाधिकारी को प्रस्तुत की गई एवं दिनांक 29.03.2019 को अनुविभागीय दंडाधिकारी ने आलोच्य आदेश पारित किया। उक्त आदेश विधि-विधान के विपरीत होकर निरस्त किए जाने योग्य है। आदेश में विधि के समस्त प्रावधानों को नजरअंदाज कर एकपक्षीय आदेश पारित किया गया। पुनरीक्षणकर्ता को सुनवाई का अवसर नहीं दिया गया। धारा 139 दं०प्र०सं० के तहत विशेषज्ञ से जांच नहीं कराई गई। पुनरीक्षणकर्ता को सूचना पत्र नहीं देकर और कोई विज्ञप्ति जारी नहीं करते हुए अधीनस्थ न्यायालय ने धारा 134 दं०प्र०सं० के प्रावधानों का उल्लंघन किया। तहसीलदार ने पटवारी से जांच करवाई, जो सक्षम नहीं था क्योंकि प्रदूषण की जांच हेतु शासन के द्वारा मध्यप्रदेश प्रदूषण नियंत्रण मंडल की स्थापना की गई है। पुनरीक्षणकर्ता को सुनवाई का अवसर नहीं देते हुए जल्दबाजी में आदेश पारित किया गया जबकि पुनरीक्षणकर्ता के पास संयंत्र स्थापित करने हेतु समस्त शासकीय अनुमतियां उपलब्ध हैं। लगाया जाने वाला संयंत्र ड्राय प्रोसेस पर आधारित है जिसमें किसी भी प्रकार का प्रदूषित जल उत्पन्न नहीं होता है तथा संयंत्र स्थापित करने का उद्देश्य चिकित्सालयों



होस्टेक विरुद्ध जितेन्द्र बैरागी

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आपराधिक पुनरीक्षण क्रमांक-08/2021

से निकलने वाले जैव चिकित्सीय अवशिष्ट को वैधानिक तरीके से नष्ट करना है जिससे उक्त अवशिष्ट साधारण कचरे के साथ ना मिलाया जा सके एवं उससे होने वाले संक्रमण व नुकसान से आम व्यक्ति बचा रहे। अतः अधीनस्थ न्यायालय द्वारा पारित आलोच्य आदेश दिनांक 29.03.2019 को निरस्त किए जाने का निवेदन किया है।

03- प्रतिपुनरीक्षणकर्ता/अनावेदक की ओर से निवेदन किया गया है कि आलोच्य आदेश उचित रूप से पारित किया गया है। धारा 142 दंडप्रोसो के तहत यदि मजिस्ट्रेट, जनता को आसन्न खतस या गंभीर किस्म की हानि का निवारण करने के लिए सुस्त उपाय किए जाना आवश्यक समझता है तो वह ऐसा आदेश पारित कर सकता है।

04- पुनरीक्षण याचिका पर उभयपक्षों को सुना।

05- अधीनस्थ न्यायालय के अभिलेख का परिशीलन किया गया।

06- पुनरीक्षण याचिका के निराकरण हेतु निम्नलिखित विचारणीय प्रश्न है-

“क्या अधीनस्थ न्यायालय के द्वारा प्रकरण क्रमांक 0002/133 दंडप्रोसो (आपराधिक)/2019 मप्रो शासन विरुद्ध जितेन्द्र बैरागी में पारित आदेश दिनांक 29/03/2019 सुस्तता, औचित्यता एवं वैधानिकता के अभाव में हस्तक्षेप किये जाने योग्य है ?”

विचारणीय विन्य का निराकरण

07- दंड प्रक्रिया संहिता की धारा 133(1) के अनुसार “जब किसी जिला मजिस्ट्रेट या उपखण्ड मजिस्ट्रेट का या राज्य सरकार द्वारा इस निमित्त विशेषतया सशक्त किसी अन्य कार्यपालक मजिस्ट्रेट का, किसी पुलिस अधिकारी से रिपोर्ट या अन्य इत्तिला प्राप्त होने पर और ऐसा साक्ष्य (यदि कोई हो) लेने पर, जैसा वह ठीक समझे, यह विचार है कि-

S. Kumar
26.3.21
(चिकित्सा चारु)
म अमर सल
रज्जन

होस्टेक विरुद्ध जितेन्द्र बैरागी

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(क)

(ख) किसी व्यापार या उपजीविका को चलाना या किसी माल या पण्य वस्तु को रखना समाज के स्वास्थ्य या शारीरिक सुख के लिए हानिकारक है और परिणामतः ऐसा व्यापार या उपजीविका प्रतिषिद्ध या विनियमित की जानी चाहिए या ऐसा माल या पण्य वस्तु हटा दी जानी चाहिए या उसको रखना विनियमित किया जाना चाहिए; अथवा

(ग)

(घ)

(ङ)

(च)

तब ऐसा मजिस्ट्रेट ऐसी बाधा या न्यूसेंस पैदा करने वाले या ऐसा व्यापार या उपजीविका चलाने वाले या किसी ऐसे माल या पण्य वस्तु को रखने वाले या ऐसे भवन, तम्बू, संरचना, पदार्थ, तालाब, कुएँ या उत्खानत का स्वामित्व या कब्जा या नियंत्रण रखने वाले या ऐसे जीवजन्तु या वृक्ष का स्वामित्व या कब्जा रखने वाले व्यक्ति से यह अपेक्षा करते हुए सशर्त आदेश दे सकता है कि, उतने समय के अंदर, जितना उस आदेश में नियत किया जाएगा, वह-

(i)

(ii) ऐसा व्यापार या उपजीविका चलाना छोड़ दे या उसे ऐसी रीति से बन्द कर दे या विनियमित करें, जैसे निर्दिष्ट की जाए अथवा ऐसे माल या पण्य वस्तु को हटाए या उसको रखना ऐसी रीति से विनियमित करे जैसी निर्दिष्ट की जाए; अथवा

(iii)

(iv)

(v)

P. S. Verma
1.3.21
जज चणुदेवी
ज न्यायाधीश
(प)

होस्टेक विरुद्ध जितेन्द्र बैरागी

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आपराधिक. पुनरीक्षण क्रमांक-08/2021

(vi)

अथवा यदि वह ऐसा करने में आपत्ति करता है तो वह स्वयं उसके समक्ष या उसके अधीनस्थ किसी अन्य कार्यपालक मजिस्ट्रेट के समक्ष उस समय और स्थान पर, जो उस आदेश द्वारा नियत किया जाएगा, हाजिर हो और इसमें इसके पश्चात् उपबंधित प्रकार से कारण दर्शित करे कि उस आदेश को अंतिम क्यों न कर दिया जाए।

08- दंड प्रक्रिया संहिता की धारा 134 के अनुसार-

(1) आदेश की तामील उस व्यक्ति पर, जिसके विरुद्ध यह किया गया है, यदि साध्य हो तो उस रीति से की जाएगी जो समन की तामील के लिए इसमें उपबंधित है।

(2) यदि ऐसे आदेश की तामील इस प्रकार नहीं की जा सकती है तो उसकी अधिसूचना ऐसी रीति से प्रकाशित उद्घोषणा द्वारा की जाएगी जैसी राज्य सरकार नियम द्वारा निर्दिष्ट करे और उसकी एक प्रति ऐसे स्थान या स्थानों पर चिपका दी जाएगी जो उस व्यक्ति को इत्तिला पहुंचाने के लिए सबसे अधिक उपयुक्त है।

09- दंड प्रक्रिया संहिता की धारा 138 के अनुसार -

(1) यदि वह व्यक्ति, जिसके विरुद्ध धारा 133 के अधीन आदेश दिया गया है, हाजिर है और आदेश के विरुद्ध कारण दर्शित करता है तो मजिस्ट्रेट उस मामले में उस प्रकार साध्य होगा जैसे समन मामले में लिया जाता है।

(2) यदि मजिस्ट्रेट का यह समाधान हो जाता है कि आदेश या तो जैसा मूलतः किया गया था उस रूप में या ऐसे परिवर्तन के साथ, जिसे वह आवश्यक समझे, युक्तियुक्त और उचित है तो वह आदेश, यथास्थिति, परिवर्तन के बिना या ऐसे परिवर्तन के सहित अंतिम कर दिया जाएगा।

(3) यदि मजिस्ट्रेट का ऐसा समाधान नहीं होता है तो उस मामले में आगे कोई कार्यवाही नहीं की जाएगी।

Chaturvedi
26/3/21
क. ज. ट. ड. ए.
रज. न्या. 1

होस्टेक विरुद्ध जितेन्द्र बैरागी

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आपराधिक पुनरीक्षण क्रमांक-08/2021

10- इस प्रकार धारा 133 दंडप्रोसं० के प्रावधान अनुसार किसी पुलिस अधिकारी से रिपोर्ट या अन्य इत्तिला प्राप्त होने पर और ऐसी साक्ष्य (यदि कोई हो) लेने पर, जैसा ठीक समझे डी.एम./एस.डी.एम./कार्यपालक मजिस्ट्रेट न्यूसेंस हटाने के लिए सशर्त आदेश देगा जो प्रारंभिक आदेश होगा। तत्पश्चात् धारा 134 दंडप्रोसं० के अनुसार उक्त आदेश की तामील उस व्यक्ति पर, जिसके विरुद्ध वह किया गया है, उस रीति से की जाएगी जो समंस की तामील के लिए उपबंधित है और यदि आदेश की तामील इस प्रकार नहीं की जा सकती है तो उसकी अधिसूचना ऐसी रीति से प्रकाशित उद्घोषणा द्वारा की जाएगी जैसी राज्य सरकार नियम द्वारा निर्मित करे और उसकी एक प्रति ऐसे व्यक्ति को इत्तिला पहुंचाने के लिए सबसे अधिक उपयुक्त स्थान पर चिपका दी जाएगी। धारा 138 दंडप्रोसं० के अनुसार जिस व्यक्ति के विरुद्ध धारा 133 के तहत आदेश किया गया है, हाजिर होकर आदेश के विरुद्ध कारण दर्शाता है तो मजिस्ट्रेट उस मामले में समन मामले की तरह साक्ष्य लेगा और समाधान होने पर कि आदेश मूलतः या किसी परिवर्तन के साथ युक्तियुक्त और उचित है तो यथास्थिति परिवर्तन के बिना या ऐसे परिवर्तन सहित उस आदेश को अंतिम कर देगा और यदि मजिस्ट्रेट का ऐसा समाधान नहीं होता है तो आगे कार्यवाही नहीं की जाएगी।

11- अधीनस्थ न्यायालय के अभिलेख को देखे तो अधीनस्थ न्यायालय ने आलोच्य आदेश पारित करने में दंड प्रक्रिया संहिता की धारा 133, 134, 138 में विहित किसी भी प्रक्रिया का पालन नहीं किया है तथा प्रतिपुनरीक्षणकर्ता के शिकायत आवेदन पर तहसीलदार से प्रतिवेदन तलब कर फैंक्ट्री लगाए जाने पर तत्काल प्रभाव से रोक लगाए जाने का आदेश दिया है। अधीनस्थ न्यायालय ने कोई प्रारंभिक या सशर्त आदेश पारित नहीं किया है, उसका निर्वहन या तामील पुनरीक्षणकर्ता पर नहीं कराया गया है। आदेश के विरुद्ध पुनरीक्षणकर्ता को कारण दर्शाने का कोई अवसर नहीं दिया गया है और तत्पश्चात् आदेश को अंतिम नहीं किया गया है।

Signature
26.3.21
(पंकज चतुर्वेदी)
प्रथम अपर सहायक
उपजज

होस्टेक विरुद्ध जितेन्द्र बैरागी

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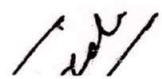
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12- उपरोक्त प्रावधित प्रक्रिया का अनुपालन नहीं करने के संबंध में पुनरीक्षणकर्ता की ओर से प्रस्तुत न्याय दृष्टांत सी.ए. अवरचन बनाम सी.वी. श्रीनिवासन एवं अन्य 1998 एस.सी.सी. (क्राइम्स) 174 में माननीय सर्वोच्च न्यायालय ने अभिनिर्धारित किया है कि In our opinion the omission on the part of the Sub-Divisional Magistrate to draw up a preliminary order, which is a sine qua non for initiating proceedings under Section 133 of the Code of Criminal Procedure and without following the procedure provided for by Section 138 CrPC, the order made by the Sub-Divisional Magistrate on 13-1-1988 is unsustainable and is vitiated. The High Court fell in error in not properly appreciating the effect of non-compliance with the mandatory requirements of drawing up a preliminary order before proceedings under Section 133 CrPC. Neither the order of the High Court nor that of the Sub-Divisional Magistrate can therefore be sustained.

13- इस प्रकार उपरोक्त न्याय दृष्टांत से स्पष्ट है कि धारा 133 दं०प्र०सं० के तहत प्रारंभिक आदेश पारित करना एवं तदुपरांत धारा 138 दं०प्र०सं० की प्रक्रिया का पालन करना अनिवार्य एवं आज्ञापक शर्त है जिसका पालन नहीं करने पर समस्त कार्यवाही दूषित हो जाती है।

14- प्रतिपुनरीक्षणकर्ता की ओर से धारा 142 दं०प्र०सं० के प्रावधान का अविलंब लेते हुए तर्क दिया गया है कि जांच के लंबित रहने तक मजिस्ट्रेट व्यादेश जारी कर सकता है।

15- उक्त तर्क के आलोक में धारा 142(1) दं०प्र०सं० को देखे तो उसके अनुसार यदि धारा 133 के अधीन आदेश देने वाला मजिस्ट्रेट यह समझता है कि जनता को आसन्न खतरे या गंभीर किस्म की हानि का निवारण करने के लिए तुरंत उपाय किए जाने चाहिए तो वह, उस व्यक्ति को, जिसके विरुद्ध आदेश दिया गया था, ऐसा



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व्यादेश देगा जैसा उस खतरे या हानि को मामले का अवधारण होने तक दूर या निवारित करने के लिए अपेक्षित है।

16- उक्त प्रावधान को देखे तो उसके अनुसार उक्त प्रावधान में आदेश पारित करने के समय जांच का लंबित होना आज्ञापक है जबकि अधीनस्थ न्यायालय के प्रकरण में ना तो कोई जांच लंबित है और न ही अधीनस्थ न्यायालय के द्वारा धारा 142 दं०प्र०सं० के तहत आदेश पारित किया गया है। धारा 142(1) दं०प्र०सं० के प्रावधान अनुसार व्यादेश देने के पूर्व सशर्त या प्रारंभिक आदेश पारित करना भी आज्ञापक है। किंतु अधीनस्थ न्यायालय ने ऐसा कोई सशर्त या प्रारंभिक आदेश पारित नहीं किया है। अतएव अधीनस्थ न्यायालय के समक्ष धारा 142 दं०प्र०सं० के तहत जांच के लंबित रहने तक व्यादेश जारी करने हेतु कोई आवेदन ही पेश नहीं किया गया। ऐसी परिस्थिति में धारा 142 दं०प्र०सं० के प्रावधान हस्तगत मामले में आकृष्ट नहीं होते हैं।

17- प्रतिपुनरीक्षणकर्ता की ओर से न्याय दृष्टांत हंसराज एवं अन्य विरुद्ध नं०प्र० राज्य एवं अन्य 2015(1) एम.पी.डब्ल्यू.एन. 3 प्रस्तुत किया गया है किंतु उक्त न्याय दृष्टांत प्रकरण में लागू नहीं होता है क्योंकि उक्त न्याय दृष्टांत के मामले में धारा 133 दं०प्र०सं० के तहत आवेदन के साथ-साथ धारा 142 दं०प्र०सं० के तहत भी एक अन्य आवेदन संबंधित एस.डी.एम. के समक्ष पेश किया गया था। जबकि हस्तगत मामले में अधीनस्थ न्यायालय में धारा 142 दं०प्र०सं० का कोई आवेदन पेश नहीं किया गया है और आलोच्य आदेश में कही भी अधीनस्थ न्यायालय ने विशिष्टतः ऐसा उल्लेख नहीं किया है कि जनता को आसन्न खतरे या गंभीर किस्म की हानि का निवारण करने के लिए तुरंत उपाय किया जाना वह आवश्यक समझता है।

18- प्रतिपुनरीक्षणकर्ता की ओर से न्याय दृष्टांत गणेश पंडित सरावगी बनाम बिहार राज्य 1998 सींगल ईंगल (पटना) 494 पेश किया गया है। किंतु उक्त न्याय दृष्टांत भी प्रकरण में लागू नहीं होता है क्योंकि उक्त मामले में एस.डी.एम. ने पहले याचिकाकर्ता के विरुद्ध सशर्त आदेश पारित किया और उसे उपस्थित होकर कारण

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बताने का अवसर दिया कि क्यों न सशर्त आदेश को अंतिम कर दिया जाए। जबकि हस्तगत मामले में ऐसी कोई प्रक्रिया अधीनस्थ न्यायालय ने नहीं अपनाई है। यहां अवलोकनीय है कि उक्त मामले में याचिकाकर्ता के विरुद्ध मात्र कारण बताओ नोटिस जारी होने से याचिका को अपरिपक्व मानते हुए उस पर विचार नहीं किया गया।

19- प्रतिपुनरीक्षणकर्ता की ओर से न्याय दृष्टांत गुरुदेव आर्दस फौजरी बटाला बनाम पंजाब राज्य 1998 लीगल ईंगल (पंजाब एवं हरियाणा) 78 पेश किया गया है किंतु उक्त न्याय दृष्टांत भी हस्तगत प्रकरण पर लागू नहीं होता है क्योंकि उक्त मामले में श्री एस.डी.एम. ने सशर्त आदेश पारित करते हुए 7 दिवस में याचिकाकर्ता को फौजरी के संचालन को रोकने का आदेश दिया और यह भी आदेश दिया कि वह कारण बताए और साक्ष्य दे कि क्यों न आदेश अंतिम कर दिया जाए। जबकि हस्तगत मामले में प्रश्नगत आलोच्य आदेश पारित किए जाते समय अधीनस्थ न्यायालय ने ऐसा कोई सशर्त आदेश नहीं किया और न ही ऐसा कोई कारण बताओ नोटिस पुनरीक्षणकर्ता को दिया। उक्त न्याय दृष्टांत के पैरा 4 के अवलोकन से यह भी स्पष्ट है कि उक्त मामले के याचिकाकर्ता ने पूर्व में भी एक याचिका पेश की थी जिसमें माननीय पंजाब हरियाणा उच्च न्यायालय ने आदेश दिनांक 05.07.1995 के द्वारा याचिकाकर्ता को सुनने के उपरांत पुनः आदेश पारित करने का निर्देश एस.डी.एम. को दिया था।

20- प्रतिपुनरीक्षणकर्ता की ओर से न्याय दृष्टांत रामसेवक शर्मा बनाम स0प्र0 राज्य 2012 (III) एम.पी.बल्लू एन. 67 पेश किया गया है। प्रथमतः उक्त मामला धारा 133 सं0प्र0सं0 की कार्यवाही से संबंधित नहीं है, अपितु एक रिट याचिका है। द्वितीय उक्त मामले में याचिकाकर्ता की पीड़ा यह थी कि प्रत्यर्धी कं. 6 के संयंत्र के दूषित पानी को वह संग्रहित न करे उसे बेअसर करने का संयंत्र रखे, उसके बाद ही वह संयंत्र के बाहर प्रवाहित करे और शेष अनाज अवशिष्ट को विक्रय नहीं करे। हस्तगत मामले में ऐसी कोई परिस्थिति नहीं है। अतः उक्त न्याय दृष्टांत भी हस्तगत मामले पर लागू नहीं होता है।

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21- प्रतिपुनरीक्षणकर्ता की ओर से न्याय दृष्टांत *In Re : Bhavani River vs Sakthi Sugars Ltd. AIR 1998 SUPREME COURT 2059* प्रस्तुत किया गया है किंतु उक्त न्याय दृष्टांत भी प्रकरण की परिस्थितियों पर लागू नहीं होता है क्योंकि उक्त मामले में तमिलनाडु पॉल्यूशन कंट्रोल बोर्ड के द्वारा कुछ दिशा-निर्देश जारी किए गए थे जिनका पालन प्रत्यर्थां कं. 6 के द्वारा नहीं किया गया जिस पर बोर्ड ने कारण बताओ नोटिस जारी किया कि क्यों न जल प्रदूषण एवं निवारण अधिनियम की धारा 44 व 45 के तहत दंडनीय अपराध के लिए कार्यवाही की जाए। हस्तगत मामले में ऐसी कोई परिस्थिति नहीं है तथा उपरोक्त न्याय दृष्टांत का मामला धारा 133 दं०प्र०सं० की कार्यवाही से भी संबंधित नहीं है।

22- प्रतिपुनरीक्षणकर्ता की ओर से न्याय दृष्टांत *घनैन्द्र बनान सं०प्र० राज्य 2006 (II) एम.पी.इब्ल्यू.एन. नोट 47, दं०प्र०सं० की धारा 391* के संबंध में पेश किया गया है। उक्त न्याय दृष्टांत का कोई लाभ प्रतिपुनरीक्षणकर्ता को प्राप्त नहीं होता है क्योंकि प्रतिपुनरीक्षणकर्ता का धारा 391 दं०प्र०सं० का आवेदन पूर्व में ही इस न्यायालय ने आदेश दिनांक 13.03.2021 के द्वारा निराकृत कर निरस्त किया है तथा यह भी अवलोकनीय है कि उक्त न्याय दृष्टांत अपील में अतिरिक्त साक्ष्य के संबंध में है, जबकि हस्तगत मामला पुनरीक्षण की याचिका है।

23- प्रतिपुनरीक्षणकर्ता की ओर से अविलंबित धारा 142 दं०प्र०सं० के प्रावधान हस्तगत मामले में आकृष्ट नहीं होते हैं इस संबंध में पूर्व में पैरा 18 में विवेचना की जा चुकी है। प्रतिपुनरीक्षणकर्ता की ओर से उठाए गए धारा 142 दं०प्र०सं० के इस पहलू कि, यदि मजिस्ट्रेट यह समझता है कि जनता को आसन्न खतरा या गंभीर किसम की हानि का निवारण करने के लिए तुरंत उपाय किए जाना आवश्यक है, तो वह व्यादेश जारी कर सकता है, के संबंध में देखे तो आलोच्य आदेश दिनांक 29.03.18, तहसीलदार के प्रतिवेदन के आधार पर पारित किया गया। उक्त प्रतिवेदन के तथ्य आदेश में उल्लेखित किए गए, जो इस प्रकार हैं:-

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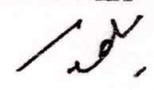
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तहसीलदार तहसील घट्टिया के जांच प्रतिवेदन अनुसार ग्राम कालियादेह स्थित निजी भूमि सर्वे क्रमांक 332/1/मीन-1, व 332/2/1 मीन-1 रकबा 0.494 हे. व सर्वे क्रमांक 332/2/2 रकबा 0.060 हे. कुल रकबा 0.554 है. भूमि डॉ. सुरेश अग्रवाल पिता गंगाधर निवासी इंदौर के नाम से दर्ज है। उक्त भूमि पर होस्टेक इको मैनेजमेंट कंपनी प्रायवेट लिमिटेड इंदौर के द्वारा कामन बायो मेडिकल बेस्ट को जलाने के लिए फेक्ट्री लगाई जा रही है। फेक्ट्री लगने के बाद जहरीले रासायनिक कचरे को जलाने से जहरीली गैस निकलेगी जिससे आस-पास के वातावरण में मनुष्य व पशु पक्षियों के स्वास्थ्य पर प्रतिकूल प्रभाव पड़ेगा जिससे कई प्रकार की बिमारियों का खतरा उत्पन्न होगा तथा कृषि भूमि पर भी विपरीत प्रभाव पड़ेगा। उक्त फेक्ट्री लगने में ग्रामीणों को भी आपत्ति है। अतः उक्त फेक्ट्री के लगने से लोक न्यूसेंस उत्पन्न होगा जिसे रोकना आवश्यक है।

24- आलोच्य आदेश में वर्णित उपरोक्त तथ्य भी तहसीलदार के प्रतिवेदन में उल्लेखित है और वे ही तथ्य पटवारी के प्रतिवेदन व पंचनामा में उल्लेखित है तथा शिकायतकर्ता/प्रतिपुनरीक्षणकर्ता के आवेदन अंतर्गत धारा 133 दंडप्रोसेस में भी उन्हीं तथ्यों का उल्लेख है। उपरोक्त तथ्यों से दर्शित है कि वर्तमान में संयंत्र/फेक्ट्री लग रही है, उसका निर्माण पूर्ण नहीं हुआ है तथा उसने काम करना शुरू नहीं किया है। फेक्ट्री/संयंत्र के लगने पर जो दुष्परिणाम दर्शाए हैं, जिनके आधार पर फेक्ट्री लगाए जाने पर रोक लगाई गई है, वे वर्तमान में अस्तित्व में ना होकर भविष्य की आशंकाएँ या संभावनाएँ हैं।

25- उक्त संबंध में न्याय दृष्टांत न०प्र० राज्य बनाम केडिया लेंदर एवं लिकर लिमिटेड एवं अन्य (2003) 7 एस.सी.सी. 388 में माननीय सर्वोच्च न्यायालय ने प्रतिपादित किया है कि In Vasant Manga Nikumba v. Baburao Bhikanna Naidu it was observed that nuisance is an inconvenience which materially interferes with the



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आपराधिक पुनरीक्षण क्रमांक-08/2021

ordinary physical comfort of human existence. It is not capable of precise definition. To bring in application of Section 133 of the Code, there must be imminent danger to the property and consequential nuisance to the public. The nuisance is the concomitant act resulting in danger to the life or property due to likely collapse etc. The object and purpose behind Section 133 of the Code is essentially to prevent public nuisance and involves a sense of urgency in the sense that if the Magistrate fails to take recourse immediately irreparable damage would be done to the public. It applies to a condition of the nuisance at the time when the order is passed and it is not intended to apply to future likelihood or what may happen at some later point of time. It does not deal with all potential nuisance, and on the other hand applies when the nuisance is in existence. It has to be noted that sometimes there is confusion between Section 133 and Section 144 of the Code. While the latter is a more general provision the former is more specific. While the order under the former is conditional, the order under the latter is absolute. The proceedings are more in the nature of civil proceedings than criminal proceedings.

न्याय दृष्टांत कवचलाल भागीरथ अग्रवाल एवं अन्य विरुद्ध महाराष्ट्र राज्य एवं अन्य (2005) 2 एच.सी.सी. 38 में भी माननीय सर्वोच्च न्यायालय ने ऐसा ही मत दिया है।

26- अतः उपरोक्त विवेचना व न्याय दृष्टांतों के आलोक में स्पष्ट है कि अधीनस्थ न्यायालय के द्वारा प्रकरण क्र. 0002/धारा 133 दं0प्र0सं0 (आपराधिक)/2019 में पारित आलोच्य आदेश दिनांक 29.03.19 अविधिक होकर अशुद्ध है। अतः पुनरीक्षणकर्ता की ओर से प्रस्तुत पुनरीक्षण याचिका स्वीकार की जाती है एवं आलोच्य आदेश दिनांक 29.03.2019 के अविधिक एवं अशुद्ध होने से उसे अयस्त किया जाता है तथा अधीनस्थ न्यायालय के प्रकरण क्र. 0002/धारा 133 दं0प्र0सं0 (आपराधिक)/2019

Satish
26-3-21
(के.के. राजवेंदी)
एम. अपराधिक न्याय
दफ्तार (न.)

होस्टेक विरुद्ध जितेन्द्र बैरागी

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आपराधिक पुनरीक्षण क्रमांक-08 / 2021

को अधीनस्थ न्यायालय को इस निर्देश के साथ प्रतिप्रेषित किया जाता है कि अधीनस्थ न्यायालय उभयपक्षों को सुनवाई का समुचित अवसर प्रदान करते हुए दंड प्रक्रिया संहिता की धारा 133 से लेकर धारा 143 तक के प्रावधानों के आलोक में विधि अनुसार प्रक्रिया का पालन करते हुए प्रकरण का विधि अनुसार निराकरण करे।

उभयपक्ष दिनांक 08.04.2021 को अधीनस्थ न्यायालय के समक्ष उपस्थित

27-
हो।

28-

आदेश की प्रति के साथ अधीनस्थ न्यायालय अनुविभागीय दंडाधिकारी अनुभाग घट्टिया जिला उज्जैन का मूल अभिलेख वापस किया जावे।

आदेश खुले न्यायालय में पार्सिल कर हस्ताक्षरित किया गया।

मेरे निर्देश पर दंडित किया गया।

(पंकज चतुर्वेदी)

(पंकज चतुर्वेदी)
प्रथम अपर सत्र न्यायाधीश,
उज्जैन, म.प्र.

रजिस्ट्री सं० डी० एल०-33004/99

REGD. NO. D. L.-33004/99


भारत का राजपत्र
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असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

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नई दिल्ली, बृहस्पतिवार, अप्रैल 30, 2015/वैशाख 10, 1937

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NEW DELHI, THURSDAY, APRIL 30, 2015/VAISAKHA 10, 1937

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 17 अप्रैल, 2015

का.आ. 1142(अ).— केन्द्रीय सरकार, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (4) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा (1) और धारा 3 की उपधारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, लोक हित में उक्त नियम के नियम 5 के उपनियम (3) के खंड (क) के अधीन सूचना की आवश्यकता से छूट के पश्चात्, भारत सरकार के पर्यावरण और वन मंत्रालय की अधिसूचना संख्यांक का.आ. 1533(अ), तारीख 14 सितंबर, 2006 का निम्नलिखित और संशोधन करती है, अर्थात्:--

उक्त अधिसूचना की अनुसूची में मद 7(घ) और उससे संबंधित प्रविष्टियों के पश्चात् निम्नलिखित मद और प्रविष्टियां अंतःस्थापित की जाएगी, अर्थात्:--

(1)	(2)	(3)	(4)	(5)
"7(घ)(क)	जैव-चिकित्सा (बायो-मैडिकल) अपशिष्ट उपचार सुविधाएं		सभी परियोजनाएं	

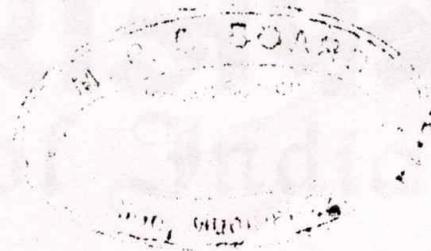
[फा.सं.3-9/2014-आई.ए. III]

मनोज कुमार सिंह, संयुक्त सचिव

टिप्पण: मूल नियम भारत के राजपत्र, असाधारण, भाग 2, खंड 3, उपखंड (ii) में अधिसूचना सं.का.आ.1533(अ), तारीख 14 सितंबर, 2006 द्वारा प्रकाशित किए गए थे और निम्नानुसार पश्चातवर्ती संशोधन किए गए:--

1. का.आ.1737(अ), तारीख 11 अक्टूबर, 2007;
2. का.आ.3067(अ), तारीख 1 दिसंबर, 2009;
3. का.आ.695(अ), तारीख 4 अप्रैल, 2011;
4. का.आ.2893(अ), तारीख 13 दिसंबर, 2012;

5. का.आ.674(अ), तारीख 13 मार्च, 2013;
6. का.आ.2559(अ), तारीख 22 अगस्त, 2013;
7. का.आ.2731(अ), तारीख 9 सितंबर, 2013;
8. का.आ.562(अ), तारीख 26 फरवरी, 2014
9. का.आ.637(अ), तारीख 28 फरवरी, 2014;
10. का.आ.1599(अ), तारीख 25 जून, 2014;
11. का.आ.2601(अ), तारीख 7 अक्टूबर, 2014;
12. का.आ.3252(अ), तारीख 22 दिसंबर, 2014;
13. का.आ.382(अ), तारीख 3 फरवरी, 2015;
14. का.आ.811(अ), तारीख 23 मार्च, 2015; और
15. का.आ.996(अ), तारीख 10 अप्रैल, 2015।



**MINISTRY OF ENVIRONMENT AND FORESTS
NOTIFICATION**

New Delhi, the 17th April, 2015

S.O.1142(E).— In exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986(29 of 1986) read with sub-rule(4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following further amendments to the notification of the Government of India, in the Ministry of Environment and Forests number S.O.1533(E), dated the 14th September, 2006 after dispensed with the requirement of notice under clause(a) of sub-rule(3) of the said rule 5 in public interest, namely:—

In the said notification, in the Schedule, after item 7(d) and the entries relating thereto, the following item and entries shall be inserted, namely:—

(1)	(2)	(3)	(4)	(5)
"7(da)	<u>Bio-Medical Waste Treatment Facilities.</u>	-	All projects	-

[F. No. 3-9/2014-IA.III]

MANOJ KUMAR SINGH, Jt. Secy.

Note:- The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) vide notification number S.O. 1533 (E), dated the 14th September, 2006 and subsequently amended as follows:-

1. S.O.1737(E) dated the 11th October, 2007
2. S.O. 3067(E) dated the 1st December, 2009
3. S.O.695(E) dated the 4th April, 2011
4. S.O.2896(E) dated the 13th December, 2012
5. S.O.674(E) dated the 13th March, 2013
6. S.O.2559(E) dated the 22nd August, 2013
7. S.O. 2731(E) dated the 9th September, 2013
8. S.O. 562(E) dated the 26th February, 2014
9. S.O.637(E) dated the 28th February, 2014
10. S.O. 1599(E) dated the 25th June, 2014
11. S.O. 2601 (E) dated 7th October, 2014
12. S.O. 3252(E) dated 22nd December, 2014
13. S.O. 382 (E) dated 3rd February, 2015
14. S.O. 811(E) dated 23rd March, 2015
15. S.O. 996(E) dated 10th April, 2015.