

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

Original Application No. 34 of 2026

In the matter of-
Ambrish Nath

Applicant

Vs.

Vaish Nursing Home & ors.

Respondent(s)

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Date: 09.07.2026

Place: New Delhi


 K. P. Gautam
 Advocate
 Supreme Court of India
 Reg. No. D/119/98

Kaushal Gautam

(Counsel for Respondent No.3)

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MOB NO - 9811101934

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL PRINCIPAL
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In the matter of-
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Respondent(s)

RESPONSE AFFIDAVIT ON BEHALF OF MEMBER SECRETARY,
UTTARAKHAND POLLUTION CONTROL BOARD
(RESPONDENT NO.3)

AFFIDAVIT of Dr. Parag Madhukar Dhakate,
aged about 51 years S/o MB Dhakate Presently
posted as Member Secretary, Uttarakhand
Pollution Control Board, Uttarakhand.

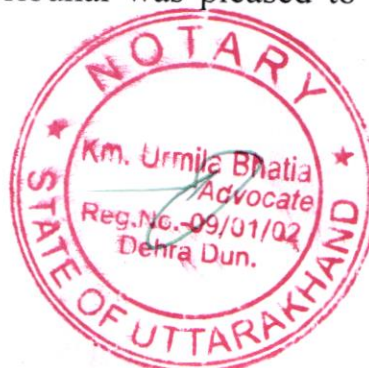
Deponent

I, the above-named deponent does hereby solemnly affirm and state on oath
as under: -

1. That the deponent is presently posted as the Member Secretary, Uttarakhand Pollution Control Board and as such is fully conversant with the facts of the case and is competent to sign and swear the instant affidavit.
2. That the above-mentioned matter was listed for hearing on 27.05.2026 wherein the Hon'ble National Green Tribunal was pleased to issue the following directions: -

"...

[Handwritten signature]



5. Issue notice to the respondents for filing their response/reply by way of affidavit before the Tribunal at least one week before the next date of hearing through e-filing. If any respondent directly files the reply without routing it through his advocate then the said respondent will remain virtually present to assist the Tribunal.

...”

3. Thereafter the matter was again listed on 23.04.2026 wherein the Hon’ble National Green Tribunal was pleased to issue the following directions: -

“...

3. It will be open to other respondents also to file their replies within four weeks.

...”

4. That it is most respectfully submitted that earlier, the Board vide Show Cause Notice dated 18.12.2025 issued to M/s Vaish Nursing Home called upon the unit to explain as to why Environmental Compensation at the rate of Rs. 5,625/- per day should not be imposed (from the date of inspection i.e. 03.09.2025 till compliance). In this connection, a copy of the Show Cause Notice dated 18.12.2025 is hereby being marked and filed as **Annexure no.1** to this affidavit.

5. That the Regional Officer, UKPCB, Dehradun, vide letter dated 19.05.2026, informed the Member Secretary, UKPCB that an inspection of Vaish Nursing Home (hereinafter referred to as “the said unit”) was conducted on 20.04.2026 in the presence of its representative, Mr. Ashish Nautiyal. During the inspection, it was observed that the said unit had complied with all the points raised in the show-cause notice. The compliance status as recorded during the inspection is furnished below:

- a. The nursing home had authorization/consent from the Board for 45 beds until March 31, 2024. The nursing home had applied online to the Board for an additional 25 beds, making a total of 70 beds. The



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Board has denied authorization/consent due to non-compliance with biomedical waste regulations. Currently, the nursing home is operating without authorization/consent.

- b. During the inspection, the ETP cum STP was found to be in operation. The nursing home maintains a proper register/record. A sample of the treated effluent was collected and submitted to the Board's central laboratory for analysis. The analysis report was found to be in compliance with standards.
- c. The analysis report of the purified effluent sample of Nursing Home EIP cum STP was found to be as per the standards.
- d. The nursing home is systematically sorting, segregating, collecting, and disposing of biomedical waste within its premises as per schedule. A log book, register/record is maintained for waste management.
- e. Log book register/records for management of biomedical waste are being maintained by the Nursing Home.

Further, vide the same letter, the Regional Officer recommended the imposition of Environmental Compensation upon the said unit and the revocation of the Show Cause Notice. In this connection, a copy of the letter dated 19.05.2026 along with inspection report is hereby being marked and filed as **Annexure no.2** to this affidavit.

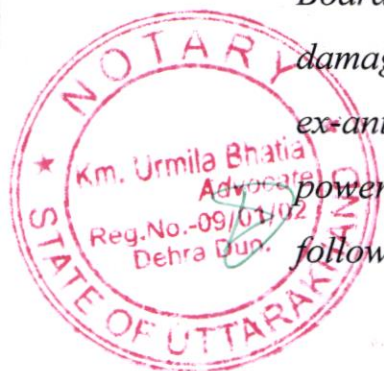
6. That the Board, vide letter dated 11.06.2026, imposed Environmental Compensation upon the said unit amounting to Rs. 13,50,000/-. It is further submitted after the judgment dated 04.08.2025 of the Hon'ble Supreme Court in "**Delhi Pollution Control Committee vs Lodhi Property Co. Ltd.**" the State Pollution Control Boards are bound by the ratio of the judgment as such the Central Pollution Control Board **was directed to frame** guidelines for imposition of environmental compensation. **The relevant para of the judgment are being reiterated below-**



35. To ensure that the Boards impose restitutionary and the compensatory environmental damages in a fair transparent, non arbitrary manner, with procedural certainty, necessary subordinate legislation in the form of rules and regulations must be notified. This shall include methods by which environmental damage is determined, and the consequent quantum of damages is assessed. They may also incorporate certain basic principles of natural justice for fairness in action. At present environmental damages are being levied by the Boards on the basis of certain guidelines issued by the Central Pollution Control Board in its document "General framework for imposing environmental damage compensation" issue in December, 2022. It is important that these guidelines are reviewed thoroughly and issued in the form of Rules and Regulations. This will enable declaration of a law that applies and ensures its recognition and easy implementation.

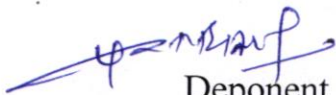
36. These Rules must also create enabling framework for citizens to file complaints about environmental damage. Public participation in environmental protection has assumed great importance with climate change threatening to drastically disrupt our way of living. Boards, being the first line of defence against polluting activities, must provide easy accessibility and encourage public participation in their function and decision making.

37. While we have reversed the decision of the High Court on the principle of law and hold that the environmental regulators, the Pollution Control Boards, can impose and collect as restitutionary and compensatory damages fixed sums of monies or require furnishing bank guarantees as an ex-ante measure towards potential environmental damage in exercise of powers under Section 33A and 31A of the Water and Air Acts, we issue the following consequential directions....



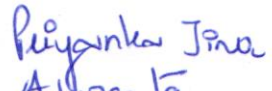
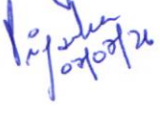
However, in the absence of any guidelines of CPCB, the **Uttarakhand Pollution Control Board** has imposed the environmental compensation as per the formula adopted by them in 23rd board meeting. In this connection, a copy of the Environmental Compensation imposed along with the calculation of EC sheet is hereby being marked and filed as **Annexure no.3** to this affidavit.

7. That the deponent is a responsible Government servant having the highest regard for the Hon'ble Tribunal and orders passed by them. The deponent has always made his sincerest efforts to carry out the orders passed by this Hon'ble Tribunal in its letter and spirit and shall continue to do so in the future.


Deponent

Verification: -

Verified at Dehradun on the ..07.. day of07.... 2026, that the contents of the response affidavit are true and correct to the best of my knowledge and belief based on the official record and nothing is false, and no material has been concealed therein.

Identified by 
Advocate
Reg. no. UK/1475/2022



Deponent



affidavit is sworn before me by
Dr. 
is identified by 
Dehradun on.....

KM. URMILA BHATIA
Advocate & NOTARY, Dehradun



LiFE
Lifestyle For
Environment

HEAD OFFICE

Uttarakhand Pollution Control Board

"Gaura Devi Paryavaran Bhawan"

46B, IT Park, Sahastradhara Road, Dehra Dun

E-mail : msukpcb@yahoo.com, Phone No.-0135-2607092

UKPCB/HO/C&M-319/G-205/2025/ 138

Date 18.12.2025

SPEED POST

To,

M/s Vaish Nursing Home,
Sewak Ashram Road,
Distt- Dehradun.

Sub:- Show Cause Directions under Section-5 of the Environment (Protection) Act, 1986 as amended for Non-compliance of the Bio-Medical Waste Management Rules, 2016.

WHEREAS, the Government of India has promulgated the **Bio-Medical Waste Management Rule 2016 (BMW Rules 2016)**, under the **Environment (Protection) Act 1986**; and it is mandatory requirement of every Health Care Facilities (HCFs) to comply with the provisions of the said **Rules**, and

WHEREAS, M/s **Primus Multispecialty Hospital** located at **A-1, Shivlok Colony, Raipur Road, Distt- Dehradun** (herein after referred as "**Health Care Facility "HCF"**") is a health care facility; and

WHEREAS, **Rules-4** of the **Bio-medical Waste Management Rules, 2016** defines duties of Occupier, amongst others; it shall be duty of every occupier to:

- (a) 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;
- (b) Make a provision within the premises for a safe, ventilated and secured location for storage of segregated biomedical waste in coloured bags or containers in the manner as specified in Schedule-I of BMW Rules, 2016, to ensure that there shall be no secondary handling, pilferage of recyclables or inadvertent scattering or spillage by animals and the bio-medical waste from such place or premises shall be directly transported in the manner as prescribed in these rules to the common bio-medical waste treatment facility or for the appropriate treatment and disposal, as the case may be, in the manner as prescribed in Schedule-I;
- (c) Pre-treat the laboratory waste, microbiological waste, blood samples and blood bags through disinfection or sterilisation on-site in the manner as prescribed by the World Health Organisation (WHO) or National AIDs Control Organisation (NACO) guidelines and then sent to the common bio-medical waste treatment facility for final disposal;
- (d) Phase out use of chlorinated plastic bags, gloves and blood bags within two years from the date of notification of these rules;
- (e) Dispose of solid waste other than bio-medical waste in accordance with the provisions of respective waste management rules made under the relevant laws and amended from time to time;
- (f) Not to give treated bio-medical waste with municipal solid waste;
- (g) Provide training to all its health care workers and others, involved in handling of bio medical waste at the time of induction and thereafter at least once every year and the details of training programmes conducted, number of personnel trained and number of personnel not undergone any training shall be provided in the Annual Report;
- (h) Immunise all its health care workers and others, involved in handling of bio-medical waste for protection against diseases including Hepatitis B and Tetanus that are likely to be transmitted by handling of bio-medical waste, in the manner as prescribed in the National Immunisation Policy or the guidelines of the Ministry of Health and Family Welfare issued from time to time;
- (i) Establish a Bar- Code System for bags or containers containing bio-medical waste to be sent out of the premises or place for any purpose within one year from the date of the notification of these rules;
- (j) Ensure segregation of liquid chemical waste at source and ensure pre-treatment or neutralisation prior to mixing with other effluent generated from health care facilities;
- (k) Ensure treatment and disposal of liquid waste in accordance with the Water Prevention and Control of Pollution) Act, 1974 (6 of 1974);
- (l) Ensure occupational safety of all its health care workers and others involved in handling of bio-medical waste by providing appropriate and adequate personal protective equipments;

- (m) Maintain and update on day-to-day basis the bio-medical waste management register and display the monthly record on its website according to the bio-medical waste generated in terms of category and colour coding as specified in Schedule-I;
- (n) Report major accidents including accidents caused by fire hazards, blasts during handling of bio-medical 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;
- (o) Make available the annual report on its web-site and all the health care facilities shall make own website within two years from the date of notification of these rules
- (p) Inform the prescribed authority immediately in case the operator of a facility does not collect the bio-medical waste within the intended time or as per the agreed time;

WHEREAS, according to **Rule-7** of the **BMW Rules, 2016**, 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; and

WHEREAS, **Rule-8**, of the **BMW Rules, 2016** describes segregation, packaging, transportation and storage of Bio-medical waste; and stipulated that no bio-medical waste shall be mixed with other waste; and

WHEREAS, according to the **Rule-10** of the **BMW Rules, 2016**, every occupier, or operator handling Bio Medical Waste, irrespective of the quantity shall make an application in **Form-II** to the **prescribed authority** i.e. State Pollution Control Board for grant of authorization; and

WHEREAS, according to the **Rule-13** of the **BMW Rules, 2016**- "Every occupier or operator of Common Bio-Medical Waste Treatment Facility shall submit an Annual Report to the prescribed authority in Form-IV, on or before the 30th June of every year; and

WHEREAS, according to the **Rule-18** of the **BMW Rules, 2016**, the occupier or an operator of the Common Bio Medical Waste Treatment Facility shall be liable for all the damages caused to the environment or the public due to improper handling of Bio-medical waste; and

WHEREAS, the **Hon'ble National Green Tribunal (NGT)** in its order dated 19.07.2016 in the matter of *M.C. Mehta Vs. Union of India and Ors; Anil Kumar Singhal Vs. Union of India and Ors; and Society for Protection of Environment & Biodiversity & Anr Vs. Union of India and Ors.* directed that:

"We hereby direct the State Government to impose an Environmental Compensation of Rs 50,000 on each hospital which is not having complete arrangement for disposal and regular dumping of Bio medical Waste in accordance with law with the Bio Medical Waste Rules 2006."

WHEREAS, according to the **Section-5** of the **Environment (Protection) Act, 1986**:

"Notwithstanding anything contained in any other law but subject to the provisions of this Act, the Central Government may, in the exercise of its powers and performance of its functions under this Act, issue directions in writing to any person, officer or any authority and such person, officer or authority shall be bound to comply with such directions".

WHEREAS, the Ministry of Environment, Forests and Climate Change, Govt. of India has delegated the power vested in it under **section-5** of the **Environment Protection Act, 1986** to the State Govt. of Uttar Pradesh vide notification no. 1(38)/86-pl dated April 14, 1988; and

WHEREAS, the Government of Uttarakhand vide its G.O. dated 26.07.2016 authorized the Uttarakhand Environment Protection and Pollution Control Board to impose and collect the Environmental Compensation on each hospital which are not having complete arrangement for disposal of Bio-Medical Waste; and

WHEREAS, in reference of the complaint received against the Hospital inspection **M/s Primus Multispecialty Hospital** located at **A-1, Shivlok Colony, Raipur Road, Distt- Dehradun** was visited by the official of the Regional Office, Dehradun of this **Board** on dated 03.09.2025 and reported that :-

1. नर्सिंग होम से जनित होने वाले जैव चिकित्सा अपशिष्ट का निस्तारण नियमानुसार होता नहीं पाया गया।
2. नर्सिंग होम को बोर्ड से पूर्व में 45 बैड हेतु प्राधिकार/सहमति दिनांक 31.03.2024 तक प्राप्त है। अग्रेतर चिकित्सालय द्वारा बोर्ड से बिना स्थापनार्थ/संचालनार्थ सहमति प्राप्त किये अतिरिक्त 25 बैड की स्थापना/संचालन किया गया है।

3. नर्सिंग होम द्वारा STP cum ETP के रखरखाव हेतु लॉगबुक रजिस्टर एवं रसायन खपत हेतु रिकार्ड मेन्टेन नहीं किये गये हैं।
4. जैव चिकित्सा अपशिष्ट नियमानुसार छटनी, पृथक्करण संग्रहण अपने परिसर के अन्दर अनुसूची के अनुसार निस्तारित होता नहीं पाया गया। साथ ही अपशिष्ट के प्रबन्धन हेतु लॉगबुक रजिस्टर/रिकार्ड नहीं पाया गया।
5. नर्सिंग होम द्वारा जैव चिकित्सा नियम, 2016 का अनुपालन नहीं किया जा रहा है।

As such it is evident from above observation that the health Care Facility (HCF) has violated the provisions of the Biomedical Waste Management Rules, 2016 and the Environment (Protection) Act, 1986 and Rules made thereunder.

NOW THEREFORE, in exercise of the power conferred under Section-5 of Environment (Protection) Act, 1986 as amended with approval of the competent authority of the Board, M/s Vaish Nursing Home located at Sewak Ashram Road, Distt- Dehradun is hereby directed to Show Cause within 30 days of time from issue of this direction, as to why environmental compensation of ₹5625/- per day (from date of inspection date 03.09.2025 till compliance) in compliance of order of the Hon'ble NGT in the matter of OA no. 710/2017 and subsequent decision and procedure prepared by CPCB, be not imposed against the hospital and closure order be issued under the provisions of the Environment (Protection) Act, 1986 as amended, and concerned authority(ies) be directed to discontinue the power/water supply of the hospital?

In case of default in compliance with the above directions by the HCF, the UKPCB will be constrained to initiate appropriate actions against the occupier(s) of the HCF without giving any further notice, in accordance with provisions of the Environment (Protection) Act, 1986.



For and on behalf of UKPCB

Letter No. :UKPCB/HO/C&M-3219/G-205/2025/

Dated: as above

Copy to :-

1. Regional Officer, Uttarakhand Pollution Control Board, Dehradun for information and necessary compliance.
2. Account section
3. Guard File.



For and on behalf of UKPCB

DL



Regional Office
Uttarakhand Pollution Control Board
E-115, Nehru Colony, Dehra Dun
E-mail : rouppcb@gmail.com,
Phone No.-0135-3593200

पत्रांक सं०-यूकेपीसीबी/आरओडी/का०ख०ब०/2026-27/770-410

दिनांक: 19/05/2026

सेवा में,

सदस्य सचिव महोदय

उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड,
गौरादेवी पर्यावरण भवन 46 बी,
आई०टी० पार्क, सहस्त्रधारा रोड, देहरादून।
देहरादून।

Uttarakhand Pollution Control Board
Diary No. 1728
Date 21/5/26

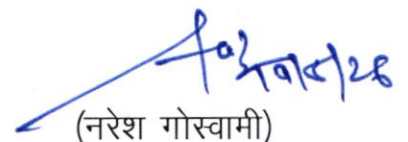
विषय-मै० वैश्य नर्सिंग होम, सेवक आश्रम रोड, देहरादून को जारी कारण बताओ नोटिस के संबंध में।

महोदय,

उपरोक्त विषयक उक्त इकाई को जारी कारण बताओ नोटिस के क्रम में बोर्ड मुख्यालय के पत्रांक संख्या यू०के०पी०सी०बी०/ एच०ओ०/सी०एंड०एम०-319/जी-205/2026/235 दिनांक 13.05.2026 का संदर्भ ग्रहण करना चाहें। उक्त के अनुपालन में इस कार्यालय द्वारा पत्रांक संख्या यू०के०पी०सी०बी०/आर०ओ०डी०/सा०-57/2026-27/659-352 दिनांक 13.05.2026 के माध्यम से आख्या मुख्यालय प्रेषित की जा चुकी है (सुलभ संदर्भ हेतु छायाप्रति संलग्न)। इकाई द्वारा दिनांक 19.05.2026 को प्राधिकार हेतु आवेदन किया जा चुका है। इस प्रकार इकाई द्वारा इकाई को जारी कारण बताओ नोटिस का अनुपालन कर लिया गया है।

अतः पूर्व प्रेषित संस्तुति के क्रम में प्रथम चरण की पर्यावरणीय क्षतिपूर्ति आरोपण तथा दिनांक 20.04.2026 से अग्रेतर दिनांक 19.05.2026 तक पूर्व प्रेषित घटको के आधार पर द्वितीय चरण की पर्यावरणीय क्षतिपूर्ति आरोपण सहित इकाई को जारी कारण बताओ नोटिस को रिवोक किये जाने की संस्तुति सहित आख्या अग्रिम आवश्यक कार्यवाही हेतु सादर प्रस्तुत है।

भवदीय


(नरेश गोस्वामी)
क्षेत्रीय अधिकारी



Regional Office
Uttarakhand Pollution Control Board
E-115, Nehru Colony, Dehra Dun
E-mail : rouppcb@gmail.com,
Phone No.-0135-3593200

पत्रांक सं०-यूकेपीसीबी/आरओडी/५७-57/2026-27/659-352

दिनांक: 13/05/2026

सेवा में,

सदस्य सचिव महोदय

उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड,
गौरादेवी पर्यावरण भवन 46 बी,
आईटी० पार्क, सहस्त्रधारा रोड़, देहरादून।
देहरादून।

Uttarakhand Pollution Control Board
Diary No. 1254-
Date 15/5/26

विषय-मै० वैश्य नर्सिंग होम, सेवक आश्रम रोड़, देहरादून को जारी कारण बताओ नोटिस के संबंध में।

महोदय,

उपरोक्त विषयक उक्त इकाई को बोर्ड मुख्यालय के पत्रांक संख्या यू०के०पी०सी०बी०/एच०ओ०/सी०एंडएम०-319/जी-205/2025/138 दिनांक 18.12.2025 के माध्यम से जारी कारण बताओ नोटिस का संदर्भ ग्रहण करना चाहें। चिकित्सालय द्वारा उक्त कारण बताओ नोटिस का प्रतिउत्तर इस कार्यालय में वर्तमान तक प्राप्त नहीं कराया गया है। इस कार्यालय द्वारा चिकित्सालय का निरीक्षण दिनांक 20.04.2026 को चिकित्सालय प्रतिनिधि श्री आशीष चौधरी की उपस्थिति में किया गया। निरीक्षण आख्या अनुसार चिकित्सालय द्वारा प्राधिकार हेतु आवेदन न किये जाने के अतिरिक्त कारण बताओ नोटिस के अन्य बिन्दुओं का अनुपालन कर लिया गया है। निरीक्षण के समय इकाई में स्थापित ETP cum STP के लिये गये शुद्धिकृत उत्प्रावह के नमूने की विश्लेषण आख्या मानको के अनुरूप पायी गयी (विश्लेषण आख्या संलग्न)।

अतः इकाई पर प्रथम निरीक्षण दिनांक 03.02.2025 से द्वितीय निरीक्षण दिनांक 20.04.2026 तक कुल 229 दिवसों की प्रथम चरण की पर्यावरणीय क्षतिपूर्ति आरोपण संस्तुति के साथ दिनांक 20.04.2026 से अग्रेतर संलग्न घटको के आधार पर द्वितीय चरण की पर्यावरणीय क्षतिपूर्ति की संस्तुति अग्रिम आवश्यक कार्यवाही हेतु सादर प्रस्तुत है।

संलग्नक यथोपरि।

भवदीय

Dr. Muk
16

for
13/5/26
(नरेश गोस्वामी)
क्षेत्रीय अधिकारी

Dr. Muk
2

M/s Vaish Nursing Home, Sewak Ashram Road, Distt-Dehradun को निर्गत कारण बताओं नोटिस के सम्बंध में।

कृपया उपरोक्त विषयक M/s Vaish Nursing Home, Sewak Ashram Road, Distt-Dehradun को बोर्ड मुख्यालय से निर्गत कारण बताओं नोटिस पत्र पत्रांक संख्या यूकेपीसीबी/एच.ओ./सीएंडएम-319/जी-205/2025/138 दिनांक 18.12.2025 के अनुपालन में नर्सिंग होम का निरीक्षण दिनांक 20.04.2026 को नर्सिंग होम के प्रतिनिधि श्री आशीष नौटियाल की उपस्थिति में किया गया। नर्सिंग होम के निरीक्षण के दौरान निर्गत कारण बताओं नोटिस में वर्णित बिन्दु एवं उनकी की अनुपालन स्थिति का विवरण निम्नवत् है:-

क्रम0 सं0	निर्गत कारण बताओं नोटिस के बिन्दु	निरीक्षण के उपरान्त निर्गत कारण बताओं नोटिस की अनुपालन की स्थिति
1.	नर्सिंग होम से जनित होने वाले जैव चिकित्सा अपशिष्ट का निस्तारण नियमानुसार होता नहीं पाया गया।	निरीक्षण के दौरान नर्सिंग होम द्वारा जैव चिकित्सा अपशिष्ट का नियमानुसार छटनी, पृथक्करण संग्रहण अपने परिसर के अन्दर अनुसूची के अनुसार निस्तारित होता पाया गया। साथ ही अपशिष्ट के प्रबन्धन हेतु लागबुक रजिस्टर/रिकार्ड का रखरखाव होता पाया गया।
2.	नर्सिंग होम को बोर्ड से पूर्व में 45 बैड हेतु प्राधिकार/सहमति दिनांक 31.03.2024 तक प्राप्त है। अग्रेत्तर चिकित्सालय द्वारा बोर्ड से बिना स्थापनार्थ/संचालनार्थ सहमति प्राप्त किये बिना अतिरिक्त 25 बैड की स्थापना/संचालन किया गया है।	नर्सिंग होम को बोर्ड से 45 बैडेड हेतु प्राधिकार/सहमति दिनांक 31.03.2024 तक प्राप्त थी नर्सिंग होम द्वारा बोर्ड से आनलाईन के माध्यम से अतिरिक्त 25 बैडेड के साथ कुल 70 बैडेड हेतु आवेदन किया गया था जिससे बोर्ड द्वारा जैव चिकित्सा अपशिष्ट का नियमानुसार अनुपालन न किये जाने पर प्राधिकार/सहमति अस्वीकृत किया गया है। वर्तमान में नर्सिंग होम बिना प्राधिकार/सहमति प्राप्त किये संचालन में है।
3.	नर्सिंग होम द्वारा ETP cum STP के रखरखाव हेतु लॉगबुक रजिस्टर एवं रसायन खपत हेतु रिकॉर्ड मेन्टेन नहीं किये गये हैं।	निरीक्षण के दौरान ETP cum STP संचालन में पाया गया है। नर्सिंग होम द्वारा लागबुक रजिस्टर/रिकार्ड का रखरखाव किया जा रहा है। शुद्धिकृत उत्पन्नवाह के नमूना एकत्र कर विश्लेषण हेतु बोर्ड की केन्द्रीय प्रयोगशाला में जमा कराया गया है। जिसकी विश्लेषण आख्या मानको के अनुरूप पायी गयी। (संलग्नक)
4.	जैव चिकित्सा अपशिष्ट नियमानुसार छटनी, पृथक्करण, संग्रहण अपने परिसर के अन्दर अनुसूची के अनुसार निस्तारित होता नहीं पाया गया। साथ ही अपशिष्ट के प्रबंधन हेतु लॉग बुक रजिस्टर/रिकॉर्ड नहीं पाया गया।	जैव चिकित्सा अपशिष्ट नियमानुसार छटनी, पृथक्करण, संग्रहण अपने परिसर के अन्दर अनुसूची के अनुसार निस्तारित किया जा रहा है। साथ ही अपशिष्ट के प्रबंधन हेतु लॉग बुक रजिस्टर/रिकॉर्ड का रखरखाव किया जा रहा है।
5.	नर्सिंग होम द्वारा जैव चिकित्सा अपशिष्ट नियम - 2016 का अनुपालन नहीं किया जा रहा है।	निरीक्षण के दौरान नर्सिंग होम नर्सिंग होम बिना प्राधिकार/सहमति प्राप्त किये संचालन में है।

उपरोक्तानुसार नर्सिंग होम द्वारा कारण बताओं नोटिस के अनुपालन में प्रतिउत्तर कार्यालय में अप्राप्त है एवं नर्सिंग होम बिना प्राधिकार/सहमति प्राप्त किये संचालन में है। नर्सिंग होम द्वारा कारण बताओं नोटिस का अनुपालन न किये जाने पर नर्सिंग होम पर पूर्व में प्रथम चरण में पर्यावरणीय क्षतिपूर्ति रु 5625/-प्रतिदिन की दर से आरोपित की जाये कारण बताओं नोटिस में उल्लेख किया गया जिसके अनुपालन के सम्बन्ध में नर्सिंग होम द्वारा वर्तमान तक कोई प्रत्यावेदन नहीं दिया गया है तथा वर्तमान तक नर्सिंग होम बिना प्राधिकार/सहमति प्राप्त किसे संचालित है।

अतः नर्सिंग होम के विरुद्ध प्रथम चरण में प्रथम निरीक्षण दिनांक 3.09.2025 से द्वितिय निरीक्षण दिनांक 20.04.2026 तक कुल 229 दिवसों पर पर्यावरणीय क्षतिपूर्ति आरोपित किये जाने की संस्तुति के साथ व दिनांक 20.04.2026 (द्वितिय निरीक्षण) से अनुपालन की तिथी तक द्वितिय चरण की पर्यावरणीय क्षतिपूर्ति आरोपित किये जाने वाले घटकों का विवरण निम्नवत् है -

Environment Compensation Factor for HCFs :

Sl.No.	Factor	Value
1	HR - Health Risk Factor)	Not Applied for Authorizati on (2) - 10
2	T- Type of Health Care Facility	1.0
3	S - Size of Health Care Facility	0.50
4	R - Env't. Compensation Factor	250
5	N- Number of days of violation	From Inspection Date : 20.04.2026

नर्सिंग होम के विरुद्ध पूर्व आरोपित पर्यावरणीय क्षतिपूर्ति को जमा करने के सम्बन्ध में सत्यापन बोर्ड मुख्यालय से किया जाना उचित प्रतित होता है। आख्या अग्रिम आवश्यक कार्यवाही हेतु सादर प्रस्तुत है।

(नितिन डिमरी)
अनु० सहा०

(रचित नेगी)
जे०आर०एफ०

वैज्ञा० सहायक/ वैज्ञा० अधिकारी



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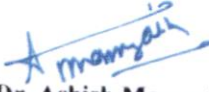
CENTRAL LABORATORY
UTTARAKHAND POLLUTION CONTROL BOARD
NABL Accredited
46 – B IT Park, Sahasradhara Road, Dehradun
Email id – clukpcb@gmail.com

Test Report

Test report no: : CL/04/26/IW/013
Code allotted: : UKPCB/CL/04/26/ROD/IW – 13
Name & address of industry: : M/s Vaish Nursing Home, 42 Sewak Ashram Road,
Dehradun.
Sampling point: : ETP cum STP Outlet.
Type of sample: : Grab
Sample collected by: : Mr. Nitin Dimri (Monitoring Assistant)
Mr. Ganga Bhatt (Monitoring Assistant)
Quantity & Packing: : 2 ltr
(HDPE/LDPE/P/G/Any Other) HDPE
Date of sample collection: : 20.04.2026
Date of sample receipt in the laboratory : 20.04.2026
Start date of analysis: : 20.04.2026
End date of analysis : 27.04.2026

S.No.	Parameters	Unit	Results	Test Method
1.	pH (@25°C)	-	7.92	APHA 24 th Edition 4500 H ⁺ B:
2.	Total Suspended Solids	mg/l	87.0	APHA 24 th Edition 2540 C:
3.	Total Dissolved Solids	mg/l	1440.0	APHA 24 th Edition 2540 D:
4.	Biochemical Oxygen Demand	mg/l	24.0	IS 3025 (Part 44): 2023,
5.	Chemical Oxygen Demand	mg/l	140.0	IS 3025 (Part 58): 2023,

*****End of Test Report*****


(Dr. Ashish Mangain)
Junior Research Fellow


(Pradeep Chauhan)
Lab Assistant


(Munendra Badoni)
Asst. Scientific Officer


(Dr. Ankur Kansal)
Chief Environment Officer

Note:

1. The results in the Test Report relate only to the items tested.
2. The Test Report pertains to the sample as received in lab.
3. Report shall not be reproduced without approval of laboratory.
4. Sample will be retained for only 10 days after issuing the report.



HEAD OFFICE

Uttarakhand Pollution Control Board

"Gaura Devi Paryavaran Bhawan"

46B, IT Park, Sahastradhara Road, Dehra Dun

E-mail : msukpcb@yahoo.com, Phone No-0135-2607092

UKPCB/HO/C&M-319/G-205/2026/

Date:

Speed Post

To,

M/s Vaish Nursing Home,
Sewak Ashram Road,
Dehradun.

Directions under Section 5 of Environment (Protection) Act, 1986 as amended for Non-compliance of the Bio-Medical Waste Management Rules, 2016

WHEREAS, an inspection of M/s Vaish Nursing Home located at Sewak Ashram Road, Distt-Dehradun was carried out by the officials of Regional Office, Dehradun of this Board in the presence of Sh. Jagdish Kharkwal (Representative of the Hospital), on dated 23.08.2025 and 03.09.2025 and following observations were made:

1. प्राप्त पत्र में M/s Vaish Nursing Home, Sewak Ashram Road, Dehradun द्वारा जनित धरेलू उत्प्रावह को बिना शुद्धिकृत किये उत्प्रावह को नाले में निस्तारित किये जाने के संबंध में है। निरीक्षण के दौरान नर्सिंग होम से किसी भी प्रकार का उत्प्रावह निस्तारित होता हुआ नहीं पाया गया।
2. निरीक्षण के दौरान नर्सिंग होम में 70 बैड स्थापित एवं संचालित पाये गये, नर्सिंग होम द्वारा जनित धरेलू उत्प्रावह हेतु 30 KLD क्षमता का ETP cum STP स्थापित किया गया है, निरीक्षण के दौरान STP संचालन में पाया गया है। शुद्धिकृत उत्प्रावह के नमूना एकत्र कर विश्लेषण हेतु बोर्ड की केन्द्रीय प्रयोगशाला में जमा कराया गया है।
3. नर्सिंग होम को बोर्ड से पूर्व में 45 बैड हेतु प्राधिकार / सहमति दिनांक 31.03.2024 तक प्राप्त है, अग्रेत्तर चिकित्सालय द्वारा आनलाईन के माध्यम से प्राधिकार / सहमति हेतु आवेदन किया गया है। जो कि कार्यालय में विचाराधिन है। नर्सिंग होम द्वारा बोर्ड से बिना स्थापनार्थ / संचालनार्थ सहमति प्राप्त किये अतिरिक्त 25 बैडों की स्थापना / संचालन किया गया है।
4. नर्सिंग होम में 125 के०वी०ए० व 85 के०वी०ए० के डी०जी० सैट स्थापित है।
5. निरीक्षण के दौरान नर्सिंग होम में जैव चिकित्सा अपशिष्ट नियमानुसार छटनी, पृथक्करण संग्रहण अपने परिसर के अन्दर अनुसूची के अनुसार निर्धारित रंगों वाले बैगों से नहीं होता पाया गया। साथ ही अपशिष्ट के प्रबन्धन हेतु रजिस्टर / रिकार्ड नहीं पाया गया।

WHEREAS, the unit was found non-compliant with the provisions of Bio-Medical Waste Management Rules, 2016 and Environment (Protection) Act, 1986; and

WHEREAS, a show cause notice was issued to the unit vide letter UKPCB/HO/C&M-319/G-205/2025/138 dated 18.12.2025 and the representation by the Nursing home has not been received till date; and

WHEREAS, with reference to the show cause notice, the unit was inspected on 20.04.2026 by the officials of the Regional Office, Dehradun of this Board in the presence of Shri Ashish Nautiyal (Representative) and following observations were made: -

1. निरीक्षण के दौरान नर्सिंग होम द्वारा जैव चिकित्सा अपशिष्ट का नियमानुसार छटनी, पृथक्करण संग्रहण अपने परिसर के अन्दर अनुसूची के अनुसार निस्तारित होता पाया गया। साथ ही अपशिष्ट के प्रबन्धन हेतु लागबुक रजिस्टर / रिकार्ड का रखरखाव होता पाया गया।
2. नर्सिंग होम को बोर्ड से 45 बैडों हेतु प्राधिकार / सहमति दिनांक 31.03.2024 तक प्राप्त थी नर्सिंग होम द्वारा बोर्ड में आनलाईन के माध्यम से अतिरिक्त 25 बैडों के साथ कुल 70 बैड हेतु आवेदन किया गया था जिससे बोर्ड द्वारा जैव चिकित्सा अपशिष्ट का नियमानुसार अनुपालन न किये जाने पर प्राधिकार / सहमति अस्वीकृत किया गया है। वर्तमान में जल/वायु के प्राधिकार हेतु पुनः आवेदन किया जा चुका है।

Clean Environment and Healthy Life Style

3. निरीक्षण के दौरान ETP cum STP संचालन में पाया गया है। नर्सिंग होम द्वारा लागबुक रजिस्टर / रिकार्ड का रखरखाव किया जा रहा है। शुद्धिकृत उत्प्रवाह के नमूना एकत्र कर विश्लेषण हेतु बोर्ड की केन्द्रीय प्रयोगशाला में जमा कराया गया है। जिसकी विश्लेषण आख्या मानको के अनुरूप पायी गयी।
4. जैव चिकित्सा अपशिष्ट नियमानुसार छटनी, पृथक्करण, संग्रहण अपने परिसर के अन्दर अनुसूची के अनुसार निस्तारित किया जा रहा है। साथ ही अपशिष्ट के प्रबंधन हेतु लॉग बुक रजिस्टर/रिकार्ड का रखरखाव किया जा रहा है।

AS SUCH, from the observations made during the inspection, it is found that the Hospital has complied with the show cause notice; and

WHEREAS, the **Environmental Compensation @5625/day** is to be imposed, for which following environmental factors are to be considered:

HR=45, T=1.0, S=0.50, R=250, N=240 days whereas, the Environmental Compensation is liable to be imposed for the period commencing from the date of first inspection i.e. **23.08.2025 to 20.04.2026**, totaling to **240 days**; and

WHEREAS, an amount of **₹13,50,000/- (Rupees Thirteen Lakh Fifty Thousand only)** is calculated as **Environmental Compensation**, in compliance with the order of the Hon'ble National Green Tribunal in **O.A. No. 593/2017** and the subsequent decision and procedure adopted by the State Board in its **23rd Board Meeting**, as amended from time to time.

NOW THEREFORE, in exercise of the powers conferred under **Section 5 of Environment (Protection) Act, 1986 and Bio-Medical Waste Management Rules, 2016**, as amended, and with the approval of the competent authority of the Board, you are hereby directed to **deposit Environmental Compensation amounting to ₹13,50,000/- (Rupees Thirteen Lakh Fifty Thousand only)**, within **30 days of receipt of this notice**.

The said amount shall be deposited **within one month from the date of receipt of this order** in favour of **Uttarakhand Pollution Control Board**, as per the details given below:

Account No. 2726101009296,
IFSC – CNRB0003963
Canara Bank,
Gujrara Mansingh, Dehradun

In case of not depositing the said amount, it will be recovered through District Magistrate.

Digitally signed by
ANKUR KANSAL

Date: 11-06-2026

(Dl Ankur Kansal)

Chief Environment Officer

Copy to: Following for information and necessary action.

1. Member Secretary, Uttarakhand Pollution Control Board, Dehradun for kind information, please.
2. Director General of Medical, Health & Family Welfare, Uttarakhand, Directorate of Health Services, Village Danda Lakhond, P.O. Gujrara, Sahastradhara Road, Near Rajiv Gandhi Playground, Dehradun, Uttarakhand – 248013, India.
3. Regional Officer, UKPCB, Regional Office, Dehradun.
4. Guard file.

Chief Environment Officer

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Calculation of Environmental Compensation

M/s Vaish Nursing Home, Sewak Ashram Road, District Dehradun

This is with reference to the inspections of **M/s Vaish Nursing Home**, located at Sewak Ashram Road, District Dehradun, conducted by the Regional Office, Dehradun of the Uttarakhand Pollution Control Board on **23.08.2025** and **03.09.2025**. During the inspections, the hospital was found non-compliant with the provisions of the **Bio-Medical Waste Management Rules, 2016** and the **Environment (Protection) Act, 1986**.

Accordingly, a Show Cause Notice was issued to the hospital vide this office letter dated **18.12.2025**. However, no representation/reply has been received from the hospital till date. Further, the hospital was directed to deposit Environmental Compensation @ **₹5,625/- per day** till compliance of the directions issued by the Board.

Subsequently, a re-inspection was carried out by the Regional Office, Dehradun on **20.04.2026** with respect to compliance of the Show Cause Notice, during which the hospital was found compliant. Therefore, Environmental Compensation for the period of violation has been calculated as follows:

S. No.	Factor	Value
1	HR (Health Risk Factor)	45 (30=No arrangement for disposal of BMW with CBWTF + 10=Not applied for authorization + 5=no color-coded bins)
2	T (Type of Health Care Facility)	1.0 (Bedded Hospital)
3	S (Size of Health Care Facility)	0.5 (70 Beds)
4	R (Env. Compensation Factor)	250 (Fixed)
5	N (Number of days of Violation)	240 days (23.08.2025 to 20.04.2026)

$$EC = HR \times T \times S \times R \times N;$$

$$HR=45, T=1.0, S=0.5, R=250, N=240 \text{ days}$$

$$EC=45 \times 1.0 \times 0.5 \times 250 \times 240 = \text{₹13,50,000/-}$$

Accordingly, an amount of **₹13,50,000/- (Rupees Thirteen Lakh Fifty Thousand only)** is hereby calculated as Environmental Compensation in compliance with the Order of the Hon'ble National Green Tribunal in O.A. No. 593/2017 and the subsequent methodology/procedure adopted by the State Board in its 23rd Board Meeting, as amended from time to time.

DATE - 27.05/2026


Dr. R. K. Chaturvedi
(Scientific Officer
UKPCB, Dehradun)


Dr. Ankur Kansal
(Chief Environment Officer
UKPCB, Dehradun)


P. K. Joshi
(Chief Environment Officer
UKPCB, Dehradun)