

STATUS REPORT BY CHIEF SECRETARY, HARYANA IN COMPLIANCE OF ORDER DATED 15 JUNE 2021 PASSED IN O.A. No. 126/2021 (VARUN SHEOKAND Vs CENTRAL POLLUTION CONTROL BOARD & ORS.)

1. That the above noted OA has been filed before the National Green Tribunal alleging that:

- (a) in the District of Faridabad, there are hospitals with around 7422 beds and there is only one disposal treatment facility (Common Bio Medical Waste Treatment Facility (CBWTF)) available for the waste generated in these hospital, which is nearing its capacity of 10,000 beds, as per the guidelines. It is further alleged that the District of Faridabad generates around 14 to 15 tons of Bio Medical Waste daily; and
- (b) since there is only one CBWTF exists in the District of Faridabad it is leading to the gap in the generation of the waste and its disposal.

2. That the applicant has prayed for compliance of the provisions of the Bio Medical Waste Management (BMWM) Rules, 2016 in District Faridabad, Haryana and to set up adequate treatment facilities in the District Faridabad Haryana to ensure scientific disposal of the Bio Medical Waste as per the Bio-Medical Waste Management Rules, 2016.

3. That this Hon'ble Tribunal, taking note of the present OA, passed the order on 15 June 2021, the relevant portion of which is reproduced as below:-

“2.Though none appears, we have considered the matter. Compliance of BMW Rules being significant for protection of environment and public health, we consider it appropriate to require the Chief Secretary, Haryana to furnish a status report about the compliance of the BMW Rules, 2016 and action taken in terms of the order dated 18.01.2021 in Shailesh Singh(Supra) before the next date bye-mail at judicialngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF. Before giving report, the Chief Secretary may review the matter with information about daily generation of BMW, number of Health Care Facilities authorised, practices adopted for disposal of BMW – captive or connected with CBMWTF, performance of existing CBMWTFs, plan to bridge the gap in generation and scientific disposal and the extent of Environment Compensation imposed for non-compliances.”

4. That in compliance of order dated 18 January 2021 passed by this Hon’ble Court in OA No- 710 of 2017 (Shailesh Singh Vs Sheela Hospital &Trauma Centre, Shahjahanpur & Ors.), the Haryana State Pollution Control Board (HSPCB) has already issued the following directions to all stakeholders vide separate letters dated 23 April 2021 to comply with the said order:-

- (i) Vide letter dated 23 April 2021 (**Annexure-A**), all CBWTFs have been directed to recycle the plastic waste through authorized recycler and all the CBWTFs are engaged with authorized recyclers for recycling of plastic waste to prevent the pilferage by unauthorized recyclers.

- (ii) Vide letter dated 23 April 2021 (**Annexure-B**), All Regional officers of the Haryana State Pollution Control Board have been directed to ensure that the authorization is secured by every Health Care Facilities(HCFs).
- (iii) Vide letter dated 23 April 2021 (**Annexure-C**), Health Department and Indian Medical Association, Haryana have been directed to ensure that the hazardous bio medical waste is not mixed with the general waste and every HCFs may secured the authorization under **BMW** Rules, 2016.
- (iv) Vide letter dated 23 April 2021 (**Annexure-D**), All District Magistrates have been directed to take the necessary steps in their districts in accordance with the District Environment Management Plan.

5. That as per the Annual Report 2020 pertaining to the Bio Medical Waste Management Rules a total number of 6,163 HCFs are authorized in the State of Haryana, out of which 3,168 are Bedded HCFs having 59,005 beds. The total waste generation by these HCFs is 19,217 kg/day (15,883kg/day generated by bedded HCFs and 3,334 kg/day is generated by the non bedded HCFs).

6. That as per the latest inventory of HSPCB, there are 6,476 HCFs, out of which 6,328 HCFs which have already obtained authorization from HSPCB and the remaining HCFs have been issued Show Cause Notices for non-compliance and action shall be taken against non-compliant HCFs as per law. The total Bio Medical Waste collected and disposed off by the CBWTFs during the year 2021 is around 20 tonnes/day.

7. That there are 11 authorized Common Bio Medical Waste Treatment Facilities (CBWTF) in the State of Haryana for treatment and disposal of bio medical waste generated by HCFs. The total incineration capacity of these CBWTFs is around 36 tonnes/day and the autoclave capacity is around 30 tonnes/day, against the waste generation of approximately 20 tonnes/day (as per annual report of 2020) in the State. All the existing CBWTFs have installed Online Continuous Emission/Effluent Monitoring Stations (OCEMS) which have been connected to the servers of Central Pollution Control Board (CPCB) and HSPCB for monitoring. All CBWTFs have made the agreement with authorized recyclers to recycle the plastic received as Bio Medical waste from the HCFs.

8. That the monitoring of HCFs is carried out according to the mandatory inspection policy framed by the Board vide order dated 11 February 2020. The inspection of every CBWTF is carried out on quarterly basis.

That State Level Advisory Committee (SLAC) constituted by Govt. vide order dated 26 June 2018 under the provisions of BMW Rules, 2016 is also conducting review meetings with various concerned departments/stakeholders to ensure the compliance of various directions issued from time to time under BMW Rules, 2016 and proper management of bio medical waste including COVID-19 waste. Till date 7 such meetings have been conducted at state level and relevant instructions/directions were issued to the concerned departments for compliance.

9. That the HSPCB has also assigned a Gap Analysis Study to the Post Graduate Institute of Medical Education and Research (PGIMER), Chandigarh with reference to the bio medical waste generation and treatment capacity of existing CBWTFs. The final report

of said study is likely to be received by 31 March 2022.

10. With respect to allegations made in OA regarding generation of Bio Medical Waste in Faridabad and treatment capacity of Common Bio Medical Waste Treatment Facility operational in the said area, the following data received from the Haryana State Pollution Control Board is as under:

- (a) The CBMWTF mentioned in the OA is being run by M/s Golden Eagle Waste Management Company (hereinafter referred as to 'operator of facility') at village 'Jasana', Tigaon Road, Faridabad. The said operator covers three districts i.e. Faridabad, Palwal and Nuh (Mewat). The Bio-Medical Waste generated from these districts is being collected, transported, processed and disposed of at above mentioned Common Bio Medical Waste Treatment Facility (here in after referred as to 'facility').
- (b) As per annual report submitted for the year 2020, the waste generated and disposed of in these districts is 1,953Kg/day. (1,523Kg/day in District Faridabad under Regional Office of Faridabad and Ballabgarh, 250Kg/day in District Palwal and 180Kg/day in District Nuh-Mewat under Regional Office of Palwal). The capacity of the facility in question is 3,600Kg/Day (incineration capacity of CBWTF is around 1800 Kg/day and autoclave capacity is around 1800Kg/day)
- (c) At present, 916 HCFs have obtained authorization from the Board under Bio Medical Waste Management Rules, 2016 in these three districts. Out of 916 HCFs, 363 HCFs are bedded HCFs having 10,039 beds and 553 are non-bedded HCFs. The data of Bio Medical waste generated and sent to

treatment facility during the last eight months i.e., from June 2021 to January 2022 has been compiled and is presented as under:-

Month	Average Quantity of Bio Medical Waste generated and transported from Health Care Facilities in District Faridabad, Palwal, Nuh-Mewat (in Kg/day)
June, 2021	2050.00
July, 2021	1876.96
August, 2021	2092.17
September, 2021	2559.87
October, 2021	2713.33
November, 2021	2482.71
December, 2021	1766.81
January, 2022	1799.37
Average of BMW Generated (per day)	2167.65

Thus, the waste generated per day and transported to the facility in above mentioned three districts at present is approximately 2,167.65 Kg/day which is less than the capacity of the facility in question.

11. As per the directions of Hon'ble NGT a review meeting was held on 11 March 2022 under the Chairmanship of Chief Secretary, Haryana regarding the daily generation of Bio Medical Waste, number of Health Care Facilities authorized, practices adopted for disposal of bio medical waste- captive or connected with CBMWTF, performance of existing CBMWTFs, plan to bridge the gap in generation and scientific disposal and the extent of

environmental compensation imposed for non-compliances. The status and progress was updated by HSPCB in the said meeting. The copy of minutes of meeting dated 11 March 2022 is enclosed herewith as **Annexure-E**. The above report may kindly be taken on record. Since the State PCB has to collect and compile the data from the field (in addition to the already available data for the year 2020), which consumed time in the process and as such there is a delay in filing of report. Therefore, it is requested that the delay in submitting the report may kindly be condoned.

Date: 24 March 2022
Place: Chandigarh


Chief Secretary Haryana

To

The Registrar,
National Green Tribunal,
New Delhi

HARYANA STATE POLLUTION CONTROL BOARD

C-11, SECTOR-6, PANCHKULA

Website - www.hspcb.gov.in E-Mail : hspcbolidwaste@gmail.com

Ph:0172-2577870-873

NO.HSPCB/GRS/ 35623/2021/2021/10

Dated: 23/04/21

To

1. M/s Biotic Waste Ltd., Sec-37, Gurugram
2. M/s Golden Eagle Waste Management Co., Vill. & PO Jasana, Opp. aravali collage Faridabad.
3. M/s SD Bio Medical Waste Management Co., Vill. Baland Rohtak.
4. M/s Maruti Bio Medical Waste Plant, Vill. & PO Hetampura, Distt. Bhiwani.
5. M/s Divya Waste Management Co., Vill. Kandela, Distt. Jind.
6. M/s Synergy Waste Management Pvt. Ltd., P.No. 168, Sec-27-28 Hisar.
7. M/s Surya Waste Management, Sahuwala road, Vill. Chandiwali, tehsil & district Sirsa.
8. M/s Invision Enviro Services, VPO Phulkan, Sirsa.
9. M/s Rudraksh Enviro care Pvt. Ltd., Vill. Bhadog, Distt. Ambala.
10. M/s Esskay Hygienic Services, Vill. Bagwala, Distt. Panchkula.
11. M/s HAAT Supreme Waste Tech Ltd., Vill. Bazida Kalan, Distt. Karnal.

Subject: Follow-up action on Hon'ble National Green Tribunal order dated 18.01.2021 in the matter of O.A No. 710, 711, 712 & 713 of 2017 for effective compliance of BMW Rules, 2016.

Kindly refer to the subject noted above.

In this connection, I have been directed to enclose herewith the copy of order dated 18.01.2021 passed by Hon'ble National Green Tribunal in the matter of O.A No. 710, 711, 712 & 713 of 2017 for effective compliance of BMW Rules, 2016 and to ensure that entire waste should be recycled/treated by you at the facility pertaining to respective jurisdiction, so as to prevent pilferage by unauthorized recyclers.

Please treat is as most urgent

DA/ As above

Sr. Environmental Engineer (HQ) L
For Member Secretary

Endst NO.HSPCB/ GRS/

Dated:

A copy of the above is forwarded to All Branch Incharges in HQ and All Regional Officers in the field for information and further necessary action.

DA/copy of order dated 18.01.2021 of Hon'ble NGT.

Sr. Environmental Engineer (HQ)
For Member Secretary

1404198/2021/swm.Br



File No HSPCB-060001/82/2020-SOLID WASTE MANAGEMENT CELL-HSPCB

HARYANA STATE POLLUTION CONTROL BOARD

C-11, SECTOR-6, PANCHKULA

Website - www.hspcb.gov.in E-Mail : hspcb-solidwaste@gmail.com

Ph:0172-2577870-873

NO.HSPCB/IGRS/I | 35627 | 2021 | 16

Dated: 23/04/2021

To

All Regional Officers,
HSPCB

Subject: Follow up action on Hon'ble National Green Tribunal order dated 18.01.2021 in the matter of O.A No. 710,711, 712 & 713 of 2017 for effective compliance of BMWM Rules, 2016.

Kindly refer to the subject noted above.

In this connection, I have been directed to enclose herewith the copy of order dated 18.01.2021 passed by Hon'ble National Green Tribunal in the matter of O.A No 710,711, 712 & 713 of 2017 for effective compliance of BMWM Rules, 2016 and to ensure that authorization is secured by every health care facility and adherence to the norms.

Further, you are directed to submit compliance for every quarter in terms of direction of Tribunal vide order dated 16.01.2019 in O.A. No. 606/2018, so that same could be reported to Worthy Chief Secretary Haryana.

DA/ As above

Oh

Sr. Environmental Engineer (HQ),
For Member Secretary



HARYANA STATE POLLUTION CONTROL BOARD

C-11, SECTOR-6, PANCHKULA

Website - www.hspcb.gov.in E-Mail : hspcb-solidwaste@gmail.com

Ph:0172-2577870-873

NO.HSPCB/IGRS/1/35632/2021

Dated: 23/04/2021

To

1. The Director General,
Health Services, Haryana.
2. Indian Medical Association (IMA),
Haryana.

Subject: Follow up action on Hon'ble National Green Tribunal order dated 18.01.2021 in the matter of O.A. No. 710,711, 712 & 713 of 2017 for effective compliance of BMW Rules, 2016.

Kindly refer to the subject noted above.

In this connection, I have been directed to enclose herewith the copy of order dated 18.01.2021 passed by Hon'ble National Green Tribunal in the matter of O.A No. 710,711, 712 & 713 of 2017 for effective compliance of BMW Rules, 2016 and to ensure that hazardous bio-medical waste is not mixed with the general waste and every health care facility has secured the authorization under BMW Rules,2016.

DA/ As above


Sr. Environmental Engineer (HQ)
For Member Secretary

Endst. NO.HSPCB/IGRS/

Dated:

A copy of the above is forwarded to All Regional Officers, HSPCB for information & necessary action.


Sr. Environmental Engineer (HQ)
For Member Secretary



HARYANA STATE POLLUTION CONTROL BOARD

C-11, SECTOR-6, PANCHKULA

Website - www.hspcb.gov.in E-Mail : hspcb-solidwaste@gmail.com

Ph:0172-2577870-873

NO.HSPCB/IGRS/ I/35628/2021

Dated: 23/04/2021

To

All District Magistrate,
Haryana.

Subject: Follow up action on Hon'ble National Green Tribunal order dated 18.01.2021 in the matter of O.A No. 710,711, 712 & 713 of 2017 for effective compliance of BMW Rules, 2016.

Kindly refer to the subject noted above.

In this connection, I have been directed to enclose herewith the copy of order dated 18.01.2021 passed by Hon'ble National Green Tribunal in the matter of O.A No. 710,711, 712 & 713 of 2017 for effective compliance of BMW Rules, 2016 and to take necessary steps in their Districts in accordance with the District Environmental Plans (DEP) already prepared by you in compliance of Biomedical Waste Rule, 2016.

DA/ As above


Sr. Environmental Engineer (HQ)
For Member Secretary

Encls. NO.HSPCB/IGRS/ I/35628/2021/18

Dated: 23/04/2021

- A copy of the above is forwarded to the following for information and necessary action:
1. All Branch Incharges, HSPCB.
 2. All Regional Officers, HSPCB


Sr. Environmental Engineer (HQ)
For Member Secretary

Minutes of the meeting held on 11 March 2022 at 11:30 AM under the Chairmanship of Chief Secretary, Haryana in O.A. No. 126/2021 'Varun Sheokand Vs Central Pollution Control Board &Ors.'

The list of participants is annexed at Annexure-A.

Chairman HSPCB welcomed all participants and thereafter, Member Secretary, HSPCB briefed about the background of the case and appraised that in O.A. No. 126/2021 titled as Varun Sheokand Vs CPCB & Ors, the applicant raised the issue regarding gap in Management of Bio Medical Waste both in generation as well as disposal of BMW in District Faridabad. In the said O.A. following allegations have been made;

- In Faridabad District, where 7422 hospital beds allegedly exist in different HCFs, there is only one Common Bio Medical Waste Treatment Facility (CBWTF) with a capacity of treatment of waste from 10,000 beds.
- Since the CBWTF may reach its maximum capacity soon, there will be a gap in generation and treatment of BMW, which may create problem in management of the waste in near future and therefore, adequate CBWTF should be established for proper compliance of Bio Medical Waste Rules 2016 (BMWM Rules 2016).

The National Green Tribunal vide its order dated 15 June 2021 required, that Chief Secretary may review generation of BMW in the State especially in Faridabad, Palwal and Nuh and the details of HCFs authorized in the State, practices adopted for disposal of BMW, performance of existing CBWTF and plan to bridge the gap besides reviewing the extent of EC imposed for non-compliance of CBWTFs. Besides, it has also been required that Chief Secretary to furnish a status report about the compliance of BMWM Rules, 2016 and action taken in terms of the order dated 18 January 2021 in Shailesh Singh's case.

A presentation was made by HSPCB on the compliance status with respect to generation and disposal of BMW particularly for District Faridabad, Palwal and Nuh. The status regarding compliance of BMW rules pertaining to whole, State of Haryana was also presented. During the meeting Chief Secretary asked about the shortfalls, whether there is any gap in management of bio-medical waste in, State of Haryana. HSPCB informed that all CBWTFs, existing

in the State including M/s Golden Eagle Waste Management Co., Faridabad has sufficient capacity to treat the various types of bio-medical waste, and that PGIMER, Chandigarh has been assigned to study the Gap Analysis in 2019 with reference to coverage area of CBWTFs, future projection of generation of BMW and requirement of new CBWTF in Haryana. HSPCB informed that as per the interim reports of PGIMER and review meetings conducted by HSPCB with PGIMER, it is learnt that there is no requirement of new CBWTFs in Haryana in the near future.

Chief Secretary further enquired, whether rates to be charged from HCFs by CBWTF have been finalized as per revised guidelines issued by CPCB regarding CBWTFs. HSPCB informed that the Government has already finalized the rates to be charged from HCFs by CBWTF vide order dated 28 May 2019 and the issue of Veterinary Hospitals / Facilities regarding authorization obtained was also discussed. HSPCB further informed that Veterinary Hospitals / Facilities have raised the issue that Government Veterinary Hospital/ Government Veterinary Dispensary are more in number, generating very insignificant quantity of waste and therefore, cannot afford to pay the charges fixed by Government. The issue regarding rates to be charged from Veterinary Hospitals / Facilities is being taken up by the sub-committee headed by MD NHM, Haryana constituted vide order dated 10 March 2022, by the SLAC.

Member Secretary, HSPCB informed that the State Level Advisory Committee (SLAC) is regularly reviewing the status of compliance of Bio-medical Waste Management Rules, 2016, and has held 7 meetings so far. Further, HSPCB is conducting quarterly inspections of all CBWTFs as per guidelines of CPCB and all CBWTFs are compliant as on date. Regular inspections of CBWTFs and HCFs are done by HSPCB as per the mandate and actions initiated against the violators as per the provisions of the Rules. It was also informed that HSPCB is also imposing Environmental compensation on non-complying CBWTFs and the details of EC imposed on 3 CBWTFs for non-compliance.

After detailed discussion, Chief Secretary, directed that the final status report in context to the directions issued by NGT in O.A. No. 126/2021 be prepared and submitted to him, so that the same could be filed in NGT before due date (25 March 2022).

Meeting ended with vote of thanks to all the participants.

Participants of the meeting held under the Chairmanship of Sh. Sanjeev Kaushal , IAS, Chief Secretary, Haryana on 11.03.2022 at 11.30 AM to review the compliance status of Bio Medical Waste Rules, 2016 in the State of Haryana in compliance of direction of Hon'ble NGT in OA No 126/2021 (Varun Sheokand Vs Central Pollution Control Board &Ors)

Sr. No	Name of Officer	Department
1	Sh. Sanjeev Kaushal, IAS Chief Secretary, Haryana	In the Chair
2	Sh. P. Raghavendra Rao, IAS (Retd.)	Chairman, HSPCB
3	Sh. A.K Singh, IAS	ACS Environment
4	Sh. S. Narayanan, IFS, Member Secretary, HSPCB	Through VC
5	Sh. Satinder Pal, SEE	HSPCB
6	Dr. Aparajita Ravi Sandhu, DHS	Health Department
7	Dr. Anjali Arora, DD-PM Health	Health Department
8	Dr.Nirmal Singh Sidhu, ASMO Health	Health Department
9	AK Bhardwaj, DA	CS Office
10	Regional Officer, HSPCB, Ballabgarh	Through VC
11	Regional Officer, HSPCB, Palwal	Through VC