

**Registered Post**

**F. No. B-31011/BMW (46.51)/2018/WMD-I**

15888

**January 16, 2019**

To,

M/s Shushrutha Bio-Medical Waste Management Society  
Site 31/C, K.I.A.D.B Industrial Area,  
Machenahalli -577222,  
Shimoga Dist., Karnataka

**DIRECTION UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986**

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

WHEREAS Rule 5 of BMW Rules, 2016 stipulated duties of the operator of a Common Bio-Medical Waste treatment and disposal Facility (CBWTF);

WHEREAS as per Rule 7 (1) of BMW Rules, "bio-medical waste shall be treated and disposed of in accordance with Schedule I and in compliance with the standards prescribed in Schedule II of the BMW Rules, 2016";

WHEREAS Rules 14(1) of BMW Rules, "every authorized person shall maintain records related to generation, collection, segregation, storage, transportation, treatment, disposal and or any form of handling of Bio-Medical waste in accordance with these Rules and by guidelines issued";

WHEREAS the Common Bio Medical Waste Treatment Facility (CBWTF) operated by M/s Shushrutha Bio-Medical Waste Management Society, Shimoga, Karnataka (the Unit). The Unit has to comply with the condition stipulated in authorization granted under the BMW Rules by the Karnataka Pollution Control Board (KSPCB) for collection, storage, transportation, treatment and disposal of BMW as required under Rule 7 & 8 of the BMW Rules 2016;

WHEREAS the Common Bio Medical Waste Treatment Facility (CBWTF) operated by M/s Shushrutha Bio-Medical Waste Management Society, Shimoga, Karnataka State was inspected by the team comprising officials from CPCB & KSPCB on 08.12.2011 and accordingly show-cause notice under section 5 of the Environment (Protection) Act, 1986 was issued by CPCB to the Unit vide letter dated 21.02.2012 to submit a time bound action plan along with a bank guarantee of ₹ Ten Lakhs in favour of CPCB, to ensure compliance to the CPCB directions;

WHEREAS the Unit submitted its reply vide letter dated 29.03.2012 alongwith Bank Guarantee bearing no. BG/5619/26/2011-12 of ₹10 Lakhs and subsequently CPCB issued confirm directions vide letter dated 15.05.2012 to complete the time bound action plan by 30.09.2012;

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WHEREAS the Unit was re-inspected jointly by CPCB & KSPCB on 23.02.2013 & 26.06.2014 to verify the compliance status of CPCB directions dated 15/05/2012, and subsequently CPCB vide letter dated 30/10/2014 forwarded observations/recommendations to the Unit for compliance by 21/12/2014;

WHEREAS based on the reply dated 06/12/2014 submitted by the Unit re-monitoring was jointly conducted by CPCB & KSPCB on 09/07/2015 wherein the Unit was found complying with said CPCB directions except that the stack emission monitoring results were exceeding the limit of prescribed standard as per BMW Rules. The Unit extended the validity of aforesaid Bank Guarantee upto 30.09.2017;

WHEREAS the Unit was again inspected by CPCB on 08/11/2017 and found that the Unit was complied with most of the action points except: (i) Consent under Water (Prevention & Control of Pollution) Act, & Air (Prevention & Control of Pollution) Act, 1981 required to be amended w.r.t. installation of new incinerator (ii) The facility is required to comply with emission standards as prescribed under Bio-Medical Waste Management Rules, 2016 (iii) Connectivity needs to be provided for data transmission of Online Continuous Emission Monitoring System to CPCB portal. Further, CPCB vide letter dated 01.02.2018 forwarded said observations to the Unit for ensuring compliance;

WHEREAS the Unit was inspected on 23/10/2018 to verify the compliances to remaining three action points wherein the Unit was found complying with CPCB recommendations including emission & effluent standards notified under BMWM Rules, 2016;

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

NOW, THEREFORE, in exercise of the powers vested under Section 5 of the Environment (Protection) Act, 1986 and in consideration of the observations as mentioned in earlier paras, aforesaid directions issued under Section 5 of the Environment (Protection) Act, 1986 is hereby revoked and it is further directed to adhere to strict compliance of all the provisions of the Bio-Medical Waste Management Rules, 2016 notified under the Environment (P) Act, 1986 failing which CPCB will be constrained to take action against your Unit as deemed fit under the Environment (Protection) Act, 1986 without giving any further notice.

  
(S. P. Singh Parihar)  
Chairman

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**Copy for information to:**

1. Joint Secretary, HSM Division  
Ministry of Environment, Forest & Climate Change  
Indira Paryavaran Bhawan,  
Jorbagh Road, New Delhi - 110 003.
2. The Member Secretary : For kind information  
Karnataka State Pollution Control Board,  
Parisara Bhavana, 1st to 5th Floor  
49, Church Street,  
Bengaluru – 560 001, Karnataka.
3. Regional Director : For kind information  
Central Pollution Control Board  
1st & 2nd Floors, Nisarga Bhawan  
A-Block, Thimmaiah Main Road  
7<sup>th</sup> D Cross, Shivanagar, Opp.  
Pushpanjali Theatre, Bengaluru –560 010
4. I/c IT Division : For information and necessary action
5. I/c ESS Division : For information and record

  
(Prashant Gargava)  
Member Secretary

