



BIHAR STATE POLLUTION CONTROL BOARD

Parivesh Bhawan, Patliputra Industrial Area,

P.O: Sadaquat Ashram, Patna-800010

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Registered post

Ref. No.: BMW/PC/19/

Patna, Dated:

From

Dr. Ashok Kumar Ghosh,
Chairman.

To

Dr. Surendra Rai,
M/s Ashirwad Nursing Home,
G-1 P. C. Colony, Kankarbagh,
Patna -800020

Proposed Closure Direction under section 5 of the Environment (Protection) Act, 1986

1. Whereas, in exercise of powers conferred under sections 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, the Central Govt. notified vide its notification no. GSR-343(E), dated 28.03.2016 the Bio-medical Waste Management Rules, 2016 with a view to improve the collection, segregation, processing, treatment and disposal of bio-medical wastes in an environmentally sound manner;
2. WHEREAS, you, as a Health Care Facility, are generating Bio-Medical Waste, it is therefore, incumbent upon you to ensure all steps necessary and required under the provisions of the Bio-medical Waste Management Rules, 2016 (notified under the Environment (Protection) Act, 1986) also;
3. Whereas, you have not obtained Authorisation under the Bio-medical Waste Management Rules, 2016 and Consent-to-operate under the Water and Air (Prevention and Control of Pollution) Acts.
4. Whereas, you are not even tied-up with the Common Bio-Medical Waste Treatment Facility of your area for the proper treatment and disposal of bio-medical wastes generated by you.
5. Whereas, the Board through its Notice in local dailies on 30.05.2018 had also directed all Health Care Facilities generating Bio-Medical Wastes to ensure tie-up with the concerned CBWTF and obtain authorization from the Board within a month from the date of publication of the notice while clearly mentioning that non-compliance of the same would attract penal provisions of law including closure of the unit.
6. Whereas, from the aforesaid facts it appears that you are willfully and deliberately avoiding compliance thereby not only violating the provisions of law but also causing pollution to the environment.

AND THEREFORE, taking into consideration all material facts including environmental concerns, in exercise of the powers conferred and delegated by the Central Govt. vide S.O. no. 327(E) published in the Gazette of India dated the 10th of April 2001 read with sections 23 and 5 of the Environment (Protection) Act, 1986 it is proposed that your unit should not be allowed to operate in the light of aforementioned non-compliance of the provisions of relevant Act/Rules. You are thereby given an opportunity to file your objection, (if any) to the above proposed direction within 15 days from its receipt, failing which appropriate action shall be taken against the unit without giving any further notice, in accordance with the provisions of the Environment (Protection) Act, 1986 which may extend to be for the closure of your hospital and institution of a complaint case against you.

Sd/-
(Ashok Kumar Ghosh)
Chairman

(2)

Memo no: Patna, dated:
Copy to: The Civil Surgeon-cum-Chief Medical Officer-cum-Member Secretary, District Level Monitoring Committee on Bio-Medical Waste Management, Patna for information and necessary action.


Sd/-
(Ashok Kumar Ghosh)
Chairman

Memo no.: Patna, dated:
Copy to: The Regional Officer, B.S.P.C.B, Regional Office, Patna for information and necessary action.

Sd/-
(Ashok Kumar Ghosh)
Chairman

Memo no.: B-2356
Copy to: Legal Cell, B.S.P.C.B, Patna for information.

Patna, dated: 30/10/19


(Ashok Kumar Ghosh)
Chairman
