



BIHAR STATE POLLUTION CONTROL BOARD
Parivesh Bhawan, Patliputra Industrial Area,
P.O: Sadaquat Ashram, Patna-800010

Registered post

Ref. No.: BMW/PC/18-
From

Patna, Dated:

Dr. Ashok Kumar Ghosh,
Chairman.

To

Dr. Birendra Prasad Singh,
Director,
M/s Maa Janki Hospital & Research Centre,
At- Bariya Golambar,
Dist- Muzaffarpur-842003

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 Government 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);
3. Whereas, you are operating your Health Care Facility without having valid authorization under the Bio-medical Waste Management Rules, 2016 and Consent-to-Establish and Consent-to-Operate under the Water and Air (Prevention and Control of Pollution) Acts from this Board;
4. Whereas, the Board through its Notices local dailies on 30.05.2018 had also directed all Health care Facilities generating Bio-Medical Waste to ensure tie-up with 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;
5. Whereas, a Proposed Closure Direction was issued to you vide this office ref. no. B-393, dated 21.06.2018 and delivered to you on 18.07.2018 through Regional Office, Muzaffarpur warranting certain actions and where under you were given an opportunity to file your objection, if any, to the direction within 15 days.
6. Whereas, after expiry of 15 days you have not filed any objection to the proposed direction nor have brought anything on record to show that you have taken any remedial steps.
7. Whereas, you are still operating your Health Care Facility without obtaining Authorization under BMW Rules, 2016, Consent to establish and Consent to operate order from this Board. You are also operating your Health Care Facility without installation of Effluent Treatment Plant.
8. 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.

I, 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, direct you to close your Health Care Facility within fifteen days from the receipt of this direction while ensuring the following:-

1. No new patient shall be admitted in your Health Care Facility after receipt of this direction except those which are accident cases or require immediate or emergency services from your Health Care Facility.
2. No harm shall be ensured to the patients already admitted in the hospital.
3. Alternative arrangements for proper treatment of all the indoor patients already admitted shall be made while ensuring closure of the facility within the stipulated time and ascertaining that the patients are not inconvenienced in any manner and, if required, shifted to another available Health Care Facility for further treatment.

Sd/-
(Ashok Kumar Ghosh)
Chairman

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 for information and necessary action. He is directed to ensure closure of this Health Care Facility for non-compliance of the provisions of the Environment (Protection) Act, 1986 and ensure that alternative arrangements for proper treatment of all the indoor patients already admitted in the hospital are made.

Sd/-
(Ashok Kumar Ghosh)
Chairman

Memo No.:-

Patna, Dated:-

Copy to: The Managing Director, North Bihar Power Distribution Company Limited, Vidut Bhawan, Bailey Road, Patna requesting him to disconnect electricity of this hospital after fifteen days from the receipt of this letter.

Sd/-
(Ashok Kumar Ghosh)
Chairman

Memo No.:-

Patna, Dated :-

Copy to: The District Magistrate-cum-Chairman, District Level Monitoring Committee on Bio-Medical Waste Management, District- Muzaffarpur. He is requested to enforce the compliance of this Closure Direction in consonance with the provisions of the Environment (Protection) Act, 1986 and direct the Civil Surgeon-cum-Chief Medical Officer of the district to ensure that alternative arrangements for proper treatment of all the indoor patients admitted in the hospital are made.

Sd/-
(Ashok Kumar Ghosh)
Chairman

Memo no.:

Patna, dated:

Copy to: The Regional Officer, B.S.P.C.B, Regional Office, Muzaffarpur, for information and necessary action.

Sd/-
(Ashok Kumar Ghosh)
Chairman

Memo no.:

Copy to: Legal Cell, B.S.P.C.B, Patna for information.

Patna,

dated: 20/10/19

(Ashok Kumar Ghosh)
Chairman