

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

(Through Video Conferencing)

Original Application No. 72/2020

In Re: Scientific Disposal of Bio-Medical Waste arising out of
COVID-19 treatment- Compliance of BMW Rules, 2016

Date of hearing: 21.04.2020

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S.P WANGDI, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

For CPCB : Dr. Prashant Gargava, Member Secretary for CPCB with
Mr. Rajkumar, Advocate

ORDER

1. The issue for consideration is the remedial action to address the gaps in compliance of the BMW Rules, 2016, as applicable to the disposal of bio-medical waste arising out of handling of COVID-19 disease, so as to ensure protection of environment and public health, in view of potential of such infectious waste adversely affecting public health, concerned workers and professionals etc.
2. We have also taken into consideration the concern on the subject expressed in news item dated 19.04.2020, published in the Indian Express titled '*Biomedical waste facilities, a red flag in coronavirus fight*', authored by Apurva Vishwanath and Karishma Mehrotra.
3. This Tribunal is already dealing with the subject of addressing gaps in bio-medical waste management generally in O.A No.710/2017, *Shailesh Singh v. Sheela Hospital & Trauma Center, Shahjahanpur &*

Ors. and has given further directions on 22.1.2020 in respect of gaps emerging from report of CPCB dated 15.11.2019 based on information furnished by the States/UTs. The waste generated on account of Covid-19 disease has presented further challenge which calls for this order.

4. We have perused the '*Guidelines for Handling, Treatment and Disposal of Waste Generated during Treatment/ Diagnosis/ Quarantine of COVID-19 Patients*' issued by the CPCB, last revised on 18.4.2020 and heard Dr. Prashant Gargava, Member Secretary, CPCB. We had interaction broadly on the need for revision of the laid down guidelines to address all concerns in the light of best practices and experience from time to time so that all aspects of scientific disposal of liquid and solid waste management are taken care of not only at institution level but also at individual levels (such as manner of disposal of used PPEs, used bags, gloves, goggles, etc., without the same getting straightaway mixed with other municipal solid waste causing contamination etc.), dealing with situations where adequate facilities (like incinerators) are not available, distinct colour guidelines for the bins etc., reviewing effectiveness of the monitoring mechanism, including securing information by way of electronic manifest system from the handlers of such waste and its online reporting by the State PCBs/PCCs on daily basis by developing necessary software, creating awareness by special awareness programmes, organizing trainings in concerned Local Bodies, Health Departments, etc., providing workers handling COVID-19 waste with adequate protective gear, adequate coordination with media and other concerned regulatory authorities in the States and the Central Government. We have also observed that out of 2.7 lakh HCFs identified, only 1.1 lakh HCFs are authorized under the BMW Management Rules, 2016 so far. The State PCBs/PCCs have to make

serious efforts to bridge this gap to mitigate possible risk in terms of unscientific disposal of bio-medical waste and to enforce rule of law.

5. We are of the view that to the above extent, the task of PCBs and the CPCB is part of essential health services for COVID-19. The CPCB may convey this to all concerned.
6. Further order reserved. The same will be uploaded on or before 27.04.2020, after due interaction with the members.

Adarsh Kumar Goel, CP

S.P Wangdi, JM

Dr. Nagin Nanda, EM

April 21, 2020
Original Application No. 72/2020
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