

**GOVERNMENT OF INDIA  
ENVIRONMENT AND FORESTS  
LOK SABHA**

STARRED QUESTION NO:244

ANSWERED ON:12.12.2011

BIO-MEDICAL WASTE DISPOSAL

Adsul Shri Anandrao Vithoba;Yadav Shri Dharmendra

**Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:**

- (a) Whether several Public/Private Health Care Institutes are violating the Bio-Medical Waste (Management and Handling) Rules, 1998 by not following prescribed colour coding for containers meant for collecting wastes;
- (b) if so, whether the Government has received complaints in this regard;
- (c) if so, the details thereof and the action taken thereon;
- (d) whether there is any proposal to constitute a committee for monitoring the implementation of the Bio-Medical Waste Rules, 1998 at the Central level and if so, the status of the proposal; and
- (e) the steps being taken by the Government to ensure proper compliance of rules all over the country?

**Answer**

MINISTER OF STATE (INDEPENDENT CHARGE) FOR ENVIRONMENT AND FORESTS (SHRIMATI JAYANTHI NATARAJAN)

(a) to (e): A statement is laid on the Table of the House.

Statement referred to parts (a) to (e) of the Lok Sabha Starred Question No. 244 regarding "Bio-Medical Waste Disposal" raised by Shri Anandrao Adsul, MP and Shri Dharmendra Yadav, MP for reply on 12.12.2011.

(a) to (c): As per the Bio-Medical Waste (BMW) (Management & Handling) Rules, 1998, every occupier of an institution generating BMW has to ensure that such waste is handled without any adverse effect to human health and environment. The Bio-Medical Waste is required to be segregated according to the colour code for containers/bags prescribed in Schedule-II of the BMW Rules. Further, it is the responsibility of the occupier to treat and dispose of bio-medical waste in accordance with treatment and disposal options mentioned in Schedule-I of the Rules.

The State Pollution Control Boards (SPCBs) and Pollution Control Committees (PCCs) in the Union Territories are the designated Prescribed Authorities for ensuring implementation of the Bio-medical Waste (Management and Handling) Rules, 1998, notified under the Environment (Protection) Act, 1986. The Government of India have delegated necessary powers vested in it under Section 5 of the Environment (Protection) Act, 1986 to all the SPCBs and PCCs in UTs, to issue directions to any industry or any other authority for violation of standards and Rules, inter-alia, relating to Bio-medical Waste (Management and Handling) Rules, 1998. The SPCBs/PCCs are required to closely monitor the implementation of the Rules by the Health Care Establishments (HCEs) and take necessary legal actions against the establishments which violate these Rules.

As per the annual report submitted by SPCBs/PCCs/Directorate General of Armed Forces Medical Services (DGAFMS) for the year 2010, some of the Health Care Facilities (HCFs)/Common Bio-Medical Waste Treatment Facilities (CBWTFs) are reported to be violating the provisions of the Bio-Medical Waste (Management & Handling) Rules, 1998 notified under the Environment (Protection) Act, 1986.

The State-wise number of HCFs reported violating norms of BMW and the number of show-cause notices/directions issued to defaulter HCFs in the country is enclosed at Annexure.

(d): An inter-ministerial Committee of Senior Officers at the Central level has been constituted comprising representatives from the Ministry of Environment & Forests, Ministry of Health & Family Welfare, Ministry of Urban Development and the Central Pollution Control Board (CPCB) to review the implementation of Bio-Medical Waste (Management and Handling) Rules in the country.

(e): The following steps have been taken by the Government to improve compliance of the BMW Rules:

(i) All the State Pollution Control Boards (SPCBs) and the Pollution Control Committees (PCCs) of Union Territories have been asked to ensure effective implementation of the BMW Rules and to take stringent action against the health care facilities for violation of provisions, under the Environment (Protection) Act, 1986.

(ii) 5829 defaulting health care facilities have been issued show cause notices or directions by the SPCBs and PCCs, for violations of

the provisions of BMW Rules. CPCB has also issued directions against 33 HCFs/CBMWTFs for violation of the provisions during the last three years.

(iii) The Ministry of Environment and Forests provides financial assistance on Public Private Partnership (PPP) basis for setting up of treatment and disposal facilities in the State/UT for environmentally sound disposal of bio-medical wastes.

(iv) Financial assistance is provided to SPCBs/PCCs and governmental/non-governmental organizations for creating awareness and capacity building programmes on bio-medical waste management.

(v) CPCB has prepared guidelines for 'Common Bio-Medical Waste Treatment Facilities (CBWTFs)' and 'Design and Construction of Bio-Medical Waste Incinerators' for ensuring their compliance.

(vi) Ministry of Health and Family Welfare has been requested to advise the State Health Secretaries to take necessary measures to improve compliance of the Bio-Medical Waste (Management and Handling) Rules, 1998 by all the Health Care Establishments under their respective jurisdictions. CPCB has also been requested to advise SPCBs/PCCs to create public awareness through media campaign for better compliance.

(vii) All the States/UTs have been requested to constitute state level Committee of Senior Officers in their States/UT as well as District Level Monitoring Committee to monitor the compliance of the Bio-Medical Waste (Management and Handling) Rules, 1998.

(viii) The Ministry has identified the gaps in existing provisions of the Bio-Medical waste (Management & Handling) Rules, 1998 and has notified the draft Bio-Medical Waste (Management & Handling) Rules, 2011 for seeking public comments/suggestions before replacing the existing Rules.