

MAHARASHTRA POLLUTION CONTROL BOARD

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Kalpataru Point, 2nd- 4th Floor
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Near Sion Circle, Sion (East)
Mumbai- 400 022.

No. MPCB/PSO/CCA/Refusal- 2201000 703

Date: 17/1/2021

To,
M/s. Neon Hospital (Managed By PHHPL),
1st & 2nd Floor, Mukta Arcade,
Kalyan Shil Road, Above Regent Honda Showroom, Khidkali,
Thane – 421303,
Email: sushilkd382@gmail.com

Sub: - Refusal of Consent to Operate under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 and Authorization under Rule 10(2) of the Bio-Medical Wastes Management Rules, 2016.

- Ref:**1. Your Application for Combined Consent to Operate and BMW Authorization is received on 04/03/2021 to MPCB, HQ, Sion, Mumbai.
2. Report Submitted by SRO Thane I.
3. SCN For Refusal Dated 28/05/2021
4. Minutes or Personal Hearing Dtd. 19/07/2021
5. This office Follow up emails.

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WHEREAS, Ministry of Environment and Forests, Govt. of India has notified, Water (Prevention and Control of Pollution), Act, 1974 for prevention and control of water pollution and the maintaining or restoring of wholesomeness of water and Air (Prevention and Control of Pollution), Act, 1981 for prevention, control and abatement of air pollution.

AND WHEREAS, Central Pollution Control Board on 04.06.2014 has issued Directions under section 18 (1) (b) of Water (Prevention and control of Pollution) Act, 1974 regarding classification of Industries into Red, Orange and Green in which Health Care Establishment are covered under the regime of Consent.

AND WHEREAS, Ministry of Environment and Forests, Govt. of India in exercise of the powers conferred u/s. 6,8 & 25 of Environment (Protection) Act, 1986 has notified the Bio-Medical Waste Management Rules, 2016, and amended Rules, 2018 which is subsequently amended from time to time.

AND WHEREAS, Maharashtra Pollution Control Board is the Prescribed Authority for the enforcement of Bio-Medical Waste Management Rules, 2016, as amended from time to time. AND WHEREAS, it is also obligatory on the part of every occupier generating bio-medical waste to obtain Consent to Operate and BMW authorization under Rule 8 of the said Rules, by making application in Form-II to the prescribed authority accompanied by a fee as prescribed by the State Government of Maharashtra.

AND WHEREAS, this office is in receipt of your Application for grant Combined Consent to Operate and BMW Authorization from SRO Thane I on 04/03/2021. Upon Scrutiny SCN for Refusal issued to you on 10/08/2020, wherein it was brought to your notice to submit requisite Documents / Information, for considering CCA.

AND WHEREAS, you failed to submit Complete reply to SCN for Refusal within stipulated time.

AND WHEREAS, Personal Hearing before Principal Scientific Officer, MPCB was extend to you on 19/07/2020 at 11.15 A.M. through video conference, in which you were directed to submit above required Documents / Information / fees to consider your application for grant of CCA.

AND WHEREAS, it is noted that, inspite of efforts taken by Board you have failed to submit the below required Documents / Information / fees to consider your application for grant of CCA.

1. Copy of Valid BNH registration Certificate for 80 Beds.
2. Copy of Valid Membership certificate from BMW Common Waste Treatment Facility for 80 beds.
3. BMW Annual report(s) for the year 2019 & 2020 (To be submitted online by login into MPCB portal).
4. Revised CA Certificate including Land Cost in total Capital investment cost (If land is on rent/lease then Cost should be as per Ready Reckoner rate).
5. Certificate Consent to Establish Fees of INR 15000 /-
6. Details of provision made for separate BMW storage are alongwith Photographs of storage area.
7. Details of category & quantity of monthly BMW generation as per BMW Management Rules, 2016
8. Water budget with water bills for last six months and details of water source.
9. Site Plan / Architect Certificate for Total Plot Area (TPA) & Built-Up Area (BUA).
10. Details (Schematic & Photographs) of STP & ETP alongwith adequacy report.
11. Details of Laboratory Waste Pre-treatment Equipment as per BMW Management Rules, 2016.
12. Details of Bank Guarantee of Rs. 50000/- imposed in previous BMW Authorization.
13. DG set Details (Capacity, Fuel Consumption liter/hr., Stack height.)

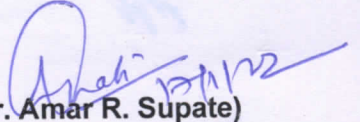
AND WHEREAS, this shows your negligent attitude towards implementation of Bio-Medical waste Management Rules, 2016.

NOW THEREFORE, in exercise of the powers conferred upon me, In view of the aforesaid non-compliances on your part, your Application for Consent To Establish is hereby stands Rejected under the provision of Section 25 (4) of Water (P & CP) Act, 1974 and Section 21 (4) of Air (P & CP) Act, 1981 and under Rule 10(2) of Bio-Medical Waste Management Rules, 2016.

If you are aggrieved with the said Refusal of your application for Combined Consent and BMW Authorization, you may make an Appeal under Section 28 of the Water (Prevention & Control of Pollution) Act, 1974 and under Section 31 of the Air (Prevention & Control of

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Pollution) Act, 1981 and under Rule 16(1) of the Bio-Medical Waste Management Rules, 2016 before the Principal Secretary, Department of Environment & Climate Change, Govt. of Maharashtra, within a period of 30 days from the date of receipt of this order.


(Dr. Amar R. Supate)
Principal Scientific Officer

Copy to:

1. Regional Officer, MPCB- Thane - for information, please.
2. Sub Regional Officer, MPCB – Thane I- for information. You shall communicate to the applicant and Initiate Legal Action against HCE including Proposal to Impose ECC through Legal Module.