An Act to provide for the protection and improvement of environment and for matters connected there with:

WHEREAS the decisions were taken at the United Nations Conference on the Human Environment held at Stockholm in June, 1972, in which India participated, to take appropriate steps for the protection and improvement of human environment;

AND WHEREAS it is considered necessary further to implement the decisions aforesaid in so far as they relate to the protection and improvement of environment and the prevention of hazards to human beings, other living creatures, plants and property;

BE it enacted by Parliament in the Thirty-seventh Year of the Republic of India as follows:-

CHAPTER I

PRELIMINARY

1. SHORT TITLE, EXTENT AND COMMENCEMENT

(1) This Act may be called the Environment (Protection) Act, 1986.

(2) It extends to the whole of India.
(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint and different dates may be appointed for different provisions of this Act and for different areas.

2. DEFINITIONS

In this Act, unless the context otherwise requires,—

(a) "environment" includes water, air and land and the inter-relationship which exists among and between water, air and land, and human beings, other living creatures, plants, micro-organism and property;

(b) "environmental pollutant" means any solid, liquid or gaseous substance present in such concentration as may be, or tend to be, injurious to environment;

(c) "environmental pollution" means the presence in the environment of any environmental pollutant;

(d) "handling", in relation to any substance, means the manufacture, processing, treatment, package, storage, transportation, use, collection, destruction, conversion, offering for sale, transfer or the like of such substance;

(e) "hazardous substance" means any substance or preparation which, by reason of its chemical or physico-chemical properties or handling, is liable to cause harm to human beings, other living creatures, plant, micro-organism, property or the environment;
(f) "occupier", in relation to any factory or premises, means a person who has, control over the affairs of the factory or the premises and includes in relation to any substance, the person in possession of the substance;

(g) "prescribed" means prescribed by rules made under this Act.

CHAPTER II

GENERAL POWERS OF THE CENTRAL GOVERNMENT

3. POWER OF CENTRAL GOVERNMENT TO TAKE MEASURES TO PROTECT AND IMPROVE ENVIRONMENT

(1) Subject to the provisions of this Act, the Central Government shall have the power to take all such measures as it deems necessary or expedient for the purpose of protecting and improving the quality of the environment and preventing controlling and abating environmental pollution.

(2) In particular, and without prejudice to the generality of the provisions of sub-section (1), such measures may include measures with respect to all or any of the following matters, namely:--

(i) co-ordination of actions by the State Governments, officers and other authorities--

(a) under this Act, or the rules made thereunder, or

(b) under any other law for the time being in force which is relatable to the objects of this Act;
(ii) planning and execution of a nation-wide programme for the prevention, control and abatement of environmental pollution;

(iii) laying down standards for the quality of environment in its various aspects;

(iv) laying down standards for emission or discharge of environmental pollutants from various sources whatsoever:

Provided that different standards for emission or discharge may be laid down under this clause from different sources having regard to the quality or composition of the emission or discharge of environmental pollutants from such sources;

(v) restriction of areas in which any industries, operations or processes or class of industries, operations or processes shall not be carried out or shall be carried out subject to certain safeguards;

(vi) laying down procedures and safeguards for the prevention of accidents which may cause environmental pollution and remedial measures for such accidents;

(vii) laying down procedures and safeguards for the handling of hazardous substances;

(viii) examination of such manufacturing processes, materials and substances as are likely to cause environmental pollution;

(ix) carrying out and sponsoring investigations and research relating to problems of environmental pollution;
(x) inspection of any premises, plant, equipment, machinery, manufacturing or other processes, materials or substances and giving, by order, of such directions to such authorities, officers or persons as it may consider necessary to take steps for the prevention, control and abatement of environmental pollution;

(xi) establishment or recognition of environmental laboratories and institutes to carry out the functions entrusted to such environmental laboratories and institutes under this Act;

(xii) collection and dissemination of information in respect of matters relating to environmental pollution;

(xiii) preparation of manuals, codes or guides relating to the prevention, control and abatement of environmental pollution;

(xiv) such other matters as the Central Government deems necessary or expedient for the purpose of securing the effective implementation of the provisions of this Act.

(3) The Central Government may, if it considers it necessary or expedient so to do for the purpose of this Act, by order, published in the Official Gazette, constitute an authority or authorities by such name or names as may be specified in the order for the purpose of exercising and performing such of the powers and functions (including the power to issue directions under section 5) of the Central Government under this Act and for taking measures with respect to such of the matters referred to in sub-section (2) as may be mentioned in the order and subject to the supervision and control of the
Central Government and the provisions of such order, such authority or authorities may exercise and powers or perform the functions or take the measures so mentioned in the order as if such authority or authorities had been empowered by this Act to exercise those powers or perform those functions or take such measures.

4. APPOINTMENT OF OFFICERS AND THEIR POWERS AND FUNCTIONS

(1) Without prejudice to the provisions of sub-section (3) of section 3, the Central Government may appoint officers with such designation as it thinks fit for the purposes of this Act and may entrust to them such of the powers and functions under this Act as it may deem fit.

(2) The officers appointed under sub-section (1) shall be subject to the general control and direction of the Central Government or, if so directed by that Government, also of the authority or authorities, if any, constituted under sub-section (3) of section 3 or of any other authority or officer.

5. POWER TO GIVE DIRECTIONS

Notwithstanding anything contained in any other law but subject to the provisions of this Act, the Central Government may, in the exercise of its powers and performance of its functions under this Act, issue directions in writing to any person, officer or any authority and such person, officer or authority shall be bound to comply with such directions.
Explanation--For the avoidance of doubts, it is hereby declared that the power to issue directions under this section includes the power to direct--
(a) the closure, prohibition or regulation of any industry, operation or process; or
(b) stoppage or regulation of the supply of electricity or water or any other service.

6. RULES TO REGULATE ENVIRONMENTAL POLLUTION

(1) The Central Government may, by notification in the Official Gazette, make rules in respect of all or any of the matters referred to in section 3.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:--

(a) the standards of quality of air, water or soil for various areas and purposes;
(b) the maximum allowable limits of concentration of various environmental pollutants (including noise) for different areas;
(c) the procedures and safeguards for the handling of hazardous substances;
(d) the prohibition and restrictions on the handling of hazardous substances in different areas;
(e) the prohibition and restriction on the location of industries and the carrying on process and operations in different areas;
(f) the procedures and safeguards for the prevention of accidents which may cause environmental pollution and for providing for remedial measures for such accidents.

CHAPTER III
PREVENTION, CONTROL, AND ABATEMENT OF ENVIRONMENTAL POLLUTION

7. PERSONS CARRYING ON INDUSTRY OPERATION, ETC., NOT TO ALLOW EMISSION OR DISCHARGE OF ENVIRONMENTAL POLLUTANTS IN EXCESS OF THE STANDARDS
No person carrying on any industry, operation or process shall discharge or emit or permit to be discharged or emitted any environmental pollutants in excess of such standards as may be prescribed.

8. PERSONS HANDLING HAZARDOUS SUBSTANCES TO COMPLY WITH PROCEDURAL SAFEGUARDS
No person shall handle or cause to be handled any hazardous substance except in accordance with such procedure and after complying with such safeguards as may be prescribed.
9. FURNISHING OF INFORMATION TO AUTHORITIES AND AGENCIES IN CERTAIN CASES

(1) Where the discharge of any environmental pollutant in excess of the prescribed standards occurs or is apprehended to occur due to any accident or other unforeseen act or event, the person responsible for such discharge and the person in charge of the place at which such discharge occurs or is apprehended to occur shall be bound to prevent or mitigate the environmental pollution caused as a result of such discharge and shall also forthwith--

(a) intimate the fact of such occurrence or apprehension of such occurrence; and

(b) be bound, if called upon, to render all assistance, to such authorities or agencies as may be prescribed.

(2) On receipt of information with respect to the fact or apprehension on any occurrence of the nature referred to in sub-section (1), whether through intimation under that sub-section or otherwise, the authorities or agencies referred to in sub-section (1) shall, as early as practicable, cause such remedial measures to be taken as necessary to prevent or mitigate the environmental pollution.

(3) The expenses, if any, incurred by any authority or agency with respect to the remedial measures referred to in sub-section (2), together with interest (at such reasonable rate as the Government may, by order, fix) from the date when a demand for the expenses is made until it is paid, may be recovered by
such authority or agency from the person concerned as arrears of land revenue or of public demand.

10. POWERS OF ENTRY AND INSPECTION

(1) Subject to the provisions of this section, any person empowered by the Central Government in this behalf shall have a right to enter, at all reasonable times with such assistance as he considers necessary, any place--

(a) for the purpose of performing any of the functions of the Central Government entrusted to him;

(b) for the purpose of determining whether and if so in what manner, any such functions are to be performed or whether any provisions of this Act or the rules made thereunder or any notice, order, direction or authorisation served, made, given or granted under this Act is being or has been complied with;

(c) for the purpose of examining and testing any equipment, industrial plant, record, register, document or any other material object or for conducting a search of any building in which he has reason to believe that an offence under this Act or the rules made thereunder has been or is being or is about to be committed and for seizing any such equipment, industrial plant, record, register, document or other material object if he has reason to believe that it may furnish evidence of the commission of an offence punishable under this Act or the rules.
made thereunder or that such seizure is necessary to prevent or mitigate environmental pollution.

(2) Every person carrying on any industry, operation or process of handling any hazardous substance shall be bound to render all assistance to the person empowered by the Central Government under sub-section (1) for carrying out the functions under that sub-section and if he fails to do so without any reasonable cause or excuse, he shall be guilty of an offence under this Act.

(3) If any person wilfully delays or obstructs any persons empowered by the Central Government under sub-section (1) in the performance of his functions, he shall be guilty of an offence under this Act.

(4) The provisions of the Code of Criminal Procedure, 1973, or, in relation to the State of Jammu and Kashmir, or an area in which that Code is not in force, the provisions of any corresponding law in force in that State or area shall, so far as may be, apply to any search or seizures under this section as they apply to any search or seizure made under the authority of a warrant issued under section 94 of the said Code or as the case may be, under the corresponding provision of the said law.

11. POWER TO TAKE SAMPLE AND PROCEDURE TO BE FOLLOWED IN CONNECTION THEREWITH

(1) The Central Government or any officer empowered by it in this behalf, shall have power to take, for the purpose of analysis, samples of air, water,
soil or other substance from any factory, premises or other place in such manner as may be prescribed.

(2) The result of any analysis of a sample taken under sub-section (1) shall not be admissible in evidence in any legal proceeding unless the provisions of sub-sections (3) and (4) are complied with.

(3) Subject to the provisions of sub-section (4), the person taking the sample under sub-section (1) shall--

(a) serve on the occupier or his agent or person in charge of the place, a notice, then and there, in such form as may be prescribed, of his intention to have it so analysed;

(b) in the presence of the occupier of his agent or person, collect a sample for analysis;

(c) cause the sample to be placed in a container or containers which shall be marked and sealed and shall also be signed both by the person taking the sample and the occupier or his agent or person;

(d) send without delay, the container or the containers to the laboratory established or recognised by the Central Government under section 12.

(4) When a sample is taken for analysis under sub-section (1) and the person taking the sample serves on the occupier or his agent or person, a notice under clause (a) of sub-section (3), then,--

(a) in a case where the occupier, his agent or person wilfully absents himself, the person taking the sample shall collect the sample for analysis to be placed in a container or containers which shall be
marked and sealed and shall also be signed by the person taking the sample, and
(b) in a case where the occupier or his agent or person present at the time of taking the sample refuses to sign the marked and sealed container or containers of the sample as required under clause (c) of sub-section (3), the marked and sealed container or containers shall be signed by the person taking the samples, and the container or containers shall be sent without delay by the person taking the sample for analysis to the laboratory established or recognised under section 12 and such person shall inform the Government Analyst appointed or recognised under section 12 in writing, about the wilfull absence of the occupier or his agent or person, or, as the case may be, his refusal to sign the container or containers.

12. ENVIRONMENTAL LABORATORIES

(1) The Central Government may, by notification in the Official Gazette,--

(a) establish one or more environmental laboratories;
(b) recognise one or more laboratories or institutes as environmental laboratories to carry out the functions entrusted to an environmental laboratory under this Act.

(2) The Central Government may, by notification in the Official Gazette, make rules specifying--

(a) the functions of the environmental laboratory;
(b) the procedure for the submission to the said laboratory of samples of air, water, soil or other substance for analysis or tests, the form of the laboratory report thereon and the fees payable for such report;

(c) such other matters as may be necessary or expedient to enable that laboratory to carry out its functions.

13. GOVERNMENT ANALYSTS

The Central Government may by notification in the Official Gazette, appoint or recognise such persons as it thinks fit and having the prescribed qualifications to be Government Analysts for the purpose of analysis of samples of air, water, soil or other substance sent for analysis to any environmental laboratory established or recognised under sub-section (1) of section 12.

14. REPORTS OF GOVERNMENT ANALYSTS

Any document purporting to be a report signed by a Government analyst may be used as evidence of the facts stated therein in any proceeding under this Act.

15. PENALTY FOR CONTRAVENTION OF THE PROVISIONS OF THE ACT AND THE RULES, ORDERS AND DIRECTIONS

(1) Whoever fails to comply with or contravenes any of the provisions of this Act, or the rules made or orders or directions issued thereunder, shall, in
respect of each such failure or contravention, be punishable with imprisonment for a term which may extend to five years with fine which may extend to one lakh rupees, or with both, and in case the failure or contravention continues, with additional fine which may extend to five thousand rupees for every day during which such failure or contravention continues after the conviction for the first such failure or contravention.

(2) If the failure or contravention referred to in sub-section (1) continues beyond a period of one year after the date of conviction, the offender shall be punishable with imprisonment for a term which may extend to seven years.

16. OFFENCES BY COMPANIES

1) Where any offence under this Act has been committed by a company, every person who, at the time the offence was committed, was directly in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the
offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation--For the purpose of this section,--

(a) "company" means any body corporate and includes a firm or other association of individuals;

(b) "director", in relation to a firm, means a partner in the firm.

17. OFFENCES BY GOVERNMENT DEPARTMENTS

(1) Where an offence under this Act has been committed by any Department of Government, the Head of the Department shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

Provided that nothing contained in this section shall render such Head of the Department liable to any punishment if he proves that the offence was committed without his knowledge or that he exercise all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a Department of Government and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any officer, other than the
Head of the Department, such officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

CHAPTER IV
MISCELLANEOUS

18. PROTECTION OF ACTION TAKEN IN GOOD FAITH
No suit, prosecution or other legal proceeding shall lie against the Government or any officer or other employee of the Government or any authority constituted under this Act or any member, officer or other employee of such authority in respect of anything which is done or intended to be done in good faith in pursuance of this Act or the rules made or orders or directions issued thereunder.

19. COGNIZANCE OF OFFENCES
No court shall take cognizance of any offence under this Act except on a complaint made by--

(a) the Central Government or any authority or officer authorised in this behalf by that Government, or

(b) any person who has given notice of not less than sixty days, in the manner prescribed, of the alleged offence and of his intention to make a complaint, to the Central Government or the authority or officer authorised as aforesaid.
20. INFORMATION, REPORTS OR RETURNS

The Central Government may, in relation to its function under this Act, from time to time, require any person, officer, State Government or other authority to furnish to it or any prescribed authority or officer any reports, returns, statistics, accounts and other information and such person, officer, State Government or other authority shall be bound to do so.

21. MEMBERS, OFFICERS AND EMPLOYEES OF THE AUTHORITY CONSTITUTED UNDER SECTION 3 TO BE PUBLIC SERVANTS

All the members of the authority, constituted, if any, under section 3 and all officers and other employees of such authority when acting or purporting to act in pursuance of any provisions of this Act or the rules made or orders or directions issued thereunder shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code (45 of 1860).

22. BAR OF JURISDICTION

No civil court shall have jurisdiction to entertain any suit or proceeding in respect of anything done, action taken or order or direction issued by the Central Government or any other authority or officer in pursuance of any power conferred by or in relation to its or his functions under this Act.
23. POWERS TO DELEGATE
Without prejudice to the provisions of sub-section (3) of section 3, the Central Government may, by notification in the Official Gazette, delegate, subject to such conditions and limitations as may be specified in the notifications, such of its powers and functions under this Act [except the powers to constitute an authority under sub-section (3) of section 3 and to make rules under section 25] as it may deem necessary or expedient, to any officer, State Government or other authority.

24. EFFECT OF OTHER LAWS
(1) Subject to the provisions of sub-section (2), the provisions of this Act and the rules or orders made therein shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than this Act.
(2) Where any act or omission constitutes an offence punishable under this Act and also under any other Act then the offender found guilty of such offence shall be liable to be punished under the other Act and not under this Act.

25. POWER TO MAKE RULES
(1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.
(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely--

(a) the standards in excess of which environmental pollutants shall not be discharged or emitted under section 7;
(b) the procedure in accordance with and the safeguards in compliance with which hazardous substances shall be handled or caused to be handled under section 8;
(c) the authorities or agencies to which intimation of the fact of occurrence or apprehension of occurrence of the discharge of any environmental pollutant in excess of the prescribed standards shall be given and to whom all assistance shall be bound to be rendered under sub-section (1) of section 9;
(d) the manner in which samples of air, water, soil or other substance for the purpose of analysis shall be taken under sub-section (1) of section 11;
(e) the form in which notice of intention to have a sample analysed shall be served under clause (a) of sub section (3) of section 11;
(f) the functions of the environmental laboratories, the procedure for the submission to such laboratories of samples of air, water, soil and other substances for analysis or test; the form of laboratory report; the fees payable for such report and other matters to enable such
laboratories to carry out their functions under sub-section (2) of section 12;

(g) the qualifications of Government Analyst appointed or recognised for the purpose of analysis of samples of air, water, soil or other substances under section 13;

(h) the manner in which notice of the offence and of the intention to make a complaint to the Central Government shall be given under clause (b) of section 19;

(i) the authority of officer to whom any reports, returns, statistics, accounts and other information shall be furnished under section 20;

(j) any other matter which is required to be, or may be, prescribed.

26. RULES MADE UNDER THIS ACT TO BE LAID BEFORE PARLIAMENT

Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such
modification or annulment shall be without prejudice to the validity of anything previously done under that rule.
Annexure-2

THE BIO-MEDICAL WASTE (MANAGEMENT AND HANDLING) RULES, 1998

MINISTRY OF ENVIRONMENT & FORESTS

NOTIFICATION

New Delhi, 20th July, 1998

1S.O.630(E). - Whereas a notification in exercise of the powers conferred by Sections 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986) was published in the Gazette vide S.O. 746(E), dated 16 October, 1997 inviting objections from the public within 60 days from the date of the publication of the said notification on the Bio-Medical Waste (Management and Handling) Rules, 1998 and whereas all objections received were duly considered;

Now, therefore, in exercise of the powers conferred by Section 6, 8 and 25 of the Environment (Protection) Act, 1986 the Central Government hereby notifies the rules for the management and handling of Bio-Medical Waste.

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1 As published in Gazette of India, Extraordinary Part II Section 3- Sub section (ii), vide notification S.O.630(E), dated 20.7.1998.
1. SHORT TITLE AND COMMENCEMENT

(1) These rules may be called the Bio-Medical Waste (Management and Handling) Rules, 1998.

(2) They shall come into force on the date of their publication in the official Gazette.

2. APPLICATION

These rules apply to all persons who generate, collect, receive, store, transport, treat, dispose, or handle Bio-Medical Waste in any form.

3. DEFINITIONS

In these rules unless the context otherwise requires:

1. "Act" means the Environment (Protection) Act, 1986 (29 of 1986);

2. "Animal House" means a place where animals are reared/kept for experiments or testing purposes;

3. "Authorisation" means permission granted by the prescribed authority for the generation, collection, reception, storage, transportation, treatment, disposal and/or any other form of handling of Bio-Medical Waste in accordance with these rules and any guidelines issued by the Central Government.

4. "Authorised person" means an Occupier or Operator authorised by the prescribed authority to generate, collect, receive, store, transport,
treat, dispose and / or handle Bio-Medical Waste in accordance with these rules and any guidelines issued by the Central Government.

5. "**Bio-Medical Waste**" means any waste, which is generated during the diagnosis, treatment or immunisation of human beings or animals or in research activities pertaining thereto or in the production or testing of biologicals, and including categories mentioned in Schedule I;

6. "**Biologicals**" means any preparation made from organisms or microorganisms or product of metabolism and biochemical reactions intended for use in the diagnosis, immunisation or the treatment of human beings or animals or in research activities pertaining thereto.

7. "**Bio-Medical Waste treatment facility**" means any facility wherein treatment disposal of Bio-Medical Waste or processes incidental to such treatment or disposal is carried out [and includes common treatment facilities.]

3[7a) ‘**Form**’ means Form appended to these rules; ]

8. "**Occupier**" in relation to any institution generating Bio-Medical Waste, which includes a hospital, nursing home, clinic dispensary, veterinary institution, animal house, pathological laboratory, blood bank by whatever name called, means a person who has control over that institution and/or its premises;

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9. "Operator of a Bio-Medical Waste facility" means a person who owns or controls or operates a facility for the collection, reception, storage, transport, treatment, disposal or any other form of handling of Bio-Medical Waste;

10. "Schedule" means schedule appended to these rules;

4. DUTY OF OCCUPIER

It shall be the duty of every Occupier of an institution generating Bio-Medical Waste which includes a hospital, nursing home, clinic, dispensary, veterinary institution, animal house, pathological laboratory, blood bank by whatever name called to take all steps to ensure that such waste is handled without any adverse effect to human health and the environment.

5. TREATMENT AND DISPOSAL

(1) Bio-Medical Waste shall be treated and disposed of in accordance with Schedule I, and in compliance with the standards prescribed in Schedule V.

(2) Every Occupier, where required, shall set up in accordance with the time-schedule in Schedule VI, requisite Bio-Medical Waste treatment facilities like incinerator, autoclave, microwave system for the treatment of waste, or, ensure requisite treatment of waste at a common waste treatment facility or any other waste treatment facility.
6. SEGREGATION, PACKAGING, TRANSPORTATION AND STORAGE

(1) Bio-Medical Waste shall not be mixed with other wastes.

(2) Bio-Medical Waste shall be segregated into containers/bags at the point of generation in accordance with Schedule II prior to its storage, transportation, treatment and disposal. The containers shall be labelled according to Schedule III.

(3) If a container is transported from the premises where Bio-Medical Waste is generated to any waste treatment facility outside the premises, the container shall, apart from the label prescribed in Schedule III, also carry information prescribed in Schedule IV.

(4) Notwithstanding anything contained in the Motor Vehicles Act, 1988, or rules thereunder, untreated Bio-Medical Waste shall be transported only in such vehicle as may be authorised for the purpose by the competent authority as specified by the Government.

(5) No untreated Bio-Medical Waste shall be kept stored beyond a period of 48 hours:

    provided that if for any reason it becomes necessary to store the waste beyond such period, the authorised person must take permission of the prescribed authority and take measures to ensure that the waste does not adversely affect human health and the environment.
4[(6) The Municipal body of the area shall continue to pick up and transport segregated non bio-medical solid waste generated in hospitals and nursing homes, as well as duly treated Bio-Medical Wastes for disposal at municipal dump site].

7. PRESCRIBED AUTHORITY

5[(1) 6[Save as otherwise provide, the prescribed authority for enforcement] of the provisions of these rules shall be the State Pollution Control Boards in respect of States and the Pollution Control Committees in respect of the Union Territories and all pending cases with a prescribed authority appointed earlier shall stand transferred to the concerned State Pollution Control Board, or as the case may be, the Pollution Control Committees].

7[(1A) The prescribed authority for enforcement of the provisions of these rules in respect of all healthcare establishments including hospitals, nursing homes, clinics, dispensaries, veterinary institutions, Animal houses, pathological laboratories and blood banks of the Armed Forces under the Ministry of Defence shall be the Director General, Armed Forces Medical Services].

7 Inserted sub-rule (1A) by Rule 2(b), ibid.
(2) The prescribed authority for the State or Union Territory shall be appointed within one month of the coming into force of these rules.

(3) The prescribed authority shall function under the supervision and control of the respective Government of the State or Union Territory.

(4) The prescribed authority shall on receipt of Form I make such enquiry as it deems fit and if it is satisfied that the applicant possesses the necessary capacity to handle Bio-Medical Waste in accordance with these rules, grant or renew an authorisation as the case may be.

(5) An authorisation shall be granted for a period of three years, including an initial trial period of one year from the date of issue. Thereafter, an application shall be made by the Occupier/Operator for renewal. All such subsequent authorisation shall be for a period of three years. A provisional authorisation will be granted for the trial period, to enable the Occupier/Operator to demonstrate the capacity of the facility.

(6) The prescribed authority may after giving reasonable opportunity of being heard to the applicant and for reasons thereof to be recorded in writing, refuse to grant or renew authorisation.

(7) Every application for authorisation shall be disposed of by the prescribed authority within ninety days from the date of receipt of the application.
(8) The prescribed authority may cancel or suspend an authorisation, if for reasons, to be recorded in writing, the Occupier/Operator has failed to comply with any provision of the Act or these rules:

Provided that no authorisation shall be cancelled or suspended without giving a reasonable opportunity to the Occupier/Operator of being heard.

8. AUTHORISATION

(1) Every Occupier of an institution generating, collecting, receiving, storing, transporting, treating, disposing and/or handling Bio-Medical Waste in any other manner, except such Occupier of clinics, dispensaries, pathological laboratories, blood banks providing treatment/service to less than 1000 (one thousand) patients per month, shall make an application in Form I to the prescribed authority for grant of authorisation.

(2) Every Operator of a Bio-Medical Waste facility shall make an application in Form I to the prescribed authority for grant of authorisation.

(3) Every application in Form I for grant of authorisation shall be accompanied by a fee as may be prescribed by the Government of the State or Union Territory.
The authorisation to operate a facility shall be issued in Form IV, subject to conditions laid therein and such other condition, as the prescribed authority, may consider it necessary.

9. ADVISORY COMMITTEE

The Government of every State/Union Territory shall constitute an advisory committee. The Committee will include experts in the field of medical and health, animal husbandry and veterinary sciences, environmental management, municipal administration, and any other related department or organisation including non-governmental organisations. As and when required, the committee shall advise the Government of the State/Union Territory and the prescribed authority about matters related to the implementation of these rules.

Notwithstanding anything contained in sub-rule (1), the Ministry of Defence shall constitute in that Ministry, an Advisory Committee consisting of the following in respect of all healthcare establishments including hospitals, nursing homes, clinics, dispensaries, veterinary institutions, animal houses, pathological laboratories and blood banks of the Armed Forces under the Ministry of Defence, to advise the Director.

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8[[(4) The authorisation to operate a facility shall be issued in Form IV, subject to conditions laid therein and such other condition, as the prescribed authority, may consider it necessary.]

9[[(1)] The Government of every State/Union Territory shall constitute an advisory committee. The Committee will include experts in the field of medical and health, animal husbandry and veterinary sciences, environmental management, municipal administration, and any other related department or organisation including non-governmental organisations. As and when required, the committee shall advise the Government of the State/Union Territory and the prescribed authority about matters related to the implementation of these rules.

11[(2) Notwithstanding anything contained in sub-rule (1), the Ministry of Defence shall constitute in that Ministry, an Advisory Committee consisting of the following in respect of all healthcare establishments including hospitals, nursing homes, clinics, dispensaries, veterinary institutions, animal houses, pathological laboratories and blood banks of the Armed Forces under the Ministry of Defence, to advise the Director.

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General, Armed Forces Medical Services and the Ministry of Defence in matters relating to implementation of these rules, namely:-

(1) Additional Director General of

Armed Forces Medical Services …….. Chairman

(2) A representative of the Ministry of

Defence not below the rank of Deputy

Secretary, to be nominated by that Ministry …….. Member

(3) A representative of the Ministry of Environment

and Forests not below the rank of Deputy Secretary

to be nominated by that Ministry. …….. Member

(4) A representative of the Indian Society of

Hospitals Waste Management, Pune ……..Member]

12[9A. MONITORING OF IMPLEMENTATION OF THE RULES IN ARMED FORCES HEALTHCARE ESTABLISHMENTS

(1) The Central Pollution Control Board shall monitor the implementation of these rules in respect of all the Armed Forces healthcare establishments under the Ministry of Defence.

2) After giving prior notice to the Director General Armed Forces Medical Services, the Central Pollution Control Board along with one or more representatives of the Advisory Committee

constituted under sub-rule (2) of rule 9 may, if it considers it necessary, inspect any Armed Forces healthcare establishments.]

10. ANNUAL REPORT

Every Occupier/Operator shall submit an annual report to the prescribed authority in Form II by 31 January every year, to include information about the categories and quantities of Bio-Medical Wastes handled during the preceding year. The prescribed authority shall send this information in a compiled form to the Central Pollution Control Board by 31 March every year.

11. MAINTENANCE OF RECORDS

(1) Every authorised person shall maintain records related to the generation, collection, reception, storage, transportation, treatment, disposal and/or any form of handling of Bio-Medical Waste in accordance with these rules and any guidelines issued.

(2) All records shall be subject to inspection and verification by the prescribed authority at any time.

12. ACCIDENT REPORTING

When any accident occurs at any institution or facility or any other site where Bio-Medical Waste is handled or during
transportation of such waste, the authorised person shall report the accident in Form III to the prescribed authority forthwith.

13. APPEAL

13[(1)] 14[Save as otherwise provided in sub-rule (2), any person] aggrieved by an order made by the prescribed authority under these rules may, within thirty days from the date on which the order is communicated to him, prefer an appeal 15[in form V] to such authority as the Government of State/Union Territory may think fit to constitute:
Provided that the authority may entertain the appeal after the expiry of the said period of thirty days if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

16[(2)] Any person aggrieved by an order of the Director General, Armed Forces Medical Services under these rules may, within thirty days from the date on which the order is communicated to him prefer an appeal to the Central Government in the Ministry of Environment and Forests.]

14 Substituted by Rule 5(a), ibid.
17[14. COMMON DISPOSAL / INCINERATION SITES

Without prejudice to rule 5 of these rules, the Municipal Corporations, Municipal Boards or Urban Local Bodies, as the case may be, shall be responsible for providing suitable common disposal/incineration sites for the Bio-Medical Wastes generated in the area under their jurisdiction and in areas outside the jurisdiction of any municipal body, it shall be the responsibility of the Occupier generating Bio-Medical Waste /Operator of a Bio-Medical Waste treatment facility to arrange for suitable sites individually or in association, so as to comply with the provisions of these rules].

SCHEDULE I

(See Rule 5)

CATEGORIES OF BIO-MEDICAL WASTE

<table>
<thead>
<tr>
<th>Waste Category No.</th>
<th>Waste Category</th>
<th>Treatment and Disposal</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Category No.1</strong></td>
<td>Human Anatomical Waste (human tissues, organs, body parts)</td>
<td>Incineration*/deep burial*</td>
</tr>
<tr>
<td><strong>Category No.2</strong></td>
<td>Animal Waste (animal tissues, organs, body parts, carcasses, bleeding parts, fluid, blood and experimental animals used in research, waste generated by veterinary hospitals, colleges, discharge from hospitals, animal houses)</td>
<td>Incineration*/deep burial*</td>
</tr>
<tr>
<td><strong>Category No.3</strong></td>
<td>Microbiology &amp; Biotechnology Wastes (Wastes from laboratory cultures, stocks or specimens of microorganisms live or attenuated vaccines, human and animal cell culture used in research and infectious agents from research and industrial laboratories, wastes from production of biologicals, toxins, dishes and devices used for transfer of cultures)</td>
<td>local autoclaving/micro-waving/incineration*</td>
</tr>
<tr>
<td><strong>Category No.5</strong></td>
<td>Discarded Medicines and Cytotoxic drugs (wastes comprising of outdated, contaminated and discarded medicines)</td>
<td>incineration*/destruction and drugs disposal in secured landfills</td>
</tr>
</tbody>
</table>

---

19 Added by Rule 9(ii), ibid.
20 Substituted by Rule 9 (iii), ibid.
<table>
<thead>
<tr>
<th>Waste Category No.</th>
<th>Waste Category 21[Type]</th>
<th>Treatment and Disposal 22[Option +]</th>
</tr>
</thead>
<tbody>
<tr>
<td>Category No.6</td>
<td><strong>Soiled</strong> Waste</td>
<td>incineration @ autoclaving/</td>
</tr>
<tr>
<td></td>
<td>(Items contaminated with blood, and body fluids including cotton, dressings, soiled plaster casts, lines beddings, other material contaminated with blood)</td>
<td>microwaving</td>
</tr>
<tr>
<td>Category No.7</td>
<td><strong>Solid Waste</strong></td>
<td>disinfection by chemical treatment @@ autoclaving/</td>
</tr>
<tr>
<td></td>
<td>(wastes generated from disposable items other than the waste 24[sharps] such as tubings, catheters, intravenous sets etc.)</td>
<td>microwaving and mutilation/shredding#</td>
</tr>
<tr>
<td></td>
<td></td>
<td>#</td>
</tr>
<tr>
<td>Category No.8</td>
<td><strong>Liquid Waste</strong></td>
<td>disinfection by chemical treatment @@ and discharge into drains.</td>
</tr>
<tr>
<td></td>
<td>(waste generated from laboratory and washing, cleaning, housekeeping and disinfecting activities)</td>
<td></td>
</tr>
<tr>
<td>Category No.9</td>
<td><strong>Incineration Ash</strong></td>
<td>disposal in municipal landfill</td>
</tr>
<tr>
<td></td>
<td>(ash from incineration of any Bio-Medical Waste)</td>
<td></td>
</tr>
<tr>
<td>Category No.10</td>
<td><strong>Chemical Waste</strong></td>
<td>Chemical treatment @@ and discharge into drains for liquids and secured landfill for solids</td>
</tr>
<tr>
<td></td>
<td>(chemicals used in production of biologicals, chemicals used in disinfection, as insecticides etc.)</td>
<td></td>
</tr>
</tbody>
</table>

@@ Chemical treatment using at least 1% hypochlorite solution or any other equivalent chemical reagent. It must be ensured that chemical treatment ensures disinfection.

---

21 Added by Rule 9(ii), ibid.
22 Substituted by Rule 9 (iii), ibid.
23 Substituted by rule 9(iv), ibid.
Mutilation/shredding must be such so as to prevent unauthorized reuse.

There will be no chemical pre-treatment before incineration. Chlorinated plastics shall not be incinerated.

Deep burial shall be an option available only in towns with population less than five lakhs and in rural areas.

Options given above are based on available technologies. Occupier/Operator wishing to use other State-of-the-art technologies shall approach the Central Pollution Control Board to get the standards laid down to enable the prescribed authority to consider grant of authorisation.

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SCHEDULE II
(see Rule 6)

COLOUR CODING AND TYPE OF CONTAINER FOR
DISPOSAL OF BIO-MEDICAL WASTES

<table>
<thead>
<tr>
<th>Colour Coding</th>
<th>Type of Container</th>
<th>Waste Category</th>
<th>Treatment options as per Schedule I</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yellow</td>
<td>Plastic bag</td>
<td>Cat.1, Cat. 2, Cat.3, Cat. 6</td>
<td>Incineration/deep burial</td>
</tr>
<tr>
<td>Red</td>
<td>Disinfected container/plastic bag</td>
<td>Cat. 3, Cat.6, Cat.7</td>
<td>Autoclaving/Microwaving/Chemical Treatment</td>
</tr>
<tr>
<td>Blue/White translucent</td>
<td>Plastic bag/puncture proof container</td>
<td>Cat.4, Cat.7</td>
<td>Autoclaving/Microwaving/Chemical Treatment and destruction/shredding</td>
</tr>
<tr>
<td>Black</td>
<td>Plastic bag</td>
<td>Cat.5 and Cat.9 and Cat.10 (Solid)</td>
<td>Disposal in secured landfill</td>
</tr>
</tbody>
</table>

Notes:

1. Colour coding of waste categories with multiple treatment options as defined in Schedule I, shall be selected depending on treatment option chosen, which shall be as specified in Schedule I.
2. Waste collection bags for waste types needing incineration shall not be made of chlorinated plastics.

3. Categories 8 and 10 (liquid) do not require containers/bags.

4. Category 3 if disinfected locally need not be put in containers/bags.

**SCHEDULE III**

*(see Rule 6)*

**LABEL FOR BIO-MEDICAL WASTE CONTAINERS/BAGS**

**BIOHAZARD SYMBOL**

**CYTOTOXIC HAZARD**

HANDLE WITH CARE

Note: Label shall be non-washable and prominently visible.
SCHEDULE IV

(see Rule 6)

LABEL FOR TRANSPORT OF BIO-MEDICAL WASTE CONTAINERS/BAGS

Day………….. Month………………

Year ………………………..

Date of generation……………………

Waste category No……………..

Waste Class

Waste description

<table>
<thead>
<tr>
<th>Sender's Name &amp; Address</th>
<th>Receiver's Name &amp; Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phone No………………….</td>
<td>Phone No………………….</td>
</tr>
<tr>
<td>Telex No………………….</td>
<td>Telex No………………….</td>
</tr>
<tr>
<td>Fax No…………………..</td>
<td>Fax No…………………..</td>
</tr>
<tr>
<td>Contact Person……………</td>
<td>Contact Person……………</td>
</tr>
</tbody>
</table>

In case of emergency please contact:

Name & Address

Phone No.

Note : Label shall be non-washable and prominently visible.
SCHEDULE V
(see Rule 5 and Schedule I)

STANDARDS FOR TREATMENT AND DISPOSAL OF BIO-MEDICAL WASTES

STANDARDS FOR INCINERATORS:
All incinerators shall meet the following operating and emission standards:

A. Operating Standards

1. Combustion efficiency (CE) shall be at least 99.00%.

2. The Combustion efficiency is computed as follows:

\[
\text{C.E.} = \frac{\% \text{CO}_2}{\% \text{CO}_2 + \% \text{CO}} \times 100
\]

3. The temperature of the primary chamber shall be 800 ± 50°C.

4. The secondary chamber gas residence time shall be at least 1 (one) second at 1050 ± 50°C, with minimum 3% Oxygen in the stack gas.

B. Emission Standards

Parameters Concentration mg/Nm³ at (12% CO₂ correction)

(1) Particulate matter 150
(2) Nitrogen Oxides 450
(3) HCl 50
(4) Minimum stack height shall be 30 metres above ground.

(5) Volatile organic compounds in ash shall not be more than 0.01%.

Note:

- Suitably designed pollution control devices should be installed/retrofitted with the incinerator to achieve the above emission limits, if necessary.
- Wastes to be incinerated shall not be chemically treated with any chlorinated disinfectants.
- Chlorinated plastics shall not be incinerated.
- Toxic metals in incineration ash shall be limited within the regulatory quantities as defined under the Hazardous Waste (Management and Handling) Rules, 1989.
- Only low sulphur fuel like L.D.O./L.S.H.S./Diesel shall be used as fuel in the incinerator.

**STANDARDS FOR WASTE AUTOCLAVING:**

The autoclave should be dedicated for the purposes of disinfecting and treating Bio-Medical Waste,

(I) When operating a gravity flow autoclave, medical Wastes shall be subjected to:
(i) a temperature of not less than 121°C and pressure of 15 pounds per square inch (psi) for an autoclave residence time of not less than 60 minutes; or

(ii) a temperature of not less than 135°C and a pressure of 31 psi for an autoclave residence time of not less than 45 minutes; or

(iii) a temperature of not less than 149°C and a pressure of 52 psi for an autoclave residence time of not less than 30 minutes.

(II) When operating a vacuum autoclave, medical waste shall be subjected to a minimum of one pre-vacuum pulse to purge the autoclave of all air. The waste shall be subjected to the following:

(i) a temperature of not less than 121°C and pressure of 15 psi per an autoclave residence time of not less than 45 minutes; or

(ii) a temperature of not less than 135°C and a pressure of 31 psi for an autoclave residence time of not less than 30 minutes;

(III) Medical waste shall not be considered properly treated unless the time, temperature and pressure indicators indicate that the required time, temperature and pressure were reached during the autoclave process. If for any reasons, time temperature or pressure indicator indicates that the required
temperature, pressure or residence time was not reached, the entire load of medical waste must be autoclaved again until the proper temperature, pressure and residence time were achieved.

(IV) **Recording of operational parameters**

Each autoclave shall have graphic or computer recording devices which will automatically and continuously monitor and record dates, time of day, load identification number and operating parameters throughout the entire length of the autoclave cycle.

(V) **Validation test**

**Spore testing**:

The autoclave should completely and consistently kill approved biological indicator at the maximum design capacity of each autoclave unit. Biological indicator for autoclave shall be *Bacillus stearothermophilus* spores using vials or spore strips, with at least $1 \times 10^4$ spores per millilitre. Under no circumstances will an autoclave have minimum operating parameters less than a residence time of 30 minutes, regardless of temperature and pressure, a temperature less than 121°C or a pressure less than 15 psi.
(VI) **Routine Test**

A chemical indicator strip/tape that changes colour when a certain temperature is reached can be used to verify that a specific temperature has been achieved. It may be necessary to use more than one strip one strip over the waste package at different location to ensure that the inner content of the package has been adequately autoclaved.

**STANDARDS FOR LIQUID WASTE :**

The effluent generated from the hospital should conform to the following limits :

<table>
<thead>
<tr>
<th>PARAMETERS</th>
<th>PERMISSIBLE LIMITS</th>
</tr>
</thead>
<tbody>
<tr>
<td>pH</td>
<td>6.5-9.0</td>
</tr>
<tr>
<td>Suspended solids</td>
<td>100 mg/l</td>
</tr>
<tr>
<td>Oil and grease</td>
<td>10 mg/l</td>
</tr>
<tr>
<td>BOD</td>
<td>30 mg/l</td>
</tr>
<tr>
<td>COD</td>
<td>250 mg/l</td>
</tr>
<tr>
<td>Bio-assay test</td>
<td>90% survival of fish after 96 hours in 100% effluent</td>
</tr>
</tbody>
</table>

These limits are applicable to those hospitals which are either connected with sewers without terminal sewage treatment plant or not connected to public
sewers. For discharge into public sewers with terminal facilities, the general standards as notified under the Environment (Protection) Act, 1986 shall be applicable.

**STANDARDS OF MICROWAVING:**

1. Microwave treatment shall not be used for cytotoxic, hazardous or radioactive wastes, contaminated animal carcasses, body parts and large metal items.

2. The microwave system shall comply with the efficacy test/routine tests and a performance guarantee may be provided by the supplier before operation of the unit.

3. The microwave should completely and consistently kill the bacteria and other pathogenic organisms that is ensured by approved biological indicator at the maximum design capacity of each microwave unit. Biological indicators for microwave shall be Bacillus Subtilis spores using vials or spore strips with at least $1 \times 10^4$ spores per milliliter.
STANDARDS FOR DEEP BURIAL

1. A pit or trench should be dug about 2 metres deep. It should be half filled with waste, then covered with lime within 50 cm of the surface, before filling the rest of the pit with soil.

2. It must be ensured that animals do not have any access to burial sites. Covers of galvanized iron/wire meshes may be used.

3. On each occasion, when wastes are added to the pit, a layer of 10 cm of soil shall be added to cover the wastes.

4. Burial must be performed under close and dedicated supervision.

5. The deep burial site should be relatively impermeable and no shallow well should be close to the site.

6. The pits should be distant from habitation, and sited so as to ensure that no contamination occurs of any surface water or groundwater. The area should not be prone to flooding or erosion.

7. The location of the deep burial site will be authorized by the prescribed authority.

8. The institution shall maintain a record of all pits for deep burial.
SCHEDULE FOR WASTE MANAGEMENT FACILITIES LIKE INCINERATOR/AUTOCLAVE / MICROWAVE SYSTEM

<table>
<thead>
<tr>
<th>Category</th>
<th>Deadline</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Hospitals and nursing homes in towns with population of 30 lakhs and above</td>
<td>By 30&lt;sup&gt;th&lt;/sup&gt; June, 2000 or earlier</td>
</tr>
<tr>
<td>B. Hospitals and nursing homes in towns with population of below 30 lakhs -</td>
<td></td>
</tr>
<tr>
<td>(e) with 500 beds and above</td>
<td>By 30&lt;sup&gt;th&lt;/sup&gt; June, 2000 or earlier</td>
</tr>
<tr>
<td>(f) with 200 beds and above but less than 500 beds.</td>
<td>By 31&lt;sup&gt;st&lt;/sup&gt; December, 2000 or earlier</td>
</tr>
<tr>
<td>(g) With 50 beds and above but less than 200 beds.</td>
<td>By 31&lt;sup&gt;st&lt;/sup&gt; December, 2001 or earlier</td>
</tr>
<tr>
<td>(h) With less than 50 beds</td>
<td>By 31&lt;sup&gt;st&lt;/sup&gt; December, 2002 or earlier</td>
</tr>
<tr>
<td>C. All other institutions generating Bio-Medical Waste not included in A and B above.</td>
<td>By 31&lt;sup&gt;st&lt;/sup&gt; December, 2002 or earlier</td>
</tr>
</tbody>
</table>

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FORM I

(See rule 8)

APPLICATION FOR AUTHORISATION/RENEWAL OF AUTHORISATION]

(To be submitted in duplicate)

To,

The Prescribed Authority

(Name of the State Govt. /UT Administration)

Address.

1. Particulars of Applicant

(i) Name of the Applicant

(in block letters & in full)

(ii) Name of the Institution :

Address :

Tele No., Fax. No., Telex No.,

2. Activity for which authorisation is sought:

(i) Generation

(ii) Collection

(iii)  Reception
(iv)  Storage
(v)  Transportation
(vi)  Treatment
(vii) Disposal
(viii) Any other form of handling

3. Please state whether applying for fresh authorisation or for renewal:
   (in case of renewal previous authorisation number and date)

4.  (i) Address of the institution handling Bio-Medical Wastes:
    (ii) Address of the place of the treatment facility:
    (iii) Address of the place of disposal of the waste:

5.  (i) Mode of transportation (in any) of Bio-Medical Waste:
    (ii) Mode(s) of treatment:

6.  Brief description of method of treatment and disposal (attach details):

7.  (i) Category (see Schedule I) of waste to be handled
    (ii) Quantity of waste (category-wise) to be handled per month
8. Declaration

I do hereby declare that the statements made and information given above are true to the best of my knowledge and belief and that I have not concealed any information.

I do also hereby undertake to provide any further information sought by the prescribed authority in relation to these rules and to fulfill any conditions stipulated by the prescribed authority.

Date : Signature of the applicant

Place : Designation of the applicant
FORM II

(see rule 10)

ANNUAL REPORT

(To be submitted to the prescribed authority by 31 January every year).

1. Particulars of the applicant:
   (i) Name of the authorised person (Occupier/Operator):
   (ii) Name of the institution:
        Address
        Tel.No.
        Telex No.
        Fax No.

2. Categories of waste generated and quantity on a monthly average basis:

3. Brief details of the treatment facility:
   In case of off-site facility:
   (i) Name of the Operator
(ii) Name and address of the facility:
    Tel. No., Telex No., Fax No.

4. Category-wise quantity of waste treated:

5. Mode of treatment with details:

6. Any other information:

7. Certified that the above report is for the period from .................

................................................................................................................

Date: Signature ............................

Place: Designation.........................
FORM III

(see Rule 12)

ACCIDENT REPORTING

1. Date and time of accident:

2. Sequence of events leading to accident:

3. The waste involved in accident:

4. Assessment of the effects of the accidents on human health and the environment:

5. Emergency measures taken:

6. Steps taken to alleviate the effects of accidents:

7. Steps taken to prevent the recurrence of such an accident:

Date: ......................  Signature: ........................

Place: ......................  Designation: ........................
[FORM IV]

[see Rule 8(4)]

(Authorisation for operating a facility for collection, reception, treatment, storage, transport and disposal of Bio-Medical Wastes.)

1. File number of authorisation and date of issue……………………………………………….

2. ………………………………of ………………………………………….

   is hereby granted an authorisation to operate a facility for collection, reception, storage, transport and disposal of Bio-Medical Waste on the premises situated at ……………………………………………………………………………………………

   ……………………………………………………………………………………………………………………………………………………………

3. This authorisation shall be in force for a period of ………… Years from the date of issue.

4. This authorisation is subject to the conditions stated below and to such other conditions as may be specified in the rules for the time being in force under the Environment (Protection) Act, 1986.

Date …………….. Signature……………………..

…………………… Designation …………………..

Terms and conditions of authorisation *

1. The authorisation shall comply with the provisions of the Environment (Protection) Act, 1986 and the rules made thereunder.

2. The authorization or its renewal shall be produced for inspection at the request of an officer authorised by the prescribed authority.

---

3. The person authorized shall not rent, lend, sell, transfer or otherwise transport the Bio-Medical Wastes without obtaining prior permission of the prescribed authority.

4. Any unauthorised change in personnel, equipment or working conditions as mentioned in the application by the person authorised shall constitute a breach of his authorisation.

5. It is the duty of the authorised person to take prior permission of the prescribed authority to close down the facility.

* Additional terms and conditions may be stipulated by the prescribed authority.
Application for filing appeal against order passed by the prescribed authority at district level or regional office of the Pollution Control Board acting as prescribed authority or the State/Union Territory level authority.

1. Name and address of the person applying for appeal:

2. Number, date of order and address of the authority which passed the order, against which appeal is being made (certified copy of order to be attached)

3. Ground on which the appeal is being made.

4. List of enclosures other than the order referred in para 2 against which appeal is being filed.

Signature ……………………….

Date: Name & Address……………………

F.No.23(2)/96-HSMD
V.RAJAGOPALAN, Jt. Secretary

Note: The Principal rules were published in the Gazette of India vide number S.O.630(E), dated 20.7.98 and subsequently amended vide
(1) S.O.201(E), dated 6.3.2000; (2) S.O.545(E), dated 2.6.2000; and
(iii) S.O.1069(E), dated 17.9.2003.

Annexure-3

NATIONAL GUIDELINES ON HOSPITAL WASTE MANAGEMENT
BASED UPON THE BIO-MEDICAL WASTE
(MANAGEMENT & HANDLING) RULES, 1998

The Bio-Medical Waste (Management & Handling) Rules, 1998 were notified under the Environment Protection Act, 1986 (29 of 1986) by the Ministry of Environment and Forest, Govt of India on 20th July, 1998. The guidelines have been prepared to enable each hospital for implementation of the said Rules by developing comprehensive plan for hospital waste management smoothly in terms of segregation, collection, treatment, transportation and disposal of hospital waste.

1. POLICY ON HOSPITAL WASTE MANAGEMENT
The policy statement aims "to provide for a system for management of all potentially infectious and hazardous waste in accordance with the Bio Medical Waste (Management & Handling) Rules, 1998 (BMW, 1998).

2. DEFINITION OF BIO MEDICAL WASTE
Bio Medical waste means any waste, which is generated during the diagnosis treatment or immunization of human beings or animal or in research activities pertaining thereto or in the production or testing of biologicals, including categories mentioned in the Schedule I of the Bio-Medical waste (Management & Handling) Rules, 1998.

3. CATEGORIES OF BIO-MEDICAL WASTE
Hazardous, toxic and Bio-medical waste should be segregated into following categories for the purpose of it's safe transportation to a specific site for specific treatment. Certain specific categories of toxic and hazardous waste required specific treatment (dis-inspection/ decontamination) before
transportation for treatment, which can also be done under the categorization as mentioned below:

**Category No.1. HUMAN ANATOMICAL WASTE**
This includes human tissues, organs and body parts.

**Category No. 2. ANIMAL WASTE**
This includes animal tissue, organs, body parts carcasses, bleeding parts, fluid, blood and experimental animals used in research, waste generated by veterinary hospitals, colleges, discharge from hospitals, animal houses.

**Category No. 3. MICROBIOLOGY & BIOTECHNOLOGY WASTE**
This includes waste from laboratory cultures, stocks or specimens of microorganisms live or attenuated vaccines, human and animal cell culture used in research and infectious agents from research and industrial laboratories, wastes from production of biologicals, toxins, dishes and devices used for transfer of cultures.

**Category No. 4. WASTE SHARPS**
This comprises needles, syringes, scalpels, blades, glass etc, which may cause puncture and cuts. This includes both used and unused sharps.

**Category No. 5. DISCARDED MEDICINES AND CYTOTOXIC DRUGS**
This contains waste comprising of outdated, contaminated and discarded medicines.

**Category No. 6. SOILED WASTE**
This contains items contaminated with blood, and body fluids including cotton, dressings, soiled plaster casts, linens, beddings, other material contaminated with blood.
Category No. 7. SOLID WASTE
This contains wastes generated from disposable items other than the waste sharps such as tubing, catheters, intravenous sets etc.

Category No. 8. LIQUID WASTE
This contains wastes generated from laboratory and washing, cleaning housekeeping and disinfecting activities.

Category No. 9. INCINERATION ASH
This contains ash from incineration of any bio-medical waste.

Category No. 10. CHEMICAL WASTE
This contains chemical used in production of biologicals, chemicals used disinfection as insecticides etc.

4. SEGREGATION OF WASTE
4.1 It should be done at the source of generation of bio medical waste e.g. all patient care activity areas, Diagnostic Services areas, Operation theatres, Labors Rooms, treatment rooms etc.

4.2 The responsibility of segregation should be with generator of bio medical waste i.e. Doctors, Nurses and Technicians etc.

4.3 The Bio Medical waste should be segregated as per categories applicable.

5. COLLECTION OF BIO MEDICAL WASTE
Collection of Bio medical waste should be done as per Bio Medical Waste (Management & Handling) Rules, 1998 (Rule 6—schedule II)

5.1 Type of container and colour for collection of Biomedical waste:
<table>
<thead>
<tr>
<th>S. No.</th>
<th>Category</th>
<th>Type of Container</th>
<th>Colour Coding</th>
</tr>
</thead>
<tbody>
<tr>
<td>11.</td>
<td>Human anatomical waste</td>
<td>Plastic Bag</td>
<td>Yellow</td>
</tr>
<tr>
<td>12.</td>
<td>Animal waste</td>
<td>-do-</td>
<td>-do-</td>
</tr>
<tr>
<td>14.</td>
<td>Waste sharp</td>
<td>Plastic bag puncture proof container translucent</td>
<td>Blue/White</td>
</tr>
<tr>
<td>15.</td>
<td>Discarded Medicines &amp; Cytotoxic waste</td>
<td>Plastic bag</td>
<td>Black</td>
</tr>
<tr>
<td>16.</td>
<td>Solid waste (Soiled)</td>
<td>-do-</td>
<td>Yellow/ red</td>
</tr>
<tr>
<td>17.</td>
<td>*Solid waste (Plastic)</td>
<td>Plastic bag puncture proof container translucent</td>
<td>Blue/White</td>
</tr>
<tr>
<td>18.</td>
<td>Liquid waste</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>19.</td>
<td>Incineration ash</td>
<td>Plastic bag</td>
<td>Black</td>
</tr>
<tr>
<td>20.</td>
<td>Chemical waste (solid)</td>
<td>-do-</td>
<td>Black</td>
</tr>
</tbody>
</table>

5.2 All the items sent to incinerator/deep burial (Cat 1,2,3,6) should be placed in Yellow colored bags.

5.3 All the Bio-medical waste to be sent for Microwave/autoclave/Chemical treatment should be placed in Red coloured bags.
5.4 Any waste which is sent to shredder after autoclaving/microwaving/chemical treatment is to be packed in Blue/white translucent bag.

5.5 **Location of containers:**— All containers having different coloured plastic bags should be located at the point of generation of waste i.e. near OT Tables, injection rooms, diagnostic services areas. The colour of container/plastic bags used for collection of segregated Biomedical waste should be identifiable.

5.6 **Labeling:**—All the bags/containers must be labeled according to the rules (Schedule III of Bio Medical Waste Rules, 1998).

5.7 **Bags:**—It should be ensured that waste bags are filled up to only three fourth capacity, tie securely and remove from the site of the generation regularly and timely.

5.8 Certain categories of waste which may need pre-treatment (decontamination/disinfection) and the site of generation such as plastic and sharp materials, etc should be removed from the site of generation only after treatment.

5.9 The process of collection should be documented in a register, the colour plastic bags should be replaced and the garbage bin should be cleaned with disinfectant regularly.

**6. STORAGE OF WASTE**

Storage refers to the holding of Bio-medical waste for a certain period of time, after which it is sent for treatment and disposal. In other words it means the duration of time wastes are kept at the site of generation and transit till the point of treatment and final disposal.
6.1 No untreated Bio Medical Waste shall be kept, stored beyond a period of 48 hours

6.2 The authorised person must take the permission of the prescribed authority, if for any reason; it becomes necessary to store the waste beyond 48 hours.

6.3 The authorised person should take measures to ensure that the waste does not adversely affect human health and the environment, in case; it is kept beyond the prescribed limit.

7. TRANSPORTATION

7.1.1 Transportation within the Hospital.

7.1.2 Within hospital, waste routes must be designated to avoid the passage of waste through patient care areas as far as possible.

7.1.3 Separate time should be earmarked for transportation of Bio Medical Waste to reduce chances of its mixing with general waste as far as possible.

7.1.4 Dedicated wheeled containers, trolleys or carts should be used to transport the waste bins/plastic bags to the site of storage/treatment.

7.1.5 Trolleys or carts should be thoroughly cleaned and disinfected in the event of any spillage.

7.1.6 The wheeled containers should be designated that the waste can be easily loaded, remains secured during transportation, does not have any sharp edges and easy to clean and disinfected.
7.2 **Transportation of clinical waste to treatment/disposal outside the hospital.**

7.2.1 Untreated Bio Medical Waste shall be transported only in such vehicles as may be authorised for the purpose by the competent authority as specified by the Govt. under the Motor Vehicle Act, 1988.

7.2.2 The containers for transportation must be labeled as given in Schedule III and IV of BMW Rules 1998.

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**8. TREATMENT OF HOSPITAL WASTE**

8.1 **General waste (non-hazardous, non toxic, non infectious):**

The safe disposal of this waste should be ensured by the through Local Municipal Authority.

8.2 **Bio Medical Waste**

8.2.1 **Incineration:** The incinerator should be installed and made operational as per specifications under the BMW Rules, 1998 and a certificate may be taken from CPCB/State Pollution control Board. Specific requirement regarding the incinerator and norms of combustion efficiency and emission levels, etc have been defined in the Bio Medical Waste (management & Handling) Rules 1998. In case of small hospitals, joint facilities for incineration can be developed depending upon the local policies of the Hospital and feasibility. The plastic bags made of chlorinated plastic should not be incinerated.

8.2.2 **Deep burial:** Standard for deep burial are also mentioned in the Bio Medical Waste (management & Handling) Rules 1998. The waste under category 1 and 2 can be accorded deep burial and only in cities having less than 5 lakh populations.
8.2.3 Autoclave and Microwave treatment: Standards for the autoclaving and Microwaving are also mentioned in the Bio Medical Waste (Management & Handling) Rules 1998. All equipment installed/ shared should meet these techniques. The waste under category 3,4,6 and 7 can be treated by these techniques.

8.2.4 Shredding: The plastic (IV bottle, IV Sets, syringes, catheters etc) sharps (needles, blades, glass etc) should be shredded but only after chemical treatment/ microwaving/autoclaving ensuring disinfection.

8.2.5 Needles destroyers can be used for disposal of needles directly without chemical treatment.

8.2.6 Secured landfill: The incinerator ash, discarded medicines, cytotoxic substances and solid chemical waste should be treated by this option.

8.2.7 It may be noted there are multiple options available for disposal of certain category of waste. The individual hospital can choose the best option depending treatment facilities available.

8.2.8 Radioactive Waste: The management of the radioactive waste should be undertaken as per the guidelines of BARC.

8.2.9 Liquid and Chemical Waste.
   i. Chemical Waste & Liquid Waste from Laboratory : Suitable treatment, dilution or 1% hypochlorite solution as required shall be given before disposal.
   ii. The effluents generated from the hospital should conform to limits as laid down in the Bio-Medical Waste (management & Handling) Rules, 1998 (Schedule V)
iii. The liquid and chemical waste should not be used for any other purpose

iv. For discharge into public sewers with terminal facilities, the prescribed standard limits should be ensured.

9. SAFETY MEASURES

9.1 Personal Protection

Hospitals and health care facilities have to ensure that the following personal protective equipment are provided.

(i) Gloves

   (a) Disposable vinyl gloves
   
   (b) Latex surgical gloves for invasive procedures
   
   (c) Heavy-duty rubber gloves up till elbow for cleaners.

(ii) Masks: Simple and cheap deflector mask to prevent health care workers against aerosols and splashes. Incinerator staff should wear dust masks.

(iii) Protective glasses.

(iv) Plastic aprons.

(v) Special footwear e.g. gum boots for Hospital waste handlers.

9.2 Immunization: Hepatitis B and Tetanus.

9.3 Reporting Accident & Spillages.

There should be a procedure for reporting accident or incidents and records should be kept. The report should include the nature of accident when and where it occurred and which staff were directly involved.
9.4 All the generators of Bio Medical Waste should adopt universal precautions and appropriate safety measures while doing therapeutic and diagnostic activities and also while handling the biomedical waste.

9.5 All the sanitation workers engaged in the handling and transporting should be made aware of the risks involved in handling the Bio Medical Waste.

10. TRAINING
10.1 The entire medical professional must be made aware of Bio Medical Waste (Management & Handling) Rules, 1998.

10.2 Each and every hospital must have well planned awareness and training programmes for all categories of personnel including administrators.

10.3 To make aware about safe hospital waste management practices.

10.4 Training should be conducted category wise and more emphasis should be given in training modules as per category of personnel.

10.5 Training should be conducted in appropriate language/medium and in an acceptable manner.

10.6 Wherever possible audiovisual material and experience trainers should be used.

10.7 Training should be interactive and should be include awareness sessions, demonstration sessions. Behavioral science approach should be adopted with emphasis on establishing proper practices. It is a continuous process and will need constant reinforcement.
11. MANAGEMENT & ADMINISTRATION

11.1 The Head of the Hospital shall form a Waste Management Committee under his Chairmanship. The waste management committee shall meet regularly to review the performance of the waste disposal. This committee should be responsible for making hospital specific action plan for hospital waste management and its supervision, monitoring and implementation.

11.2 The Heads of each hospital will have to take authorization for generation of waste from appropriate authorities as notified by the concerned State/U.T. Government well in time and get it renewed as per time schedule laid in the rules. The application is to be made as per format given in form I of BMW rules.

11.3 The annual reports, accident reporting as required under BMW Rules should be submitted to the concerned authorities as per BMW Rules format (form II and form III respectively).

12. COORDINATION BETWEEN HOSPITAL & OUTSIDE AGENCIES

12.1 Municipal authorities: As quite a large percentage of waste (in India upto 90%) generated in Indian hospital belong to general category (non-toxic and non-hazardous), hospital should have constant interaction with municipal authorities so that this category of waste is regularly taken out of the hospital premises for further disposal.

12.2 Coordinated efforts should be made by health authorities and municipal authorities to involve private sector / NGOs for creation of common facilities for treatment.

12.3 Health authorities in coordination with municipal authorities should facilitate optimal utilization of waste treatment facility in the area.
12.4 **Coordination with NGOs and Environmental Groups:** For public awareness and education.

12.5 **Sharing of facility:** Hospital which are not on possession of their own facility for treatment may get their waste treated in a shared facility. The hospitals having excess for treatment should extend the capacity to nearby smaller hospital or health care units.

12.6 There should be coordinated agencies to take care of exigencies/disruption of waste treatment equipment in a unit.
Annexure-4

THE GOA BIO-MEDICAL WASTE MANAGEMENT BILL, 2010

A BILL to provide for the effective management and handling of Bio-medical wastes in the State of Goa.

BE it enacted by the Legislative Assembly of the State of Goa as follow:-

CHAPTER 1

PRELIMINARY

1. Short title, extent, commencement and Application

(a) This Act may be called the Goa Bio-Medical Waste Management Act, 2010

(b) It extends to the State of Goa.

(c) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

(d) Application – This Act applies to all persons who generate, collect, receive, store, transport, treat, dispose off, or handle Bio-Medical waste in any form in the State of Goa.

2. Definitions

In this Act, unless the context otherwise requires,

(a) ‘the Act’ means the Bio-Medical Waste Management Act, 2010
(b) ‘authorisation’ means the written authorisation issued by the Bio-Medical waste management Authority to generate, collect, receive, store, transport, treat, dispose and / or handle bio-medical waste in accordance with the Act.

(c) ‘consignment’ means each individual load of bio-medical waste, comprising of one or more containers containing bio-medical waste, transported by a bio-medical waste transporter.

(d) ‘container’ means a bag, or a puncture resistant or leak proof container in which bio-medical waste is placed.

(e) ‘Bio-Medical waste’ means waste means and includes any of the following:

(i) Laboratory waste, including,

   (a) Human or animal specimen cultures from bio-medical and pathological laboratories;

   (b) Cultures and stocks of infectious agents from research and industrial laboratories;

   (c) Wastes from the production of bacteria, viruses, or the use of spores, discarded, live and attenuated vaccines, and culture dishes and devices used to transfer, inoculate, and mix cultures; or

   (d) Waste containing any microbiological specimens sent to a laboratory for analysis;
(ii) Human surgery specimens or tissue removed at surgery or autopsy;

(iii) Animal parts, tissues or fluids suspected or known to be infected.

(iv) Waste, which at the point of transport from the generator’s site, or at any point thereafter, contains recognizable fluid blood, fluid blood products and containers or equipment containing blood that is fluid or blood from animals known to be infected with any disease;

(v) Waste containing discarded materials contaminated with excretion, exudates, or secretions from humans or animals who or which are required to be isolated by the infection control staff, the attending physician or surgeon, the attending veterinarian, or the local health officer, in order to protect others from highly communicable diseases or from isolated animals known to be infected.

(vi) All waste generated in isolation wards;

(vii) Infectious liquids;

(viii) Sharps waste;

(ix) Chemical waste which consists of discarded solid, liquid, and gaseous chemicals, including pharmaceutical waste and other hazardous waste from diagnostic and experimental work and from cleaning, housekeeping, and disinfecting procedures;

(x) Waste containing any radio-active material or waste produced from patient treatment containing radio active material;
(xi) Any waste, specimen, tissue, fluid, liquid, or sharp which resembles Bio-medical waste as contemplated in Sec. 2 (e) (i) to (x) and categorised in Schedule2.

(f) ‘bio-medical waste generator’ means any person, whose acts or processes produce bio-medical waste and includes a hospital, nursing home, clinic dispensary, veterinary institution, animal house, pathological laboratory, surgery centres, dental practitioners or blood bank by whatever name called.

(g) ‘transport’ means the movement of bio-medical waste from the point of generation to any intermediate point and finally to the point of treatment or disposal. Transport does not include the movement of bio-medical waste from a bio-medical waste generator to another bio-medical waste generator for the purposes of testing and research, or internal transport;

(h) ‘transport operator’ means a person or enterprise engaged in the transportation of bio-medical waste.

(i) ‘bio-medical waste manager’ means the nominated professional by a bio-medical waste generator, who is responsible for the day-to-day monitoring, management and problem-solving in relation to the management of bio-medical waste.

(j) ‘common bio-medical waste treatment facility’ means a premises wherein there exists a facility for treatment of bio-medical wastes collected from different bio-medical waste generators by transport operators.
(k) ‘sharps waste’ means any device having acute rigid corners, edges, or protuberances capable of cutting or piercing, and includes:

(i) Hypodermic needles, syringes, blades, and needles with or without attached tubing; and

(ii) Broken glass items, such as Pasteur pipettes and blood vials contaminated with bio-medical waste.

CHAPTER 2

GENERAL REQUIREMENTS APPLICABLE TO BIO-MEDICAL WASTE

3. General prohibition and duty of care

(a) No person may containerise, collect, transport, sort, recover, treat, store, dispose of or otherwise manage bio-medical waste other than in accordance with Schedule 1 of the Act.

(b) No person may containerise, collect, transport, sort, recover, treat, store, dispose of or otherwise manage bio-medical waste in a manner that results in or creates a risk of harm to human health or the environment.

(c) Every generator of bio-medical waste must take all reasonable measures to prevent any other person from contravening sub-sections (1) and (2) in relation to that bio-medical waste. Such reasonable measures include ensuring that all persons involved with the collection, transport, treatment and
disposal of bio-medical waste generated by that facility, are aware of and are in compliance with this Act.

4. Waste minimization, Segregation and Packaging

(a) A bio-medical waste generator must manage the impacts of bio-medical waste in its operations by minimising the generation of bio-medical waste at source.

(b) All bio-medical waste generators must, at the point of generation and at all times thereafter, segregate bio-medical waste in accordance with Schedule 1 of the Act. No person shall dispose of bio-medical waste together with other wastes or in any manner other than in the manner prescribed under this Act.

(c) All bio-medical waste packaging must be in accordance with the Minimum Requirements for packaging of bio-medical waste, as set out in Schedule 7 of this Act.

(d) All bio-medical waste generators must mark bio-medical waste containers in accordance with Schedule 3 of this Act containing the international Biohazard symbol.

(e) All containers containing bio-medical waste generated must clearly indicate the name or registration number of that generator and must clearly indicate that the contents that they contain.
(f) All bio-medical waste generators must secure leak proof containers and puncture resistant containers when full to prevent leakage or expulsion of contents during handling, storage or transport.

(g) All persons must place bio-medical waste in one or more leak proof containers for the purpose of internal transport. All persons must place leak proof containers containing bio-medical waste in one or more rigid puncture resistant containers prior to storage or transport from the facility. Rigid puncture resistant containers shall be leak proof, have tight fitting covers, and be kept clean and in good repair.

(h) All persons must place liquid bio-medical waste in capped or tightly secured leak proof and spill proof containers.

(i) All bio-medical waste generators must, at the point of generation and at all times thereafter, place and keep sharps waste in a sharps container. When full, sharps containers must be tightly sealed to prevent the release of any sharps waste from the container.

(j) All bio-medical waste generators, transporters and treatment facilities must minimise the manual handling and lifting of bio-medical waste containers by employees by providing alternative means of carrying out these functions.
5. Internal transport

(a) No bio-medical waste may be transported internally at a bio-medical waste generator except in accordance with the Minimum Requirements set out in Schedule 8 to the Act.

(b) Bio-medical waste generators must ensure that:

(i) the internal transport of bio-medical waste occurs in such a manner so as not to cause a harm to any person;

(ii) the manual lifting and carrying of bio-medical waste for the purpose of internal transport is avoided, or where it cannot be avoided all together, minimized; and

(c) Every bio-medical waste generator must provide the necessary equipment and implement a manoeuvrable, wheeled system for the internal transport of bio-medical waste.

6. Storage

(a) All bio-medical waste generators must ensure that the time period between bio-medical waste being collected by a transporter from the generator’s premises and that waste being treated, does not exceed forty eight hours.

(b) Any and all areas used for the storage of bio-medical waste containers shall be secured so as to deny access to these areas to unauthorized persons. Storage areas must be clearly marked with warning signs on, or adjacent to, the exterior of entry doors, gates, or lids. Storage areas may be secured by use
of locks on entry doors, gates, or receptacle lids. Storage areas must be maintained so as to prevent the entry of animals and natural elements and to prevent them from becoming breeding sites or food sources for insect vectors or rodents.

(c) Storage of bio-medical waste must be carried out in accordance with the Minimum Requirements set out in Schedule 9 to the Act.

7. Treatment

Bio-medical waste shall be treated and disposed off in accordance with Schedule 2, and in compliance with the standards prescribed in Schedule 5.

8. Health and safety

(a) All bio-medical waste generators must ensure that once bio-medical waste is placed in a container, that bio-medical waste is not removed from that container for the purposes of decanting to another container, or for any other purpose, until such waste is received by the treatment facility.

(b) In order to avoid any injuries to or infection of people, bio-medical waste generators must:

(i) take all necessary measures to ensure that re-usable containers are effectively disinfected before re-use, according to the standards specified in Schedule 10 of this Act

(ii) provide adequate secure storage areas for bio-medical waste;

(c) make provision for minimal manual handling of bio-medical waste; and
(d) provide appropriate personal protective equipment to employees handling bio-medical waste.

9. Authorisation

(a) Every institution generating, collecting, receiving, storing, transporting, treating, disposing and/or handling bio-medical waste in any other manner shall make an application in Form I to the Bio-medical Waste Management Authority for grant of authorization.

(b) The authorisation to operate a facility shall be issued in Form 4, subject to conditions laid therein and such other condition, as the Bio-medical Waste Management authority, may consider it necessary.

10. Record keeping

(a) Every bio-medical waste generator person shall maintain records related to the generation, collection, reception, storage, transportation, treatment, disposal and/or any form of handling of bio-medical waste in accordance with these rules and any guidelines issued.

(b) All records shall be subject to inspection and verification by the bio-medical waste inspector at any time.
11. Accident reporting
When any accident occurs at any institution or facility or any other site where bio-medical waste is handled or during transportation of such waste, the authorised person shall report the accident in Form III to the prescribed authority forthwith.

12. Bio-medical waste Management teams
(a) It shall be the duty of the every bio-medical waste generator to appoint a full-time bio-medical waste manager, who will be responsible for all activities relating the management and handling of bio-medical wastes, including handling communications from Governmental authorities, monitoring problems related to such wastes and maintaining all required permits and documentation

(2) Every bio-medical waste management generator shall also constitute a Bio-medical waste management team, headed by the manager appointed under sub-section (1) and consist of not less than four members, comprising of at least one infection control nurse, housekeeping personnel, one senior doctor and a microbiologist/bio-chemist, excluding the manager appointed under sub-section(1).

(c) The bio-medical waste management team constituted under sub-section (2) shall prepare waste management policies, conduct a waste assessment or audit, review and analyse the assessment, under waste reduction projects;
evaluate success of these results and oversee employee training related to bio-medical waste management.

(d) It shall be the duty of every bio-medical waste generator to ensure that its employees undergo training in bio-medical waste management at least once in a period of three years.

(e) It shall be the duty of every bio-medical waste generator to

CHAPTER 4
REQUIREMENTS APPLICABLE TO BIO-MEDICAL WASTE TRANSPORTERS

10. Registration
Every bio-medical waste transporter must register with the Bio-Medical Waste Management Authority on forms as set out in Schedule 6 to the Act.

11. General transportation requirements
(a) Bio-medical waste transporters must provide and require all persons manually handling containers of untreated bio-medical waste to wear clean, protective gloves and coveralls, changeable lab coats, or other protective clothing. The competent authority may require other protective devices appropriate to the type of untreated bio-medical waste being handled.
(b) Bio-medical waste transporters must transport untreated bio-medical waste in leak proof and puncture resistant containers in separate vehicle compartments.

(c) Bio-medical waste transporters must not transport untreated bio-medical waste in the same vehicle with other waste unless the untreated bio-medical waste is contained separately and kept separate from other waste by barriers.

(d) Bio-medical waste transporters must transport untreated bio-medical waste in strict compliance with the Minimum Requirements as set out in Schedule 9 to the Act.

(e) Bio-medical waste may only be transported to a common bio-medical waste treatment facility permitted in terms of the Act.

12. Tracking documents

(a) A bio-medical waste transporter must maintain completed tracking documents for all bio-medical waste it transports. At the time the bio-medical waste transporter receives bio-medical waste from any person, the transporter shall provide that person with a copy of the tracking document for that person’s bio-medical waste records. At the time the bio-medical waste transporter releases the bio-medical waste to a bio-medical waste transfer station or treatment facility, the transporter shall provide that person with a copy of the tracking document for that person’s bio-medical waste records; and return a copy of the tracking document duly signed by the bio-medical
waste transfer station or treatment facility to the person from whom the bio-
medical waste was received.

(b) The transporter must maintain a copy of such tracking documents for a
minimum of 2 (two) years. The transporter must submit to the competent
authority, upon request, copies of any tracking documents the transporter is
required to maintain.

(c) The tracking document shall include, but shall not be limited to the
information contained in the form as set out in Schedule 8 of the Act.

(d) Any bio-medical waste transporter transporting bio-medical waste in a
vehicle must have a tracking document in his possession while transporting
the waste. The tracking document shall be shown upon demand to the bio-
medical waste management inspector or any other official authorized in this
regard.

CHAPTER 5

AUTHORITIES AND ENFORCEMENT

13. Appointment, Powers and duties of Bio-Medical Waste Inspectors

(a) The State Government shall in writing appoint any suitably qualified
person as a bio-medical waste inspector for each taluka to perform the
functions contemplated in the Act.

(b) A bio-medical waste inspector may, at any reasonable time and without
prior notice, enter into or upon any property with the necessary persons,
vehicles, equipment and material in order to carry out a routine audit or inspection of any bio-medical waste generator or bio-medical waste transporter.

(c) A bio-medical waste inspector may, at any reasonable time and without prior notice, on the authority of a warrant, enter into or upon any property with the necessary persons, vehicles, equipment and material, and perform any action necessary to -

(i) Investigate whether the Act, or any condition attached to any authority, or any rule or standard adopted in accordance with the Act, or any notice or directive issued under the Act is being contravened; or

(ii) Investigate whether any information supplied in connection with the Act is accurate.

14. Duty to assist bio-medical waste inspector

(a) When a bio-medical waste inspector enters any property or site referred to in Regulation 29, the operator, owner or manager and each employee performing any work there must assist the bio-medical waste inspector, furnish answers to questions and provide any facility that the inspector reasonably requires.

(b) Persons questioned by a bio-medical waste inspector under sub-regulation (1) must answer each question to the best of their ability, but no person is required to answer any question if the answer may reasonably be self-incriminating.
15. Duty to produce documents
(a) Any person who holds or should hold an authorisation or any other document, including any electronic document, issued or required in accordance with the Act, must produce it at the request of the bio-medical waste inspector and must-
(b) allow the inspector, for the purpose of the inspection, to remove any articles or objects pointed out by the inspector;
(c) allow the inspection of documents specified by the inspector including the making of copies thereof; and
(d) furnish the inspector, at the inspector’s reasonable request, with any information under that person’s control.

16. Powers of bio-medical waste inspector to deal with unsafe conditions
(a) If a bio-medical waste inspector reasonably believes that a condition or activity is a threat or may present a reasonable to human health or the environment, the inspector may issue a written directive to any person responsible for that condition or activity that –
   (i) the activity be restricted or suspended, and the inspector may place conditions on that activity; or
   (ii) action be undertaken within a reasonable time by the person concerned to remove the threat.
(b) Any person issued with a directive under sub-regulation (1) must take the steps set out in the directive, within the specified period, to rectify the activity or condition referred to in the directive.

17. **Constitution of the Bio-Medical Waste Management Authority**

The State Government shall appoint a Bio-Medical Waste Management Authority headed by a Chairman and four other members.

18. **Constitution of an appellate authority**

The State Government shall constitute an appellate authority to hear appeals from the orders passed by the Bio-Medical Waste Management Authority.

**CHAPTER 7**

**OFFENCES AND PENALTIES**

19. **Offences and Penalties**

(a) Whoever fails to comply with or contravenes any of the provisions of this Act, or the rules made or orders or directions issued thereunder, shall, in respect of each such failure or contravention, be punishable with imprisonment for a term which may extend to five years with fine which may extend to one lakh rupees, or with both, and in case the failure or contravention continues, with additional fine which may extend to five thousand rupees for every day during which such failure or contravention continues after the conviction for the first such failure or contravention.
(b) If the failure or contravention referred to in sub-section (1) continues beyond a period of one year after the date of conviction, the offender shall be punishable with imprisonment for a term which may extend to seven years.

SCHEDULE 1

(See Sec. )

COLOUR CODING AND TYPE OF CONTAINER FOR DISPOSAL OF BIO-MEDICAL WASTES

SCHEDULE 2

(See Sec. )

CATEGORIES OF BIO-MEDICAL WASTE AND THEIR TREATMENT

SCHEDULE 3

(See Sec. )

LABEL FOR BIO-MEDICAL WASTE CONTAINERS/BAGS

SCHEDULE 4

(See Sec. )

LABEL FOR TRANSPORT OF BIO-MEDICAL WASTE CONTAINERS/BAGS
SCHEDULE 5
(See Sec. )

STANDARDS FOR TREATMENT AND DISPOSAL OF BIO-MEDICAL WASTES

SCHEDULE 6
(See Sec. )

TIME-FRAME FOR IMPLEMENTATION OF SPECIFIC FACILITIES

SCHEDULE 7
(See Sec. )

PACKAGING STANDARDS

SCHEDULE 8
(See Sec. )

INTERNAL TRANSPORT STANDARDS

SCHEDULE 9
(See Sec. )

STANDARDS FOR STORAGE OF BIO-MEDICAL WASTES
SCHEDULE 10

(See Sec. )

STANDARDS FOR DISINFECTION OF REUSABLE BIO-MEDICAL WASTE CONTAINERS IN TERMS OF SEC. 8 (2) (a)

Form 1

(See Sec )

APPLICATION FOR AUTHORISATION

Form 2

(See Sec )

ANNUAL REPORT

Form 3

(See Sec )

ACCIDENT REPORTING

Form 4

(See Sec )

AUTHORISATION FORMAT

Form 5

(See Sec )
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