

**DIRECTORATE GENERAL OF HEALTH SERVICES  
GOVT OF NCT, DELHI  
F-17, KARKARDOOMA, DELHI-110032  
(BMW MANAGEMENT CELL)**

NO.F.25/3(1)/DHS/BMW/2017-18/LINKFILE-1/114-1151

Dated:- 31/03/2022

**MINUTES OF MEETING OF ADVISORY COMMITTEE CONSTITUTED UNDER BMW RULES 2016 HELD ON 16/03/2022 AT 4:00 P.M. (DELHI SECRETARIAT).**

A meeting of Advisory Committee constituted under Bio-Medical Waste Management Rules 2016 was held under the Chairmanship of Principal Secretary (H & FW) on 16/03/2022 at 4:00 P.M. to discuss the issues related to Bio-Medical Waste Management in Delhi. The meeting was attended by all the members of the Advisory Committee.

Attendance sheet is enclosed. Representative from Environment and Urban Development could not attend the meeting.

At the outset Chairman welcomed all the participants and the brief introduction of agenda of the meeting was apprised by the DGHS. The proceedings of the meeting and decision taken along are as below:

**Agenda Item No. 1: Confirmation of MOM of Advisory Committee held on 05/10/2021.**

The minutes of the previous Advisory Committee meeting held on 05/10/2021, which were circulated to all the members, were confirmed and vetted by all the members.

**Agenda Item No. 2: Action Taken Report of MOM of Advisory Committee**

DGHS briefed regarding the constitution of sub-committee under the Chairmanship of Special Secretary (H&FW)

- i) To finalise the dates for annual revision of rates as per MOU, Clause (2) for handling of Biomedical Waste.
- ii) To examine and finalize the rates for handling COVID 19 Waste w.e.f. 01/01/2021.

**Sub-committee has submitted the report to the Advisory Committee with following recommendations-**

1. 5% annual increment as per contract from retrospective (01/01/2021) date to CBWTFs for handling of Bio Medical Waste.
2. COVID-19 Waste Generated from Non Health Care Facilities to be continued @Rs. 20/- per Kg. as per the decision taken in the meeting of Advisory Committee of Bio Medical Waste held on 29/07/2020.
3. It was observed by the Committee that total Quantity of Bio Medical Waste generated in the Hospitals has not increased for the year 2020 and 2021 as compared to the year 2019. Accordingly, no extra payment required to be made by HCFs during for COVID period.

**All the recommendations were discussed deliberated point wise as under-**

1. 5% annual increment as per contract from retrospective (01/01/2021) date to CBWTFs for handling of Bio Medical Waste was approved by the Advisory Committee.

The representative from the Delhi Medical Association (DMA) informed that the non COVID patient load was almost zero/ negligible as the Clinics were not functional during the COVID-19 pandemic and requested for suspension of rates during COVID-19 Pandemic.



Further, DMA raised the issue regarding the rates for utilizing services of CBWTFs for BMW for General Practitioner was fixed @ Rs. 500/- per month or Rs. 6000/- annually for the year 2018 w.e.f 01/01/2018. But increased to Rs. 864/- per month w.e.f. 01/01/2019. It was assured that the matter will be examined by DGHS.

The representative of M/s SMS Water Grace BMW Pvt. Ltd. informed the committee that BMW charges of 750 private clinics had already been waived off during the COVID-19 pandemic based on the request received from the owner.

Further it was informed by the CBWTFs that there are presently 5000 clinics still with no authorization with DPCC for BMW in Delhi.

The Chair directed DPCC to look into the matter and to get the clinics authorized under BMW Rules 2016.

**Approved Rates for utilizing services of CBWTF for the year 2021:-**

Category	Base Rates	5% increase on base rates every year	Previous year charges (for 2019)	Previous year charges (for 2020)	Approved for year 2021
Poly Clinics/ Dispensaries (Health Facility other than Delhi Govt.)	Rs. 540/- per Month	Rs. 27/-	Rs. 864/- Per Month	Rs. 891/- Per Month	Rs. 918/- Per Month
Forensic Labs	Rs. 540/- per Month	Rs. 27/-	Rs. 864/- Per Month	Rs. 891/- Per Month	Rs. 918/- Per Month
Bedded facility 1-7 (Health Facility other than Delhi Govt.)	Rs. 540/- per Month	Rs. 27/-	Rs. 864/- Per Month	Rs. 891/- Per Month	Rs. 918/- Per Month
8 beds and above (Health Facility other than Delhi Govt.)	Rs. 72/- per Month	Rs. 3.60/-	Rs. 115.60 per bed/Per Month	Rs. 119/- per bed/per month	Rs. 122.60/- Per bed/per month

- COVID-19 Waste Generated from Non Health Care Facilities to be continued @Rs. 20/- per Kg. as per the decision taken in the meeting of Advisory Committee of Bio Medical Waste held on 29/07/2020. The recommendation was approved by the Committee members.
- Representatives from CBWTFs did not agree with the report, but as the data could not be presented by them. So the recommendation was approved by the Committee members and the Chair directed CBWTFs to submit the data to DGHS for consideration.

**Agenda Item No. 3: Reconsideration for payment of Rates of COVID 19 Biomedical Waste for the year 2022.**

As recommended by the sub-committee the COVID-19 Waste Generated from Non Health Care Facilities to be continued @Rs. 20/- per Kg. as per the decision taken in the meeting of Advisory Committee of Bio Medical Waste held on 29/07/2020. Recommendation was approved by the Committee members.

**Agenda Item No. 4: Consideration for revision of the 5% rates as per MOU, Clause (2) w.e.f. 01/01/2022 for regular Bio Medical waste.**

DGHS briefed regarding the issue of consideration of revision of rates to the extent of 5% as per the clause(2) of MOU entered between DGHS and SMS Water Grace with effect from 01/01/2022 and placed the matter for discussion by members. The matter was discussed and deliberated in detail by the member and was decided to approve the revision of 5% rates w.e.f. 01/01/2022.

**Approved Rates for utilizing services of CBWTF for the year 2021 and 2022:-**

Category	Base Rates	5% increase on base rates every year	Previous year charges (for 2019)	Previous year charges (for 2020)	Approved for year 2021	Approved for year 2022
Poly Clinics/ Dispensaries (Health Facility other than Delhi Govt.)	Rs. 540/- per Month	Rs. 27/-	Rs. 864/- Per Month	Rs. 891/- Per Month	Rs. 918/- Per Month	Rs. 945/- Per Month
Forensic Labs	Rs. 540/- per Month	Rs. 27/-	Rs. 864/- Per Month	Rs. 891/- Per Month	Rs. 918/- Per Month	Rs. 945/- Per Month
Bedded facility 1-7 (Health Facility other than Delhi Govt.)	Rs. 540/- per Month	Rs. 27/-	Rs. 864/- Per Month	Rs. 891/- Per Month	Rs. 918/- Per Month	Rs. 945/- Per Month
8 beds and above (Health Facility other than Delhi Govt.)	Rs. 72/- per Month	Rs. 3.60/-	Rs. 115.60 per bed/Per Month	Rs. 119/- per bed/per month	Rs. 122.60/- Per bed/per month	Rs.126.20/- Per bed/per month

**Agenda Item No. 5: Compliance report/review of the working of District Level Monitoring Committee (DLMC).**

DGHS briefed the Committee that as per Bio-Medical Waste Management Rule 2016, The District Level Monitoring Committee constituted under sub-rule (4) shall submit its report once in six months to the State Advisory Committee and a copy thereof shall also be forwarded to State Pollution Control Board or Pollution Control Committee concerned for taking further necessary action.

It was informed that DLMC was not submitting reports regularly to DGHS or DPCC.

The Chair directed to issue advisory to DLMC for regular reporting by 7<sup>th</sup> February and 7<sup>th</sup> August every year without fail.

**Agenda Item No. 6: NGT Compliance OA No. 180/2021 in the matter of Mukul Kumar V/s State of Uttar Pradesh and Ors. –**

DGHS apprised the committee members that in pursuance of Hon'ble NGT order dated 07/01/2022 in OA No. 180/2021 in matter of Mukul Kumar V/s State of UP and Ors for proper monitoring the issues related to BMW Rules, 2016 as envisaged in aforesaid order. DPCC was to constitute State Level Committee and District Level Committees.

DPCC informed that State Level Committee has already been constituted and the State Level Committee to assess the need for constitution of District Level Committee.

#### **Agenda Item No. 7: Court Cases related to COVID 19 BMW**

The Committee was apprised regarding Court case filed in the High Court of Delhi at New Delhi Cont. Case (C)653/2021 by M/s Biotic Waste Solutions Pvt. Ltd. v. Dr. PS Khatana & Ors. In W.P.(C) No. 11246/2020 in the matter of M/s Biotic Waste Solutions Pvt. Ltd. V/s Govt. of NCT of Delhi & Others. NDOH/Status: 23.03.2022.

The issue regarding clarifications on MOM of Advisory Committee of BMW held on 29/07/2020, Sl. No. 14 reproduce as under was discussed and deliberated in detail.

*"After due deliberations on inputs from all stake holders, it was decided that Rates for handling/ treatment and disposal of waste generated during treatment/diagnosis/quarantine of COVID-19 patient may be fixed at Rs. 20/-kg (Rupees Twenty only per Kilograms) for dedicated COVID- Care facilities established by Govt. of NCT of Delhi for the management of COVID-19 patient during the pandemic."*

The Committee approved the following clarifications-

- a) Payment not to be done by a non Covid Hospitals for COVID 19 testing facilities which was part of a hospital health care services and not a new testing centre established by Govt. of NCT of Delhi.
- b) Payment not to be done for COVID 19 waste generated in hospital premises by Delhi Government hospitals as per OM of DPCC dated 15/05/2015 F. No. DPCC/WMC I/CBWTF/2013/569-1076 and reference MOM dated 12/01/2021 of Meeting held on 06/01/2021 as per direction of Hon'ble High Court.(Annexure -VI & VII)
- c) Payment only to be done for additional dedicated COVID 19 Health Care Facilities established by Govt. of NCT of Delhi i.e.Quarantine Centres/Covid Testing Centres/Isolation Centres.

It was clarified to M/s Biotic Waste Solution that the MOM of Advisory Committee of BMW held on 29/07/2020 Sl. No. 14, payment of COVID 19 waste was fixed only for dedicated Covid Care Facilities established by Government of NCT of Delhi outside the hospitals/dispensaries.

#### **Agenda Item No. 8: Establishment of New CBWTF by DPCC**

Latest update informed by the DPCC regarding establishment of New CBWTF was that after opening of financial bids by National Productivity Council (NPC) the transaction advisor of DPCC on 09/12/21 for both the regions, DPCC was in the process to issue letter of award (LoA) to successful bidder of both the regions. However, the Hon'ble High Court in the matter of WP(C) No. 15154/2021 titled as Synergy Waste Management Pvt. Ltd. V/s GNCTD of Delhi & Ors. stayed the further process to award of tender in question. DPCC has filed its response praying that order dated 24/12/2021 may be suitably modified/ withdrawn and the DPCC may be allowed to proceed further in view of urgency of the matter. The matter was listed on 28/01/2022 but adjourned for.

The DPCC has filed its reply on 29/11/2021 for 11/03/2022 without any adverse order. Further, it was informed that the hearing on 16/03/2022 was adjourned and NDOH was shifted to 2<sup>nd</sup> week of April 2022.

An another writ petition related to ongoing tendering process in WP(C) No. 11532 of 2020-21 titled International Human Right Council V/s Union of India and Ors. NDOH on 10<sup>th</sup> May 2022.

**Agenda Item No. 9: Extension of operation of services in r/o M/s SMS Water Grace BMW Pvt. Ltd. which is expiring on 20/04/2022.**

DGHS briefed regarding the issue of consideration of extension of operation of services in r/o M/s SMS Water Grace BMW Pvt. Ltd. which is expiring on 20/04/2022 due to non establishment of new CBWTF till date.

The contract period of M/s SMS Water Grace BMW Pvt. Ltd. has already expired on 20/04/2020 and the CBWTF has been given five extensions with the approval of Hon'ble Minister of Health w.e.f. 21/04/2020, 21/07/2020, 21/10/2020, 21/01/2021 (each of three months) and lastly on 21/04/2021(one year). **The present extension of the contract is valid upto 20/04/2022.**

DPCC informed that as per the current tender document the successful bidder is required to set up CBWTF within a period of 12 months from the date of issue of letter of award.

Considering the extra ordinary circumstances the committee approved that the tenure of M/s SMS Water Grace BMW Pvt. Ltd. to operate CBWTF on existing terms and conditions may be considered for extension by Competent Authority for one year or till the alternate CBWTF facility is operational whichever is earlier

**Agenda Point 10: Implementation of Bar Coding**

Implementation of Bar coding status was discussed in detail DPCC member informed that most of the 30 bedded hospitals have adopted the Bar Code System while there is some gap in the part of HCFs in complying of the same.

DMA apprise the committee members that the Bar Code system software charges levied by the existing vendors were too high and requested for purchase of Bar Code system from other vendors.


DPCC member informed that DMA has already filed a court case in this matter and DPCC being a regulatory body does not have any role in fixing of rates.

CPCB member informed that integration is being finalized at central level. The data synchronization and integration of data is important in operation of Bar Code system, so vendors of CBWTFs may be engaged.

The Chair directed that DPCC may examine the matter along with senior functionaries of Health, IT expert from NIC, Environment and CPCB.


The meeting ended with vote of thanks to the participants.

This issues with the prior approval of Competent Authority.

  
(Dr. Poonam Panwar)  
CMO(NFSG)/I/C,BMW  
DGHS(HQ), GNCTD  
Dated:- 31/03/2022

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**Copy to:**

1. The Secretary (Environment), GNCTD, Delhi Secretariat, New Delhi-110002.
  2. The Member Secretary, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Near Karkardooma Court, Delhi-110032.
  3. The Member Secretary, Delhi Pollution Control Committee, 4<sup>th</sup> floor, I.S.B. T. Main Building Kashmiri Gate, Delhi-06.
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5. Sh. J. Chandra Babu, Sr. Scientist, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Near Karkardooma Court, Delhi-110032.
6. The Additional Commissioner (Health), East Delhi Municipal Corporation, Patparganj Inds. Area, Delhi-92.
7. The Additional Commissioner (Health), North Delhi Municipal Corporation.
8. The Additional Commissioner (Health), South Delhi Municipal Corporation.
9. The Commissioner (Planning), Delhi Development Authority, Vikas Minar, I.T.O. New Delhi-02.
10. The Director, Environment, GNCTD, Delhi Secretariat, New Delhi-02.
11. The Special Secretary (UD), Dept. Of Urban Development, GNCTD.
12. The Additional Director, Hospital Coordination Cell, DGHS (HQ), GNCTD Delhi-32.
13. Dr. Malini R. Capoor, ( Microbiologist), I/c BMW Unit, GOI, Ministry of Health & Family Welfare, Vardhman Mahavir Medical College & Sufdarjung Hospital & VMMC (Special Invitee).
14. Medical Officer/Nodal Officer, Biomedical Waste, (Through Secretary, NDMC), NDMC, Room No. 1002, Palika Kendra, New Delhi-110001.
15. Nodal Officer, BMW Through CEO, Delhi Cantonment Board, Sadar Bazar, Delhi-110010.
16. State Secretary, DMA, DMA house, Dariyaganj, New Delhi(Special Invitee).
17. State President, DMA, DMA house, Dariyaganj, New Delhi(Special Invitee).
18. DMA, DMA house, Dariyaganj, New Delhi(Special Invitee).
19. Sr. Vice-President, DMA, DMA house, Dariyaganj, New Delhi(Special Invitee).
20. The Director(Animal Husbandry), GNCTD, Old Secretariat, Delhi-54.
21. The President or his/her nominee, DMA, DMA house, Dariyaganj, New Delhi(Special Invitee).
22. The Chairman, Nursing Home forum or his/her representative, DMA, DMA house, Dariyaganj, New Delhi(Special Invitee).
23. Dr. M. K. Daga, Member secretary, centre for Occupational and Environmental Health, Ground floor, B.L. Taneja Block, MAMC, New Delhi-02.
24. The Deputy Director (Homoeopathic), Directorate of Ayush (Homoeopathic Wing), Govt. of NCT of Delhi, CSC-III, 1<sup>st</sup> Floor, B-Block, Preet Vihar, Delhi-110092 (Special Invitee).
25. M.S., Nursing Home Cell, DGHS, GNCTD.
26. PS to Principal Secretary, (Health& Family Welfare), GNCTD, Delhi Sectt., New Delhi -02. (For Information)
27. PS to Secretary, (Health& Family Welfare), GNCTD, Delhi Sectt., New Delhi -02.
28. PS to Special Secretary, (Health& Family Welfare), GNCTD, Delhi Sectt., New Delhi -02.
29. PS to Director, Directorate General of Health Services, F-17 Karkardooma, Delhi-32.
30. PA to Additional Director, Directorate General of Health Services, F-17 Karkardooma, Delhi-32.
31. Amit Nilwar, Director & Prabal Pratap Singh (Manager), SMS Water Grace BMW Pvt. Ltd., DJB, STP Plant Complex, Nilothi, New Delhi- 41.
32. Ankit Gupta, (G.M.-Marketing) & Abhishek (Manager), Biotic waste Solution Pvt. Ltd. 46, SSI Inds. Area, GT Karnal Road, Delhi-33.

  
 (Dr. Poonam Panwar)  
 CMO(NFSG)/I/C,BMW  
 DGHS(HQ), GNCTD

