

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 17th September, 2003.

S.O. 1069(E).- In exercise of the powers conferred by sections 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby makes the following rules further to amend the Bio-Medical Waste (Management and Handling) Rules, 1998, namely:-

1. (1) These rules may be called the Bio-Medical Waste (Management and Handling) (Amendment) Rules, 2003.
- (2) They shall come into force on the date of their publication in the Official Gazette.
2. In rule 7 of the Bio-Medical Waste (Management and Handling) Rules, 1998 (hereinafter referred to as the said rules),-
 - (a) in sub-rule (1), for the opening words "The prescribed authority for enforcement",the words "Save as otherwise provide, the prescribed authority for enforcement" shall be substituted;
 - (b) after sub-rule (1), the following sub-rule shall be inserted, namely:-

"(1A). The prescribed authority for enforcement of the provisions of these rules in respect of all health care 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."

3. In the said rules , existing rule 9 shall be re-numbered as sub-rule (1) thereof , and after sub-rule (1) as so re-numbered, the following sub-rule shall be inserted , namely:-

" (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 health care 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 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”

4. In the said rules, after rule 9, the following rule shall be inserted, namely:-

“9A. Monitoring of implementation of the rules in Armed Forces Health Care Establishments.-

- (1) The Central Pollution Control Board shall monitor the implementation of these rules in respect of all the Armed Forces health care 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 health care establishments.”
5. In the said rules, existing rule 13 shall be re-numbered as sub-rule (1) thereof; and-
- (a) in sub-rule (1), as so re-numbered, for the opening portion, for the words “ Any person” , the words, brackets and figure “ Save as otherwise provided in sub-rule (2), any person ” shall be substituted ;
- (b) after sub-rule (1) as so re-numbered, the following sub-rule shall be inserted, namely:-
- “(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.”.

[F. No.23-2/96-HSMD]
Dr. V. RAJAGOPAL, Jt. Secy.

Note: The Principle rules were published in the Gazette of India vide notification number S.O. 630 (E) dated 20.7.98 and subsequently amended *vide*- (1) S.O.201 (E) dated 6.3.2000; and (2) S.O.545 (E) dated 2.6.2000.

