

**BEFORE THE KERALA STATE HUMAN RIGHTS COMMISSION,
THIRUVANANTHAPURAM**

Present: Mr.Justice N.Dhinakar, Hon'ble Chairperson

Dated this the 13th December, 2010.

H.R.M.P.No.622 of 2009

Petitioner : R.V.Rajesh, Director,
MAITHRI, Mannorkkonam.P.O,
Nedumangad, Thiruvananthapuram- 695541.

Respondent :

ORDER

The petitioner, calling himself as the Director of an organization, complains that the incinerator erected in the Medical College Hospital (MCH), Thiruvananthapuram, is defective and the waste materials including human body parts from the MCH and the SAT Hospital are not properly burnt and they are partly burned in a pit using diesel on account of which the parts are being dragged away by dogs leading to health hazards. According to him, the foul smell that emanates on account of such burning is also causing pollution in the area affecting the public.

In the report submitted by the Director of Medical Education (DME), Thiruvananthapuram, it is stated that two incinerators are functioning at the MCH, one at the rear side of the Pharmacy College and the other one at SAT Hospital. According to the report, the incinerator erected at SAT Hospital was demolished for the purpose of erecting a new incinerator. According to the DME, a decision was also taken to burn the waste materials from the SAT Hospital in the other incinerator put up on the rear side of the Pharmacy College. It is further stated in the report that the incinerator at SAT Hospital was erected and is ready to function. According to the report, the waste materials from the MCH and the SAT Hospital are burnt in the incinerator using diesel and the Principal of the MCH also reported that the employees are burning the waste articles in the incinerator and the allegations made in the petition are false.

The report, therefore, shows that initially two incinerators were being used for the purpose of burning waste materials including the body parts of the human beings and that one of the incinerator became old and therefore a new incinerator was erected. Though in the report it is stated that the new incinerator is ready for functioning it is silent whether the said incinerator is now being used for the purpose of burning waste materials including body parts.

In any event, in view of the allegations it is necessary to see that the waste materials of the two hospitals mentioned in the complaint and in the report are burnt in the incinerators erected for the said purpose and no waste materials including human body parts are burnt in a pit in the open area which will lead to several problems affecting the health of the residents residing in the area. As the report shows that the human body parts and other waste materials are being burnt in the incinerators, which fact is disputed by the petitioner who is present before me, I find it necessary to recommend to the Director of Medical Education, Thiruvananthapuram as well as the Secretary, Thiruvananthapuram Corporation and the Environmental Engineer, Kerala State Pollution Control Board, Thiruvananthapuram, to make surprise inspections of the place mentioned in the complaint to ensure that no waste or body parts are burnt, in the open area, using diesel by any one. If, during such surprise inspections, any of the above authorities find any such activities leading to pollution strict action shall be initiated against those responsible for the said acts.

The petition is closed with the above recommendation. Send a copy of this order each to the petitioner, Director of Medical Education, Thiruvananthapuram, the Secretary, Thiruvananthapuram Corporation and the Environmental Engineer, Kerala State Pollution Control Board, Thiruvananthapuram.

Justice N.Dhinakar,
Chairperson