

**BY REGISTERED POST**

F.No.B-29016 (SC)/1/18/HWMD/

November 19, 2018

To

The Chairman  
(As Per List Enclosed)

**DIRECTIONS ISSUED UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986, IN CASE OF VIOLATIONS OF PROVISIONS OF HAZARDOUS AND OTHER WASTES (MANAGEMENT AND TRANSBOUNDARY MOVEMENT) RULES, 2016-Show Cause Notice thereof**

WHEREAS, the Central Government has notified the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 (herein after referred to as HOWM Rules), under the Environment (Protection) Act, 1986, in supersession of the Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2008, for safe and environmentally sound management hazardous and other wastes;

WHEREAS, Rule 3(17) of the HOWM Rules stipulates that "hazardous waste" means any waste which by reason of characteristics such as physical, chemical, biological, reactive, toxic, flammable, explosive or corrosive, causes danger or is likely to cause danger to health or environment, whether alone or in contact with other wastes or substances, and shall include –

- (i) waste specified under column (3) of Schedule I;
- (ii) waste having equal to or more than the concentration limits specified for the constituents in class A and class B of Schedule II or any of the characteristics as specified in class C of Schedule II; and
- (iii) wastes specified in Part A of Schedule III in respect of import or export of such wastes or the wastes not specified in Part A but exhibit hazardous characteristics specified in Part C of Schedule III;

WHEREAS, as per Rule 6(1) of the HOWM Rules, the occupier engaged in handling, generation, collection, storage, packaging, transportation, use, treatment, processing, recycling, recovery, pre-processing, co-processing, utilisation, offering for sale, transfer or disposal of hazardous and other waste shall obtain authorisation from State Pollution Control Board/Pollution Control Committee (herein after referred to as SPCB/PCC);

WHEREAS, as per Rule 6 (5) and 16 (6) of the HOWM Rules, the occupier and operator of the disposal facility shall submit an annual inventory in Form 4 to the SPCB/PCC on or before the 30<sup>th</sup> day of June following the financial year to which that return relates;

WHEREAS, Rule 20(3) of the HOWM Rules stipulates that the State Pollution Control Board based on the annual returns received from the occupiers and the operators of the facilities for disposal of hazardous and other wastes shall prepare an annual inventory of the waste generated; waste recycled, recovered, utilised including co-processed; waste re-exported and waste disposed and submit to the Central Pollution Control Board by the 30<sup>th</sup> day of September every year. The State Pollution Control Board shall also prepare the inventory of hazardous waste generators, actual users, and common and captive disposal facilities and shall submit the information to Central Pollution Control Board every two years.

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WHEREAS, Rule 20(4) of the HOWM Rules stipulates that the Central Pollution Control Board shall prepare the consolidated review report on management of hazardous and other wastes and forward it to the Ministry of Environment, Forest and Climate Change, along with its recommendations before the 30<sup>th</sup> day of December once in every year.

WHEREAS, CPCB vide letter dated 04/06/2018 and 12/09/2018, forwarded the format for submission of the said annual inventory and also uploaded on online portal "SPCB Sanyojan" for submission of the same;

WHEREAS, it has come to the notice that despite of reminder, .....SPCB/PCC has not sent the annual inventory as per the prescribed format which was required to be sent to CPCB by 30<sup>th</sup> September 2018 and thereafter by 30<sup>th</sup> day of September every year;

WHEREAS, in absence of the said annual inventory, CPCB is unable to perform its statutory duty as mentioned in the aforesaid Rules regarding preparation and submission of the consolidated review report on management of hazardous and other wastes by 30<sup>th</sup> December of every year;

WHEREAS, the Central Government vide Notifications No. S.O. 157(E) of February 27, 1996 and S.O. 730 (E) dated July 10, 2002, has delegated the powers under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, CPCB, to issue directions to any industry or any local or any other authority for the violation of the standards and rules, notified under the Environment (Protection) Act, 1986 and amendments thereof;

NOW, THEREFORE, in view of the above facts and in exercise of the powers delegated to the Chairman, CPCB, under Section 5 of the Environment (Protection) Act 1986, notice is hereby served to the Board/Committee to **Show Cause why action against ..... PCB/PCC shall not be initiated, under section 15 of the Environment (Protection) Act 1986, for not complying with the provisions of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 w.r.t submission of the said annual inventory by 30<sup>th</sup> September, 2018.**


The reply to the Show cause Notice shall be submitted to this office within 07 days from date of issuance of this notice failing which it will be presumed that the Board/Committee has nothing to say and action will be initiated as deemed fit under provisions of the Environment (Protection) Act 1986, and amendments thereof.

(S.P. Singh Parihar)  
Chairman

**Copy to:**

1. The Joint Secretary  
(HSM Division) Ministry of Environment, Forests and Climate Change  
Indira Paryavaran Bhawan, Aliganj,  
Jor Bagh Road, New Delhi – 110003
2. The Regional Directorate  
Central Pollution Control Board  
1st & 2nd Floors, Nisarga Bhavan  
A-Block, Thimmaiah Main Road  
7th D Cross, Shivanagar, Opp.  
Pushpanjali Theatre, Bengaluru –560010

3. The Regional Directorate  
Central Pollution Control Board  
Southernd Conclave, Block 502,  
5th & 6th Floors 1582 Rajdanga Main Road  
Kolkata - 700 107 (W. B.)
4. The Regional Directorate  
Central Pollution Control Board  
"TUM-SIR" Lower Motinagar  
Near Fire Brigade H.Q.,  
Shillong - 793014
5. The Regional Directorate  
Central Pollution Control Board  
4th Floor, Sahkar Bhawan  
North TT Nagar  
Bhopal - 462003
6. The Regional Directorate  
Central Pollution Control Board  
Ground Floor, PICUP Bhawan,  
Vibhuti Khand, Gomti Nagar  
Lucknow - 226010
7. The Regional Directorate  
Central Pollution Control Board  
Parivesh Bhawan,  
Opp. VMC Ward Office No. 10,  
Subhanpura, Vadodara-390023
8. ✓ I/c IT Division

  
(Prashant Gargava)  
Member Secretary



**List of 25 State Pollution Control Boards (SPCBs) & Pollution Control Committees (PCCs)**

1.	The Chairman Telangana Pollution Control Board Paryavaran Bhawan, A-III Institutional Estate, Sanathnagar Hyderabad – 500018.
2.	The Chairman Andhra Pradesh Pollution Control Board D.No. 33-26-14 D/2, Near Sunrise Hospital, Pushpa Hotel Centre, Chalamvari Street, Kasturibaipet, Vijayawada – 520 010
3.	The Chairman Arunachal Pradesh Pollution Control Board Department of Environment & Forests, Paryavaran Bhawan, Yupia Road, Papu Nalah, Naharlagun- 791110
4.	The Chairman Assam Pollution Control Board Bamunimaiden, Guwahati – 781 021
5.	The Chairman Goa Pollution Control Board Dempo Tower, 1st Floor, EDC Patto Plaza, Panaji, Goa - 403 001.
6.	The Chairman Gujarat Pollution Control Board Paryavaran Bhawan, Sector 10-A, Gandhi Nagar - 382010
7.	The Chairman Haryana Pollution Control Board C-11, Sector-6 Panchkula Haryana-134 109 Chandigarh
8.	The Chairman Shiekh-ul-Campus, behind Govt. Silk Factory, Raj Bagh, Srinagar(J&K)
9.	The Chairman Jharkhand State Pollution Control Board T.A. Building, HEC, P.O. Dhurwa, Ranchi-834 004
10.	The Chairman Karnataka State Pollution Control Board, Parisara Bhavana, 1 <sup>st</sup> to 5 <sup>th</sup> Floor 49, Church Street, Bengaluru – 560 001
11.	The Chairman Kerala Pollution Control Board Pattom Palace, P.O. Thiruvananthapuram – 695 004



12.	The Chairman Maharashtra Pollution Control Board Kalptaru Point, 2 <sup>nd</sup> - 4 <sup>th</sup> floor, Opp. Cine Planet, Sion Circle, Sion (E), Mumbai – 400 022
13.	The Chairman Madhya Pradesh Pollution Control Board Paryavaran Parisar, Sector E-5, Arera Colony, Bhopal – 462 016
14.	The Chairman Manipur Pollution Control Board Near Imphal West D.C. Office Complex, Lamphelpat, Imphal – 795 004.
15.	The Chairman Meghalaya Pollution Control Board Arden, Lumpynggad, Shillong – 793 014
16.	The Chairman Rajasthan Pollution Control Board 4, Institutional Area, Jhalana Doongri Jaipur – 302 004, Rajasthan.
17.	The Chairman Tamil Nadu Pollution Control Board No. 76, Mount Salai Guindy, Chennai – 600 032
18.	The Chairman Uttarakhand Environment Protection & Pollution Control Board 29/20, Nemi Road, Dehradun - 248001.
19.	The Chairman West Bengal Pollution Control Board Paribesh Bhawan, 10A, Block- LA, Sector III, Salt Lake City, Calcutta- 700106
20.	The Chairman Chandigarh Pollution Control Committee Paryavaran Bhawan, Ground Floor Madhya Marg, Sector C19-B, Chandigarh – 160 019
21.	The Chairman Delhi Pollution Control Committee 4th Floor, ISBT Building, Kashmere Gate, Delhi - 110006.
22.	The Chairman Daman, Diu & Dadra & Nagar Haveli Pollution Control Committee Fort Area, Court Compound, Moti Daman- 396220
23.	The Chairman Lakshadweep Pollution Control Committee Lakshadweep Administration, Dept. Of Sc. and Technology & Environment Kavaratti Island-682 555

24.	The Chairman Andaman & Nicobar Pollution Control Committee Dept. Of Sc. and Technology Dollygunj Van Sadan, Haddo P.O. Port Blair – 744 102
25.	The Chairman Puducherry Pollution Control Committee Department of Science, Technology and Environment III <sup>rd</sup> floor, PHB Building, 5, Anna Nagar, Puducherry – 605005