



SPEED-POST/E-MAIL

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F-No. B-11011/UPC II/PWM/ 2020-21

8095-8/65

9th October, 2020

To,

The Chairman (All SPCBs/PCC)/ Secretary UD

Sub: Directions under Sec 5 of EPA, 1986 for setting up of institutional mechanism for enforcement of provisions of PWM Rules

WHEREAS in exercise of Powers under Section 6, 8 and 25 of the Environment (Protection) Act, 1986, MoEF&CC notified Plastic Waste Management Rules vide Notification no. G.S.R 320(E) dated March 18, 2016;

WHEREAS Rule 12 of PWM Rules 2016 specifies the Authority for enforcement as follows:

- (1) The State Pollution Control Board and Pollution Control Committee in respect of a Union territory shall be the authority for enforcement of the provisions of these rules relating to registration, manufacture of plastic products and multi-layered packaging, processing and disposal of plastic wastes;
- (2) The concerned Secretary-in-charge of Urban Development of the State or a Union Territory shall be the authority for enforcement of the provisions of these rules relating to waste management by waste generator, use of plastic carry bags, plastic sheets or like, covers made of plastic sheets and multi-layered packaging;
- (3) The concerned Gram Panchayat shall be the authority for enforcement of the provisions of these rules relating to waste management by the waste generator, use of plastic carry bags, plastic sheets or like, covers made of plastic sheets and multi-layered packaging in the rural area of the State or a Union Territory; and
- (4) The authorities referred limits of the jurisdiction of the concerned district in the to in sub-rules (1) to (3) shall take the assistance of the District Magistrate or the Deputy Commissioner within the territorial enforcement of the provisions of these rules.

WHEREAS Under Rule 8(b) of PWM Rules – Waste generator shall not litter the plastic waste and ensure segregated storage of waste at source and handover segregated waste to urban local body or gram panchayat or agencies appointed by them or registered waste pickers', registered recyclers or waste collection agencies;

Cont...

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
निर्गत.....
दिनांक..... 13/10/2020

O/C

WHEREAS Under Rule 4(1)(c) of PWM Rules - Carry bag made of virgin or recycled plastic, shall not be less than fifty microns in thickness;

WHEREAS under Rule 13 of PWM Rules- producers, manufacturers and recyclers of plastics are to be registered with the concerned SPCB/ PCC;

WHEREAS it is observed that although the PWM Rules were notified in 2016, its implementation remains inadequate and strengthening of enforcement is required to ensure maximum utilization of this waste and minimize its litter;

WHEREAS Hon'ble NGT vide Order dated 06.12.2019 in the matter of OA No. 247/2017, emphasized for establishment of institutional mechanism to ensure that no unregistered plastic unit is operational and no such unit is running in non-conforming residential areas. Further the enforcement mechanism has to be in place to restrict the production and availability plastic bags less than 50 micron thickness. Requirement for strengthening of surveillance to check littering of plastic waste, specifically in the prominent public places, has been stated in the Directions. Hon'ble NGT directed the States to submit their compliance reports to CPCB quarterly in a cumulative format, failing which compensation of Rs. 1 lakh per quarter shall be levied by the CPCB;

WHEREAS CPCB sent the format for submission of information by States/UTs to ensure compliance with Hon'ble NGT Directions and sent the same to all States/ UTs vide letter dated December 31, 2019; (**Annexure I**)

WHEREAS vide report submitted by your state/UT to CPCB, the following status was reported by your State:

<u>Unregistered Plastic Units</u>	
<u>Manufacturing of Bags sheets</u>	
<u>Regulating of littering of thermocol Polystyrene disposable</u>	
<u>Special surveillance squad for checking littering in specific public places</u>	

WHEREAS Hon'ble NGT in its Order dated September 10, 2020 has observed that adequate steps are not taken by the concerned states/UTs on the matter and emphasised on the need for increased interaction between the CPCB and SPCB/PCCs *to work out enforcement strategies*, including action plans in all the Districts, involving Educational, Religious and other Institutions in the interest of public health and protection of environment. Hon'ble NGT has directed that to begin with one model district has to be identified for the purpose and made compliant and the entire State should be made compliant on the issues highlighted by Hon'ble NGT. Active involvement of State Level Monitoring Committees, District Magistrates and other concerned local authorities was required for effective enforcement of the statutory regime”

WHEREAS, CPCB in the coordination meeting with SPCB/PCC held through video conferencing on September 25, 2020 communicated the above observations of Hon'ble NGT on the matter and briefed them about the further action to be taken on the matter;

NOW THEREFORE in view of above and in exercise of powers vested under Section 5 of EPA, following Directions are being issued to your office

(a) Setting up of institutional mechanism for compliance of Order 14(d)(i-iv) of Hon'ble NGT Directions dated 16.12.2019 on the matter. Actions may include the following:

- (i) Issuing of public notice for identification of the following:
 - Unregistered units
 - Plastic Units operational in non-confirming areas
 - Units manufacturing carrybags less than 50 micron thickness
- (ii) Creation of public grievance cell for registration and resolution of complaints
- (iii) Identification of institutions (State UD, Police, DM office, RWA, Industrial Associations, Industrial Development Corporations, Market Associations etc) which will be involved in enforcement of the action plan
- (iv) Training of workers in these institutions
- (v) Launching Awareness Program for the public
- (vi) Identification of locations (parks, Religious places etc) where littering is a common problem
- (vii) Creation of surveillance squad to prevent littering in such locations
- (viii) Taking punitive actions against defaulting units as per (i) above
- (ix) Specification of user fee for waste generator & Imposition of Spot fines for littering in the bye-laws of the local bodies for plastic waste management
- (x) Identification of model district level for implementation of above
- (xi) Timeframe for implementation of above

(c) Details of Action Plan for setting up the Institutional mechanism as above to be provided to CPCB as per the format enclosed at **Annexure I**

(d) Progress Report to be submitted to CPCB on quarterly basis

You are required to confirm receipt of this direction and file the response by October 16 , 2020 to this office


(Shiv Das Meena)
Chairman

Copy to:

1. **Joint Secretary (CP Division)**
**Ministry of Environment, Forests &
Climate Change**
Indira Paryavaran Bhawan, Jor Bagh
Road, New Delhi, 110003

: For kind information please

2. Incharge, IT Division
CPCB

: For uploading on CPCB website


✓ (Prashant Gargava)
Member Secretary

o/c

Annexure I**Format for submission of information for Institutional Mechanism for PWM**

1	a	Issue of Public Notice for identification of unregistered units, units operating in non-confirming areas, units manufacturing bags with thickness < 50 micron	Yes/No
	b	If yes - please provide copy	
2	a	Creation of Public Grievance Cell	Yes/ No
	b	If yes, please provide details	
3	a	Identification of institutions which will be involved in implementation of Action Plan	Yes/ No
	b	If yes, please provide details(List of identified institutions)	
4	a	Training of workers from this institutions	Yes/ No
	b	If yes, please provide details (Development of training module/ No. of workers trained/ institutions covered etc.)	
5	a	Launching Awareness Program for general public	Yes/No
	b	If yes, please provide details (Institutions involved, issues covered , etc)	
6	a	Identification of locations where littering is a common problem (Pl. Provide list)	
7	a	Have surveillance squads been deputed in all locations as per "6a" above	
8	a	Taking punitive actions against defaulting industries (as per (1a) above)(Details of identified industries and punitive action taken to be provided)	
9	a	Incorporation of user fee for waste generator and spot fines for littering in bye-laws of local bodies	Yes/No
	b	If yes, please provide copy of bye laws and details of violations and the fee/ fines imposed	
10	a	Name of district identified as model district	Yes No
11		Time frame for implementation of above	