

Item No. 08 (Through VC-Bhopal)

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 81/2017 (CZ)

Ashwin Rastogi

Applicant(s)

Versus

State of M.P. & Ors.

Respondent(s)

Date of hearing: 11.02.2020

CORAM:

**HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER**

For Applicant(s):

Mr. Apoorv Pandey, Advocate

For Respondent(s):

Mr. Sachin K. Verma, Advocate

Mr. Shrey Raj Saxena, Advocate

Mr. Yadvendra Yadav, Advocate

Mr. Om Shankar Shrivastava,
Advocate

Ms. Nikita Delouri, Advocate

Mr. Ayush Dev Bajpai, Advocate

ORDER

This original application has been filed in respect of plastic waste and the steps need to be taken for its disposal. The relevant rules in the present case are Plastic Waste Management Rules, 2016.

At the outset, we may mention here that in a similar case involving the question of the Rules of 2016 a larger Bench of the Tribunal, vide order dated 06.12.2019 in Execution application 13/2019, has given detailed and elaborate directions which are as follows:

a) National Framework for extended producers liability be finalized and enforced as far as possible within three months and a report furnished by the MoEF&CC as per observations in para 12 above.

b) CPCB may give its report for compensation regime in terms of para 13 above.

c) The States/UTs may finalize the time targeted action plans and give information about the implementation status to the CPCB as per recommendations in the report of the CPCB summarized in para 9 above.

d) An institutional mechanism be established to ensure that:

i. No unregistered plastic manufacturing/recycling units is in operation and no unit is running in non-conforming/ residential areas.

ii. No plastic carry bags /films <50 microns thickness should be manufactured , stocked, sold and used in cities/towns.

iii. Thermocol/polystyrene cups, plates, etc. used extensively and haphazardly littered are properly regulated.

iv. Special Environment Squads may be set up for enforcement to oversee and ensure that no litter of plastic waste takes place at historical, religious, public places and dumping of plastic waste on drains, river, banks and sea and no burning of plastic takes place in open.

v. The States/UTs may 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. The CPCB may compile and file its consolidated report on quarterly basis before this Tribunal. First quarterly report be filed before the next date by e-mail at judicial-ngt@gov.in.”

Accordingly, we dispose of this original application with the direction to the respondent to abide by and comply with the directions given in the aforesaid execution application. There shall be no order as to cost.

Justice Raghuvendra S. Rathore, JM

Dr. Satyawan Singh Garbyal, EM

Jg