

BEFORE THE NATIONAL GREEN TRIBUNAL,  
SOUTHERN ZONE AT CHENNAI

Original Application No.22 of 2022 (SZ)

Mr.A.Krishna,  
Bangalore.

...Applicant

-Vs-

Union of India and Ors

... Respondents

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Advocate for the Respondent: TNPCB

Thiru. S. SaiSathya Jith,

Advocate, Chennai



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**REPORT FILED ON BEHALF OF THE 4<sup>TH</sup> RESPONDENT  
TAMIL NADU POLLUTION CONTROL BOARD.**

I, R. Rajamanickam, S/o. P.M.Ramasamy, Hindu, aged about 58 years, having my office at 76, Mount Salai, Guindy, Chennai-600032, do hereby solemnly affirm and sincerely state as follows:-

1) I am the Additional Chief Environmental Engineer, Tamil Nadu Pollution Control Board (TNPCB), Chennai -600 032, and filing this Report on behalf of the Respondents Tamil Nadu Pollution Control Board (TNPCB) and as such I am well acquainted with the facts of the case from the records.

2) It is respectfully submitted that this Hon'ble Tribunal in its order dated 18.02.2022 directed as below:

*"8.The Ministry of Environment, Forests and Climate Change (MoEF&CC), Central Pollution Control Board (CPCB) and the respective State Pollution Control Boards / Pollution Control Committee are directed to file the status of generation of multi-layered plastic products within their States and whether Rule 9(3) has been implemented in their state and if not, what is the action taken from their side to implement the same, whether there is any mechanism to ascertain the quantity of such plastic articles manufactured and the quantity of articles collected, segregated and re-cycled or re-used or disposed of in a scientific manner as required under the Plastic Waste Management Rules, 2016 (as*

*amended in 2018) and if there is any gap, what is the nature of mechanism that they have taken to fill the gap.”*

3) It is respectfully submitted that as per Rule 9(3) of the Plastic Waste Management Rules, 2016 as amended *“Manufacture and use of multi-layered plastic which is non – recyclable or non – energy recoverable or with no alternate use of plastic if any should be phased out in two years time”*.

4) It is further respectfully submitted that as per Rule 9(1) of the Plastic Waste Management Rules, 2016 as amended in 2022, *“The Producers, Importers and Brand Owners shall fulfil Extended Producers Responsibility for Plastic Packaging as per guidelines specified in Schedule –II”*.

5) It is further submitted that as per Rule 9(4) the producer, within a period of three months from the date of final publication of these rules in the Official Gazette shall apply to the Central Pollution Control Board and State Pollution Control Board or the Pollution Control Committee, as the case may be, of the States or the Union Territories administration concerned, for grant of registration.

6) It is submitted that all the Producer, Importer and Brand owners (PIBOs) are being insisted to register under the provisions of Extended Producers Responsibility so as to monitor the generation and disposal of plastic packaging. Of the above, four numbers of producers of multilayer plastic packaging units have applied for Registration under Extended Producers Responsibility.

7) It is submitted that CPCB has already notified the guidelines for the disposal of non-recyclable fraction (multilayered) plastic waste. As per the guidelines, co-processing of non-recyclable plastic waste in cement plants is also one of the disposal mechanism.

8) It is respectfully submitted local bodies are collecting the plastic wastes including multilayered plastic along with other solid wastes. The collected wastes are transported to Material Recovery Facilities by the corresponding

  
31/3/2023  
ADDITIONAL CHIEF ENVIRONMENTAL ENGINEER  
TAMIL NADU POLLUTION CONTROL BOARD  
No.76, MOUNT SALAI, GUINDY,  
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Local Bodies and the wastes are segregated accordingly. The plastic wastes are further segregated into recyclable plastic waste and non-recyclable plastic waste including multilayer plastic. Of the above, recyclable plastic waste is sent to recyclers and the non-recyclable plastic waste is sent to co-processing in cement kilns.


9) It is further submitted that as per the Annual Report for the year 2021 – 2022 on the status of Implementation of PWM Rules, 2016 as amended in 2022, the total quantity of plastic waste generated in the State of Tamil Nadu was 3,97,387 tons, of which 3,75,310 tons plastic wastes are collected by Local Bodies. In the collected waste, 54,124 ton of plastic wastes were sent to cement industries for co-processing in cement kilns.

Under the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal may be pleased to pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstance of this case and thus render justice.

  
3/3/2023  
ADDITIONAL CHIEF ENVIRONMENTAL ENGINEER  
TAMIL NADU POLLUTION CONTROL BOARD  
No.76, MOUNT SALAI, GUINDY,  
CHENNAI-600 032.  
**BEFORE ME**

### VERIFICATION

I, R. Rajamanickam, S/o. P.M. Ramasamy, working as Additional Chief Environmental Engineer, having office at No. 76, Anna Salai, Guindy, Chennai – 32, do hereby submit that the above contents are true to the best of my knowledge and belief through records.

  
3/3/2023  
ADDITIONAL CHIEF ENVIRONMENTAL ENGINEER  
TAMIL NADU POLLUTION CONTROL BOARD  
No.76, MOUNT SALAI, GUINDY,  
CHENNAI-600 032.



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RESPONDENT - TAMIL NADU  
POLLUTION CONTROL BOARD.

Advocate for the Respondent: TNPCB  
Tr. S. Sai Sathya Jith,  
Advocate, Chennai

Date: 03.03.2023

