

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

MEMORANDUM OF APPLICATION

**[Under Section 18(1) r/w. Section 14 & 15 of the National Green Tribunal
Act, 2010]**

ORIGINAL APPLICATION NO. 679 OF 2025

IN THE MATTER OF:

SURAJ MEHROTRA

...APPLICANT

VERSUS

MUNICIPAL CORPORATION OF DELHI & ORS.

...RESPONDENT(S)

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Through Counsel



Ms. Anshika Dubey /Mr. Avinash Yadav

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BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH,
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ADDITIONAL DOCUMENTS FILED ON BEHALF OF THE APPLICANT

The Applicant, through counsel, most respectfully submits as under:

1. That the present Additional Documents are being filed in compliance with the specific directions issued by this Hon'ble Tribunal in its order dated 06.01.2026, whereby the Applicant was granted liberty to place on record a comprehensive list of the statutory provisions being violated by the Respondent, Municipal Corporation of Delhi. A true copy of the order dated 06.02.2026 passed in Original Application No. 679/2025 is annexed hereto as **Annexure A-1**.
2. That the genesis of the present Original Application lies in the persistent and egregious failure of the Respondent authorities to manage, handle, and



dispose of hazardous waste, specifically discarded pesticide containers and chemical packaging materials, in a scientific and environmentally sound manner. Such illegal and unscientific disposal poses a grave and imminent threat to the environment, public health, and the local ecology.

3. That the acts and omissions of the Respondents are in gross and flagrant violation of a catena of environmental laws, rules, and statutory provisions, which are detailed hereinbelow for the kind consideration of this Hon'ble Tribunal:

A. THE ENVIRONMENT (PROTECTION) ACT, 1986

- Section 7: Persons carrying on industry, operation, etc., not to allow emission or discharge of environmental pollutants in excess of the standards.
- Section 8: Persons handling hazardous substances to comply with procedural safeguards.
- Section 15: Provides for stringent penalties for contravention of the provisions of the Act and the rules, orders, and directions issued thereunder.
- Section 17: Fixes liability upon the Head of the Government Department for offences committed by the Department.



- **Violation:** The Respondent Corporation, being a statutory authority and a 'person' under the Act, has flagrantly permitted the discharge of environmental pollutants from the hazardous waste and has failed to adhere to the mandatory procedural safeguards for handling such substances, thereby committing punishable offences under the Act.

B. THE ENVIRONMENT (PROTECTION) RULES, 1986

- Rule 3: Prescribes standards for emission or discharge of environmental pollutants.
 - **Violation:** The unscientific disposal of pesticide and chemical waste has resulted in the contamination of soil and groundwater, leading to the presence of pollutants far exceeding the permissible standards.

C. THE HAZARDOUS AND OTHER WASTES (MANAGEMENT AND TRANSBOUNDARY MOVEMENT) RULES, 2016

- Rule 3(17): Defines 'hazardous waste'.
- Rule 9: Mandates the requirement of obtaining prior authorization for the generation, storage, and disposal of hazardous waste.
- Rule 18: Prescribes detailed procedures for the safe and environmentally sound transportation of hazardous waste.



- **Violation:** The discarded pesticide containers and chemical packaging squarely fall within the definition of 'hazardous waste'. The Respondent has failed to obtain any authorization, nor has it followed the prescribed procedures for handling, transportation, or disposal, rendering its actions entirely illegal.

D. THE SOLID WASTE MANAGEMENT RULES, 2016

- Rule 16: Imposes specific and mandatory duties upon local authorities, including the Respondent, for the scientific management and disposal of solid waste.
 - **Violation:** The Respondent has abdicated its statutory duties by failing to ensure segregation, collection, and scientific disposal of waste, particularly hazardous domestic waste, thereby violating its core mandate under these Rules.

E. THE INSECTICIDES RULES, 1971

- Rule 42: Mandates providing protective clothing, equipment, and training to workers handling insecticides.
- Rule 44: Explicitly provides for the safe and proper manner of disposal of used packages, surplus material, and washings of insecticides.



- **Violation:** The Respondent has completely ignored the specific mandate for disposing of insecticide containers, thereby creating a direct and potent source of environmental contamination.

F. THE WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974

- Section 24: Prohibits the use of any stream or well for the disposal of polluting matter.
- Section 43: Provides for penalties for contravention of Section 24.
 - **Violation:** The illegal dumping of chemical and pesticide waste creates significant leachate, which has a high potential to percolate into the ground and contaminate groundwater resources and nearby water bodies, constituting a clear violation of the Act.

G. THE AIR (PREVENTION AND CONTROL OF POLLUTION) ACT, 1981

- Section 22: Prohibits persons from causing or permitting the emission of air pollutants in excess of the standards laid down by the State Board.
- Section 37: Provides for penalties for failure to comply with the provisions of Section 22.
 - **Violation:** The improper handling, open dumping, and potential burning of such chemical waste can result in the emission of toxic



fumes and volatile organic compounds, severely degrading the ambient air quality.

H. THE PLASTIC WASTE MANAGEMENT RULES, 2016

- Rule 4 & 9: Regulate the management of plastic waste and fix the responsibility of local bodies for its environmentally sound management.
 - **Violation:** A significant portion of the chemical and pesticide packaging is plastic-based. The Respondent has failed to implement any mechanism for the collection, segregation, and disposal of this plastic waste as per the statutory requirements.

A true copy of the compilation of relevant statutory provisions is annexed hereto as **Annexure A-2**.

4. That the additional documents filed herein clearly establish that the Respondents have acted in **gross violation of statutory mandates**, resulting in environmental degradation, contamination risks, and public health hazards.

PRAYER

In view of the facts and circumstances stated above, it is most respectfully prayed that this Hon'ble Tribunal may be pleased to:



- a. Take on record the present Additional Affidavit detailing the statutory violations by the Respondents;
- b. Pass an order holding that the Respondents are in gross violation of the aforementioned environmental laws and rules;
- c. Direct the Respondents to forthwith cease and desist from all illegal and unscientific disposal activities;
- d. Impose exemplary environmental compensation and penalties upon the Respondents in accordance with the 'Polluter Pays Principle';
- e. Pass such other and further orders as this Hon'ble Tribunal may deem fit and proper in the interest of justice and protection of the environment.

Through Counsel



Ms. Anshika Dubey /Mr. Avinash Yadav

Advocates

223 Sant Nagar, 2nd Floor,
East of Kailash, New Delhi-110065

Date: 04.04.2026

Email: aviback@gmail.com

Place: New Delhi

Tel Nos. 8317038775

Item No. 06

Court No. 1

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

Original Application No. 679/2025

Suraj Mehrotra

Applicant

Versus

Municipal Corporation of Delhi & Ors.

Respondent(s)

Date of hearing: 06.01.2026

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Ms. Anshika Dubey & Mr. Avinash Yadav, Advs. for Applicant

ORDER

1. In this original application (OA), applicant has alleged illegal disposal of pesticide containers and chemical packaging by respondent- Municipal Corporation, Delhi.
2. Learned Counsel for the applicant seeks short adjournment to place on record the rules which are being violated by respondent-Municipal Corporation, Delhi in this process. Prayer is allowed
3. List on 07.04.2026.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

January 06, 2026
JG.



TRUE COPY

ANNEXURE A-2

RELEVANT PROVISIONS OF THE ENVIRONMENT (PROTECTION) ACT, 1986, ENVIRONMENT (PROTECTION) RULES, 1986, HAZARDOUS AND OTHER WASTES (MANAGEMENT AND TRANSBOUNDARY MOVEMENT) RULES, 2016, SOLID WASTE MANAGEMENT RULES, 2016, INSECTICIDES RULES, 1971, WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974, AIR (PREVENTION AND CONTROL OF POLLUTION) ACT, 1981, THE PLASTIC WASTE MANAGEMENT RULES, 2016 AND NATIONAL GREEN TRIBUNAL ACT, 2010

1. Section 7, 8,15 and 15B Environment (Protection) Act, 1986

- A. Section 7- Persons Carrying on Industry Operation, etc., Not to Allow Emission or Discharge of Environmental Pollutants in Excess of the Standards.-** No person carrying on any industry, operation or process shall discharge or emit or permit to be discharged or emitted any environmental pollutants in excess of such standards as may be prescribed.
- B. Section 8- Persons Handling Hazardous Substances to Comply with Procedural Safeguards.-** No person shall handle or cause to be handled any hazardous substance except in accordance with such procedure and after complying with such safeguards as may be prescribed.
- C. Section 15- Penalty For Contravention Of The Provisions Of The Act And The Rules, Orders And Directions.-**(1) Where any person contravenes or does not comply with any of the provisions of the Act or the rules made or orders or directions issued thereunder for which no penalty is provided, he shall be liable to penalty in respect of each such contravention which shall not be less than ten thousand rupees but which may extend to fifteen lakh rupees.



(2) Where any person continues contravention under sub-section (1), he shall be liable to additional penalty of ten thousand rupees for every day during which such contravention continues.

D. Section 15-B. Penalty for Contravention by Government Department - (1)Where contravention of any of the provisions of this Act has been committed by any Department of Central Government or the State Government, the Head of the Department shall be liable to penalty equal to one month of his basic salary:

Provided that he shall not be liable for such contravention, if he proves that the contravention was committed without his knowledge or instructions or that he exercised all due diligence to prevent such contravention.

(2) Where any contravention under sub-section (1) is attributable to any neglect on the part of, any officer, other than the Head of the Department, the officer shall be liable to penalty equal to one month of his basic salary:

Provided that he shall not be liable for the contravention, if he proves that he exercised all due diligence to avoid such contravention.

2. Rule 3 of Environment (Protection) Rules, 1986

A. Rule 3: Standards for emissions or discharge of environmental pollutants

(1) For the purpose of protecting and improving the quality of the environment and preventing and abating environmental pollution, the standards for emission or discharge of environmental pollutants from the industries, operations or processes shall be as specified in 2 [Schedule I to IV].



(2) Notwithstanding anything contained in sub-rule (1), the Central Board or a State Board may specify more stringent standards from those provided in 3 [Schedule I to IV] in respect of any specific industry, operation or process depending upon the quality of the recipient system and after recording reasons therefore in writing.

(3) The standards for emission or discharge of environmental pollutants specified under sub-rule (1) or sub-rule (2) shall be complied with by an industry, operation or process within a period of one year of being so specified.

(3A)(i) Notwithstanding anything contained in sub-rules (1) and (2), on and from the 1st day of January, 1994, emission or discharge of environmental pollutants from the [industries, operations or processes other than those industries, operations or processes for which standards have been specified in Schedule-I] shall not exceed the relevant parameters and standards specified in schedule VI.

Provided that the State Boards may specify more stringent standards for the relevant parameters with respect to specific industry or locations after recording reasons therefore in writing;

(ii) The State Board shall while enforcing the standards specified in Schedule VI follow the guidelines specified in Annexure I and II in that Schedule].

[(3B)] The combined effect of emission or discharge of environmental pollutants in an area, from industries, operations, process, automobiles and domestic sources, shall not be permitted to exceed the relevant concentration in ambient air as specified against each pollutant in columns (3) to (5) of Schedule VII.]

(4) Notwithstanding anything contained in sub-rule (3)-



a) the Central Board or a State Board, depending on the local conditions or nature of discharge of environmental pollutants, may, by order, specify a lesser period than a period specified under sub-rule (3) within which the compliance of standards shall be made by an industry, operation or process

(b) the Central Government in respect of any specific industry, operation or process, by order, may specify any period other than a period specified under sub-rule (3) within which the compliance of standards shall be made by such industry, operation or process.

(5) Notwithstanding anything contained in sub-rule (3) the standards for emission or discharge of environmental pollutants specified under sub-rule (1) or sub-rule (2) in respect of an industry, operation or process before the commencement of the Environment (Protection) Amendment Rules, 1991, shall be complied by such industry, operation or process by the 31st day of December 1991.

[(6) Notwithstanding anything contained in sub-rule (3), an industry, operation or process which has commenced production on or before 16th May, 1981 and has shown adequate proof of at least commencement of physical work for establishment of facilities to meet the specified standards within a time-bound programme, to the satisfaction of the concerned State Pollution Control Board, shall comply with such standards latest by the 31st day of December, 1993.

(7) Notwithstanding anything contained in sub-rule (3) or sub-rule (6) an industry, operation or process which has commenced production after the 16th day of May, 1981 but before the 31st day of December 1991 and has shown adequate proof of at least commencement of physical work for establishment of facilities to meet the specified standards within a time-



bound programme, to the satisfaction of the concerned State Pollution Control Board, shall comply with such standards latest by the 31st day of December, 1992.

3. **Rule 3(17), 9 and 18 of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016**

A. **Rule 3(17) “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;

B. **Rule 9. Utilisation of hazardous and other wastes.-** (1) The utilisation of hazardous and other wastes as a resource or after pre-processing either for co-processing or for any other use, including within the premises of the generator (if it is not part of process), shall be carried out only after obtaining authorisation from the State Pollution Control Board in respect of waste on the basis of standard operating procedures or guidelines provided by the Central Pollution Control Board from time to time.



(2) Where standard operating procedures or guidelines are not available for specific utilisation of hazardous waste, the approval has to be sought from Central Pollution Control Board which shall be granting approval on the basis of trial runs and thereafter, standard operating procedures or guidelines shall be prepared by Central Pollution Control Board:

Provided, if trial run has been conducted for particular waste with respect to particular utilisation and compliance to the environmental standards has been demonstrated, authorisation may be granted by the State Pollution Control Board with respect to the same waste and utilisation, without need of separate trial run by Central Pollution Control Board and such cases of successful trial run, Central Pollution Control Board shall intimate all the State Pollution Control Board regarding the same.

(3) No trial runs shall be required for co-processing of waste in cement plants for which guidelines by the Central Pollution Control Board are already available; however, the actual users shall ensure compliance to the standards notified under the Environment (Protection) Act, 1986 (29 of 1986), for cement plant with respect to co-processing of waste:

Provided that till the time the standards are notified, the procedure as applicable to other kind of utilisation of hazardous and other waste, as enumerated above shall be followed.

(4) The utilisation and management of waste tyre shall be in accordance to the provisions contained in Schedule IX.

C. Rule 18. Transportation of hazardous and other wastes.- (1) The transport of the hazardous and other waste shall be in accordance with the provisions of these rules and the rules made by the Central Government under the Motor Vehicles Act, 1988 and the guidelines



issued by the Central Pollution Control Board from time to time in this regard.

(2) The occupier shall provide the transporter with the relevant information in Form 9, regarding the hazardous nature of the wastes and measures to be taken in case of an emergency and shall label the hazardous and other wastes containers as per Form 8.

(3) In case of transportation of hazardous and other waste for final disposal to a facility existing in a State other than the State where the waste is generated, the sender shall obtain 'No Objection Certificate' from the State Pollution Control Board of both the States.

(4) In case of transportation of hazardous and other waste for recycling or utilisation including coprocessing, the sender shall intimate both the State Pollution Control Boards before handing over the waste to the transporter.

(5) In case of transit of hazardous and other waste for recycling, utilisation including coprocessing or disposal through a State other than the States of origin and destination, the sender shall give prior intimation to the concerned State Pollution Control Board of the States of transit before handing over the wastes to the transporter.

(6) In case of transportation of hazardous and other waste, the responsibility of safe transport shall be either of the sender or the receiver whosoever arranges the transport and has the necessary authorisation for transport from the concerned State Pollution Control Board. This responsibility should be clearly indicated in the manifest.

(7) The authorisation for transport shall be obtained either by the sender or the receiver on whose behalf the transport is being arranged.



4. **Rule 16 of Solid Waste Management Rules, 2016**

A. Rule 16. Duties of State Pollution Control Board or Pollution

Control Committee.- (1) The State Pollution Control Board or Pollution Control Committee shall,-

(a) enforce these rules in their State through local bodies in their respective jurisdiction and review implementation of these rules at least twice a year in close coordination with concerned Directorate of Municipal Administration or Secretary-in-charge of State Urban Development Department;

(b) monitor environmental standards and adherence to conditions as specified under the Schedule I and Schedule II for waste processing and disposal sites;

(c) examine the proposal for authorisation and make such inquiries as deemed fit, after the receipt of the application for the same in Form I from the local body or any other agency authorised by the local body;

(d) while examining the proposal for authorisation, the requirement of consents under respective enactments and views of other agencies like the State Urban Development Department, the Town and Country Planning Department, District Planning Committee or Metropolitan Area Planning Committee, as may be applicable, Airport or Airbase Authority, the Ground Water Board, Railways, power distribution companies, highway department and other relevant agencies shall be taken into consideration and they shall be given four weeks time to give their views, if any;

(e) issue authorisation within a period of sixty days in Form II to the local body or an operator of a facility or any other agency authorised



by local body stipulating compliance criteria and environmental standards as specified in Schedules I and II including other conditions, as may be necessary;

(f) synchronise the validity of said authorisation with the validity of the consents;

(g) suspend or cancel the authorization issued under clause (a) any time, if the local body or operator of the facility fails to operate the facility as per the conditions stipulated: provided that no such authorization shall be suspended or cancelled without giving notice to the local body or operator, as the case may be; and

(h) on receipt of application for renewal, renew the authorisation for next five years, after examining every application on merit and subject to the condition that the operator of the facility has fulfilled all the provisions of the rules, standards or conditions specified in the authorisation, consents or environment clearance.

(2) The State Pollution Control Board or Pollution Control Committee shall, after giving reasonable opportunity of being heard to the applicant and for reasons thereof to be recorded in writing, refuse to grant or renew an authorisation.

(3) In case of new technologies, where no standards have been prescribed by the Central Pollution Control Board, State Pollution Control Board or Pollution Control Committee, as the case may be, shall approach Central Pollution Control Board for getting standards specified.

(4) The State Pollution Control Board or the Pollution Control Committee, as the case may be, shall monitor the compliance of the standards as prescribed or laid down and treatment technology as approved and the conditions stipulated in the authorisation and the



standards specified in Schedules I and II under these rules as and when deemed appropriate but not less than once in a year.

(5) The State Pollution Control Board or the Pollution Control Committee may give directions to local bodies for safe handling and disposal of domestic hazardous waste deposited by the waste generators at hazardous waste deposition facilities.

(6) The State Pollution Control Board or the Pollution Control Committee shall regulate Inter-State movement of waste

5. **Rule 42,44 of Insecticides Rules, 1971**

A. Rule 42. Training of workers -The manufacturers and distributors of insecticides and operators shall arrange for suitable training in observing safety precautions and handling safety equipment provided to them.

B. Rule 44. Disposal of used packages, surplus materials and washings of insecticides

(1) It shall be the duty of manufacturers, formulators of insecticides and operators to dispose packages or surplus materials and washing in a safe manner so as to prevent environmental or water pollution.

(2) The used packages shall not be left outside to prevent their re-use.

(3) The packages shall be broken and buried away from habitation

6. **Section 24, and 42 of Water (Prevention and Control of Pollution) Act, 1974**

A. Section 24. Prohibition on use of stream or well for disposal of polluting matter, etc. (1) Subject to the provisions of this section-

(a) no person shall knowingly cause or permit any poisonous, noxious or polluting matter determined in accordance with such standards as may be laid down by the State Board to enter (whether directly or indirectly) into any [Stream or well or sewer or on land]; or



(b) no person shall knowingly cause or permit to enter into any stream any other matter which may tend, either directly or in combination with similar matters, to impede the proper flow of the water of the stream in a manner leading or likely to lead to a substantial aggravation of pollution due to other causes or of its consequences.

(2) A person shall not be guilty of an offence under sub-section (1), by reason only of having done or caused to be done any of the following acts, namely,-

(a) constructing, improving or maintaining in or across or on the bank or bed of any stream any building, bridge, weir, dam, sluice, dock, pier, drain or sewer or other permanent works which he has a right to construct, improve or maintain;

(b) depositing any materials on the bank or in the bed of any stream for the purpose of reclaiming land, or for supporting, repairing or protecting the bank or bed of such stream provided such materials are not capable of polluting such stream;

(c) putting into any stream any sand or gravel or other natural deposit which has flowed from or been deposited by the current of such stream;

(d) causing or permitting, with the consent of the State Board, the deposit accumulated in a well, pond or reservoir to enter into any stream.

(3) The State Government may, after consultation with, or on the recommendation of, the State Board, exempt, by notification in the Official Gazette, any person from the operation of sub-section (1) subject to such conditions, if any, as may be specified in the notification and any condition so specified may by a like notification be altered, varied or amended.



B. Section 43. Penalty for contravention of provisions of section 24-

Whoever contravenes the provisions of section 24, shall be liable to pay the penalty which shall not be less than ten thousand rupees, but which may extend to fifteen lakh rupees and where such contravention continues, he shall be liable to pay an additional penalty of ten thousand rupees every day during which such contravention continues.

7. Section 22 and 37 of Air (Prevention and Control of Pollution) Act, 1981

A. Section 22. Persons carrying on industry, etc., not to allow emission of air pollutants in excess of the standard laid down by the State Board.

- No person [****] operating any industrial plant, in any air pollution control area shall discharge or cause or permit to be discharged the emission of any air pollutant in excess of the standards laid down by the State Board under clause (g) of sub-section (1) of section 17.

B. [37. Failure to comply with the provisions of section 21 or section 22 or with the directions issued under section 31A.

– (1) Whoever contravenes or does not comply with the provision of section 22 or directions issued under section 31A, shall, in respect of each such contravention, be liable to penalty which shall not be less than ten thousand rupees, but which may extend to fifteen lakh rupees.

(2) Where any person continues contravention under sub-section (1), he shall be liable to additional penalty of ten thousand rupees for every day during which such contravention continues.

8. Rule 4(3) and 9 of The Plastic Waste Management Rules, 2016

A. Rule 4(3) Conditions (1)The manufacture, import, stocking, distribution, sale and use of carry bags, plastic sheets or like, or cover



made of plastic sheet and multi-layered packaging, shall be subject to the following conditions, namely:—

- a. Carry bags and plastic packaging shall either be in natural shade which is without any added pigments or made using only those pigments and colorants which are in conformity with Indian Standard: IS 9833:1981 titled as “List of pigments and colorants for use in plastics in contact with foodstuffs, pharmaceuticals and drinking water”, as amended from time to time;
- b. carry bags made of recycled plastic or products made of recycled plastic can be used for storing, carrying, dispensing, or packaging ready to eat or drink food stuff subject to the notification of appropriate standards and regulation under the Food Safety and Standards [Act, 2006 \(34 of 2006\)](#) by the Food Safety and Standards Authority of India;
- c. Carry bag made of virgin or recycled plastic, shall not be less than seventy five microns in thickness with effect from the 30th September, 2021 and one hundred and twenty (120) microns in thickness with effect from the 31st December, 2022;
- d. Plastic sheet or like, which is not an integral part of multi-layered packaging and cover made of plastic sheet used for packaging, wrapping the commodity shall not be less than fifty microns in thickness except as specified by the Central Government where the thickness of such plastic sheets impair the functionality of the product;
- e. the manufacturer shall not sell or provide or arrange plastic to be used as raw material to a producer or to a seller not registered under these rules;
- f. Sachets using plastic material shall not be used for storing, packing or selling gutkha, tobacco and pan masala;



- g. Recycling of plastic waste shall conform to the Indian Standard: IS 14534:1998 titled as Guidelines for Recycling of Plastics, as amended from time to time;
- h. the provision of thickness under clause (c) shall not apply to carry bags or commodities made from compostable plastic or biodegradable plastics. Carry bags and commodities made from compostable plastics shall conform to the Indian Standard: IS/ISO 17088:2021 titled as Specifications for Compostable Plastics.
- (ha)the manufacture of carry bags and commodities covered under sub rule (3) shall be permitted to be made from compostable plastics or biodegradable plastics subject to mandatory marking and labelling laid down under these rules and the regulations of the Food Safety and Standards Authority of India for food contact applications. The manufacturers of compostable plastic or biodegradable plastic carry bags or commodities permitted under the rules, shall obtain a certificate from the Central Pollution Control Board before marketing or selling;
- i. Plastic material, in any form including Vinyl Acetate - Maleic Acid - Vinyl Chloride Copolymer, shall not be used in any package for packaging gutkha, pan masala and tobacco in all forms.
- j. non-woven plastic carry bag shall not be less than 60 Gram Per Square Meter (GSM) with effect from the 30th September, 2021.
- (2)The manufacture, import, stocking, distribution, sale and use of following single-use plastic, including polystyrene and expanded polystyrene, commodities shall be prohibited with effect from the 1st July, 2022:-



(a) ear buds with plastic sticks, plastic sticks for balloons, plastic flags, candy sticks, ice-cream sticks, polystyrene [Thermocol] for decoration;

(b) plates, cups, glasses, cutlery such as forks, spoons, knives, straw, trays, wrapping or packing films around sweet boxes, invitation cards, and cigarette packets, plastic or PVC banners less than 100 micron, stirrers.

(3) The provisions of sub-rule (2) (b) shall not apply to commodities made of compostable plastic and biodegradable plastics.

(3A) The manufacturer of commodities made from compostable plastics or biodegradable plastics shall report the quantity of such commodities introduced in the market and pre-consumer waste generated to the Central Pollution Control Board.

(4) Any notification prohibiting the manufacture, import, stocking, distribution, sale and use of carry bags, plastic sheets or like, or cover made of plastic sheets and multi-layered packaging and single-use plastic, including polystyrene and expanded polystyrene, commodities, issued after this notification, shall come into force after the expiry of ten years, from the date of its publication.

(5) The local body shall undertake assessment of plastic waste generated, including plastic waste existing in dump sites, by the 30th June of every year and also estimate the quantity of plastic waste to be generated in following five year period.

B. Rule 9. Responsibility of Producers, Importers and Brand Owners

(1) The Producers, Importers and Brand Owners who introduce any plastic packaging in the market shall be responsible for collection of such plastic packaging.



(2) Where any Producer, Importer or Brand owner fulfils his extended producer responsibility, he is deemed to have complied with his responsibility under sub-rule (1).

(2A) The Producers, Importers, Brand Owners, manufacturers, and manufacturers of commodities made from compostable plastics or biodegradable plastics, shall fulfil Extended Producer Responsibility as per guidelines specified in Schedule-II.

(3) 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) 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 Pollution Control Board or the Central Pollution Control Board and State Pollution Control Committee, as the case may be, of the States or the Union Territories administration concerned, for grant of registration;

(5) No producer shall on and after the expiry of a period of Six Months from the date of final publication of these rules in the Official Gazette manufacture or use any plastic or multilayered packaging for packaging of commodities without registration from Central Pollution Control Board if operating in more than two states or Union territories, from the concerned State Pollution Control Board or the Pollution Control Committees as per sub-rule (2) of rule 13;

(6) Every producer shall maintain a record of details of the person engaged in supply of plastic used as raw material to manufacture carry bags or plastic sheet or like or cover made of plastic sheet or multi-layered packaging.

9. Rule 14 of THE NATIONAL GREEN TRIBUNAL ACT, 2010



A. Rule 14. Tribunal to settle disputes.—(1) The Tribunal shall have the jurisdiction over all civil cases where a substantial question relating to environment (including enforcement of any legal right relating to environment), is involved and such question arises out of the implementation of the enactments specified in Schedule I.

(2) The Tribunal shall hear the disputes arising from the questions referred to in sub-section (1) and settle such disputes and pass order thereon.

(3) No application for adjudication of dispute under this section shall be entertained by the Tribunal unless it is made within a period of six months from the date on which the cause of action for such dispute first arose: Provided that the Tribunal may, if it is satisfied that the applicant was prevented by sufficient cause from filing the application within the said period, allow it to be filed within a further period not exceeding sixty days.

A handwritten signature in black ink, appearing to be 'A. Kumar', written in a cursive style with a horizontal line underneath.