

BEFORE THE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI  
O.A. No. 502/2023

**IN THE MATTER OF:**

**SOCIETY FOR PROTECTION OF ENVIRONMENT AND  
BIODIVERSITY**

...APPLICANT(S)

VERSUS

**UNION OF INDIA & ORS.**

...RESPONDENT(S)

**INDEX**

| S.NO. | PARTICULARS   | PAGE NO. |
|-------|---|----------|
| 1.    | ADDITIONAL AFFIDAVIT ON BEHALF OF RESPONDENT NO.1,<br>i.e., MINISTRY OF ENVIRONMENT, FOREST & CLIMATE<br>CHANGE | 1-5      |
| 2.    | ANNEXURE R1: COPY OF STATE WISE IMPLEMENTATION<br>STATUS REPORT   | 6-8      |
| 3.    | ANNEXURE R2: COPY OF LETTER DATED 12.08.2025  | 9-11     |

**Dated: 19.08.2025**

**Filed by:**

*Sakshi Popli*

**Sakshi Popli**  
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**ADDITIONAL AFFIDAVIT ON BEHALF OF RESPONDENT NO.1, i.e., MINISTRY  
OF ENVIRONMENT, FOREST AND CLIMATE CHANGE**

I, Vinod Kumar Singh aged about 48 years, S/o Late Sh. Raj Behari Singh, presently working as 'Scientist F' in the Ministry of Environment, Forest and Climate Change, Government of India ('**answering respondent**') having office at Jor Bagh, New Delhi-110003, do hereby solemnly affirm and state as under: -

1. That I am the deponent herein and am well acquainted with the facts and circumstances of the present case. I am duly authorized to file the present affidavit on behalf of Respondent No.1 and hence competent to depose to the same.
2. It is submitted that an affidavit is being filed by the answering respondent at this stage and craves leave and liberty to file any other additional affidavit, as and when required.
3. At the outset, it is submitted that the answering respondent filed a compliance affidavit dated 02.04.2024, in terms of the direction passed by the Hon'ble National Green Tribunal, Principal Bench, New Delhi ('**Hon'ble Tribunal**') vide order 02.02.2024 in the aforesaid matter. Further, in terms of the directions of the Hon'ble Tribunal vide



*R. Singh*

order dated 09.09.2024; the answering respondent filed its reply affidavit dated 23.12.2024 with respect to the issues raised in the original application.

4. That, the aforesaid matter was listed before the Hon'ble Tribunal on 30.05.2025 wherein liberty was sought from the Hon'ble Tribunal to place on record the report disclosing constitution of Technical Evaluation Committee ('TEC') by the States/UTs.
5. It is submitted that the answering respondent sought status of implementation of CPCB's framework on Identification of Industrial Material as "Waste" or "By-product" from the Central Pollution Control Board ('CPCB'). In this regard, CPCB has shared the status as per the response received from the concerned State Pollution Control Boards ('SPCBs') /Pollution Control Committees ('PCCs'). Copy of States/UTs wise Implementation Status Report, is annexed herein as **Annexure- R1**.
6. It is submitted that the status of implementation of the CPCB's Framework on Identification of Industrial Material as "Waste" or "By-product" as per the response received from the SPCBs/PCCs is as below:

(I) Constitution of Technical Evaluation Committee (TEC):

- SPCBs/ PCCs of 29 States/UTs namely Andhra Pradesh; Arunachal Pradesh; Assam; Bihar; Chandigarh; Chhattisgarh; Delhi; Daman, Diu, Dadra & Nagar Haveli; Goa; Gujarat; Haryana; Himachal Pradesh; Jammu & Kashmir, Jharkhand; Karnataka, Kerala; Madhya Pradesh; Maharashtra; Meghalaya; Mizoram; Odisha; Punjab; Puducherry; Rajasthan; Tamil Nadu; Telangana; Tripura; Uttarakhand, Uttar Pradesh and West Bengal have constituted TEC.



*R. Singh*

- SPCBs/PCCs of 06 States/UTs namely Andaman & Nicobar Island, Ladakh, Lakshadweep, Manipur, Mizoram and Nagaland have informed that there are no hazardous waste generating/processing industry or only recyclable hazardous waste producing industries are available in the State/UTs.
- Sikkim PCB has informed that the constitution of TEC members is under process.

(II) Adoption of Common Application form and Steps taken for implementation:

- 28 States/UTs namely Andhra Pradesh; Assam; Bihar; Chandigarh; Chhattisgarh; Daman, Diu, Dadra & Nagar Haveli; Delhi; Goa; Gujarat; Haryana, Himachal Pradesh; Jammu & Kashmir, Kerala; Karnataka; Madhya Pradesh; Manipur; Maharashtra; Meghalaya; Mizoram; Nagaland; Odisha; Puducherry; Punjab; Sikkim; Tamil Nadu; Tripura; Uttarakhand and West Bengal have adopted Common application form and/or directing regional offices/field offices to evaluate the materials claimed as By-product by industrial units during their routine inspections.

(III) Identification of Industrial material as By-product:

- Madhya Pradesh has received 01 applications for identification of material as “By- product”. However, no material has been identified as By-product.
- Gujarat has identified Hydrochloric acid generated from Chlorinated Paraffin Wax having concentration >32% as By product as per the recommendation of Technical Review Committee forwarded by MoEF&CC vide letter dated 23.02.2023.



- Maharashtra PCB has classified industrial materials (Chemical Gypsum; Sulphuric Acid; Aluminium Chloride; Hydrochlorite; Copper Sulphate; Phosphoric Acid or Dicalcium Phosphate; Recovered Pigment; Phosphorus oxychloride; Aqueous Aluminium Chloride; Methanol; Sodium Hypochlorite; Silicon Dioxide; Dilute Sulphuric Acid; Acetic Acid (99.8%); Dyphenyl Sulphone; Tops & High Boilers from distillation) from 12 industries as By-products.
7. It is submitted that, few states namely Arunachal Pradesh, Telangana, Jharkhand, Uttar Pradesh and Rajasthan have not yet provided the information with respect to Common Application form adopted and/or Information placed in Public domain; Directed field Inspecting officials to verify claimed By-products, and Details on application received and classification of material. Therefore, a letter has been sent to the concerned SPCBs to share the requisite information at the earliest. Copy of letter dated 12.08.2025 is annexed herein as **Annexure R-2**.
8. It is again reiterated that, the schedule VII of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016, specifies the duties of various authorities wherein the task of monitoring and action for violation of rules is to be taken by concerned SPCBs/PCCs. Therefore, SPCBs/PCCs are the nodal agencies to ensure the enforcement and implementation of the said Rules on ground.
9. That in view of the aforementioned facts and circumstances, it is most respectfully prayed that this Hon'ble Court may graciously be pleased to pass such other order and

*R.V. Singh*



further order(s) as this Hon'ble Court may deem fit and necessary in the interest of justice.

*V Singh*  
**DEPONENT**  
(डा. विनोद कुमार सिंह)  
(Dr. Vinod Kumar Singh)  
वैज्ञानिक 'एफ' / Scientist 'F'  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
Min. of Environment, Forest and Climate Change  
भारत सरकार, नई दिल्ली  
Govt. of India, New Delhi

**VERIFICATION**

20 AUG 2025

Verified at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 2025 that the contents of the above affidavit are true and correct to my knowledge and as per official records maintained in the routine course of business. No part of the above affidavit is false and nothing material has been concealed there from.

*[Signature]*  
I Identified the deponent/executant who has signed in my presence

*V Singh*  
**DEPONENT**  
(डा. विनोद कुमार सिंह)  
(Dr. Vinod Kumar Singh)  
वैज्ञानिक 'एफ' / Scientist 'F'  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
Min. of Environment, Forest and Climate Change  
भारत सरकार, नई दिल्ली  
Govt. of India, New Delhi



solemnly affirmed before me, read over & explained to the deponent.

Notary Public, DELHI  
20 AUG 2025

**States/UTs wise Implementation Status Report on CPCB's Framework on Identification of Industrial materials**

| S. No. | State/UT                                 | TEC Constituted           | Common Application form adopted and/or Information placed in Public domain | Directed field inspecting officials to verify claimed By-products | Details on application received and classification of material                                   |
|--------|--|---------------------------|--|---|--|
| 1.     | Andaman and Nicobar Islands              | No Industry generating HW |  |   |  |
| 2.     | Andhra Pradesh                           | Yes                       | Yes  | Yes   | No Application has been received   |
| 3.     | Arunachal Pradesh                        | Yes                       | INP  | INP   | INP  |
| 4.     | Assam                                    | Yes                       | Yes  | Yes   | No Application has been received   |
| 5.     | Bihar                                    | Yes                       | Yes  | Yes   | No Application has been received   |
| 6.     | Chandigarh                               | Yes                       | Yes  | Yes   | No Application has been received   |
| 7.     | Chhattisgarh                             | Yes                       | Yes  | Yes   | No Application has been received   |
| 8.     | Dadra and Nagar Haveli and Daman and Diu | Yes                       | Yes  | Yes   | No Application has been received   |
| 9.     | Delhi                                    | Yes                       | Yes  | Yes   | No Application received  |
| 10     | Goa                                      | Yes                       | Yes  | Yes   | NIL  |
| 11     | Gujarat                                  | Yes                       | Yes  | Yes   | Yes-05 applications received in FY 23-24, none of the material has been classified as By-product |

|    |                   |   |     |                          |   |
|----|-------------------|---|-----|--------------------------|---|
| 12 | Haryana           | Yes   | Yes | Yes                      | No application received   |
| 13 | Himachal Pradesh  | Yes   | Yes | Yes                      | No Proposal received so far   |
| 14 | Jammu and Kashmir | Yes   | Yes | Yes                      | No application received   |
| 15 | Jharkhand         | Yes   | INP | INP                      | INP   |
| 16 | Karnataka         | Yes   | Yes | Yes                      | No application received so far                                      |
| 17 | Kerala            | Yes   | Yes | Yes                      | No application received so far                                      |
| 18 | Ladakh            | No HW producing industry is UT of Ladakh, TEC will be constituted once such industry is setup in Ladakh |     |                          |   |
| 19 | Lakshadweep       | No industry producing HW  |     |                          |   |
| 20 | Madhya Pradesh    | Yes   | Yes | Yes                      | 01 Application received; no material classified as By-product.      |
| 21 | Maharashtra       | Yes   | Yes | Yes                      | 101 cases received, 12 no. of application for by-products accepted. |
| 22 | Manipur           | Only Automobile servicing units   | Yes | Yes                      | Only Automobile servicing units                                     |
| 23 | Meghalaya         | Yes   | Yes | Yes                      | No industry generating by product                                   |
| 24 | Mizoram           | Yes, No HW generating unit except used oil  | Yes | NA-No HW generating unit | No Application received   |
| 25 | Nagaland          | TEC constitution not applicable as no major HW generating unit  | Yes | Not Applicable           | No application received so far.                                     |

|    |               |               |     |     |   |
|----|---------------|---------------|-----|-----|---|
| 26 | Odisha        | Yes           | Yes | Yes | No application received so far.                     |
| 27 | Puducherry    | Yes           | Yes | Yes | Directed 01 unit to carryout pre-feasibility study. |
| 28 | Punjab        | Yes           | Yes | Yes | No application received so far                      |
| 29 | Rajasthan     | Yes           | INP | INP | INP   |
| 30 | Sikkim        | Under Process | Yes | -   | -   |
| 31 | Tamil Nadu    | Yes           | Yes | Yes | No Application has been received                    |
| 32 | Telangana     | Yes           | INP | INP | INP   |
| 33 | Tripura       | Yes           | Yes | Yes | No Application has been received                    |
| 34 | Uttar Pradesh | Yes           | INP | INP | INP   |
| 35 | Uttarakhand   | Yes           | Yes | Yes | No Proposal received so far                         |
| 36 | West Bengal   | Yes           | Yes | Yes | No Proposal received so far                         |

Note: INP-Information not provided.

HSM-11/34/2023-HSM  
Government of India  
Ministry of Environment, Forest and Climate Change  
(HSM Division)

Indira Paryavaran Bhawan  
Jorbagh Road.  
Aliganj New Delhi-110003  
Date: 12.08.2025

To,

1. **Chairman**, Arunachal Pradesh  
Pollution Control Board

2. **Chairman**, Telangana Pollution  
Control Board

3. **Chairman**, Jharkhand Pollution  
Control Board

4. **Chairman**, Uttar Pradesh Pollution  
Control Board

5. **Chairman**, Rajasthan Pollution Control  
Board

Sir/Madam,

This refers to the case O.A. No. 502/2023 in the matter titled as Society for Protection of Environment and Biodiversity vs Union of India & Ors., wherein the issue of non-implementation of the 'Framework on Identification of Materials Generated from Industrial Processes as Wastes or By-Products' issued by the Central Pollution Control Board in September 2019, was raised by the applicant.

2. In this regard, Central Pollution Control Board (CPCB) had issued directions under section 5 of the Environment (Protection) Act, 1986 to all SPCBs/PCCs for the implementation of the CPCB's Framework on Identification of Industrial Material as "Waste" or "By-product". The Hon'ble NGT, *vide* order dated 30.05.2025 (*order enclosed*), has directed the MoEFCC to place on record a report disclosing that the states have constituted the Technical Evaluation Committees.

3. In view of the above, I am directed to request you to kindly provide the relevant information in the Table given at **Annexure** wherein, INP (information not provided) has been written at the earliest. This information is required for submission before the Hon'ble NGT. The matter is scheduled to be heard before the Hon'ble Tribunal on 26.08.2025. Therefore, it

is requested that the requisite details/inputs be shared by 14.08.2025. Other States/UTs have already provided the requisite information.

4. This issues with the approval of competent authority

**Encl: As Above**

  
(Vinod Kumar Singh)  
Scientist 'F'  
MoEFCC

Copy To,

**The Member Secretary**, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi-110032.

**Annexure**

| <b>S. No.</b> | <b>State/UT</b>   | <b>TEC Constituted</b> | <b>Common Application form adopted and/or Information placed in Public domain</b> | <b>Directed field inspecting officials to verify claimed By-products</b> | <b>Details on application received and classification of material</b> |
|---------------|-------------------|------------------------|---|--|---|
| 1.            | Arunachal Pradesh | Yes                    | INP   | INP  | INP   |
| 2.            | Jharkhand         | Yes                    | INP   | INP  | INP   |
| 3.            | Rajasthan         | Yes                    | INP   | INP  | INP   |
| 4.            | Telangana         | Yes                    | INP   | INP  | INP   |
| 5.            | Uttar Pradesh     | Yes                    | INP   | INP  | INP   |

**Note:** INP- Information not provided.