

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

ORIGINAL APPLICATION NO. 323 OF 2024.

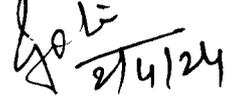
**Re : News item appeared in "The Hindustan Times" dated 23/2/2024,
titled "No permission provided for use of chemicals in cleaning water
bodies : MPCB."**

Report on behalf of the Maharashtra Pollution Control Board

1. The Hon'ble National Green Tribunal has taken Suo Moto cognizance of the News item appearing in "The Hindustan Times" dated 23/02/2024 Titled "No permission provided for use of chemicals in cleaning water bodies: MPCB", which is registered as Original Application No.323/2024.
2. The Ministry of Agriculture and Farmers Welfare (Department of Agriculture and Farmers welfare) in its Notification dtd. 21/10/2022 stated that, "The Central Government after Considering the report of the Expert Committee and after consultation with Registration committee, set up under the Insecticide Act,1968(48 of 1968), is satisfied that use of Glyphosate involves health hazard and risk to human beings and animals" and issued Order for restriction on use of Glyphosate. A copy of the Notification dated 21/10/2022 is enclosed herewith and marked as **an Annexure-'I'**.
3. The Maharashtra Pollution Control Board has issued a letter dated 30/06/2023 to the Additional Commissioner, Pune Municipal Corporation (PMC) and communicated the Notification and Order dtd. 21/10/2022 and requested to obtain permission for use of Glyphosate to

remove water hyacinth from the river of Mula. A copy of the said letter dtd. 30/06/2023 is enclosed herewith and marked as an **Annexure-‘II’**.

For and on behalf of
Maharashtra Pollution Control
Board



(Kartikeya Langote)
Sub Regional Officer,
MPC Board, Pune-I.

Place : Pune
Date : 02/04/2024

Annexure I

DIRECTORATE OF AGRICULTURE AND FOOD PRODUCTION, ODISHA

No. 1565 Agril/pp dt 03/11/2022

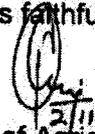
To

The Chief District Agriculture Officer (All)
Agriculture District Officer (All)Sub- Circulation of Notification on S.O.5010 (E) of GOI on Restriction on use of
Glyphosate Order , 2022

Sir/Madam,

With reference to the subject cited above, the copy of Gazette notification S.O.5010 (E) dated 21.10.2022 of Ministry of Agriculture & FW , Govt Of India on Restriction on use of Glyphosate Order ,2022 is enclosed herewith for information and wide circulation among all the concerned. The order must be followed up meticulously, as it considers necessary, for execution of this order in the state.

Yours faithfully,


2/11
Director of Agriculture &
Food Production, Odisha

Memo No 1566

Agril/pp dt 03/11/22

Copy along with the notification submitted to Principal Secretary to Government, Department of Agriculture & Farmers Empowerment, Odisha for favour of kind information.


2/11
Director of Agriculture &
Food Production, Odisha

Memo No 1567

Agril/pp dt 03/11/22

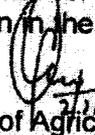
Copy forwarded to the Director, Horticulture, Odisha/ Director , Soil conservation & WSD, Odisha /Dean Research, OUAT/Dean Extension, OUAT for favour of information and necessary action.


2/11
Director of Agriculture &
Food Production, Odisha

Memo No 1568

Agril/pp dt 3/11/22

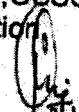
Copy forwarded to Sr. Technical Director, NIC , Bhubaneswar for information and necessary action with a request to publish the said notification in the e-licensing portal .


2/11
Director of Agriculture &
Food Production, Odisha

Memo No 1569

Agril/pp dt 3/11/22

Copy forwarded to the MD,OAIC Ltd./MARKFED/MD,OSSC Ltd/Director
,OSSOPCA/ Director , IMAGE for information and necessary action.


Director of Agriculture &
Food Production, Odisha

Memo No 1570

Agril/pp dt 03/11/22.

Copy forwarded to the Scheme officer (All) for favour of kind information and
necessary action.


Director of Agriculture &
Food Production, Odisha

भारत का राजपत्र
The Gazette of India

सी.जी.-डी.एल.-अ.-25102022-239860
CG-DL-E-25102022-239860

असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 4793]
No. 4793]

नई दिल्ली, मंगलवार, अक्तूबर 25, 2022/कार्तिक 3, 1944
NEW DELHI, TUESDAY, OCTOBER 25, 2022/KARTIKA 3, 1944

कृषि एवं किसान कल्याण मंत्रालय

(कृषि एवं किसान कल्याण विभाग)

अधिसूचना

नई दिल्ली, 21 अक्तूबर, 2022

का.आ. 5010(अ).—केंद्रीय सरकार को केरल सरकार से ग्लाइफोसेट और इसके व्युत्पाद के वितरण, बिक्री और उपयोग पर रोक लगाने के लिए एक रिपोर्ट प्राप्त हुई थी;

और केंद्रीय सरकार, कीटनाशक अधिनियम, 1968 (1968 का 46) की धारा 27 की उप-धारा 2 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए अधिसूचना संख्या का.आ. 2268(अ), तारीख, 6 जुलाई, 2020 की अधिसूचना द्वारा भारत के राजपत्र, असाधारण, भाग II, खंड 3 उप-खंड (ii) तारीख 7 जुलाई, 2020 द्वारा नाशीजीव नियंत्रण के प्रचालकों के माध्यम से ग्लाइफोसेट और इसके व्युत्पाद को निर्विधित करने के अपने आशय की घोषणा के लिए प्रारूप आदेश प्रकाशित किए गए थे और जिसमें उन सभी व्यक्तियों से, जिनसे उनसे प्रभावित होने की संभावना थी, उस तारीख से, जिनको राजपत्र की प्रतियाँ जिसमें उक्त अधिसूचना जनता को उपलब्ध करा दी गई थी, नब्बे दिन की अवधि के अवसान से पूर्व आक्षेप और सुझाव आमंत्रित किए गए थे;

और उक्त राजपत्र अधिसूचना की प्रतियाँ तारीख 7 जुलाई, 2020 को जनता को उपलब्ध करा दी गई थी;

और उक्त प्रारूप आदेश की बाबत जनता से आक्षेपों और सुझावों पर विशेषज्ञ समिति द्वारा सम्यक रूप से विचार किया गया है;

और केन्द्रीय सरकार का कीटनाशक अधिनियम, 1968 (1968 का 46) के अधीन स्थापित विशेषज्ञ समिति की रिपोर्ट पर विचार करने के पश्चात और पंजीकरण समिति के साथ परामर्श करने के पश्चात संतुष्ट है कि ग्लाइफोसेट के उपयोग से स्वास्थ्य के लिए खतरा और मनुष्यों और जानवरों के लिए जोखिम शामिल है ;

अतः, अब, केन्द्रीय सरकार, कीटनाशक अधिनियम, 1968 (1968 का 46) की धारा 27 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए निम्नलिखित आदेश बनाती है, अर्थात् :-

आदेश

1. संक्षिप्त नाम और प्रारंभ- (1) इस आदेश का संक्षिप्त नाम ग्लाइफोसेट के उपयोग पर निर्बंधन आदेश, 2022 है;
(2) यह राजपत्र में इसके अंतिम प्रकाशन की तारीख से लागू होगा।
2. ग्लाइफोसेट के उपयोग को निर्बंधित किया जाता है और नाशीजीव नियंत्रण प्रचालकों के सिवाय कोई व्यक्ति ग्लाइफोसेट का उपयोग नहीं करेगा।
3. सभी पंजीकरण प्रमाणपत्र धारक, पंजीकरण प्रमाणपत्र जो की ग्लाइफोसेट और उसके संजातों के लिए दिये गए हैं, पंजीकरण समिति को लेबल और लीफलेट पर मोटे अक्षरों में "ग्लाइफोसेट के उपयोग की अनुमति नाशीजीव नियंत्रण आपरेटरों (पीसीओ) के माध्यम से दी जाए" की चेतावनी शामिल किए जाने हेतु वापिस करेंगे।
4. यदि कोई व्यक्ति जिसके पास पंजीकरण का प्रमाण पत्र है, खंड(3) में निर्दिष्ट तीन महीने की अवधि के भीतर पंजीकरण समिति को प्रमाण पत्र वापस करने में विफल रहता है, तो उक्त अधिनियम में अंतर्विष्ट उपबंधों के अधीन कार्रवाई की जाएगी।
5. प्रत्येक राज्य सरकार उक्त अधिनियम के उपबंधों तथा उसके अधीन बनाये गये नियमों के अधीन ऐसे सभी कदम उठाएगी, जो राज्य में इस आदेश के क्रियान्वयन के लिए आवश्यक समझे।

[फा. सं. 13035/19/2019-पीपी-1]

डॉ. प्रमोद कुमार मेहरदा, संयुक्त सचिव (पीपी)

MINISTRY OF AGRICULTURE AND FARMERS WELFARE

(Department of Agriculture and Farmers Welfare)

NOTIFICATION

New Delhi, the 21st October, 2022

S.O. 5010(E).—Whereas the Central Government had received a report from the Government of Kerala for prohibiting the distribution, sale and use of Glyphosate and its derivatives;

And whereas, the Central Government, in exercise of the powers conferred by sub-section (2) of section 27 of the Insecticides Act, 1968 (46 of 1968) published a draft Order for declaring its intention to restrict the use of Glyphosate and its derivatives through pest control operators vide notification number S.O. 2268(E), dated 6th July, 2020, in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), dated 7th July, 2020, and invited objections and suggestions from all persons likely to be affected thereby, before the expiry of the period of ninety days from the date on which the copies of the Official Gazette in which the said notification was published were made available to the public;

And whereas, copies of the said Gazette notification were made available to the public on the 7th July, 2020;

And whereas, the objections or suggestions received in respect of the said draft Order were duly considered by an Expert Committee;

And whereas, the Central Government, after considering the report of the Expert Committee and after consultation with the Registration Committee, set up under the Insecticides Act, 1968 (46 of 1968), is satisfied that the use of Glyphosate involves health hazards and risk to human beings and animals ;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 27 of the Insecticides Act, 1968 (46 of 1968), the Central Government hereby makes the following Order, namely:-

ORDER

1. Short title and commencement. - (1) This Order may be called the Restriction on use of Glyphosate Order, 2022.
(2) It shall come into force on the date of its final publication in the Official Gazette.
2. The use of Glyphosate is hereby restricted and no person shall use Glyphosate except Pest Control Operators.
3. All holders of the certificate of registration granted for Glyphosate and its derivatives shall return the certificate of registration to the Registration Committee for incorporation of the warning in bold letters "THE USE OF GLYPHOSATE FORMULATION TO BE ALLOWED THROUGH PEST CONTROL OPERATORS" on the label and leaflets.
4. If any person who holds the certificate of registration fails to return the certificate to the Registration Committee, referred to in clause (3), within a period of three months, action shall be taken under the provisions contained in the said Act.
5. Every State Government shall take all such steps under the provisions of the said Act and the rules framed thereunder, as it considers necessary, for the execution of this order in the State.

[F. No. 13035/19/2019-PP-I]

Dr. PRAMOD KUMAR MEHERDA, Jt. Secy. (PP)

12

MAHARASHTRA POLLUTION CONTROL BOARD
REGIONAL OFFICE - PUNE

Phone No. 020-25811694
Fax No 020-25811701
e-mail : ropune@mpcb.gov.in
visit us www.mpcb.gov.in



"Your Service is our Duty"

Jog Centre, 3rd Floor,
Wakdewadi,
Old-Pune Mumbai Road,
Pune- 411003

ROP/MPCB/ 230630-FTS-0001 Date: 30/06/2023.

To,
Additional Commissioner (E),
Pune Municipal Corporation,
Pune.

Sub: Eradication of water hyacinth from the Rivers and lakes from the Pune City.

Ref: 1) Your letter from the Env. Dept Pune Municipal Corporation vide
Dtd. 24/03/2023.

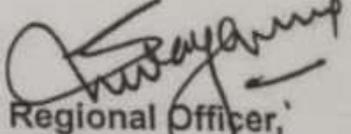
2) Board's Office Note generated by Sub Regional Officer, Pune I vide No.
MPCB-ON-2767.

3) Communication from the HQ to this vide dtd,19.05.2023

With reference to the above noted subject, your office has communicated to this office regarding use of Glyphosate (weed control chemical) for control of water hyacinth in river and lakes located within Pune Municipal Corporation jurisdiction. You have also reported that Saguna Rural Foundation Neral has successfully carried out removal of water hyacinth by using this chemical. Your letter is self-explanatory regarding use of Glyphosate (weed control chemical) for control of water hyacinth stating as Agriculture Department of India, Navi Delhi has banned said chemical for use except pest control operators having license as per notification of Ministry of Agriculture and Farmer Welfares Government of India no : CG-DL-E-25102022239860 dt: 21/10/2022.

In this regard, this office has taken guidance from the HQ, M.P. C. Board and it is directed to communicate that Pune Municipal Corporation shall obtain permission for use Glyphosate to remove water hyacinth from the river of Mula, Mutha, Mula-Mutha and lakes surrounding Pune city from Competent Authority from Govt. of India applicable in this matter.

Hence, take the permissions from the competent authority as directed above, please.


Regional Officer,
M.P. C. Board, Pune

Copy submitted to:

1. Joint Directed (APC) M.P. C. Board, Mumbai
2. Joint Directed (WPC) M.P. C. Board, Mumbai.

Copy to: Sub Regional Officer, Pune-I : for further needful vigilance.