

REPORT OF THE OVERSIGHT COMMITTEE, NGT, U.P, LUCKNOW

IN THE MATTER OF:-

ORIGINAL APPLICATION NO. 247/2017

CENTRAL POLLUTION CONTROL BOARD

VERSUS

STATE OF ANDAMAN & NICOBAR & ORS.

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**REPORT OF OVERSIGHT COMMITTEE IN COMPLIANCE OF ORDER OF HON'BLE
NATIONAL GREEN TRIBUNAL PASSED IN E.A. NO. 13/2019 IN O.A. NO. 247/2017
IN RE: CENTRAL POLLUTION CONTROL BOARD VERSUS STATE OF ANDAMAN &
NICOBAR & ORS WITH REGARD TO IMPLEMENTATION OF PLASTIC WASTE
MANAGEMENT RULES, 2016**

Introduction

Hon'ble National Green Tribunal while dealing with the matter of EA No. 13/2019 in OA No. 247/2017 vide order dated 04.09.2020 considered the issue of implementation of Plastic Waste Management Rules, 2016 (PWM Rules) and directions issued by the CPCB on 30.06.2016 to implement the thickness norms for carry-bags, constitution of squads for vigilance, preventing littering of plastic waste in public, submission of annual reports and action plan for management, quantification and characterization in every city/town of all the States/UTs.

Plastic is ubiquitous; it is visibly the backbone of globalization. It's elimination from the environment is quite difficult, although half of the world is struggling to encounter this threat with reasonable and pragmatic solutions. The developing countries are struggling due to their inadequate legal provisions, insufficient waste infrastructures, resource constraints and lack of awareness among the public. Since the 1980s, many global north countries have predicted the inexorable unintended consequences of using plastics in the long run and began to address the matter at a slow pace by adopting legal measures, instruments or punitive actions to dwindle the distribution and consumption of plastics across these countries. India despite strengthening its stance against packaging plastics has failed to effectively implement it due to the dearth of infrastructure, enforcement, and availability of affordable alternatives.

According to the recent United Nations Environment Programme (UNEP) report, the world produces 400 million tonnes of single-use plastic (SUP) waste annually (47 per cent of the total plastic waste). It is estimated that only 9 percent of the plastic is getting recycled worldwide.

(https://wedocs.unep.org/bitstream/handle/20.500.11822/25496/singleUsePlastic_sustainability.pdf?isAllowed=y&sequence=1).

Some innovative policies formulated by the governments in different parts of the world:

In the cities of Indonesia: They collect used plastic bottles in exchange for free bus rides across the city.

In UK: The government has passed a policy that encourages the use of recycled package products among the producers by imposing plastic packaging tax on production and importation (which is yet to come into effect from 2022) (Link: <https://www.gov.uk/government/publications/singleuseplastics-budget-2018-brief>).

In South Africa: A memorandum of understanding signed by actors in the plastic sector with the government to monitor efficiencies of various stakeholders *viz*, manufacturers; the Ministry of Tourism; packaging industries and the Department of Environmental Affairs to reduce the usage of disposable plastics.

In Singapore: They had included a broad set of actors from the private sector, companies, shopping mall managers who are committed to reduce packaging waste by five years. This approach encourages the actors to use other sustainable alternatives instead of SUPs in the value chain system.

In South Korea: "Precycling" is emerging as a common practice in South Korea. In this practice consumers bring their own mugs and reusable bags to supermarkets, grocery stores and cafes in curbing the consumption of disposables. (Link: <https://www.mewr.gov.sg/topic/packaging>) (<http://eng.me.go.kr/eng/web/board/read.do?pagerOffset=40&maxPageItems=10&maxIndexPages=10&searchKey=&searchValue=&menuId=21&orgCd=&boardId=912>).

As per the studies just banning the single use plastics will not be enough as a long term solution; a better waste management system is required. The plastic waste management can be done in a better way by improving source segregation; designing an effective municipal

solid waste (MSW) system; ensuring collection and transportation of segregated waste and encouraging the country to identify and use affordable plastic alternative products. Further, community participation in SWM is the key to sustain a project related to the management of solid waste. A few points to manage and reduce the plastic waste are as follows:

- A waste generator fee is the best way forward.
- It is important to achieve near-source waste segregation as biodegradable and recyclable material for proper waste management.
- Manufacture of non-recyclable single-use polyethylene bags should be banned or research should be initiated to develop biodegradable bags.
- Use of innovative and proven technologies like plastic-to-fuel and waste-to-energy must be encouraged with special provisions for buyback.
- Practices of leachate/liquid biodegradable waste recirculation in landfills should be encouraged to enhance waste stabilization and gas recovery as practiced in developed countries.
- Protection of groundwater contamination from leachate percolation from open dumps/landfill sites should be made compulsory.
- Use of plastic waste in cement kiln as fuel: plastics waste can be used as an alternative fuel in cement kilns.
- Plasma pyrolysis technology (PPT): this process combines the thermo-chemical properties of plasma with the pyrolysis process, in which intense heat is generated which has the ability to dispose of all types of plastics.
- Polymer blended bitumen road: in this technique, flexible roads are constructed using waste plastics.
- Use of plastic waste as an alternative fuel and raw material (AFR): co-processing of plastic waste results in replacement of primary fuel and raw material for industries like cement, production of lime or steel and power station.
- Modify design of product or package to decrease the amount of material used.
- Utilize economies of scale with larger size packages.
- Utilize economies of scale with product concentrates.

- Make material more durable so that it may be reused.
- Substitute away from toxic constituents in products or packaging.
- Viable decentralized composting plants to be installed to reduce the load on garbage collectors. For large cities, zone-wise decentralized composting units should be setup.
- Encourage educational institutions to take up waste management in their curriculum and create student projects for waste recycling.
- Waste to be treated as a resource and a formal recycling sector to be developed from the waste thereby providing employment to rag-pickers and absorb them in the mainstream.

Hon'ble NGT Orders

The Hon'ble NGT has taken up this case on dates 27.04.2017, 30.05.2017, 26.07.2017, 10.08.2017, 14.09.2017, 12.10.2017, 20.11.2017, 13.03.2018, 19.03.2018, 04.04.2018, 16.05.2018. Further, this case was taken up with an **Execution Application No. 13/2019** in **OA No. 247/2017** in re: *Central Pollution Control Board versus State of Andaman & Nicobar & Ors* on 12.03.2019, 22.07.2019, 04.12.2019 and 10.09.2020. The issue for consideration, in the aforementioned O.A. is the implementation of Plastic Waste Management Rules, 2016 (PWM Rules) and directions issued by the CPCB on 30.06.2016 to implement the thickness norms for carry bags, constitution of squads for vigilance, preventing littering of plastic waste in public, submission of annual reports and action plan for management, quantification and characterization in every city/town/Gram Panchayats of all the States/UTs.

The Hon'ble NGT on 12.03.2019 noted the stand of the CPCB that States are not furnishing information and not taking steps to take preventive and regulatory measures envisaged under the PWM Rules. Though ban was imposed on the use of plastic carry -bags in many States, the same was not enforced. Burning of plastic waste was continuing, apart from littering of plastic waste on railway tracks, bus stations etc. It was directed that the defaulting states have to pay compensation @ Rs. 1 Crore per month after 01.05.2019. CPCB filed a report of compliance of the States/UTs on 30.05.2019, under the following heads:

- a) Details of Plastic Waste Management as per Provisions 5, 6 and 9 of PWM Rules, 2016, as amended, 2018.
- b) Complete/Partial Ban on carry bags/products.
- c) Status of marking & labelling on carry-bags/products.
- d) No. of violations & action taken on non-compliance of Rules.
- e) Status of submission of AR by ULBs to SPCBs/PCCs.

The CPCB has pointed out the gaps as per the timelines laid down under the PWM Rules, 2016 amended in 2018, which are as follows:

1. SPCBs/PCCs shall ensure that Annual Report on implementation of PWM Rules, 2016, as amended in 2018 is complete in all respect as per Form-VI and submitted timely to CPCB i.e. on 31st July each year along with Action plan.
2. SPCBs/PCCs should direct UDDs to ensure setting up of collection, source segregation & disposal system for plastic waste.
3. SPCBs/PCCs shall provide the details such as quantification, characterization & disposal methods of plastic waste. The details of disposed plastic waste should be provided to CPCB.
4. SPCBs/PCCs should also ensure that no unregistered plastic manufacturing/recycling units is in operation & no unit is running in non-conforming/ residential areas. Besides, it is also to be ensured that plastic carry bags /films <50microns thickness should not be manufactured, stocked, sold and used in cities/towns.
5. SPCBs/PCCs, UDDs shall ensure to promote compostable carry bags certified by CPCB.
6. SPCBs/PCCs and municipalities should constitute squads to check illegal manufacturing, stocking, sale of <50microns thickness plastic carry bags and uncertified compostable carry bags/products in the market.
7. SPCBs/PCCs and UDDs to ensure prohibiting litter of plastic waste at historical, religious, public places and dumping of plastic waste in drains, river, banks & sea beaches be prohibited.
8. SPCBs/PCCs and UDDs to ensure prohibiting open burning of plastic waste

CPCB in its report submitted on 30.09.2019 presented the status report of the States/UTs based upon the data received from the SPCBs/PCCs. In the status report, it was highlighted that Uttar Pradesh had not furnished information to the CPCB regarding the gaps pointed out and also the details of recyclers of such waste.

Further, the Hon'ble NGT in light of the O.A. No. 376/2018 in re: *Jitender Yadav versus Union India & Ors.* dated 17.09.2019 has also dealt with the implementation of Extended Producers Responsibility (EPR) under the PWM Rules. The directions are as follows:

- "7. On 12.09.2018, Hon'ble Tribunal directed the Ministry of Environment, Forest & Climate Change (MoEF&CC) to take steps to implement the Extended Producers' Responsibility (EPR) in accordance with Plastic Waste Management Rules, 2016, (PWM Rules) as amended in 2018."
- "10. The PWM Rules elaborately lay down the norms and the responsibilities. Rule 9 requires the producers to workout the modalities for the waste collection system based on EPR and also by involving State Urban Development Departments. Primary responsibility is of the producers who introduce such products in the market. The minutes of the meeting merely show shifting of responsibility instead of adhering to the mandate of the PWM Rules. The PWM Rules have a provision for State Level Monitoring Committees for effective monitoring of the implementation of the PWM Rules."
- To complete "14.the long pending issue of framing National Framework on EPR within two months instead of adopting long winded procedure which has been going on for more than two years, in spite of the enactment of the Rules more than three years ago."
- "15.The Central Pollution Control Board (CPCB) may lay down a compensation regime and scale on 'Polluter Pays' principle by appointing such Expert Committee as may be found necessary and furnish its report before the next date."

The CPCB had submitted an application in terms of directions in paragraph 15 in the order dated 17.09.2019 in O.A. No. 376/2018, *Supra*, on the subject of Environmental Compensation

regime for improper Plastic Waste Management. They had sought time to submit such regime in four weeks after finalization of National Framework on EPR by MoEF&CC.

The directions of the Hon'ble NGT 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. are 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 is prohibited 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 email at judicial-ngt@gov.in.

On 06.12.2019, the Additional Secretary, MoEF&CC appeared in person and submitted that three models were being debated in this regard. On 04.09.2020, CPCB has filed its report and pointed that the State of Uttar Pradesh had not submitted compliance report on PWM and these States & UTS are required to pay compensation of Rs 1 Lakh for the quarter Oct-Dec, 2019 in compliance of Hon'ble NGT Order dated December 6th, 2019.

The Hon'ble NGT observed that no representation was made from MOEF&CC which shows that *"the MoEF&CC is ignoring even most serious environmental issues which is very unfortunate. Let Secretary, MoEF&CC look into the matter and take remedial action."* However, the Hon'ble NGT has come across a draft of "Guidelines Document" on 'Uniform Framework for Extended Producers Responsibility (Under Plastic Waste Management Rules, 2016)', regarding which comments are awaited before 31.07.2020 but "It is not clear whether the policy has been so far finalized or not". The relevant information had not been provided by the States yet, CPCB has given no justifications for delays in finalizing the policy, and adequate steps have not been taken yet by the State to manage the plastic waste.

Compliance status received by the Oversight Committee:

S. No.	Directions by Hon'ble NGT/Issues	Concerned Department	Compliance status
1.	Details of Plastic Waste Management as per Provisions 5, 6 and 9 of PWM Rules, 2016, as amended, 2018	UPPCB	Rule 5: Plastic Waste Management : <ul style="list-style-type: none"> ➤ Total recycling capacity in U.P. is 693 TPD. ➤ Plastic Waste disposal in Paper Mills: There are 22 Pulp & Paper units are in Ghaziabad, Meerut and Muzaffarnagar. These units have disposed 635.22 MT Plastic Waste for co-processing in M/s Ultratech

		<p>Cement, Rajasthan during year 2020-21.</p> <p>➤ Plastic Waste disposal facility Recycling Capacity:</p> <table border="1" data-bbox="927 443 1453 943"> <thead> <tr> <th>Name of Unit</th> <th>Capacity</th> </tr> </thead> <tbody> <tr> <td>Ganesha Ecosphere., Kanpur Dehat</td> <td>27000 TPA PET Recycling</td> </tr> <tr> <td>Ganesha Ecosphere Ltd., Rampur</td> <td>42000 TPA PET Recycling</td> </tr> <tr> <td>Ultratech Cement, Sonebhadra</td> <td>300 TPD</td> </tr> <tr> <td>V.K. Plastic, Ghaziabad</td> <td>30 TPD</td> </tr> <tr> <td>Other Recyclers (20 No.)</td> <td>146 TPD</td> </tr> </tbody> </table> <p>Recycling plant 900 TPA (Jhansi) & 1800 TPA (Mathura) set up.</p> <p>Total recycling infrastructure in U.P.: 693 TPD (81.7 % of the Plastic Waste generated.)</p> <p>➤ Producer Responsibility Organizations (PRO) are working in the State of U.P., viz. GEM Enviro Ltd., Shakti Plastic India Ltd., IPCA, Karo Sambhav etc.</p> <p>➤ 35 EPR plans have been submitted to UPPCB till 28.09.2020.</p> <p>➤ The quantity of waste plastic recycled/ disposed from September, 2019 till date is approx. 25561 Tons.</p> <p>➤ CPCB has registered 93 Brand Owners / Producers with operation in more than two States. These Brand Owners also have footprints in the State of UP. Out of these 93 registered Brand Owners Producers, 07 are situated in Uttar Pradesh.</p> <p>➤ Environment Department, UP has issued directions under section 5 of the Environment (Protection) Act, 1986 to all concerned departments of the State for the compliance of Rule 5</p>	Name of Unit	Capacity	Ganesha Ecosphere., Kanpur Dehat	27000 TPA PET Recycling	Ganesha Ecosphere Ltd., Rampur	42000 TPA PET Recycling	Ultratech Cement, Sonebhadra	300 TPD	V.K. Plastic, Ghaziabad	30 TPD	Other Recyclers (20 No.)	146 TPD
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			<p>and other provisions of PWM Rules, 2016 as amended.</p> <ul style="list-style-type: none"> ➤ In coordination with State Government, UPPCB has developed a dedicated online portal for effective monitoring of various Environmental Laws, including PWM Rules, 2016 as amended. The mechanism involves 3-tier monitoring at District and State level. ➤ With regards to Rule-9 of the PWM Rules, 2016, the UPPCB has issued show-cause notices u/s 5 of the Environment (Protection) Act, 1986 against 230 defaulter units. <p>The compliance report of UPPCB is provided as Annexure 1.</p>				
2.	Status of Complete/Partial Ban on carry bags/products. Is there any ban on the production of such items? If yes please furnish information regarding the steps taken against such manufacturers.	UPPCB	<p>Urban Development Department, Govt. of U.P. vide notification dated 15.07.2018, prohibited the use, manufacture, sale, distribution, storage, transport, import or export of disposable plastic carry bags (irrespective of its thickness) as well as cups, glasses, plates, spoons, tumblers etc. made of plastic or thermocol disposable after one-time use.</p> <p>In compliance of the above notification dated 15.07.2018 regular drives has been carried out to ensure complete ban on the prohibited items and following action taken against the violators:</p> <table border="1"> <tr> <td>Prohibited item confiscated</td> <td>858 MT</td> </tr> <tr> <td>Fine imposed</td> <td>Rs. 11.88 Cr.</td> </tr> </table>	Prohibited item confiscated	858 MT	Fine imposed	Rs. 11.88 Cr.
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3.	Status of marking & labeling on carry bags/Multilayered packaging	CPCB and UPPCB	<p>Use of Plastic Carry bags of thickness >50 microns and disposable plastic carry bags of thickness 50 microns or above not having the name and registration number of manufacturer are prohibited in the State</p> <p>As per the compliance report of UPPCB,</p>				

			no carry bag manufacturing unit has been registered in the State by UPPCB in view of prohibition on Carry bags.															
4.	No. of registered and unregistered Manufacturing/Recycling Units	UPPCB	<p>➤ Plastic units:</p> <table border="1"> <thead> <tr> <th>Category</th> <th>Total units</th> <th>Registered Units</th> </tr> </thead> <tbody> <tr> <td>Producer</td> <td>248</td> <td>157</td> </tr> <tr> <td>Manufacturer</td> <td>01</td> <td>01</td> </tr> <tr> <td>Brand Owner</td> <td>140</td> <td>08</td> </tr> <tr> <td>Recycler</td> <td>23</td> <td>16</td> </tr> </tbody> </table> <p>➤ UPPCB has initiated action under section 5 of Environment (Protection) Act, 1986 against the unregistered units.</p> <p>➤ CPCB has authorized following units of Uttar Pradesh for manufacture of compostable plastic.</p> <p>1- M/s. Navkar Laminators (P) Ltd., (Manufacturer), Code: NLPL Plant Address: A-154, Sector A-4, Tronica City, Ghaziabad, Uttar Pradesh – 201102</p> <p>2- M/s. Any Packaging, (Manufacturer), Code: AP Plant Address: G-4, Surajpur Industrial Area, Site – B, Greater Noida, Uttar Pradesh – 201306</p> <p>3- M/s. Murliwala Enterprises, (Manufacturer), Code: ME, Plant Address: Plot No. 202, Vishvkarma Industrial Estate, Meerut – Baghpat Road, Panchli Khurd (Vill), Meerut (Dist.), Uttar Pradesh – 250002</p> <p>➤ M/s Uflex Limited 305 3rd floor Bhanot Corner, Pamposh Enclave, Greater Kailash-I New Delhi.</p>	Category	Total units	Registered Units	Producer	248	157	Manufacturer	01	01	Brand Owner	140	08	Recycler	23	16
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Producer	248	157																
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5.	No. of violations & action taken on non-compliance of Rules	UPPCB	For the compliance of Rule 9 and Rule 13 of PWM Rules, 2016 UPPCB has issued Show Cause Notices for Closure of the unit under Section 5 of E(P)Act, 1986 against 230 defaulter units.															
6.	Status of submission of annual report by SPCBs/PCCs	UPPCB	Annual plastic report on the format (Form-V) prescribed in Plastic waste															

			management Rules-2016 as amended in 2018, has been collected from all the 652 Urban Local Bodies. Annual reports are being compiled at State Level which is likely to be submitted to UPPCB by October 2020.
7.	SPCBs/PCCs should direct to UDDs to ensure setting-up of collection, source segregation & disposal system for plastic waste.	UPPCB and CPCB	<ul style="list-style-type: none"> ➤ As per the compliance report of UPPCB, the compliance of Plastic Waste Management Rules, 2016 as amended 2018, is being regularly reviewed by State Level constituted under Rule 16 and also by State level Waste Management Committee. ➤ UPPCB has also issued directions to Urban Development Department, Uttar Pradesh for compliance of Plastic Waste Management Rules, 2016 as amended 2018. ➤ As per Annual report 2018-19 submitted, details of disposal of plastic waste are as follows: <ul style="list-style-type: none"> (i) 21.37MT plastic waste was used in Cement Industries for co-processing. (ii) M/s. Uflex Ltd. (6TPD) is using the Non-Recyclable Plastic Waste for the production of fuel, carbon black & gas. (iii) Waste to Oil generation plant (3TPD) has been installed in Jhansi. (iv) M/s. GPL Polyfills has recycled 78625.7MT of PET Bottles for the production of fibres during the year 18-19. (v) M/s. Reliance Industries Ltd. has recycled 14941MT of PET Bottles for the production of Raw Material during the year 2018-19. (vi) The use of plastic waste for road construction has started in UP.

8.	SPCBs/PCCs shall provide the details about quantification, characterization & disposal methods of plastic waste. The details of disposed plastic waste should be provided to CPCB.	CPCB and UPPCB	<p>UPPCB has sent the Annual Report for the year 2018-19 to CPCB with details of quantification, characterization & disposal methods of plastic waste. The quantification has been done in coordination with all the Urban Local Bodies and Urban Development Department.</p> <p>The annual report for the year 2018-2019 is provided as annexure 2.</p>				
9.	SPCBs/PCCs shall ensure that no unregistered plastic manufacturing/ recycling units are in operation & no unit is running in nonconforming/ residential areas. Besides, it is also to be ensured that plastic carry bags /films <50microns thickness should not be manufactured, stocked, sold and used in cities/towns.	UPPCB	<p>Urban Development Department, Govt. of U.P. vide notification dated 15.07.2018 Prohibited use, manufacture, sale, distribution, storage, transport, import or export of disposable plastic carry bags (irrespective of its thickness) as well as cups, glasses, plates, spoons, tumblers etc. made of plastic or thermocol disposable after one-time use.</p> <p>In compliance of the above notification dated 15-07-2018 regular drives carried out to ensure complete ban on the prohibited items and following action taken against the violaters :</p> <table border="1" data-bbox="906 1301 1433 1424"> <tr> <td>Prohibited Item confiscated</td> <td>858 MT</td> </tr> <tr> <td>Fine imposed</td> <td>Rs. 11.88 Cr.</td> </tr> </table>	Prohibited Item confiscated	858 MT	Fine imposed	Rs. 11.88 Cr.
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10.	SPCBs/PCCs shall ensure to promote compostable carry bags certified by CPCB.	UPPCB	<p>➤ CPCB has authorized following units of Uttar Pradesh for manufacture of compostable plastic.</p> <p>1- M/s. Navkar Laminators (P) Ltd., (Manufacturer), Code: NLPL Plant Address: A-154, Sector A-4, Tronica City, Ghaziabad, Uttar Pradesh – 201102</p> <p>2- M/s. Any Packaging, (Manufacturer), Code: AP Plant Address: G-4, Surajpur Industrial Area, Site – B, Greater Noida, Uttar Pradesh – 201306</p>				

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11.	Constitution of squad to check illegal manufacturing, stocking, sale of <50microns thickness plastic carry bags and uncertified compostable carry bags/products in the market.	UPPCB	<p>Urban Development Department vide its notification dated 15-07-2018 Prohibited use, manufacture, sale, distribution, storage, transport, import or export of disposable plastic carry bags (irrespective of its thickness) as well as cups, glasses, plates, spoons, tumblers etc. made of plastic or thermocol disposable after one-time use.</p> <p>For the compliance of above notification conferred powers to 12 different department officers for imposition of fine and seizure of prohibited item.</p>
12.	SPCBs/PCCs and UDDs to ensure prohibit litter of plastic waste at historical, religious, public places and dumping of plastic waste on drains, river, banks & sea beaches.	UPPCB and Urban Development Department	<p>Under the provisions of Rule-4 (Duties of waste generators) of SWM Rules-2016, the Rule-4(2) states as <i>“No waste generator shall throw, burn or bury the solid waste generated by him, on streets, open public spaces outside his premises or in the drain or water bodies”</i> the publication in all the top 3 editions of Hindi News paper and top edition of English News paper has been done in the State. The enforcement has been done.</p> <p>Urban Development Department, Govt. of U.P. vide notification dated 15.07.2018 prohibited use, manufacture, sale, distribution, storage, transport, import or export of disposable plastic carry bags (irrespective of its thickness) as well as cups, glasses, plates, spoons, tumblers etc. made of plastic or</p>

	failing which compensation of Rs. 1 lakh per quarter shall be levied by the CPCB.		
16.	UDDs shall ensure to promote compostable carry bags certified by CPCB	Urban Development Department	The CPCB to communicate about mentioned carry bags to the concerned departments for further circulation, along with the guideline and the department is committed to promote such carry bags.
17.	Municipalities should constitute squad to check illegal manufacturing, stocking, sale of <50 microns thickness plastic carry bags and uncertified compostable carry bags/products in the market	Urban Development Department	The task force comprising the retired Army officers has been constituted by the Urban Development Department vide letter No: 2133/ Nau-7-18-06(J0)/2018, dated: 21.12.2018. Till date approximately 858 MT of ban plastic items has been seized and Rs. 11.88 Cr. of penalty has been imposed against the violators in the State of Uttar Pradesh.
18	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 (Para 12: Let the matter be finalized and National Framework established as far as possible within three months).	CPCB and MOEF&CC	No progress reported
19.	CPCB may give its report for compensation regime in terms of para 13 above (Para 13: CPCB has also filed a report in terms of direction in paragraph 15 in the order dated 17.09.2019 in O.A. No. 376/2018, Supra, on the subject of Environmental Compensation regime for	CPCB	No progress reported

<p>improper Plastic Waste Management. The report is in fact 19 application seeking time to submit such regime in four weeks after finalization of National Framework on EPR by MoEF&CC).</p>		
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Recommendations:

In the view of above, we recommend as follows:

1. Though use of plastic carry bag has been banned by the State Government vide Department of Urban Development's notification dated 15.7.2018, these ban orders are not being enforced strictly. How else one would explain that in the entire State since the ban, only 858 MT of banned plastics have been seized. Similarly closure of only 23 unregistered plastic units by UPPCB appears to be inadequate enforcement.
2. The state government has imposed a fine of Rs. 11.88 crores under its municipal laws. CPCB may expedite sending its compensation regime to the States, which can then be incorporated in the municipal bylaws to give a scientific basis to the quantum of fines levied on different categories of violators.
3. EPR enforcement has been done by the state under 230 defaulter units under Section - 5 of Environmental Protection Act, 1986. MoEF&CC has so far not finalised its EPR framework. Once that framework is received by the State, it can be incorporated in the State mechanism for uniform implementation throughout.
4. There is a task force under retired army officers which has been constituted in major cities. It is reported that 858 MT of banned plastics have been seized and 11.88 crore EC has been imposed. However if banned plastics have to take the shape of a people's movement involving school/colleges/voluntary agencies/NGOs/religious movements/corporate sectors and people from all walks of life. The District Magistrates have to coordinate all these activities in a mission mode. Time targeted action plans

- need be preponed, implemented, and regularly monitored and gap areas continuously identified and remedial action to be taken.
5. So far a comprehensive action plan as directed by NGT has not been prepared. This should incorporate the direction as provided in the EPR national framework, the CPCB compensation regime provisions, time targeted action plan and institutional mechanism for banning unrestricted plastic manufacturing units, carry bags less than 50 mm, thermocols/polystyrenes and plates. The action plans should have specific provisions for special environment squads. Provisions for imposition and recovery of EC at the rate of Rs 1 Lakh/quarter from non-compliant ULBs be incorporated in the action plans.
 6. The State has created a 3 tier monitoring mechanism and a monitoring portal. However the portal is not updated. It appears that the meetings of monitoring committee at various levels are not taking place-certainly they are not posting on the portal.
 7. Involvement of District Magistrates is most essential for its successful implementation. The Oversight Committee has been emphasising with the State Govt. The District Environment Plans be prepared immediately and reviewed monthly by the District Environment Monitoring Committee. Plastic Management be also incorporated in the DEP which is being prepared.
 8. Annual report has so far not been submitted. The Hon'ble NGT had directed that all the ULBs submit their report to Department of Urban Development, which may send it to CPCB through UPPCB. Department of Urban Development informed that the report is under preparation to be submitted by 30.09.2020. The report may be expedited with a copy to Oversight Committee.
 9. CPCB was to impose a EC of Rs. 1 Lakh/quarter in case of non-compliance. It has not sent any compliance so far. So far neither EC has been imposed by CPCB, nor any amount recovered.
 10. The industries department has not sent a comprehensive list of manufacturers of banned plastics. There is no institutional mechanism for checking manufacturing/recycling of unregistered banned plastic material, carry bags with less than 50 microns, thermocols/polystyrenes and plates. UPPCB may obtain that list from

- the industries departments and intimate action there on. Similarly stocking and sale of these banned materials may be co-ordinated through an inter-departmental institutional mechanism comprising of GST Department, Urban Development Department, UPPCB and Industries Department.
11. Most of the collection of plastic waste is done by the informal sector. The MSW Act provides for integration of rag pickers with the formal system. This integration will help better channelization of the plastic waste to authorised recyclers, improve their capacity utilisation thereby effectively recycling plastic waste.
 12. The State has provided one MRF facility each to all the ULBs. This should help plastic waste segregation. The incremental progress of this step needs to be monitored to evaluate the impact of MRFs in plastic waste segregation system.
 13. The Gram Panchayat also need to be activated for improving their plastic waste collection and disposal system. Quarterly reports from Principal Secretary Panchayat Raj to CPCB through UPPCB need to be insisted upon.
 14. There was a suggestion about use of compostable plastic bags. CPCB may communicate the details so that their use be promoted in the State.
 15. Best practices like plastic to furnace oil plants in Mathura, Waste to oil plant in Jhansi use of plastic to co-fuel in Ultratech cement at Mirzapur, use of Plastic as in-house fuel at Uflex Noida, Pet bottle recycling at GPL Polyfill and Reliance Barabanki need to be promoted in other Districts. State PWD needs to be encouraged to upscale its Pilot project for use of plastic in road construction.
 16. All the concerned authorities should be directed to ensure the compliance of Rule 11 of PWM Rules. Violation of the same must be dealt with strictly. (As per the Rule no. 11 of PWM Rules, 2018, all the plastic manufacturers were directed to mark or label each plastic carry bag and multilayer packet manufactured with the following details: a) name, registration number of the manufacturer and thickness in case of carry bag; (b) name and registration number of the manufacturer in case of multi-layered packaging; and (c) name and certificate number [Rule 4(h)] in case of carry bags made from compostable plastic.)

The Member Secretary, UPPCB is directed to send this report to the Registrar General, National Green Tribunal, Principal Bench, New Delhi for placing the same before the Hon'ble Tribunal with a copy to the Chief Secretary, Government of UP for necessary action. The report also be uploaded on the website of the committee.

07-10-2020

07-10-2020

X Anup Chandra Pandey

Dr Anup Chandra Pandey
Member, Oversight Committee
Signed by: ANUP CHANDRA PANDEY

X SVS Rathore

Justice SVS Rathore
Chairman, Oversight Committee
Signed by: SURENDRA VIKRAM SINGH RATHORE

October 07, 2020

Please visit our website: oscngt.upsdc.gov.in for more information.

Annexures: As above

COMPLIANCE STATUS REQUIRED WITH REGARD TO O.A.NO. 247/2017 IN RE: CENTRAL POLLUTION CONTROL BOARD VERSUS STATE OF ANDAMAN & NICOBAR & ORS.

The issue for consideration, in the aforementioned O.A. is the implementation of Plastic Waste Management Rules, 2016 (PWM Rules) and directions issued by the CPCB on 30.06.2016 to implement the thickness norms for carry bags, constitution of squads for vigilance, preventing littering of plastic waste in public, submission of annual reports and action plan for management, quantification and characterization in every city/town of all the States/UTs.

Concerned authorities / departments:

1. UPPCB
2. Urban Development Department
3. CPCB

Compliance status required by the Oversight Committee:

The following details should be sent to the Oversight Committee till 25th September 2020.

S. N.	Directions by Hon'ble NGT/Issues	Concerned Department	Compliance status				
1.	Details of Plastic Waste Management as per Provisions 5, 6 and 9 of PWM Rules, 2016, as amended, 2018	UPPCB	<p>Rule 5 : Plastic Waste Management :</p> <p>➤ Plastic Waste disposal in Paper Mills:</p> <ul style="list-style-type: none"> • Total 22 Pulp & Paper units in Ghaziabad, Meerut and Muzaffarnagar have disposed 635.22 MT Plastic Waste for co-processing in M/s Ultratech Cement, Rajasthan during year 2020-21. • Total recycling capacity in U.P. is 693 TPD. <p>➤ Plastic Waste disposal facility Recycling Capacity:</p> <table border="1"> <thead> <tr> <th>Name of Unit</th> <th>Capacity</th> </tr> </thead> <tbody> <tr> <td>Ganesha Ecosphere., Kanpur Dehat</td> <td>27000 TPA PET Recycling</td> </tr> </tbody> </table>	Name of Unit	Capacity	Ganesha Ecosphere., Kanpur Dehat	27000 TPA PET Recycling
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			<table border="1"> <tr> <td>Ganesha Ecosphere Ltd., Rampur</td> <td>42000 TPA PET Recycling</td> </tr> <tr> <td>Ultratech Cement, Sonebhadra</td> <td>300 TPD</td> </tr> <tr> <td>V.K. Plastic, Ghaziabad</td> <td>30 TPD</td> </tr> <tr> <td>Other Recyclers (20 No.)</td> <td>146 TPD</td> </tr> <tr> <td colspan="2">Recycling plant 900 TPA (Jhansi) & 1800 TPA (Mathura) set up.</td> </tr> <tr> <td colspan="2">Total recycling infrastructure in U.P. : 693 TPD (81.7 % of the Plastic Waste generated.)</td> </tr> </table> <p>➤ Producer Responsibility Organization (PRO) are working in the State of U.P. namely GEM Enviro Ltd., Shakti Plastic India Ltd., IPCA, Karo Sambhav etc.</p> <p>➤ 35 EPR plans have been submitted to UPPCB in 2019 and till date.</p> <p>➤ The quantity of waste plastic recycled/ disposed from September, 2019 till date is approx. 25561 Tons.</p> <p>➤ CPCB has registered 93 Brand Owners / Producers with operation in more than two States. These Brand Owners also have footprints in the State of Uttar Pradesh. Out of these 93 registered Brand Owners Producers, 07 are situated in Uttar Pradesh.</p>	Ganesha Ecosphere Ltd., Rampur	42000 TPA PET Recycling	Ultratech Cement, Sonebhadra	300 TPD	V.K. Plastic, Ghaziabad	30 TPD	Other Recyclers (20 No.)	146 TPD	Recycling plant 900 TPA (Jhansi) & 1800 TPA (Mathura) set up.		Total recycling infrastructure in U.P. : 693 TPD (81.7 % of the Plastic Waste generated.)	
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Total recycling infrastructure in U.P. : 693 TPD (81.7 % of the Plastic Waste generated.)															
2.	Status of Complete/Partial Ban on carry bags/products. Is there any ban on the	UDD/ UPPCB	Urban Development Department, Govt. of U.P. vide notification dated 15.07.2018 Prohibited use, manufacture, sale, distribution,												

	production of such items? If yes please furnish information regarding the steps taken against such manufacturers.		<p>storage, transport, import or export of disposable plastic carry bags (irrespective of its thickness) as well as cups, glasses, plates, spoons, tumblers etc. made of plastic or thermocol disposable after one-time use.</p> <p>In compliance of the above notification dated 15-07-2018 regular drives carried out to ensure complete ban on the prohibited items and following action taken against the violaters :</p> <table border="1" data-bbox="1034 763 1560 882"> <tr> <td>Prohibited Item confiscated</td> <td>858 MT</td> </tr> <tr> <td>Fine imposed</td> <td>Rs. 11.88 Cr.</td> </tr> </table>	Prohibited Item confiscated	858 MT	Fine imposed	Rs. 11.88 Cr.											
Prohibited Item confiscated	858 MT																	
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3.	Status of marking & labeling on carry bags/Multilayered packaging	UPPCB	No carry bag manufacturing unit has been registered in the State by UPPCB in view of prohibition on Carry bags.															
4	No. of registered and unregistered Manufacturing/Recycling Units	UPPCB	<p>➤ Plastic units:</p> <table border="1" data-bbox="1034 1099 1560 1339"> <thead> <tr> <th>Category</th> <th>Total units</th> <th>Registered Units</th> </tr> </thead> <tbody> <tr> <td>Producer</td> <td>248</td> <td>157</td> </tr> <tr> <td>Manufacturer</td> <td>01</td> <td>01</td> </tr> <tr> <td>Brand Owner</td> <td>140</td> <td>08</td> </tr> <tr> <td>Recycler</td> <td>23</td> <td>16</td> </tr> </tbody> </table> <p>➤ UPPCB has initiated action under section 5 of Environment (Protection) Act, 1986 against the unregistered units.</p> <p>➤ CPCB has authorized following units of Uttar Pradesh for manufacture of compostable plastic.</p> <p>1-M/s. Navkar Laminators (P) Ltd., (Manufacturer), Code: NLPL Plant Address: A-154, Sector A-4, Tronica City, Ghaziabad, Uttar Pradesh – 201102</p>	Category	Total units	Registered Units	Producer	248	157	Manufacturer	01	01	Brand Owner	140	08	Recycler	23	16
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			<p>2-M/s. Any Packaging, (Manufacturer), Code: AP Plant Address: G-4, Surajpur Industrial Area, Site – B, Greater Noida, Uttar Pradesh – 201306</p> <p>3-M/s. Murliwala Enterprises, (Manufacturer), Code: ME, Plant Address: Plot No. 202, Vishvkarma Industrial Estate, Meerut – Baghat Road, Panchli Khurd (Vill), Meerut (Dist.), Uttar Pradesh – 250002</p> <p>4-M/s Uflex Limited 305 3rd floor Bhanot Corner, Pamposh Enclave, Greater Kailash-I New Delhi.</p>
5.	No. of violations & action taken on non-compliance of Rules	UPPCB	U.P. Pollution Control Board for the compliance of Rule 9 and Rule 13 of PWM Rules, 2016 has issued Show Cause Notices for Closure of the unit under Section 5 of E(P)Act, 1986 against 230 defaulter units.
6.	Status of submission of annual report by SPCBs/PCCs	UDD/ UPPCB	Annual plastic report on the format (Form-V) prescribed in Plastic waste management Rules-2016 as amended in 2018, has been collected from all the 652 Urban Local Bodies and is being compiled at State Level which is likely to be submitted to UPPCB by 30 th September 2020. It is humbly submitted that due to COVID-19 affect there has been constrain in collection of data however the report as stated shall be submitted to UPPCB by 30 th September.
7.	SPCBs/PCCs should direct to UDDs to ensure setting-up of collection,	UPPCB	The compliance of Plastic Waste Management Rules, 2016 as amended 2018 is being regularly

	source segregation & disposal system for plastic waste.		reviewed by State Level constituted under Rule 16 and also by State level Waste Management Committee. UPPCB has also issued directions to Urban Development Department, Uttar Pradesh for compliance of Plastic Waste Management Rules, 2016 as amended 2018				
8.	SPCBs/PCCs shall provide the details such as quantification, characterization & disposal methods of plastic waste. The details of disposed plastic waste should be provided to CPCB.	UPPCB	UPPCB has sent the Annual Report for the year 2018-19 to CPCB with quantification, characterization & disposal methods of plastic waste. The quantification has been done in coordination with all the Urban Local Bodies and also with Urban Development Department. The details of disposed plastic is provided to CPCB.				
9.	SPCBs/PCCs shall ensure that no unregistered plastic manufacturing/ recycling units is in operation & no unit is running in nonconforming/ residential areas. Besides, it is also to be ensured that plastic carry bags /films <50microns thickness should not be manufactured, stocked, sold and used in cities/towns.	UDD/UPPC B	<p>Urban Development Department, Govt. of U.P. vide notification dated 15.07.2018 Prohibited use, manufacture, sale, distribution, storage, transport, import or export of disposable plastic carry bags (irrespective of its thickness) as well as cups, glasses, plates, spoons, tumblers etc. made of plastic or thermocol disposable after one-time use.</p> <p>In compliance of the above notification dated 15-07-2018 regular drives carried out to ensure complete ban on the prohibited items and following action taken against the violaters :</p> <table border="1"> <tr> <td>Prohibited Item confiscated</td> <td>858 MT</td> </tr> <tr> <td>Fine imposed</td> <td>Rs. 11.88 Cr.</td> </tr> </table>	Prohibited Item confiscated	858 MT	Fine imposed	Rs. 11.88 Cr.
Prohibited Item confiscated	858 MT						
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10	SPCBs/PCCs shall ensure to promote	UPPCB	<p>➤ CPCB has authorized following units of Uttar Pradesh for</p>				

	compostable carry bags certified by CPCB.		<p>manufacture of compostable plastic.</p> <p>1-M/s. Navkar Laminators (P) Ltd., (Manufacturer), Code: NLPL Plant Address: A-154, Sector A-4, Tronica City, Ghaziabad, Uttar Pradesh – 201102</p> <p>2-M/s. Any Packaging, (Manufacturer), Code: AP Plant Address: G-4, Surajpur Industrial Area, Site – B, Greater Noida, Uttar Pradesh – 201306</p> <p>3-M/s. Murliwala Enterprises, (Manufacturer), Code: ME, Plant Address: Plot No. 202, Vishvkarma Industrial Estate, Meerut – Baghpat Road, Panchli Khurd (Vill), Meerut (Dist.), Uttar Pradesh – 250002</p> <p>4-M/s Uflex Limited 305 3rd floor Bhanot Corner, Pamposh Enclave, Greater Kailash-I New Delhi.</p>
11	Constitution of squad to check illegal manufacturing, stocking, sale of <50microns thickness plastic carry bags and uncertified compostable carry bags/products in the market.	UDD/ UPPCB	<p>Urban Development Department vide its notification dated 15-07-2018 Prohibited use, manufacture, sale, distribution, storage, transport, import or export of disposable plastic carry bags (irrespective of its thickness) as well as cups, glasses, plates, spoons, tumblers etc. made of plastic or thermocol disposable after one-time use.</p> <p>For the compliance of above notification conferred powers to 12 different department officers for imposition of fine and seizure of prohibited item.</p>

12	SPCBs/PCCs and UDDs to ensure prohibit litter of plastic waste at historical, religious, public places and dumping of plastic waste on drains, river, banks & sea beaches is prohibited.	UPPCB and Urban Development Department	<p>Under the provisions of Rule-4 (Duties of waste generators) of SWM Rules-2016, the Rule-4(2) states as <i>“No waste generator shall throw, burn or burry the solid waste generated by him, on streets, open public spaces outside his premises or in the drain or water bodies”</i> the wide publication in all the top 3 editions of Hindi News paper and top edition of English News paper has been done in the State. The enforcement is being done.</p> <p>Urban Development Department, Govt. of U.P. vide notification dated 15.07.2018 Prohibited use, manufacture, sale, distribution, storage, transport, import or export of disposable plastic carry bags (irrespective of its thickness) as well as cups, glasses, plates, spoons, tumblers etc. made of plastic or thermocol disposable after one-time use.</p> <p>In compliance of the above notification dated 15-07-2018 regular drives carried out to ensure complete ban on the prohibited items and following action taken against the violaters :</p> <table border="1" data-bbox="1005 1512 1540 1691"> <tr> <td>Prohibited Item confiscated</td> <td>858 MT</td> </tr> <tr> <td>Fine imposed</td> <td>Rs. 11.88 Crores</td> </tr> </table>	Prohibited Item confiscated	858 MT	Fine imposed	Rs. 11.88 Crores
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13	Status of implementation of action plans for PWM Rules, addressing the gaps pointed out by the CPCB and also seeking details of recyclers of	UPPCB	Urban Development Department, Govt. of Uttar Pradesh has prepared Action Plan for Plastic Waste Management in the State. UDD is in the process of sending the Action Plan to CPCB in				

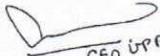
	such waste.		compliance of directions of Hon'ble NGT.				
14	Implementation of thickness >50microns carry bags as per provisions 4(c & d, Thickness criteria Condition) of PWM Rules, 2016, as amended, 2018.	UPPCB	<p>Urban Development Department, Govt. of U.P. vide notification dated 15.07.2018 Prohibited use, manufacture, sale, distribution, storage, transport, import or export of disposable plastic carry bags (irrespective of its thickness) as well as cups, glasses, plates, spoons, tumblers etc. made of plastic or thermocol disposable after one-time use.</p> <p>In compliance of the above notification dated 15-07-2018 regular drives carried out to ensure complete ban on the prohibited items and following action taken against the violaters :</p> <table border="1"> <tr> <td>Prohibited Item confiscated</td> <td>858 MT</td> </tr> <tr> <td>Fine imposed</td> <td>Rs.11.88 Cr.</td> </tr> </table>	Prohibited Item confiscated	858 MT	Fine imposed	Rs.11.88 Cr.
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15	Status of time targeted action plan covering the action points related to plastic waste segregation, collection and recycling/reuse of plastic waste. The current status, desirable level of compliance in terms of statutes, gap between the current status & desired level and proposal of attending the gap with timeline as per the enclosed format (Annexure- IV) be provided to CPCB.	UDD/UPPCB	<p>Urban Development Department, Govt. of Uttar Pradesh has prepared Action Plan for Plastic Waste Management in the State. UDD is in the process of sending the Action Plan to CPCB in compliance of directions of Hon'ble NGT.</p>				

16	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.	UDD/UPPC B	Urban Development Department, Govt. of Uttar Pradesh has prepared Action Plan for Plastic Waste Management in the State. UDD is in the process of sending the Action Plan to CPCB in compliance of directions of Hon'ble NGT. The Gap analysis format is also under final stages of submission.
17	Status of submission of annual report by ULBs to SPCBs/PCCs	Urban Development Department	Annual plastic report on the format (Form-V) prescribed in Plastic waste management Rules-2016 as amended in 2018, has been collected from all the 652 Urban Local Bodies and is being compiled at State Level which is likely to be submitted to UPPCB by 30 th September 2020. It is humbly submitted that due to COVID-19 affect there has been constrain in collection of data however the report as stated shall be submitted to UPPCB by 30 th September.
18	UDDs shall ensure to promote compostable carry bags certified by CPCB	Urban Development Department	The CPCB to communicate about mentioned carry bags to the concerned departments for further circulation, along with the guideline and the department is committed to promote such carry bags.
19	Municipalities should constitute squad to check illegal manufacturing, stocking, sale of <50microns thickness plastic carry bags and uncertified compostable carry bags/products in	Urban Development Department	The task force comprising the retired Army officers has already been formed by the Urban Development Department vide it's letter No: 2133/ Nau-7-18-06(J0)/2018, Dated: 21.12.2018 (kindly see Annexure-1). Till date as per information received from

	the market		the ULBs in the state
20	SPCBs/PCCs and UDDs shall prohibit litter and open burning of plastic waste at historical, religious, public places and dumping of plastic waste on drains, river, banks and seas beaches is prohibited	UPPCB and Urban Development Department	approximately 858 MT. of ban plastic items has been seized and Rs. 11.88 Cr. of penalty has been imposed against the violators in the State of Uttar Pradesh.

Status of Implementation of Plastic Waste Management Rules, 2016 for the Year 2018-19 Annual Report for the State of Uttar Pradesh
Form VI

Name of the SPCB/PCC	Estimated Plastic Waste generation Tons Per Annum (TPA) 2018-19	No. of registered Plastic Manufacturing or Recycling units (including multilayer, compostable units.) (Rule 9)			No. of Unregistered Plastic manufacturing Recycling units. (in residential/ Un approved areas)	Details of Plastic Waste Management (PWM) e.g. Collection, Segregation, Disposal (Co-Processing road construction etc.) (Rule 6) (Attach separate Sheet)	Partial or complete ban on usages of Plastic Carry Bags (through Executive Order) (Attach copy of notification or executive order)	Status of Marking Labelling on carry bags (Rule 8) [Specify the number of units complied or not complied].	Explicit Pricing of carry bags (Rule 10)	Details of the meeting of State Level Advisory Body (SLA) alongwith its recommendations on Implementation (Rule 11)	No. of Violations and action taken on non-compliance of provisions of these Rules	Number of Municipal Authority or Gram Panchayat under jurisdiction and Submission of Annual Report to CPCB (Rule 12)
		Plastic Units	Compostible Plastic Units	Multilayer Plastic Units								
1	2	3		4	5	6	7	8	9	10	11	
U.P. Pollution Control Board, T.C. 12 V, Vibhuti Khand, Gumbi Nagar, U.P.	254401.8	56	1	77	23	<p>Details of Plastic Waste Management (PWM) through recycling, Waste to Oil, Co-processing is as detailed in Annexure A</p> <p>1. Nagar Vikas Anubhag-7, U.P. Shashan, vide its Notification No. 1056/9-7-18-29(Lucknow)18, Dated Lucknow: 15 July, 2018 has imposed following prohibition-</p> <p>a. Prohibit in areas falling in a Nagar Panchayat, Nagar Palika, Nagar Nigam or Industrial Township of the state constituted under Article 243Q, the use, manufacture, sale, distribution, storage, transport, import or export of plastic carry bags of thickness less than 50 microns and disposable plastic carry bags of thickness 50 microns or above not having the name and registration number of manufacturer with effects from the date of the publication of this notification in the Gazette.</p> <p>b. Prohibit in areas falling in a Nagar Panchayat, Nagar Palika, Nagar Nigam or Industrial Township of the state constituted under Article 243Q, the use, manufacture, sale, distribution, storage, transport, Import or export of cups, glasses, plates, spoons, tumblers, etc made up of plastic or thermocol disposable after one time use with effect from August,15,2018.</p> <p>c. Prohibit in areas falling in a Nagar Panchayat, Nagar Palika, Nagar Nigam or Industrial Township of the state constituted under Article 243Q, the use, manufacture, sale, distribution, storage, transport, Import or export of all kinds of disposable plastic carry bags with effect from October,2,2018.</p>	Carry bags are prohibited in the State of Uttar Pradesh vide notification No. 1056/9-7-18-29(Lucknow)18, Dated Lucknow: 15 July, 2018 of Urban Development Department.	Carry bags are prohibited in the State of Uttar Pradesh vide notification No. 1056/9-7-18-29(Lucknow)18, Dated Lucknow: 15 July, 2018 of Urban Development Department.	State Level Advisory Body has been constituted on dated 05-10-2017 & reconstituted vide notification dated 02-04-2019. Meeting of State Level Monitoring Committee held on 17-04-2019.	The detailed statement of Action taken on non-compliance is enclosed as Annexure B	652 Urban Local Bodies (Nagar Nigam-17, Nagar Palika Parishad-198, Nagar Panchayat-437)	


 CEO UPPCB

Details of Plastic Waste Management (PWM)

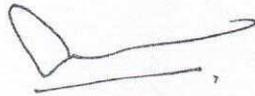
- 1- State Level Advisory Body has been constituted on dated 05-10-2017 & reconstituted vide notification dated 02-04-2019.
- 2- Carry bags are prohibited in the State of Uttar Pradesh vide notification No. 1056/9-7-18-29(Lucknow)18, Dated Lucknow: 15 July, 2018 of Urban Development Department.
- 3- Regular enforcement drives are carried out for compliance of the prohibition on Carry bags and Thermocol Cuttlory. Around 106 tons of prohibited items have been confiscated and a fine of over Rs. 2.47 Crores has been imposed on defaulters.
- 4- U.P. Pollution Control Board has issued closure orders against 23 identified unregistered plastic manufacturing units.
- 5- To ensure effective enforcement of Rule-9 of Plastic Waste Management Rules, 2016, pertaining to Extended Producer Responsibility (EPR) of Brand Owners, Producers and Users of Plastic Sheet for Packaging, for collection of plastic waste generated due to their products, the UP PCB has issued Show Cause Notices under Section 5 of the Environment (Protection) Act, 1986 against 208 Brand Owners having manufacturing facility in State of Uttar Pradesh for time bound compliance of the Rules.
- 6- **Beat Plastic Pollution Heckathon Workshop**
UPPCB organized a Workshop on Innovative Technologies for Plastic waste disposal titled " **Beat Plastic Pollution Heckathon**" ways for Plastic Waste Management on Sept, 2018. The Workshop was duly participated by leading institutions like IIT, Kanpur, CIPET, Lucknow, State Engineering Colleges and Technical Universities.
- 7- **Awareness drive by UPPCB for EPR compliance in the State**
UPPCB organized a State Level Workshop on "Workshop on Extended Producers Responsibility Plastic & E-Waste" 25-06-2019 in Lucknow. The Workshop invited dignateries like Principal Secretary, Environment , Forest & Climate Change, U.P., Principal Secretary, Urban Development Department, U.P., Secretary, Urban Development Department, U.P., Secretary, Environment , Forest & Climate Change, U.P.PCCF, Director, Environment, CPCB,



Member Secretary, UPPCB. The Producer , Brand Owners, Recyclers & PROs more than 400 participated in the Workshop.

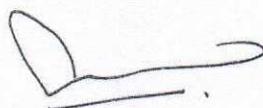
8- Innovative ways of utilization of waste plastic

- a. A plastic waste management plant (3 TPD) is installed in Jhansi for utilization of waste plastic for the production of oil.
 - b. State had also invited Bid/Expression of Interest for private sector/industry to set up plastic to fuel plant (40 TPD) in city of Lucknow.
 - c. Plastic Waste is utilized as co-fuel in the Cement Kiln of M/s. Ultratech Cements Pvt. Ltd., Dalla, Sonbhadra, during 2018-19, 21.37 MT of waste plastic has been utilized as co-fuel in the kiln.
 - d. M/s. Uflex Ltd., Noida is utilizing in house non-recyclable plastic waste for the production of fuel, carbon black & gas. The capacity of the plant is 6 TPD.
 - e. M/s. GPL Polyfills, a division of Ganesha Ecosphere, Kanpur Dehat is recycling the PET bottles for the production of fibers. In 2018-19 the unit has recycled 78652.7 MT of waste plastic.
 - f. M/s Reliance Industries Ltd. Barabanki is recycling the PET bottles for the production of Plastic raw material. In 2018-19 the unit has recycled 14941 MT of waste plastic.
- 9- The use of Plastic Waste for road construction has been started. In the first phase waste plastic has been used for road laying in Lucknow.



Action taken on non-compliance of provisions of PWM Rules, 2016

- 1- Carry bags are prohibited in the State of Uttar Pradesh vide notification No. 1056/9-7-18-29(Lucknow)18, Dated Lucknow: 15 July, 2018 of Urban Development Department.
- 2- Regular enforcement drives are carried out for compliance of the prohibition on Carry bags and Thermocol Cuttlory. Around 106 tons of prohibited items have been confiscated and a fine of over Rs. 2.47 Crores has been imposed on defaulters.
- 3- U.P. Pollution Control Board has issued closure orders against 23 identified unregistered plastic manufacturing units.
- 4- To ensure effective enforcement of Rule-9 of Plastic Waste Management Rules, 2016, pertaining to Extended Producer Responsibility (EPR) of Brand Owners, Producers and Users of Plastic Sheet for Packaging, for collection of plastic waste generated due to their products, the UP PCB has issued Show Cause Notices under Section 5 of the Environment (Protection) Act, 1986 against 208 Brand Owners having manufacturing facility in State of Uttar Pradesh for time bound compliance of the Rules.
- 5- Environment Department, Govt. of Uttar Pradesh has issued directions under Section 5 of Environment (Protection) Act, 1986 to all concerned departments of the State vide letter dated 13-06-2019 for compliance of Rule 5 and other provisions of Plastic Waste Mangement Rules, 2016 as amended.
- 6- In order to ensure effective monitoring of Plastic Waste Management Rules, 2016 as amended, U.P. Pollution Control Board in co-ordination with State Government has developed a dedicated Online Portal for effective monitoring of various Environmental Laws including Plastic Waste Management Rules, 2016 as amended. The mechanism involves 3-tier monitoring at district and State Level. The monitoring portal is provided with designed templates for Plastic Waste Mangement Rules, 2016 as amended



UTTAR PRADESH SHASHAN
NAGAR VIKAS ANUBHAG-7

In pursuance of the provisions of clause (3) of Article 348 of the Constitution the Governor is pleased to order the publication of the following English translation of notification no. 1056/9-7-18-29(Lucknow)/18, dated 15 July, 2018

NOTIFICATION

No-1056/9-7-18-29 (Lucknow)/18,

Dated Lucknow: 15 July, 2018

In exercise of the powers under sections 6A, 7, 12, and 13 A of the Uttar Pradesh Plastic and other Non-Biodegradable Garbage (Regulation) Act, 2000 (U.P. Act no. 29 of 2000) the Governor is pleased to,-

- (a) prohibit in areas falling in a Nagar Panchayat, Nagar Palika, Nagar Nigam or Industrial Township of the state constituted under Article 243Q, the use, manufacture, sale, distribution, storage, transport, import or export of plastic carry bags of thickness less than 50 microns and disposable plastic carry bags of thickness 50 microns or above not having the name and registration number of manufacturer with effect from the date of the publication of this notification in the Gazette.
- (b) prohibit in areas falling in a Nagar Panchayat, Nagar Palika, Nagar Nigam or Industrial Township of the state constituted under Article 243Q, the use, manufacture, sale, distribution, storage, transport, import or export of cups, glasses, plates, spoons, tumblers, etc made up of plastic or thermocol disposable after one time use with effect from August, 15, 2018.
- (c) prohibit in areas falling in a Nagar Panchayat, Nagar Palika, Nagar Nigam or Industrial Township of the state constituted under Article 243Q, the use, manufacture, sale, distribution, storage, transport, import or export of all kinds of disposable plastic carry bags with effect from October, 2, 2018.
- (d) confer such powers and duties of Local Authority as provided in the Act on the following officers in the areas of their jurisdiction:-

- (i) All the District Magistrates, Additional District Magistrates and Sub-Divisional Magistrates in Uttar Pradesh.
- (ii) All Municipal Commissioners, Additional Municipal Commissioners, Executive Officers, Zonal Officers, Sanitary Inspectors (with permission of Municipal Commissioner and Executive Officers respectively) of the Urban Local Bodies in Uttar Pradesh.
- (iii) Member Secretary, State Pollution Control Board, All the Environmental Engineer, Scientific Officers, Assistant Environmental Engineer, Assistant Scientific Officers, Junior Engineer, and Scientific Assistant of State Pollution Control Board in Uttar Pradesh.
- (iv) Director, Environment, Deputy Director Environment, and Assistant Director Environment in Uttar Pradesh.
- (v) All the Chief Medical Officers and Medical Officers in Uttar Pradesh.
- (vi) All the Deputy / Assistant Goods and Services Tax Officers in Uttar Pradesh.
- (vii) All the Divisional Forest Officers, Sub-Divisional Officers and Range Officers in Uttar Pradesh.
- (viii) All the Tehsildars and Naib Tehsildars in Uttar Pradesh.
- (ix) All the Tourism Officers and Assistant Tourism Officers in Uttar Pradesh.
- (x) All the District Supply Officers and Food Inspectors in Uttar Pradesh.
- (xi) All the Food and Safety Inspectors of Uttar Pradesh.
- (xii) All the officers of rank Assistant Manager, Junior Engineer and above in Industrial Development Authorities in Uttar Pradesh.
- (e) specify as under, composition fee to be realized by the officers compounding the offences:-

Sr. No. (A)	Quantity of prohibited variety of disposable polythene carry-bags, plastic and thermocol items	Amount in Rupees.
1	Up to 100 gms	
2	101 gms - 500 gms	1,000
3	501 gms - 1 kg	2,000
4	1 kg - 5 kg	5,000
5	More than 5 kg	10,000
(B)	Littering of plastic waste by any institution / commercial institution / commercial establishment / educational institutions / offices / hotels / shops / restaurants / sweetshops / dhabas / industrial establishments / banquet halls etc. within premises and on roads, streets, drains, rivers, lakes, ponds, forest areas, public parks, all public places etc.	25,000
(c)	Littering of plastic waste by individuals in the premises of any private or commercial establishments like educational institutions, offices, hotels, shops, restaurants, sweet shops, dhabas, industrial establishments, banquet halls etc. and on	1,000

	roads, streets, rivers, lakes, public parks, forests area and all public places etc.	
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- (f) confer such powers and duties of Local Authority as provided in the aforesaid Act, on the Industrial Development Authority, constituted under the Uttar Pradesh Industrial Area Development Act, 1976.
- (g) specify that the material seized under the provisions of the said Act shall be disposed of in an environment friendly manner through recyclers or co-processing units.
- 2- Save as provided here inbefore this Notification shall come into force with effect from the date of its publication in the Gazette.

By Order

Manoj Kumar Singh
Principal Secretary



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड
UTTAR PRADESH POLLUTION CONTROL BOARD

संदर्भ संख्या ...I-I-39424/C-7/222/19

दिनांक ...30.07.2019

To,

39

Member Secretary,
Central Pollution Control Board,
Pariwash Bhawan, New Delhi

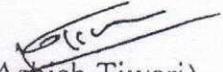
Sub : **Submission of Annual Report regarding Implementation of Plastic Waste Management Rules, 2016 as amended, 2018 for the year 2018-19.**

Sir,

The Annual Report regarding Implementation of Plastic Waste Management Rules, 2016 as amended, 2018 for the year 2018-19 in compliance of the Rule-17(3) is being enclosed for your kind perusal and necessary action.

Yours Sciencierly,

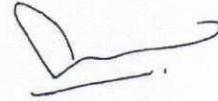
Enclosure : As above.


(Ashish Tiwari)
Member Secretary
etc

Copy to :

- 1- Principal Secretary, Urban Development Department, Government of Uttar Pradesh along with copy of Annual Report.
- 2- Principal Secretary, Environment, Forest & Climant Change Department, Government of Uttar Pradesh along with copy of Annual Report.


Member Secretary
etc



Status of Implementation of Plastic Waste Management Rules, 2016 for the Year 2018-19 Annual Report for the State of Uttar Pradesh
Form VI

Name of the SPCB/PCC	Estimated Plastic Waste generation Tons Per Annum (TPA) 2018-19	No. of registered Plastic Manufacturing or Recycling units (including multilayer, compostable units.) (Rule 9)			No. of Unregistered Plastic manufacturing/ Recycling units. (In residential/Unapproved areas)	Details of Plastic Waste Management (PWM) e.g. Collection, Segregation, Disposal (Co-Processing road construction etc.) (Rule 6) (Attach separate Sheet)	Partial or complete ban on usages of Plastic Carry Bags (through Executive Order) (Attach copy of notification or executive order)	Status of Marking Labelling on carry bags (Rule 8) (Specify the number of units complied or not complied).	Explicit Pricing of carry bags (Rule 10)	Details of the meeting of State Level Advisory Body (SLAB) alongwith its recommendations on Implementation (Rule 11)	No. of Violations and action taken on non-compliance of provisions of these Rules	Number of Municipal Authority or Gram Panchayat under jurisdiction and Submission of Annual Report to CPCB (Rule 12)
		Plastic Units	Compostible Plastic Units	Multilayer Plastic Units								
1 U.P. Pollution Control Board, TC-12 V, Vibhuti Khand, Gombi Nagar, U.P.	254401.8	56	1	77	23	5	6	7	8	9	10	11
						4						
						5	6	7	8	9	10	11

Annexure ADetails of Plastic Waste Management (PWM)

- 1- State Level Advisory Body has been constituted on dated 05-10-2017 & reconstituted vide notification dated 02-04-2019.
- 2- Carry bags are prohibited in the State of Uttar Pradesh vide notification No. 1056/9-7-18-29(Lucknow)18, Dated Lucknow: 15 July, 2018 of Urban Development Department.
- 3- Regular enforcement drives are carried out for compliance of the prohibition on Carry bags and Thermocol Cuttlory. Around 106 tons of prohibited items have been confiscated and a fine of over Rs. 2.47 Crores has been imposed on defaulters.
- 4- U.P. Pollution Control Board has issued closure orders against 23 identified unregistered plastic manufacturing units.
- 5- To ensure effective enforcement of Rule-9 of Plastic Waste Management Rules, 2016, pertaining to Extended Producer Responsibility (EPR) of Brand Owners, Producers and Users of Plastic Sheet for Packaging, for collection of plastic waste generated due to their products, the UP PCB has issued Show Cause Notices under Section 5 of the Environment (Protection) Act, 1986 against 208 Brand Owners having manufacturing facility in State of Uttar Pradesh for time bound compliance of the Rules.
- 6- Beat Plastic Pollution Heckathon Workshop
UPPCB organized a Workshop on Innovative Technologies for Plastic waste disposal titled " **Beat Plastic Pollution Heckathon**" ways for Plastic Waste Management on Sept, 2018. The Workshop was duly participated by leading institutions like IIT, Kanpur, CIPET, Lucknow, State Engineering Colleges and Technical Universities.
- 7- Awareness drive by UPPCB for EPR compliance in the State
UPPCB organized a State Level Workshop on "Workshop on Extended Producers Responsibility Plastic & E-Waste" 25-06-2019 in Lucknow. The Workshop invited dignateries like Principal Secretary, Environment , Forest & Climate Change, U.P., Principal Secretary, Urban Development Department, U.P., Secretary, Urban Development Department, U.P., Secretary, Environment , Forest & Climate Change, U.P.PCCF, Director, Environment, CPCB,



Member Secretary, UPPCB. The Producer , Brand Owners, Recyclers & PROs more than 400 participated in the Workshop.

8- Innovative ways of utilization of waste plastic

- a. A plastic waste management plant (3 TPD) is installed in Jhansi for utilization of waste plastic for the production of oil.
 - b. State had also invited Bid/Expression of Interest for private sector/industry to set up plastic to fuel plant (40 TPD) in city of Lucknow.
 - c. Plastic Waste is utilized as co-fuel in the Cement Kiln of M/s. Ultratech Cements Pvt. Ltd., Dalla, Sonebhadra, during 2018-19, 21.37 MT of waste plastic has been utilized as co-fuel in the kiln.
 - d. M/s. Uflex Ltd., Noida is utilizing in house non-recyclable plastic waste for the production of fuel, carbon black & gas. The capacity of the plant is 6 TPD.
 - e. M/s. GPL Polyfills, a devision of Ganesha Ecosphere, Kanpur Dehat is recycling the PET bottles for the production of fibers. In 2018-19 the unit has recycled 78652.7 MT of waste plastic.
 - f. M/s Reliance Industries Ltd. Barabanki is recycling the PET bottles for the production of Plastic raw material. In 2018-19 the unit has recycled 14941 MT of waste plastic.
- 9- The use of Plastic Waste for road construction has been started. In the first phase waste plastic has been used for road laying in Lucknow.

Annexure BAction taken on non-compliance of provisions of PWM Rules, 2016

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UTTAR PRADESH SHASHAN
NAGAR VIKAS ANUBHAG-7

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46

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By Order

Manoj Kumar Singh
Principal Secretary