

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

ORIGINAL APPLICATION NO.606 OF 2018

IN THE MATTER OF:

Compliance of Municipal Solid Waste Management Rules, 2016.

PAPER BOOK

(FOR INDEX KINDLY SEE INSIDE)

ADVOCATE FOR RESPONDENT:

G. INDIRA

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

ORIGINAL APPLICATION NO.606 OF 2018

IN THE MATTER OF:

Compliance of Municipal Solid Waste Management Rules, 2016.

INDEX OF FILING

| SL.No. | DESCRIPTION | COPIES | COURT FEES |
|---------------|---|---------------|-------------------|
| 1. | Action Taken Report on Behalf of Respondent (Andaman and Nicobar Administration). | 1+4 | |



G. INDIRA

Date: 20.11.2020

Advocate for the Respondent-
Andaman and Nicobar Administration.
#43, Tower No.14, Supreme Enclave,
Mayur Vihar Phase-I, Delhi -110 091
Mobile:9868092997/9910063634
Email ID: jagdishkv@gmail.com

Copy served to CPCB through
email : mccb.cpcb@nic.in

INDEX

| S. No. | Particulars | Page No. |
|--------|--|----------------|
| 1. | Action Taken Report on Behalf of Respondent (Andaman and Nicobar Administration). | 1-33 |
| 2. | <u>Annexure-R-1:</u> A true copy of the Order dated 31.01.2020 passed by this Hon'ble Tribunal in O.A No.606 of 2018. | 34-74 |
| 3. | <u>Annexure-R-2:</u> A true copy of the Order No. 1137 dated 20.10.2020 issued by the Director (RD/Panchayat), Andaman and Nicobar Administration. | 75 |
| 4. | <u>Annexure-R-3:</u> A true copy of the Consolidated Annual Report submitted. | 76-83 |
| 5. | <u>Annexure-R-4:</u> A true copy of A&N Gazette Notification no. 279 dated 24.10.2019 issued by the Andaman and Nicobar Administration. | 84-106 |
| 6. | <u>Annexure-R-5:</u> A true copy of the PMB report dated 12.03.2020. | 107-109 |
| 7. | <u>Annexure-R-6:</u> A true copy of the Report (Status of use of Shredded Plastic in Road Construction Work) of Andaman Public Works Department (APWD). | 110-111 |
| 8. | <u>Annexure-R-7:</u> A true copy of the Consolidated Annual Report submitted by Member Secretary, Andaman Pollution Control Committee. | 112-116 |

| | | |
|-----|--|----------------|
| 9. | <u>Annexure-R-8:</u> A true copy of the Compliance Report submitted by the Office of the Nodal Officer, Bio-Medical Waste Management (BMWM), Directorate of Health Services, Andaman and Nicobar Administration | 117-123 |
| 10. | <u>Annexure-R-9:</u> A true copy of the Consolidated Annual Report dated 31.07.2020 submitted by Andaman and Nicobar Pollution Control Committee | 124-129 |
| 11. | <u>Annexure-R-10:</u> A true copy of the Annual Report on Hazardous Waste Management for the year 2019-20 dated 11.09.2020. | 130-131 |
| 12. | <u>Annexure-R-11:</u> A true copy of the Annual Report on E-Waste Management dated 23.10.2020. | 132-136 |

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO.606 OF 2018**

IN THE MATTER OF:

Compliance of Municipal Solid Waste Management Rules, 2016.

**ACTION TAKEN REPORT ON BEHALF OF
RESPONDENT (ANDAMAN AND NICOBAR
ADMINISTRATION).**

I, Chetan B. Sanghi, S/o. Dr. V.B. Sanghi aged about 55 years, holding the post of Chief Secretary, Andaman and Nicobar Administration having office at Secretariat, Port Blair, Andaman and Nicobar Islands do hereby solemnly affirm and state that I am conversant with the facts and circumstances from the records of the case. Thus, I am competent to swear to this Action Taken Report on behalf of Andaman and Nicobar Administration.

1. That this Hon'ble Tribunal vide Order dated 31.01.2020 in Original Application No.606 of 2018 directed the Chief Secretaries/Administrators of all States and Union Territories to furnish a compliance report in respect of significant environmental issues in terms of earlier orders of this Hon'ble Tribunal and Orders of the Hon'ble Supreme Court of India. The last Action Taken Report was filed by the Andaman and



A handwritten signature in black ink, consisting of several loops and a long horizontal stroke.

Nicobar Administration on 23.08.2020 in the above captioned case. It is submitted that the directions of this Hon'ble Tribunal have been duly complied with and the following status is informed to this Hon'ble Tribunal qua their directions/orders in the Order dated 31.01.2020. A true copy of the Order dated 31.01.2020 passed by this Hon'ble Tribunal in O.A No.606 of 2018 is annexed and marked hereto as Annexure-R-1(Pg Nos....34.to...74..).

2. With regard to the direction issued by this Hon'ble Tribunal in respect of "*Compliance of Rule 22 of Solid Waste Management Rules, 2016, failing which every local body to pay compensation at the rate of Rs.5 lakh per month per local body and Rs.1 lakh per month per other local body from 01.04.2020 till compliance*", it is submitted that the Andaman and Nicobar Administration has taken all essential steps in ensuring compliance of Rule 22 and improvement of Solid Waste Management practices in compliance with the provisions of The Solid Waste Management Rules, 2016. The present status for compliance of Rule 22 of The Solid Waste Management Rules, 2016 is as follows:



| Sl. No. | Activity | Present Status | Revised Timeline |
|---------|--|---|------------------|
| 1. | Identification of suitable sites for setting up solid waste processing facilities. | 24 lands Identified. 9 Solid Liquid Resource Management (SLRM) Centers operational. | N/A |

| | | | |
|----|---|---|-----|
| 2. | Identification of suitable sites for setting up common regional sanitary landfill facilities | Identified. The Common regional sanitary landfill is situated at Brookshabad, Port Blair. However, the A&N Administration in order to achieve zero landfill by 2020-21 has successfully closed the landfill and solid waste of 24 municipal wards are being transported to 9 SLRM Centers for processing. | N/A |
| 3. | Procurement of suitable sites for setting up solid waste processing facility and sanitary landfill facilities | Industries Department has allocated one unit with area 1500 sq.m for plastic processing in Industrial Estates. Additionally, a total of 500 sq.m area in Industrial Estates has been earmarked for Solid Waste Processing and Disposal facility. | N/A |
| 4. | Enforcing waste generators to practice segregation of bio-degradable, recyclable, combustible, sanitary waste | 100% of households practicing source segregation of waste. Fines are being imposed to violators regularly under the PBMC Solid Waste Handling & Management Bye-Laws, 2017. | N/A |



| | | | |
|----|---|---|-----|
| | domestic hazardous and inert solid wastes at source. | A total of 13,657 violators have been fined and an amount of Rs. 53,41,079.00 was collected. | |
| 5. | Ensure door to door collection of segregated waste and its transportation in covered vehicles to processing or disposal facilities. | The PBMC has achieved 100% door to door segregated waste collection and transportation in all 24 municipal wards. The PBMC has 3 trucks and 2 autos dedicated for separate transportation of wet and dry waste. The PBMC is in the process of procuring segregated waste transportation vehicles under the Smart City Project. | N/A |
| 6. | Ensure separate storage, collection and transportation of construction and demolition wastes. | C&D waste are collected on call basis through designated PBMC call center and stored in the custody of concerned engineering site office. Thereafter, on reports of potholes, requirement requisition received for low lying areas, the collected C&D waste is utilized for filling and maintenance work. | N/A |



4

| | | | |
|----|---|---|---------------|
| 7. | Setting up solid waste processing facilities by all local bodies having 100000 or more population | The Port Blair Municipal Council (PBMC) is the only urban local body and is complying with the norms. | N/A |
| 8. | Setting up solid waste processing facilities by local bodies and census towns below 100000 population. | 26 Solid Waste Management Clusters notified by RD&P. 06 clusters operational. 19 clusters constructed. 01 cluster under construction. | December 2020 |
| 9. | Setting up common or standalone sanitary landfills by or for all local bodies having 0.5 million or more population for the disposal of only such residual wastes from the processing facilities as well as untreatable | PBMC has started 100 percent source segregation in all 24 wards, so far 83.34 percent of total waste is transported to SLRM Centers for processing. The waste being dumped earlier at Brookshabad has been stopped since 27-01-2020. This waste is now being segregated and transported through 9 SLRM centers set up by PMBC. As on date, only the inert waste approximately | N/A |



5
/

| | | | |
|-----|---|--|---------------|
| | inert wastes as permitted under the Rules | 16.66 percent are being dumped. | |
| 10. | Setting up common or regional sanitary landfills by all local bodies and census towns under 0.5 million population for the disposal of permitted waste under the rules. | The vast expanse of rural areas makes it logistically difficult to bring all waste to a common landfill. The RD&P has formulated and notified 26 Solid Waste Management Clusters to achieve the target of zero landfill. 06 clusters operational. 19 clusters constructed. 01 cluster under construction. | December 2020 |
| 11. | Bio-remediation or capping of old and abandoned dump sites. | There are no old or abandoned dump sites in Andaman & Nicobar Islands. The common regional sanitary landfill located at Brookshabad has been successfully closed by the PBMC to achieve zero landfill. Old Common Regional Sanitary Landfill is covered with green capping and | March 2021 |



[Handwritten signature]

| | | | |
|--|--|---|--|
| | | PBMC is in the process of bio-mining with authorized agencies by March 2021. The PBMC has decided to opt for GeM due to exorbitant transportation costs stated by concerned agencies. | |
|--|--|---|--|

The Major Steps taken by the Administration to address the issues of Solid Waste Management in compliance with the provisions of The Solid Waste Management Rules, 2016 in the Union Territory of Andaman and Nicobar Islands include the following:

- i) Port Blair City has been declared as an Open Defecation Free+ City since 23.09.2019. All community and public toilets are functional and well maintained. Certification for ODF+ city applied on 06.07.2020.
- ii) The Port Blair Municipal Council (hereinafter referred as PBMC) has successfully achieved 100% door to door segregated collection of waste and transportation in all 24 municipal wards. The collected segregated waste is transported to 9 Solid Liquid Resource Management (SLRM) Centres situated across all 24 municipal wards and thereafter, is further segregated and sent to 6 locations for bailing and processing namely Gandhi Park, Brookshabad, Anarkali, Brichgunj, School line and Dollygunj for its transportation to mainland for recycling through authorized agencies.



- iii) The PBMC has placed bids in GeM portal vide Bid No. GEM/2020/B/695735 and Bid No. GEM/2020/B/695888 for procurement of 08 nos of 3.2 CBM capacity “hopper tipper dumper” and 02 nos of “refuse compactors” for an estimated cost of Rs. 65 lakhs and Rs.1.2 crores respectively under the Smart City Project for transportation of segregated waste to nearby SLRM centers for systematic collection and disposal of solid waste. The bids have been opened and are in technical evaluation stage. The process of procurement will be completed within three months (by January, 2021).
- iv) 100% source segregated waste is transported to 9 SLRM Centers for processing and thereafter, is further transported to mainland for recycling. With all these steps, the Administration has stopped dumping of waste at Brookshabad except inert waste and has achieved zero waste burning at the common regional sanitary landfill situated at Brookshabad. Burning of waste leads to generation of methane or other harmful gases which pollutes the air and all the above steps have led to zero burning and helped in combating its after ill effects.
- v) The PBMC is constantly raising awareness and is committed to provide a ‘Clean and Green’ environment to its citizens. To promote “Reduce, Reuse and Recycle” Principle, the PBMC has registered 3 SHGs of Sanitary workers to utilize the segregated waste collected and stored in SLRM Centres. The recycled products are



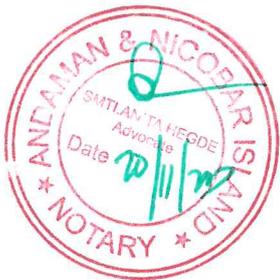
being sold by these SHGs which aids in income generation.

- vi) 24 lands comprising of area 200 sq.mtr each have been identified for setting up Solid Liquid Resource Management Centres (SLRMC). 9 of these Centres are fully functional and presently catering to all 24 wards. Construction of remaining 15 SLRMC is under progress.
- vii) The PBMC has dedicated 03 trucks for segregated collection of PET/Plastic, Glass, cardboard etc. from commercial establishments.
- viii) The PBMC has dedicated 02 autos for collection of cattle dung, egg shells, tea powder and squashed lemon etc. from various small shops.
- ix) The decentralized wet waste/organic waste earth pits are operational from 30.12.2019. The PBMC collects cattle dung, egg shells and lemons from street vendors and transforms it into manures/other products. The PBMC utilizes the manure in maintaining public parks and through their stall set up at Gandhi Park, sells the same to the general public.
- x) With regard to waste processing units based on composting/bio-methanation, PBMC has established 05 decentralized composting units and installed 01 Bio-methanation plant of 0.5 MTPD at Old Pahargaon. Further, 10 schools and 01 college have also made captive composting units, 21 Households in Bathubasti, Port Blair have installed captive bio-gas plants for waste processing.



 9

- xi) Old Common Regional Sanitary Landfill is covered with green capping and PBMC is in the process of bio-mining with authorized agencies by March, 2021. The PBMC has decided to opt for GeM due to exorbitant transportation costs stated by concerned agencies.
- xii) The PBMC as per the Minutes of the meeting held on 14.10.2019 with Stakeholders cum Waste generators operating within Port Blair City, informed that Stakeholders viz ACCI, Hoteliers & other Associations shall finance for wet organic waste management facility like Bio-methanation/Bio-gas or compost plant under CSR. PBMC has identified Dr. Radha Krishnan Park for installation of 5 MT Bio-methanation Plant which will be procured through GeM Portal. The Bio-methanation Plant will process the wet waste of vegetable markets.
- xiii) The PBMC has framed and notified the PBMC- Solid Waste Handling & Management Bye Laws, 2017 and Rs. 53,41,079.00 has been collected as spot fines and charges from violators under the Bye Laws.
- xiv) The PBMC has authorized 13 waste vendors to collect and transport plastic waste, cardboard, paper, metal, glass and other dry wastes to mainland for recycling. So far, 192.22 tons of plastic waste, 124.663 tons of cardboard, 67.69 tons of glass, 35.85 tons of mixed plastic waste, 30.03 tons of tetra pack and 18.19 tons of



plastic cement gunny bags/MLP have been transported to mainland for recycling.

xv) The PBMC has authorized 01 waste vendor to collect and transport used oil waste (Hazardous) and E-waste to mainland for recycling. In October 2020, 16.6 tons of Waste Oil had been transported to mainland for recycling.

xvi) The Department of Rural Development and Panchayat (RD&P) with regard to scientific disposal of solid waste, has formulated and notified 26 clusters for 70 Gram Panchayats. Out of 26 clusters, 06 clusters have been operational. Bailing machines are operational in 2 clusters and order has been placed in GeM portal for procurement of 18 nos of bailing machines and 8 nos of shredding machines for disposal of plastic waste. The transportation of the machines was being delayed due to COVID-19 pandemic. At present, the equipments have been shipped from Chennai Port.

xvii) The RD&P has initiated door to door collection from all commercial establishments who are the bulk waste generators in Swaraj Dweep (Havelock Island) and Shaheed Dweep (Neil Island) and collected around 16,850 kgs dry waste including plastic, glass, tetra packs and other metal wastes and transported to mainland for recycling. Further, vide Order No.1137 dated



11

20.10.2020, directions have been issued to all Gram Panchayats to initiate Door to Door segregated waste collection. So far, 33 out of 70 Gram Panchayats have initiated Door to Door segregated collection of waste. A true copy of the Order No.1137 dated 20.10.2020 issued by the Director (RD/Panchayat), Andaman and Nicobar Administration is annexed and marked hereto as **Annexure-R-2 (Pg No. -75).**

xviii) The State Level Advisory Body (SLAB) has been constituted under Order No.359 dated 02.02.2018 by the Andaman and Nicobar Administration. Thereafter, vide Order No.414 dated 12.02.2019, a State Level Advisory Committee was constituted under the chairmanship of the Chief Secretary. So far, 11 monthly SLAC meetings have been convened.

xix) The ANPCC (Andaman and Nicobar Pollution Control Committee) vide letter no.2-13/PCC/SWM(2016)/2016/875 dated 31.07.2020 submitted consolidated Annual Report for the year 2019-2020 to the Central Pollution Control Board in terms of provision of Sub-rule (3) of Rule 24 of The Solid Waste Management Rules,2016. A true copy of the Consolidated Annual Report submitted is annexed and marked hereto as **Annexure-R-3 (Pg Nos.76 to 83).**



3. With regard to the direction issued by this Hon'ble Tribunal in respect of "*commencing the work of legacy waste sites*

remediation from 01.04.2020 till compliance, failing which will result in liability to pay compensation at the rate of Rs.10 lakh per month per Local Body for population of above 10 lakhs, Rs.5 lakh per month per Local Body for population between 5 Lakhs and 10 lakhs and Rs.1 lakh per month per other Local Body”, it is submitted that the Andaman and Nicobar Administration in a bid to achieve zero landfill by 2020-21 has successfully closed the landfill and accomplished the target of zero waste burning at the Common regional sanitary landfill situated at Brookshabad. The Old Common Regional Sanitary Landfill is covered with green capping and PBMC is in the process of bio-mining with authorized agencies by March, 2021. The PBMC has placed bid in Tender Portal for bio-remediation of the Common regional sanitary landfill situated at Brookshabad.

4. With regard to the direction issued by this Hon’ble Tribunal in respect of “steps be ensured by the Chief Secretaries in terms of directions of this Tribunal especially w.r.t. plastic waste, biomedical waste, construction and demolition waste which are linked with solid waste treatment and disposal. Action may also be ensured by the Chief Secretaries of the States/UTs with respect to remaining thematic areas viz. hazardous waste, e-waste, polluted industrial clusters, reuse of treated water, performance of CETPs/ETPs, groundwater extraction, groundwater recharge, restoration of water bodies, noise pollution and illegal sand mining.”, it is submitted that major steps have been taken by the



Administration to ensure compliance of all environmental norms.

The Steps taken by the Administration to address the issues of Plastic Waste Management in compliance with the provisions of The Plastic Waste Management Rules, 2016 in the Union Territory of Andaman and Nicobar Islands include the following:

- i) The RD&P has framed and notified their Andaman & Nicobar Islands Panchayati Raj Institutions and Tribal Councils Rural Areas Solid Waste (Handling and Management) Bye Law, 2019 to include a mandatory provision for user-fee collection from individual households, commercial establishments and institutions and included spot fines against the violators. A true copy of the Notification No.279 dated 24.10.2019 issued by the Andaman and Nicobar Administration is annexed and marked hereto as **Annexure-R-4 (Pg Nos. 84 to106).**
- ii) The Andaman and Nicobar Administration banned manufacture, storage, use, import, transportation, distribution and sale of single use plastic items vide Notification No.186 dated 05.09.2019. The ban is effective from 05.11.2019. The enforcement team constituted vide Order No.1683 dated 06.11.2019 had undertaken random inspections of consignments at Haddo wharf from 04.03.2020 to 11.03.2020. An amount of 11,520 packages were inspected and 05 kgs



14

of banned single use plastic items have been seized. A true copy of the PMB Report dated 12.03.2020 is annexed and marked hereto as Annexure-R-5(Pg No.107 to 109).

- iii) The Andaman and Nicobar Administration to eliminate use of single use or short life PVC (Poly Vinyl Chloride) for flags & banners has directed vide Order No.210 dated 19.05.2020 to use alternatives such as cloth banners, light weight textile fabrics, wrinkle resistant wrap knit, natural fibre based sandwich boards, resin infused papers particles boards etc in various government functions, seminars, workshops, advertisements etc.
- iv) The Andaman and Nicobar Administration vide Notification No.225 dated 24.09.2019 has revised Notification No.202 dated 02.08.2010 on ban on the use, manufacture and sale of plastic carry bags irrespective of its thickness, size, color and nature. The revised Notification strengthened the enforcement agencies by constituting a Task Force at Tehsil level and only allowing 100% compostable/biodegradable bags certified by Central Pollution Control Board in the Union Territory of Andaman and Nicobar Islands. The Andaman and Nicobar Administration is conducting regular enforcement drives and 2064 kgs of plastic and non-woven cloth bags have been recovered and



A handwritten signature in black ink, consisting of several loops and a long horizontal stroke.

penalties amounting to Rs. 1,06,900.00 recovered from 1004 inspections.

- v) A Committee had been constituted vide Order No.69 dated 19.07.2019 for examining the import of single use plastic items/packaging and to put in place Extended Producers Responsibility (EPR) modalities under Rule 9 of The Plastic Waste Management Rules, 2016. A one-day consultative workshop was held on 15.11.2019 wherein the major PIBOs (Producers, Importers and Brand Owners) supplying plastic packaged goods to Andaman and Nicobar Islands submitted their EPR Proposals in coordination with local bodies. Thereafter, An EPR Policy was finalized by the Administration and Public Notice dated 13.12.2019 and a compliance undertaking was issued to all PIBOs wherein it was decided that conditional permission will be granted only to those who follow the EPR Policy and shipments of non-complying entities will be disallowed from February 2020. 118 PIBOs have been granted conditional permission under EPR mechanism. The Andaman and Nicobar Administration has reviewed the implementation of EPR framework and it has been reported that 92.81 MT of waste plastic has been collected & transported to mainland for recycling and 9.2 MT of shredded waste plastic was utilized in road construction. After unlock guidelines were issued, EPR compliance was reviewed by the Andaman and Nicobar Administration in



October 2020 and all the defaulting PIBOs have been issued Notices to ensure necessary compliance up to the quarter of July – September 2020 by 30th November 2020, failing which the conditional permission granted to the PIBOs shall stand withdrawn.

- vi) The Andaman and Nicobar Administration vide Notification No.07 dated 10.01.2019 has made use of 8-10% of waste plastic in road construction mandatory. In Car Nicobar District, 2970.78 kgs of plastic waste was utilized in construction of various roads amounting to 7.505 lane-km. So far, the PBMC has utilized 16 MT of shredded waste plastic for construction of various roads amounting to 25 lane-km within the jurisdiction of the municipal area. The Andaman Public Works Department (APWD) has submitted that 6452 kgs of shredded plastic waste has been utilized for repairs of various roads amounting to 0.45 lane-km across Port Blair City. A true copy of the Report (Status of use of Shredded Plastic in Road Construction Work) of Andaman Public Works Department (APWD) is annexed and marked hereto as **Annexure-R-6(Pg Nos. 110 to 111)**.



- vii) To reduce the plastic footprints due to PET bottles, the Administration has initiated to install water ATMs to facilitate the general public and tourists to provide good quality drinking water and to reduce the dependency on package drinking water. A Total of 29 water ATMs have been installed. The PBMC has

installed 16 Water ATMs in the urban area and RD&P has installed 13 Water ATMs in the rural area.

- viii) The ANPCC (Andaman and Nicobar Pollution Control Committee) grants 100% freight exemption on transportation of glass and plastic waste to mainland for recycling (Scheme extended upto 2021 vide Notification No. 223 dated 30.08.2019). From October 2011 to November 2020, 1531.59 MT of plastic waste and from April 2012 to November 2020, 2620.77 MT glass waste have been transported to mainland for recycling.
- ix) The Rural Development and Panchayat (RD&P), with regard to scientific disposal of plastic waste, has formulated and notified 26 clusters and proposed to develop Plastic Waste Collection Centres² for each of these clusters. A Resource Recovery Facility (RRF) is in the process of being developed in Beodnabad for collection, management and storage of segregated dry waste for their transportation to mainland for recycling.
- x) Out of 26 clusters, 06 clusters are operational. Bailing machines are operational in 2 clusters and order has been placed in GeM portal for procurement of 18 nos of bailing machines and 8 nos of shredding machines for disposal of plastic waste. The transportation of the machines was being delayed due to COVID-19



A handwritten signature or mark in black ink, consisting of several loops and a long horizontal stroke extending to the right.

pandemic. At present, the equipments have been shipped from Chennai Port. The segregated plastic waste is either utilized for road construction activities in accordance with Notification No.07 dated 10.01.2019 or transported from each collection centre for its transmission to mainland for recycling.

- xi) The RD&P, in the first phase, has initiated 100% segregated collection and transportation of plastic waste from all commercial establishments in Swaraj Dweep (Havelock Island) and Shaheed Dweep (Neil Island). Further, vide Order No.1137 dated 20.10.2020, directions have been issued to all Gram Panchayats to initiate Door to Door segregated waste collection. So far, 33 out of 70 Gram Panchayats have initiated Door to Door segregated collection of waste. A waste collection calendar is in the process of being developed in all Gram Panchayats for scheduling collection of various types of waste.

- xii) The ANPCC (Andaman and Nicobar Pollution Control Committee) vide letter no. 2-16/PCC/PWM(2016)/2016/876 dated 31.07.2020 submitted consolidated Annual Report for the year 2019-2020 in Form VI to the Central Pollution Control Board in terms of provision of Sub-rule (3) of Rule 17 of The Plastic Waste Management Rules, 2016. A true copy of the Consolidated Annual Report submitted by



19
5

Member Secretary, Andaman Pollution Control Committee is annexed and marked hereto as Annexure-R-7 (Pg Nos. 112 to 116).

5. That it is submitted that the steps taken by the Administration to address the issues of Bio-Medical Waste Management in compliance with the provisions of The Bio-Medical Waste Management Rules, 2016 in the Union Territory of Andaman and Nicobar Islands include the following:

- i) At present, there is no common Bio – Medical Waste disposal system in the Union Territory of Andaman and Nicobar Islands due to geographical expanse and lower waste volumes generated per unit area. Hence, the incinerator installed at GB Pant Hospital with a capacity of disposing 100 kg per hour is being utilized for disposing Bio-Medical Waste being generated at Port Blair town by government and as well as private Health Care Facilities (HCFs).
- ii) The inventorization of HCFs has been completed. Approximately 1653.62 kg of BMW from bedded hospital, 48.43 kg of BMW per month from non-bedded hospital and 165.79 kg of BMW per month from ICMR-RMRC, Port Blair is generated which are disposed as per The Bio-Medical Waste Management Rules, 2016. Since, January 2020, 30 number of HCF's have been granted authorization.



A handwritten signature in black ink, consisting of several overlapping strokes, located at the bottom center of the page.

- iii) The proposal for installing barcode system in HCFs and captive incinerators has been submitted to Nodal Officer (IT) for e-tendering.
- iv) The Directorate of Health Services opened tender on 16.10.2020 for procurement of OCEMS in captive incinerators which is under process.
- v) Capacity building training is regularly being conducted for medical officer, staff nurses, paramedical workers and sanitary workers.
- vi) The District Level Task Force Committee is regularly monitoring compliance of the provisions of BMWM Rules, 2016 in HCFs. Every hospital has also constituted a BMW Committee to ensure compliance of BMWM.
- vii) At present, 6 incinerators at various HCFs are operational in South Andaman District, North and Middle Andaman District and Nicobar District as per the following details:

| Sl.No. | District | Name of the HCFs | Capacity |
|--------|---------------|------------------|-------------|
| 1. | South Andaman | GB Pant Hospital | 100 kg/hour |
| | | CHCBambooflat | 50 kg/hour |
| 2. | Nicobar | CHC Nancowry | 50 kg/hour |



| | | | |
|----|--------------------------------|--------------------------------|------------|
| 3. | North and Middle Andaman | Dr. R.P Hospital Mayabunder | 50 kg/hour |
| | | CHC Diglipur | 50 kg/hour |
| | | CHC Rangat | 50 g/hour |

The above mentioned Bio-Medical incinerators are being utilized for disposing Bio-Medical waste generated in the government HCFs as well as private HCFs and in other small HCFs the Bio-Medical waste are being disposed through deep burial in accordance with the provisions of The Bio-Medical Waste Management Rules, 2016.

viii) The Directorate of Health Services has initiated proposal for procurement of 5 BMW incinerators at different HCFs as per the following details:

| Sl. No. | District | Name of the HCFs | Capacity |
|---------|------------------|--------------------------------|-------------|
| 1. | South Andaman | PHC Garacharma | 100 kg/hour |
| | | PHC Hutbay | 50 kg/hour |
| | | PHC Swaraj Dweep (Havelock) | 50 kg/hour |
| 2. | Nicobar | BJR Hospital Car Nicobar | 50 kg/hour |
| | | PHC Campbell bay | 50 kg/hour |
| | | | |



The construction work for installation of the above 5 incinerators at various HCF's has been completed. The earlier timeline for completion of installation work by March 2020 could not be met due to COVID-19 Pandemic. The proposed procurement of 5 incinerators was re-tendered on 23.08.2020 and purchase order was placed on 21.10.2020 through GeM portal.

- ix) 7 autoclaves and 7 Bio-medical Shredders have been purchased and installed at 7 HCF's namely PHC Garacharma, PHC Tushnabad, PHC Wimberlygunj, PHC Campbell bay, PHC Swaraj Dweep, PHC Billiground and GB Pant Hospital. A true copy of the Compliance Report submitted by the Office of the Nodal Officer, Bio-Medical Waste Management (BMWM), Directorate of Health Services, Andaman and Nicobar Administration is annexed and marked hereto as Annexure-R-8 (Pg Nos.117 to123).



- x) The Andaman and Nicobar Pollution Control Committee vide letter no. 2-15/PCC/BMW(2016)/2020/874 dated 31.07.2020 submitted consolidated annual Report for the year 2019-2020 to the Central Pollution Control Board in terms of provision of Sub-rule (2) of Rule 13 of The Bio-Medical Waste Management Rules, 2016. A true copy of the Consolidated Annual Report dated 31.07.2020 submitted by Andaman and Nicobar Pollution Control

Committee is annexed and marked hereto as Annexure-R-9 (Pg Nos.124 to 129).

6. With regard to construction and demolition waste which are linked to solid waste treatment and disposal, it is submitted that C&D waste are collected on call basis through designated PBMC call centre/ Control Room and stored in the custody of concerned engineering site office. Thereafter, on reports of potholes, requirement requisition received for low lying areas, the collected C&D waste is utilized for filling and maintenance work.
7. With regard to hazardous waste, the matter is being dealt in by this Hon'ble Tribunal in O.A No.804 of 2017 vide Order dated 26.08.2019, it was directed to include the status of compliance in the compliance reports being submitted in O.A No.606 of 2018. It is further submitted that none of the 134 contaminated sites and 195 probable contaminated sites are situated in the Union Territory of Andaman and Nicobar Islands. Further, directions have been issued to all concerned stakeholder departments to ensure compliance of HOWM Rules, 2016 within the timelines specified by this Hon'ble Tribunal vide Order No.119 dated 06.11.2019. The 1st Bi-annual report in the prescribed format was sent vide email dated 26.02.2020 to CPCB, New Delhi. The ANPCC (Andaman and Nicobar Pollution Control Committee) vide letter no.10-54/PCC/HW/2019/915 dated 11.09.2020 submitted consolidated Annual Report for the year 2019-2020 on Hazardous Waste Management to the Central



Pollution Control Board. A true copy of the Annual Report on Hazardous Waste Management for the year 2019-20 dated 11.09.2020 is annexed and marked hereto as **Annexure-R-10** (Pg Nos. ^{130 131} to).

8. With regard to e-waste, the matter is being dealt in by this Hon'ble Tribunal O.A No.512 of 2018, it is submitted that The Andaman and Nicobar Pollution Control Committee (ANPCC) has authorized one waste vendor for transportation of e-waste to mainland in absence of recycling units in the Union Territory of Andaman & Nicobar Islands. There is no illegal dismantling of e-waste and precautionary measures for compliance of the Rules are being undertaken by handlers of e-waste. The present status of the implementation of the action plan for e-waste management in A&N Islands was sent to Central Pollution Control Board vide letter no. 7-56/PCC/NGT(O.A(512/2018)/2020/1043 dated 29.10.2020. The ANPCC (Andaman and Nicobar Pollution Control Committee) vide letter no.2-7/PCC/e-waste/2020/1028 dated 23.10.2020 submitted consolidated Annual Report for the year 2019-2020 on E-Waste Management to the Central Pollution Control Board. A true copy of the Annual Report on E-Waste Management dated 23.10.2020 is annexed and marked hereto as **Annexure-R-11 (Pg Nos.¹³² to 136).**

9. With regard to polluted industrial clusters, the matter is being dealt in by this Hon'ble Tribunal O.A No.1038 of 2018, it is submitted that the Andaman and Nicobar Islands does not



come in the list of 100 polluted industrial clusters. There are no 17 categories, highly and grossly polluting industries operating in the Union Territory of Andaman & Nicobar Islands. However, Hotels and Automobile Service Centres are the only Industries in the Union Territory of Andaman and Nicobar Islands.

10. With regard to reuse of treated water, the issue is being dealt by this Hon'ble Tribunal in O.A No.148 of 2016, it is submitted that so far, 93 captive Sewage Treatment Plants (STPs) and 22 captive Effluent Treatment Plants (ETPs) have been installed by these Industries. The treated water from the Sewage Treatment Plants is reused in gardening and cleaning and the treated water from ETP are being used for cleaning the vehicles.

11. With regard to performance of CETPs/ETPs, the matter is being dealt in by this Hon'ble Tribunal in O.A No.593 of 2017, it is submitted that that **there are no 17 categories**, highly and grossly polluting industries operating in the Union Territory of Andaman & Nicobar Islands. However, Hotels and Automobile Service Centres are the only Industries in the Union Territory of Andaman and Nicobar Islands which generate effluent and sewage. So far, 93 captive Sewage Treatment Plants (STPs) and 22 captive Effluent Treatment Plants (ETPs) have been installed by these Industries. Due to COVID-19 pandemic, the Tourism Sector had been rendered inoperative and most of the hotels were closed. However, after Unlock 4, the industries have been reopening and



accordingly, Press Release dated 30.10.2020 was published in the Daily Telegrams wherein all industrial units had been directed to install STPs/ETPs/CETPs, failing which action will be taken against the defaulting units as per the provisions of the Acts/Rules. **The ANPCC will conduct inspections of industries from 3rd week of November to 3rd week of December, 2020.** 100% of Households are having septic tanks for sewage disposal, therefore no untreated sewage is being discharged into water bodies including coastal waters. The Port Blair Municipal Council (PBMC) has commenced the work of constructing the 42 KLD Faecal Sludge Treatment Plant (FSTP) to cater to 100% households and other establishments. The work is expected to be completed by March, 2021.

12. With regard to groundwater extraction and groundwater recharge, the issues are being dealt in by this Hon'ble Tribunal in O.A No.496 of 2016 and O.A No.176 of 2015 respectively. It is also submitted that the potable water supplied for human consumption are being tested by Andaman Public Works Department on regular daily basis every month.



13. With regard to restoration of water bodies, the matter is being dealt in by this Hon'ble Tribunal in O.A No.325 of 2015, it is submitted that there is no sewage discharge into any of the water bodies and the condition of all 37 water bodies submitted by the PBMC and APWD are good. The Central Pollution Control Board sought information on proposed

action plans for restoration of polluted water bodies (lakes and ponds) and the report was sent to Central Pollution Control Board vide letter No.7-47/PCC/NGT/Misc./2019/842 dated 09.07.2020.

14. With regard to noise pollution, the matter is being dealt in by this Hon'ble Tribunal in O.A No.681 of 2018, it is submitted that the Andaman & Nicobar Islands does not appear in the list of 122 non-attainment cities. However, the Administration is in the process of procuring one unit of Continuous Ambient Air Quality Monitoring Station (CAAQMS) with 100% financial assistance from Central Pollution Control Board. The order for the same has been placed on 2nd January 2020 but, due to COVID-19 pandemic lockdown, the sensor could not be imported from France and Italy. However, the equipment is expected to arrive in December 2020 and will be operational by the end of this year. It is submitted that 01 number of noise measuring device has been obtained for South Andaman District and tender has been finalized for procurement of 3 more noise monitoring devices by the Police Department. It is further submitted that no issues of noise pollution have been reported in South Andaman District. The South Andaman Police is taking prompt and effective measures to curb down the menace of noise pollution in the District such as loud speaker, public address system, music system, vehicular horns or any other mechanical devices which has been played beyond the prescribed limit.



A handwritten signature in black ink, consisting of several overlapping, stylized strokes.

15. With regard to illegal sand mining, the matter is being dealt in by this Hon'ble Tribunal in O.A No.360 of 2015, it is submitted that no unauthorized river sand mining is being carried out/allowed in the Union Territory of Andaman and Nicobar Islands.

16. With regard to the direction issued by this Hon'ble Court in respect of *The compensation regime already laid down for failure of the Local Bodies and/or Department of Irrigation and Public Health/In-charge Department to take action for treatment of sewage in terms of observations in para 34 above will result in liability to pay compensation as already noted above which are reproduced for ready reference:*

- i) *Interim measures for phytoremediation/bioremediation etc. in respect of 100% sewage to reduce the pollution load on recipient water bodies – 31.03.2020. Compensation is payable for failure to do so at the rate of Rs.5 lakh per month per drain by concerned Local Bodies/States (in terms of orders dated 28.08.2019 in O.A. No.593/2017 and 06.12.2019 in O.A.No.673/2018) w.e.f. 01.04.2020.*
- ii) *Commencement of setting up of STPs – 31.03.2020. Compensation is payable for failure to do so at the rate of Rs.5 lakh per month per STP by concerned Local Bodies/States (in terms of orders dated 28.08.2019 in O.A. No.593/2017 and 06.12.2019 in O.A.No.673/2018) w.e.f. 01.04.2020.*
- iii) *Commissioning of STPs – 31.03.2021. Compensation is payable for failure to do so at the rate of Rs.10 lakh per*



month per STP by concerned Local Bodies/States (in terms of orders dated 28.08.2019 in O.A.No.593/2017 and 06.12.2019 in O.A.No.673/2018) w.e.f. 01.04.2021.”,

It is submitted that there are no 17 categories, highly and grossly polluting industries operating in the Union Territory of Andaman & Nicobar Islands. However, Hotels and Automobile Service Centres are the only Industries in the Union Territory of Andaman and Nicobar Islands which generate effluent and sewage. So far, 93 captive Sewage Treatment Plants (STPs) and 22 captive Effluent Treatment Plants (ETPs) have been installed by these Industries. Due to COVID-19 pandemic, the Tourism Sector had been rendered inoperative and most of the hotels were closed. However, after Unlock 4, the industries have been reopening and accordingly, Press Release dated 30.10.2020 was published in the Daily Telegrams wherein all industrial units had been directed to install STPs/ETPs/CETPs, failing which action will be taken against the defaulting units as per the provisions of the Acts/Rules. The ANPCC will conduct inspections of industries from 3rd week of November to 3rd week of December. 100% of Households are having septic tanks for sewage disposal, therefore no untreated sewage is being discharged into water bodies including coastal waters. The Port Blair Municipal Council (PBMC) has commenced the work of constructing the 42 KLD Faecal Sludge Treatment Plant (FSTP) to cater to 100% households and other



establishments. The work is expected to be completed by March 2021. Further, PBMC under the Smart City Mission for Area Based Development (ABD) areas is under process of constructing 03 decentralised STPs of 1.81 MLD, 2.4 MLD and 5.55 MLD capacity plants respectively.

17. With regard to the direction issued by this Hon'ble Tribunal in respect of *Compensation may be deposited with the Central Pollution Control Board for being spent on restoration of environment which may be ensured by the Chief Secretaries' of the States/UTs.*” it is submitted that the Andaman and Nicobar Administration is taking all efforts for protection of environment and enforcement of the directions passed by this Hon'ble Tribunal and Central Pollution Control Board, New Delhi. However, due to the COVID-19 pandemic, it is requested that various timelines given for compliance on the directions issued vide order dated 07.01.2020 may be relaxed till December, 2020.



18. With regard to the direction issued by this Hon'ble Tribunal in respect of “*An 'Environment Monitoring Cell' may be set up in the office of Chief Secretaries of all the States/UTs within one month from today, if not already done for coordination and compliance of above directions which will be the responsibility of the Chief Secretaries of the States/UTs*”, it is submitted that all the monitoring activities are undertaken under the close supervision of the Chief Secretary's Office, Andaman and Nicobar Administration.

All matters are minutely reviewed by the Chief Secretary during monthly SLAC meetings.

19. **With regard to the direction issued by this Hon'ble Tribunal regarding "*Compliance reports in respect of significant environmental issues may be furnished in terms of order dated 07.01.2020 quarterly with a copy to CPCB*", it is submitted that due the COVID-19 pandemic and lockdown, timely submission of the quarterly report was hindered. However, the last Action Taken Report was filed on 23.08.2020 in O.A No. 606 of 2018.**

20. In view of the factual position stated above and in view of the directions issued by this Hon'ble Tribunal in Original Application No.606 of 2018 titled as Compliance of Municipal Solid Waste Management Rules, 2016, the Administration has taken all necessary action for its compliance in toto. Thus, keeping in view of the position stated above, the question in respect of any impediment does not come in the way of implementation of directions, if any, issued by this Hon'ble Tribunal and the Andaman and Nicobar Administration will implement the same in true letter and spirit.



A handwritten signature in black ink, consisting of several vertical and diagonal strokes.

21. In the light of the factual circumstances stated above, this Hon'ble Tribunal may be pleased to pass appropriate Order as deemed fit and proper and thus render justice.

VERIFICATION

Verified at Port Blair on this the ...^{20th}.... day of November, 2020 that the contents of the above affidavit are true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed there from.

DEPONENT

चेतन बी. संधी
Chetan B. Sanghi
मुख्य सचिव/Chief Secretary
अ. तथा नि. प्रशासन/A & N Administration
पोर्ट ब्लेयर/Port Blair

DEPONENT

चेतन बी. संधी
Chetan B. Sanghi
मुख्य सचिव/Chief Secretary
अ. तथा नि. प्रशासन/A & N Administration
पोर्ट ब्लेयर/Port Blair

SI No. 1739
Date. 20/11/20

Affirmed Before me after the contents were read over & explained in Simple Hindi / English / Tamil

SMTI. ANITA HEGDE
Advocate
PORT BLAIR

SMTI. ANITA HEGDE
Advocate
NOTARY PUBLIC
A & N ISLAND
PORT BLAIR



Annexure-R-1

Item No. 01

Court No. 1

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

Original Application No. 606/2018

Compliance of Municipal Solid Waste Management Rules, 2016
(State of Rajasthan and UT Andaman & Nicobar)

Date of hearing: 31.01.2020

CORAM: **HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON**
HON'BLE MR. JUSTICE S.P WANGDI, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER
HON'BLE MR. SIDDHANTA DAS, EXPERT MEMBER

For Respondent(s):

Mr. D.B. Gupta, State of Rajasthan alongwith
Ms. Shreya Gupta, Principal Secy. Environment
Dr. Deep Narayan Pandey, Secretary, Environment
Mr. Bhawani Singh Detha, Secretary, Local Self Govt.,
Rajasthan
Ms. Shailaja Deval, Member Secretary, RSPCB

Mr. Chetan B. Sanghi, Chief Secretary, Andaman &
Nicobar alongwith
Ms. Nitika Pawar, Secretary & Chairman, Andaman &
Nicobar Pollution Control Committee
Mr. Kuldip Singh Thakur, Joint Resident
Commissioner
Mr. Rishikesh, Senor Scientific Officer, Andaman &
Nicobar Pollution Control Committee

Mr. P. Gargava, Member Secretary, CPCB

ORDER

| S. No. | CONTENT | PARA No. |
|---------------|---|-----------------|
| I | Preface | 1 |
| II | Orders of the Hon'ble Supreme Court transferring the issue of Solid Waste Management and Liquid Waste Management to this Tribunal. | 2-6 |
| III | Proceedings Before this Tribunal in pursuance of orders of the Hon'ble Supreme Court till date | 7-21 |
| IV | Recent orders of the Hon'ble Supreme Court dated 25.11.2019 and 13.01.2020 having bearing on the matter (M.C. Mehta vs. Union of India, W.P. No. 13029/1985) | 22-23 |
| V | 25th Report dated 12.02.2019 of the Standing Committee on Urban Development, 16th Lok Sabha on the issue of solid waste management including hazardous waste, medical waste and e-waste | 24 |
| VI | Further consideration of the matter in today's hearing | 25-37 |
| VII | Directions | 38 |

I. PREFACE:

1. The matter has been put up today in continuation of proceedings on the subject of monitoring execution of orders of this Tribunal on the subject of compliance of waste management (solid and liquid) and other environmental issues, particularly air pollution, in the State of Rajasthan and UT Andaman & Nicobar in terms of earlier orders of this Tribunal and orders of the Hon'ble Supreme Court.

II. ORDERS OF THE HON'BLE SUPREME COURT TRANSFERRING THE ISSUE OF SOLID WASTE MANAGEMENT AND LIQUID WASTE MANAGEMENT TO THIS TRIBUNAL:

2. It is necessary to set out brief background of the proceedings. The Hon'ble Supreme Court vide order dated 02.09.2014 in *Writ Petition No. 888/1996, Almitra H. Patel Vs. Union of India & Ors.*, transferred proceedings pending before it on the subject of solid waste management¹.
3. The matter was earlier considered by the Hon'ble Supreme Court *inter-alia* vide judgments reported in (2000) 2 SCC 679 and (2004) 13 SCC 538 directing scientific disposal of waste by setting up of compost plants/processing plants, preventing water percolation through heaps of garbage, creating focused '**solid waste management cells**' in all States and complying with the Municipal Solid Waste Management Rules, 2016 (SWM Rules, 2016) on urgent

¹ Operative part of the order of the Hon'ble Supreme Court reads:

"Enforcement of the Rules and efforts to upgrade the technology relevant to the handling of solid municipal waste is a perennial challenge and would require constant efforts and monitoring with a view to making the municipal authorities concerned accountable, taking note of dereliction, if any, issuing suitable directions consistent with the said Rules and direction incidental to the purpose underlying the Rules such as upgradation of technology wherever possible. **All these matters can, in our opinion, be best left to be handled by the National Green Tribunal established under the National Green Tribunal Act, 2010.** The Tribunal, it is common ground, is not only equipped with the necessary expertise to examine and deal with the environment related issues but is also competent to issue in appropriate cases directions considered necessary for enforcing the statutory provisions."

basis. **It was observed that the local authorities constituted for providing services to the citizens are lethargic and insufficient in their functioning which is impermissible. Non-accountability has led to lack of effort on the part of the employees.** Domestic garbage and sewage along with poor drainage system in an unplanned manner contribute heavily to the problem of solid waste. The number of slums have multiplied significantly occupying large areas of public land. Promise of free land attracts more land grabbers. **Instead of “slum clearance” there is “slum creation” in cities which is further aggravating the problem of domestic waste being strewn in the open.** Accordingly, the Court directed that provisions pertaining to sanitation and public health be complied with, streets and public premises be cleaned daily, **statutory authorities levy and recover charges from any person violating laws and ensure scientific disposal of waste,** landfill sites be identified keeping in mind requirement of the city for next 20 years and environmental considerations, sites be identified for setting up of compost plants, steps be taken to prevent fresh encroachments and compliance report be submitted within eight weeks.

4. Further observations in the judgment of the Hon'ble Supreme Court²are:

“3. The petitioner has handed over a note in the Court showing the progress that has been made in some of the States and also setting out some of the suggestions, including the suggestion for creation of solid waste management cell, so as to put a focus on the issue and also to provide incentives to those who perform well as was tried in some of the States. The said note states as under:

“1. As a result of the Hon'ble Supreme Court's orders on 26-7-2004, in Maharashtra the number of authorisations granted for solid waste management (SWM) has increased

² (2004) 13 SCC 538

from 32% to 98%, in Gujarat from 58% to 92% and in M.P. from NIL to 34%. No affidavits at all have been received from the 24 other States/UTs for which CPCB reported NIL or less than 3% authorisations in February 2004. All these States and their SPCBs can study and learn from Karnataka, Maharashtra and Gujarat's successes.

2. **All States/UTs and their SPCBs/PCCs have totally ignored the improvement of existing open dumps, due by 31-12-2001**, let alone identifying and monitoring the existing sites. Simple steps can be taken immediately at almost no cost by every single ULB to prevent monsoon water percolation through the heaps, which produces highly polluting black run-off (leachate). Waste heaps can be made convex to eliminate standing water, upslope diversion drains can prevent water inflow, downslope diversion drains can capture leachate for recirculation onto the heaps, and disused heaps can be given soil cover for vegetative healing.
3. **Lack of funds is no excuse for inaction. Smaller towns in every State should go and learn from Suryapet in A.P. (population 103,000) and Namakkal in T.N. (population 53,000) which have both seen dustbin-free 'zero garbage towns' complying with the MSW Rules since 2003 with no financial input from the State or the Centre, just good management and a sense of commitment.**
4. **States seem to use the Rules as an excuse to milk funds from the Centre, by making that a precondition for action and inflating waste processing costs 2-3 fold. The Supreme Court Committee recommended 1/3 contribution each from the city, State and Centre. Before seeking 70-80% Centre's contribution, every State should first ensure that each city first spends its own share to immediately make its wastes non-polluting by simple sanitising/stabilising, which is always the first step in composting viz. inoculate the waste with cow dung solution or bio culture and placing it in windrows (long heaps) which are turned at least once or twice over a period of 45 to 60 days.**
5. Unless each State creates a focussed **'solid waste management cell'** and rewards its cities for good performance, both of which Maharashtra has done, compliance with the MSW Rules seems to be an illusion.
6. **The admitted position is that the MSW Rules have not been complied with even after four years. None of the functionaries have bothered or discharged their duties to ensure compliance. Even existing dumps have not been improved.** Thus deeper thought and urgent and immediate action is necessary to ensure compliance in future."

5. In this regard, reference may also be made to orders of Hon'ble Supreme Court in *Municipal Council, Ratlam vs. Vardhichand*³ and *B.L. Wadhera v. Union of India and Ors.*⁴ laying down that **clean environment is fundamental right of citizens under Article 21** and it is for the local bodies as well as the State to ensure that public health is preserved by taking all possible steps. **For doing so, financial inability cannot be pleaded.**

6. The Hon'ble Supreme Court also dealt with the issue of liquid waste management and after issuing requisite directions, required this Tribunal to monitor the compliance. Directions of the Hon'ble Supreme Court include steps for liquid waste management by setting up requisite treatment plants for which funds are to be generated by the local bodies and the States as per constitutional provisions.⁵

³ (1980) 4 SCC 162

⁴ (1996) 2 SCC 594

⁵ "10. Given the responsibility vested in municipalities under Article 243-W of the Constitution, as also, in Item 6 of Schedule XII, wherein the aforesaid obligation, pointedly extends to "public health, sanitation conservancy and solid waste management", we are of the view that the onus to operate the existing common effluent treatment plants, rests on municipalities (and/or local bodies). Given the aforesaid responsibility, the municipalities (and/or local bodies) concerned, cannot be permitted to shy away from discharging this onerous duty. **In case there are further financial constraints, the remedy lies in Articles 243-X and 243-Y of the Constitution. It will be open to the municipalities (and/or local bodies) concerned, to evolve norms to recover funds,** for the purpose of generating finances to install and run all the "common effluent treatment plants", within the purview of the provisions referred to hereinabove. **Needless to mention that such norms as may be evolved for generating financial resources, may include all or any of the commercial, industrial and domestic beneficiaries, of the facility.** The process of evolving the above norms, shall be supervised by the State Government (Union Territory) concerned, through the Secretaries, Urban Development and Local Bodies, respectively (depending on the location of the respective common effluent treatment plant). **The norms for generating funds for setting up and/or operating the "common effluent treatment plant" shall be finalised, on or before 31-3-2017, so as to be implemented with effect from the next financial year. In case, such norms are not in place, before the commencement of the next financial year, the State Governments (or the Union Territories) concerned, shall cater to the financial requirements, of running the "common effluent treatment plants", which are presently dysfunctional, from their own financial resources.**

11. **Just in the manner suggested hereinabove, for the purpose of setting up of "common effluent treatment plants", the State Governments concerned (including, the Union Territories concerned) will prioritise such cities, towns and villages, which discharge industrial pollutants and sewer, directly into rivers and water bodies.**

13. We are of the view that mere directions are inconsequential, unless a rigid implementation mechanism is laid down. The said data shall be furnished to the Central Ground Water

III. PROCEEDINGS BEFORE THIS TRIBUNAL IN PURSUANCE OF ORDERS OF THE HON'BLE SUPREME COURT TILL DATE:

Solid Waste Management:

Order dated 22.12.2016:

7. This Tribunal considered the matter of solid waste management after notifying all the concerned States/Regulatory Bodies and finally disposed of the same on 22.12.2016⁶ requiring all the States/UTs to follow the SWM Rules, 2016 after preparing requisite action plans in a time bound manner with further direction that **any State/UT which failed to comply with the Rules shall be liable to be proceeded against under Section 15 of the Environment (Protection) Act, 1986 (EP Act), apart from being required to pay environmental compensation and senior most officers of the States/Local Bodies being personally liable.** The directions also include requirement for segregation of waste, providing buffer zone around plants and landfill sites and due monitoring. The States/Local Bodies were also to create market for consumption of Refuse-Derived Fuel (RDF). Tipping fee was to include the efficient and regular monitoring of waste processing plant, segregation of inert and Construction and Demolition(C&D) material and its transportation. Landfill sites were required to be bio-stabilized preventing leachate and generation of Methane, enforcement of Extended Producer Responsibility, rights and liabilities under

Authority, which shall evaluate the data and shall furnish the same to the Bench of the jurisdictional National Green Tribunal.

14. **To supervise complaints of non-implementation of the instant directions, the Benches concerned of the National Green Tribunal, will maintain running and numbered case files, by dividing the jurisdictional area into units. The abovementioned case files will be listed periodically.** The Pollution Control Board concerned is also hereby directed to initiate such civil or criminal action, as may be permissible in law, against all or any of the defaulters.”

⁶ O.A. No. 199/2014 (2016) SCC Online NGT 2981

contracts being made consistent with the Rules, creating public awareness about the facilities available at regular intervals. **Copy of the judgment was circulated to all the Chief Secretaries/Advisors of States/UTs.**

8. **Execution of above directions has been subject matter of further proceedings in the last more than three years after the said order and after almost 20 years after the orders of the Hon'ble Supreme Court.**

Order dated 20.08.2018:

9. Reference may be now made to some further significant orders. Vide order dated 20.08.2018⁷, after referring to earlier proceedings and a chamber meeting with all the concerned stakeholders, the Tribunal considered the following questions:

- "i. Whether State-wise Action Plan with timelines and budgetary support/provision for management of MSW has been prepared?"*
- ii. Whether each city/town/urban local body is covered under the said Plan and individual Action Plan has timelines with budgetary provisions?"*
- iii. What time has been fixed to completely comply with the provisions of the Rules, 2016?"*
- iv. What are the main constraints of non-compliance of Rules, 2016?"*

It was directed that action plans be finalized latest by 31.10.2018 and executed latest by 31.12.2019 which was to be overseen by the Principal Secretaries of Urban/Rural Development Departments of States/UTs. States were directed to standardize technical specifications instead of leaving the same to individual local bodies. Further directions are for installing CCTV cameras at dump sites, installing GPS system in garbage collection vans, adopting best practices including control rooms where citizens

⁷ O.A. No. 606/2018

can upload photos of garbage to be looked into by responsible officers, conducting performance audit with reference to source segregation, door to door collection, public sweeping, waste processing, grievance redressal mechanism and monitoring. This Tribunal also constituted Regional/Apex Committees for a limited period.

Sewage Management:

10. Apart from the issue of SWM, the Tribunal also dealt with the issue of sewage management in pursuance of order of the Hon'ble Supreme Court in *Paryavaran Suraksha vs. Union of India*⁸ requiring this Tribunal to monitor directions for proper treatment of sewage to prevent untreated sewage and other effluents being discharged in water bodies. On 28.08.2019, it was directed that 100% sewage treatment must be ensured by all local bodies. Vide further order dated 06.12.2019 in O.A. No. 673/2018⁹, the Tribunal directed that for failure to commence in-situ remediation, compensation will be payable at the rate of Rs. 5 lakh per month per drain after 31.03.2020 and for failure to commence setting up of STPs after 31.03.2020 compensation is to be paid at the rate of Rs. 5 lakh per month per STP. For failure to complete the project, compensation has to be paid at the rate of Rs. 10 lakh per STP per month after 31.03.2021. Relevant part of the order is quoted below:

"47. (i) 100% treatment of sewage may be ensured as directed by this Tribunal vide order dated 28.08.2019 in O.A. No. 593/2017 by 31.03.2020 atleast to the extent of in-situ remediation and before the said date, commencement of setting up of STPs and the work of connecting all the drains and other sources of generation of sewage to the STPs must be ensured. If this is not done, the local bodies and the concerned

⁸ (2017) 5 SCC 326

⁹ News item published in "The Hindu" authored by Shri Jacob Koshy Titled "More river stretches are now critically polluted: CPCB"

*departments of the States/UTs will be liable to pay compensation as already directed vide order dated 22.08.2019 in the case of river Ganga i.e. **Rs. 5 lakhs per month per drain, for default in in-situ remediation and Rs. 5 lakhs per STP for default in commencement of setting up of the STP.***

ii. Timeline for completing all steps of action plans including completion of setting up STPs and their commissioning till 31.03.2021 in terms of order dated 08.04.2019 in the present case will remain as already directed. In default, compensation will be liable to be paid at the scale laid down in the order of this Tribunal dated 22.08.2019 in the case of river Ganga i.e. **Rs. 10 lakhs per month per STP.”**

Other issues:

11. Apart from solid waste management and sewage management, the Tribunal is seized of other significant environmental issues in separate proceedings including 351 polluted river stretches¹⁰, 122 non-attainment cities¹¹, 100 polluted industrial clusters¹², illegal sand mining¹³, reuse of treated water¹⁴, restoration of water bodies¹⁵, compliance of Plastic Waste, Bio-medical waste etc.¹⁶, carrying capacity study¹⁷, remediation of legacy waste sites¹⁸, preparation of District Environment Plans¹⁹, Hazardous Waste Management Rules²⁰, depletion of ground water in over-exploited, critical and semi-critical areas²¹. However, for today’s consideration, as directed vide order dated 07.01.2020, primary monitoring is focused at:

(i) Solid waste management including legacy waste.

(ii) Sewage management and 351 polluted river stretches.

¹⁰ Vide order dated 06.12.2019, O.A. No. 673/2018

¹¹ Vide order dated 20.11.2019, O.A. No. 681/2018

¹² Vide order dated 14.11.2019, O.A. No. 1038/2018

¹³ Vide order dated 26.07.2019, O. A. No. 360/2015

¹⁴ Vide order dated 10.05.2019, O.A. No. 148/2016

¹⁵ Vide order dated 10.05.2019, O.A. No. 325/2015

¹⁶ Vide order dated 24.04.2019, O.A. No. 606/2018 – Karnataka

¹⁷ Vide order dated 11.02.2019, Appeal No. 122/2018

¹⁸ Vide order dated 17.07.2019, O.A. No. 519/2019 with O.A. No. 386/2019

¹⁹ Vide order dated 25.07.2019, O.A. No. 710/2017

²⁰ Vide order dated 26.08.2019, O.A. No. 804/2017

²¹ Vide order dated 10.10.2019, O.A. No. 176/2015

(iii) Air quality management in 122 non-attainment cities.**Order dated 16.01.2019:**

12. Vide order dated 16.01.2019, after noticing that statutory timelines under Rule 22 had expired for various steps and failure of the statutory authorities was punishable criminal offence under the provisions of the EP Act as well as under the provisions of the National Green Tribunal Act, 2010 (NGT Act), this Tribunal required presence of Chief Secretaries of all States/UTs. The timelines in the said Rule are as follows:

| Sl. No. | Activity | Time limit from the date of notification of rules |
|----------------|---|--|
| (1) | (2) | (3) |
| 1. | Identification of suitable sites for setting up solid waste processing facilities. | 1 year |
| 2. | Identification of suitable sites for setting up common regional sanitary landfill facilities for suitable clusters of local authorities under 0.5 million population and for setting up common regional sanitary landfill facilities or stand alone sanitary landfill facilities by all local authorities having a population of 0.5 million or more. | 1 year |
| 3. | Procurement of suitable sites for setting up solid waste processing facility and sanitary landfill facilities. | 2 years |
| 4. | Enforcing waste generators to practice segregation of bio degradable, recyclable, combustible, sanitary waste domestic hazardous and inert solid wastes at source. | 2 years |
| 5. | Ensure door to door collection of segregated waste and its transportation in covered vehicles to processing or disposal facilities. | 2 years |
| 6. | ensure separate storage, collection and transportation of construction and demolition wastes. | 2 years |
| 7. | setting up solid waste processing facilities by all Local Bodies having 100000 or more population. | 2 years |
| 8. | Setting up solid waste processing facilities by Local Bodies and census towns below 100000 population. | 3 years |

| | | |
|-----|--|---------|
| 9. | <i>setting up common or stand alone sanitary landfills by or for all Local Bodies having 0.5 million or more population for the disposal of only such residual wastes from the processing facilities as well as untreatable inert wastes as permitted under the Rules.</i> | 3 years |
| 10. | <i>setting up common or regional sanitary landfills by 3 years all Local Bodies and census towns under 0.5 million population for the disposal of permitted waste under the rules.</i> | 3 years |
| 11. | <i>bio-remediation or capping of old and abandoned dump sites.</i> | 5 years |

13. It was noted that apart from failure of solid waste management, there was also failure of liquid waste management. Such failure had resulted in 351 identified polluted river stretches, 102 (now 122) non-attainment cities in terms of air quality, 100 polluted industrial clusters and other serious environmental consequences, threatening life and health of citizens, water and air quality and the climate. The Chief Secretaries of all States/UTs were required to acquaint themselves with specific issues mentioned in the said order and coordinate with all the concerned authorities in their respective States/UTs and appear before this Tribunal with their respective status reports. Other directions included constitution of special task force in each district for awareness by involving educational, religious and social organizations, including local Eco-clubs.

14. The issues specified were as follows:

- a. *Status of compliance of SWM Rule, 2016, Plastic Waste Management Rules, 2016 and Bio-Medical Waste Management Rules, 2016 in their respective areas.*
- b. *Status of functioning of Committees constituted by this order.*
- c. *Status of the Action Plan in compliance vide order dated 20.09.2018 in the News Item published in "The Hindu" authored by Shri Jacob Koshy Titled "More river stretches are now critically polluted: CPCB (Original Application No. 673/2018).*

- d. *Status of functioning of Committees constituted in News Item Published in "The Times of India" Authored by Shri Vishwa Mohan Titled "NCAP with Multiple timelines to Clear Air in 102 Cities to be released around August 15" dated 08.10.2018 (O.A. No. 681/2018).*
- e. *Status of Action Plan with regard to identification of polluted industrial clusters in O.A. No. 1038/2018, News item published in "The Asian Age" Authored by Sanjay Kaw Titled "CPCB to rank industrial units on pollution levels" dated 13.12.2018.*
- f. *Status of the work in compliance of the directions passed in O.A. No. 173 of 2018, Sudarsan Das v. State of West Bengal & Ors. Order dated 04.09.2018.*
- g. *Total amount collected from erring industries on the basis of 'Polluter Pays' principle, 'Precautionary principle' and details of utilization of funds collected.*
- h. *Status of the identification and development of Model Cities and Towns in the State in the first phase which can be replicated later for other cities and towns of the State."*

15. Accordingly, the Chief Secretaries of the States/UTs appeared and interacted with this Tribunal. The Tribunal noted unsatisfactory state of affairs on the subject of environmental governance in the country and serious non-compliance of statutory mandate, need to ensure that statutory regulators performed their duty and are manned by credible persons. Failure in this regard had potential for public health and environment and sustainable development goals. It was noted that SOP had been prepared for clearance of legacy waste and circulated to the SPCBs/PCCs which had been successfully implemented at some places like Indore.

16. After interaction with the Chief Secretaries on several dates, further directions were issued which were by and large on same pattern as non-compliance was found by all the States/UTs. It will suffice to refer to the observations and directions issued vide order dated

18.07.2019 in respect of State of J&K, which was the last State in the series of interactions:

Observations:

“36. Needless to say that improvement in environment is not only inalienable duty of the State, but is also necessary for sustainable development which is essential for the health and well-being of citizens as well as for intergenerational equity. These principles require that all human activities should be conducted in such a way that the rights of future generations to access clean air and potable water are not taken away. **At the cost of repetition, it may be mentioned that water is being polluted because of discharge of untreated sewage and effluents. Air pollution is result of failure to manage solid waste and to prevent other causes leading to air pollution.** There are also other issues like deterioration in groundwater level, damage to forests and wild life, unscientific and uncontrolled sand mining etc. Unsatisfactory implementation of law is clear from the fact that in spite of severe damage, there is no report of any convictions being recorded against the polluters, nor adequate compensation has been recovered for damage caused to the environment. Steps for community involvement are not adequate. There is reluctance even to declare some major cities as fully compliant with the environment norms. **The authorities have not been able to evolve simplified and standard procedure for preparing project reports and giving of contracts. There is no satisfactory plan for reuse of the treated water or use of treated sewage or waste and for segregation and collection of solid waste, for managing the legacy waste or other wastes, etc.**

37. Since we have found huge gap in steps taken and steps required to be taken to remedy the unsatisfactory state of environment, we had an interaction with the Chief Secretary about the way forward. The gap in the mandate of law on the one hand and actual compliance with law on the other has manifested itself in the form of polluted water, air and land. Its actual measurement in terms of monetary value or the loss on account of adverse impact on public health and environment or otherwise in terms of number of deaths or diseases does not appear to have been duly and exhaustively undertaken by the official machinery so far for the country or for any particular area. The private reports mention diseases by pollution in the state of J&K, as already noted in the para 33 above. There are also various studies reporting about number of deaths and diseases in India by pollution.²² Death by pollution may be comparable to an offence of homicide and any disease on that account may be likewise comparable to attempt to murder or grievous hurt. Polluter is, thus,

²²<https://www.healtheffects.org/publication/gbd-air-pollution-india>

To the effect that 3283 Indians died per day due to outdoor air pollution in India in 2015, making the potential number of deaths due to outdoor air pollution in India in 2015 to 11.98 lakh.

liable to be dealt with in the same manner as a person committing any other heinous crime as per law of the land. Mere fact that such polluter creates wealth or employment does not make the offence less serious. The statutory framework prohibits polluting activity and provides for penal consequences. Further, the 'Polluter Pays' principle requires compensation to be recovered to meet the cost of remedying the adverse impact of pollution. Governance of such laws can be held to be satisfactory if the magnitude of punishment of law violators corresponds to the extent of violation of law and the compensation recovered is adequate to meet the cost of damage. There is enough evidence of pollution but no data is shown of corresponding convictions or recovery of adequate compensation for restoration of environment. This calls for authentic study of the extent of damage to the environment and to the public health so that policy makers and law enforcers can bridge the gap.

38. In case extent of convictions for the environment related offences do not correspond to the extent of crime, paradigm shift in policies and strategies for implementation of law may need to be considered. Similarly, the mechanism for recovery of compensation may need to be revised on that pattern. Such review of policy cannot be left to the local bodies or the Pollution Control Boards but has to be at highest level in the State and further review at the national level. As noted in some of the studies, the ranking of the country in compliance of environmental norms needs to be brought to respectable higher position which may be possible only if there is change in policies and strategies for implementation of necessary norms at every level in right direction. **The scale of compensation needs to be suitably revised so that the same is deterrent and adequate to meet the cost of reversing the pollution.**

39. Authentic data is required to be compiled which is necessary for proper policy making. The Rules provide for such data to be collected at the state level as well as at the national level. If such data is not furnished timely from ground level with all the requisite details, the policy making remains deficient. **Since none of the States is fully compliant with the mandate of statutory waste management rules under various headings, as already noted, remedial measures are necessary.** We consider it necessary to observe that at least some major cities/towns/villages be first developed as model and thereafter successful experiment replicated in remaining cities/towns/villages.

40. Though environment is priceless and no amount of compensation may be sufficient for real restoration of environment to its pristine glory, the 'Polluter Pays' principle requires cost of restoration to be recovered which should be deterrent and also include Net Present Value (NPV) for environmental services forgone forever. **Though such compensation is to be primarily recovered from polluters, where authorities fail to implement law and recover compensation on account of collusion or inaction, such authorities can also be made accountable and required to pay compensation.** Strong

central mechanism of auditing the compliance of environmental laws by the States and the Union Territories (UTs) is necessary. We are also of the view that to encourage enforcement of environmental laws, cognizance of performance or otherwise need to be taken by authorities allocating funds. Incentives can be given to encourage compliance and those deficient in compliance may be required to comply as a condition for getting grants or part of such grants. Such a policy may be a step in the right direction for achieving sustainable development goals. We take note of discussion on the subject in the minutes of National Development Council held on 01.10.1990.²³ Therein a formula called “Gadgil – Mukerjee” formula is referred to envisaging grants to meet environmental problems. We may add that while such grants may be necessary, there may be a condition requiring measurable and demonstrable improvement in time bound manner as a condition for the grant. Accordingly, vide order dated 24.04.2019 a copy of this order has been sent to Niti Aayog, Finance Commission and MoEF&CC to consider the observations, particularly in this para.

41. One major hurdle in compliance of the Rules is lack of institutional training mechanism. Scheme of Rules and strategies for implementation, including technology to be used, best practices to be employed need to be identified. Resource persons, target group of persons to be trained, location at which training is to be undertaken need to be worked out.

42. **It is also necessary to have an Environment Plan for the country as well as for the States which may identify and publish gaps in compliance of environmental law and indicate action plan to remedy the same.** Compliance of environmental norms also requires carrying capacity study not only of eco-sensitive areas but also areas where violation of environmental laws has clearly surfaced out based on scientific data published by CPCB such as non-attainment cities in terms of air quality, critically polluted industrial clusters on account of air/water pollution, polluted river stretches etc. Drastic remedial measures may be necessary to deal with the same which should not merely be responsive but proactive by way of planning population density, vehicle numbers, nature and quality of vehicles, nature and quality of activity to be allowed. **Absence of such measures may render it difficult to meaningfully implement the accepted norms of ‘Sustainable Development’ or ‘Intergenerational Equity’.** Such planning is part of ‘Precautionary’ principle. ‘Polluter Pays’ principle can be meaningfully implemented only when assessment of damage is realistic and compensation recovered matches the extent of damage. As per census of India 2011, there are 475 places with 981 overgrowths (OGs) have been identified as Urban Agglomeration (UA). The number of total towns in India is 7,935 (Statutory Towns 4,041 + Census Towns 3,894). There are total 6,166 Urban Agglomeration/towns which constitutes the urban frame of the country. During FY 2017-2018, out of 35 SPCBs/PCCs only 16 SPCBs/ PCCs reported the status of Solid

²³http://planningcommission.gov.in/aboutus/committee/wrkgrp12/wg_state_finan0106.pdf

Waste Management Rules, 2016.²⁴ **In view of these statistics, emergent and stringent measures are required for compliance of environmental norms.**

43. We discussed with the Chief Secretary the above unsatisfactory situation of environment and about **need for having an effective monitoring cell directly attached to the office of the Chief Secretary** with experts in environment and related issues to assist the Chief Secretary.

44. The presence of Chief Secretary before this Tribunal was directed with an expectation that there will be realization of seriousness at the highest level which may percolate in the administration.”

Directions:

“45. In view of above, after discussion with the Chief Secretary, following further directions are issued:

- i. Apart from three towns said to have been notified as proposed models for compliance of Environmental norms, atleast three villages in every District of the State may be notified on the website of the State within two weeks from today which will be made fully compliant with environmental norms within the next six months. Remaining cities, towns and villages of the State may be made fully compliant in respect of environmental norms within one year.
- ii. A quarterly report be furnished by the Chief Secretary, every three months. First such report shall be furnished by October, 10, 2019.
- iii. The Chief Secretary may personally monitor the progress, atleast once in a month, with all the District Magistrates.
- iv. The District Magistrates may monitor the status of compliance of environmental norms, atleast once in two weeks.
- v. The District Magistrates or other Officers may be imparted requisite training.
- vi. Estimate of value of environmental degradation and cost of restoration be prepared and compensation be planned and recovered from polluters for environmental restoration and restitution on that basis.
- vii. Performance audit of functioning of all regulatory bodies may be got conducted and remedial measures be taken, within six months.
- viii. Introduction of a policy of giving ranking, based on performance on the subject of environment and giving of rewards or other incentives on that basis to individual areas, localities, institutions or individuals may be considered. This may also include encouraging students or

²⁴ Annual report of CPCB for the year 2017-18 accessible at: http://cpcb.nic.in/uploads/hwmd/MSW_AnnualReport_2017-18.pdf

other citizens significantly contributing to the cause of environment. The best practices may be evolved, if necessary, in the light of experiences on the subject. This may help in educating and involving public at large which may help in enhancing of environmental laws.

- ix. *The Chief Secretary may remain present in person before the Tribunal with the status of compliance in respect of various issues mentioned in para 22 as well as any other issues discussed in the above order on 10.02.2020 at 2.p.m. It is made clear that Chief Secretary may not delegate the above function and the further requirement of appearance before this Tribunal to anyone else. However, it will be open to him to change the date, by advance intimation by e-mail at ngt.filing@gmail.com to adjust their convenience.*

A copy of the compliance report furnished by the Chief Secretary be sent to CPCB as already directed vide order dated 24.04.2019 for the State of Karnataka (supra)."

17. It was further directed that compliance reports be furnished by the States/UTs to CPCB. Reference may also be made to some further orders on the subject being dated 08.04.2019²⁵, 22.04.2019²⁶, 23.04.2019²⁷, 24.04.2019²⁸, 11.02.2019²⁹, 08.03.2019³⁰, 02.11.2018³¹, 10.05.2019³², 10.05.2019³³, 17.07.2019³⁴,

²⁵ O.A. No. 673/2018, News item published in 'The Hindu' authored by Shri Jacob Koshy Titled 26 "More river stretches are now critically polluted: CPCB" (**directing effective steps for remediation of the polluted river stretches.**)

²⁶ OA No. 606/2018 - Meghalaya (**directing training and capacity building at National and State Level**)

²⁷ O.A. No. 606/2018 - Tamil Nadu (**directing preparation of Annual Environment Plan giving status of compliance to environmental norms and gaps therein including assessment of damage to the environment in monetary terms**)

²⁸ O.A. No. 606/2018 - Karnataka (**directing monitoring of compliance of Plastic Waste, Bio-medical waste, Sewage Waste and air pollution**)

²⁹ Appeal No. 122/2018, Anil Tharthare Vs. The Secretary, Env't. Dept. Govt. of Maharashtra & Ors. Para 33 of the order wherein the Tribunal directed constitution of a five Members Expert Committee to carry out **carrying capacity study** of the area for relevant environment parameters and impact of such expansion on already congested and stressed areas.

³⁰ O.A. No. 568/2016, Ajay Khara Vs. Container Corporation of India Limited & Ors, the Tribunal directed the Container Corporation of India (CONCOR) to phase out diesel vehicles, used for transportation by the Inland Container Depot (ICD) Tughlakabad, within six months.

³¹ O.A. No. 400/2017, Westend Green Farms Society Vs. Union of India & Ors. Para 28 of the order wherein the Tribunal directed carrying capacity assessment to regulate activities violating environmental laws.

³² O.A. No. 148/2016, Mahesh Chandra Saxena Vs. South Delhi Municipal Corporation & Ors. (**Reuse of treated water**)

³³ O.A. No. 325/2015, Lt. Col. Sarvadaman Singh Oberoi Vs. Union of India & Ors. (**restoration of water bodies**)

³⁴ Original Application No. 519/2019 WITH Original Application No. 386/2019 (**remediation of legacy waste sites**)

22.07.2019³⁵, 25.07.2019³⁶, 26.07.2019³⁷, 26.08.2019³⁸,
 28.08.2019³⁹, 11.09.2019⁴⁰, 11.09.2019⁴¹, 10.10.2019⁴²,
 14.11.2019⁴³, 19.11.2019⁴⁴, 20.11.2019⁴⁵, 06.12.2019⁴⁶ and
 18.12.2019⁴⁷.

18. The Registry was directed to forward quarterly reports received from the Chief Secretaries as and when received to the CPCB so that CPCB may prepare a gap analysis report and present the same to this Tribunal.

19. Accordingly, the CPCB filed following reports:

- i. Report dated 09.09.2019 enclosing Annual Environment Plan for the country giving compliance of environment norms and gaps.
- ii. Report dated 09.09.2019 annexing Preliminary Framework for Imposing Environmental Damage Compensation.
- iii. Report dated 09.09.2019 on the subject of Methodology of Assessment of Environment Carrying Capacity.
- iv. Gap Analysis report filed on 06.09.2019 on the subject of compliance of solid waste, plastic waste, bio-medical waste management, rejuvenation of identified polluted river stretches, polluted industrial clusters, non-attainment cities.
- v. Report dated 24.07.2019 on Framework on national environmental training program.
- vi. Status report dated 09.08.2019 on Information, Education & Communication (IEC) activities.”

Order dated 12.09.2019:

³⁵ Execution Application No. 13/2019 (**Plastic Waste Management**)

³⁶ O.A. No. 710/2017 (**preparation of District Environment Plans**)

³⁷ O. A. No. 360/2015 (**Illegal sand mining**)

³⁸ O.A. No. 804/2017 (**Hazardous Waste Management Rules**)

³⁹ O.A. No. 593/2017 (**requirement of 100% treatment of sewage and effluents**)

⁴⁰ O.A. No. 148/2016 (**utilization of treated waste water**)

⁴¹ O.A. No. 496/2016 (**ground water management, rain water harvesting**)

⁴² O.A. No. 176/2015 (**depletion of ground water in over-exploited, critical and semi-critical areas**)

⁴³ O.A. No. 1038/2018 (**polluted industrial clusters**)

⁴⁴ O.A. No. 519/2019 (**legacy waste dump sites**)

⁴⁵ O.A. No. 681/2018 (**non-attainment cities in terms of air quality and also control of noise pollution**)

⁴⁶ O.A. No. 673/2018 (**351 polluted river stretches**)

⁴⁷ O.A. No. 200/2014 (**pollution of river Ganga**)

20. The Tribunal vide order dated 12.09.2019 considered the above and directed all the States/UTs to furnish information to the CPCB as follows:

“3. We have heard learned Counsel for the CPCB for future course of action and further directions required on the above subjects. He submitted that the above reports are incomplete for want of information from the States/UTs. It was elaborated during the course of hearing that information is required to be submitted in terms of following thematic areas viz.

- Compliance to Solid Waste Rules including Legacy Waste.
- Compliance to Bio-medical Waste Rules.
- Compliance to Construction & Demolition Waste.
- Compliance to Hazardous Waste Rules.
- Compliance to E-waste Rules.
- 351 Polluter Stretches in the country.
- 122 Non-attainment cities.
- 100 industrial clusters.
- Status of STPs and re-use of treated water.
- Status of CETPs/ETPs including performance.
- Ground water extraction/contamination and re-charge.
- Air pollution including noise pollution.
- Illegal sand mining.
- Rejuvenation of water bodies.

4. The information with regard to above thematic areas needs to be submitted to CPCB by the Chief Secretaries of all the States and Union Territories in terms of following:

- Current status
- Desirable level of compliance in terms of statutes.
- Gap between current status and desired levels.
- Proposal of attending the gap with time lines.
- Name and designation of designated officer for ensuring compliance to provisions under statute.

5. CPCB is permitted to file revised updated reports on the subject after collecting information from concerned States/UTs by 15.11.2019.”

Order dated 07.01.2020:

21. The status report dated 27.12.2019 with reference to the above thematic areas was considered on 07.01.2020 and it was observed:

“12. The reports give information about States who have given some information but the nature and extent of information which was required has not been furnished. Available information with regard to

sewage generation and treatment shows huge gap. Grading made by the CPCB into 'good', 'average', 'poor' and 'no information' is not based on any qualitative analysis but extent of information furnished.

Instead, what is least expected is information on:

- (i) solid waste management, including remediation of legacy waste in terms of earlier orders of this Tribunal,*
- (ii) sewage treatment and restoration of 351 polluted river stretches and*
- (iii) air quality management in 102 (122) non-attainment cities.*

With respect to serial no. (i), the information is required with regard to the quantity of MSW generated, segregated and treated; gaps in the waste processing in terms of generation and treatment and enforcement of statutory timelines and orders of this Tribunal for bridging the gap; number of sites, and quantity of legacy waste therein and timelines for its remediation.

With respect to serial no. (ii), quantity of sewage generated and treated in the State, gap in the sewage treatment and timelines to bridge the gap including strategy for use of treated water for secondary purpose. Further, with regard to restoration of 351 polluted river stretches, the States need to furnish information about the compliance of directions including in-situ and ex-situ remediation by way of phyto-remediation/artificial wetlands, bio-diversity parks or any other appropriate measure to supplement load reduction on recipient river systems.

With respect to serial no. (iii), the Chief Secretaries need to monitor and compile information on the subject of execution of action plans for containment of air pollution in terms of orders of this Tribunal and furnish the quantifiable progress/achievement to the CPCB.

13. In view of above, CPCB needs to redesign formats and secure relevant quantifiable information from the Chief Secretaries under different heads so that the Chief Secretaries are able to respond to the Tribunal on their appearance as per schedule of appearance already notified. Chairman and Member Secretary, CPCB may remain present on the dates of appearance of Chief Secretaries with relevant data.

14. The regime of compensation in terms of earlier directions will be considered after interaction with the Chief Secretaries."

IV. RECENT ORDERS OF THE HON'BLE SUPREME COURT DATED 25.11.2019 AND 13.01.2020 HAVING BEARING ON THE MATTER (M.C. Mehta vs. Union of India, W.P. No. 13029/1985):

22. The Hon'ble Supreme Court vide order dated 25.11.2019⁴⁸ while dealing with the pollution in Delhi and NCR held:

⁴⁸ Writ Petition(s)(Civil) No(s). 13029/1985, M.C. Mehta Vs. Union of India & Ors.

“4. We see Yamuna river virtually turned into a sullage. We take judicial notice of this situation. Similar is the position with Ganges. As it proceeds, industrial effluents are being poured in rivers. **Sewage is also being directly put in rivers contributing to the river water pollution.** We direct the Pollution Control Boards of the various States as well as the Central Pollution Control Board and various Governments to place before us the data and material with respect to various rivers in the concerned States, and what steps they are taking to curb the pollution in such rivers and to management as to industrial effluents, **sewage, garbage, waste and air pollution, including the water management.** We club the pending case of water management with this matter.

10. As we have noted that from last several years, the position of air pollution is worsening in spite of various orders passed by this Court. The reports and the scientific data indicating that large section of people are suffering from the dreaded diseases due to such air pollution such as Cancer, Asthma and various other diseases. Life span is adversely affected. **Time has come that the various States recognise right to life is important right. Human life and health have been put in danger.** In such scenario, why they should not be required to pay compensation to such persons who are being affected by inadequate arrangement to check the **air pollution, non-lifting of garbage, waste which add ultimately to the pollution.**

11. In this case we find that Delhi is lacking the capacity to the extent of 45% to even clean the garbage/waste which is being generated. Similar is the situation in various other places. We take note of the situation which is alarming and time has come to remind the State machineries as to their duties as all of us are meant to serve the people of this great country. Our Constitution has envisaged certain Directive Principles as they are more important rights at the discretion of the Government. The Courts are not to interfere in that, but dereliction cannot be to the extent that the very right to life is endangered by the inaction.

13. Not only the basic Fundamental Rights are being ignored with respect to air and water, **problem of governance are being projected, which cannot come into the way of the basic Fundamental Rights which a human enjoys,** much less to talk of the Fundamental Duties and Directive Principles contained in the State policy which have already found statutory expression in the form of Municipal laws, Prevention of Air Pollution and Water Acts and various schemes framed by the Central Government and State Governments, but we see neither the air quality has improved nor the water quality in several States, not to talk of Delhi only. We have called for the report from Delhi Government where the reports indicate that the contaminated water is being supplied and also from Bureau of Indian Standards to submit report in this regard.

15. At the same time, as we find that in spite of various orders passed by this Court, we are not able to improve the situation of air quality which we can see at least in Delhi and NCR with certainty. **Time has come to require the State Governments to explain**

*why they should not be asked to compensate the persons who are being affected by bad air quality. Obviously, the State is run by the administration, why liability should not be imposed for such a tort on the concerned machinery also of the various States which are failing to discharge their basic duties. This Court in Municipal Council, Ratlam Vs. Vardhichand & Ors., reported in (1980) 4 SCC 162 has held they have to take proper and positive action in this direction. **It is their bounden duty to provide civic amenities, and also to see that self-created bankruptcy does not come in the discharge of the statutory obligation which are necessary for existence of human life. We have seen during the course of the arguments that one State is passing the burden upon the Centre and then it is stated on behalf of the Central Government that they have framed scheme and it for the State Governments to implement it. We expect not only the 'policy making' but also its 'implementation'. Let the States of Punjab, Haryana, Uttar Pradesh and the Government of NCT of Delhi respond, due to the air pollution, why the concerned Government and its concerned machinery, from top to bottom, should not be asked to compensate the citizens of Delhi and adjoining areas for various diseases which are being caused and sufferings and troubles which are being faced and the report indicates the life span is being shortened. Let show cause notice be issued to the various State Governments, and to the Chief Secretaries, to submit reply within six weeks. Let the matter be listed for consideration on 17.01.2020. The Chief Secretaries to the States of Punjab, Haryana, Uttar Pradesh and Government of NCT of Delhi be personally present on that date.***

23. Again, in the above matter, the Hon'ble Supreme Court vide order dated 13.01.2020 observed:

*"56 (F). With respect to waste burning **compliance of Solid Waste Management Rules, 2016 is necessary.** The waste segregation and management is required, what are the existing facilities and deficit requirements have to be met by the Government of NCT of Delhi, Haryana, Uttar Pradesh, Rajasthan and Punjab.*

*57. (xviii). Let the Government of NCT of Delhi work out the details with respect to 45% deficit capacity to lift the garbage and waste as there is only 55% capacity available with respect to garbage and waste generated in Delhi. **Let it work out at a comprehensive plan within three months to have full (100%) capacity to deal with garbage and wastes** and place it before this Court, including the implements, tools, manpower and the expenditure required in that connection.*

*(xxi). We direct the various State Governments through **Chief Secretaries to inform this Court about the measures taken by them with respect to pouring of sewage** and untreated industrial effluents in various rivers and the plan prepared by them and arrangement of **funds made by them for the purpose of***

sewage treatment plants and existing facilities and requirements be pointed out within eight weeks.

(xxii). Let the Government of NCT of Delhi and Governments of Punjab, Haryana and UP show cause why they should not be saddled with the compensation for failure of their machinery and the concerned authorities in taking appropriate steps to prevent stubble burning and other pollution being caused.”

V. 25TH REPORT DATED 12.02.2019 OF THE STANDING COMMITTEE ON URBAN DEVELOPMENT, 16TH LOK SABHA ON THE ISSUE OF SOLID WASTE MANAGEMENT INCLUDING HAZARDOUS WASTE, MEDICAL WASTE AND E-WASTE:

24. The Standing Committee on Urban Development, 16th Lok Sabha in its 25th Report dated 12.02.2019 considered the issue of solid waste management including hazardous waste, medical waste and e-waste and observed:

*“It is estimated that about **65 million tonnes of waste is generated annually** in the country out of which about 62 million tonnes is Municipal Solid Waste (MSW) which include organic waste, recyclables like paper, plastic, wood, glass etc. About 45-50% of this MSW is biodegradable/wet/organic waste, 20-25 % is recyclable waste & about 30-35% is inert/debris.*

*1.2 Only about 75-80% of the municipal waste gets collected and out of this only **22- 28% is processed and treated and remaining is deposited indiscriminately at dump yards.** It is projected that by the year 2031, the MSW generation shall increase to 165 million tonnes and to 436 million tonnes by 2050. **Eliminating, dumping and minimizing releases of hazardous chemicals by paying special attention to air quality and municipal and other waste management and reducing waste generation through prevention, reduction, recycling and reuse globally have been one of the Sustainable Development Goals (SDGs) that have been adopted by UN General Assembly in September, 2015.***

*1.3 It has been estimated that the Urban Local Bodies (ULBs) spend about 60-70% of total expenditure on street sweeping, 20-30% on transportation and less than 5% on municipal disposal of waste, which shows that hardly any attention is given to scientific disposal of waste. The waste collection efficiency in India ranges between 70% and 90% in major Metro cities, whereas in several smaller cities it is below 50%. However, if the current 62 million tones annual generation of MSW continues to be dumped without treatment; it will need 3.40 lakh cubic meter of landfill space every day. Considering the projected waste generation of 165 million tonnes by 2031, **the requirement of land for setting up landfill for 20 years (considering 10 meter high waste pile)***

could be as high as 66 thousand hectares (1240 hectare per year) of precious land, which our country cannot afford to waste. Currently, of the estimated 62 million tonnes of MSW generated annually by 377 million people in urban areas, more than 80% is disposed of indiscriminately at dump yards in an unhygienic manner by the municipal authorities leading to problems of health and environmental degradation.

1.4 As per NITI Aayog, presently, out of the total MSW generated, only 29.51% is subjected to treatment which, however, is poised to improve with the Swachh Bharat Mission (Urban) scheme of Government of India being in full swing.”

VI. FURTHER CONSIDERATION OF THE MATTER IN TODAY'S HEARING:

25. Accordingly, we have considered the matter further after interaction with the Chief Secretaries, Rajasthan and UT Andaman & Nicobar and Member Secretary, CPCB. Even though all the thematic areas of the environment are significant, interaction has been limited to few selected themes, other themes being left to be considered separately on different scheduled hearings.
26. As per available statistics, there is huge gap in generation and treatment of solid and liquid waste in the country. **As per CPCB report 2016 (06.12.2016), as against 61948 MLD sewage generated in urban areas in India, the treatment capacity is 23277 MLD. The deficit in capacity is 62%.** There is no data of sewage generation in rural areas. **As per CPCB estimate of solid waste⁴⁹, about 65 million tonnes of waste is generated annually in the country out of which about 62 million tonnes is Municipal Solid Waste (MSW). Only about 75-80% of the municipal waste gets collected and out of this only 22- 28% is processed and treated and remaining is deposited indiscriminately at dump yards. It is projected that by the year 2031, the MSW generation**

⁴⁹ http://164.100.47.193/lsscommittee/Urban%20Development/16_Urban_Development_25.pdf

shall increase to 165 million tonnes and to 436 million tonnes by 2050. There are more than 4000 dump sites as per CPCB data⁵⁰ which need to be remediated to avoid harmful impact on environment and public health.

27. All the States/UTs were directed by this Tribunal to commence remediation of legacy waste sites by 01.11.2019⁵¹. The Tribunal observed:

“28.We are conscious that the SWM Rules provide for a maximum period of upto five years for the purpose, however there is no reason why the same should not happen earlier, in view of serious implications on the environment and public health⁵².”

*“30. Needless to say that potential hazard of dumpsites on public health and environment is more or less on the same pattern and earliest such dumpsites are cleared, sooner it is better for public health. **Such dumpsites are undoubted source of air pollution resulting in respiratory and other diseases. Most vulnerable are the infants and the senior citizens.** The right to breathe fresh air being part of right to life, delay in remedying the situation is not desirable. The plea of capping is being put forward on the ground of need for urgent remedial action, ignoring that doing so will perpetuate the adverse consequences of retaining non-biodegradable and other polluting components in the garbage eventually causing continuous damage to the soil and the ground water. Biological solutions have to be preferred over engineering solutions on the subject. However action has to be taken fast. Delay which has taken place so*

⁵⁰ Order dated 18.10.2019 in O.A. No. 606/2018 para 6

⁵¹ Order dated 17.07.2019 O.A. No. 519/2019 Para 28

⁵² (a) What a Waste 2.0, Global Snapshot of Solid Waste Management to 2050, World Bank Group, ISBN (paper): 978-1-4648-1329-0, 2018 International Bank for Reconstruction and Development / The World Bank, <http://datatopics.worldbank.org/what-a-waste/>. The report states- When waste is burned, the resulting toxins and particulate matter in the air can cause respiratory and neurological diseases, among others (Thompson 2014). Piles of waste produce toxic liquid runoff called leachate, which can drain into rivers, groundwater, and soil. Organic waste entering waterways reduces the amount of oxygen available and promotes the growth of harmful organisms (Bhada-Tata and Hoornweg 2016). Marine pollution is also increasing as a result of mismanaged solid waste on land, poor disposal practices by sea vessels, and runoff from sewage and polluted streams.

(b)<https://www.epw.in/engage/article/institutional-framework-implementing-solid-wastemanagement-india-macro-analysis> Several studies have been published that link asthma, heart attack, and emphysema to burning garbage. Human faecal matter is also frequently found in

municipal waste—this, along with unmanaged decomposed garbage, attracts other rodents, that further lead to a spread of diseases such as dengue and malaria. Leachate from rotten garbage contains heavy metals and toxic liquid; with such emissions ending up either absorbed into the soil or flowing into water bodies today (Awasthi 2013), the entire food chain can be affected when this contaminated water is utilised for agriculture, human consumption and animal consumption.

far is on account of inaction of the concerned authorities for which there is no justification.

*31. It will also be appropriate to note that the scheme of the SWM Rules is to prevent collection of waste and instead, to ensure its segregation, treatment and disposal at the earliest and as far as possible at the source itself. **If it is not done, the waste continues to be accumulated which becomes a challenge for the environment and public health. In this regard particular reference may be made to Rule 15 (zi). The authorities need to evolve a holistic strategy for integrated waste management in the municipal planning which may result in 'zero waste' going to the landfill in terms of the said rules**⁵³.*

35. A copy of this order be sent to CPCB, all the Chief Secretaries, the MoEF&CC and MoHUA.”

28. The issue of solid and liquid waste needs to be taken seriously. We have already mentioned the available statistics on the subject. It is a matter of serious concern that legacy waste remediation has not even commenced at most of the sites even though statutory rules contemplate outer limit for completion of such remediation by 07.04.2021. Current processing of the waste generated and collected is also not taking place on regular basis. For any person travelling by train, hot spots of scattered garbage and overflowing sewage are common sights. Satisfactory sewage management also remains far cry. This unsatisfactory state of affairs must be remedied at the earliest and in a time bound manner by initiative at the highest level. Accountability needs to be fixed and consequences for failure clearly provided and enforced.

29. Before coming to the data of State of Rajasthan and UT Andaman & Nicobar, we may refer to recent orders passed in respect of some other States which may be relevant. On 10.01.2020, after interaction

⁵³ Reference may also be made to- Suggestive /Indicative “The National Action Plan for Municipal Solid Waste Management”, Central Pollution Control Board, https://cpcb.nic.in/uploads/MSW/Action_plan.pdf.

with the Chief Secretaries of UP, Punjab, Advisor to Administrator for UT Chandigarh, this Tribunal issued direction fixing timelines for compliance of the Rules and other environmental norms and consequences for non-compliance. The said directions were conveyed to all the States/UTs/Local Bodies. We propose to issue similar directions in the present case.

30. Further reference may be made to order dated 24.01.2020 in O.A. No. 606/2018 while dealing with the State of Maharashtra. As per data furnished in the said case, it was mentioned that bio mining had commenced at 117 dump sites while 23 dump sites had already been cleared. This information is being mentioned to show that legacy waste remediation process can start simultaneously at all places where such legacy waste dump sites exist. We were informed that the State of Maharashtra approved a standard DPR at State level itself which may need to be considered by all concerned.

31. We may now note State specific scenario for Rajasthan and Andaman & Nicobar as depicted in the earlier orders of this Tribunal when the Chief Secretaries appeared and as emerging from the data now made available by CPCB based on information furnished by the State to CPCB.

I. Data noted in the earlier orders of this Tribunal:

A. STATE OF RAJASTHAN

| RULES | DATA |
|---------------------------------|---|
| Solid Waste Management | Number of towns to be covered : 220 Local Bodies : 190 Waste Generation : 5037 TPD Collected : 2491 Treated : 490 Landfilling : 4547 |
| Plastic waste management | Waste Generation - Not reported No. of registered Units: 16 |

| | |
|---|--|
| | No of non-registered Unit : 5 |
| Biomedical waste management | No of Hospitals : 5974 Authorizations granted: 1881 Waste Generation : 22502kg/d Treatment : 16166kg/d Common Bio-medical waste Treatment Facilities : 9 in operation and 7 under installation. No. of Captive Facilities : 987 |
| Polluted river stretches | P(III)-1 Banas P(V)- 1 Chambal Total -2 |
| Air quality in Non-attainment cities | Non-attainment cities: Jaipur, Jodhpur, Kota, Alwar, Udaipur Action plan approved by CPCB. |
| Industrially polluted clusters | Bhiwadi, Jaipur, Jodhpur, Pali, Sanganer |
| ETPs CETPs and STPs | ETPs No. of industries which require ETP : 1281 No. of industries having functional ETP: 1172 No. of industries complying : 1045 No. of industries non-complying : 126 STPs No. of STPs : 446 No. of STPs complying : 401 No. of STPs non-complying: 45 No. of under construction/proposed STPs : 67 CETPs No. of CETPs : 14 No. of CETPs complying: 2 No. of CETPs non-complying: 12 No. of under construction/proposed: 12 |

B. UT ANDAMAN & NICOBAR

| RULES | DATA |
|---------------------------------|--|
| Solid Waste Management | Number of towns to be covered : 01 Local Bodies : 01 Waste Generation : 115TPD Collected : 115TPD Treated : 26.45 Landfilling : 88.55 No. of Dumpsites : 01 |
| Plastic Waste Management | Waste Generation : 365TPA No. of registered Units: There is no plastic manufacturing or recycling unit operates in Andaman and Nicobar islands. No. of unregistered Units: Nil |
| Biomedical Waste | No of Hospitals : 119+ Authorizations granted : 06 Waste Generation : 187 kg/d Treatment : 154 kg/d Common Bio-medical |

| | |
|------------------------|--|
| | waste Treatment Facilities : Nil No. of Captive Facilities : 6 |
| ETP, CETP, STPs | <p style="text-align: center;">ETPs</p> No. of industries which require ETP : 22 No. of industries having functional ETP: 17 No. of industries complying : 17 <p style="text-align: center;">STPs</p> No. of industries which require STP : 55 No. of industries having functional STP: 20 No. of industries complying : 35 <p style="text-align: center;">CETPs</p> No CETP in the UT. |

II. Data now made available during the hearing by the CPCB by way of presentation based on the data furnished by the State of Rajasthan and UT Andaman & Nicobar alongwith its observations:

A. STATE OF RAJASTHAN

(i) Solid waste management including legacy waste.

| Status of Solid Waste Management in Rajasthan | | | | |
|--|----------------------------|---------------------------|------------------|-----------------|
| Total No. of ULBs: 191 | | | | |
| MSW generated (TPD) | MSW Processed (TPD) | MSW Landfill (TPD) | Gap (TPD) | Timeline |
| 6500 | 1832 (28%) | 0 | 4667 (72%) | - |

| Assessment of SWM Facilities (capacity wise) | | | | |
|---|--------------------------------|--------------------------------|------------------|---|
| | Required Capacity (TPD) | Existing capacity (TPD) | Gap (TPD) | Observations |
| Waste Segregation Facility (MRF) | 3445 | 332.5 | 3112.5 | Non-biodegradable waste @ 53%; Yet to be Planned |
| Waste Processing | | | | |

| | | | | |
|--|-------------|--|---------------|---|
| Biodegradable waste (Bio-methanation and Composting) | 3055 | 1100.5 Compost - 1073; Bio-methanation - 27.5 | 1954.5 | -Biodegradable waste@ 47%. -1250 TPD capacity plants will be operational within 3 years. -Complete gap in capacity to be covered with timeframe. |
| Non biodegradable (Recycling; RDF, Wte Co-processing) | 1820 | 732 RDF - 472; Recycling - 260 | 1088 | Work Order for 2 WtE plants (600 & 400 TPD) has been issued. |
| Waste Disposal (Landfill) | 1625 | Not provided | | Inert @ 25%, Capacity with timeframe to be provided. |

| Assessment of SWM Facilities (ULB wise) | | | | | |
|---|-----------------|---|------------|---------------------|--|
| | Required | Existing | Gap | Timeframe | Observations |
| Waste Segregation Facility (MRF) | 191 | 28 | 163 | Not provided | Inadequate Capacity and all ULBs not covered. |
| Waste Processing | | | | | |
| Biodegradable waste (Bio-methanation & Composting) | 191 | Compost - 41 Bio-methanation - 2 | 148 | Not provided | Inadequate Capacity, Timeframe to meet gap is required. |
| Non-biodegradable (Recycling; RDF, Co-processing) | 191 | Recycling- 191 RDF - 3 | - | - | ULBs covered; Inadequate Capacity |
| Waste Disposal (Inert-Landfill) | 191 | Not provided | | Not provided | Capacity to be provided with timeframe |

| Legacy Waste | | |
|---------------------|--|----------------------|
| 1 | Number of dumpsites | 176 |
| 2 | Quantity of Waste dumped at dumpsites | 6 million ton |
| 3 | Number of dumpsites cleared | - |
| 4 | Number of dumpsites in which bio-mining has commenced | 3 |
| 5 | Time frame for clearing all dumpsites | 2025 |

(ii) Sewage management and 351 polluted river stretches.

Sewage Management in Rajasthan

| TREATMENT CAPACITY | | | | | Remarks |
|---|--------------|------------|-----------|-------------|--|
| Sewage Generation | Existing | GAP | Proposed | Timeline | Information not provided. |
| No Information Available | | | | | |
| SEWERAGE NETWORK | | | | | |
| Existing Sewerage Length | Required | GAP | Timelines | | Sewage information Network not provided. |
| No Information Available | | | | | |
| NUMBER OF STPS | | | | | |
| NUMBER OF STPS | NEW PROPOSED | Total STPs | | Timeline | Insufficient data |
| Municipal STPs = 60 Other than Municipal STPs = 554 Total = 614 | - | 614 | | - | |
| RE-USE OF TREATED SEWAGE | | | | | |
| Present Utilization | Proposed | TIMELINES | | Type of Use | Information not provided. |
| No Information Available | | | | | |

Restoration of Polluted River Stretches - O.A. NO 673/2018-Rajasthan

| Priority Class | I | II | III | IV | V | Total |
|----------------|---|----|-----|----|---|-------|
| No. of PRS | - | - | 1 | - | 1 | 2 |

| S No | River name | Stretch identified | BOD range/ max value | Priority |
|------|------------|---|-------------------------|----------|
| 1 | Banas | Along Bisalpur dam, Swaroopganj, Newta dam | 13.2 | III |
| 2 | Chambal | Sawaimadhopur to Kota | 3.2-4.8 | V |

| Priority Class | No. of PRS | No. of RRC approved Action plans received | Date of Receipt of action plans | Action plans approved by CPCB Task Team | Remarks |
|----------------|------------|---|---------------------------------|---|---|
| I | - | - | 31.12.2018 | Target Date for Approval - 31.03.2020 | Examined, observations forwarded to SPSB. |
| II | - | - | | | |
| III | 1 | 1 | | | |
| IV | - | - | | | |

| | | | | | |
|-------------|---|---|--|--|--|
| V | 1 | 1 | | | |
| Grand Total | 2 | 2 | | | |

(iii) Air quality management in 122 non-attainment cities.

**Status of Actions for Non attainment cities (NACs)
Hon'ble NGT Directions (O.A. 681/2018) - Rajasthan**

| | |
|--|---|
| Number of Non Attainment Cities | 05 - (1) Jaipur (2) Jodhpur (3) Kota (4) Alwar (5) Udaipur |
| Action Plan approved | 05 |
| Timelines for Actions | Short - term (within 6 months), mid - term (within one Year) & long - term (within two years) |
| <u>Features of City plans</u> | Target all major sources specific to city (Soil & Road Dust, Vehicles, Domestic Fuel, MSW Burning, Construction Material and Industries) |
| CPCB comments | <ul style="list-style-type: none"> ○ Time targeted execution of approved Action Plan ○ Installation of the requisite number of monitoring stations ○ Include short term actions for road dust management ○ Development of Public Grievance Redressal Portal (PGRP) ○ Consideration to Graded Response Action Plan (GRAP) ○ Micro level planning for each action in city plan ○ Quarterly submission of implementation status |
| Source Apportionment Studies | Initiated in Jaipur |
| Strengthening of Monitoring Network | <ul style="list-style-type: none"> ○ Existing: Manual 30, CAAQMS 07 ○ Additional required as per <u>CPCB criteria:</u> Manual 0, CAAQMS 10 (Timeframe - November 20, 2020) |
| GRAP | GRAP to be prepared and implementation ensured |
| Development of Public Grievance Redressal portal (PGRP) - | Not submitted |

B. UT ANDAMAN & NICOBAR

(i) Solid waste management including legacy waste.

| Status of Solid Waste Management in Andaman & Nicobar | | | | |
|---|---------------------|--------------------|-----------|----------|
| Total No. of ULBs: 1 | | | | |
| MSW generated (TPD) | MSW Processed (TPD) | MSW Landfill (TPD) | Gap (TPD) | Timeline |
| 90 | 15.5 | 0 | 74.5 | - |

| Assessment of SWM Facilities (capacity wise) | | | | | | |
|--|-------------------------------------|-----------------------------------|-----------|-------------------------------------|--------------|--|
| | Required Capacity (TPD) | Existing capacity (TPD) | Gap (TPD) | Target capacity (TPD) | Time frame | Observations |
| Waste Segregation Facility (MRF) | 47.7(Non-biodegradable waste @ 53%) | 65.9 | -- | 90 | Dec 2020 | Existing capacity is adequate |
| Waste Processing | | | | | | |
| Biodegradable waste (Bio-methanation & Composting) | 42.3(Bio-degradable waste @ 47%) | Compost:15 and Bio-methnation:0.5 | 26.8 | Compost :25 and Bio-methanation :05 | Dec 2020 | |
| Non biodegradable (Recycling; RDF, Co-processing) | 25.2 | RDF:0, Coprocessing :0, W to E:0 | 25.2 | Not provided | Not provided | Target capacity and Time frame to address required capacity not provided |
| Waste Disposal (Landfill) | 22.5 | Not Provided | 22.5 | Not provided | Not provided | (Inert @ 25%) |

| Assessment of SWM Facilities (ULB wise) | | | | | |
|--|----------|---------------------------------|-----|---------------|---------------------|
| | Required | Existing | Gap | Timeframe | Observations |
| Waste Segregation Facility (MRF) | 1 | 1 | Nil | December 2020 | |
| Waste Processing | | | | | |
| Biodegradable waste (Bio-methanation & Composting) | 1 | Compost - 1 Bio-methanation - 1 | Nil | December 2020 | Inadequate capacity |
| Non-biodegradable (Recycling; RDF, Co-processing) | 1 | 0 | 1 | Not provided | |
| Waste Disposal (Inert- Landfill) | 1 | 0 | 1 | - | |

| Legacy Waste | | |
|--------------|---------------------------------------|----------|
| 1 | Number of dumpsites | 1 |
| 2 | Quantity of Waste dumped at dumpsites | 664300 T |

| | | |
|---|---|---------------|
| 3 | Number of dumpsites cleared | 0 |
| 4 | Number of dumpsites in which bio-mining has commenced | 0 |
| 5 | Time frame for clearing all dumpsites | December 2021 |

(ii) Sewage management and 351 polluted river stretches.

| TREATMENT CAPACITY | | | | | Remarks |
|---------------------------------|--------------|-----------------------|-----------------------|--------------|---|
| Sewage Generation | Existing | GAP | Proposed | Timeline | Projection of sewage generation and treatment capacity for next 05 years need to considered in planning |
| 27 MLD | 0.5 MLD - | 26.5 MLD (98.14 %) | 25.88 MLD (6 STPs) | 5 years | |
| SEWERAGE NETWORK | | | | | |
| Existing Sewerage Length | Required | GAP | Timelines | | |
| Nil | 132. 73 km | 132. 73 km (100 %) | 5 years | | |
| NUMBER OF STPS | | | | | |
| NUMBER OF STPS | NEW PROPOSED | | Total STPs | Timeline | Projection of treatment capacity for next 05 years need to considered in planning |
| Nil | 06 | | 06 | 5 years | |
| RE-USE OF TREATED SEWAGE | | | | | |
| Present Utilization | Proposed | TIMELINES | | Type of Use | Point of Use for utilization of sewage to be identify |
| Nil | 19.62 MLD | 5 years | | Not Provided | |

- No water quality monitoring network under NWMP in Andaman & Nicobar Islands.
- In compliance to Restoration of Water Bodies (325/2015), no information has been submitted by Andaman & Nicobar Islands.
- Andaman & Nicobar Islands communicated that no Central Government funded schemes are being implemented for “Repair, Renovation & Restoration (RRR)” of water bodies vide letter dated 3.7.2019.

ANALYSIS:

Solid Waste Management:

32. We find that though steps are claimed to have been taken for legacy waste remediation, the timeline needs to be consistent with the statutory rules as well as the orders of this Tribunal. The timeline 2025 proposed by the State of Rajasthan and December 2021 proposed by Andaman and Nicobar needs to be preponed accordingly.
33. There remains gap of 4667 TPD (72%) for Rajasthan and 74.5 TPD for Andaman & Nicobar respectively in terms of current generation and treatment of solid waste which is endangering environment, adversely affecting public health and posing serious threat to life. No firm commitment to remedy the gap consistent with the statutory Rules specially the timelines has been put forth, as expected in terms of directions of the Hon'ble Supreme Court and this Tribunal. Thus, suitable remedial measures need to be adopted in the matter.

Sewage Management:

34. As regards sewage management, there is a gap of 350 MLD for Rajasthan and 26.5 MLD for Andaman & Nicobar respectively in generation and treatment capacity, which needs to be remedied in terms of directions already issued by this Tribunal. The timeline proposed for bridging the gap between sewage generation and treatment is upto 2022 in the case of Rajasthan and five years in the case of Andaman & Nicobar, with no interim arrangement. Discharge of untreated sewage is statutorily prohibited under the provisions of the Water Act, 1974 as well as under the orders of this Tribunal. Longer timelines proposed need to be revised so as to be consistent with the directions of this Tribunal which are already in force and interim measures by way of in-situ/ex-situ remediation need to be

taken forthwith. Untreated waste water and raw sewage being continuously discharged in water bodies needs to be stopped. As already observed, prompt action needs to be taken to reduce pollution load on recipient river systems by way of phytoremediation/bio-remediation of any other alternative low capital-intensive natural remediation processes and to successfully tap the sewage containing storm water drains so as to channelize the untreated sewage to central STP. Phytoremediation/bio-remediation or other such remediation must commence at or nearest the source of generation as a supplement to setting up of STPs as an interim measure to reduce the load of pollution on recipient water bodies before 31.03.2020. Setting up of STPs must also commence before the said date so as to complete the same by 31.03.2021. In this regard, compensation regime has already been laid down which has to be strictly followed. The timelines and compensation regime already laid down are:

- i. Interim measures for phytoremediation/ bioremediation etc. in respect of 100% sewage to reduce the pollution load on recipient water bodies - 31.03.2020. Compensation is payable for failure to do so at the rate of Rs. 5 lakh per month per drain by concerned Local Bodies/States (in terms of orders dated 28.08.2019 in O.A. No. 593/2017 and 06.12.2019 in O.A. No. 673/2018) w.e.f. 01.04.2020.
- ii. Commencement of setting up of STPs - 31.03.2020. Compensation is payable for failure to do so at the rate of Rs. 5 lakh per month per STP by concerned Local Bodies/States (in terms of orders dated 28.08.2019 in O.A. No. 593/2017 and 06.12.2019 in O.A. No. 673/2018) w.e.f. 01.04.2020.
- iii. Commissioning of STPs - 31.03.2021. Compensation is payable for failure to do so at the rate of Rs. 10 lakh per month per STP by concerned Local Bodies/States (in terms of orders dated 28.08.2019 in O.A. No. 593/2017 and 06.12.2019 in O.A. No. 673/2018) w.e.f. 01.04.2021.

35. The Chief Secretaries must ensure adverse entries in the service records of erring officers in respect of liquid waste management atleast from 01.04.2020.

Likewise, remediation work of legacy dump sites must commence at the earliest and adverse entries in ACRs of concerned officers if the remediation does not commence by 31.03.2020 which may be ensured by the Chief Secretaries.

To save time, standard specifications and service providers must be notified by the Chief Secretaries on the websites of the State/UT within one month from today. The Chief Secretaries may take such opinion as may be necessary for the purpose.

Compliance reports may be filed quarterly and first such report may be filed by 31.03.2020 with a copy to the CPCB. CPCB may furnish gap analysis report.

Restoration of Polluted River Stretches:

36. Similarly, with regard to restoration of polluted river stretches, the execution of action plans is required in right earnest and holistic manner. Considering that implementation requires inter-sectoral consideration and there is a need for a robust institutional mechanism to implement it, this needs to be overseen by the Chief Secretaries.

Air Quality Management:

37. With regard to air quality management in non-attainment cities, execution of action plans has to be duly ensured as per laid down timelines by making adequate budgetary provision in accordance with the orders of this Tribunal by clearly defined monitoring and

enforcement strategies and fixing responsibilities for failures on the officers. Absence of due execution of action plans is worsening the situation on account of resultant pollution. The execution of action plan needs to be supervised by the Chief Secretaries of the State/UT.

VII. DIRECTIONS:

38. In view of above, consistent with the directions referred to in Para 29 issued on 10.01.2020 in the case of UP, Punjab and Chandigarh which have also been repeated for other States in matters already dealt with, we direct:

- a. In view of the fact that most of the statutory timelines have expired and directions of the Hon'ble Supreme Court and this Tribunal to comply with Solid Waste Management Rules, 2016 remain unexecuted, compensation scale is hereby laid down for continued failure after 31.03.2020. The compliance of the Rules requires taking of several steps mentioned in Rule 22 from Serial No. 1 to 10 (mentioned in para 12 above). Any such continued failure will result in liability of every Local Body to pay compensation at the rate of Rs. 10 lakh per month per Local Body for population of above 10 lakhs, Rs. 5 lakh per month per Local Body for population between 5 lakhs and 10 lakhs and Rs. 1 lakh per month per other Local Body from 01.04.2020 till compliance. If the Local Bodies are unable to bear financial burden, the liability will be of the State Governments with liberty to take remedial action against the erring Local Bodies. Apart from compensation, adverse entries must be made in the ACRs of the CEO of the said Local Bodies and other senior functionaries in Department of Urban Development etc. who are responsible for compliance of order of this Tribunal.
- b. Legacy waste remediation was to 'commence' from 01.11.2019 in terms of order of this Tribunal dated 17.07.2019 in O.A. No.

519/2019 para 28⁵⁴ even though statutory timeline for 'completing' the said step is till 07.04.2021 (as per serial no. 11 in Rule 22), which direction remains unexecuted at most of the places. Continued failure of every Local Body on the subject of commencing the work of legacy waste sites remediation from 01.04.2020 till compliance will result in liability to pay compensation at the rate of Rs. 10 lakh per month per Local Body for population of above 10 lakhs, Rs. 5 lakh per month per Local Body for population between 5 lakhs and 10 lakhs and Rs. 1 lakh per month per other Local Body. If the Local Bodies are unable to bear financial burden, the liability will be of the State Governments with liberty to take remedial action against the erring Local Bodies. Apart from compensation, adverse entries must be made in the ACRs of the CEO of the said Local Bodies and other senior functionaries in Department of Urban Development etc. who are responsible for compliance of order of this Tribunal.

- c. Further, with regard to thematic areas listed above in para 20, steps be ensured by the Chief Secretaries in terms of directions of this Tribunal especially w.r.t. plastic waste, bio-medical waste, construction and demolition waste which are linked with solid waste treatment and disposal. Action may also be ensured by the Chief Secretaries of the States/UTs with respect to remaining thematic areas viz. hazardous waste, e-waste, polluted industrial clusters, reuse of treated water, performance of CETPs/ETPs, groundwater extraction, groundwater recharge, restoration of water bodies, noise pollution and illegal sand mining.
- d. The compensation regime already laid down for failure of the Local Bodies and/or Department of Irrigation and Public

⁵⁴ The Chief Secretaries may ensure allocation of funds for processing of legacy waste and its disposal and in their respective next reports, give the progress relating to management of all the legacy waste dumpsites. Remediation work on all other dumpsites may commence from 01.11.2019 and completed preferably within six months and in no case beyond one year. Substantial progress be made within six months. We are conscious that the SWM Rules provide for a maximum period of upto five years for the purpose, however there is no reason why the same should not happen earlier, in view of serious implications on the environment and public health.

Health/In-charge Department to take action for treatment of sewage in terms of observations in para 34 above will result in liability to pay compensation as already noted above which are reproduced for ready reference:

- i. Interim measures for phytoremediation/ bioremediation etc. in respect of 100% sewage to reduce the pollution load on recipient water bodies – 31.03.2020. Compensation is payable for failure to do so at the rate of Rs. 5 lakh per month per drain by concerned Local Bodies/States (in terms of orders dated 28.08.2019 in O.A. No. 593/2017 and 06.12.2019 in O.A. No. 673/2018) w.e.f. 01.04.2020.
 - ii. Commencement of setting up of STPs – 31.03.2020. Compensation is payable for failure to do so at the rate of Rs. 5 lakh per month per STP by concerned Local Bodies/States (in terms of orders dated 28.08.2019 in O.A. No. 593/2017 and 06.12.2019 in O.A. No. 673/2018) w.e.f. 01.04.2020.
 - iii. Commissioning of STPs – 31.03.2021. Compensation is payable for failure to do so at the rate of Rs. 10 lakh per month per STP by concerned Local Bodies/States (in terms of orders dated 28.08.2019 in O.A. No. 593/2017 and 06.12.2019 in O.A. No. 673/2018) w.e.f. 01.04.2021.
- e. Compensation in above terms may be deposited with the CPCB for being spent on restoration of environment which may be ensured by the Chief Secretaries' of the States/UTs.
- f. An 'Environment Monitoring Cell' may be set up in the office of Chief Secretaries of all the States/UTs within one month from today, if not already done for coordination and compliance of above directions which will be the responsibility of the Chief Secretaries of the States/UTs.
- g. Compliance reports in respect of significant environmental issues may be furnished in terms of order dated 07.01.2020 quarterly with a copy to CPCB.

The Chief Secretaries, Rajasthan and Andaman & Nicobar may remain present in person for further review tentatively on - 18.09.2020.

A copy of this order be sent to the Chief Secretaries, Rajasthan and Andaman & Nicobar and the CPCB by e-mail.

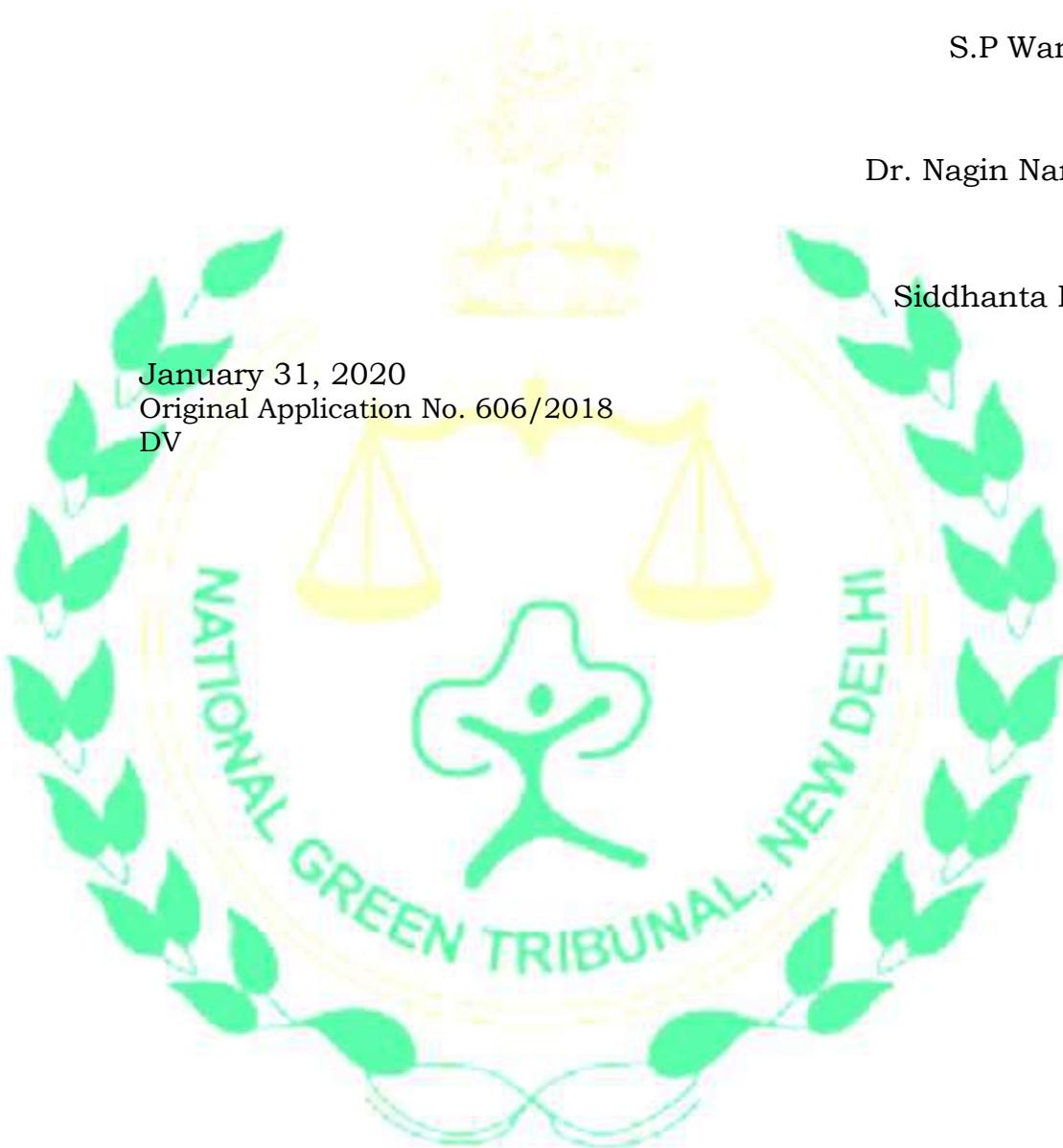
Adarsh Kumar Goel, CP

S.P Wangdi, JM

Dr. Nagin Nanda, EM

Siddhanta Das, EM

January 31, 2020
Original Application No. 606/2018
DV



//True Copy//

Annexure-R-2

No. 3-245/RD/SBM-II/2020-21/
 अण्डमान तथा निकोबार प्रशासन
ANDAMAN & NICOBAR ADMINISTRATION
 ग्रामीण विकास, पंचायती राज संस्थान एवं शहरी स्थानीय निकाय निदेशालय
DIRECTORATE OF RD, PRIS& URBAN LOCAL BODIES
 पोर्टब्लेयर / Port Blair

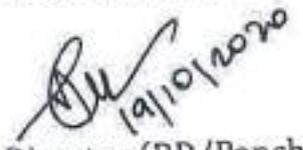
पोर्टब्लेयर / Port Blair, दिनांक / dated the 20 October, 2020

ORDER No. 1137

Whereas, in terms of the provisions contained in the Andaman and Nicobar Islands Panchayati Raj Institutions and Tribal Councils Rural Areas Solid Waste (Management and Handling) Bye Laws, 2019, every generator of solid waste is mandated to undertake source-level segregation and the Rural Agencies shall ensure Door to Door collection of segregated waste for their further treatment.

Whereas, a meeting was held under the Chairmanship of Chief Secretary, Andaman and Nicobar Administration on 09.10.2020 to review the implementation of flagship programmes, wherein it has been directed to ensure commencement of source level segregation and collection in all 70 Gram Panchayats within a month.

Therefore, all the Gram Panchayats are hereby directed to set-up mechanism for mandatory door to door collection of solid waste for its scientific disposal in the designated SWM clusters. A compliance to this effect containing quantity of Dry and Wet Waste collected per month and photographs may be submitted to this office for compilation and onward submission.


 Director (RD/Panchayat)

To,

1. All Block Development Officer for information and na.
2. All Special Officers, Gram Panchayat for information and na.
3. All Panchayat Secretaries, for information and na.

Copy to:

1. The Sr. PS to Chief Secretary for kind information of CS please.
2. PS to Secretary (RD/Panchayat) for kind information of Secretary please.
3. The DS (Planning), A&N Administration for information.


 Director (RD/Panchayat)

//True Copy//

Annexure-R-3

No. 2-13/PCC/SWM(2016)/2016/ 875
 अंडमान तथा निकोबार प्रशासन
 ANDAMAN & NICOBAR ADMINISTRATION
 प्रदूषण नियंत्रण समिति
 POLLUTION CONTROL COMMITTEE
 DEPARTMENT OF SCIENCE AND TECHNOLOGY
 Dolly Gunj, Port Blair Ph. No.250370

Dated 31
 30-07-2020

To

Member Secretary
 Central Pollution Control Board
 Parivesh Bhawan, CBD-cum-Office Complex
 East Arjun Nagar, Shahdara
 New Delhi-110 032

Subject: **Annual Report for 2019 on implementation of Solid Waste Management Rules, 2016-**
regarding.

Sir,

As per the provisions contained therein "The **Solid Waste Management Rules, 2016**" regarding the submission of Annual Report on the implementation of the Solid Waste Management Rules, 2016, we are enclosing the Annual Report for the year 2019 on the basis of information furnished by Port Blair Municipal Council (PBMC) in the desired format in Form-V for necessary information.

Encl: A/a.

Yours faithfully,
 [Signature]
 31/7/2020
 Member Secretary
 [Signature]

No. 2-13/PCC/SWM(2016)/2016/
 अंडमान तथा निकोबार प्रशासन
 ANDAMAN & NICOBAR ADMINISTRATION
 प्रदूषण नियंत्रण समिति
 POLLUTION CONTROL COMMITTEE
 DEPARTMENT OF SCIENCE AND TECHNOLOGY
 Dolly Gunj, Port Blair Ph. No.250370

Form - V
 [see rule 24(3)]

Format of annual report to be submitted by the State Pollution Control Board or Pollution Control Committees to the Central Pollution Control Board
 (Annual Report 2019)
 PART A

To.

The Member Secretary
 Central Pollution Control Board
 Parivesh Bhawan, East Arjun Nagar
 Delhi- 110 0032

| | | |
|---|---|--|
| 1 | Name of the State/Union territory | Andaman and Nicobar Islands |
| 2 | Name & address of the State Pollution Control | Andaman Nicobar Pollution Control Committee, Science and Technology Bhawan, Dollygunj Post, Port Blair, South Andaman |
| 3 | Number of local bodies responsible for management of solid waste in the State/Union territory under these rules | 01 No. - Port Blair Municipal Council 01 No- Directorate of RD, PRIS & ULB responsible for 70 Nos. of Gram Panchayats |
| 4 | No. of authorization application Received | Nil |
| 5 | A Summary Statement on progress made by local body in respect of solid waste management | Annexure-I |
| 6 | A Summary Statement on progress made by local bodies in respect of waste collection, segregation, transportation and disposal | Annexure-II |
| 7 | A summary statement on progress made by local bodies in respect of implementation of Schedule II | Annexure-III |

Date: 30-07-2020

Member Secretary
 ANPCC
 20/7

Part B

| | |
|--|--|
| Towns/cities | |
| Total number of towns/cities | 01 No. - Port Blair Town |
| Total number of ULBs | 01 No- Directorate of RD, PRIS & ULB responsible for 70 Nos. of Gram Panchayats |
| Number of class I & class II cities/towns | Port Blair is the capital city of UT of Andaman and Nicobar Islands |
| Authorisation status (names/number) | |
| Number of applications received | Nil |
| Number of authorisations granted | Nil |
| Authorisations under scrutiny | Nil |
| Solid Waste Generation status | |
| Solid waste generation in the state (TPD) collected | Approx. 121 |
| treated | Approx. 115 |
| landfilled | 50 |
| | 65 |
| Compliance to Schedule I of SW Rules (Number/names of towns/capacity) | |
| Good practices in cities/towns | <ol style="list-style-type: none"> 100% of solid waste at source is collected in segregated form. 2 bins for wet and dry waste are distributed to all the households for segregation at source. Streets are swept on daily basis. Spot fine imposed on littering. Plastic collection centres are established. |
| House-to-house collection | Door to door collection is carried out in all the 24 wards of Port Blair Town. |
| Segregation | 100% of solid waste at source is collected in segregated form |
| Storage | 100 % of household waste is stored at source in domestic bins. |
| Covered transportation | Transportation of waste is carried out through tarpaulin covered vehicles. |

PROCESSING OF SW (NUMBER/NAMES OF TOWNS/CAPACITY):**Solid waste processing facilities setup:**

| Sl. No | Composting | Vermi-Composting | Biogas | RDF/Pelletization |
|--------|---|------------------|---|-------------------|
| 1 | 05 Nos. of Compost Yards situated at Brookshabad, Gandhi Park, Anarkali, School Line & Junglighat | - | 01 Bio-methanation plant of 0.5 MTPD at old Pahargaon and 21 Households in Bathubasti, Port | - |

| | | | | |
|--|--|--|--|--|
| | | | Blair have installed captive bio-gas plants for waste processing | |
| | | | | |

Processing facility operational:

| Sl. No | Composting | Vermi-Composting | Biogas | RDF/Pelletization |
|--------|---|------------------|--|-------------------|
| 1 | 05 Nos. of Compost Yards situated at Brookshabad, Gandhi Park, Anarkali, School Line & Junglighat | - | 01 Bio-methanation plant of 0.5 MTPD at Old Pahargaon and 21 Households in Bathubasti, Port Blair have installed captive bio-gas plants for waste processing | - |

Processing facility under installation/planned:

| Sl. No | Composting | Vermi-Composting | Biogas | RDF/Pelletization |
|--------|------------|------------------|--------|-------------------|
| | - | - | - | - |

Waste-to-Energy Plants: (Number/names of towns/capacity): Nil

| Sl. No. | Plant Location | Status of operation | Power generation (MW) | Remarks |
|---------|----------------|---------------------|-----------------------|---------|
| | - | - | - | - |

Disposal of solid waste (number/names of towns/capacity):

| | |
|--|---|
| Landfill sites identified | 01 at Brookshabad, Port Blair. |
| Landfill constructed | - |
| Landfill under construction | - |
| Landfill in operation | - |
| Landfill exhausted | - |
| Landfilled capped | - |
| Solid Waste Dumpsites (number/names of towns/capacity): | |
| Total number of existing dumpsites | 01 at Brookshabad, Port Blair |
| Dumpsites reclaimed/capped | 01 at Brookshabad, Port Blair(old site) |

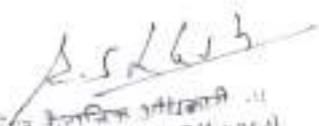
| | |
|--|---|
| Dumpsites converted to sanitary landfill | - |
|--|---|

Monitoring at Waste processing/Landfills sites: Nil

| Sl. No. | Name of facilities | Ambient air | Groundwater | Leachate quality | Compost quality | VOCs |
|---------|--------------------|-------------|-------------|------------------|-----------------|------|
| | | | | | | |
| | | | | | | |
| | | | | | | |

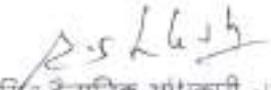
Status of Action Plan prepared by Municipalities

| | |
|----------------------------------|------------------|
| Total number of municipalities: | 01 at Port Blair |
| Number of Action Plan submitted: | 01 Nos. |


 Scientific Officer
 A & N Sc & Tech Council
 Port Blair

A Summary Statement on progress made by local body in respect of solid waste management:

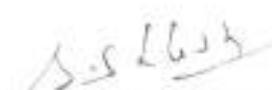
- (i) PBMC has its own squad for Public awareness i.e Swachhata Awareness Team(SAT), the team is engaged for creating awareness among various stakeholder, including schools & collage going children, public & religious places.
- (ii) PBMC has enlisted 06 nos. of waste vendors to collect and transport all sorts of dry waste waste like paper, cardboard, plastic, tyre, metal and tetra pack for onward processing at Mainland.
- (iii) The Solid Waste Management Bye-Laws, 2017 to regulate waste management in Port Blair city is notified in the Gazette of A&N Island confirming to MoEF& CC the Solid Waste Management Rules, 2016.
- (iv) PBMC has incorporated the provisions of levy of user fee as door to door monthly charge for stakeholder under the Scheduled –III of Bye-laws, 2017.
- (v) PBMC has incorporated the provision of spot fines in case of failure on part of non-compliance of provisions such as littering, segregation, etc.
- (vi) PBMC has 03 segregation unit at Dry Resource Centres, Anarkali and School line and also has 05 Compost Yards situated at Brookshabad, Gandhi Park, Anarkali, School Line & Junglightat.


 पब्लिक वैज्ञानिक अधिकारी -II
 Senior Scientific Officer-II
 अ. तथा नि. वि. तथा प्रा. परिषद
 A & N. Sc & Tech Council
 Port Blair

Annexure-II

A Summary Statement on progress made by local bodies in respect of waste collection, segregation, transportation and disposal

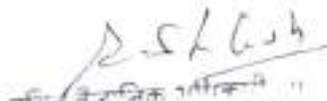
- (i) Port Blair Municipal Council (PBMC) is doing 100% door to door collection in all the 24 wards of the Port Blair city.
- (ii) The collected segregated waste is transported to 9 Solid Liquid Resource Management (SLRM) Centers situated across all 24 municipal wards and thereafter, is further segregated and sent to 6 locations for bailing and processing namely Gandhi Park, Brookshabad, Anarkali, Junglighat, School line and Dollygunj for its transportation to mainland for recycling through authorized agencies.
- (iii) Street sweeping is done twice a day in all the areas by PBMC.
- (iv) 90 % of waste at PBMC area are lifted from storage depot manually and 10 % is done through mechanical lifting.
- (v) PBMC has 28 tipping trucks, 01 compactor, 02 JCBs for waste collection, segregation and disposal. 03 Nos. dedicated of trucks are used for collecting only PET/Plastic waste, Glass and card board Waste. At non municipal area, tractor, non tipping trucks and tipping trucks are used for collection of waste.
- (vi) 83.34 % of total waste generated in the municipal area are processed by vermi composting, microbial composting, open mulching, electric composting, cattle dung composting, pit composting, Plastic shredding, cardboard & plastic bailing and waste reused in 3R works. Around 180 kgs of compost is generated every day through vermin-compost process.
- (vii) PBMC has banned non-woven cloth & plastic carry bags in entire Port Blair to reduce the generation of plastic waste and also installed 21 No Water ATM to reduce the waste plastic packaged drinking water bottles.
- (viii) 09 Nos. of Solid Liquid Resource Management (SLRM) centers are constructed by PBMC for dry waste management and 02 bailing units are setup at dry resource centres for bailing of plastics for onward transportation to mainland for recycling.
- (ix) PBMC has also authorized waste collector to install shredding units for collection and sale of plastic waste for onward supply to road construction agencies.
- (x) 06 Nos. Vendors are authorized to collect the plastic waste, cardboard waste, paper waste, metal, used oil and glass waste to collect, segregated and send to mainland for recycling.


 परितः वैज्ञानिक अधिकारी - II
 Senior Scientific Officer-II
 अ. तथा नि. वि. तथा ण. परिषद
 A & N Sc & Tech Council
 Port Blair

Annexure-III

A summary statement on progress made by local bodies in respect of implementation of Schedule II

At present in Port Blair Town, 01 No. landfill site at **Brookshabad** has been identified by the PBMC and for the rural area 24 clusters (copy enclosed) has been found and annual calendar for implementation of SWM rule have been prepared.


परि. वैज्ञानिक अधिकारी
Senior Scientific Officer
अ तथा. नि. वि. तथा प्रा. परिषद्
A & N Sc & Tech Council
Port Blair

//True Copy//



असाधारण
EXTRAORDINARY
प्राधिकार से प्रकाशित
Published by Authority

Annexure-R-4

सं. 279, पोर्ट ब्लेयर, गुरुवार, 24 अक्टूबर, 2019
No. 279, Port Blair, Thursday, October 24, 2019

अण्डमान तथा निकोबार प्रशासन
ANDAMAN AND NICOBAR ADMINISTRATION
सचिवालय/SECRETARIAT

NOTIFICATION

Port Blair, dated the 24th October, 2019.

No. 276/2019/F.No. **3-28/2018-PR**.— Whereas, a draft Andaman and Nicobar Islands Panchayati Raj Institutions and Tribal Councils Rural Areas Solid Waste (Handling and Management) Bye Law, 2019 was published in The Daily Telegrams, Andaman & Nicobar Administration's Website for inviting objections and suggestions as required under Sub-Section (1) of Section 202 of the Andaman and Nicobar Islands (Panchayats) Regulation, 1994 on 25.07.2019 within a period of 20 days.

And, whereas, no objection/suggestion received from the General Public within the specified period.

Now, therefore, in exercise of the powers conferred under Section 202 of the Andaman and Nicobar Islands (Panchayats) Regulation, 1994, the Lieutenant Governor (Administrator), Andaman and Nicobar Islands is pleased to make the following Bye Laws, namely:-

1. SHORT TITLE AND COMMENCEMENT :-

- These Bye Laws may be called the Andaman and Nicobar Islands Panchayati Raj Institutions and Tribal Councils Rural Areas Solid Waste (Handling and Management) Bye Law, 2019.
- It shall come into force in all Rural areas of Andaman and Nicobar Islands from the date of their publication in the Official Gazette.

2. EXTENT :-

It extends to the whole of the Rural areas/agencies including public places, private places, dwellings, trade and commercial centres.

This Bye Law shall apply to every public place, private place, dwelling, trade and commercial center, to every generator of Solid Waste and to every premise under the ownership or occupation of any person within the limits of Rural areas in entire Andaman and Nicobar Islands.

3. DEFINITIONS :-

In this Bye Law, unless the context otherwise requires,--

(1) Agent / Agency

Means any person/entity appointed or authorized by the various agencies of Rural Development & Panchayati Raj Institutions to act on its behalf, based on a mutual agreement between the Agent and the various agencies of Rural Development & Panchayati Raj Institutions for discharge of duties or functions such as collection of waste, collection of charges/taxes/rates, segregation, treatment, disposal etc.

(2) Bio-degradable Waste

"Bio-degradable Waste" means any organic material that can be degraded by micro-organisms into simpler stable compounds.

(3) Bio-medical wastes

Means any waste, which is generated during the diagnosis, treatment or immunization of human beings or animals or in research activities pertaining thereto or in the production or testing of biological materials.

(4) Bio-Methanation

"Bio-Methanation" means a process which entails enzymatic decomposition of the organic matter by microbial action to produce methane rich biogas.

(5) Bulky wastes

Shall refer to waste materials which cannot be appropriately placed in separate containers because of either their its bulky size, shape or other physical attributes. These include large worn-out or broken household, commercial and industrial items such as furniture, lamps, bookcases, filing cabinets and other similar items.

(6) Bulk generator

"Bulk Waste Generator" means and includes buildings occupied by the Central Government department or undertaking, State Government departments or undertaking, local bodies, public sector undertakings or private companies, hospitals, nursing homes, schools, colleges, universities, other educational institutions, hostels, hotels, commercial establishments, markets, places of worship, stadium and sports complexes having an average waste generation rate exceeding 10 Kg. per day.

(7) Bye Laws

Means a Bye Laws made under the Panchayat Act, by notification in the Official Gazette.

(8) Compost

The product obtained by the controlled action of microbes/ earthworms on bio-degradable matter. Composting means a controlled process involving microbial decomposition of organic matter and includes vermi-composting also.

(9) Construction and demolition waste (C & D waste)

Means non-hazardous waste from building materials, debris and rubble resulting from construction, remodeling and repair and demolition operations.

(10) Rural area

Means the **Rural agencies** of entire Andaman and Nicobar Islands and, where the context requires, its Agent(s), contractors.

(11) Delivery

Means handing over of any category of solid waste to a worker or any other person appointed/ authorized or licensed by the Panchayat of entire Andaman and Nicobar Islands for taking delivery of such waste or depositing it in any vehicle provided by the agencies of entire Andaman and Nicobar Islands or by any other authorized or licensed vehicle provided by the various agencies of Rural Development & Panchayati Raj Institutions to do so.

(12) Drain

Includes a sewer, a house drain, a drain of any other description, a tunnel, a culvert, a ditch, a channel and any other device for carrying of sewage, offensive matter, polluted water, waste water, rain water or subsoil water.

(13) E-waste

E-Waste means waste electrical and electronic equipment whole or in part or reject from their manufacturing and repair processes, which are intended to be discarded.

(14) Energy

Means the energy used for processing and those generated by the processing or in the clearing thereof or in the removal of such matter therefrom.

(15) Filth

Includes offensive matter and sewage.

(16) Fuel

Means the energy consumed for the collection, transportation, processing and disposal of wastes or generated as a bye product of processing in the form of solid, liquid or gas.

(17) Fuel charges

Fuel charges incurred for the collection, transportation, processing and disposal of waste.

(18) Garbage

Means Bio-degradable waste resulting from the handling, storage, sale, preparation, cooking and serving of foods.

(19) Garden waste

Means waste from parks, gardens or originating from the process of maintaining them, and includes grass clippings, weeds, woody material such as pruning, branches, twigs, wood chipping, dead leaves and tree trimmings, which cannot be accommodated in the daily collection system for bio-degradable waste.

(20) Generator

Those who generate or cause to the generation of waste.

(21) Hazardous waste

Means any waste which by reason of any of its physical, chemical, reactive, toxic, flammable, explosive or corrosive characteristics causes danger or is likely to cause danger to health and environment whether alone or when in contact with other wastes or substances.

(22) House gully

Means a passage or strip of land constructed, set apart or utilized for the purpose of serving as or carrying a drain or affording access to a latrine, urinal, cesspool or other receptacle for filth or other polluted matter, by Rural agencies of entire Andaman and Nicobar Islands employees or other person employed in the cleaning thereof or in the removal of such matter therefrom.

(23) Horticultural wastes

Means bulk waste from parks, gardens, traffic islands and includes grass clippings, annual weeds and woody 'brown' carbon-rich material such as pruning, branches, twigs, wood chipping, straw or dead leaves and tree trimmings, which cannot be accommodated in the daily collection system for bio-degradable waste.

(24) Landfill

Means a waste disposal site for the deposit of residual solid waste in a facility designed with protective measures against pollution of ground water, surface water and air fugitive dust, wind-blown litter, bad odour, fire hazard, bird menace, pests or rodents, greenhouse gas emissions, slope instability and erosion.

Various agencies of Rural Development & Panchayati Raj Institutions

Means the Rural agencies of entire Andaman and Nicobar Islands and, where the context requires, its Agent(s), contractors.

(25) Solid Waste

"Solid Waste" means and includes solid or semi-solid domestic waste, sanitary waste, commercial waste, institutional waste, catering and market waste and other non-residential wastes, street sweeping, slit removed or collected from the surface drains, horticulture waste, agriculture and dairy waste, treated bio-medical waste excluding industrial waste, bio-medical waste and e-waste, battery waste, radio-active waste generated in the area under the local authorities and other entitles mentioned in rule 02.

(26) Nuisance

Includes any act, omission, place or thing which comes or is likely to cause injury, danger, annoyance or offence to the sense of sight, smelling or hearing or which is or may be dangerous to life, injurious to health or property.

(27) Litter

Domestic or commercial solid/liquid waste thrown or deposited which by its shape, size, quantity and nature creates or tends to create uncleanliness or a danger or nuisance to public health, safety or welfare and prevent the legitimate use of the place.

(28) Littering

Means putting litter as prohibited by the Bye Laws in such manner and in locations that it falls, descends, blows, is washed, percolates or otherwise escapes or is likely to fall, descend blow, be washed, percolate or otherwise escape into or onto any public place. Or causing, permitting or allowing litter to fall, descend, blow, be washed, percolate or otherwise escape into or onto any public place.

(29) Narrow gully

Means a passage, constructed or utilized for the purpose of serving as or carrying a drain or affording access to the latrine, urinal, cesspool or other receptacle for filling with polluted matter or in the clearing thereof or in the removal of such matter therefrom.

(30) Neighbour

Means a clearly defined locality, with reference to its physical layout, character or inhabitants.

(31) Occupier

Means any person or entity that for the time being is in occupation of, or otherwise using, any land or building or part thereof, for any purpose whatsoever.

(32) Offensive matter

Includes animal carcasses, kitchen or stable refuse dung, dirt and putrid or putrefying substances other than sewage.

(33) Owner

- a. Means any person who exercises the rights of an owner of any building, or land or part thereof or with whom the legal title to premises is vested from time to time; and if owner is not present for the time being those lease holders and tenants are considered as owners for the purpose of the Bye Law.
- b. In the case where the person in whom the legal title is vested is insolvent or deceased, or is under any form of legal disability whatsoever, the person in whom the administration and control of such person's property is vested as curator, trustee, executor, administrator, judicial manager, liquidator or other legal representative.
- c. In any case where the Rural agencies of entire Andaman and Nicobar Islands is unable to determine the identity of such person, a person who is entitled to the benefit of the use of the premises or a building or buildings thereon .

(34) Person

Means any person or persons and shall include any shop or establishment or firm or juristic person company or association or body of individuals whether incorporated or not and their Agents.

(35) Place of origin

Means public or private places which are not the point of origin but intended for the storage, segregated collection by the owner, tenant or those who are engaged in the management.

(36) Point to point collection

Means the system of collection of Solid Waste from specific pick-up points as designated by the various agencies of Rural Development & Panchayati Raj Institutions, up to which the generator must bring the collected and stored waste for delivery to vehicle so appointed by the various agencies of Rural Development & Panchayati Raj Institutions.

(37) Premises

Means any land or building or part of a building and includes -

- (a) the garden, ground and out-houses, if any, appertaining to a building or part of a building, and
- (b) any fittings affixed to a building or part of a building for the more beneficial enjoyment thereof.

(38) Private Street

Means any street which is not a public street and includes any passage securing access to two or more places belonging to the same or different owners.

(39) Public place

Any place which is open to public includes but not limited to road, arch road, viaduct, lane, footway, alley or passage, highway, causeway, bridge, square alley or passage whether a thoroughfare or not, over which the public has right of passage, and such places to which the public has access such as parks, gardens, recreation grounds, playgrounds, beaches, water bodies, water courses, public plazas and promenades, government and municipal buildings, public hospitals, markets, slaughter houses, courts etc.

(40) Public road

Means any road, street or thoroughfare or any other place (whether a thoroughfare or not) which is commonly used by the public or any section thereof or to which the public has a right of access, and includes -

- a. the verge of any such road, street or thoroughfare.
- b. any bridge, ferry or drift traversed by any such road, street or thoroughfare, and
- c. any other work or object forming part of or connected with or belonging to such road, street or thoroughfare.

(41) Receptacle

Means any container, including bins and bags, used for the storage of any category of solid waste.

(42) Recycling

Means the process of transforming segregated non-biodegradable solid waste into raw materials for producing new products, which may or may not be similar to the original products.

(43) Refuse

Means any waste matter generated out of different activities, processes, either degradable/non-degradable/inert in nature in either solid or semi-solid form which cannot be consumed, used or processed by the generator in its existing form.

(44) Refuse removal charges

Means fees or charges notified by the Rural agencies of entire Andaman and Nicobar Islands from time-to-time for collection, transport and disposal of Solid Waste from different categories of waste generators.

(45) Rubbish

Includes ashes, broken bricks, broken glasses, dust, mortar and refuse of any kind which is not filth.

(46) Sanitation

Means the promotion of hygiene and the prevention of disease and other consequences of ill health relating to environmental factors.

(47) Schedule

Means a schedule appended to these Bye Laws.

(48) Segregation

Means to separate Solid Waste into the specified groups of bio-degradable, hazardous, bio-medical, construction and demolition, bulk garden and horticultural and all other inert waste.

(49) Solid waste

Means any discarded solid or semi solid material generated or brought in the **Rural areas**.

(50) Source

Means the premises in which waste is generated primarily or a community storage centre used by owners / occupiers of one or more premises for segregated storage of Solid Waste.

(51) Street

Shall mean any road, footway, square, court, alley, gully or passage, accessible whether permanently or temporarily to the public and whether a thoroughfare or not, and shall include every vacant space and shall include also the drains or gutters therein, or on either side or the land, whether covered or not by any pavement, verandah or other erection, up to the boundary of any abutting property, not accessible to the public.

(52) Storage

Means the temporary containment of Solid Waste in a manner so as to prevent littering, attraction to vectors, stray animals and excessive foul odour.

(53) Transportation

Means conveyance of Solid Waste from place to place for the purpose of collection, processing and disposal.

(54) Transfer

The transfer of waste generated within the Rural agencies of entire Andaman and Nicobar Islands limits to agents or employees of the Rural agencies of entire Andaman and Nicobar Islands or to the vehicles, storage area or places designated for the purpose.

(55) RURAL AGENCIES OF ENTIRE ANDAMAN AND NICOBAR ISLANDS

Means the Notified Area of Rural area or various agencies of Rural Development & Panchayati Raj Institutions or any other as applicable on date.

(56) Vehicle

Includes a carriage, truck, hand-cart, bicycle, tricycle, auto-rickshaw, motor vehicle and every wheeled conveyance which is used or is capable of being used on a street.

(57) Ward

Means an administrative ward of Rural agencies of entire Andaman and Nicobar Islands unless specified otherwise.

4. POWER TO DECLARE SOLID WASTE FREE / SANITATION ZONES :

- (1) The Rural agencies of entire Andaman and Nicobar Islands have the power to declare in such manner as may be prescribed, any area or areas within the RURAL AGENCIES OF ENTIRE ANDAMAN AND NICOBAR ISLANDS as sanitation zone or waste free area or areas for the purposes of this Bye Law.

- (2) In such areas, the Rural agencies of entire Andaman and Nicobar Islands by notification can prohibit the dumping or depositing of any waste in such area or part thereof with effect from such date (being not less than three months from the date of publication of the notification) as may be specified in the notification.

5. PROHIBITIONS -Dumping and littering :

- (1) No person shall dump, deposit, discharge, spill or release waste, or cause or permit such waste to be dumped, discharged, spilled or released, whether or not the waste is in a container or receptacle, in or at any place, whether publicly or privately owned, including but not limited to vacant land, rivers, waterways, catchments, sewers and storm water drains, except in a container or at a place which has been specially indicated, provided or set apart for such purpose. No person shall place or cause to be placed rubbish or offensive matter on a public street at the time other than the time specified and except in the receptacle provided or specified and not to dispose outside the containers.
- (2) No person shall allow rubbish, filth etc. to accumulate on premises for more than twenty four hours.
- (3) The prohibition referred to in section (5)(1) shall apply to any person who, for whatever reason, opens a receptacle containing waste material and dumps, deposits, discharges, spills or releases such waste onto a public street or drain / footpath and who thereafter fails to return such waste material to the receptacle.
- (4) No person shall deposit rubbish, solid waste, skin, carcasses or filth (a) in any street or on any unoccupied ground alongside any street or on any public or private place (b) in any dustbin or in any vehicle not intended for the removal of the same; or (c) in any vehicle or vessel intended for such removal save for the purpose of deodorizing or disinfecting the same. Also the residents should ensure their peripheral area of 25 mtr. radius is maintained litter free or else responsibility shall be fixed on the concerned found littered.
- (5) No person shall, while driving a vehicle, or while being conveyed in a vehicle, throw or deposit waste on any public road or on any private premises within the entire rural area of Andaman & Nicobar Islands.

Entire Rural government agencies and drivers of vehicles shall not allow or permit any passenger in such vehicle to throw or deposit such waste in a like manner.

The occupant of any premises located within the Rural agencies of entire Andaman and Nicobar Islands shall be primarily responsible for the sanitary condition of the premises and any receptacle or container on the premises. The owner of any unoccupied property shall be primarily responsible for the sanitary condition of the property. It shall be unlawful for any person to place, deposit, or allow to be placed or deposited on his premises or property any solid waste, except as permitted by the terms of this Bye Law.

- (6) No one shall indulge in the production, distribution, storage, sale and use of banned plastic & other items.

6. SEGREGATION, COLLECTION, STORAGE AND DELIVERY OF SOLID WASTE :

- (1) Segregation of waste into six specified groups: Every generator of Solid Waste shall store unmixed waste or separate the waste at the source of waste generation into the following six categories:
 - a. Bio-degradable waste or wet waste
 - b. Hazardous waste generated from households / establishments / hotels/resorts/shops
 - c. All other non-biodegradable waste including recyclable and non recyclable waste
 - d. Bio-medical waste from hospitals
 - e. Construction and demolition waste
 - f. Bulk garden and horticulture waste including recyclable tree trimmings

For ease of collection, hotels and commercial establishment to segregate their waste further include, metal, recyclable plastic, non recyclable plastics, paper/card board, glass, tetra packs and any other category decided by Panchayat or the collection agency.

- (2) The 'bins' shall have 'easy to operate' design for handling and transfer of wastes. Bins for storage of bio-degradable wastes shall be painted Green, those for storage of recyclable wastes shall be painted White and those for storage of other wastes shall be painted Black/Red.
- (3) Delivery of segregated waste -
- (a) Waste shall be kept unmixed/segregated and stored and delivered in the above specified groups to those who are specifically detained for the purpose. If the waste delivered is found to be mixed, this will be considered a breach of the Bye Laws, and a fine will be applied as per the Schedule of Fines. Repeated breach may also result in other penal measures.
 - (b) All waste that is contaminated with food, such as food tins, cheese can, tetra packs, etc. must be washed before being given for collection. No food or drink particle must be present on the dry waste.
- (4) Segregated Bio-degradable Solid Waste if not composted by the generator, shall be stored by generators of such waste within their premises in closed containers and its delivery shall be ensured by every such generator to the persons employed for DTD collection. Wet waste (food and other) should not be delivered in plastic carry bags.
- It shall be the responsibility of the commercial generators of bulk bio-degradable waste such as hotels, restaurants, catering units, marriage halls, hospitals, private markets, fish/meat processing units, etc. to setup their own facilities for waste treatment. It is made mandatory by this notification to setup and maintain such facilities and will be a mandatory condition when issuing license to them.
- If it is of the opinion that certain commercial generators are not in a position to setup such facility due to land constraint, they shall deliver the bio-degradable waste to collection vehicle provided for DTD collection for specified commercial generators of bulk bio-degradable waste or to the designated bio-degradable waste storage centers from where the Rural agencies of entire Andaman and Nicobar Islands shall collect such wastes daily at such times as the concerned Secretary/Executive Officer/Commissioner may notify from time to time. The generators of such wastes are liable to pay fees for the service provided to them by the Rural agencies of entire Andaman and Nicobar Islands as fixed depending on the quantity of wastes.
- (5) The Rural agencies of entire Andaman and Nicobar Islands shall, where possible, provide a refuse removal service for all occupied premises within the refuse removal area and the occupier of any premises shall be liable for all charges levied for such service, irrespective of whether or not such service is utilized, and regardless of whether or not the service is provided on a day other than the normal day of collection. Any charges levied for such service shall be prescribed in the Rural agencies of entire Andaman and Nicobar Islands's tariff of charges the charging will commence as soon as collection of segregated waste is begun by Panchayats or authorized agency. However, thirty percent subsidy to be given for off season and to those hotels with restaurants, which are taking care of their own waste in a proper (including but not limited to compost, vermi compost, bio-gas plant, feed for animals).
- (6) The occupier of premises shall within 07 (seven) days of the occupation of such premises notify the Rural agencies of entire Andaman and Nicobar Islands in writing that the premises have been occupied and whether the occupier requires the removal of domestic, or trade refuse, or a combination of these.
- (7) The occupier of any premises shall ensure that all refuse generated on such premises is placed and kept in refuse containers, refuse bins, bags or other receptacles which shall be covered or sealed and retained on the premises until they are removed (segregated).
- (8) No hot ash, unwrapped glass fragments or other refuse which may cause damage to the Rural agencies of entire Andaman and Nicobar Islands containers or bins, or injury to the persons or vehicles employed in removing refuse from any premises, shall be placed in any containers, bins or bags unless appropriate steps have been taken to avoid any damage or injury.

- (9) No material, including any liquid, which by reason of its mass or other characteristics is likely to render any refuse container, refuse bin, bag or other receptacle unreasonably difficult for the Rural agencies of entire Andaman and Nicobar Islands employees to handle, shall be placed therein.
- (10) Every refuse container or refuse bin on or outside any premises shall be covered by means of a lid or other covering so as to prevent any nuisance or health hazard, and any such container or bin shall be kept clean and in a hygienic condition.
- (11) Tender coconut shells, banana leaf and bunches must be cut and collected separately and delivered separately. No person is allowed to throw or break or spread coconuts, fruits and vegetables on roads, footpaths, other open public areas and inside the drain.
- (12) PET bottles shall be taken back by the sellers and delivered to the collectors. An incentive system alongwith fines and littering to be put in place waste to ensure all waste is sent back for recycling.
- (13) Whenever any hazardous waste is stored, generated or treated on any premises, the Rural agencies of entire Andaman and Nicobar Islands may, by written notice served on the owner or occupier of such premises -
 - a. prohibit the removal, disposal, treatment, storage, conveyance or handling of such hazardous waste, or
 - b. order the removal, disposal or treatment of such hazardous waste in a specified manner and at certain times within a period stipulated in such notice.
- (14) If such owner or occupier fails to comply with the terms of a notice contemplated by this Byc Laws, he / she shall be guilty of an offence and the Rural agencies of entire Andaman and Nicobar Islands may remove, or cause to be removed, dispose of or treat such hazardous waste in any suitable manner and recover the expenses incurred in doing so from such owner or occupier.
- (15) No person shall -
 - a. remove or convey hazardous waste from any premises, or
 - b. convey or transport hazardous waste on or over any public road, unless such hazardous waste is securely and properly contained in a receptacle or vehicle designed to prevent spillage or contamination.
- (16) The Rural agencies of entire Andaman and Nicobar Islands may, by written notice served on the owner or occupier of premises on which hazardous waste is generated, stored, treated or disposed of, require of such owner or occupier to provide the Rural agencies of entire Andaman and Nicobar Islands in writing with such particulars, verified by a suitably qualified industrial chemist, as may be stipulated in such notice, relating to the quantity and composition of hazardous waste generated on such premises and method of storage, treatment or disposal of such hazardous waste.
- (17) The owner or occupier shall in similar manner inform the Rural agencies of entire Andaman and Nicobar Islands of any change in the quantity or composition or the method of storage, treatment or disposal of such hazardous waste.
- (18) Household hazardous waste shall be stored and delivered by every generator of waste to the collection vehicle which shall be provided weekly/periodically by various agencies of Rural Development & Panchayati Raj Institutions or any other Agency authorized by the Rural agencies of entire Andaman and Nicobar Islands for door to door collection of such waste.
- (19) Household bio-medical waste shall be stored and delivered by every generator of waste to the collection vehicle which shall be provided weekly/periodically by various agencies of Rural Development & Panchayati Raj Institutions or any other Agency authorized by the Rural agencies of entire Andaman and Nicobar Islands for collection of such wastes. It shall be the responsibility of the Rural agencies of entire Andaman and Nicobar Islands for disposal in a manner that is mandated by Andaman & Nicobar Pollution Control Committee in accordance with the Bio-Medical Waste Management Rules - 2016 (as amended to date) through their own facilities or through the agencies that have setup such facilities.

- (20) It shall be the responsibility of the hospitals and health care establishments to store untreated bio-medical wastes in specified type of covered receptacles. It shall be the responsibility of the generators of such waste to dispose it in a manner that is mandated by Andaman & Nicobar Pollution Control Committee in accordance with the Bio-Medical Waste Management Rules, 2016 (as amended to date) through their own facilities or through the agencies who have setup such facilities. Persons or establishments shall not dump bio-medical waste alongwith other wastes in any form in waste containers intended for storage of other wastes.
- (21) It is mandatory to have schools, colleges and hotels to have their own incinerators for disposal of sanitary waste accompanied workshops with children and teachers to use the same efficiently.
- (22) There should also be programmes to moves away from plastic sanitary options such as Stayfree, Whisper etc. to other friendly pad or menstrual products.
- (23) Construction and Demolition waste (C & D waste) shall be stored and delivered separately. It will be the responsibility of the generator to store the segregated C&D waste at source. The generator must then call a local Help-line of the Rural agencies of entire Andaman and Nicobar Islands or the Agent of Rural agencies of entire Andaman and Nicobar Islands, who will then send a vehicle to pick up the segregated C&D waste from the generator, with a specified charge, and then further transport this wastes to a processing centre or disposal site within 07 (seven) days of generation.
- (24) Wherein the opinion of the Rural agencies of entire Andaman and Nicobar Islands, excessive rubble, rubbish, other debris or waste material is allowed to accumulate on a site before or during building operations, it may, by written notice, order the owner of such site to have such rubble, rubbish, other debris or waste material removed within the period specified in such notice.
- (25) Any owner who fails to comply with such notice shall be guilty of an offence and the Rural agencies of entire Andaman and Nicobar Islands may remove such rubble, rubbish, other debris or waste materials from such site and may recover the costs of such removal from the owner.
- (26) Any person erecting or demolishing any building shall remove any surplus material and matter arising from such erection or demolition from the site and from any other land or public place affected by such material or matter during or after completion of such erection or demolition, failing which the Rural agencies of entire Andaman and Nicobar Islands may, by written notice, order the owner of such buildings to have such surplus material and matter removed within a period specified in such notice.
- (27) Any person who fails to comply with a provision of or a notice served on such person in terms thereof, shall be guilty of an offence.
- (28) All other non-biodegradable waste - recyclable and non- recyclable shall be segregated and stored and delivered by every generator of waste to the employees or agencies appointed by the Rural agencies of entire Andaman and Nicobar Islands on specified days and at such times as may be notified by the concerned Secretary, Executive Officer/Commissioner. Persons or establishments shall not mix trade wastes such as rubber chappal-cuttings, leather trimmings, car seat-covers, cloths etc., with bio-degradable waste.
- (29) Disposal by burning of any type of solid waste at roadsides, dump sites, or any private or public property is prohibited.
- (30) It shall be the responsibility of the owner to remove any obstruction caused in street by fall and felling of trees etc. within 12 hours of fall.
- (31) The organizers of a public event/gathering shall clean the hired hall/ground within 24 hours of the event.
- (32) Contravention of any abovesaid provisions shall invite penalty or punishments as specified in the Schedule.

- (33) Action against Transport Contractors /Rural agencies of entire Andaman and Nicobar Islands Employees: Strict and swift action shall be taken against the Transport Contractor and/or workers of the Panchayat, including levying a penalty, if any worker of the contractor or any Government employee mixes segregated waste at any point of collection; or does not pick up waste as per the specified time schedule.
- (34) The employees of the Rural agencies of entire Andaman and Nicobar Islands engaged in rubbish and solid waste management service are prohibited from depositing waste at a place other than specified etc. No employee of the Rural agencies of entire Andaman and Nicobar Islands engaged in rubbish and solid waste management service shall throw or place any domestic waste, dust, ashes, refuse, rubbish or trade refuse or any excrementitiously or polluted matter on any street or in any place not provided for the purpose or bury or burn or place or keep in any street, any vehicle or carriage not meant for the removal of solid waste, excrementitiously or polluted matter, or suffer the same to remain in any street for any greater length of time than is reasonably necessary.
- (35) It is mandatory for every household, hotels, restaurants, office complexes and all other commercial establishments to segregate and dispose off the waste by adopting door to door garbage collection scheme on chargeable basis as approved by the Gram Panchayat/PRIs from time to time. The Gram Panchayats must ensure that the DTD collection service is provided to all waste generators. User fee may be charged by the Gram Panchayat as soon as segregated waste collection starts.
- (36) Panchayats must create provision and system for waste generators to file complaint against panchayat/waste collectors/collection agencies/ third party in case they are collecting mixed waste not collecting waste, and dumping the segregated waste. Any or all complaints to be resolved within a week records of all such complaints to be kept by panchayat.
- (37) Collectors of waste must also be able to register complaints against generators who are not giving segregated waste, or dumping waste. Fines must be levied within three days of every such incidents.

7. GENERAL PROVISIONS FOR SANITATION :

- (1) No person and Domestic animals shall bath, spit, urinate, defecate, feed/slaughter animal or birds, repair/wash vehicles, utensils or any other object or keep any type of storage in any public place except in such public facilities or conveniences specifically provided for any of these purposes.
- (2) Toilets shall be provided by the builders at construction sites. Training centres, all type of institutions at their place of business to prevent open defecation. Making of such prior provision should be one of the conditions while granting building permission and must be adhered to. After notification of this Bye Law all residential/commercial building to have their toilets within 03 (three) months otherwise they will be considered as agencies /individuals promoting open defecation and the penalties will be imposed accordingly.
- (3) It is a duty of the panchayats to conduct weekly inspection of vulnerable spots (which are liable to become dumping points or are already so) and take remedial actions. Reports of theses and action taken to maintain by Panchayat.

8. ACCESS TO PREMISES :

- (1) The occupier of premises shall grant the rural agencies of entire Andaman and Nicobar Islands access to the premises for the purpose of collecting and removing refuse and shall ensure that nothing obstructs, frustrates or hinders the Rural agencies of entire Andaman and Nicobar Islands in the carryingout its service.
- (2) Wherein as per the opinion of the Rural agencies of entire Andaman and Nicobar Islands, the collection or removal of refuse from any premises is likely to result in damage to the premises or to the Rural agencies of entire Andaman and Nicobar Islands property, or injury to the refuse collectors or any other person, it may, as a condition of rendering a refuse collection service in respect of the premises, require the occupier to indemnify it in writing with respect to any such damage or injury or any claims arising out of either.

9. NOTICES AND PENALTIES :

- (1) The Rural agencies of entire Andaman and Nicobar Islands may serve a notice on the occupier of any premises, requiring such occupier to clear any waste on such premises in a manner and within a time specified in such notice.
- (2) If a person on whom a notice has been served, fails to comply with the requirements imposed by the notice, such person shall be guilty of an offence and liable on conviction to the penalties prescribed from time to time by law.
- (3) If a person against whom a notice is served, fails to comply with any requirements imposed by such notice, the Rural agencies of entire Andaman and Nicobar Islands may -
 - a. Enter on the premises and clear the waste; and
 - b. Recover from the occupier the expenditure incurred in having done so.
- (4) a. Where on any occasion, an officer of the Rural agencies of entire Andaman and Nicobar Islands finds any person who such officer has reason to believe on that occasion committed an offence under sections of the Bye Laws, he may serve a notice on that person offering such person the opportunity of discharging any liability to conviction for that offence and/or payment of a fixed penalty.
 - b. A notice under this section shall give such particulars of the circumstances alleged to constitute the offence as are necessary for giving reasonable information of the offence and shall specify-
 - a) the period;
 - b) the amount of the fixed penalty; and
 - c) to whom, and the address at which, the fixed penalty may be paid.
 - c. The fixed penalty payable to the Rural agencies of entire Andaman and Nicobar Islands in pursuance of a notice under this section shall be prescribed by the Rural agencies of entire Andaman and Nicobar Islands from time to time.
- (5) Any person who contravenes or fails to comply with any provision of these Bye Laws shall be guilty of an offence and shall be liable on conviction to a fine or to imprisonment, or to both fine and imprisonment or to any other penalty as determined by a Court of competent jurisdiction.
- (6) Any person who dumps, deposits, discharges, spills or releases waste, or causes or permits such waste to be dumped, discharged, spilled or released, whether or not the waste is in a container or receptacle, in or at any place, whether publicly or privately owned, including but not limited to vacant land, rivers, waterways, catchments, sewers and storm water drains, except in a container or at a place which has been specially indicated, provided or set apart for such purpose is an offence and is liable to be fined from Rs. 500/- and above on the spot; the order can be issued by an employee not below the rank of a Village Level Worker/Gram Sevika of the Rural agencies of entire Andaman and Nicobar Islands and one who contravenes the order shall be liable to be prosecuted.

10. PENALTIES FOR CONTRAVENTION OF THESE BYE-LAWS :

- (1) On and after the date of commencement of these Bye Laws, there will be a familiarization/warning period of 30 days, after which, any contravention of these Bye Laws shall be punishable with fines as per the Schedule of Fines (Schedule-I) for every instance of breach of these Bye Laws. In case, the generator of waste is found contravening any of these Bye Laws next time, the fine amount will be doubled. The defaulter shall be liable for prosecution if he/she fails to remit the prescribed fine within 15 days.
- (2) The owner/occupier shall be deemed to be guilty of the offence and shall pay the fine, if the responsible person for dumping waste in a private place is unidentified.

- (3) The establishments responsible for littering, dumping of dead animal carcasses shall be fined and will have to remit the fine.
- (4) Any owner/occupier who dumps, deposits, discharges, spills or releases waste, or causes or permits such waste to be dumped, discharged, spilled or released in any privately owned place shall be liable to pay fine as per Schedule I of the Bye Laws.
- (5) If it becomes necessary on the part of the Rural agencies of entire Andaman and Nicobar Islands to remove the waste then the responsible person or entity shall be liable to pay the expenses to the Rural agencies of entire Andaman and Nicobar Islands and any failure will entail revenue recovery.

11. MISCELLANEOUS PROVISIONS :

- (1) The information and documents in connection to the solid waste management is a public document. For citizens access to information under the control of Rural agencies of entire Andaman and Nicobar Islands is provided under the Right to Information Act. In order to promote transparency and accountability in the working of Rural agencies of entire Andaman and Nicobar Islands in this regard, the information will be available to the public subjected to the Municipalities Act and the Right to Information Act. The Rural agencies of entire Andaman and Nicobar Islands Sanitary Inspector/Junior Engineer shall be nominated as the Public Information Officer and the Secretary/Executive Officer/Commissioner shall be the Appellate Authority.
- (2) The Rural agencies of entire Andaman and Nicobar Islands shall constitute a committee to redress any matters related to grievances of public in solid waste management both in Wards and as a whole for the Rural agencies of entire Andaman and Nicobar Islands. An appeal committee shall be constituted with the Adhyaksh/Pramukh/Pradhan as Presiding Officer.
- (3) The Rural agencies shall review, amend, extend, revoke, frame rules as and when required.
- (4) It shall be the duty of Rural agencies of entire Andaman and Nicobar Islands to protect all waste handlers from the ill-effects of their occupation and should be given annual medical examination, appropriate health education and free medical treatment if it is felt that the illness is occupation-related. Rural agencies of entire Andaman and Nicobar Islands shall provide personal protection equipment's (PPE) and monitor that the same is used by the workers. PPE must be given to workers free of costs for a stipulated duration (a realistic duration which takes into accounts natural wear and tear of such equipments) to workers including but not limited to gloves, jackets, boots, masks (frequency of all will not be the same) a deposit for the same be taken from workers for expensive PPE (record to be maintained of the same).
- (5) The Rural agencies of entire Andaman and Nicobar Islands shall encourage the use of waste-polymer-modified bitumen for its roads and modify the PWD Manual accordingly. Rural Area shall seek the opportunity for using discarded tires in bitumen for roads.
- (6) The Rural agencies of entire Andaman and Nicobar Islands shall develop a management information system for effectively taking corrective measures as well as proper planning for future. Geographic Information System (GIS) shall be introduced and MIS may be integrated in this system. There should be route maps and duty charts with each of the supervisory staff, who should check whether work on site is going as per schedule and whether vehicles and manpower are giving their optimum output.
- (7) User fee or charges collected from waste generators should be used for purpose such as providing DTD collection services, labour for segregation and storage shed, cleaning of public areas etc. Upto 25% of the charges so collected must be used towards IEC/BCC activities such as competitions, engagement of volunteers, waste monitors, green police, beach clean-ups, procurements of bags for storing waste, workshop etc. (these activities must be conducted by a party with experience and in depth knowledge of waste management, payment can be made to third party, if panchayat fails to meet eligibility criteria).

12. POWERS AND RESPONSIBILITIES OF THE RURAL AGENCIES OF ENTIRE ANDAMAN AND NICOBAR ISLANDS :

- (1) Rubbish and other solid waste to be the property of the Rural agencies of entire Andaman and Nicobar Islands - All the rubbish and solid waste collected by the employees or contractors of the Rural agencies of entire Andaman and Nicobar Islands and the carcasses of dead animals deposited in any public receptacles, depot or place shall be the property of the Rural agencies of entire Andaman and Nicobar Islands and they may be disposed of by auction or otherwise.
- (2) Every Rural agency of entire Andaman and Nicobar Islands shall make adequate arrangements for the daily removal of rubbish, solid wastes, filth and carcasses of animals generated within its limits including private places. Rural agencies of entire Andaman and Nicobar Islands shall arrange the daily sweeping and cleaning of the streets and removal of sweepings thereof.
- (3) Rural agencies of entire Andaman and Nicobar Islands have the right to review every five (5) years or as the need arises the Solid Waste Management Plan for purposes of ensuring its sustainability, viability, effectiveness and relevance in relation to local and international development in the field of solid waste management.
- (4) The Rural agencies of entire Andaman and Nicobar Islands shall determine the capacity of refuse bins, bags or receptacles which shall be used for refuse removal purposes, or the number of such bins, bags or receptacles and the days on which the service shall operate.
- (5) The Rural agencies of entire Andaman and Nicobar Islands, or a private waste service provider, may deliver containers to premises if, having regard to the quantity of refuse generated on the premises concerned, the suitability of such refuse for storage in containers, and the accessibility and adequacy of the space provided by the occupier of any premises for refuse collection vehicles, such refuse would, in the opinion of the Rural agencies of entire Andaman and Nicobar Islands, be more appropriately stored in containers rather than bins.
- (6) Any containers delivered by the Rural agencies of entire Andaman and Nicobar Islands or a waste service provider, in terms of this section shall remain in the ownership of the Rural agencies of entire Andaman and Nicobar Islands or the private waste service provider, as the case may be.
- (7) An occupier of premises shall be liable for the replacement or repair costs of lost, stolen or damaged containers at the applicable replacement cost of such containers.
- (8) An occupier of any premises shall provide sufficient space and any other facilities deemed necessary on such premises for the storage of containers delivered by the Rural agencies of entire Andaman and Nicobar Islands or a private waste service provider.
- (9) Containers shall be so located as to permit convenient access to and egress from such premises by the Rural agencies of entire Andaman and Nicobar Islands refuse collection vehicles or by the vehicles of a private waste services provider.
- (10) It shall be the responsibility of the local bodies to market the compost and evolve suitable mechanism for the sale.
- (11) Rural agencies of entire Andaman and Nicobar Islands should utilize to the fullest extent practicable all available facilities and expertise within the scrap processing and recycling industry for processing and marketing recyclable materials from solid waste.
- (12) The Rural agencies of entire Andaman and Nicobar Islands should, to the greatest extent practicable, procure and use products and materials with recycled content and procure and use materials that are recyclable.
- (13) Resource recovery facilities to be operated inside the Rural agencies of entire Andaman and Nicobar Islands within city limits as part of a complete solid waste management plan.

13. PROVISION FOR PROCESSING OF SOLID WASTES :

- (1) The Rural agencies of entire Andaman and Nicobar Islands may, for the purpose of recycling, treating, processing and disposing of solid wastes or converting such solid wastes into compost or any other matter construct, acquire, operate, maintain and manage any establishment within the Rural area and run it on a commercial basis or may contract out such activity.
- (2) Rural agencies of entire Andaman and Nicobar Islands may make adequate arrangements for the treatment of solid wastes for the preparation of compost and the disposal of it by sale or other means.
- (3) Within the sites for processing and disposal of waste identify suitable locations for :-
 - a) Weighbridge
 - b) Composting plant/ area
 - c) Compost storage area
 - d) Secured (with lock & key) segregation and storage area for dry waste only not mixed waste)
 - e) Shredding, bailing, packaging, dry waste
 - f) Wash and change area
 - g) Security cabin
 - h) Secured landfill for the disposal of rejects
 - i) Leachate treatment plant
 - j) Site for RDF
- (4) The segregation/storage shed should incorporate the following -
 - i. To have ample space for sorting and storing dry waste (both unballed/unshredded waste as well as bailed and shredded).
 - ii. Should have protection from rain and heavy winds which may impact work or the waste as well as provisions for locks to avoid miscreants from entering the shed and causing trouble.
 - iii. Should be constructed in a public place or a space easily visible to public as a place of pride to avoid its misuse in anyways (which may happen when constructed in a far of corner or closed to landfill).
 - iv. Where available, glass bottled to be used instead of bricks in constructing any walls.
 - v. Compost pits to be at an adequate distance so as not to spread for odour for works and should be cover to ensure rain water does not impact composting.
 - vi. Need to be at an adequate distance from landfill or dumping yards due to health hygiene and sanitation concerns of workers.
- (5) While selecting sanitary landfills and composting site, the Rural agencies of entire Andaman and Nicobar Islands shall take due care of the ground water table, land use etc. of the site.
- (6) It should be at least 500 m away from habitations, tourist areas, wetlands etc.
- (7) It should be 3 meters above the local ground water level wherever possible, failing which the site level may need to be raised.
- (8) A 500 m wide no development buffer zone to be declared to prevent objections by future inhabitants.
- (9) The waste processing and disposal site must be fenced to prevent unauthorized entry.
- (10) The Rural agencies of entire Andaman and Nicobar Islands shall improve existing roads or make new ones and maintain the same.
- (11) Rural agencies of entire Andaman and Nicobar Islands shall provide a green belt to improve the environment.

- (12) The waste processing or disposal facilities shall include facility based on state-of-the-art technology duly approved by the Andaman & Nicobar/Pollution Control Committees.
- (13) The waste processing area should be covered and it shall be provided with impermeable base with facility for collection of leachate and surface water run-off into lined drains leading to a leachate treatment and disposal facility.
- (14) As far as possible landfills should not exist and all waste should be taken care of by recycling, transporting out of islands up cycling, composting, incinerating etc.

14. PROVISION FOR FINAL DISPOSAL OF SOLID WASTE :

- (1) Every Rural agencies of entire Andaman and Nicobar Islands shall identify and notify suitable lands within the Rural area for the purpose of final disposal of wastes.
- (2) While notifying the land, health and environmental aspects shall be taken into consideration by the Rural agencies of entire Andaman and Nicobar Islands.
- (3) The Rural agencies of entire Andaman and Nicobar Islands shall provide for decentralized processing plants wherever and whenever possible, and opt for centralized landfill site. The Rural agencies of entire Andaman and Nicobar Islands shall find suitable and adequate land for processing and disposal of waste keeping in view the requirements for at least the next 20-25 years. The landfill site for the rejects should preferably be the same parcel of land as the composting site, or very nearby, to minimize the cost of handling, transporting and land filling the rejects.
- (4) Landfill site should be developed as specified in SWM Rule-2016 (**Schedule I**).
- (5) Necessary precautions shall be taken to minimize nuisance of odour, flies, rodents, bird menace and fire hazard.
- (6) Process rejects shall be removed on a regular basis and be sent to well-designed landfill site.
- (7) Rejects and non-biodegradable waste shall be landfilled according to standard procedure.
- (8) Wastes should be spread in thin layers and compacted to achieve a high density of waste.
- (9) The waste may be covered on a day to day basis with thick layer of inert materials such as construction wastes or soil to avoid any foul smell and breeding of rodents and insects.
- (10) After completion of landfill, a final cover shall be designed to minimize infiltration and erosion.
- (11) To minimize erosion of the final cover, plantation or vegetation cover may be made to sustain native plant growth.
- (12) Rain water flow into the landfill area should be prevented.
- (13) Run-off from landfilled areas should not enter any well or water body.
- (14) Regularly monitor nearby water quality.
- (15) Public gardens with land-scaping may be developed in stages on the landfill in such a manner that stagnation of rainwater does not take place and rainwater runs off the site.
- (16) Records to be maintained of date, time and quantity of wastes received site and the number of trips made by each transport vehicle.
- (17) After completion of landfill, a minimum final raised cover of soil or construction waste of at-least 30 cm shall be provided and maintained to ensure run-off of rain-water from the surface.
- (18) Maintaining the integrity and effectiveness of final cover, including making repairs to the cover as necessary to correct the effective of settlement, subsidence, erosion or other events and preventing rain-water run-on and run-off from eroding or otherwise damaging the final cover.

- (19) Monitoring ground water in accordance with requirements and taking corrective measures as and when required.
- (20) Monitoring of landfill gases to assess levels of methane, for ensuring compliance as per the prescribed standards.
- (21) Planned use of closed landfill sites can commence after ensuring that the landfill gases, leachates and ground-water analysis permit such use.
- (22) Installation of landfill gas control system including gas collection system shall be made at landfill site.
- (23) Ambient air quality at the landfill site and at the vicinity shall be monitored.

15. PROVISION FOR LEACHATES COLLECTION AND TREATMENT :

- (1) Provisions for management of leachates collection and treatment shall be made. The treated leachates shall meet the standards specified in Schedule- I of SWM Rules, 2016.
- (2) It shall be incumbent on the Rural agencies of entire Andaman and Nicobar Islands to establish a leachate treatment plant alongwith a windrow composting facility and landfill site as per the MSW rules.
- (3) The leachate plant shall be able to treat the leachate both from the processing plant and the landfill.
- (4) The Rural agencies of entire Andaman and Nicobar Islands shall identify appropriate technology for leachate treatment.

16. RESPONSIBILITY OF PANCHAYAT SECRETARY IN THE GRAM PANCHAYAT/RURAL AREA :

- (1) The administrative powers to implement the provisions of these Bye Laws and the resolutions passed by Rural agencies shall be vested in the Panchayat Secretary and he/she shall be directly responsible for the proper discharge of the functions imposed by or under these Bye Laws.
- (2) The Secretary shall-
 - a. Supervise and control the acts done and steps taken by the officers and employees of the Rural agencies of entire Andaman and Nicobar Islands in solid waste management.
 - b. Exercise such other powers and perform such other functions that may be conferred or entrusted under the provisions of this Bye Laws or the rules made thereunder.
- (3) The Secretary may, in emergent circumstances, direct the execution of any work or performance of any act related to solid waste management, in respect of which sanction of the Rural area is necessary and in his / her opinion the immediate execution or performance of which is necessary for the safety of the public and may also direct that the expenses incurred for the execution of such work or performance of such act be paid from the fund of the Rural agencies of entire Andaman and Nicobar Islands.
- (4) The Secretary/Commissioner of the Rural agencies of entire Andaman and Nicobar Islands will also be the Member Secretary of the Rural agencies of entire Andaman and Nicobar Islands, steering committee, standing committee and technical committee; which will be notified separately through notification.
 - a. He/She will be responsible for engaging temporary and permanent systems for the collection, transportation, storage, processing and disposal of solid waste.
 - b. To sign contracts for the solid waste management.
 - c. To deploy employees for the execution of solid waste management.
 - d. Publish and circulate notices and orders.
 - e. Utilize the resources as authorized in accordance with the decision of the Rural area.

- f. Prepare reports, documents and minutes and keep the same.
- g. Direct to pay waste removal fees/charges to those concerned.
- h. Order the payment of fines in respect of contraventions of the provisions of the Bye Law.
- i. Under necessary circumstances cancel contracts, notices or orders.
- j. Order on the spot fines on establishment of offences.
- k. Order to control or stop the release or disposal of waste water.
- l. The Secretary of the local governments have the right to enter at any reasonable time public or private property in the Rural agencies of entire Andaman and Nicobar Islands jurisdiction to inspect and investigate conditions concerning solid waste management and control. Bye-Law 2017.
- m. To take necessary steps after inspection regarding solid waste management.

17. VILLAGE SANITATION SOCIETY :

The Rural agencies of entire Andaman and Nicobar Islands shall form a Village Sanitation Society that shall prepare, submit and implement a plan for the safe and sanitary management of solid waste generated in areas under its geographic and jurisdictional coverage.

The Village Sanitation Society shall be a Society registered under the Charitable Societies Act and promoted and controlled by the Rural agencies of entire Andaman and Nicobar Islands for the purpose. A separate Bye Law shall be prepared for the Society and nomination/selection of its members.

The Village Sanitation Society shall have the following duties and responsibilities:

- a. Develop the Solid Waste Management Plan that shall ensure the long-term management of solid waste, as well as integrate the various solid waste management plans and strategies in its area of jurisdiction. In the development of the Solid Waste Management Plan, it shall conduct consultations with the various sectors of the community.
- b. Monitor the implementation of the SWM Plan through its various political sub-divisions and in cooperation with the private sector and the Rural Area.
- c. Adopt specific revenue-generating measures to promote the viability of its SWM Plan.
- d. Review every five (5) years or as the need arises the SWM Plan for purposes of ensuring its sustainability, viability, effectiveness and relevance in relation to local and international developments in the field of solid waste management.
- e. Develop the specific benchmarks and protocols for monitoring and evaluation.
- f. Recommended measures and safeguards against pollution and for the preservation of the natural eco-system; and
- g. Mandatory public hearings for local government solid waste management plans shall be undertaken by the respective societies in accordance with process to be formulated in the implementing rules and regulations.

18. AMENDMENTS OF SOLID WASTE MANAGEMENT BYE-LAW :

Implementation, handling and compliance of this Bye-Law will be amended time to time based on the rules notified/amended by Ministry of Environment & Forests and climate change for management and handling of solid waste for compliance of the previous therein.

19. All rates and penalties will be increased @ 3% per Annum and will be reviewed in every three year.

20. FINANCIAL PROVISIONS FOR IMPOSING PENALTIES AND USER CHARGES :**SCHEDULE I****PENALTIES**

| Sl. No. | Section | Subject Of Contravention / Violation | Fine for Every Single Attempt of Violation in rupees |
|---------|-----------|--|--|
| 1 | 5.(1) | Disposing waste outside the storage containers | 500/- |
| 2 | 5.(2) | Allowing rubbish, filth etc. to accumulate on premises for more than twenty four hours | 1000/- |
| 3 | 5.(4) | Unlawful and improper disposal of carcasses rubbish and filth | 1000/- |
| 4 | 5.(6) | Failure to keep one's premises clean | 500/- |
| 5 | 6.(3) | For delivering waste that is not segregated and stored in separate bins as specified: a) Individual | 500/- |
| | | a) Bulk generator | 1000/- |
| 6 | 6.(4) | Failure on the part of bulk generators to construct own facilities for wet waste treatment | 5000/- |
| 7 | 6.(14) | Dumping hazardous waste in public or private places | 500/- |
| 8 | 6.(20) | Dumping bio-medical waste alongwith other wastes | 10000/- |
| 9 | 6.(21) | For not removing Construction and Demolition waste in a segregated manner as specified | 5000/- per ton |
| 10 | 6.(26) | For mixing and delivering trade waste with bio-degradable waste | 1000/- |
| 11 | 6.(27) | For disposal of waste by burning | 500/- |
| 12 | 6.(28) | Failure to remove obstruction caused in street by fall of trees etc. within 12 hours of fall | 1000/- |
| 13 | 6.(29) | Failure of organizers of a public event, gathering to clean the hired hall/ground within 24 hours from the event | 7000/- |
| 14 | 6.(30) | Worker of the contractor or any employee of RD & Panchayat mixes segregated waste at any point of collection; or does not pick-up waste as per the specified time schedule | 500/- |
| 15 | 6.(33) | Not taking part in the solid waste management system of Rural agencies of entire Andaman and Nicobar Islands | 2000/- |
| 16 | 7.(1) | Littering in any public place, bathing, spitting, defecating, urinating, washing clothes and utensils, washing vehicles etc. | 500/- |
| 17 | 7.(2) | For not providing temporary toilets at construction sites | 1000/- |
| 18 | 8.(1) | Denial of access to Rural agencies of entire Andaman and Nicobar Islands to the premises | 1000/- |
| 19 | 7.(1)&(2) | Person's doing open defecation | 500/- |
| 20 | 7.(1) | Allowing Animals such as Cattles/Goats in public places | 500/- |

| | | | |
|----|--------|--|--|
| 21 | 7.(1) | Allowing littering by Animals such as Cattles/Goats in public places and | 2000/- |
| 22 | 5.(6) | Indulging in the production, distribution, storage, sale and use of banned plastic & other items | 10000/- |
| 23 | 6.(11) | Throwing or breaking or spreading coconuts, fruits and vegetables on roads, footpaths, their shoulders, other open public areas and inside the drain | 3000/- |
| 24 | 8 | Non-implementation of Rule-8(1) & 8(2). | Will be assessed by the committee formed as per Rule-16 for each cases |
| 25 | 9(1-6) | Violation Of Notices and Penalties | Upto Rs. 10,000/- |

SCHEDULE II

PRODUCT SPECIFICATIONS OF COMPOST

| Sl. No. | Parameter | Specifications |
|---------|---|---|
| 1 | Moisture, percent by weight | 10.0-25.0 |
| 2 | Color | Dark Brown to Black |
| 3 | Odour | Absence of foul odour |
| 4 | Particle size | Minimum 85% should pass through 4.0 mm IS sieve |
| 5 | Bulk Density (g/cm ³) | 0-1.0 |
| 6 | Total Nitrogen (as N), percent by weight minimum | 0.3-0.7 |
| 7 | Total Organic Carbon, percent by weight minimum | 8.0-16.0 |
| 8 | Total Phosphates (as P ₂ O ₅), percent by weight minimum | 0.5-2.0 |
| 9 | Total Potash (as K ₂ O), percent by minimum | 0.3-0.7 |
| 10 | C:N ratio | 20:1 or less |
| 11 | pH | 6.0 - 8.0 |
| 12 | Conductivity (as dsm ⁻¹) | Not more than 4.0 - 8.0 |
| 13 | Pathogens | Nil |
| 14 | Heavy Metal Contents (as mg/kg) by weight maximum | |
| | Arsenic (as As ₂ O ₃) | 10 |
| | Cadmium (as Cd) | 5 |
| | Chromium (as Cr) | 50 |
| | Copper (as Cu) | 300 |
| | Mercury (as Hg) | 0.15 |
| | Nickel (as Ni) | 50 |
| | Lead (as Pb) | 100 |
| | Zinc (as Zn) | 1000 |

SCHEDULE -III**DOOR TO DOOR MONTHLY USER CHARGES FOR STAKE HOLDERS**

| Sl. No. | Agencies | User Charges Per unit/Per month in rupees |
|---------|---|--|
| 1. | Households delivering segregated waste to the sanitary worker | 50/- |
| 2. | Grocery and small Shops | 150/- |
| 3. | Departmental Shops and Big Shops | Minimum 300/- |
| 4. | Hotels (This does not include restaurant user fee) | Minimum 500/- |
| | a) Less than 500/- per day tariff | |
| | b) More than 500/- per day tariff | |
| | c) Hotels with more than 500/- per day tariff and those who serves complementary bottled water in rooms | No. of rooms X 15 X 30 |
| 5. | Restaurants | No. of seats X 3 X 30 |
| | a) AC Restaurants | |
| | b) Non-AC Restaurants (that serves full meals) | No. of seats X 2 X 30 |
| 6. | Dive shops | No. of employees/DMs/ Instructors X Rs. 5X30 |
| 7. | Vegetable and meat shops | 300/- |
| 8. | Private/Government establishments | 300/- |
| 9. | Government Schools & Colleges | 150/- |
| 10. | Others (Commercials) | 50 to 100/- |
| 11. | Street vendors | @ 20 rupees per day |

SCHEDULE -IV

Waste collection survey should be done as per following methodology and format. This information must be included in the DPR alongwith a report on IEC and BCC strategies that will be implemented to make people aware of segregation practices and the new Solid Waste Management system.

Format for Household/Shops Survey

| Area name | Wet waste (per day) | Dry waste (per day) | Hazardous waste (per day) | Total |
|----------------------|---------------------|---------------------|---------------------------|-------|
| HH1, name of dweller | | | | |
| HH2, name of dweller | | | | |
| Total | | | | |

Final data

| S.No | Area | Wet waste (per day) | Dry waste (per day) | Hazardous waste (per day) | Road sweeping waste | C&D (per day) | Total (per day) |
|------|------------------------------------|---------------------|---------------------|---------------------------|---------------------|---------------|-----------------|
| 1. | Ward(s) | | | | | | |
| 2. | Street (s) | | | | | | |
| 3. | Market (s) | | | | | | |
| 4. | School(s) | | | | | | |
| 5. | Hotels/Resorts | | | | | | |
| 6. | Beaches | | | | | | |
| 7. | Ration Shop | | | | | | |
| 8. | Religious places | | | | | | |
| 9. | Tea Stalls | | | | | | |
| 10. | Restaurants | | | | | | |
| 11. | Marriage Halls | | | | | | |
| | Any other commercial establishment | | | | | | |

1. 20% HH from each ward/area/village to be selected.
2. Only segregated waste to be measured for survey.
3. Only waste generated in 24 hours to be taken into consideration and HH/waste to be told the same explicitly.
4. All selected HH to be given 3 separate bags to keep waste in as well as taught how to segregate.
5. 5% extra HH to be selected, making it 25%, so those houses which did not segregate property can be compensated for.
6. Similar format can be used for shops by removing hazardous category.

Format for Resort/ Hotels Survey

1. Similar format as above can be used for hotels with following considerations :
 1. Dry waste from restaurant of hotel should be measured separately and not under survey of hotels/ resorts.
 2. Hotels must be told of this in advance and should select 10% of total rooms.
 3. Waste of all the selected rooms to be kept separately from the waste of the whole hotel.
 4. There should be two dustbins in these rooms, marked for hazardous (bathroom) and dry waste (bedroom).
 5. These rooms should be those where housekeeping is done daily, so only 24 hours of waste is measured. Managers can insist on daily housekeeping to guests, if such number is automatically not available.
 6. In case 10% rooms are not occupied at the time of survey, on the day of measurement, information must be taken with reference to number of occupied rooms on the previous day, those will give us information with respect to waste generated per room (while ensuring that only 24 hours of waste is collected and measured). This information must be recorded in survey.
 7. Once we have a number of the waste produced per day (total waste for each category measured as per above norms divided by 10% of rooms or number of rooms selected) by hotels, this number can be multiplied by average number of rooms booked in a month (waste generation number for each category for each room per day to be recorded in survey).

One number can be calculated for full season months where at least 60% occupancy is there. Other can be calculated for off season.
8. If the above is not done, then waste survey will bring up a random and wrong quantity.

Admiral D.K. Joshi, PVSM, AVSM, YSM, NM, VSM (Retd.)
Lieutenant Governor,
Andaman and Nicobar Islands.

By order and in the name of the Lieutenant Governor,
Andaman and Nicobar Islands.

Sd./-
Assistant Secretary (RD/Panch.)
Andaman and Nicobar Administration

//True Copy//

**PORT MANAGEMENT BOARD
ANDAMAN AND NICOBAR ISLANDS**

ANNEXURE-R-5

Port Blair, dated the 12th March 2020

NOTE

Sub: Physically random checking of single use plastic and polythene bags being imported from Chennai/Kolkata/ Vishakhapatnam

- Ref No.: 1. PMB's Circular No. 151/CRS/PMB/2018/PF/3591 dt 28.11.2019,
2. PMB's office order no. 1683 dt 06.11.19
3. Gazette Notification No. 186 dt. 05.09.2019 issued by Pollution Control Committee, Department of Science & Technology.

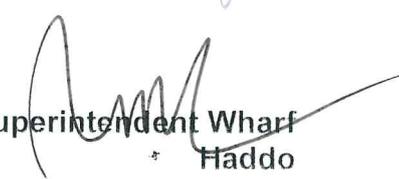
Sir

Please refer to letter under reference, on the above cited subject and to inform that enforcement team had conducted physically random checking of containers at Haddo Wharf on **11.03.2020** and the details are as under:

| S. No. | Container No. | Name of the Consignee | Description of Cargo | No. of packages | Remarks |
|---|---------------|-----------------------|----------------------|-----------------|----------------------|
| MV ITT Lion, V no. 231 arrived from Kolkata on 10.03.2020 | | | | | |
| 1 | ITTU 202263-0 | M/s ITTPL | 703 pkgs | G/Cargo | No ban plastic found |
| 2 | ITTU 202373-0 | M/s ITTPL | 789 pkgs | G/Cargo | No ban plastic found |
| 3 | ITTU 202654-9 | M/s ITTPL | 619 pkgs | G/Cargo | No ban plastic found |

Submitted for your kind information please.

11520

5 kg

Superintendent Wharf
Haddo

**PORT MANAGEMENT BOARD
ANDAMAN AND NICOBAR ISLANDS**

Port Blair, dated the 10th March 2020

NOTE

Sub: Physically random checking of single use plastic and polythene bags being imported from Chennai/Kolkata/ Vishakhapatnam

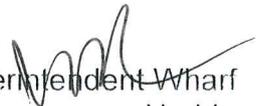
- Ref No.: 1. PMB's Circular No. 151/CRS/PMB/2018/PF/3591 dt 28.11.2019,
2. PMB's office order no. 1683 dt 06.11.19
3. Gazette Notification No. 186 dt. 05.09.2019 issued by Pollution Control Committee, Department of Science & Technology.

Sir

Please refer to letter under reference, on the above cited subject and to inform that enforcement team had conducted physically random checking of containers at Haddo Wharf on **06.03.2020, 09.03.2020** and the details are as under:

| S. No. | Container No. | Name of the Consignee | Description of Cargo | No. of packages | Remarks |
|---|---------------|-------------------------|----------------------|-----------------|----------------------------------|
| MV TCI Prabhu, V NO. 50(IN) arrived from Chennai on 05.03.2020 | | | | | |
| 1 | TSLU 301459-0 | M/s Arasu & Co | 847 pkgs | G/Cargo | No ban plastic found |
| 2 | TSLU 303615-6 | M/s Labyrinth Logistics | 1248 pkgs | G/Cargo | 02 pkgs ban plastic found |
| 3 | TSLU 301705-3 | M/s Revathi Traders | 576 Pkgs | G/Cargo | No ban plastic found |
| 4 | TSAU 270800-6 | M/s Sona Shipment | 1810 pkgs | G/Cargo | No ban plastic found |
| 5 | TSLU 304215-9 | M/s Sree Nagammal | 573 pkgs | G/Cargo | No ban plastic found |
| 6 | TSLU 304418-8 | M/s Sree Nagammal | 751 pkgs | G/Cargo | No ban plastic found |
| MV TCI Surya, VNo. 62 arrived from Chennai on 01.03.2020 | | | | | |
| 1 | TSLU 302676-0 | M/s R Swaminathan | 531pkgs | G/Cargo | No ban plastic found |
| 2 | TSAU 260387-5 | M/s R Swaminathan | 454 pkgs | G/Cargo | No ban plastic found |
| 3 | TSLU 302265-6 | M/s Sona Shipment | 584 pkgs | G/Cargo | No ban plastic found |
| MV TCI Prabhu, V NO. 50(IN) arrived from Chennai on 05.03.2020 | | | | | |
| 1 | TSLU 301750-0 | M/s TCI Freight | 89 pkgs | G/Cargo | 01 pkg ban plastic found |

During course of inspection, 02 pkgs ban plastic consigned to M/s Labyrinth Logistics seized by enforcement team has been kept at Haddo office till further orders received from PMB office.


 Superintendent Wharf
 Haddo

**PORT MANAGEMENT BOARD
ANDAMAN AND NICOBAR ISLANDS**

Port Blair, dated the 05th March 2020

NOTE

Sub: Physically random checking of single use plastic and polythene bags being imported from Chennai/Kolkata/ Vishakhapatnam

- Ref No.: 1. PMB's Circular No. 151/CRS/PMB/2018/PF/3591 dt 28.11.2019,
2. PMB's office order no. 1683 dt 06.11.19
3. Gazette Notification No. 186 dt. 05.09.2019 issued by Pollution Control Committee, Department of Science & Technology.

Sir

Please refer to letter under reference, on the above cited subject and to inform that enforcement team had conducted physically random checking of containers at Haddo Wharf on **04.03.2020** and the details are as under: -

| S. No | Container No. | Name of the Consignee | Description of Cargo | No. of packages | Remarks |
|--|---------------|---------------------------------|----------------------|-----------------|----------------------------------|
| MV Nicobar, V No. 592 (in) arrived from Chennai on 02.03.2020 | | | | | |
| 1 | RWAU 252375-6 | M/s Labyrinth Logistics Pvt Ltd | 592 pkgs | G/Cargo | No ban plastic found |
| MV ITT Tiger, V no. 246 arrived from Kolkata on 02.03.2020 | | | | | |
| 1 | ITTU 202584-0 | M/s S Halder, | 100 PKgs | G/cargo | 02 pkgs ban plastic found |
| 2 | ITTU 2024398 | M/s S Halder | 81 pkgs | G/Cargo | No ban plastic found |
| MV TCI Vijay, V No. 028 arrived from Chennai on 28.02.2020 | | | | | |
| 1 | TSLU 303989-6 | M/s R Swaminathan & CO | 292 pkgs | G/cargo | No ban plastic found |
| 2 | TSLU 301425-0 | M/s Sima Trading Enterprises | 206 pkgs | G/Cargo | No ban plastic found |
| MV Nicobar, VNo. 842(IN) arrived from Chennai on 02.03.2020 | | | | | |
| 1 | TTNU 190262-5 | M/s KEM Shipping | 675 pkgs | G/Cargo | No ban plastic found |

During course of inspection, 02 pkgs ban plastic detained by enforcement team has been kept at Haddo office till further orders received from PMB office.


 Superintendent Wharf
 Haddo

Annexure-R-6

Annexure 'A'

Status of use of Shredded Plastic in Road Construction Work (APWD)

| Sl No | Name of Work | Location | Length (KM) | Quantity of Shredded plastic used |
|-------|---|----------------|-------------|-----------------------------------|
| 1 | Improvement of internal rural road from Kinyuka School to Nicobari round hut at Chukchucha for a length of 2.30 km | Car Nicobar | 2.30 | 1000.00 kg |
| 2 | A/R & M/O other district road under AE-IV/CD/CN during 2018-19. SW: Improvement of other district road for a length of 550 mtr starting from 8.30 km (near BSNL tower road junction) to 8.85 km (near emergency helipad ground footpath junction) on HQ- Arong road. | Car Nicobar | 0.55 | 202.40 kg |
| 3 | A/R & M/O other district road under AE-IV/CD/CN during 2018-19. SW: Improvement of other district road for a length of 650 mtr from 9.65 km ArongSawai internal road junction) to 10.30 km (upto old pump house road junction) on HQ Arong road. | Car Nicobar | 0.65 | 238.74 kg |
| 4 | A/R & M/O other district road under AE-IV/CD/CN during 2018-19. SW: Improvement of other district road for a length of 550 mtr from 10.3 km (from old pump house road junction) to 10.85 km near RO plant on HQ-Arong road. | Car Nicobar | 0.55 | 202.40 kg |
| 5 | Improvement of road starting from main road via Andra tank to old Kinmai for a length of 1500 mtr at Car Nicobar. | Car Nicobar | 1.50 | 533.24 kg |
| 6 | Improvement of interior road for a length of 600 mtrs near Kinyuka School at Car Nicobar. | Car Nicobar | 0.60 | 240.00 kg |
| 7 | C/o road inside Botanical Garden, Haddo Zoo. | Port Blair | 0.24 | 205.00 kg |
| 8 | C/o road connecting Rajasthan Temple road near High Court Staff Qtrs to Police Line main road near Joggers Park. | Port Blair | 0.17 | 107.00 kg |
| 9 | Resurfacing of road from DRDO Gate to Matha Amrita Hospital. | Port Blair | 0.28 | 140.00 kg |

| | | | | |
|--------------|---|----------------|---|-------------------|
| 10 | A/R & M/O internal road for a length of 355.00 m from SH towards Chukchucha, June 2020 | Car Nicobar | - | 154.00 Kg |
| 11 | A/R M/O internal road for a length of 315 mtr SH junction towards community hall at Small Lapathy, June 2020 | Car Nicobar | - | 124.00 Kg |
| 12 | A/R & M/O internal road for a length of 310 mtr Along road towards Tee-Top at Car Nicobar | Car Nicobar | - | 114.00Kg |
| 13 | A/R & M/O internal road for a length of 375 mtr ODR (Other District Road) to towards Along internal Road, June 2020 | Car Nicobar | - | 162.00 Kg |
| 14 | Re-surfacing of road from Secretariat junction to Teal House junction via Goal ghar and Delanipur. | Port Blair | - | 6000.00 Kg |
| Total | | | | 9422.78 Kg |

//True Copy//

Annexure-R-7

No.2-16/PCC/PWM(2016)2016/876
अंडमान तथा निकोबार प्रशासन
ANDAMAN & NICOBAR ADMINISTRATION
प्रदूषण नियंत्रण समिति
POLLUTION CONTROL COMMITTEE
DEPARTMENT OF SCIENCE AND TECHNOLOGY
Dolly Gunj, Port Blair Ph. No.250370

Dated 31-07-2020

To

The Member Secretary
Central Pollution Control Board
Ministry of Environment, Forests & Climate Change, Govt
Parivesh Bhawan, CBD Cum-Office- Complex
East Arjun Nagar, Shahdara
Delhi- 110032

Subject: Annual Report on Plastic Waste Management for the year 2019 as per Plastic Waste Management Rules, 2016- regd

Sir,

As per the provisions contained therein "the Plastic Waste Management Rules, 2016" regarding the submission of Annual Report on the implementation Rules, kindly find enclosed Annual Report for the year 2019 in the prescribed formats of Andaman and Nicobar Islands for information and necessary action.

Encl: As above

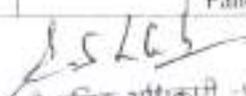
Yours faithfully,

31/7/2020
Member Secretary

Form-VI

Status of Implementation of PWM Rules, 2016 for the year 2019-20

| Name of the SPCB/PC C | Estimated Plastic Waste generation Tons Per Annum (TPA) | No. of registered Plastic Manufacturing or Recycling (including multilayer, compostable) units. (Rule 9) | | | No. of Unregistered plastic manufacturing/ recycling units. (in residential/unapproved areas) | Details of PWM e.g. e.g. Collection, Segregation, Disposal (Co-processing road construction etc.) (Rules 6) (Attach separate sheet) | Partial or complete ban on usages of Plastic Carry Bags (through Executive Order) (Attach copy of the notification or executive order) | Status of Marking Labeling on carry bags (Rule 8) [Specify the number of units or not compiled] | Explicit Pricing of carry bags (Rule 10) | Details of the meeting of State Level Advisory (SLA) Body along with its recommendations on Implementation (Rule 16) | 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 | Compostable Plastic Units | Multilayer Plastic units | | | | | | | | |
| Andaman Nicobar Administration Pollution Control Committee (ANPCC) | 328.5 MT of plastic waste from Municipal Council and 58.35 MT from Gram panchayats | There is no plastic manufacturing or recycling unit operates in Andaman and Nicobar Islands (ANI). | | | Nil | Annexure-A | (Annexure -B) | Does not arise, since manufacturing of plastic carry bags do not take place in A&N Islands. | N/A | 11 Nos. of SLAC meeting are held till date and minutes are enclosed. (Annexure-C) | Enforcement drives are conducted regularly to implement the notifications and penalty amounting Rs. 80500.00 was recovered from 954 inspections. | Total of 01 No-Municipal authority and 70 Nos. of Gram Panchayat are under jurisdiction. Annual report is based on 1 Municipal authority and 46 Gram Panchayat. |


 परिसर वैज्ञानिक अधिकारी -II
 Senior Scientific Officer-II
 अ. तथा. सि. वि. तथा पा. परिषद
 * N. Sc & Tech Council

Annexure-A

No.2-16/PCC/PWM(2016)/2016
 अंडमान तथा निकोबार प्रशासन
 ANDAMAN & NICOBAR ADMINISTRATION
प्रदूषण नियंत्रण समिति
POLLUTION CONTROL COMMITTEE
 DEPARTMENT OF SCIENCE AND TECHNOLOGY
 Dolly Gunj, Port Blair-Ph. No.250370

The Andaman and Nicobar Administration is concerned with the ever-increasing use of single use plastic items like PET bottles, polystyrene (thermocool) plates/cups/cutlery in these islands by the Hotels, Restaurants, and in the social functions which is not only adding to the garbage in the landfill but also causing health and environment related issues in these islands.

The Administration has taken various initiatives to address the problem of single use plastic waste generated in these islands which includes conducting various awareness programmes across schools and colleges. Further, various stakeholders initiated campaign for encouraging students and general public to switch to greener alternatives and restricting the consumption of single use plastic.

- Administration has banned all single use plastic items such as plastic cutlery, plastic cups/glass, PET bottles etc in all Government Organization and PSUs on 14.09.2018.
- The A&N Administration banned the manufacture, storage, use, import, transportation, distribution and sale of single use plastic items vide Notification no. 186 dated 05.09.2019.
- Enforcement drives are conducted regularly to implement the notification and approximately 425 kgs of banned plastic was seized and penalty amounting Rs 19000.00 was recovered from 60 inspections.
- For smooth transition, two Exhibitions were organised in May and August 2019 displaying alternatives of single use plastic items.
- An Order was issued for mandatory use of 8% to 10% plastic waste in road construction vide Notification No. 07 dated 10.01.2019. **Till date, 24.6 MT of plastic waste was used for construction of 43.86 lane-km of road.**
- Under Andaman and Nicobar islands scheme for exemption of Freight Charges for transportation of Plastic, Glass & E-wastes, 100% freight exemption is provided to transport waste plastic, glass and e-waste for recycling in Mainland. **Approx. 1530 tons of plastic waste was sent to mainland till date.**

S. S. Laksh
 वरिष्ठ वैज्ञानिक अधिकारी-1
 Senior Scientific Officer-1
 अ. तथा नि. वि. वि. का. एन. 2
 A & N Sc & Tech Cell
 Port Blair

- Awareness Programmes like lectures, film show, interactive session, essay, painting, letter writing, signature campaigns etc were organized in Panchayats, Schools and Colleges etc. **Approx. 38,000 Cloth bags were distributed.**
- The Andaman Nicobar Administration is implementing the Extended Producer Responsibility Plan (EPR) to curb the menace of the plastic waste generated due to import of goods packed in plastics. **Most of the PIBOs importing goods into these islands were under purview of EPR and so far 108 companies (PIBOs) have been granted conditional permission to import their goods.**
- The EPR plan is being implemented since 26 January 2020. **Till date approximately 38.29 MT of waste plastic has been collected and transported under EPR by PIBOs.**
- The review of EPR implementation is underway in July 2020.
- The A&N Administration vide Order no. 210 dated 19.05.2020 to eliminate use of single use or short life PVC (Poly Vinyl Chloride) for flags & banners has directed to use alternatives such as cloth banners, light weight textile fabrics, wrinkle resistant wrap knit, natural fibre based sandwich boards, resin infused papers particles boards etc in various government functions, seminars, workshops, advertisements etc.
- **PBMC has started 100 percent source segregation in all 24 wards, so far 83.34 percent of total waste is either processed (composting, waste plastic used in road construction in compliance of EPR commitment etc) or transported to mainland for recycling. The waste being dumped earlier at Brookshabad has been stopped since 27-01-2020 and as on date, only the inert waste approximately 16.66 percent are being dumped.**
- The burning of waste at Brookshabad has been completely stopped from 31-01-2020.
- The Department of Rural Development and Panchayat (RD&P) with regard to scientific disposal of solid waste including plastic waste, has formulated and notified **26 clusters for 70 Gram Panchayats.** Out of 26 clusters, 22 clusters are under construction and 4 clusters are under tender process. Bailing machines are installed in 19 clusters, out of which 2 are functional.
- To reduce the plastic footprints due to PET bottles, the Administration has initiated to install water ATMs to facilitate the general public and tourist to provide good quality drinking water and to reduce the dependency on package drinking water. **Total 21 water ATMs have been installed till date. (PBMC - 16 Nos. + RD&P - 5 Nos.)**

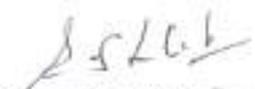
P. S. Kal
 Director
 Department of Rural Development and Panchayat
 Government of Andaman and Nicobar Islands
 Port Blair

Annexure-B

No.2-16/PCC/PWM(2016)2016
 अंडमान तथा निकोबार प्रशासन
 ANDAMAN & NICOBAR ADMINISTRATION
 प्रदूषण नियंत्रण समिति
 POLLUTION CONTROL COMMITTEE
 DEPARTMENT OF SCIENCE AND TECHNOLOGY
 Dolly Gunj, Port Blair Ph. No.250370

Details of Partial or complete ban on usages of Plastic Carry Bags (through Executive Order) (Attach copy of the notification or executive order)

- Andaman and Nicobar Administration has imposed complete ban on usage of plastic carry bags through Andaman Nicobar Gazette Notification No. 202 dated 02-08-2016(copy enclosed).
- Administration has banned all single use plastic items such as plastic cutlery, plastic cups/glass, PET bottles etc in all Government Organization and PSUs on 14.09.2018(copy enclosed).
- An Order was issued for mandatory use of 8% to 10% plastic waste in road construction vide Notification No. 07 dated 10.01.2019(copy enclosed).
- The A&N Administration banned the manufacture, storage, use, import, transportation, distribution and sale of single use plastic items vide Notification no. 186 dated 05.09.2019.
- Andaman and Nicobar islands scheme for exemption of Freight Charges for transportation of Plastic, Glass & E-wastes notified vide notification No. 109 dated 28-06-2016 in which 100% freight exemption is provided to transport waste plastic, glass and e-waste for recycling in Mainland, (copy enclosed)


 वरिष्ठ वैज्ञानिक अधिकारी -II
 Senior Scientific Officer-II
 अ. तथा नि. वि. तथा प्रौ. परिषद
 A & N Sc & Tech Council
 Port Blair

//True Copy//

Annexure-R-8



**OFFICE OF THE NODAL OFFICER
BIO- MEDICAL WASTE MANAGEMENT (BMWM)
Andaman and Nicobar Administration
Directorate of Health Services**

F.No. BMWM/DHS/BMWM Action Plan/ 2019/Part V/176

Date: 12/11/2020

To

**The Member Secretary (ANPCC)
Pollution Control Committee
Dept. of Science and Technology
Dollygunj, Port Blair**

Sub: Compliance report in respect of Hon'ble NGT in O.A No. 606 of 2018 order dated 31.01.2020 -reg.

Madam,

With reference to the letter No.7-43/PCC/NGT (O.A (606/2018) /2019/1057 Dated 02/11/2020 the action taken report on Biomedical Waste Management are as follows:

- 1) The Bio-Medical Waste are treated and disposed of as per the BMWM, Rules 2016, at all Govt. as well as Private HCFs.
- 2) Incinerators installed in the following health Institutions are presently functional.

| S. No. | Name and type of health institutions | Capacity of the incinerator |
|--------|--------------------------------------|-----------------------------|
| 1. | GB Pant Hospital, Port Blair. | 100 kg per hour |
| 2. | Dr. R.P. Hospital, Mayabunder | 50 kg per hour |
| 3. | CHC, Diglipur | 50 kg per hour |
| 4. | CHC, Rangat | 50 kg per hour |
| 5. | CHC, Bambooflat | 50 kg per hour |
| 6. | CHC, Nancowry | 50 kg per hour |

- 3) All the HCF's has been communicated to maintain inventory of Bio-Medical Waste generation. All the HCFs were also communicated to submit compiled monthly report.

- 4) Private Health Care Facilities in the jurisdiction of PMBC are depositing their Biomedical waste in the GBPH for incineration.
- 5) Out of the total 57 Private Institutions in South Andaman 37 health institutions have deposited Bio medical waste to incinerator at GB Pant Hospital. All the private HCF's are asked to avail services of incinerators of the Govt. HCFs within their jurisdiction/Localities. In case on North & Middle Andaman.
- a) One private hospital under the jurisdiction of CHC Diglipur is asked to deposit Incinerable biomedical at CHC Diglipur.
- b) R.P .Hospital, Mayabunder having No private HCFs under its jurisdiction.
- c) CHC Rangat having two Private HCF's i.e. Chakrobarty Hospital and Pilar Health Centre, these two private HCFs has been issued notices to deposit bio medical waste at the incinerator in CHC Rangat.
- d) There are no Private HCFs in the Nicobar group of Islands.
- 6) Installation of autoclave and shredders status as on 22/10/2019.

| S.No | Name of the HCFs | Allocation/ Installation | Date of installation | Allocation | Date of installation |
|------|------------------|--------------------------|----------------------|------------|----------------------|
| 1. | PHC Garacharma | Autoclave | 6/11/19 | Shredder | 22/10/2019 |
| 2. | PHC Tushnabad | Autoclave | 8/11/2019 | Shredder | 22/10/19 |
| 3. | PHC Wimberiygunj | Autoclave | 7/11/2019 | Shredder | 19/10/19 |
| 4. | PHC Campbellbay | Autoclave | 14/11/2019 | Shredder | 18/10/19 |
| 5. | PHC Swaraj Dweep | Autoclave | 23/11/2019 | Shredder | 28/10/2019 |
| 6. | PHC Billiground | Autoclave | 21/11/2019 | Shredder | 24/10/2019 |
| 7. | GB Pant Hospital | Autoclave | 06/11/2020 | Shredder | 17/10/19 |

7) **STATUS OF BAR CODE:**

After the approval of competent authority the file is put up to Nodal Officer (IT) for e-tendering.

8) **PROCUREMENT OF INCINERATOR:**

The process of procurement of 5 nos. Incinerators are under process. The name of the Health Institutions and their present status are as follow:

i. **Civil structure for installing Incinerators.**

- District Hospital Garacharma - Accept roof work rest of the work is completed.
- BJR Hospital, Car Nicobar- Construction work completed.
- PHC Campbell bay- Accept rolling shutter rest of the work completed.
- PHC Hutbay- Construction work is completed.
- PHC SwarajDweep- Accept roof work rest of the work is completed.

ii. **Purchase process**

- Tender uploaded on 5/12/2019 by Chief Medical Stores.
- Tender opened on 27/12/2019
- No bidder has participated.
- Proposal resubmitted to the Secretary (Health) for retendering on 07/01/2020.
- Re-tender uploaded on 13/01/2020.
- Pre- bid meeting on 23/01/2020.
- File sent for approval of Secretary (Health) in the amendment made in pre-bid meeting on 31/01/2020.
- Re-tender was opened on 23/08/2020.
- Technical bid is completed.
- Acceptance letter was received from the selected firm on 21/10/2020.

9) As on date, out of 57 private HCFs in South Andaman 37 HCFs are depositing Bio-Medical Waste to Incinerator at G.B.Pant Hospital. Other HCFs at different island are availing services of Incinerators of the Govt. HCFs within their jurisdiction. The Bio-Medical Waste being generated by Private HCFs are 604.99 kg per month and by Govt. HCFs are 44151.252 kg/ month.

10) STATUS OF OCEMS:

After the approval of competent authority tender has been opened on 16/10/2020.

11) SUPERVISORY VISIT:

- a) A supervisory visit was done on 04/11/2019 and 04/02/2020 by the Nodal Officer (BMWM) at GB Pant Hospital to assess the management of Biomedical waste.
- b) On 04/01/2020 a supervisory visit made to assess functioning of autoclave & shredders and implementation of Biomedical waste Management Rules, 2016.
- c) A supervisory visit was done for Ayush Hospital to assess the implementation of Biomedical Waste Management Rules, 2016 at the Hospital. It was found that the color coded segregation was done properly and the sharps were disposed of in a designated bunker. The heaps of garbage were found at the premises which were not lifted by the PBMC for quite sometimes.
- d) On 08/02/2020 a supervisory visit was made to assess functioning of autoclave & shredders and implementation of Biomedical waste Management Rules, 2016.
- e) A supervisory visit was done to observe the functioning of Incinerator and installation of Autoclave at GB Pant Hospital on 06/11/2020.

12) **TRAINING AND AWARENESS PROGRAMME**

To impart awareness amongst the clinical staff, the BMWWM training has been clubbed with other training programs. In this effort following training programs have been already conducted.

- a) A training programme for BMWWM is blended with a training programme of Tobacco Control. Where the ToTs were imparted knowledge regarding counseling and Bio-Medical Waste Management on 17/07/2019.
 - b) Training of Senior Nursing Officers of GB Pant Hospital on 18/07/2019 on Bio Medical Waste management and Infection Control Measures.
 - c) In addition to the above training programme the Nodal Officer (BMWWM), on 17/10/2019 conducted one-day training programme for ANMS and MPHWs from different health institutions of these islands on Bio-Medical Waste Management at the Conference Hall, Andaman Law College, Phoenix Bay, Port Blair. The training programme was conducted along with training programme for NPCDCS.
 - d) On 12/09/19 training programme for BMWWM was conducted at CHC Rangat for Medical Officer and Staffs by TOT.
 - e) Training Programme on Biomedical Waste Management for Staffs of Ayush Hospital was conducted on 07/02/2020.
 - f) A training programme on BMWWM for Medical Officers, nursing staff and Paramedical staff was conducted at AYUSH Hospital on 05/11/2020.
- 13) In pursuance of the decision taken in the meeting held under the Chairmanship of District Commissioner, South Andaman on 04/07/2019 that;
- a) The Private clinics / Hospitals shall handover the segregated bio-medical wastes belonging to them to the Sanitary Inspector (Incinerator) at GB Pant Hospital, Port Blair on all working days from 9.00 AM to 10.00AM.

- b) As a revenue, Rs. 25/- per kg will be collected from the private Hospital / Clinic after measuring bio medical wastes in the weighing machine attached to incinerator.
 - c) Revenue will be collected in the form of cheque only drawn in favour of "RogiKalyanSamiti, GB Pant Hospital, Port Blair".
 - d) Sanitary Inspector shall maintain proper register towards quantity received from each private clinics / Hospitals and quantity disposed of in the incinerator on day to day basis.
 - e) Sanitary Inspector shall raise bills towards charges of bio medical wastes of private clinics on monthly basis against the users by verifying the register being maintained by him.
 - f) Same above mentioned facility has been extended to North & Middle Andaman where the private clinics will handover the segregated biomedical waste belonging to them to incinerator installed at CHC Diglipur.
- 14) All the Medical Officer I/C has been directed to submit status report / mode of disposal (Deep Burial, Incineration etc.) of Bio - Medical Waste.
- 15) All the Health Care Facilities (HCF's) has been directed to
- i. Apply for authorization or renewal of authorization in the prescribed format from the appropriate authority i.e. State Pollution Control Board at the earliest.
 - ii. Submit the Annual report on or before 30th June of every year.
- 16) COMMITTEE:**
- a) The State Level Advisory Committee has been constituted under the Chairmanship of Chief Secretary, A&N Admin., and the District Level Task Force Committee has been constituted under the Chairmanship of Deputy Commissioner, A&N Administration.
 - b) The District Level Task Force Committee is monitoring compliance of the provisions of BMW Rules, 2016 in the HCFs.
 - c) Every Hospital has constituted a Biomedical Waste Management Committee to supervise the activities.

17) **FUTURE EVENTS:**

- Procurement of 03 nos. of vehicles for the collection and transportation of biomedical waste will be kept in "budget estimate of next financial year i.e. 2021-2022".

As of now a vehicle bearing registration no. AN01K 4935 is carrying out the work of collection and transportation of biomedical waste.

- All the PHCs, CHCs and District Hospitals except the one who has already being provided with Autoclave & shredder will be equipped with Autoclave and Shredders.

Yours Faithfully



Nodal Officer (BMWM)

Copy to:

1. PA to Director of Health Service, for kind information of DHS.



Nodal Officer (BMWM)

//True Copy//

BY SPEED POST 124

No.2-15/PCC/BMW(2016)/2020/874
अंडमान तथा निकोबार प्रशासन
ANDAMAN & NICOBAR ADMINISTRATION
प्रदूषण नियंत्रण समिति
POLLUTION CONTROL COMMITTEE
DEPARTMENT OF SCIENCE AND TECHNOLOGY
Dolly Gunj, Port Blair Ph. No.250370

Dated 31-07-2020

To

The Member Secretary,
CPCB, Parivesh Bhawan,
CBD cum Complex,
East Arjun Nagar,
Delhi 110 032

Subject: Annual Report on Bio- Medical Waste Management for the year 2019 as per Bio-Medical Waste Management Rules, 2016- regd

Sir,

In accordance with the Bio-Medical Waste Management Rules, 2016, kindly find enclosed Annual Report for the year 2019 in the prescribed formats of Andaman and Nicobar Islands for information and necessary action.

Encl: As above

Yours faithfully,

File
31/7/2020
Member Secretary
397

No.2-15/PCC/BMW(2016)/2016
 अडमान तथा निकोबार प्रशासन
 ANDAMAN & NICOBAR ADMINISTRATION
प्रदूषण नियंत्रण समिति
POLLUTION CONTROL COMMITTEE
 DEPARTMENT OF SCIENCE AND TECHNOLOGY
 Dolly Gunj, Port Blair Ph. No.250370

Form IV A
[See rule 13(2)]

Part-I (Summary of Information)

| | | |
|----|--|--|
| 1. | Name of the Organization | Andaman Nicobar Pollution Control Committee |
| 2. | Name of the Nodal Officer with contact telephone number and e-mail; | Shri. Rishikesh, Mob: 9434270824 E-mail: dstandamans@gmail.com |
| 3. | Total no. of Health Care Facilities/ Occupiers: | |
| | i) Bedded Hospitals and Nursing Homes (bedded): | 48 Nos. |
| | ii) Clinics, dispensaries | 106 Nos. |
| | iii) Veterinary institutions | 24 Nos. |
| | iv) Animal houses | - |
| | v) Pathological laboratories | 2 Nos. |
| | vi) Blood banks | - |
| | vii) Clinical establishment | - |
| | viii) Research Institutions | 01 No. |
| | ix) AYUSH | 01 No. |
| | Total: | 182 Nos. |
| 4. | Total no. of beds: | 1466 |
| 5. | Status of authorisation | |
| | i) Total number of Occupiers applied for authorisation | |
| | ii) Total number of Occupiers granted authorisation | 62 Nos. |
| | iii) Total number of application under consideration | 89 Nos. |
| | iv) Total number of applications rejected | nil |
| | v) Total number of Occupiers in operation without applying for authorisation | |
| 6. | Quantity of Bio-medical Waste Generation (in kg/day) (please enclose district wise Bio-medical Waste Generation as per Part-2) | enclosed |
| | i) Bio-medical Waste Generation by bedded hospitals (in kg/day) | 111.79 Tons |
| | ii) Bio-medical Waste Generation by non-bedded hospitals (in kg/day) | 3.97 Tons |

| | | |
|-------|--|---|
| iii) | Any other | |
| 7. | Bio-medical waste treatment and disposal | |
| a) | By Captive bio-medical waste treatment and disposal by Health Care Facilities (please enclose details as per Part-3) | Enclosed |
| i) | Number of Health Care Facilities having captive treatment and Disposal facilities: | |
| ii) | Total bio-medical waste treated and disposed by captive treatment facilities in kg/day: | |
| b) | Bio-medical waste treatment and disposal by Common Bio-medical Waste Treatment Facilities (please enclose details as per Part-4) | At present, there is No CBWTF operating in ANI. |
| i) | Number of Common Bio-medical Waste Treatment Facilities in operation | Does not arise in view of above. |
| ii) | Number of Common Bio-medical Waste Treatment Facilities under construction: | Nil. |
| iii) | Total bio-medical waste treated in kg/day | Does not arise in view of above. |
| iv) | Total treated bio-medical waste disposed through authorised recyclers (in Kg/day): | Does not arise in view of above. |
| 8. | Total no. of violation by | Nil |
| i) | Health Care Facilities (bedded and non-bedded) | |
| ii) | Common Bio-medical Waste Treatment Facilities | |
| iii) | Others please specify | |
| 9. | Show cause notices/directions issued to defaulters | Nil |
| i) | Health Care Facilities (bedded and non-bedded) | |
| ii) | Common Bio-medical Waste Treatment Facilities | |
| iii) | Others | |
| 10. | Any other relevant information: | |
| i) | Number of workshops/ trainings conducted during the year | |
| ii) | Number of occupiers installed liquid waste treatment facility | 22 (Chemical disinfection) |
| iii) | Number of captive incinerators complying to the norms | 07 |
| iv) | Number of occupiers organised trainings | 22 HCFs |
| v) | Number of occupiers constituted Biomedical Waste Management Committees | 09 |
| vi) | Number of occupiers submitted Annual Report for the previous calendar year | 72 |
| vii) | Number of occupiers practising pre-treatment of lab microbiology and Bio-technology waste | Information not available |
| viii) | Number of Common Bio-medical Waste Treatment Facilities that have installed Continuous Online Emission Monitoring Systems | Nil |

ASLG
 परिसर वैज्ञानिक अधिकारी -II
 Senior Scientific Officer-II
 अ तथा जि. वि. तथा प्रा. परिषद
 A & N Sc & Tech Council
 Port Blair

Part 2: District-wise Bio Medical waste generation (for the previous calendar year 2019)

| S. No. | Name of the State/ Union Territory | Name of the District | Bio Medical waste generation (in Kgs/day) | Existing Total bio-medical waste treatment capacity (both captive and CBMWTF) in kg/day | |
|--------|------------------------------------|------------------------|--|---|---|
| | | | | Equipment | Total |
| 01 | Andaman and Nicobar Islands | South Andaman | 546(525*+21**) * Govt HCFs ** Private HCFs | Incinerator: | 03 |
| | | | | Autoclave: | 44 |
| | | | | Deep Burial: | 21 |
| | | | | Any other: | 1. Shredder: 04 2. Hydroclave: 02 3. Needle Tip Cutter: 136 |
| | | | | | |
| 02 | | North & Middle Andaman | 94.5(94*+0.50**) * Govt HCFs ** Private HCFs | Incinerator: | 03 |
| | | | | Autoclave: | 4 |
| | | | | Deep Burial: | 10 |
| | | | | Any other: | 1. Needle Tip Cutter: 24 Nos. 2. Shredder: 01 Nos. |
| | | | | | |
| 03 | | Nicobar | 28 Kgs (Govt. HCF) | Incinerator: | 02 |
| | | | | Autoclave: | 02 |
| | | | | Deep Burial: | 14 |
| | | | | Any other: | Needle Cutter: 36 Nos. |
| | | | | | |

Part 3: Information on Health Care Facilities having captive treatment facilities (for the previous calendar year 2019)

| S. No. | Name of the address of the Health Care Facility | Quantity of Bio Medical waste generation (in Kg/day) | | | | | Total Installed Treatment capacity in kg/day | | | | Total bio-medical waste treated and disposed by Health Care Facilities in kg/day | |
|--------|---|--|-----|------|-------|---------------------------------|--|-----------|-----------------|-----------|--|-----|
| | | Yellow | Red | Blue | White | Total BMW generated (in Kg/Day) | Incinerator | Autoclave | Deep Burial | Any Other | | |
| 01 | G. B Pant Hospital, Port Blair | | | | | 460 Kgs | 500 Kg/day | - | 3kg ash per day | - | Incinerator: | 546 |
| | | | | | | | | | | | Autoclave: | |
| | | | | | | | | | | | Deep: | |
| | | | | | | | | | | | Burial: | |
| | | | | | | | | | | | Any other: | |

Asst. Secy

A & N Sc & Tech Coun. Port Blair

Part 4: Information on Common Bio-Medical Waste Treatment and Disposal Facilities (for the previous calendar year 2019)

Note: At present, there is No CBWTF operating in ANI.

| S. No | Name and Address of the Common Bio-Medical Waste Treatment Facilities with contact person, name and telephone number | GPS Coordinates | Coverage Area in KMS | Name of the cities/areas covered by Common Bio-Medical Waste Treatment Facilities | Total number of Health Care Facilities being covered | Total number of beds covered | Total number of Bio-Medical Waste collected from member Health Care Facilities (in kg/day) | Capacity of Treatment equipments installed by Common Bio-Medical Waste Treatment Facilities | | | Total Bio-Medical Waste Treated in kg/day | Method of Disposal of wastes (Incineration Ash/Sharps/Plastics) |
|-------|--|-----------------|----------------------|---|--|------------------------------|--|---|---------|----------------------------------|---|--|
| | | | | | | | | Equipment | Numbers | Total installed capacity(kg/day) | | |
| | | | | | | | | | | | | |
| | | | | | | | | Incinerator | | | | Incineration Ash: Quantity Disposed by: Sharps: Quantity Disposed by: Plastics: |
| | | | | | | | Plasma Pyrolysis | | | | | |
| | | | | | | | Autoclave | | | | | |
| | | | | | | | Hydroclave | | | | | |
| | | | | | | | Microwave | | | | | |

No. 10-54/PCC/HW/2019 / 915
अंडमान तथा निकोबार प्रशासन
ANDAMAN & NICOBAR ADMINISTRATION
प्रदूषण नियंत्रण समिति
POLLUTION CONTROL COMMITTEE
DEPARTMENT OF SCIENCE AND TECHNOLOGY
Dolly Gunj, Port Blair Ph. No.250370

Annexure-R-10

Dated 11 -09-2020

To

The Member Secretary
Central Pollution Control Board
Ministry of Environment, Forests & Climate Change, GoI
Parivesh Bhawan, CBD Cum-Office- Complex
East Arjun Nagar, Shahdara
Delhi- 110032

Subject: Annual Report on Hazardous Waste Management for the year 2019-20 as per the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016- regd

Sir,

As per the provisions contained therein "the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016" regarding the submission of Annual Report on the implementation Rules, kindly find enclosed Annual Report for the year 2019-20 of Andaman and Nicobar Islands for information and necessary action.

Encl: As above

Yours faithfully,

Anamika
9/9/2020
(Anamika, IFS)
Member Secretary

Status on Implementation of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 for the year 2019-2020

Name of the SPCB/PCC: Andaman & Nicobar Pollution Control Committee(ANPCC)

| S.No | Name of the unit registered under Hazardous waste authorization | Authorization No. & date | Type/category of hazardous waste | Quantity as per authorization | Quantity of waste generated during the year 2019-20 | Waste recycled | Recovered | utilized including co processe d | waste re-exported | Mode of disposal |
|------|---|---|---|-------------------------------|---|----------------|-----------|----------------------------------|-------------------|-------------------|
| 01 | M/s Indian Oil Corporation Ltd, Port Blair Terminal, Haddo. | 10-19/PCC/IOCL/2016/108 dated 07-06-2017 | Oil sludge from storage tanks | 20 KL/annum | Nil | Nil | Nil | Nil | Nil | Nil |
| 02 | M/s Indian Oil Corporation Ltd(MD), LPG Bottling Plant, Hope Town | 10-11/PCC/LPG/Vol-II /2007/110 dated 07-06-2017 | Used lube oil & residual oil paint | 3400 ltrs/annum | 0.120KL/year | - | - | - | - | Stored in barrel. |
| 03 | M/s Penquin Marine Services, Lamba Line, Junglighat, Port Blair | 10-54/PCC/HW/2014/C-92 dated 10-05-2019 | Used oil (Authorisation issued for collection and transportation of used oil) | 96KL/Annum | 16 KL (Collected & Stored) | | | | | Stored in barrels |

ASLGH

//True Copy//

No.2-7 /PCC/e-waste/2020 /1028
दंडमान तथा निकोबारशासन
ANDAMAN & NICOBAR ADMINISTRATION
दूषणनिर्बन्धन समिति
POLLUTION CONTROL COMMITTEE
DEPARTMENT OF SCIENCE AND TECHNOLOGY
e-mail:dstandamans@gmail.com

Dated: 23/10/2020

To,

The Chairman
Central Pollution Control Board
(Ministry of Environment And Forests)
Government of India, 'Parvesh Bhawan', East Arjun Nagar,
Delhi-110 0032.

Subject: Annual Report on e-waste Management for the year 2019-20 as per the e-waste (Management) Rules, 2016 -regd.

Sir,

As per the provisions contained therein "the e-waste (Management) Rules, 2016" regarding the submission of Annual Report on the implementation Rules, kindly find enclosed Annual Report for the year 2019-20 of Andaman & Nicobar Islands for information and necessary action.

Encl: as above

Yours faithfully,

File
21/10/2020
(Anamika, IFS)
Member Secretary

No.2-7 /PCC/e-waste/2020 11029.
 ंडमान तथा निकोबारशासन
 ANDAMAN & NICOBAR ADMINISTRATION
 पदुषणनियंत्रण समिति
POLLUTION CONTROL COMMITTEE
 DEPARTMENT OF SCIENCE AND TECHNOLOGY
 e-mail:dstandamans@gmail.com

To,

The Chairman
 Central Pollution Control Board
 (Ministry of Environment And Forests)
 Government of India, 'Parvesh Bhawan', East Arjun Nagar,
 Delhi- 110 0032.

| | | |
|----|--|---|
| 1. | Number of authorised manufacturer, refurbisher, collection centre, dismantler and recycler for management of e-waste in the State or Union territory under these rules | 1.Manufacturer: nil 2.Refurbisher: nil 3.Collection Centre: 1 No. 4.Dismantler: nil 5.Recycler: nil |
| 2. | Categories of waste collected along with their quantities on a monthly average basis: | Placed at Annexure-I |
| 3. | A Summary Statement code-wise of e-waste collected | Placed at Annexure-II |
| 4. | Details of material recovered from recycling of e-waste | -nil- |
| 5. | Quantity of CFL received at Treatment, Storage and Disposal Facility | -nil- |
| 6. | The above report is for the period from 2019 to 2020 | |

Place: Port Blair

Date: 23-10-2020

File
24/10/2020
Member Secretary
Andaman Nicobar Pollution
Control Committee

ANNEXURE-I

No.2-7 /PCC/e-waste/2020
 एंडमान तथा निकोबारशासन
 ANDAMAN & NICOBAR ADMINISTRATION
 प्रदूषणनियंत्रण समिति
 POLLUTION CONTROL COMMITTEE
 DEPARTMENT OF SCIENCE AND TECHNOLOGY
 e-mail:dstandamans@gmail.com

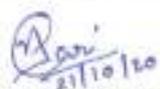
CATEGORIES OF WASTE COLLECTED

Name of the firm/unit: M/s Penquin Marine Services.

| S.NO. | Categories of electrical and electronic equipment | Electrical and electronic equipment code | | Quantity, number and weight placed on market (year wise) |
|-------|--|--|-------------------|--|
| I | Information technology and telecommunication equipment : | | | |
| | Centralised data processing: Mainframes, Minicomputers | ITEW1 | | |
| | Personal Computing: Personal Computers (Central Processing Unit with input and output devices) | ITEW2 | CPU | 120 Nos |
| | | | Monitor | 180 Nos |
| | | | Mouse | 400 Nos |
| | | | Keyboard | 450 Nos |
| | | | Modem | 40 Nos |
| | | | UPS | 30 Nos |
| | | | Motherboard | 110 Nos |
| | | | RAM | 40 Nos |
| | | | SMPS | Nil |
| | | | Hard disk | 10 Nos |
| | | | Ethernet Switch | Nil |
| | Personal Computing: Laptop Computers(Central Processing Unit with input and output devices) | ITEW3 | | Nil |
| | Personal Computing: Notebook Computers | ITEW4 | | Nil |
| | Personal Computing: Notepad Computers | ITEW5 | | Nil |
| | Printers including cartridges | ITEW6 | Printer | Nil |
| | | | Printer Cartridge | 75 Nos |
| | Copying equipment | ITEW7 | | 15 Nos |
| | Electrical and electronic typewriters | ITEW8 | | Nil |
| | User terminals and systems | ITEW9 | Biometric | Nil |
| | Facsimile | ITEW10 | | Nil |
| | Telex | ITEW11 | | Nil |
| | Telephones | ITEW12 | | 4 Nos |
| | Pay telephones | ITEW13 | | Nil |

| | | | | |
|-----------|---|--------|--|--------|
| | Cordless telephones | ITEW14 | | 02 Nos |
| | Cellular telephones | ITEW15 | | 05 Nos |
| | Answering systems | ITEW16 | | Nil |
| II | Consumer electrical and electronics: | | | |
| | Television sets (including sets based on (Liquid Crystal Display and Light Emitting Diode technology) | CEEW1 | | 58 Nos |
| | Refrigerator | CEEW2 | | Nil |
| | Washing Machine | CEEW3 | | Nil |
| | Air-conditioners excluding centralised air conditioning plants | CEEW4 | | 20 Nos |
| | Fluorescent and other Mercury containing lamps | CEEW5 | | Nil |


 Sr. Scientific Officer-II


 Jr. Scientific Assistant

ANNEXURE-II

No.2-7 /PCC/e-waste/2020
 दंडमान तथा निकोबारशासन
 ANDAMAN & NICOBAR ADMINISTRATION
 प्रदूषणनियंत्रण समिति
 POLLUTION CONTROL COMMITTEE
 DEPARTMENT OF SCIENCE AND TECHNOLOGY
 e-mail:dstandamans@gmail.com

SUMMARY STATEMENT CODE-WISE OF E-WASTE COLLECTED

Name of the firm/unit: M/s Penquin Marine Services.

| S.no. | Categories of electrical and electronic equipment | Electrical and electronic equipment code | Quantity, number and weight placed on market (year wise) |
|-----------|---|--|--|
| I | Information technology and telecommunication equipment : | | |
| | Personal Computing: Personal Computers (Central Processing Unit with input and output devices) | ITEW2 | CPU 120 Nos Monitor 180 Nos Mouse 400 Nos Keyboard 450 Nos Modem 40 Nos UPS 30 Nos Motherboard 110 Nos RAM 40 Nos Hard disk 10 Nos |
| | Printers including cartridges | ITEW6 | Printer Cartridge 75 Nos |
| | Copying equipment | ITEW7 | 15 Nos |
| | Telephones | ITEW12 | 4 Nos |
| | Cordless telephones | ITEW14 | 2 Nos |
| | Cellular telephones | ITEW15 | 5 Nos |
| II | Consumer electrical and electronics: | | |
| | Television sets (including sets based on (Liquid Crystal Display and Light Emitting Diode technology) | CEEW1 | 58 Nos |
| | Air-conditioners excluding centralised air conditioning plants | CEEW4 | 20 Nos |
| | Total | | 659 No.s(4226.0 Kg Approx.) |

9/5
 Sr. Scientific Officer-II

Jr. Scientific Assistant

//True Copy//



Jagdishvaran K V <jagdishvkv@gmail.com>

**IN THE MATTER OF ORIGINAL APPLICATION NO.606 OF 2018 TITLED AS
COMPLIANCE OF MUNICIPAL SOLID WASTE MANAGEMENT RULES,2016
PENDING BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,NEW DELHI.**

1 message

Jagdishvaran K V <jagdishvkv@gmail.com>
To: mscb.cpcb@nic.in

Sat, Nov 21, 2020 at 2:44 PM

Sir/Madam,

Kindly, find attached the advance copy of the Action Taken Report on behalf of the UT of Andaman & Nicobar Administration in the above captioned case for affecting service on the CPCB.

**Thanking You,
With Best Regards,**

**OFFICE OF:
K.V.JAGDISHVARAN & G.INDIRA,
ADVOCATES,
SUPREME COURT OF INDIA,
#43,TOWER NO. 14,
SUPREME ENCLAVE,
MAYUR VIHAR PHASE-I,
DELHI - 110091.**

**MO : Jagdish : +91 97179 56560 / +91 99688 72107 ;
Indira : +91 98680 92997/ +91 99100 63634 ;
PH : 011 2275 0252/011-42421432 ;FAX- 011 2275 2997;
email : jagdishvkv@gmail.com**

DISCLAIMER: The information contained in this transmission is attorney privileged and / or confidential information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited.

THINK BEFORE YOU PRINT - Don't print this email unless you really need to!

 **Action Taken Report in OA No.606(Andaman).pdf**
18053K