

**Before the Hon'ble National Green Tribunal Principal Bench,
New Delhi**

Original Application No.1258 of 2024

Action Group against Plastic Pollution through Dr. Pallavi Khanna

--Applicant

Versus

State of Punjab and Others

--Respondent

Reply by way of affidavit of Er. Jatinder Soni, Environmental Engineer, Punjab Pollution Control Board, Regional Office-2, Jalandhar in compliance to order dated 25.10.2024.

I, the above-named deponent, do hereby solemnly affirm and state as under:

Respectfully showeth.

- 1) That briefly stated the above-mentioned case has been filed before the Hon'ble National Green Tribunal wherein the applicant has raised a grievance in respect of the failure of the authorities in Jalandhar to effectively implement the ban on the use of single-use plastic. The plea of the applicant is that the manufacture, distribution, sale and usage of single-use plastic was banned by the Plastic Waste Management (Amendment) Rule, 2021 and that the amendment was also made in the Punjab Plastic Carry Bag Control Act, 2005 in the year 2016. However, the authorities have failed to act at the ground level resulting in uncontrol use of single-use plastic in different forms.
- 2) That after consideration of the matter, the Hon'ble Tribunal was pleased to pass an order dated 25.10.2024 thereby directing the respondents to file reply in the case. The present reply is being filed by the deponent on behalf of respondent no.6 Punjab Pollution Control Board explaining the actions being taken to effectively implement the ban of single use plastic.
- 3) That at the very outset it is respectfully submitted that the state of Punjab including the Punjab Pollution Control Board are implementing the provisions of the Plastic Waste Management Rules with the ban on Single use Plastic Products in the State of Punjab in true letter and spirit. The background note including the efforts being made by the State and the Punjab Pollution Control Board may kindly be read in

the following paragraph.



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- 4) That the Punjab Plastic Carry Bags (Manufacture, Usage and Disposal) Control Act, 2005 was promulgated by the State Legislature to provide for the Control on the manufacture of plastic carry bags and other plastic products from the recycled plastic and pigmented carry bags, their use and for the prohibition of disposal of non-biodegradable plastic waste in public places, drains and sewers for restoring and maintaining clean environment and for the matters connected therewith or incidental thereto.
- 5) That in exercise of the powers conferred by the Punjab Plastic Carry Bags (Manufacture, Usage and Disposal Control) Amendment Act, 2016 the Department of Local Government and the Department of Rural Development & Panchayat, Government of Punjab, had imposed a complete ban on the manufacture, import, stocking, distribution, sale and use of aforesaid identified Single Use Plastic (SUP), including polystyrene and expanded polystyrene commodities in the jurisdiction of all the Municipal Corporations, Municipal Councils and Nagar Panchayats of the State of Punjab w.e.f. 1st July, 2022, vide Notification dated 15-07-2022 (**Annexure R-6/A**) and 11-10-2022 (**Annexure R-6/B**) respectively.
- 6) That it is relevant to mention here that the Ministry of Environment, Forest and Climate Change, Government of India vide notification dated 12.08.2021 has imposed a complete ban on the manufacture, import, stocking, distribution, sale, and use of following single-use plastic, including polystyrene and expanded polystyrene, commodities with effect from the 1st July, 2022:
- Earbuds with plastic sticks, plastic sticks for balloons, plastic flags, candy sticks, ice-cream sticks, polystyrene [Thermocol] for decoration;
 - Plates, cups, glasses, cutlery such as forks, spoons, knives, straw, trays, wrapping or packing films around sweet boxes, invitation cards, and cigarette packets, plastic or PVC banners less than 100 micron, stirrers;
- 7) That the Department of Science, Technology & Environment, Government of Punjab has formulated the State Environmental Plan in the year 2019 for the management of various kind of waste including the plastic waste. The action plan defines the role and responsibility of various stakeholder departments as well as proposed plan for management of plastic waste by Urban Local Bodies and Village Panchayats. The State Government has made III-tier system for monitoring through the District Environment Committee (DEC) under the Deputy Commissioners (DCs), State Level Committees under the Secretary (Environment) and State Apex Committee (SAC) under the Chief Secretary, Punjab.
- 8) That in order to effectively implement the provisions of notification dated 12.08.2021 of the Ministry of Environment, Forest and Climate Change as well as the notifications issued by the Departments of the Government of Punjab as explained in the preceding paragraphs, the Punjab Pollution Control Board has not issued the consents to operate under the provisions of Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 to any



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industry for the manufacturing of identified Single Use Plastic (SUP) items and Plastic Carry Bags in the State of Punjab.

- 9) That the Punjab Pollution Control Board has conducted many surprise checking's/ raids in the Industries/ Units for checking the manufacturing of plastic carry bags and other identified Single Use Plastic (SUP) items. About 30 number of industries found manufacturing the identified Single Use Plastic (SUP) items and Plastic Carry Bags in the State were closed by the Board.
- 10) That the Punjab Pollution Control Board has issued directions/ instructions to the Department of Local Government vide letter dated 06.04.2022, 30.06.2022, 20.07.2022, 05.07.2023, 14.08.2023, 05.10.2023 and 26.11.2024 and to Department of Rural Development & Panchayat vide letter dated 28.06.2022, 30.06.2022, 20.07.2022, 05.07.2023, 14.08.2023, 05.10.2023 and 26.11.2024 to take necessary action for the enforcement of ban on identified Single Use Plastic (SUP) items and plastic carry bags which includes

- i) District-wise identification of major Commercial Establishments (Malls/ Market place/ Shopping Centres/ Cinema Houses/ Tourist Locations/ Schools/ Colleges/ Office complexes / Hospitals & other Institutions) and Stockists/ Retailers/Sellers/Importers of banned SUP items/Street Vendors Vegetable & Fruit Markets/Malls and other similar entities which are dealing in bulk in the aforementioned single use plastic items.
- ii) To sensitize through workshops/webinars the aforementioned identified entities and to direct them to take necessary action to ensure zero inventory of banned SUP items by July 01, 2022.
- iii) To take necessary action, including cancellation of commercial licenses issued, against the identified entities if found violating stipulated conditions.
- iv) To issue fresh commercial licenses to major Stockists/ retailers/ sellers/ and Commercial Establishments with the condition that they shall not be stocking/selling/using banned SUP items.
- v) To frame local bye-laws for levying Environmental compensation in line with CPCB Guidelines for violation of stipulated conditions.
- vi) To establish state level control room to monitor the enforcement of SUP ban.
- vii) To carry out IEC activities regarding not to burn plastic waste, disposal of non-recyclable fraction of plastic waste in accordance with prescribed guidelines.
- viii) To direct the concerned officer for vigorous checking of banned identified single use plastic items and plastic carry bags and share the details indicating the awareness activities carried out and details of the inspections.

- 11) That the Punjab Pollution Control Board has issued directions u/s 5 of Environment (Protection) Act, 1986 to Bureau of Indian Standard, Chandigarh vide letter dated 16-09-2022 to take necessary action including the cancellation of the license issued by the BIS under IS 14543: 2016: Packaged Drinking Water (Other than packaged natural mineral water) against the identified entities if found violating stipulated condition by using cups made up of Single Use Plastic.
- 12) That the Punjab Pollution Control Board has issued directions/ instructions to all the Administrative Secretaries to Government of Punjab vide letter dated 20.07.2022, 05.07.2023 and 26.11.2024 to issue necessary instructions to all



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the Government Officers/ Officials working directly or indirectly under their administrative control regarding not to use the plastic carry bags and identified Single Use Plastic (SUP) items in their day to day life as well as prohibited them to use such items in the office premises and also to take other necessary actions to eliminate the use of identified Single Use Plastic (SUP) items and plastic carry bags. An advisory has also been issued vide letter dated 09.12.2024 to take necessary steps, including issuing directives to the relevant State Authorities operating in their jurisdiction to ensure that tender document issued by these authorities shall comply with the provisions of Plastic Waste Management Rules, 2016 and Punjab Plastic Carry Bags (Manufacture, Usage and Disposal) Control (Amendment) Act, 2016.

- 13) That the Punjab Pollution Control Board has issued directions/ instructions to all the Deputy Commissioners vide letters dated 29.06.2022, 20.07.2022, 05.07.2023, 02.02.2024 and 26.11.2024 to monitor the matter in the District Environment Committee and direct the concerned officers to share the details of the inspections carried out, take initiative to promote the alternatives to the identified Single Use Plastic (SUP) items & plastic carry bags with the help of other stakeholders' departments in their districts.
- 14) That the Punjab Pollution Control Board vide letter dated 29-11-2022, 05-07-2023 and 26.11.2024 has requested the Excise Commissioner to direct the officials concerned for the vigorous checking of banned single use plastic items and plastic carry bags at the interstate borders to ensure that there is no flow of banned plastic items from neighboring States/ UTs.
- 15) That the Punjab Pollution Control Board has issued directions/ instructions to the Punjab Municipal Infrastructure Development Company vide letter dated 05.07.2023 and 26.11.2024 for the vigorous checking of banned single use plastic items and plastic carry bags and share the details of the inspections carried out and resolve the pending complaints on the SUP grievance portal and ensure the effective functioning of the SUP compliance portal.
- 16) That the Punjab Pollution Control Board vide letters dated 05-07-2023, 05.02.2024, 26-11-2024 has requested the Director General of Police to direct all the Commissioners of Police as well as Senior Superintendent of Police to make necessary arrangements for the vigorous checking at the interstate borders to ensure that there is no flow of banned Single Use Plastic Items and plastic carry bags from neighbouring States/ UTs.
- 17) That the Punjab Pollution Control Board vide letters dated 14.08.2023, 05.10.2023 and 23.07.2024 has requested the Department of Local Government, Department of Rural Development & Panchayats, the Chief Administrative Greater Mohali Area Development Authority (GMADA), Greater Ludhiana Area Development Authority (GLADA), Patiala Development Authority (PDA), Bathinda Development Authority (BDA), the Chief Engineer (HQ), Public



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Works Department (B&R) to direct the Officials concerned for use of plastic waste in road construction in accordance with the guidelines issued by the Indian Road Congress as well as by Ministry of Road Transport and Highway, Govt. of India from time to time.

- 18) That the Punjab Pollution Control Board vide letters dated 20.07.2022, 05.07.2023 and 26.11.2024 has requested the commissioners of Million Plus Cities, Municipal Corporations to direct the concerned officers for the vigorous checking of banned single use plastic items and plastic carry bags in the Corporation limits and share the details of inspections.
- 19) That the Punjab Pollution Control Board vide office order no. 105 dated 21.03.2023 has informed all the producers, stockists, retailers, shopkeepers, e-commerce companies, street vendors, commercial establishments (clubs/ malls/ market place/ shopping centers/ cinema houses/ restaurants/ hotels/ eateries/ tourist locations/ schools/ colleges /office complexes/ hospitals and other institutions) and general public to stop production, stocking, distribution, sale and usages of identified Single Use Plastic (SUP) items and plastic carry bags immediately, failing which action as deemed fit shall be initiated under the Environment (Protection) Act, 1986 against the violators of the above said notification by the Board, including seizure of goods, levying of environmental compensation, closure of operations of industries/commercial establishments.
- 20) That the Punjab Pollution Control Board had published a public notice on 18.03.2022 in the leading newspapers of State of Punjab namely Punjabi Tribune, Punjabi Jagran, Desh Sewak, Hindustan Times, Dainik Jagran, on 29.04.2022 in newspapers Ajit, Dainik Bhaskar, Punjab Kesari, Times of India, Indian Express and Punjabi Tribune and again on 22.03.2023 in newspapers the Tribune, Rozana Spokesman, Punjab Kesari through which all producers, stockists, retailers, shopkeepers, e-commerce companies, street vendors, and commercial establishments (including malls, marketplaces, shopping centers, cinema houses, restaurants, hotels, eateries, tourist locations, schools, colleges, office complexes, hospitals, and other institutions) as well as the general public were directed to stop immediately, the production, stocking, distribution, sale, and usage of identified single-use plastic (SUP) items and plastic carry bags.
- 21) That the Punjab Pollution Control Board has published a Public Notice on 10.08.2024 in the leading newspapers of the State of Punjab namely Hindustan Times and Punjabi Jagran through which directions u/s 5 of the Environment (Protection) Act, 1986 were issued to all the PIBOs and PWP's of the State of Punjab to submit application on the centralized EPR portal developed by the CPCB for obtaining registration under the provisions of Plastic Waste Management Rules, 2016 as amended from time to time.
- 22) That the Punjab Pollution Control Board vide office order no. 399 dated 25.09.2024 has implemented a scheme to incentivize individuals with reward of



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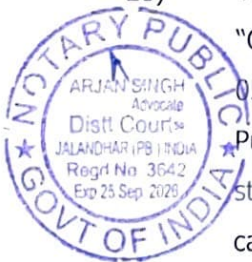
Rs. 5000/- who report illegal manufacturing activities related to single-use plastic (SUP) items in the State of Punjab.

- 23) That Punjab Pollution Control Board has organized a State-Level public awareness campaign on 05-08-2022 under the leadership of the Hon'ble Chief Minister, Punjab in collaboration with the Department of Local Government, Government of Punjab, across all 23 Districts under the supervision of the Deputy Commissioners. During the campaign, the public has been informed about the ban on single-use plastic (SUP) items and plastic carry bags and the public was encouraged to adopt environment friendly alternatives, such as paper and cloth bags, to contribute to environmental conservation.
- 24) That the Punjab Pollution Control Board through its Regional Offices across the State and NGOs associated with the Board have distributed the cloth/ jute bags for promotion of eco-friendly alternatives of plastic carry bags. 1.25 Lakh cloth/ jute bags have been distributed free of cost during last five years (2020 to 2024) by the Punjab Pollution Control Board.

It is also relevant to mention here that while granting the Environment Clearance, State Environment Impact Assessment Authority (SEIAA) has directed the project proponents of the building construction projects to distribute the 41.1 Lac jute/cloth bags under the Corporate Environment Social Responsibility.

- 25) That the Punjab Pollution Control Board and Urban Local Bodies (ULBs) had also organized exhibitions on alternatives of identified Single Use Plastic (SUP) items including plastic carry bags from time to time.
- 26) That the Punjab Pollution Control Board has created awareness among the public through broadcasting Radio jingle on regular basis regarding the ban on the Plastic carry bags and identified SUP items and to use the alternatives to the plastic carry bags and SUP items.
- 27) That the Punjab Pollution Control Board has organized a Mass Level awareness "Say No to Single Use Plastic" and "Plastic Carry Bags" under the Mission Life throughout the State of Punjab with the help of Regional Offices of the Board as well as Administrative Offices of the State.
- 28) That the World Environment Day on the theme of "Beat Plastic Pollution" and "Our Land, Our Future, We are Generation Restoration" has been celebrated on 05-06-2023 and 05-06-2024 respectively by all the Regional Offices of the Punjab Pollution Control Board. On this occasion, public in large especially students were motivated not to use identified single use plastic items and plastic carry bags and preference should be given to the alternative available to the items made from plastics in day-to-day life.

- 29) That the Punjab Pollution Control Board alongwith the officials of the Urban Local Bodies (ULBs) are jointly conducting the surprise checking/ raids on weekly basis in the stores/ shops etc. for checking the manufacturing/sale or



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use of plastic carry bags & other identified Single Use Plastic (SUP) items. During the period from 01.04.2023 to 31.12.2024, 14009 entities were visited out of which 4405 violations were observed and fine of Rs. 38.66 lakhs was imposed and 33.68 MT plastic carry bags were confiscated.

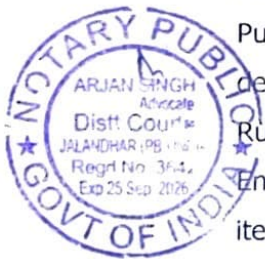
30) That Punjab Pollution Control Board vide letter no. 1746 to 1826 dated 14.01.2025 has issued directions u/s 5 of the Environment (Protection) Act, 1986 to the online platforms/ e-commerce companies as under:

- i) That the company shall take all necessary steps to stop the selling of identified Single Use Plastic (SUP) items as defined in the notification dated 12.08.2021 issued by the MoEF&CC and Plastic carry bags from its website /online platform in the State of Punjab, with immediate effect.
- ii) That the company shall remove the identified single use plastic items as defined in the notification dated 12.08.2021 issued by the MoEF&CC and Plastic carry bags from its website / online platform in the State of Punjab, with immediate effect.

31) That the Punjab Pollution Control Board is enforcing the provisions of the Plastic Waste Management Rules, 2016 and Punjab Plastic Carry Bags (Manufacture, usage and Disposal) Control Act, 2016 in true letter and spirit and no Consents to Operate have been issued for the manufacturing of plastic carry bags and identified SUP items in the State of Punjab.

32) That as far as the city of Jalandhar is concerned, the Punjab Pollution Control Board has afforded an opportunity of hearing to Municipal Corporation, Jalandhar u/s 5 of the Environment (Protection) Act, 1986 with regard to the management of Solid Waste and ban on single use item on 31.01.2025 before the Chairman of the Board. The hearing was attended by Dr. Shrikrishan, Assistant Health Officer, Municipal Corporation, Jalandhar on 31.01.2025. After hearing the officer of Municipal Corporation, Jalandhar and the officers of the Punjab Pollution Control Board, the Chairman of the Board had taken certain decisions for the effective implementation of the Solid Waste Management Rules, 2016 and the notification dated 21.08.2022 of the Ministry of Environment, Forest and Climate Change relating to the ban use of single use items. The relevant decisions taken in the said meeting are reproduced herein below:

- a. The Municipal Corporation, Jalandhar shall ensure that no municipal solid waste is dumped at any garbage vulnerable points and ensure no violation of Solid Waste Management Rules, 2016 while transportation of municipal solid waste. Special emphasis should be given to ensure covering of vehicle while transporting the Municipal Solid Waste.
- b. The Municipal Corporation, Jalandhar shall submit a fresh survey of actual waste generation in the Jalandhar City as well as the legacy waste expected



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to be accumulated at Waryana dumpsite by 30.06.2025. Further, an Action Plan for treatment and disposal of legacy waste at Waryana Dumpsite be submitted by 31.03.2025 which may include the PERT chart containing details such as assessment of accumulated waste, preparation of DPR, tendering, allocation of work, commencement of project, completion date and rejuvenation of the dumping site.

- c. The Municipal Corporation, Jalandhar shall provide by 31.03.2025, the necessary assessment infrastructure such as weigh bridge, piezometers, CCTV cameras as well as preliminary environmental protection measures such as boundary wall, green belt, methane detectors, fire prevention and dousing infrastructure and temporary leachate collection infrastructure for transport of leachate to STP till leachate treatment plant is provided.
- d. The Municipal Corporation, Jalandhar shall ensure complete ban on use, import, stocking, distribution and sale of identified single use plastic items as well as banned plastic carry bags within their jurisdiction including in vegetable markets, street markets, malls, sweet shops & retail shops etc. The Municipal Corporation, Jalandhar shall carry out regular inspections at above establishments to take penal action including imposition of fines and confiscation of banned material. The Municipal Corporation, Jalandhar shall submit monthly progress report having complete details of inspections carried out, number of challans issued, quantity of banned material confiscated/seized, amount of fines imposed and recovered as well as other penal actions taken against the offenders. Further, the Municipal Corporation, Jalandhar shall submit their reply by way of affidavit to the Hon'ble NGT in the OA no. 1258 of 2024 titled as Action Group against Plastic Pollution through Dr. Pallavi Khanna versus State of Punjab & others well in advance.
- e. The Municipal Corporation, Jalandhar shall comply with the activities mentioned as per rule 1 to 11 of Solid Waste Management Rules 2016. The Municipal Corporation, Jalandhar shall submit a comprehensive report for point wise compliance (with target dates) of Municipal Solid Waste Management Rules 2016 to the Board within 15 days.
- f. The proceedings of hearing be forwarded to Principal Secretary, Department of Local Govt. Punjab so as to bring the matter in his notice and about the lackadaisical approach of Municipal Corporation, Jalandhar towards compliance of SWM Rules, 2016 with request to direct the concerned officers of Municipal Corporation, Jalandhar and MD, PMIDC for taking immediate necessary measures to comply with the Municipal Solid Waste Rules 2016.



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The proceedings of the hearing were conveyed to the Commissioner, Municipal Corporation, Jalandhar by the Board vide letter no. 441 dated 08.02.2025 a copy of the same is enclosed as **Annexure R-6/C**.

- 33) That the deponent may kindly be allowed to place on record, the present reply by way of affidavit in compliance to order dated 25.10.2024 for kind consideration and appropriate orders of the Hon'ble Tribunal.

Deponent



(Jatinder Soni)

Environmental Engineer,
Punjab Pollution Control Board,
Regional Office-2, Jalandhar

Date: 13-02-2025

Place: JALANDHAR

Verification:

I, the deponent above named, do hereby verify and state that the contents of the above affidavit are true and correct to the best of my knowledge and belief, as derived from the official record. No part of the above affidavit is false and nothing material has been concealed there from.

Deponent



(Jatinder Soni)

Environmental Engineer,
Punjab Pollution Control Board,
Regional Office-2, Jalandhar

Date: 13-02-2025

Place: JALANDHAR



Enter in Notary Register
Sr. 84 Dt. 13/02/2025

ATTESTED

NOTARY, Jalandhar (Pb.) India
(M) 98881-37034

13 FEB 2025



Government of Punjab
Department of Local Government
(Local Government-4 Branch)
 (Punjab Municipal Bhawan, Plot no.3, Sector 35-A, Chandigarh)

Notification

The 15th July, 2022

No. 5/18/2016/4LG4/745 Exercising powers under sub-section (2) of Section 7 of the Punjab Plastic Carry Bags (Manufacture, Usage and Disposal) Control Act, 2005 [Punjab Act No 17 of 2005], the Government of Punjab has already completely prohibited to manufacturing, stocking, distribution, recycling, selling or use of plastic carry bags in the jurisdiction of all the Municipal Corporations, Municipal Councils and Nagar Panchayats in the State of Punjab, vide notification no. 5/18/2016-4lg4/692717/1 dated 18.02.2016, with effect from 1st April, 2016.

Now, in addition to the notification referred above, exercising the powers conferred under sub-section (2) of Section 7 of the Punjab Plastic Carry Bags (Manufacture, Usage and Disposal) Control (Amendment) Act, 2016 read with Plastic Waste Management (Amendment) Rules, 2021 notified by Ministry of Environment, Forest and Climate change Government of India vide notification No: G. S. R 571 (E) dated 12th August, 2021, the Governor of Punjab is pleased to further impose complete prohibition on the manufacture, import, stocking, distribution, sale and use of following Single Use Plastic (SUP), including polystyrene and expanded polystyrene, commodities in the jurisdictions of all the Municipal Corporations, Municipal Councils and Nagar Panchayats of the State of Punjab with effect from 1st July, 2022:-

- i) Ear buds with plastic sticks, plastic sticks for balloons, plastic flags, candy sticks, ice-cream sticks, polystyrene [Thermocol] for decoration:

Annexure R-6/A

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

Dated Chandigarh
12.07.2022

V. P. Singh, IAS
Principal Secretary to Government of Punjab
Department of Local Government

Endst No. 5/18/2016/4LG4/745 Dated 15/07/2022

A copy of the above is forwarded to the Controller, Printing & Stationary, Punjab, Mohali, with the request to publish this notification in the extraordinary Gazette of the State Government and send the 50 Printed copy for record.

Joint Secretary

Endst No. 5/18/2016/4LG4/746

Dated: 15/07/2022

A copy of the above is forwarded to the following for information:-

1. Secretary, Ministry of Environment, Forest & Climate Change, New Delhi.
2. Joint Secretary & Mission Director, SBM (U), GoI, New Delhi.

Joint Secretary

Endst No. 5/18/2016/4LG4/747 Dated 15/07/2022

A copy of the above is forwarded to the following for information and necessary action:-

- 1 Chief Secretary, Punjab, ACS to C.M. Punjab and PS to Governor of Punjab and all Administrative Secretaries to Government of Punjab.
- 2 Secretary to Government of Punjab, Department of Science, Technology and Environment.
- 3 CEO/PMIDC
- 4 CEO/PWSSB
- 5 Director, Local Government, Punjab
- 6 All Commissioners of Municipal Corporations in the State.
- 7 All Additional Deputy Commissioner (Urban Development) in the State.
- 8 Executive Officers of all Municipal Councils/Nagar Panchayats in the State.

Joint Secretary

GOVERNMENT OF PUNJAB
DEPARTMENT OF RURAL DEVELOPMENT AND PANCHAYAT
VIKAS BHAWAN, SECTOR-62, S.A.S NAGAR
(General Branch)

NOTIFICATION

The 11th October, 2022

No. S.O - 4/64 / P.A.9/1994/S30/2022 – In supersession of the notification No. S.O 438/ P.A.9/1994/S30/2016 dated 29th March, 2016 and in exercise of the powers conferred under clause (XVI) (h) of section 30 read with section 204 of Punjab Panchayati Raj Act 1994, complete prohibition to manufacture, stock, distribute, recycle, cell or use of plastic carry bags in their respective jurisdiction in the State of Punjab w.e.f 1st April 2016 under the Punjab Plastic Carry Bags (Manufacture, Usage and Disposal) Control Act 2005 was notified.

Now , in addition to above said notification, exercising the powers conferred under clause (XVI)(h) of section 30 and section 204 of the Punjab Panchayati Raj Act 1994 and the Punjab Plastic Carry Bags (Manufacture, Usage and Disposal) Control Act 2005 and amended Act 2016, read with Plastic Waste Management (Amendment) Rules, 2021 notified by Ministry of Environment, Forest and Climate change Government of India vide notification No: G. S. R 571 (E) dated 12th August, 2021, the Governor of Punjab is pleased to further impose complete prohibition on the manufacture, import, stocking, distribution, sale and use of following Single Use Plastic (SUP), including polystyrene and expanded polystyrene, commodities in the jurisdictions of Gram Panchayats of Punjab with effect from 1st July, 2022:-

- i) Ear buds with plastic sticks, plastic sticks for balloons, plastic flags, candy sticks, ice-cream sticks, polystyrene [Thermocol] for decoration;

- ii) Plates, cups, glasses, cutlery such as forks, spoons, knives, straw, trays, wrapping or packing films around sweet boxes, invitation cards, and cigarette packets, plastic or PVC Garburettes less than 100 micron, and cigarette packs, plastic or PVC Garburettes less than 100 micron, stirrers.

Dated
11.10.2022

K.SIVA.PRASAD
Financial Commissioner to Government of Punjab
Department of Rural Development and Panchayats

Endst No. 4165

Dated: 11-10-2022

A copy of the above is forwarded to the Controller, Printing & Stationary, Punjab, Mohali, with the request to publish this notification in the extraordinary Gazette of the State Government and send the 50 Printed copy for record.



Deputy Director (HQ)

Endst No. 4166-76

Dated: 11-10-2022

A copy of the above is forwarded to the following for information and necessary action:-

1. ACS/Chief Minister, Punjab.
2. Secretary, Ministry of Environment, Forest & Climate Change, New Delhi.
3. Joint Secretary & Mission Director, SBM (U), GOI, New Delhi.
4. All Administrative Secretaries to Government of Punjab.
5. Principal Secretary to Government of Punjab, Department of Science, Technology and Environment
6. CEO/PMIDC
7. CEO/PWSSB
8. Director, Rural Development and Panchayats
9. All Additional Deputy Commissioner (Development) in the State
10. All District Development and Panchayat Officers in the State
11. All Block Development and Panchayat Officers in the State


Deputy Director (HQ)

Annexure R - 6/C



Punjab Pollution Control Board



31.1.2025 H. COU

Zonal office, Near PSIEC, Water Tank, Focal Point, Jalandhar
 Phone No. 0181-2601612 www.ppcb.gov.in Email ID – seeppcbjal@gmail.com

No. 441 (Regd.) Date 8/2/2025

To

A

The Commissioner,
 Municipal Corporation,
 Jalandhar.

Sub: Proceedings of the personal hearing held on 31.1.2025 before Chairman of the Board in the matter for notice u/s 5 of the Environment (Protection) Act, 1986 for violation of Solid Waste Management Rules, 2016 – Municipal Corporation, Jalandhar.

Following were presentOn behalf of the PPCB

1. Er. G.S Majithia, Member Secretary
2. Dr. Krunesh Garg. CEE Jalandhar
3. Er. Vijay Kumar, SEE, Z.O. Jalandhar

On behalf of Municipal Corporation, Jalandhar

Dr. Shrikrishan (AHO).

The office of the Board apprised that Sh. Ramesh Mahendru, President of Alfa Mahendru Foundation, has filed a complaint titled OA No. 479/2023 before the Hon'ble National Green Tribunal (NGT) concerning the issue of garbage dumping at Chogitti, Jalandhar City, in the matter of *Ramesh Mahendru (Applicant) Vs. State of Punjab*. Additionally, Sh. Varinder Malik, a resident of Model Town, Jalandhar, has filed another application, OA No. 526/2024, before the Hon'ble NGT, raising concerns regarding the unauthorized dumping of solid waste in Model Town, Jalandhar.

Pursuant to these complaints, notice u/s 5 of the Environment (Protection) Act, 1986 for violation of Solid Waste Management Rules, 2016 with an opportunity of personal hearing was given before Chairman of the Board on 02.08.2024, wherein, it was decided that:

1. The Municipal Corporation, Jalandhar shall comply with the activities mentioned as per rule 1 to 11 of Solid Waste Management Rules 2016. The Municipal Corporation, Jalandhar shall submit a comprehensive report for point wise compliance (with target dates) of Municipal Solid Waste Management Rules 2016 to the Board within 15 days.
2. The Municipal Corporation, Jalandhar shall submit fresh Bank Guarantee of Rs. 25 lacs as an assurance to comply with the Municipal Solid Waste Rules 2016 within 15-days.
3. The Municipal Corporation, Jalandhar shall also renew earlier Bank Guarantee of Rs. 25 lacs which expired on 30.9.2021 as an assurance to comply with the Municipal Solid Waste Rules 2016 within 15-days.
4. EPA Branch (HQ-3) of Punjab Pollution Control Board shall prepare and place matter for imposing Environmental Compensation as per the NGT Methodology upto 31.7.2024, within 07- days.
5. The Municipal Corporation, Jalandhar / Department of Local Govt. / PMIDC shall submit the balance Environmental Compensation of Rs. 3.6 crore earlier imposed upto 31.3.2024 alongwith Environmental Compensation till 31.7.2024 within 15-days.
6. In case of further non-compliances of Solid Waste Management Rules, 2016, the Board is at liberty to initiate legal proceeding against the Municipal Corporation Jalandhar as well as the officers responsible for the compliance of aforesaid rules.
7. The proceedings of hearing be forwarded to Principal Secretary, Department of Local Govt. Punjab so as to bring the matter in his notice and about the lackadaisical approach of Municipal Corporation, Jalandhar towards compliance of SWM Rules, 2016. He is also to be requested to direct the concerned officers of Municipal Corporation, Jalandhar and MD, PMIDC for taking immediate necessary measures to comply with the Municipal Solid Waste Rules 2016.
8. Environmental Engineer, Regional Office-2 Jalandhar to submit pointwise compliance

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to the decision of hearing as per time schedule decided above.

In compliance of the decisions of the personal hearing, the dumpsite of Municipal Corporation, Jalandhar, site of solid waste dumping at Model Town, Jalandhar, site at Chogitti Chowk was visited by officers of the Board on 30.10.2024 and it has been observed as under:-

1. None of the vehicles is compartmentalized. No segregation waste is being done before sending it to the dump site and no segregation is done at dump site.
2. No treatment of fresh waste or legacy waste is being carried out. The unsegregated waste received is dumped as such at the site.
3. No weigh bridge has been provided at the dump site to ascertain the waste being received at site.
4. No boundary wall or fencing has been provided around the dump site and as such waste was found spread outside the dump site onto the road leading to the site.
5. No plantation has been provided around the dump site.
6. The piezometers have not been installed.
7. No arrangement of leachate treatment has been provided and the leachate is partially discharged into sewer and is partially stagnated at site.
8. At the site of Chogitti Chowk, fresh solid waste was again found dumped along the road side. The Chogitti Chowk point has again been neglected.
9. At the secondary collection site of Model Town, a lot of waste was found dumped in open on the road. Lot of foul smell was there which a nuisance in the area. No bins are provided and no compactors are provided at this point. No improvement has been made by MC, Jalandhar at this site till date. (Pictures attached) The MC, Jalandhar has not submitted any Action Plan as directed by Hon'ble NGT till date.
10. Apart from the site mentioned at serial no. 01 solid waste is dumped in open at various secondary points within the city such as at BMC Chowk and at various points on old G.T. Road. These locations are at prominent places of the city and along some of the busiest roads.
11. A lot of waste in the form of a small dump has also been dumped by MC, Jalandhar along Kala Sanghian drain at intersection of Kala Sanghian drain with Kapurthala Road thereby creating another small dump site. Waste dumped at this point is also required to be shifted to the original dumpsite. Waste has not been shifted from this dump till date.
12. The MC, Jalandhar has not made compliance of Hon'ble NGT orders in OA no. 479 of 2023, OA no. 526 of 2024 and repeatedly issued directions by the Hon'ble Chairman of the Board vide hearings dated 14.11.2023, 18.03.2024 and 02.08.2024.

A complaint was received from Sh. Sumit Kalia, resident of 32-A, Ambika Colony (Backside of Kanya Maha Vidyalaya), Jalandhar, regarding an illegal solid waste dumping site, which is causing health hazards and spreading diseases in the area. Upon inspection by an officer of the Board on 04.12.2024, it was observed that mixed solid waste was being dumped near the backside of KMV College, Jalandhar, creating a nuisance and environmental concerns. The complaint was forwarded to the Municipal Corporation, Jalandhar, vide Board's letter no. 4353 dated 02.09.2024, with directions to take necessary action and to inform the complainant accordingly. However, no response has been received, nor has any remedial action been taken to address the complaint.

It has been observed that the Municipal Corporation, Jalandhar, has failed to manage municipal solid waste effectively and in a holistic manner. It has neither implemented adequate measures for the treatment and disposal of legacy waste that has already accumulated nor ensured the proper handling, management, treatment, and disposal of municipal solid waste generated in Jalandhar City. Furthermore, the Municipal Corporation, Jalandhar, has not obtained valid authorization under the Solid Waste Management Rules, 2016, and is in complete violation of its provisions.

Additionally, O.A. No. 1247/2024, titled Kings Garden Resident Welfare Society Vs. State of Punjab & Ors., has been filed before the Hon'ble National Green Tribunal concerning composting pits set up by the Municipal Corporation, Jalandhar, at Nangal Shama, Kings Garden. Another case, O.A. No. 1258/2024, titled Action Group Against Plastic through Dr. Pallavi Khanna Vs. State of Punjab, has been filed before the Hon'ble NGT regarding the continued usage of single-use plastic items, carry bags, and their

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indiscriminate dumping along roadsides and water bodies in Jalandhar City. Despite these legal proceedings, the Municipal Corporation has failed to take strict action against shops and vendors violating the ban on single-use plastic. The next date of hearing for these matters before the Hon'ble NGT is scheduled for 18.02.2025.

Considering these persistent violations, the matter was reviewed by the Competent Authority, and it was decided to issue another notice under Section 5 of the Environment (Protection) Act, 1986, for violations of the Solid Waste Management Rules, 2016 along with an opportunity of personal hearing before the Chairman of the Board on 21.01.2025 but no one from the Municipal Corporation, Jalandhar attended the hearing. However, the Municipal Corporation, Jalandhar vide email dated 21.01.2025 requested for another date of hearing, as their staff is engaged in preparation of District level republic day celebration at Jalandhar. The matter was considered by the Competent Authority and decided to give another opportunity of hearing to the Municipal Corporation, Jalandhar on 31.01.2025.

During the hearing, the representative of the Municipal Corporation, Jalandhar, submitted a written reply in response to the show cause notice issued by the Board. The reply was duly taken on record. The representative of Municipal Corporation, Jalandhar informed that 130 vendors have been challenged for selling plastic carry bags and single use plastics. The massive IEC activities are being carried for awareness. Main events of the city like Sodal Mela, Shoba yatras are being made plastic free. Regarding an O.A 526 of 2024, it is submitted that the model town secondary collection point totally removed. Now, this site is totally garbage free. This site was totally closed 8-1-2025 by Municipal Corporation but some unidentified persons and rag pickers were trying to dump their waste at model town dump site. Now, CCTV cameras were installed under ICCB for monitoring of un-identified persons throwing their waste at the site and staff has also been deputed for 24*7 monitoring of the site. Presently this site is totally garbage free. It is submitted that as per direction of NGT in case no. 479/2023 the Chogitti Dump has been totally closed. Regarding environmental compensation of Rs 2.7 crores it is submitted that matter has been taken up with the Head office for seeking funds for the purpose. Regarding bank Guarantees it is submitted that the new bank guarantee and old bank guarantee will be made available to the PPCB with in next 15 days.

After affording an opportunity of hearing to the officers of the Board and the representative of the Municipal Corporation, Jalandhar, and upon due consideration of the facts, documents, and submissions placed on record, the Chairman of the Board arrived at the following decision:

- a) The Municipal Corporation, Jalandhar shall deposit the Environmental Compensation of Rs. 2.7 crore imposed by the Hon'ble NGT within 10 days. In case of failure to deposit the said Environmental Compensation, the matter shall be referred to the adjudicating Officer to impose penalty upon the MC, Jalandhar under the provisions of EPA, 1986.
- b) In case of non-compliance regarding deposition of Environmental Compensation mentioned at serial number 01, no further opportunity of personal hearing shall be given and the adjudicating officer shall be written to initiate action against the MC, Jalandhar which may include providing the details of Bank Accounts of Municipal Corporation, Jalandhar to issue necessary directions u/s 05 of Environment Protection Act, 1986 to freeze the accounts or for recovery of Environmental Compensation from the said accounts through the concerned banks.
- c) The Municipal Corporation, Jalandhar shall submit the balance Environmental Compensation of Rs. 3.6 crore already imposed upto 31.03.2024 as per the orders of Hon'ble NGT in OA no. 606 of 2018.
- d) The Municipal Corporation, Jalandhar shall not construct and operationalize the Nangal Shama site for waste management, till final decision is taken by the Hon'ble NGT in the concerned matter of OA no. 1247 of 2024 titled as Kings Garden Resident Welfare Society Versus State of Punjab and others.
- e) The Municipal Corporation, Jalandhar shall ensure that no violation of Solid Waste Management Rules, 2016 occurs at the Model Town, Jalandhar site, in question in the matter of OA no. 526 of 2024 titled as Varinder Malik Versus Minister of Local

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Government, Punjab & others, failing which coercive action shall be taken in line with serial number 01.

- f) The Municipal Corporation, Jalandhar shall ensure that no municipal solid waste is dumped at any garbage vulnerable points and ensure no violation of Solid Waste Management Rules, 2016 while transportation of municipal solid waste. Special emphasis should be given to ensure covering of vehicle while transporting the Municipal Solid Waste.
- g) The Municipal Corporation, Jalandhar shall submit a fresh survey of actual waste generation in the Jalandhar City as well as the legacy waste expected to be accumulated at Waryana dumpsite by 31.03.2025. Further, an Action Plan for treatment and disposal of legacy waste at Waryana Dumpsite be submitted by 30.06.2025 which may include the PERT chart containing details such as assessment of accumulated waste, preparation of DPR, tendering, allocation of work, commencement of project, completion date and rejuvenation of the dumping site.
- h) The Municipal Corporation, Jalandhar shall provide by 31.03.2025, the necessary assessment infrastructure such as weigh bridge, piezometers, CCTV cameras as well as preliminary environmental protection measures such as boundary wall, green belt, methane detectors, fire prevention and dousing infrastructure and temporary leachate collection infrastructure for transport of leachate to STP till leachate treatment plant is provided.
- i) The Municipal Corporation, Jalandhar shall ensure complete ban on use, import, stocking, distribution and sale of identified single use plastic items as well as banned plastic carry bags within their jurisdiction including in vegetable markets, street markets, malls, sweet shops & retail shops etc. The Municipal Corporation, Jalandhar shall carry out regular inspections at above establishments to take penal action including imposition of fines and confiscation of banned material. The Municipal Corporation, Jalandhar shall submit monthly progress report having complete details of inspections carried out, number of challans issued, quantity of banned material confiscated/seized, numbers/amount of fines imposed and recovered as well as other penal actions taken against the offenders. Further, the Municipal Corporation, Jalandhar shall submit their reply by way of affidavit to the Hon'ble NGT in the OA no. 1258 of 2024 titled as Action Group against Plastic Pollution through Dr. Pallavi Khanna versus State of Punjab & others well in advance.
- j) The Municipal Corporation, Jalandhar shall comply with the activities mentioned as per rule 1 to 11 of Solid Waste Management Rules 2016. The Municipal Corporation, Jalandhar shall submit a comprehensive report for point wise compliance (with target dates) of Municipal Solid Waste Management Rules 2016 to the Board within 15 days.
- k) The Municipal Corporation, Jalandhar shall submit fresh Bank Guarantee of Rs. 25 lacs as an assurance to comply with the Municipal Solid Waste Rules 2016, as already imposed during the hearing dated 02.08.2024, within 15-days. The Municipal Corporation, Jalandhar shall also renew previous Bank Guarantee of Rs. 25 lacs which expired on 30.9.2021 as an assurance to comply with the Municipal Solid Waste Rules 2016, within 15-days.

Endst. No. 442

For & on behalf of
Punjab Pollution Control Board
Dated 8/2/2025

A copy of the above is forwarded to the Principal Secretary, Department of Local Govt. Punjab to bring the matter in his notice about the lackadaisical approach of Municipal Corporation, Jalandhar towards compliance of SWM Rules, 2016. He is also request to direct the concerned officers of Municipal Corporation, Jalandhar and MD, PMIDC for taking immediate necessary measures to comply with the Municipal Solid Waste Rules 2016.

For & on behalf of
Punjab Pollution Control Board

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Endst. No. 443Dated 8/2/2025

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office-2 Jalandhar for information and compliance please.

For & on behalf of
Punjab Pollution Control Board