

Item No. 01

Court No. 1

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

Original Application No. 851/2018

(With report dated 28.06.2019)

Amit Jain

Applicant(s)

Versus

Union of India

Respondent(s)

Date of hearing: 06.09.2019

**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**

For Respondent(s): Mr. Rajkumar, Advocate for CPCB

ORDER

1. The issue for consideration is the remedial action against cheap waste paper and the road sweep waste import for firing of brick kilns. According to the applicant, 900,000 tons of waste is imported which is hazardous.
2. Vide order dated 30.04.2019, this Tribunal considered the response of the CPCB dated 01.04.2019 suggesting restriction on import of plastic waste and proper management of hazardous waste. It was further suggested that local bodies should use plastic waste for road construction and energy recovery. Producers should follow the Extended Producer

Responsibility (EPR). CPCB had evolved guidelines on the subject.

3. The Tribunal directed CPCB to take further action for implementation of its recommendations on the issues of plastic waste management as well as restriction on import of plastic waste and furnish a further action taken report.
4. Report dated 28.06.2019 acknowledges that there is no proper mechanism for plastic waste management which was being dumped in open or burnt in brick kilns resulting in pollution. Action taken by the CPCB is the issuance of directions. MoEF&CC is to deal with the issue of transboundary movement (import/export) hazardous and other wastes.
5. The report cannot be taken as adequate action. Apart from issuance of direction, compliance of direction is required to be overseen. Even with regard to illegal import, CPCB as a statutory regulator can take up the matter with the concerned authorities. This Tribunal vide order 26.08.2019 in O.A. No. 804,2017, *Rajiv Narayan v. UOI* has already issued direction for restricting import of hazardous waste and vide order dated 22.07.2019 in E.A. No. 13/2018, *CPCB v. State of Andaman & Nicobar & Ors.* directions have been issued with regard to management of plastic waste. These directions need execution.
6. Let further steps be taken in the matter accordingly and report filed before the next date by e-mail at judicial-ngt@gov.in.

List for further consideration on 16.10.2019.

Adarsh Kumar Goel, CP

S.P. Wangdi, JM

Dr. Nagin Nanda, EM

September 06, 2019
Original Application No. 851/2018
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