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**Minutes of First Meeting of the Central Monitoring Committee constituted under the Solid Waste Management Rules, 2016.**

The first meeting of the Central Monitoring Committee, constituted by the Ministry of Environment, Forest and Climate Change under the Solid Waste Management Rules, 2016, was held on 27<sup>th</sup> January, 2017 with Secretary (MOEFCC) in the Ministry. The list of participants of the meeting is annexed.

2. The Chairman extended warm welcome to participants and requested Shri Sharath Kumar Pallerla, Director, HSM Division to provide details regarding agenda of the meeting. It was informed that the Central Monitoring Committee headed by Secretary (EFCC) has been constituted with representatives of Ministries namely Urban Development, Rural Development, Chemicals and Fertilizers, Agriculture, and Central Pollution Control Board, State Pollution Control Boards of Karnataka, West Bengal and Uttar Pradesh, Urban Development Departments of Maharashtra, Gujarat and Tamilnadu, Rural Development Departments of Punjab and Assam, Municipal Commissioners of Pune, Hyderabad and Bhopal, local bodies of two census towns, namely Jaipur and Vijaywada, FICCI, CII. Prof. Asnani and Dr. Shyamla Mani have been included as subject experts. The Committee is required to monitor implementation of these Rules and meet at least once in a year. The Hon'ble National Green Tribunal (NGT) vide Judgment dated 22.12.2016 in OA No. 199 of 2014 in the matter of Almitra H. Patel versus UoI has directed that the meeting of the Committee should be held more often and preferably once in quarter. The purpose of calling the meeting was to review the status of preparation of National Policy and Strategy for Solid Waste management and staking stock of, status of preparation of action plan for solid waste management by the States/ Union

Territories (UTs), status of constitution of State Level Advisory Bodies (SLABs) by States/ UTs, steps taken for market development assistance for city compost and waste to energy plants, status of implementation of the Plastic Waste Management Rules, 2016 in particular implementation of provisions for manufacturing of carry bags and Extended Producers Responsibility (EPR).

3. It was also informed that meeting notice was sent to Departments of Urban Development in all States/ Union Territories; however most of the States/ UTs did not attend the meeting.

4. The representatives of MOEFCC informed that as per rule 23 of the Solid Waste Management Rules, 2016, every Department in-charge of local bodies of concerned State Government or Union Territory administration is required to constitute a State Level Advisory Body (SLAB) within six months from the date of notification of the Rules i.e. 8<sup>th</sup> April, 2016. The SLAB is required to review, at least once in six months, matters related to implementation of the Rules, State Policy and Strategy on Solid Waste Management and give advice to the State/UT for taking measures that are necessary for expeditious implementation of the Rules. The Ministry has requested its Regional Offices, under intimation to State Urban Development Departments, to nominate officers for SLABs in the States/ UTs under their jurisdiction as representative of MoEFCC and coordinate with the States/UTs on the subject matter. The Chairman requested to inform about status of constitution of SLABs.

5. The representative of Government of West Bengal informed that SLAB has been constituted by the Government of West Bengal and the first meeting has been conducted. The representative of Uttar Pradesh informed that the SLAB for their State has been constituted recently on 17<sup>th</sup> January, 2017. The representative of Government of Karnataka informed that the SLAB for their state was constituted on 7<sup>th</sup> November, 2016. The representative of Government of Punjab informed that SLAB for their State

is being constituted. The Committee expressed its displeasure over the status of constitution of SLABs by the States/ UTs and decided the following:

- (i) The MoEFCC will request the Ministry of Urban Development to intervene and ask Urban Development Departments of the States/ UTs to constitute the SLABs.
- (ii) CPCB will review status of constitution of SLABs and issue directions under the Environment (protection) Act, 1986 to defaulting States/ UTs to constitute SLABs by 15<sup>th</sup> March, 2017.

6. The Committee noticed that no person from Ministry of Urban Development (MOUD) was present to provide status of National Policy and Strategy for Solid Waste Management. The expert member Shri P. U. Asnani submitted that as per the Rules, Secretary, Urban Development Department in the State or Union territory through the Commissioner or Director of Municipal Administration or Director of Local Bodies is required to prepare a State Policy and Solid Waste Management Strategy in consultation with stakeholders which should be consistent with National Policy on Solid Waste Management and National Urban Sanitation Policy of the Ministry of Urban Development. The timeline for the above captioned activities are over. The Hon'ble NGT vide judgment dated 22.12.2016 has reset the timelines for States/ UTs. To expedite the process, it was suggested that the MOUD may be requested to convene a meeting with Urban Development Departments of all States/ UTs to discuss issues related to preparation of National Policy and Strategy for Solid Waste Management and also the State Level Action plan to be prepared by the States/ UTs in line with National Policy. The Committee accepted the suggestions and it was decided that the MoEFCC will take up the matter Secretary (Urban Development) and request the MoUD to inform the status of preparation of National Policy and also for convening meeting with State Urban Development Departments.

7. In respect of responsibilities for market development assistance for city compost assigned to Ministry of Chemicals and Fertilizer, the representative

of Department of Chemicals and Petrochemicals informed that the subject matter was being dealt with by the Department of Fertilizers. However, as per information, co-marketing of city compost with chemical fertilizers has already started. Tagging of cities with Fertilizer Companies is being done for co-marketing of city compost.

8. Regarding responsibilities of the Ministry of Agriculture, their representative informed that the Fertilizer Control Order (FCO), 1985, as amended provide ways and means for setting up of laboratories for testing the quality of compost as well as the standards for compost. That under Clause 29 1(B) of the FCO, 1985, the National Centre of Organic farming, Ghaziabad, or Regional Centers of Organic farming at Bengaluru, Bhubaneswar, Hisar, Imphal, Jabalpur, and Nagpur are empowered to analyse samples drawn by the fertiliser inspector. The State Governments are also empowered to notify the laboratories for analysis of organic fertiliser. The schedule IV of FCO, has specified the specification of Organic Fertiliser namely, City Compost, Vermi Compost, Bio Enriched Organic manure and general specification of organic manure. Clause 19 of the FCO prohibits sale of organic fertilizer which is not of prescribed standards. The method of analysis has also been prescribed in the Schedule IV D for determination of various content of Organic/ City compost. The representative of from the Ministry of New and Renewable Energy and Ministry of Powers was not present to update the Committees on the action taken by their Ministries. The Committee decided that Joint Secretary in Charge of HSM Division should hold a separate meeting with concerned Ministries viz. MOUD, MOA, MoC&F and MOP to review the status of the action taken by them for implementation of the Rules.

9. Ms. Shyamla Mani from NIUA suggested that the MoEFCC through its forest wing should explore the possibility of use of compost in the forest areas. This was suggested to further strengthen the market development assistance support from the Central Government. The Committee decided that MoEFCC will forward suggestions to its forest wing for examination.

10. The Committee discussed timelines given in the Solid Waste Management Rules, 2016 for the local bodies to put in place infrastructure for waste management and noticed that States/ UTs are not available for updating status of implementation. The representative from Pune Municipal Corporation (PMC) informed that the Rules provide ways and means for setting up of a sustainable waste management system. The Solid Waste Management Department of PMC had been assigned the task of implementation of the Rules in Pune city. The PMC was making all efforts to manage every type of garbage generated in and around the city. PMC had proposed to implement end-to-end automation & monitoring of waste collection and management along with an innovative mobile/web based application to improve ground level mechanism of waste management and re-cycling. The proposal to conduct automated monitoring of transfer stations, processing centres for daily garbage, inward & outward using weigh bridge automation was also under examination. The representatives from Vijayawada MC informed that there were certain legal issues involved in specifying user fee and spot fines through State Byelaws in the past. Now, they were proposing to take matter to the Court for reconsideration in the light of provisions of the Solid waste Management Rules, 2016. Efforts were also being made to manage the waste generation within the city but support from State Urban Development Departments was key to successful implementation of the Rules by local bodies.

11. The Committee noted that under the Rules, Departments of Urban and Rural Development have been assigned responsibility to ensure implementation of the Rules by local bodies. The Committee decided that that MOEFCC will write to all States/ UTs, asking them to ensure compliance to the Rules and share with Ministry the steps taken by urban local bodies in their States/UTs for putting in place infrastructure for solid waste management.

12. The Committee was informed about the direction of the Hon'ble Supreme Court of India in W. P. No. 154 of 2012 wherein the Ministry had been asked to oversee implementation the Plastic Waste Management Rules, 2016 in particular the provisions for manufacture, sale and use of plastic carry bags. The Ministry had decided to monitor the implementation through the Committee as the plastic waste was being dealt as part of the Solid Waste. It was informed that under the Plastic Waste Management Rules, 2016, the manufacture, use and sale of the carry bags made of plastic is subject to condition that carry bag made of virgin or recycled plastic are not less than fifty (50) microns in thickness. Some of the States/ UTs have framed their own laws to ban use of plastic carry bags in their respective State/ UTs' boundaries. The Rules mandate local bodies (Urban Local Bodies or Gram Panchayat) for development and setting up of infrastructure for segregation, collection, storage, transportation, processing and disposal of the plastic waste either on its own or by engaging agencies or producers based on Extended Producers Responsibility (EPR). The Producers, Importers and Brand Owners, within a period of six months from the date of publication of these rules ( 18<sup>th</sup> March, 2016), were to work out modalities for waste collection system based on EPR and involving State Urban Development Departments, either individually or collectively, through their own distribution channel or through the local body concerned. The representatives of CII, FICCI, Pune and Vijayawada Municipal Corporations and Ms. Shayamla Mani, NIUA made the following submissions regarding provisions of EPR in the Rules:

- (i) Producers/ Brand owners are of the view that there is need to sensitise State Urban Development Departments, who are one of the prescribed authorities and have been made responsible for enforcement of the provisions of these rules relating to waste management by waste generator, use of plastic carry bags, plastic sheets or like, covers made of plastic sheets and multilayered packaging etc.

- (ii) The Pune MC has initiated talks with industrial associations to implement the provisions related to EPR under the Plastic Waste Management Rules, 2016. A note on the Rules including EPR will be submitted to the Ministry.
- (iii) The Vijayawada MC suggested that the EPR needs to be coordinated at the highest level i.e. State Urban Development Departments.
- (iv) The expectations from Producer's side are likely to be varied from one State to other States. The obligations of producers and brand owners need to be standardised.
- (v) The financing mechanism under EPR is not elaborated in the Rules. There is need to explore EPR models for involving the private players for the waste collection. The provisions of the rules related to EPR needs to be elaborated. The Ministry may consider issuing guidelines on the subject matter.
- (vi) The EPR provision was there in the earlier rules also but because of the cumbersome nature of the procedure to be followed; these could not be implemented successfully. Thus, models for implementing EPR should be explored and discussed at a common platform. The MoEFCC or MoUD may consider convening a separate meeting with States/ UTs and Producers on the subject matter.

**13.** The Committee requested the CPCB to inform about steps taken by them, State Pollution Control Boards/ Pollution Control Committees to curb manufacturing of illegal and sub-standards plastic carry bags. The CPCB submitted that a note on the subject matter including steps taken so far and action proposed to be taken for controlling use of sub-standard plastic carry bags will be submitted to the Ministry shortly. In respect of EPR, the Committee decided that MOEFCC with help of CPCB, FICCI and CII would convene a separate meeting with representatives of State Urban Development Departments, producers and brand owners/ industrial associations to discuss issues related to implementation of the EPR provisions under Plastic as well as Solid Waste Management Rules.

14. Shri PU Asnani submitted that along with the preparation action plan/ strategy for solid waste management, there is need to initiate programmes for skill development of young entrepreneurs the MOEFCC may consider requesting concerned Ministries viz. Ministry of Commerce and Industry responsible for implementation of Startup Programmes and Ministry of Skill Development who is implementing various schemes including Pradhan Mantri Khashtal Vikas Yojana, to focus on the waste management. The suggestions were noted by the Committee.

**15. Summary of Decisions:**

- i. The MoEFCC will request the Ministry of Urban Development to intervene and ask Urban Development Departments of the States/ UTs to constitute the SLABs. **(Action-MoEFCC)**
- ii. CPCB will review status of constitution of SLABs and issue directions under the Environment (protection) Act, 1986 to defaulting States/ UTs to constitute SLABs. **(Action- CPCB)**
- iii. MoEFCC will write to MoUD requesting for status of preparation of National Policy/ Strategy for Solid Waste Management and to share the salient features of the National Level Policy being proposed by them with the Urban Developments/ Local Bodies of the State/ UTs by convening a meeting with them so that the State can prepare their solid waste management strategies in line with the National Policy. **(Action- MoEFCC and MOUD)**
- iv. Joint Secretary (HSM Division) in MoEFCC will convene a separate meeting with concerned Ministries viz. MOUD, MOA, MoC&F and MOP to review the status of the action taken by them for implementation of the Rules. **(Action- MoEFCC).**
- v. MoEFCC will ask its forest wing to explore possibility of using city compost in the forest areas. **(Action- MoEFCC)**
- vi. MOEFCC will write to all States/ UTs, asking them to ensure compliance to the Rules and share with Ministry the steps taken by



urban local bodies in their States/UTs for putting in place infrastructure for solid waste management. **(Action-MoEFCC)**

- vii. CPCB will submit to the Ministry, a note detailing steps taken by them to control manufacturing of illegal/sub-standard plastic carry bags and action proposed to be taken for controlling use of sub-standard plastic carry bags. **(Action-CPCB)**
- viii. MOEFCC with help of CPCB, FICCI and CII would convene a separate meeting with representatives of State Urban Development Departments, producers and brand owners/ industrial associations to discuss issues related to implementation of the EPR provisions under Plastic as well as Solid Waste Management Rules. **(Action-CII, FICCI,CPCB, MoEFCC)**

**16.** The meeting ended with vote of thanks to the Chair.

**Annexure**

**List of Participants of the first meeting of the Central Monitoring  
Committee held on 27<sup>th</sup> January, 2017 in the MoEFCC**

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