

**Rev.A.89 of 2019 in
W.P.No.34065 of 2018**

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Petitioner	Respondent
TAMILNADU PONDYPLASTIC ASSOCIATION, REP BY ITS PRESIDENT MR.G.SANARAN NEW NO 26 OLD NO 142 CHOOLAI HIGH ROAD CHOOLAI CHENNAI-112	THE GOVERNMENT OF TAMIL NADU REP BY PRINCIPAL SECRETARY TO GOVERNMENT ENVIRONMENT AND FOREST (EC-2) DEPARTMENT CHENNAI-9 THE UNION OF INDIA REP BY SECRETARY TO GOVERNMENT MINISTRY OF ENVIRONMENT FOREST AND CLIMATE CHANGE PARYAVARAN BHAVAN LODHI ROAD NEW DELHI-110003
Petitioner Counsel	Respondent Counsel
M/S.R.SARAVANAKUMAR E.VEDA BAGATHSINGH K.VIJAYARAGAVAN J.RAJA RAO	M/S.V.JAYAPRAKASH NARAYANAN FO
Prayer To call for the records relating to the proceedings of the ist respondent in G.O.NO 84 dated 25-6-2018 (environment and forests ec-2) department quash the same	

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Petitioner	Respondent
TAMIL NADU PONDY PLASTIC ASSO REP BY ITS PRESIDENT MR.G.SANARAN NEW NO 26 OLD NO 142 CHOOLAI HIGH ROAD, CHOOLAI, CHENNAI-112	THE GOVERNMENT OF TAMIL NADU REP BY PRINCIPAL SECRETARY TO GOVERNMENT ,ENVIRONMENT AND FOREST (EC-2) DEPARTMENT, CHENNAI-9 THE UNION OF INDIA REP BY SECRETARY TO GOVERNMENT, MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE, PARYAVARAN BHAVAN, LODHI ROAD, NEW DELHI-110003.
Petitioner Counsel	Respondent Counsel
E.VEDA BAGATH SINGH K.VIJAYARAGAVAN M/S.R.SARAVANAKUMAR J.RAJA RAO	SPL GP(FOREST) S.V.VIJAY PRASH

Prayer

To Review Order dated 27.12.2018 made in WP No.34065 of 2018 by allowing this Review Application.

S.VAIDYANATHAN,J.,

and

P.T.ASHA,J.,

The subject matter basically deals with the disposal of plastic wastes and other items that are likely to cause pollution to the environment and therefore, we deem it fit to ***suo motu implead*** Tamil Nadu Pollution Control Board, rep. by its Chairman, 76, Mount Salai, Guindy, Chennai - 600 032 as 3rd respondent to the proceedings. Issue notice to the learned Standing Counsel for the Tamil Nadu Pollution Control Board.

2. Today, an affidavit has been filed by the Principal Secretary / Commissioner, Greater Chennai Corporation (hereinafter referred to as 'GCC'), wherein GCC has set out the enforcement activities undertaken by them, pursuant to the order dated 21.03.2022. Awareness activities have been undertaken by them and a special drive has also been undertaken in the Kolathur Area. The report would indicate that the GCC has conducted awareness meetings in schools and colleges and educated students about the ill effects of plastics. That apart, Trade Union and Shop Keepers, who are the major users of plastics have been brought within the fold. GCC has also conducted an awareness programme with the Residential Welfare

Association and has also indulged in door to door awareness camps. The same drive has also been conducted in Villivakkam area. The report would state that during the inspection conducted in respect of 2316 shops, which were earlier inspected, 133 shops once again were using the banned plastics and they have been sealed. A total of 294 kgs of banned plastics have been seized and a fine of Rs.1,12,400/- has also been collected. A special focus was given to Malls and Supermarkets and eight Supermarkets have also been subjected to inspection. A total of 11,478 kgs, including 294 kgs of plastics from revisited shops have been seized and sent to bailing units and baled plastics sent to cement factories. GCC has also contemplated the implementation of ban of single use plastics, by promoting alternate materials for single use plastics. GCC has also stated that they have been exploring options to install cloth bag kiosks in the markets, where there is a high footfall and this effort is definitely laudable.

3. The awareness programme that has been conducted with the Residential Welfare Associations has shown significant response, as we find that of the 213 Residential Welfare Associations, nearly 197 have participated in the meeting conducted by GCC. The annexure showing the details of shops visited also indicates that many of them have moved away from plastics.

4. The Director of Municipal Administration, Chennai has filed a Status Report on behalf of the Municipal Administration and Water Supply Department, where they have also stated that they had conducted meetings with about 52 Residential Welfare Associations in Tambaram Corporation and apprised them on the need to move to alternate packing materials like paper bags, jute bags, etc. Seizures have also been done in the shops, which continue to use single use plastics. Public awareness was brought about through public address system in Autos and two-wheelers, by which people were asked to inform the Corporation about the presence and availability of single use plastics through Swachhtha app, Whatsapp number, Toll Free number and e-mail id. Municipal Administration has seized about 2310 kgs of single use plastics and a fine of Rs.25,600/- has been collected.

5. The 2nd Respondent has filed an affidavit on behalf of the Ministry of Environment, Forest and Climate Change, bringing to the notice of the Court the initiatives taken by the Central Government on and from Pragati (Pro-Active Governance and Timely Implementation) meetings, which were held on 24.02.2021. The steps that have been taken by the 2nd Respondent after the meeting have also been listed out. A draft Plastic Waste Management Amendment Rules, 2021 has been framed on 12.08.2021 and thereafter, the

Rules have also been notified. The affidavit would indicate that guidelines have been issued by the Food Safety and Standards Authority of India for use of recycled plastic content in food contact applications and the States / Union Territories have been requested to constitute a Special Task Force under the Chairmanship of Chief Secretary / Administrator for elimination of single use plastics and effective implementation of Plastic Water Management Rules, 2016 and a National Level Task Force has also been constituted. When a specific question has been put to the Special Government Pleader whether any such Task Force has been constituted in the State of Tamil Nadu, he would respond stating that as early as in the year 2018, a Task Force has been constituted in the State vide G.O.Ms.No.92 dated 05.07.2018, which is being headed by the Chief Secretary.

6. A reading of the reports of GCC, Municipal Administration as well as the 2nd Respondent would indicate that the process is slowly set in motion. It was also brought to the notice of the Court that a Waste Management Policy has been framed by the Planning Commission, which has been forwarded to all the Chief Secretaries of the State. The Policy is said to have been sent to the Additional Chief Secretary, Environment, Climate Change and Forest Department.

7. Learned Special Government Pleader is directed to produce a copy of the said policy in the next hearing date, namely, 13.06.2022. Learned Assistant Solicitor General of India also undertakes to provide a copy of the policy.

The matter stands adjourned to **13.06.2022.**

[S.V.N,J.] [P.T.A,J,]
21.04.2022

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Note: Registry is directed to amend the cause title in respect of *suo motu* impleadment of 3rd Respondent.

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