

Rajiv Narayan vs Union Of India on 29 January, 2021

Author: Adarsh Kumar Goel

Bench: Adarsh Kumar Goel

Item No. 04

Court No. 1

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Original Application No. 804/2017
(Earlier O. A. No. 36/2012)

Rajiv Narayan & Anr.

Applicant(s)

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 29.01.2021

CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER

Applicant: Ms. Meera Gopal, Advocate

Respondent: Mr. Raj Kumar, Advocate for CPCB

ORDER

1. This order is being passed in continuation of order dated 07.07.2020 on the subject of compliance of the Hazardous and Other Waste (Management and Transboundary Movement Rules, 2019 ("HOWM Rules")).

2. Due to alarming situation created by generation and unscientific dumping of hazardous waste resulting in serious and irreversible damage to the environment and public health, the issue was considered by the Hon'ble Supreme Court inter alia in Writ Petition No. 657/1995, The Research Foundation for Science, Technology and Natural Resource Policy Vs. Union of India & Ors., (2005) 10 SCC 510. Directions were issued for preparation of a comprehensive report on illegal hazardous waste dump sites, inventory of generation of such waste, National Inventory for Rehabilitation of Hazardous Waste Dump Sites and Regulation of Import etc. The Hon'ble Supreme Court referred to Basel Convention and MARPOL Convention and also considered and accepted the recommendation of the High-Powered Committee on the subject of handling of hazardous waste generated by the ship breaking process and also the waste oil or such other material. MoEF&CC was directed to

consider making a provision for bank guarantee by the importers using used oil, furnace oil and zinc waste to regulate illegal transboundary movement of hazardous waste. Directions were also issued for publication of toxic inventory and community participation. Timelines were prescribed for twenty-nine specified activities to be undertaken by MoEF&CC, CPCB, SPCBs/PCCs. The matter was disposed of vide judgment dated 06.07.2012 reported in (2012) 7 SCC 769 reiterating continued compliance of earlier directions with further directions for scientific handling of hazardous waste including ship breaking, banning import of hazardous waste and reviewing and revising Hazardous Waste (Management and Handling) Rules, 1989 to cover the aspects not satisfactorily dealt with and also to provide adequate protection to the workers and the public.

3. This Tribunal while considering the compliance of order dated 13.01.2015 in O.A. No. 36/2012 relating to pollution at Ghaziabad, vide order dated 29.08.2017 considered the issue of compliance of HOWM Rules seeking information with reference to the following questions:-

- "(a) As to what is the total generation of hazardous waste in their respective States.
- (b) Which agencies have been authorized in terms of rules to collect, transport, disposed of and the process of the hazardous wastes.
- (c) What is the capacity of the plants which have been given due authorization for that purpose.
- (d) What happens and how the remnant hazardous waste is being dealt with.
- (e) The members who have been allotted any of the authorized plants and are not sending hazardous waste to those plants.

What action the concerned authorities i.e. the State Government and the respective States and State Pollution Control Boards have taken so far, against such members. These details should be filed within one week from today."

4. The present Original Application was registered after considering the status of compliance. Vide order dated 30.07.2018, this Tribunal directed constitution of a Monitoring Committee by the CPCB to compile information about the status of compliance of the HOWM Rules. Further order was passed on 05.12.2018 in the light of the order of the Hon'ble Supreme Court dated 18.07.2018 transferring consideration of prayers before the Hon'ble Supreme Court on the following issues:-

- "(a) Preparation of a National Inventory of Hazardous wastes;
- (b) Complete identification and registration of Hazardous wastes generating units in the country;
- (c) Construction of TSDF/Landfills;

- (d) Hazardous Waste Dump Sites;
- (e) Waste oil/used oil read with the order dated 23.10.2007;
- (f) Setting up of laboratories at the dock/ports;
- (g) Institutional Reforms in MoEF, CPCB, SPCB, PCC;
- (h) National policy documents on Hazardous Wastes as well as cleaner technology;
- (i) Regarding workers handling hazardous wastes."

5. CPCB constituted a Monitoring Committee on 09.08.2018 and issued following directions to all PCBs and PCCs:-

"(a) Ensure that all the solvent recovery industries in the state have mandatory Authorisation for the same in compliance with the SOP and Checklist issued by CPCB for solvent recovery units, within one month. The said SOP and checklist have been circulated to all SPCBs/PCCs vide letter no. B29016/(SC)/1(55-IV)/17-

18/WMII/18152-86 dated 08/3/2018 and is also available at CPCB website <http://cpcb.nic.in/uploads/hwmd/utilizaionspent solvent.pdf>.

(b) Ensure that these solvent recovery industries shall immediately follow the SOP, for safe and scientific spent solvent handling, processing and storage.

(c) Ensure that such solvent recovery units shall comply with the provisions of HOWM Rules, 2016, in terms of interstate transport of Hazardous waste and manifest document prescribed under Rule 18 and 19 of the HOWM Rules, 2016, with immediate effect. Stringent action be taken against the erring industries who are giving the spent solvent to such recycling industries without following the manifest systems.

(d) Conduct industry interaction programs within a month to create awareness and sensitization on HOWM Rules, 2016 with all the stakeholder industries of Spent Solvent generation/utilization.

(e) Prepare an inventory of such solvent recovery units and publish the same on their website for information of all, stakeholders within one month with copy to CPCB within one month."

6. In the light of the interim report of the Monitoring Committee, the Tribunal passed order dated 12.04.2019 directing the Chief Secretaries of the States at the State level and Ministry of Environment, Forest and Climate Change (MoEF&CC) and CPCB at the national level to monitor the compliance of the recommendations. The Committee was directed to complete its remaining task within three months. The CPCB was to complete its report on the regime of compensation for violation of the HOWM Rules.

7. Thereafter, vide order dated 26.08.2019, the Tribunal considered the report of the Monitoring Committee dated 23.07.2019 and report of the CPCB dated 14.08.2019 under the following headings:-

"(i) Contaminated Sites and Related Issues

(ii) Import and Export of Hazardous Wastes and Issues

(iii) Waste Reception Facilities for wastes generated from ships and issues

(iv) Impact of HW on Workers' Health

(v) Status of compliance of issues with regard to orders of Hon'ble Supreme Court dated 14.10.2003."

8. The Tribunal accepted the recommendations of the Committee and the CPCB and directed follow up action. The operative part of the directions is quoted below:-

"20. In the light of above, the States/UTs, CPCB/SPCBs/PCCs, the Central Board of Indirect Taxes and Customs (CBIC), the Port Authorities, the DGFT, the MoEF&CC, the Ministry of Shipping, Ministry of Labour and Employment and the Department of Labour of all the concerned States/UTs may take necessary steps in terms of the recommendations of the Committee within the timelines specified. If there is any default, the Tribunal may consider requiring environmental compensation to be paid by the defaulting parties. While doing so following specific steps may be ensured:

i. Hazardous waste inventory be updated and verified by way of test checks to ensure that the same is credible, reliable and robust in terms of contents and scope, as already recommended in the interim report of the Monitoring Committee dated 29.01.2019 which was accepted by the Tribunal on 12.04.2019.

ii. Since it has been reported that State Boards/PCCs of Dadra & Nagar Haveli, Haryana, Daman & Diu, Manipur, Lakshadweep and Nagaland have not furnished the relevant data, the said States/UTs may furnish the data within one month to the CPCB, failing which they will be liable to pay a sum of Rs, 1 lakh per month with effect from 01.10.2019.

iii. As already directed, all the States which have not set up TSDF may do so and the States which fail to set up the same up to 31.03.2020, will be liable to pay environmental compensation of Rs. 10 lakh per month. However, with regard to States which may be categorized as small States, having regard to the quantum and nature of generation of hazardous waste, the liability to pay compensation will start from 01.01.2021. The categorization based on threshold limit of generation of hazardous waste be made by the CPCB within one month from today and placed on

its website.

iv. 126 sites which have already been identified as contaminated may be cleared of the hazardous waste within six months so that remediation process may start. The remediation work may start at the 55 sites for which DPRs have been completed within the timelines specified in the DPRs. For the remaining 71 sites, DPRs may be completed expeditiously but not later than one year and thereafter remediation may be done as per the timelines in the DPRs.

v. Failure to remove the waste from the 126 identified sites, will result in environmental compensation to be paid at the rate of Rs. 10 lakhs per site from 01.04.2020 by the concerned SPCBs/PCCs to the CPCB. Same rate will apply in respect of such of the 195 sites as are identified as contaminated with effect from 01.01.2021.

vi. With regard to 195 probable contaminated sites, the assessment may be completed within six months and thereafter the waste may be removed within next six months from sites cleared by the CPCB to be contaminated.

vii. The clearance of site by way of disposal or transfer should be strictly as per the HOWM Rules, to be monitored by the CPCB. The cost of removal of waste may be first paid out of the environment funds/consent funds available with the State PCBs/PCCs and thereafter recovered from the persons concerned.

viii. Whenever any difficulty arises, the CPCB may, on being so satisfied, allocate funds from environment funds available with it, which may thereafter be recovered from the concerned defaulters.

ix. The recommendations of the CPCB with regard to the compensation regime on the subject may be adopted, subject to further consideration of orders.

x. The CPCB may oversee the compliance of these directions compile data from all quarters and furnish an interim compliance report before 15.04.2020 by email at judicial-ngt@gov.in."

9. The matter was further reviewed vide order dated 07.07.2020 as follows:-

10. It is in the above background that the present report dated 24.06.2020 has been filed by the CPCB. In short, the report deals with the compliance status as to updating of Hazardous Waste ("HW") inventory, status of setting up of TSDFs, remediation of contaminated sites, completing the process of identification of remaining 'probably' contaminated sites and their remediation and recovery of compensation.

11. We have heard Shri Raj Panjwani, Senior Advocate for the Applicant and Shri Rajkumar, Advocate for the CPCB.

12. The stand of the States PCBs/PCCs and States/UTs is already reflected in the report. Summary of status of compliance with reference to the directions of this Tribunal has been provided by the CPCB as follows:-

"The point wise action taken and status on the directions dated 26/08/2019 of the Hon'ble NGT is as below:

S. Direction of Hon'ble NGT Status of Compliance No. i. Hazardous waste inventory be updated and verified by CPCB has prepared guidelines for way of test checks to ensure "Preparation of Inventory on that the same is credible, Hazardous and Other Waste reliable and robust in terms Generation and their Management"

of contents and scope, as and circulated to all SPCBs/PCCs already recommended in the for preparation and submission of interim report of the annual inventory vide letter dated Monitoring Committee dated 25/06/2019. Same is placed on 29/01/2019 which was CPCB website.

accepted by the Tribunal on 12.04.2019. The above guidelines outline the methodology for preparation of inventory; identification of hazardous and other waste generating facilities; collection and interpretation of data; criteria for selection of units for random verification of hazardous and other waste generation and their management; etc. With regard to Annual Inventory for 2018-19:

Out of 35 SPCBs/PCCs, 33 SPCBs/PCCs (except Arunachal Pradesh and DDD&NH) submitted the inventory report.

Various gaps (such as mismatch in hazardous waste generated/ managed/ received/sent/no. of recyclers/utilizers, authorized capacity and quantity recycled/utilized) have been identified by CPCB in the said annual inventory of SPCBs/PCCs and same were communicated to respective SPCBs/PCCs.

Of 33, only 25 SPCBs/PCCs have submitted the revised annual inventory report, however, few gaps have still not been clarified Based on the information provided by 33 SPCBs/PCCs, CPCB has prepared National Inventory Report on Hazardous and Other Waste Generation and its Management (2018-19).

Findings of National inventory on Generation and Management of Hazardous waste is appended as Appendix A and State-wise inventory report on generation and management of hazardous and other wastes is appended at Annexure- 2 of CPCB report -June, 2020.

CPCB is in the process of verification (random test checks) of annual inventory submitted by SPCBs/PCCs through government institutes/organisations ii. Since it has been reported Except Lakshadweep, all the 04 that State Boards/PCCs of SPCBs/PCCs (Haryana, Manipur, Dadra & Nagar Haveli, Nagaland and DDN&NH) submitted Haryana, Daman & Diu, their reports within the timeline. Manipur,

Lakshadweep and Nagaland have not However, in view of no response from furnished the relevant data, Lakshadweep, CPCB vide its letter the said States/UTs may dated 04/10/2019 followed by furnish the data within one reminder letter dated 19/12/2019 month to the CPCB, failing directed for submission of report and which they will be liable to deposition of penalty of Rs. 03 lakhs pay a sum of Rs, 1 lakh per (i.e. Rs 01 lakh per month w.e.f.

month with effect from
01.10.2019.

01/10/2019).

Lakshadweep vide its letter dated 25/12/2019 submitted its report along with penalty of Rs. 03 lakhs to CPCB.

iii. As already directed, all the States which have not set up TSDF may do so and the States which fail to set up the same up to 31.03.2020, will be liable to pay environmental compensation of Rs. 10 lakhs per month. However, with regard to States which may be categorized as small States, having regard to the quantum and nature of generation of hazardous waste, the liability to pay compensation will start from 01.01.2021. The categorization based on

CPCB has prepared a document on Categorization of States as small states based on Threshold Limit of Generation of Hazardous Waste and placed on the CPCB website The same has also been submitted to Hon'ble NGT on 26/09/2019.

"Conclusion/Recommendations of the document:

The development of common TSDF is a must for treatment and disposal of atleast for landfillable hazardous waste regardless of where the TSDF is located or going to be located;

threshold limit of generation States/UTs generating 5000 MTA of hazardous waste be or more of the landfillable made by the CPCB within hazardous waste need to take one month from today and immediate action for placed on its website. commissioning of common TSDF States/UTs generating more than 500 MTA or less than 5000 MTA of landfillable hazardous waste may be categorized as Small States for the purpose of taking of action proposed in the order of the Hon'ble NGT and States/UT generating less than 500 MTA of land fillable hazardous waste may be permitted for the inter-state transport of hazardous waste for its treatment and disposal and making sharing arrangement with the authorized common TSDF of the neighboring States/UT."

The aforesaid document is appended at Annexure- 3 of CPCB report -June, 2020.

On the basis of aforesaid categorization, of the 17 States/UTs (not having Common TSDF), Chhattisgarh and Assam to setup TSDF by 31/03/2020 and Delhi & Goa by 01/01/2021.

Assam and Chhattisgarh, both the States have identified the land.

Further, Assam has to finalize Expression of Interest for inviting bids and Chhattisgarh to finalize the Bidder for award of work w.r.t setting up of TSDF.

Status on Setting up of TSDF is appended at Appendix B and details provided in Chapter 2 of the CPCB report- June 2020.

iv- Status of compliance on Contaminated sites is given below:

viii (details may refer at page 225 at Chapter-8 of status report of CPCB) Hon'ble NGT orders dated 26.08.2019 pertains to "Contaminated Sites" as reproduced below:

"..... iv. 126 sites which have already been identified as contaminated may be cleared of the hazardous waste within six months so that remediation process may start. The remediation work may start at the 55 sites for which DPRs have been completed within the timelines specified in the DPRs. For the remaining 71 sites, DPRs may be completed expeditiously but not later than one year and thereafter remediation may be done as per the timelines in the DPRs.

v. Failure to remove the waste from the 126 identified sites will result in environmental compensation to be paid at the rate of Rs. 10 lakhs per site from 01.04.2020 by the concerned SPCBs/PCCs to the CPCB.

Same rate will apply in respect of such of the 195 sites as are identified as contaminated with effect from 01.01.2021.

vi. With regard to 195 probable contaminated sites, the assessment may be completed within six months and thereafter the waste may be removed within next six months from sites cleared by the CPCB to be contaminated.

vii. The clearance of site by way of disposal or transfer should be strictly as per the HOWM Rules, to be monitored by the CPCB. The cost of removal of waste may be first paid out of the environment funds/consent funds available with the State PCBs/PCCs and thereafter recovered from the persons concerned....."

In compliance to order of Hon'ble NGT dated 26.08.2019, actions initiated by CPCB:

(i) CPCB communicated aforesaid order of Hon'ble NGT letter dated to 21 SPCBs/PCCs for taking necessary action and 06.09.2019 submission of Action taken reports on 'Assessment of Contaminated Sites'

(ii) CPCB reminder along Guidance document on 03 letters "Assessment and remediation of contaminated sites" and 06 e-

issued by MoEF&CC was communicated to 21 mails SPCBs/PCC

(iii) To review the compliance to aforesaid directions of 3rd - 4th Hon'ble NGT, interactive meeting was organized with February, the officials of SPCBs/PCCs at CPCB Delhi 2020 In response to CPCB letters and email communications, 19 out of 21 SPCBs/PCC have submitted their information/Status Report on Action Taken/Initiated for "Assessment of contaminated sites" till 22.06.2020. However, no information received from Chhattisgarh & Rajasthan SPCBs.

State wise Compliance status on Action taken/initiated by SPCBs/PCCs is given at Section-C & D of Chapter 8 (pls refer page 228 of status report of CPCB).

Overall summary of contaminated sites in India 126 Contaminated Sites list Total sites No. of submitted before Hon'ble NGT S. submitted active Name of the 55 sites (DPRs/ 71 sites No. before NGT in sites* till States/UT Remediation (DPR 2019 date completed/on-going) required)

1. Andhra Pradesh (AP) 3 3* 1**

8. (HP)

17. Uttar Pradesh (UP) 40 42* 8 (2*** & 2##) 10

19. West Bengal (WB) 35 7 27 (1**, 1## & 25###) Note:

(a) Contaminated sites - 126 (55+71) sites Till June, 2020

(b) Probable sites - 195 sites Total sites: 291 sites

(c) New sites* - 7 sites (AP-1, GJ-1, MH-1, MP-1, OD-1, UP-2) (PCS-175 and CS-116)

(d)De-listed - 37 sites (AP-1, KL-3, GJ-1, MP-1, TN-3, WB-28) A. Summary of 55 sites:

** Remediation completed 2 sites: AP-1# & WB-1# *** Remediation on-going 6 sites: GJ-1, MH-1, TN-2 & UP-2 ## Remediation about to initiate 7 sites: KL-1, OD-3, UP-2 & WB-1 ### Remediation not required 27 KL-1# , MP-1# & WB-25# Assessment completed sites:

DPR about to complete	1 site: RJ-1
Remediation work couldn't initiated due to court matter	3 sites: MP-3
DPR prepared, remediation not yet initiated (#de-listed site)	1 site: TS-1
	8 sites: KL-2, OD-1, TN-1 & U

Further, HW still lying at the sites (as 8 sites: KL-1, MP-1, OD-4, TN-1 & UP

prepared)

Wherein proposal for lifting and disposal of 5 sites: MP-1, OD-3 & UP-1 HW through TSDF/SLF by State/SPCBs/Responsible Party B. Summary of 71 sites:

Preliminary Assessment done 41 sites: AS-1, GJ-7, HR-3, HP-1, KL-2 (1#), (#de-listed site) MP-2, OD-17, PB-3, TN-2 & UP-3 Preliminary Assessment on-going 1 site: JH-1 Only site inspection carried out, however 15 sites: KA-5, MH-1, OD-1, TN-1 & UP-7 sampling not done Remedial action initiated 1 site: JH-1 Remedial action proposed 1 site: TS-1 Information not received from SPCBs/PCC 12 sites: CH-2, DL-4, GA-1, PB-3 RJ-1 & UK-

Further as per preliminary assessment report, 2 sites: GJ-01 & UP-1 HW lifted/removed HW not observed 11 sites: HP-1, KA-1, TN-2 & UP-3 C. Summary of 195 Probable sites:

Preliminary Assessment done 95 sites: AP-1, AS-3, DL-9, GA-1, GJ-15, HR-

14, HP-5, JH-3, KA-1, KL-4(1#), MP-14, OD-6, PB-1, TN-5 (3#), UP-8 & UK-5 Preliminary Assessment on-going 8 sites: JH-8 Only site inspection carried out, however 66 sites: AP-1, DL-13, JH-1, KA-18, KL-3, TN-3, TS-7, UP-12 & WB-8 (2#) sampling not done Preliminary Assessment about to start 3 sites: MH-3 Remediation on-going 1 site: KA-1 Sampling not carried out as GPS location 4 sites: OD-3 & UK-1 was not matched with the site Information not received from SPCBs/PCC 18 sites: CH-3, PB-2, RJ-9, UP-2 & UK-2 Further as per preliminary assessment report, 4 sites: DL-1, GA-1, GJ-1#& UP-1 HW lifted/removed from the sites HW not observed 33 sites: HR-8, HP-5, TN-1, TS-5 & UP-15 D. Status of 07 new sites (AP-1, GJ-1, MP-1, MH-1, OD-1 & UP-2):

Preliminary Assessment done by CPCB 1 site: UP-1 Assessment on-going 3 sites: AP-1, MP-1 & OD-1 Only site inspection carried out, & HW 2 sites: MH-1 & UP-1 lifted/ removed from the sites; however, sampling not done No information from SPCB 1 site: GJ-1 Observations:-

Action taken reports submitted by the SPCBs/PCC are examined by CPCB and following observations are made as below: i. SPCBs/PCC have carried out only few sampling of limited matrices for most of the sites. Therefore, conclusion may not be drawn whether the site is contaminated or not, even if the concentrations levels reported within the standards/levels.

ii. Few SPCBs/PCC have carried out only site inspection. However, no sampling was done.

iii. Majority of the SPCBs/PCC, except AP, Assam, Gujarat, Haryana, HP, Kerala, MP & Odisha have not submitted proper inspection reports along with analysis results and site visit photographs for most of the sites.

iv. Few sites were found at/nearby Temples, residential colonies and where construction of flyover activities were already done, etc. v. None of the states/UT, except Odisha has constituted Empowered Monitoring Committee (EMP) for monitoring of Remediation Plans.

Recommendations

S. No.	Activity	Target
i.	In case of Probable contaminated sites, SPCBs/PCC shall carry out.	45 days
	Preliminary site investigation as per	

"Reference document on Identification, Inspection and Assessment of Contaminated Sites" prepared by CPCB.

Site investigation report as per prescribed format may be submitted to CPCB for further assessment.

ii. In case of contaminated sites, SPCBs/PCC shall carry 3 months out detailed site investigation, as per "Reference document on Identification, Inspection and Assessment of Contaminated Sites" prepared by CPCB and "Guidance document on Assessment and Remediation of contaminated sites in India" issued by MoEF&CC.

Detailed investigation report may be submitted to CPCB.

If Remediation needed, SPCBs/PCC may take Within 45 days necessary and submit remediation plan to CPCB for (after further course of action. completion of investigation study) iii. SPCBs shall ensure lifting of hazardous waste still 3 months accumulated at sites, wherein DPRs already prepared under NCEF Project.

iv. SPCBs/PCCs to ensure that the hazardous waste 3 months accumulated/lying at all such identified sites/any new sites shall be disposed off either through TSDF or on-site SLF on priority to stop further contamination.

Wherein, HW is lifted/removed from the site, SPCB/PCC shall carryout detailed investigation followed by remediation, if needed (as above ii) v. SPCBs/PCCs to ensure that the hazardous waste 1 month accumulated/lying at all such identified sites/any new sites shall be disposed off either through TSDF or on-site SLF on priority to stop further contamination.

Wherein, HW is lifted/removed from the site, SPCB/PCC shall carryout detailed investigation followed by remediation, if needed (as above ii) vi. Financial supports for execution of project on 4 months remediation of the contaminated sites may be arranged to SPCBs/PCC so that the detailed investigation studies followed by remediation works can be undertaken on priority - By State/Central Govts.

Note: Preliminary sites investigation/detailed investigation followed by Remediation may be carried out - By SPCBs/PCC by engaging reputed Remediation Consultants.

Way Forward:

- i) Need of National Policy on Management of contaminated sites.
- ii) Need to update Inventory of contaminated sites.
- iii) Immediate remedial actions for priority contaminated sites.
- iv) Remediation of orphan sites through funding from State/Central Govts.
- v) Compliance status on Recommendations of the Monitoring Committee related to Contaminated sites are as below:

S. Recommendations of the Committee Compliance status No.

1. Disposal of hazardous wastes accumulated at identified sites:

- (i) CPCB/SPCBs/PCCs to ensure that Detailed information is given at Section-C & D the hazardous waste accumulated at of Chapter 8 (page 228 to 308) for kind all such identified sites shall be reference.

disposed of either through Treatment, Storage and Disposal Facilities (TSDFs) or onsite secured landfilling (SLF) on priority to stop further contamination (CPCB/ SPCBs/PCCs: 06 months)

2. Guidelines for Identification and Assessment of Contaminated Sites:

- (i) For a consistent and uniform Guidance document on Assessment application and approach across and remediation of Contaminated Sites in the country, guidelines for India issued by MoEF&CC, communicated to 21 identification and assessment of SPCBs/PCC. Based on this guidance document, contaminated sites shall be published. a "Reference document on identification inspection and assessment of contaminated (CPCB: 03 months) sites in India" has been prepared by CPCB is given at Annexure-XIII (page 421) for kind reference.

3. Assessment and remediation of Contaminated sites:

(i) Capacity building program for officials (i) MoEF&CC sponsored "Five - Day of SPCBs/PCCs on the entire process of International Seminar/workshop on remediation, Contaminated Sites; and Demonstration Sessions / Workshop on (CPCB: 06 months) Environmental Subsurfa Investigations"

was organized by IIT Delhi during 17-21

(ii) Assessment of about 195 probable February, 2020 for the officials of contaminated sites and any new MoEF&CC/CPCB/SPCBs, Academic, etc. is additional sites recommended by given at Annexure-XIV (page 458) for kind CPCB/SPCBs/PCCs shall be completed reference. CPCB has proposed a 3 separate within period of 1 year after publication training programs on identification and of such guidance document by CPCB. assessment of contaminated Recommendations of the Committee Compliance status (CPCB/SPCBs/PCCs: 1 year) Sites for the officials of SPCBs/PCCs for the

(iii) For effective implementation of financial year 2020-21.

the remediation plan at State level, Empowered Monitoring Committee (i) Detailed progress on assessment of probable chaired by Principal Secretary contaminated sites under taken by Department of Environment having SPCBs/PCCs is given at Section-C of Chapter 8 representatives from department of for kind reference.

Industries, SPCB/PC, Groundwater development agency, etc. shall be constituted.

(ii) Odisha SPCB has informed vide it dated 19.05.2020 that at St

Empowered Monitoring Committee (EMC) has been constituted.

(State Govt: 04 months)

4. Financial Arrangements for remediation of contaminated sites:

(i) Financial arrangements between It is humbly submitted that MoEF&CC has Central-State Governments for the proposed remediation projects sanctioned central share under National Clean shall be resolved immediately so Energy Fund (NCEF) scheme of Rs. 15.5 crore that the remediation works as proposed for preparation of DPRs for 08 areas in DPRs can be undertaken on priority. contaminated (containing 21 sites) for These DPRs (2017-18 and 2018-19) may remediation.

need to be revisited in no action is Further, it is humbly submitted that there is no taken in a reasonable time for funding for execution of remediation works, execution of remediation works.

since NCEF scheme has been discontinued by

(ii) Govt. should take up on priority not Govt. of India. The DPRs along with templates only remediation projects at the sites of bidding have been forwarded to concerned where DPRs have been prepared but also State Govts and SPCBs with request to the assessment of about 195 sites, implement remediation works. besides any new addition of potentially contaminated site, if any.

(MoEF&CC/State Govt.: 06 months)

5. Networking of Academic and Research Institutes:

(i) MoEF&CC/CPCB/ SPCBs/PCCs shall (i) A project sponsored by MoEF&CC at IIT undertake action research and Delhi, a National Network of Experts and also promote academic courses on this Resources for Subsurface Investigations a subject in association with academic Remediation of Contaminated Sites (NERCS) and research institutions. has been formed. In this regard, Web page of NERCS is given at Annexure-XV (page 507) (MoEF&CC/CPCB/SPCBs/PCCs: 06 for kind reference.

months) Table-8.1 Summary of state wise site distribution as per action taken report submitted by SPCBs/PCC (Ref: page 227 of CPCB status report) Status submitted HW still Updated status as on June, On-going HW not before the lying at the HW Proposed DPRs and Assessment/ observed S. Hon'ble NGT 2020 site removed/ States/UTs De-listed Remediation Remediation (as per site No. (as per DPR lifted from Probable sites completed works inspection Total Sites Total Contaminated prepared by the sites Sites by SPCBs) (PCS +CS) Sites* Sites (CS) CPCB) 1 Andhra Pradesh 3 (2+1) 3* (PCS) 4 Delhi (NCR) 26 (22+4) 26 14 12 21 West Bengal 35 (8+27) 7 6 1 28 27 Note:* including new 07 sites ix. The recommendations of the CPCB with regard to the compensation regime on the subject may be ----

- adopted, subject to further consideration of orders.
- x. The CPCB may oversee the compliance In compliance of the aforesaid orders, CPCB ha of these directions compile data from submitted "Status Report on Compl all quarters (i.e. recommendations of Recommendations of the Monitor of Monitoring Committee) and furnish Committee on Management of Hazardous an interim compliance report... and Directions of the Hon'ble Tribuna

24/06/2020. dated 30/01/2019 incase of Spent solvent recovery units on the basis of responses received from units on the basis of responses received from SPCBs/PCCs, the status is given at Appendix C and details provided in Chapter 4 of CPCB report- June 2020.

Compliance of Recommendations in Interim Report:-

- > CPCB formulated a format (incorporating key indicators) and forwarded the same to all SPCBs/PCCs for submission of quarterly implementation status on the recommendations made by Monitoring Committee in its interim report.
- > Further, CPCB continuously followed up with the SPCBs/PCCs for submission of

the quarterly information. On the basis of the information Submitted by SPCBs/PCCs, CPCB has compiled quarterly compliance status and submitted the same before Hon'ble NGT on 24/06/2020. The overall status is appended at Appendix D and details are provided in Chapter 5 of CPCB report- June 2020.

Compliance of Recommendations in Final Report:

> CPCB conducted two interactive meetings with various organizations viz., CBIC, DGFT, DG(S), SPCBs/PCCs, MoEF&CC, followed by field visits to two Ports & one Waste Oil Recycler in Maharashtra, besides forwarding questionnaire to the concerned organizations/departments for ensuring compliance with rigorous follow ups.

> With regard to recommendations related to impact of hazardous wastes on workers' health and waste reception facility to deal with ship generated wastes progressive steps have been taken by the concerned organizations (viz., Ministry of Shipping Ministry of Environment, Forest and Climate Change Ministry of Labour) to ensure compliance. Whereas, recommendations pertaining to SPCBs/PCCs, Port Authorities and Department of Labour of States/UT Government needs to be addressed on a continuous basis.

With regard to import/export of hazardous wastes, further actions are required to be taken by Central Board of Indirect Taxes and Customs (CBIC), Directorate General of Foreign Trade (DGFT) and Port Authorities with review by Ministry of Environment, Forest and Climate Change on a regular basis to ensure compliance of the Hon'ble NGT dated 26.08.2019.

> CPCB has constituted a National Expert Committee to devise National Hazardous Waste Management Policy covering the aspects related to strengthening of institutional framework of regulatory agencies and Research & Development initiatives including Clean Technology besides hazardous waste management issues.

> On the basis of the information submitted by the concerned organizations, CPCB has prepared compliance status report and submitted the same before Hon'ble NGT on 24.06.2020. The overall compliance status of various organizations is appended at Appendix E and details are provided in Chapter 6 of CPCB report- June 2020.

The way forward and recommendations based on the compliance status submitted by concerned stakeholders, have been given in Appendix F and also given in Chapter 7 of CPCB report-June, 2020.

13. Shri Panjwani has referred to certain parts of the report to show that timelines for remediation have not been given, information of land fill sites is not complete, ground water and soil testing have not been done and that there are huge gaps in compliance of the Rules but no adequate action has

been taken against the violations in the form of recovery and compensation or otherwise. He pointed out that, vide order dated 26.08.2019, this Tribunal had directed that States which do not set up TSDF by 31.03.2020 will be liable to pay compensation @ Rs. 10 lakh per month and in view of failure of the States of Assam and Chhattisgarh or any other State, CPCB may recover such compensation. He further submitted that the State PCB should carryout inspection and conduct chemical analysis tests on all parameter of soil, surface, ground water, sedimentation etc. of the contaminated sites and submit said reports within 4 weeks to the CPCB, failing which they should be liable to pay compensation. PCBs may also provide information about the quantum of waste removed from 126 contaminated sites and the cost incurred which may be recovered from the generators of such waste. PCBs may also provide information about DPRs for 71 confirmed contaminated sites. Compensation may also be recovered from the States who failed to clear the hazardous waste sites in terms of directions of this Tribunal. Further submission is that CPCB and PCBs/PCCs may invoke their powers under the Rules to recover compensation for improper handling and management of waste, prosecute defaulters, document non-compliances and update their websites giving (a) details of industries, (b) date of inspection including collection of effluent or other samples, (c) whether unit is compliant or not, (d) if non-compliant then action taken including the date of notice if any sent to defaulter. CPCB may develop framework for enforcement of the Rules. Let these aspects be looked into by CPCB and response included in next report.

14. We direct CPCB to take further steps for compliance by issuing appropriate directions and also to enforce its directions for recovery of compensation for the continuing damage to the environment on 'Polluter Pays' principle. CPCB and PCBs/PCCs may not permit any new industry having potential to generate hazardous waste till facilities for disposal of such waste are ensured. Apart from this, following specific directions may be complied with:

i. CPCB may set up a system to cross verify the status of hazardous waste generating industries (at least 10% in each State) and also direct SPCBs/PCCs to impose environmental compensation against delinquent industries.

ii. Regarding remediation of contaminated sites, immediately 5 sites should be taken for remediation and executed within a period of six months. Environmental damages caused by such sites and loss in terms of monetary resources may also be estimated.

15. We direct all the States/UTs and PCBs/PCCs to comply with observations and recommendations in the report and furnish their compliance reports by 31.10.2020 to the CPCB. The Chief Secretaries of the States at the State level and the Ministry of Environment, Forest and Climate Change (MoEF&CC) and the CPCB at the national level may monitor compliance. At the national level, coordination with Central Ministries may be involved which MoEF&CC may look into followed up by the CPCB. Further action taken report in the matter be furnished by CPCB after four months by 30.11.2020 by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF."

10. Accordingly, further report dated 27.01.2021 has been filed by the CPCB mentioning the action taken in compliance of order of this Tribunal dated 07.07.2020 as follows:-

"

1. ACTION TAKEN ON COMPLIANCE OF THE DIRECTIONS DATED 07/07/2020 OF THE HON'BLE TRIBUNAL The details on the action taken, status on compliance vis-a-vis directions issued by the Hon'ble Tribunal is as below:

Direction in Para 13 "...vide order dated 26.08.2019, this Tribunal had directed that States which do not set up TSDF by 31.03.2020 will be liable to pay compensation @ Rs. 10 lakh per month and in view of failure of the States of Assam and Chhattisgarh or any other State, CPCB may recover such compensation..."

Action Taken/ Status: In compliance of the aforesaid direction, CPCB vide its letter dated 06/08/2020 directed SPCBs of Assam and Chhattisgarh to deposit compensation and provide status of setting up of TSDF. However, Chhattisgarh Environment Conservation Board vide its letter dated 28/08/2020 has apprised that as per Rule 16(1) of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016, the State Government, occupier, operator of a facility or any association of occupiers shall individually or jointly or severally is responsible for identification of sites for establishing the facility for treatment, storage and disposal of the hazardous and other waste in the State. Thus, CPCB vide its letter dated 09/09/2020 requested the Chief Secretaries of the above states to direct the concerned department (responsible for setting up of TSDF in their State) for deposition of compensation.

In response, Environment and Forest Department, Government of Assam vide its letter dated 30/09/2020 requested CPCB to move application before Hon'ble NGT to condone the compensation, reporting that the delay in setting up was caused by CAB agitation followed by COVID-19 pandemic. In this regard, CPCB vide its letter dated 23/11/2020 requested the Environment and Forest Department to directly approach Hon'ble NGT for any relief in the matter. Whereas, in view of no response from State of Chhattisgarh, reminder letter to Chief Secretary of Chhattisgarh was issued on 23/11/2020. Details of the communication made and responses received are appended as Annexure II.

Direction in para 13 "...the State PCB should carryout inspection and conduct chemical analysis tests on all parameter of soil, surface, ground water, sedimentation etc. of the contaminated sites and submit said reports within 4 weeks to the CPCB, failing which they should be liable to pay compensation. PCBs may also provide information about the quantum of waste removed from 126 contaminated sites and the cost incurred which may be recovered from the generators of such waste. PCBs may also provide information about DPRs for 71 confirmed contaminated sites. Compensation may also be recovered from the States who failed to clear the hazardous waste sites in terms of directions of this tribunal...."

Action Taken/ Status:

The status on the above direction is provided at Section 4 of this report.

Direction in Para 13 "...CPCB and PCBs/PCCs may invoke their powers under the Rules to recover compensation for improper handling and management of waste, prosecute defaulters, document non-compliances and update their websites giving (a) details of industries, (b) date of inspection including collection of effluent or other samples, (c) whether unit is compliant or not, (d) if non-compliant then action taken including the date of notice if any sent to defaulter. CPCB may develop framework for enforcement of the Rules. Let these aspects be looked into by CPCB and response included in next report..."

Action Taken/ Status:

In this regard, CPCB has prepared "Enforcement Framework for Effective Implementation of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016" in July 2019. The said framework includes various enforcement tools, tracking of non-compliances, categorization of non-compliances and approach for application of the said enforcement tools in cases of non-compliances of the HOWM Rules, 2016. The said framework is available on CPCB at https://cpcb.nic.in/uploads/hwmd/Guidelines_HW_1.pdf. The same has also been circulated to all SPCBs/ PCCs vide letter dated 18/07/2019. Subsequent to the above directions dated 07/07/2020, CPCB vide its letter dated 27/08/2020 again communicated the aforesaid framework to all SPCBs/PCCs.

The details on all the enforcement action taken by CPCB alongwith details of the industry and action initiated as directed above, is available on CPCB website and the same is updated on regular basis.

Further, based on the responses received from 34 SPCBs/PCCs the status on powers invoked on the non-compliance by SPCBs is given as below:

S.No	States/UTs	No. of defaulting units	No. of habitual defaulters	No. of units against which action generated		Prosecution under E(P)A 1986
				Rule 23(1) enforced	Rule 23(2) enforced	
1.	Andaman & Nicobar Islands	0	-	-	-	-
2.	Andhra Pradesh	Relevant details not provided in prescribed form				
3.	Arunachal Pradesh	01	01	01	0	0
4.	Assam	Relevant details not provided in prescribed form				

6.	Chandigarh					Relevant details not provided in prescribed form
8.	Delhi	-	-	-	-	-
9.	Goa	-	-	-	-	-
10.	Gujarat					Relevant details not provided in prescribed form
11.	Himachal Pradesh					Relevant details not provided in prescribed form
12.	Haryana	07	0	0	0	07
13.	Jammu & Kashmir	30#	-	-	-	-
14.	Jharkhand					Relevant details not provided in prescribed
15.	Karnataka					Relevant details not provided in prescribed
16.	Kerala					Relevant details not provided in prescribed
17.	Lakshadweep	-	-	-	-	-
18.	Madhya Pradesh	-	-	-	-	-
19.	Maharashtra	-	-	-	-	-
20.	Manipur					Relevant details not provided in prescribed
21.	Meghalaya	2	0	0	0	2
22.	Mizoram	7^	0	0	0	0
23.	Nagaland*					Relevant details not provided in prescribed
24.	Odisha	-	-	3	3	1
25.	Puducherry	8	2	0	0	2
26.	Punjab	36	0	0	0	0
27.	Rajasthan	18	0	0	0	18
28.	Sikkim	-	-	-	-	-
29.	Tamil Nadu	3	0	3	0	0
30.	Telangana	14\$	-	-	-	-
31.	Tripura					Relevant details not provided in prescribed
32.	Uttar Pradesh	64	-	-	-	-
33.	Uttarakhand*					Relevant details not provided in prescribed
34.	West Bengal					Relevant details not provided in prescribed form

* Compliance status not provided as per prescribed format. \$ The Board issued closure orders to the 14 units for causing air and water pollution under Water and Air Act and not exclusively for violation of Hazardous Waste Rules. # Notices issued to all 30 units and closure issued to 03 units ^ 03 units were directed to apply for Authorization and 04 units were directed to apply for consent Direction in Para 14 "...We direct CPCB to take further steps for compliance by issuing appropriate directions and also to enforce its directions for recovery of compensation for the continuing damage to the environment on 'Polluter Pays' principle. CPCB and

PCBs/PCCs may not permit any new industry having potential to generate hazardous waste till facilities for disposal of such waste are ensured..."

Action Taken/ Status:

CPCB has been continuously following up with the implementing agencies to ensure compliance. CPCB also issues directions and imposes compensation on 'Polluter Pays' principle for violations of provisions of HOWM Rules and environmental damages noticed as and when required. As per Rule 6 of the HOWM Rules, 2016, SPCB/PCC is the prescribed authority to grant authorization for generation, handling, storage, treatment, utilisation, disposal, etc. of hazardous and other waste, therefore, CPCB vide its letter dated 27/08/2020 directed all the 17 SPCBs/PCCs (which are not having facility/arrangement for disposal of Hazardous waste) not to grant permit to any new hazardous waste generating unit till the facility for disposal of such waste is ensured and revoke the permission granted to any new unit after 08/07/2020, if any.

Direction in Para 14 "...CPCB may set up a system to cross verify the status of hazardous waste generating industries (at least 10% in each State) and also direct SPCBs/PCCs to impose environmental compensation against delinquent industries..."

Action Taken/ Status:

As directed, CPCB has developed Mechanism to cross verify the status of hazardous waste generating/handling industries in consultation with SPCBs/PCCs.

"The criterion for selection of units as laid down in the said monitoring mechanism is as below:

A) SPCBs/PCCs

S.No	Number of Units in Criteria State/UT	
1.	Less than 25	100%
2.	26-50	50% or atleast 20 units, whichever is more
3.	51 onwards	10% or atleast 30 units, whichever is more

B) CPCB

S.No	Number of Units in Criteria State/UT*	
1.	Less than 1000	10% or atleast 50 units, whichever is more
2.	1001-3000	5%

3.	3001-5000	2.5 %
4.	5001- 8000	1.25 %
5.	8001-10000	1%
6.	10001 onwards	0.75 %

Note: * Represents total number of units falling in the jurisdiction of Regional Directorates of CPCB to be verified in a year (including few units already verified by the SPCBs/PCCs).

The selection of the units for cross verification should be in such a manner that the units identified for the purpose covers sectors contributing to major hazardous or other waste generation or handling. Further, it may also include recyclers; utilisers; pre-processor; co-processors; collection facilities and disposal facilities covering large, medium and small-scale industries."

The said mechanism alongwith methodology/approach to be adopted and format for reporting was circulated to all SPCBs/PCCs vide letter dated 15/10/2020 to adopt the said mechanism with effect from next financial year i.e. April, 2021 onwards and submit half-yearly status report on verification of the industries in the prescribed format specified therein. It was also directed to impose environmental compensation (EC) on defaulting units found during the cross verification. The copy of the said "Mechanism to cross verify the status of hazardous waste generating/handling industries" is enclosed at Annexure-III.

Direction in Para 15 "...

all the States/UTs and PCBs/PCCs to comply with observations and recommendations in the report and furnish their compliance reports by 31.10.2020 to the CPCB. The Chief Secretaries of the States at the State level and the Ministry of Environment, Forest and Climate Change (MoEF&CC) and the CPCB at the national level may monitor compliance. At the national level, coordination with Central Ministries may be involved which MoEF&CC may look into followed up by the CPCB. Further action taken report in the matter be furnished by CPCB after four months by 30.11.2020...." Action Taken/ Status:

In accordance with the orders of the Hon'ble Tribunal, CPCB vide letter dated 20/07/2020 forwarded the orders dated (uploaded) 07/07/2020 of the Hon'ble Tribunal to all Chief Secretary and SPCBs/PCCs for taking necessary action and submit the compliance status to CPCB in the specified format within the prescribed timeline.

State-specific format has been prepared by CPCB for submission of compliance status on the recommendations made in the Interim and Final report of the Monitoring Committee (excluding recommendations pertaining to contaminated site).

Reminder letter dated 28/10/2020 was also issued to 25 SPCBs/PCCs namely A&N Inland, Arunachal Pradesh, Assam, Bihar, Chandigarh, Delhi, DDD&NH, Goa, Haryana, Jammu & Kashmir, Jharkhand, Karnataka, Madhya Pradesh, Maharashtra, Manipur, Meghalaya, Nagaland, Punjab,

Puducherry, Rajasthan, Tamil Nadu, Telangana, Uttar Pradesh, Uttarakhand and West Bengal (who have not submitted compliance status report to CPCB).

CPCB vide its letter dated 15/07/2020 also communicated the orders of the Hon'ble Tribunal to the Ministry of Environment, Forest and Climate Change (MoEF&CC) followed by reminder on 25/11/2020 to ensure compliance in the matter. Also, vide letter dated 06/08/2020 and reminder letter dated 09/11/2020 various implementing Ministries/agencies i.e. Ministry of Shipping, Ministry of Commerce (CBIC), Ministry of Labour and Directorate General of Foreign Trade (DGFT) were requested to comply with directions of the Hon'ble Tribunal and submit compliance status.

In this regard, the status on the responses received from State/UT government; SPCB/PCC; MoEF&CC, Ministry of Shipping, CBIC, Ministry of Labour and DGFT is tabulated as below:

S. No. Name of State/Agency State/UT Government SPCB/PCC 1 Andaman & Nicobar Island x 2 Andhra Pradesh x 3 Arunachal Pradesh x 4 Assam 5 Bihar* x 6 Chandigarh x 7 Chhattisgarh x 8 DDD&NH x x 9 Delhi x 10 Goa 11 Gujarat x 12 Haryana x 13 Himachal Pradesh x 14 Jammu and Kashmir x 15 Jharkhand x 16 Karnataka x 17 Kerala x 18 Lakshadweep x 19 Madhya Pradesh x 20 Maharashtra x 21 Manipur 22 Meghalaya x 23 Mizoram 24 Nagaland* x 25 Odisha x 26 Puducherry 27 Punjab 28 Rajasthan x 29 Sikkim x 30 Tamil Nadu x 31 Telangana x 32 Tripura 33 Uttar Pradesh x 34 Uttarakhand * x 35 West Bengal * The information provided by Bihar, Nagaland, and Uttarakhand SPCBs is not as per the prescribed format/does not includes the status on all the action points.

S. No.	Implementing Agency	Status on Submission
1.	DGFT	
2.	CBIC	
3.	MoEF&CC	x
4.	Ministry of Labour and Employment	
5.	Ministry of Shipping	
	(a) DG(S)	x
	(b) Port Authorities	

In this regard, Government of Punjab, West Bengal and SPCBs/PPCs of 15 States/UTs namely Andaman & Nicobar Islands, Chandigarh, Haryana, Jammu & Kashmir, Karnataka, Lakshadweep, Maharashtra, Meghalaya, Odisha, Puducherry, Punjab, Telangana, Tripura, Uttar Pradesh and Uttarakhand have informed that the State level Monitoring/Advisory Committee has been constituted to oversee the implementation of the Hazardous & Other waste (Management and Transboundary Movement) Rules, 2016 alongwith recommendation of the Monitoring Committee.

Further, Gujarat PCB has informed that Chief Secretary is regularly taking meeting in the matter of O.A No. 606/2018 wherein O.A no. 804/2017 is also a part and Madhya Pradesh PCB has also informed that the proposal has been submitted for constitution of committee.

The detail status on the compliance to the recommendations made in the Status report of CPCB (as submitted in June 2020) and in accordance with the orders (uploaded) dated 07/07/2020 of the Hon'ble Tribunal is deliberated in Section 3 and Section 4 respectively of this report.

3. STATUS ON COMPLIANCE OF OBSERVATIONS AND RECOMMENDATIONS IN THE CPCB REPORT VIS-À-VIS ORDERS DATED 07/07/2020 OF THE HON'BLE TRIBUNAL (EXCEPT PERTAINING TO CONTAMINATED SITES) CPCB in its Status report submitted in June, 2020 (in compliance to the directions dated 26/ 08/ 2019 of the Hon'ble Tribunal) made various recommendations based on the compliance report submitted by various Ministries/ State Govt/ SPCBs/PCCs on the action points given in the Interim and Final Report of the Monitoring Committee vis-à-vis orders of the Hon'ble Tribunal in the said matter.

The Hon'ble Tribunal vide orders (uploaded) dated 07/07/2020 accepted the recommendations made in CPCB report (June 2020) and directed to comply with the observations and recommendations made therein. The status on compliance of the recommendations vis- a- vis orders dated 07/07/2020 of the Hon'ble Tribunal on the action points mentioned in the Interim and Final Report is deliberated in subsections 3.1 and 3.2 as below:

3.1 Compliance Status, Observations and Recommendations on the action points covered in the Interim Report of the Monitoring Committee vis- a- vis orders dated 12/04/2019 of the Hon'ble Tribunal So far 34 State/UT Government/SPCBs/PCCs namely Andaman & Nicobar Islands, Andhra Pradesh, Arunachal Pradesh, Assam, Bihar, Chhattisgarh, Chandigarh, Delhi, Gujarat, Goa, Haryana, Himachal Pradesh, Jammu & Kashmir, Jharkhand, Karnataka, Kerala, Lakshadweep, Maharashtra, Madhya Pradesh, Manipur, Meghalaya, Mizoram, Nagaland, Puducherry, Punjab, Rajasthan, Odisha, Sikkim, Tamil Nadu, Telangana, Tripura, Uttar Pradesh, Uttarakhand and West Bengal have submitted status on the compliance to the recommendation and directions of the Hon'ble Tribunal for the period i.e. April-September, 2020. However, the information provided by Bihar, Nagaland and Uttarakhand SPCBs is not as per the prescribed format. Status on the submission of compliance report is as given below:

States submitted	States not submitted	S. No.	compliance status	compliance status
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1. Andaman & Nicobar DD&DNH Islands
2. Andhra Pradesh
3. Arunachal Pradesh

4. Assam

5. Bihar*

6. Chhattisgarh

7. Chandigarh

8. Delhi

9. Goa 10 Gujarat 11 Haryana 12 Himachal Pradesh 13 Jammu & Kashmir 14 Jharkhand 15 Karnataka 16 Kerala 17 Lakshadweep 18 Madhya Pradesh 19 Maharashtra 20 Manipur 21 Meghalaya 22 Mizoram 23 Nagaland* 24 Odisha 25 Puducherry 26 Punjab 27 Rajasthan 28 Sikkim 29 Tamil Nadu 30 Telangana 31 Tripura 32 West Bengal 33 Uttar Pradesh 34 Uttarakhand * * The information provided by Bihar, Nagaland and Uttarakhand SPCBs is not as per the prescribed format/does not includes the status on all the action points."

11. The status of compliance by different States/UTs has been compiled in the report which is appended to this order as Appendix-I. The status of compliance by the CPCB in response to the recommendations of the Monitoring Committee dated 23.07.2019. The report mentions the response to 28 observations in the Monitoring Committee report contained in Appendix-A to the order dated 07.07.2020, which part of the report is appended to this order as Appendix-II.

12. The action taken report on contaminated sites has also been appended to the CPCB report with the observations and recommendations which are reproduced below:-

"4.0 Action Taken Report on contaminated sites in compliance of the Hon'ble National Green Tribunal, Principal Bench, New Delhi order dated 01.07.2020 in the matter of O. A. No. 804/2017: Rajiv Narayan & Anr. Vs Union of India & Ors.

4.1 Background The Hon'ble National Green Tribunal, Principal Bench, New Delhi, in the matter of O. A. No. 804/2017: Rajiv Narayan & Anr. Vs Union of India & Ors has passed the following directions regarding contaminated sites vide its orders dated 01.07.2020, reproduced the same as below:

"....14. We direct CPCB to take further steps for compliance by issuing appropriate directions and also to enforce its directions for recovery of compensation for the continuing damage to the environment on 'Polluter Pays' principle.... Apart from this, following specific directions may be complied with:

(ii) Regarding remediation of contaminated sites, immediately 5 sites should be taken for remediation and executed within a period of six months. Environmental damages caused by such sites and loss in terms of monetary resources may also be estimated.

15. We direct all the States/UTs and PCBs/PCCs to comply with observations and recommendations in the report and furnish their compliance reports by 31.10.2020 to the CPCB. The Chief Secretaries of the States at the State level and the Ministry of Environment, Forest and Climate Change (MoEF&CC) and the CPCB at the national level may monitor compliance. At the national level, coordination with Central Ministries may be involved which MoEF&CC may look into followed up by the CPCB. Further action taken report in the matter be furnished by CPCB after four months by 30.11.2020"

A copy of the Hon'ble NGT order dated 01.07.2020 (uploaded on 07.07.2020) is annexed at Annexure-I. 4.2 Status on Assessment and Remediation of Contaminated Sites

(i) Aforesaid directions of Hon'ble NGT, were communicated vide letter dated 22.07.2020, to 21 SPCBs/PCC where the sites were identified, for taking necessary actions and to submit a report on assessment and remediation of contaminated in respective sites.

(ii) A meeting was held with 21 SPCBs/PCC through VC on 02.09.2020 to review the compliance status. The said meeting was attended by Senior officials of SPCBs/PCC including few Member Secretaries. A copy of the minutes of meeting is annexed at Annexure-IV.

(iii) 18 out of 21 States/UT (except Odisha, West Bengal and Delhi) have submitted compliance status reports along with details of sites inspected, testing of samples, etc. including details of assessment works carried out by them.

(iv) 3 out of 21 States/UT namely Odisha, West Bengal and Delhi have requested more time for completion of site inspections, assessment and to submit compliance reports, due to on-going pandemic situation. State-wise number of sites as per the status reports submitted by SPCBs is given at Table-1.

Table-1: Details of action taken reports submitted by SPCBs/PCC S. Name of the No. of Action taken Date of No. States/UT sites report submitted submission

1. Andhra Pradesh 4 Yes 10.11.2020

2. Assam 4 Yes 01.12.2020

3. Chhattisgarh 5 Yes 17.07.2020

4. Delhi 23 No* 25.01.2021
5. Goa 2 Yes 10.12.2020
6. Gujarat 23 Yes 27.10.2020 & 07.11.2020
7. Haryana 14 Yes 27.11.2020
8. Himachal Pradesh 4 Yes 19.08.2020
9. Jharkhand 14 Yes 29.07.2020 & 03.12.2020
10. Karnataka 25 Yes 02.11.2020
11. Kerala 9 Yes 29.10.2020
12. Madhya Pradesh 20 Yes 29.10.2020
13. Maharashtra 6 Yes 18.11.2020
14. Odisha 32 No* 03.11.2020
15. Punjab 9 Yes 01.11.2020
16. Rajasthan 10 Yes 11.09.2020
17. Tamil Nadu 11 Yes 28.11.2020
18. Telangana 9 Yes 24.11.2020
19. Uttar Pradesh 43 Yes 27.11.2020
20. Uttarakhand 6 Yes 25.11.2020
21. West Bengal 7 No* 02.12.2020 *Note: Due to Covid-19 pandemic situation, requested for more time to submit compliance report

(v) States have also indicated that some of the probable sites in the list provided by CPCB are not showing any signs of contamination, hence proposed for de-listing of such sites.

(vi) As per compliance reports submitted by SPCBs/PCC with supporting documents, such as details of site visits, sampling activity carried out etc., the list of sites has been revised as below:

a) Total number of sites identified- 280

b) Confirmed contaminated sites- 112

c) Sites which are probable or not investigated yet - 168

(vii) As per status reports, States are in the process of assessing the remaining 168 out of 280 sites, therefore the actual scenario of contaminated sites will remain unknown till completion of the task.

(viii) As per the status reports submitted by SPCBs/PCC, site assessment, DPR preparation and remediation works are in different stages of completion. Accordingly, the status of sites has been compiled based on following criteria:

a) Probable sites need to be investigated by site inspection and preliminary sampling,

b) Confirmed sites where hazardous waste is till lying,

c) Confirmed sites for which DPRs have been prepared by CPCB/MoEF&CC,

d) Sites where remediation works are initiated or ongoing.

A clear picture on contaminated sites will be known only when SPCBs/PCC gets the sites investigated by responsible parties or investigate the sites by themselves. Revised list of probable and confirmed contaminated sites have been compiled and state-wise revised distribution is given at Table-

Table-2: Revised State wise distribution of contaminated sites Status submitted Updated status as December, before Hon'ble NGT 2020 in June, 2020 Probable S. De-listed States/UTs Total Sites
Total Sites Contaminated No. sites (PCS +CS) Sites1 Sites (CS) (PCS) 4 Delhi (NCR) 26 (14+12) 3 23
12 11 Revised list of sites giving details of assessment and actions initiated by SPCBs/PCC is given at Annexure-V.

(ix) State wise details of Action taken/initiated by SPCBs/PCC in compliance to directions of Hon'ble NGT are compiled and given at Annexure-VI.

(x) Some progress has been observed in 112 confirmed sites in terms of preparation of DPRs, initiation and execution of remediation works. The details of the same are as below:

a. Remediation works have been initiated in 8 sites, in States namely; Gujarat (2), Jharkhand (1), Maharashtra (1), Tamil Nadu (2) and Uttar Pradesh (2). These remediation works have been taken up primarily by the responsible party/industry as per the directions or monitoring of SPCBs. Details of these sites are given at Table-3.

b. CPCB/MEF&CC have carried out a project for detailed site assessment and preparation of Detailed Project Reports (DPRs) have been prepared for 20 sites with

funding under NCEF/CBIPM Projects. The initiative was to carry out pilot studies to guide future assessment and preparation of DPRs for remediation works. It is expected that these DPRs would form basis for to execute remediation works by Responsible Parties if identified or the State Government in case of orphan sites. Details of the sites for which DPRs have been prepared is given at Annexure-VII.

In this context, orphan sites are those sites where polluter is not identified or the polluter is not in a position to bear remediation cost.

c. In remaining identified contaminated sites, the SPCBs/PCC are required to direct the responsible party to carry out detailed investigation and remediate the sites scientifically as per the guidance document provided by CPCB/MoEF&CC. Funds for remediation may be borne by the responsible party. In case of orphan sites, SPCBs may approach State Government for assessment and remediation in larger public interest of protecting health of people living in impact zone.

(xi) Maharashtra and Andhra Pradesh States have informed that environmental site assessment is in progress at 7 sites. These sites include Uranium Corporation of India, Kadapa, Andhra Pradesh and LG Polymers site in Vishakhapatnam, Andhra Pradesh. 5 Sites in Maharashtra are Mithi River, Industrial areas of Deonar, Tarapur and Nashik. Details of sites is given at Annexure-VIII.

(xii) With regard to directions of Hon'ble NGT that 5 sites should be remediated within a period of 6 months, remediation works have been initiated in 3 sites in Odisha and 2 sites in UP where tendering process is underway. In addition, one more site in Kerala has also been initiated tendering process. Details of these sites are given at Annexure-IX.

(xiii) It is observed that remediation works are under progress in 8 sites in 5 states. SPCBs/PCC are required to monitor these sites to check whether remediation works are carried as per DPRs and meet site specific target levels for cleanup. Details of these sites along with observations is given at Table-3.

Table-3: List of 8 sites for which remediation works initiated by Responsible Parties:

S. Action taken/Initiated by Observations No. Name of the Site SPCB Gujarat (02)

1. Effluent Channel i) In groundwater samples GPCB may monitor Project Limited (ECPL), ii) Color, Phenolic compound, target levels Baroda Effluent Sulphate, Chloride & TDS are periodically.

Canal, Vadodara reported higher than Responsible party may be District acceptable limit of BIS. directed to submit Remediation work is undertaken monthly or quarterly by Dye- manufacturing and progress reports.

Pharmaceutical industries
(Responsible Parties).

- | | | |
|--|--|--|
| <p>2. Swastik Organic,
Sabar Dairy Road,
Piplodi, Gujrat</p> | <p>i) Hazardous waste lying at the site was already lifted and shifted to TSDF.</p> <p>ii) In the downstream at village Boriya Khurad, about 7 to 8 bore wells reported as contaminated with reddish brown coloured water.</p> <p>iii) In this regard, it reported that crops like wheat, cotton & castor are irrigated with this colored water.</p> <p>iv) GW samples collected and reported about 200 Pt Co yellowish color.</p> <p>The responsible party has awarded the remediation work to GITCO.</p> | <p>Subsequent soil conta remain at may carry sediment s Responsibl directed t monthly progress r Status updated website an CPCB.</p> |
|--|--|--|

Jharkhand (01)

- | | | |
|--|--|---|
| <p>3. Roro hills, Jharkhand
- 833201</p> | <p>Detailed investigation report on "Rehabilitation of Roro abandoned asbestos mines" along with remediation status as per direction of Hon'ble NGT submitted.</p> | <p>Jharkhand PCB Roro monitor progre remediation works status report may is updated from time time at website</p> |
|--|--|---|

It was informed that, remedial action submit to CPCB. has been taken by Dept. of Mining, Jharkhand.

Maharashtra (01)

4. M/s Godavari Bio- Contaminated groundwater is MPCB should monitor Refineries, Ahmed being remediated by applying progress status report Nagar District, Bioremediation technique since may be updated at Maharashtra September, 2017 and the same is website and submit to underway. CPCB from time to time.

Tamil Nadu (02)

5. M/s HUL, Trail remediation has been done TNPCB may monitor Kodaikanal, Tamil by M/s HUL. TNPCB had approved remediation works being Nadu Consent to Establish for execution of undertaken by Responsible soil remediation activity. party.

		All requisite machineries have already been installed for soil remediation.	Status report may be updated at SPCB's website and also submitted to CPCB.
6.	Tondairpet, Chennai, Tamil Nadu	Remediation work is undertaken by M/s BPCL since 2016.	
		Uttar Pradesh (02)	
7.	Industrial Area Meerut Road, Ghaziabad, Uttar Pradesh	Cr(VI) in groundwater is remediated by applying: (i) Pump & Treat (P&T) technique, (i) Bioremediation technique, Remediation work is underway since 2012.	UPPCB may monitor remediation work undertaken by Responsible Party and upload status report at website and submit to CPCB from time to time.
8.	Lohia Nagar C Block, Ghaziabad		

4.3 Observations and Recommendations

1. In compliance to directions of Hon'ble NGT, SPCBs/PCC have reported that 14 sites in 7 States as non-contaminated and 168 sites are yet to be investigated. As per reports, site investigation were carried out with limited sampling in most cases 1 or 2 samples. Conclusion may not be drawn even if concentrations levels are within screening criteria as there may be scope of missing pocket of contaminated matrices in adjoining of areas. Therefore prior to declaring the site as non-contaminated, SPCBs/PCC may conduct systematic investigation as per Reference Document issued by CPCB.

Findings of the report may be placed at SPCB/PCC website and also submit to CPCB from time to time.

2. As per directions of Hon'ble NGT dated 01.07.2020, 5 sites should be taken for remediation and executed within a period of six months. In compliance, 3 contaminated sites in Odisha have been initiated remediation works and for other 2 sites in UP tendering process is underway. In addition, 1 site in Kerala has also been initiated tendering process. In this regard, it is submitted that remediation projects are relatively new in the country where there is no standardization in tendering process and limited experience in execution, hence execution of remediation works may take more time than normal civil works. However, SPCBs/PCC should direct the concerned responsible agencies to expedite the process and realistic timeline should be monitored strictly.

3. 3 out of 21 States/UT namely Odisha, West Bengal and Delhi have requested more time for completion of preliminary site investigation of the sites and to submit compliance reports, due to on-going pandemic situation.

4. As per status report, hazardous waste is still lying at 8 sites in 5 States for which DPRs have already been prepared or under completion (for kind reference at Annexure-V). Action for shifting of hazardous waste initiated in 3 sites in Odisha. In this regard, it is submitted that open dumping of hazardous waste will result in continuous and active release of contaminants to soil and groundwater and thereby the contaminated plume may increase gradually, this may also impact cost of remediation adversely. Therefore, it is essential to lift hazardous waste immediately to contain further damage to environment. SPCBs/PCCs may therefore direct all responsible parties to immediately lift the waste and dump at common hazardous waste treatment, storage and disposal facilities (TSDFs). In case of orphan sites, this work may be carried out by respective State Governments to protect public health.

5. CPCB may continue to maintain a centralized list of contaminated sites for which SPCBs may update the list periodically supplementing with site specific data. The data may be uploaded on websites and SPCBs and CPCB.

6. As per the status reports, Empowered Monitoring Committees (EMC) has been constituted by Odisha State, rest of the States have not constituted EMC for monitoring of Remediation Plan.

7. SPCBs/PCC may recognize remediation of contaminated sites as a regular activity. Dedicated teams and infrastructure may be developed by SPCBs/PCC to identify the sites, monitor and regulate the remediation as per MoEF&CC and CPCB guidance documents.

8. In case of orphan sites, SPCBs may approach State Government to prepare DPRs and execute remediation works. In cases where polluter or the responsible party is identified, SPCBs may direct the party to bear the cost and execute remediation works with prior authorization from SPCBs/PCC. In case the responsible party fail to remediate, the cost of remediation may be recovered as per polluter pays principle.

9. SPCBs/PCC should direct the responsible parties to immediately lift the hazardous waste still lying at dumpsites.

10. SPCBs/PCC may take follow-up actions as per the State specific observation of CPCB given at Annexure VI."

13. The report also mentions the mechanism to cross verify the status of hazardous waste generating/handling industries. Finally, the report gives the State-wise compliance status of the action taken by the State PCBs/PCCs with the observations and suggestions of the CPCB.

14. We have considered the report of the CPCB and appreciate the efforts in compiling all the relevant information on this important subject and direct that observations/suggestions of the CPCB

with reference to the compliance by the State PCBs/PCCs may now be duly complied expeditiously, which may be further overseen by the CPCB. The CPCB may assess compensation if the State PCBs/PCCs neglect compliance, following due process, which may be recovered and utilized for restoration of the environment, by preparing an action plan to be approved by the Chairman, CPCB. Even though the report of the CPCB is exhaustive for all the States, we take on record the report furnished by the Oversight Committee for State of UP filed on 10.09.2020. As directed earlier, the MoEF&CC may follow up compliance of steps to be taken by the Central Ministries, for which purpose the CPCB may coordinate with the MoEF&CC. CPCB may impose compensation, if necessary, on the States/UTs which fail to set up TSDF or make other alternative arrangement for management of hazardous waste as per Rules. CPCB may also notify the contaminated sites, having potential for damage to the environment, in public domain, alongwith damage caused and the studies undertaken. CPCB may also ensure that hazardous waste generators/recycles/operators of TSDF follow safety protocols, undertake periodical audits, have onsite and offsite emergency plans to avert accidents and fire and other environmental damage.

15. In view of the exhaustive report and having issued directions for compliance and further monitoring, we do not find it necessary to keep the matter pending with the Tribunal. The proceedings before the Tribunal are accordingly closed, with further monitoring being done at the level of the CPCB and the MoEF&CC, as already directed.

We also permit the applicant to give any further suggestion to the CPCB within one week.

A copy of this order be forwarded to the CPCB, the MoEF&CC, all State PCBs/PCCs by e-mail for compliance.

Adarsh Kumar Goel, CP S.K. Singh, JM Dr. Nagin Nanda, EM January 29, 2021 Original Application No. 804/2017 (Earlier O.A.No.36/2012) SN APPENDIX-I The status on the compliance visa- a- vis recommendations are as given below:

**S. No. GENERAL DIRECTIONS STATUS OF COMPLINACE
REMARKS/OBSERVATIONS RECOMMENDATIONS**

1. 05 SPCBs/PCCs (Andaman Not Complied- Andaman & None of the 05 SPCBs/PCCs DD&DNH shall submit the & Nicobar Islands, Nicobar Islands, Arunachal namely Arunachal Pradesh, quarterly compliance status Arunachal Pradesh, Pradesh, DD&DNH, Karnataka, DD&DNH, Karnataka, and to CPCB immediately.

DD&DNH, Karnataka, and and Meghalaya Meghalaya have submitted Meghalaya) be directed to quarterly compliance status submit the quarterly report for the period of July, compliance status report on 2019 to March 2020. However, implementation of Andaman & Nicobar Islands, recommendations made by Arunachal Pradesh, Karnataka the Monitoring Committee in and Meghalaya have its Interim report, as CPCB submitted status as on date.

has not received status

report for the 2nd, 3rd and 4th quarters from these SPCBs/PCCs.

Further, Uttar Pradesh may also be directed to submit the compliance status on the directions issued by CPCB vide dated 30/01/2019 in case of Spent Solvent Recovery Units.

Complied - Uttar Pradesh

-

2. As per categorization made by CPCB, since SPCBs of Assam and Chhattisgarh
- Not Complied - Chhattisgarh and Assam

Compensation Assam and Chh

S.No.	GENERAL DIRECTIONS	STATUS OF COMPLINACE	REMARKS/OBS
	have not set-up TSDF within the timeline (i.e. upto 31/03/3020) stipulated by the Hon'ble Tribunal vide its order dated 26/08/2019, the Hon'ble Tribunal may direct accordingly for imposition of environmental compensation in accordance with the said order.		However, St Assam vid 30/09/2020 to move appl Hon'ble NGT compensation CPCB vide it 23/11/2020 r Environment Department approach Hon relief in th Lakshadweep granted auth unit
3.	SPCBs/PCCs shall ensure timely submission of annual returns by all occupiers and in case of non-compliances (i.e. for non-submission/after lapse of timeline) action may be taken in accordance with the provisions laid down under the HOWM Rules, 2016.	Complied Bihar, Haryana, Puducherry, Sikkim Partially Complied- Arunachal Pradesh, Chandigarh, Gujarat, Himachal Pradesh, Jammu & Kashmir, Kerala, Madhya Pradesh, Maharashtra, Manipur, Mizoram, Odisha, Punjab, Rajasthan, Telangana, Tripura, Uttar Pradesh Uttarakhand and West Bengal Not Complied - Andaman & Nicobar Islands, Andhra Pradesh, Chhattisgarh, Delhi, Goa, Jharkhand, Karnataka,	Assam PCB ha the number o submitted an

S.No.	GENRAL DIRECTIONS	STATUS OF COMPLINACE	REMARKS/OBSERVATIONS	RECO
		Lakshadweep, Meghalaya, Nagaland and Tamil Nadu		ac p u 2
		Information not provided- Assam		ii.

S.No.	GENRAL DIRECTIONS	STATUS OF COMPLINACE	REMARKS/OBSE
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4. SPCBs/PCCs shall prepare Complied- Bihar, Chandigarh, Due to the on-g

annual inventory report on Delhi, Goa, Haryana, Himachal and based on re
hazardous and other waste Pradesh, Jammu & Kashmir, from
generation and its Jharkhand, Kerala, Maharashtra, submission
management, as per CPCB's Manipur, Mizoram, Nagaland, inventory was
Sikkim, Tamil Nadu, Uttar

guidelines and ensure 20/10/2020. However, 09 Pradesh and Uttarakhand submission of same within SPCBs namely Andhra the annual inventory to stipulated timeframe as laid Pradesh, Chhattisgarh, CPCB.

Partially Complied - Andaman & down under HOWM Rules, Nicobar Islands, Assam, Andhra Gujarat, Madhya Pradesh, 2016. Pradesh, Chhattisgarh, Gujarat, Odisha, Puducherry, Punjab, ii. Assam PCB and Madhya Pradesh, Meghalaya, Telangana and West Bengal Meghalaya shall S.No. GENERAL DIRECTIONS STATUS OF COMPLINACE REMARKS/OBSERVATIONS RECOMMENDATIONS Puducherry, Punjab, Odisha, have submitted annual submit the annual Rajasthan, Telangana and West inventory after 20/10/2020 inventory as per Bengal. Assam PCB and Meghalaya prescribed formats.

have not submitted the annual Not Complied - Arunachal inventory as per the prescribed iii. 11 SPCBs/PCCs Pradesh, Karnataka, Lakshadweep format.

and Tripura

Rajasthan PCB has inventory of 2019- dated 28/12/2020.

5. SPCBs/PCCs to ensure Partially Complied - Andhra It was
verification and Pradesh, Arunachal Pradesh, verification a
reconciliation of closing of Assam, Chandigarh, Gujarat, of closing
manifest document for all the Haryana, Himachal Pradesh, document has b
cases in Hazardous waste Jammu & Kashmir, Jharkhand, in few cases b
handling/generating units. Kerala, Madhya Pradesh, Goa PCB has no
Maharashtra, Meghalaya, Odisha, details on the
Puducherry, Punjab, Rajasthan, informed
Sikkim, Tamil Nadu, Telangana, complied.
Tripura, Uttar Pradesh and West Bengal

S.No.	GENERAL DIRECTIONS	STATUS OF COMPLINACE	REMARKS/OBSER
		Not Complied - Andaman & Nicobar Islands, Bihar, Chhattisgarh, Delhi, Goa, Karnataka, Lakshadweep, Manipur, Mizoram and Nagaland	Gujarat PCB has reconciliation manifest w however, w informed that be complied th
		Information not provided- Uttarakhand	portal. Manipur PCB ha that the quant wastes generat oil) are m Therefore, rec manifest does
6.	SPCBs/PCCs of 25 States/UTs shall initiate action on development of sectoral process based reasonable HW generation range/ environmental benchmarking/guidelines	Complied -Gujarat, Haryana, Haryana and Kerala PCB Himachal Pradesh, Kerala, initiated the pro Madhya Pradesh, Mizoram, Tamil study conducted fro Nadu and West Bengal	Puducherry PCC ha that all the unit HW through n state. Hence manifest is found the grey copies w received.
			Assam has initiat benchmarking of H petroleum refin
		Not Complied (but timeline recycling/utilization i provided) - Arunachal Pradesh	

S.No.	GENERAL DIRECTIONS	STATUS OF COMPLINACE	REMARKS/OB
	for HW recycling/ utilization and approach for waste management hierarchy and submit the progress report on the same within 06 months to CPCB.	(December, 2021), Bihar (31/12/2022), Chandigarh (March, 2021), Chhattisgarh (03 months) Jammu & Kashmir (March, 2021) and Punjab (March, 2021)	and gas pro the State. require som completion. Himachal

constituted Committee in this made on development of the Not Complied - Andaman & regard. said documents be submitted Nicobar Islands Andhra Pradesh, within 01 months to CPCB.

		Assam, Delhi, Goa, Jharkhand, Karnataka, Lakshadweep, Manipur, Maharashtra, Meghalaya, Nagaland, Odisha, Puducherry, Rajasthan, Sikkim, Manipur, Telangana, Tripura and Uttar Pradesh.	Goa, Jharkhand, Maharashtra, informed that process.
		Information not Provided - Uttarakhand	Tripura PCB re to deve benchmark/guid recycling and waste manageme
7.	SPCBs/PCCs to ensure regular updation of website with respect to all enforcement actions along with details of industries and action taken thereof.	Complied - Andhra Pradesh, Chandigarh has inform Assam, Chhattisgarh, Delhi, Goa, security audit Gujarat, Haryana, Jammu & process. Kashmir, Jharkhand, Maharashtra, Odisha,	
S.No.	GENRAL DIRECTIONS	STATUS OF COMPLINACE	REMARKS/OBS
		Puducherry, Tamil Nadu, Telangana, Tripura Not Complied - Andaman & Nicobar Islands, Arunachal Pradesh, Bihar, Chandigarh, Himachal Pradesh, Karnataka, Kerala, Lakshadweep, Madhya Pradesh, Mizoram, Meghalaya, Manipur, Nagaland, Rajasthan, Punjab, Uttar Pradesh and West Bengal Not applicable (not observed any non-compliances)- Sikkim Information not Provided - Uttarakhand	Karnataka ha web link of of providing West Bengal that develop work of thei under progre
8.	SPCBs/PCCs (of States/UT having spent solvent recovery units) shall ensure implementation of the CPCB directions dated 30/01/2019 and submit the compliance report annually to CPCB.	Complied - Andhra Pradesh, Goa, Gujarat, Karnataka, Maharashtra, Madhya Pradesh, Odisha, Puducherry, Punjab, Tamil Nadu, Telangana and West Bengal Partially Complied - Rajasthan and Uttar Pradesh	Rajasthan PC only 01 unit manifest sys followed up action has b erring units interaction conducted wi

Not Applicable (no spent solvent Uttar Pradesh recovery unit)- Andaman & Nicobar provided we Islands, Arunachal Pradesh, publishing of

S.No.	GENRAL DIRECTIONS	STATUS OF COMPLINACE	REMARKS/OBSERVATIONS
		Assam, Bihar, Chandigarh, inventory on their website and Chhattisgarh, Delhi, Himachal also not carried interaction Pradesh, Haryana, Jammu & program to create awareness. Kashmir, Jharkhand, Kerala, Lakshadweep, Manipur, Mizoram, Meghalaya, Nagaland, Sikkim, Tripura and Uttarakhand.	

The state-wise status on compliance of the recommendations are given as below:

S. NO.	STATE/UT	DIRECTIONS	STATUS
1.	Andaman & Nicobar	<p>i. Board shall take necessary action for compliance to the HOWM Rules, 2016 and recommendations of the Monitoring Committee and</p> <p>. Board shall be directed to submit the 2nd, 3rd and 4th quarter compliance report.</p>	<p>i. Complied. w.r.t stipulation management authorization Evaluation of granted/renewed; Ado uniform inspection f</p> <p>ii. Not Complied w.r.t Scientific p</p>

identification and quantification of all damages caused to the Hazardous waste; development of environment or third party elaborate protocol for pre- due to improper handling and processing; inspection and management of the hazardous monitoring of waste and other wastes, and non-collector/recycler/utilizer; Closing compliance respectively.

and reconciliation

Verification of inventory submitted accepting the same and adopt by units; Development of waste the CPCB's guidelines while generation range; website updation preparation of HW inventory w.r.t enforcement actions; inclusion report.

of fluorescent and other mercury containing lamps into the ambit of v. Board shall prosecute habitual and serious HW inventory; Capacity building;

defaulters under provisions approach for recycling/utilization of the Environment as per waste management (Protection) Act, 1986. Other S. STATE/UT DIRECTIONS STATUS RECOMMENDATIONS NO.

hierarchy; Development of alternative regulatory benchmarking for HW generation actions including refusal and and possibility of revocation of Authorisation recycling/utilization. can also be explored following the due process.

			iii. Partially Complied
			w.r.t inclusion
			Hazardous waste into t
			national hazardous
iii. Board shall be directed to submit			inventory; setting up
the status on setting up of TSDF or			sharing arrangement.
sharing arrangement with			(PCC has informe
authorized common TSDFs of			CPCB document, A&N Isl.
neighboring states.			under the states/UT g
			less than 500 MTA of l
			HW be permitted to ma
			arrangement with
			states for disposal of
			waste. In this regard,
			authorized unit for
			storage and transportat
			oil, however, no inform
			been provided w.r.t arr
			made for disposal of ha
			waste.)
			i. Not applicable:
S. STATE/UT			
DIRECTIONS		STATUS	RECOMMENDATIONS
NO.			

w.r.t. direction to common TSDF operator for not returning HW consignment, environmental audit of TSDFs, disclosure of escrow account)

x. based on proportionality precautionary pr Board shall deve in recycling and HW in t management mandated in the all the States i ensure the level for the industry
xi. Board shall also certain guidelines for t of HW recycle/ut case to case bas
xii. Board shall deve environmental be among the simila generating HW ca to ensure consis uniformity. The trend of circula would be a key i rationalizing generation reuse/utilisatio

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
			xiii.	In accordance with the orders dated 26/08/2019 of the Hon'ble Tribunal and CPCB report on categorization of States, Board shall submit the status on sharing arrangement made with authorized common TSDFs of neighboring states.
			xiv.	Board needs to take cognizance of aspects while enforcing the relevant rules (w.r.t. domestic hazardous waste and hazardous waste generated from e-waste rules like fluorescent lamp other mercury containing lamp) and also, preparation of HW inventory and other interventions.

xv. Board shall initiate action for establishment of the laboratory facility where all HW parameters as required under the Rules can be analyzed.

S. NO.	STATE/UT	DIRECTIONS	STATUS
2.	Andhra Pradesh	<p>i. Develop enforcement framework document for effective enforcement of Rules within one month.</p> <p>vi. Expedite conducting of environmental audit of common/captive TSDFs available in the State and submit the audit report to CPCB.</p> <p>ii. Develop sectoral process reasonable HW generation range to have uniformity in assessing the HW generation from industries and benchmarking the same with its peers.</p>	<p>Complied.</p> <p>Board is implement framework developed by</p> <p>xvi. Partially Complied</p> <p>Andhra Pradesh PCB has that board has inspect TSDFs at Visakhapatnam Nellore on 23.07.16.09.2020 respectively not submitted any report provided response in respect of captive TSDF.</p> <p>xvii. Not Complied.</p> <p>APPCB is issuing Consent Establish (CFE) after verification of material the EMP submitted by the and the hazard generation and disposal are being examined through Technical Committee during the inspections officials are verifying processing sheets and balance submitted by the</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS
		along with the appl	

quantification of waste g

iv. Immediately open escrow account in the remaining TSDF also and ensure verification of same by Both TSDFs (i.e. Nellore board and display on website of operator. Escrow Account. However, mandatory amount has not been deposited by TSDF, Nellore details w.r. t display on not been provided by the B

v. Andhra Pradesh PCB to ensure all the Spent solvent recovery units operating in the State have There are 100 Spent solv mandatory authorization, following generating units and manifest system and have been solvent recovery units aut verified for compliance of CPCB's recover approx. 1 SoP. Further, Board to initiate MT/annum of Spent Solv action against the erring units. units does not comply w requisite manifest docu 54 units are not comp CPCBs SoPs for spent s recovery. Show-cause not been issued to 03 unit violating CPCB's SoP/ma

S. NO.	STATE/UT	DIRECTIONS	STATUS
			documents/other pro HOWM Rules, 2016.

vi. Board shall immediately update vi. Not-Complied inventory of Spent Solvent Recovery No information provided by Andhra Units available in their States on Pradesh PCB in this regard. Board's website and provide the link of same.

3. Arunachal i. Board shall take necessary action ii. Complied. i. Board shall initiate action for Pradesh for compliance to the HOWM w.r.t. stipulation of mode of inclusion of Other waste in the Rules, 2016 and recommendations management of HW in regulatory actions, including of the Monitoring Committee. authorization document, inventory.

prosecution of habitual and serious ii. Shall carry out identification iii. Board shall be directed to defaulters under provisions of the and quantification of submit Environment (Protection) Act, 1986, Hazardous and Other Waste.

the 2nd, 3rd and 4th quarter documentation of non-compli

compliance report.

iii. Partially

ii. Board shall be directed to submit

the status on setting up of TSDF or verification of clo
sharing arrangement with manifests; verifica
authorized common TSDFs of returns.
neighboring states.

iv. Not-Complied
w.r.t. developmen
protocols for pr
recycling/utilization
(timeline- December
identification and

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOM
		of Hazardous and Other Waste ;development of Uniform format for visits and inspections ; v. updation of websites w.r.t. all enforcement actions ; development of sectoral process based reasonable HW generation range (timeline- December, 2021) ; development of framework for effective enforcement of Rules ; setting up of TSDF or sharing arrangements with TSDF of neighboring State ; setting of laboratory facility (timeline- December, 2022) ; cognizance of aspects while enforcing the relevant rules ; inclusion of Other Waste and Domestic HW into the ambit of annual inventory ; development of environmental benchmarking among similar industries (timeline- December, 2022)		as pe Rules Board proce gener unifo HW ge and b with solel data. vi. Board with actio indus vii. Board enfor effec based propo preca viii. Board in re HW manag manda
		v. Not applicable: w.r.t. direction to common TSDF operator for not returning HW		

consignment,

environmental

all t

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
		audit of TSDFs, (escrow account)	disclosure of	<p>ensure the level p for the industry.</p> <p>ix. Board shall also d certain b guidelines for the of HW recycle/util case to case basis</p> <p>x. Board shall develo environmental benc among the similar generating HW can to ensure consiste uniformity. The trend of circular would be a key int rationalizing generation reuse/utilisation.</p> <p>xi. In accordance with dated 26/08/2019 o Hon'ble Tribunal a report on categori States, Board shal status on arrangement ma authorized common neighboring states</p>
S. NO.	STATE/UT	DIRECTIONS	STATUS	

4. Assam
- i. Immediately adopt i. Not Complied.
identification and quantification of
HW based on scientific principal;
inclusion of mode of management
of each hazardous waste generated
in the authorization document.
- ii. Develop elaborate protocol ii. Complied
environmental monitoring of Frequency of inspect
recyclers/utilizers within one All HW generating un
month. year; Category 1

S.	STATE/UT	DIRECTIONS	STATUS
NO.			category units and capt once in 06 months; Pre- recycling & utilization in 03 months.

iii. Take initiative for development of iii. Partially Complied centralized laboratory for north-
Laboratory facility available with iv. Expedite conducting of east region and commissioning of
Assam PCB has been provided. environmental audit of captive same within 06 months. TSDFs
available in the State and submit the audit report to iv. Develop enforcement framework iv. Partially
Complied CPCB.

document for effective enforcement Draft framework prepared consisting of monitoring/tracking of
Rules within one month. v. Immediately set up TSDF in of non-compliances and frequency of
inspection, inventorization of their State as the timeline (i.e industries and identification and
31/03/2020) stipulated by the categorization of violations and Hon'ble Tribunal for action to be
initiated thereof. compliance has already lapsed.

- v. Board shall immediately update v. Complied
website with respect to all
enforcement actions along with
details of industries and action
taken.
- vi. Expedite conducting of vi. Not Complied
environmental audit of captive

S.	STATE/UT	DIRECTIONS	STATUS
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NO.

TSDFs available in the State and submit the audit report to CPCB.

Guidelines CPCB.

being

vii. Immediately set up TSDF in their

State as the timeline for compliance vii. Not Complied has already been lapsed. Process of selection of Developers for establishment of TSDF is under process.

5. Bihar i. Board shall invoke the Information not submitted as per the i. Board shall immediately powers format circulated by CPCB vide letter submit the compliance status conferred under clause 23 (1) and dated 20/07/2020, however, report for the period April- (2) of the Rules, related to all quarterly report for July-September, September, 2020 to CPCB as damages caused to the 2020 has been submitted. per prescribed format. environment or third party due to i. Not complied improper handling and ii. Board shall invoke the powers management of the hazardous and conferred under clause 23 (1) other wastes, and non-compliance and (2) of the Rules, related to respectively. all damages caused to the vi. Not complied environment or third party ii. Board shall expedite (timeline provided 31/03/2021) due to improper handling and the management of the hazardous development of elaborate protocols and other wastes, and non- to ensure enhanced level and compliance respectively.

frequency of enforcement and environmental monitoring of recycling/ utilisation facilities.

vii. Not complied

iii. Non-compliance to be documented S. STATE/UT DIRECTIONS STATUS RECOMMENDATIONS NO.

renewal or inspections in order to level and frequency of invoke powers of refusal or enforcement and revocation of authorization as per environmental monitoring of Rules. recycling/ utilisation facilities.

iv. Board shall immediately update iv. Not complied iv. Non-compliance to be website with respect to all documented while processing enforcement actions along with authorization for renewal or details of industries and action inspections in order to invoke taken. powers of refusal or revocation v. Partially complied v. Board needs to take cognizance of of authorization as per Rules.

(UDHD and ULBs have been aspects while enforcing the relevant sensitized for setting up of rules (w.r.t. domestic hazardous v. Board shall immediately deposition centres, however not waste and hazardous waste update website with respect to included in inventory report.) generated from e-waste rules like all enforcement actions along fluorescent lamp other mercury with details of industries and containing lamp) and also, action taken. preparation of HW inventory and other interventions. vi. Board needs to take cognizance of aspects while vi. Not complied vi. Board shall immediately upgrade enforcing the relevant rules the existing laboratory where all (w.r.t. domestic hazardous HW parameters as required under waste and hazardous waste the Rules can be analysed.

generated from e-waste rules like fluorescent lamp other vii. Information not provided vii. Board shall immediately update mercury containing lamp) and inventory of Spent Solvent Recovery (w.r.t. inventory of Spent Solvent also, preparation of HW Recovery Unit).

Unit available in their States on

S. NO.	STATE/UT	DIRECTIONS	STATUS
		Board's website and provide the link of same.	

viii. Partially Complied

viii. Board shall expedite setting up the TSDF in the State and submit the (CTE has been granted for setting upgrade the existing status. up of TSDF, work in progress) laboratory where all HW parameters as required under the Rules can be analysed.

6.	Chandigarh	i. Chandigarh PCC to bring other waste in regulatory domain and also report the same in its inventory report.	i. Partially Complied Process has been initiated (31/12/2021).
		ii. Chandigarh PCC shall expedite the development of elaborate protocols to ensure enhanced level and	ii. Partially Complied Process has been initiated

S. NO.	STATE/UT	DIRECTIONS	STATUS
		frequency of enforcement and environmental monitoring of recycling/ utilisation facilities.	
		iii. Chandigarh PCC shall immediately update website with respect to all enforcement actions along with details of industries and action taken.	iii. Partially Complied Security audit under process (31/12/2021)

7.	Chhattisgarh	i. Board shall expedite the development of elaborate protocols to ensure enhanced level and frequency of enforcement and environmental monitoring of recycling/utilisation facilities	i. Complied
		ii. Board shall initiate action for conducting environmental audit of captive TSDFs and submit the audit report to CPCB.	ii. Not Complied
		iii. Board needs to take cognizance of aspects while enforcing the relevant rules (w.r.t. domestic hazardous and waste and hazardous waste generated from e-waste rules like	Partially Complied Methodology has b and domestic HW co sent to dispo
S.	STATE/UT	DIRECTIONS	STATUS
NO	.	fluorescent lamp other mercury containing lamp) and also, preparation of HW inventory and other interventions.	However, the same needs incorporated in the inv
		iv. Board shall develop where all HW parameters as required under the HOWM Rules can be analysed.	iv. Not Complied Land procured for sett laboratory and will be

by 31/12/2021. their State as the timeline (i.e v. Immediately set up TSDF in their 31/03/2020) stipulated by the State as the timeline for compliance v. Not Complied Hon'ble Tribunal for has already been lapsed. Land has been identified and compliance has already notified. Willing letter submitted by lapsed. M/s Ramky Enviro Engg. Ltd., Hyderabad. The formation of SPV as per RFP is under process.

8. Delhi i. DPCC shall expedite setting up the i. Partially Complied i. DPCC shall expedite setting up TSDF in the UT and shall strictly Environmental Clearance has been the TSDF in the UT and shall comply with the timeline provided granted by MoEF&CC. strictly comply with the timeline for setting up of common TSDF in ii. (i.e 31/12/2020) stipulated by the UT. ii. Partially Complied the Hon'ble Tribunal for setting DPCC does not have a NABL up of common TSDF in the UT. ii. DPCC shall immediately upgrade accredited laboratory and limited iii. Delhi PCC shall expedite the the laboratory facility where all parameter (such as Zn, Pb, Co, Cr, upgradation of laboratory HW parameters as required under Ni, Fe) can be analyzed. However, facility to ensure analysis of all the Rules can be analysed. instruments like Bomb Colorimeter, parameters specified in HOWM XRF spectrophotometer, Zero head Rules, 2016.

S.	STATE/UT	DIRECTIONS	STATUS
NO.			
			extractor, Flash point Rotary evaporator, and coupled plasma procurement.
		iii. DPCC needs to take cognizance of aspects while enforcing the relevant rules (w.r.t. domestic hazardous waste and hazardous waste generated from e-waste rules like fluorescent lamp other mercury containing lamp) and also, preparation of HW inventory and other interventions.	iii. Partially Complied DPCC has constituted Committee to examine respect of Delhi and plan for consideration Board. The consists of members Links and Chinthan.
9.	DD&DNH	i. The Committee shall invoke the powers conferred under clause 23 (1) and (2) of the Rules, related to all damages caused to the environment or third party due to improper handling and management of the hazardous and other wastes, and non-compliance respectively. ii. The committee shall habitual and serious defaulters	Status report not submitted
S.	STATE/UT	DIRECTIONS	STATUS
NO.			

under provisions of Environment

(Protection) Act, 1986. wastes, and non-compliance respectively.

iii. The Committee shall immediately update website with respect to all iii. The committee shall prosecute enforcement actions along with habitual and serious details of industries and action defaulters under provisions of taken. Environment (Protection) Act, 1986.

iv. Initiate action for development of iv. The Committee shall elaborate protocols for pre-immediately update website processing and recycling/ with respect to all enforcement utilization facilities for sound actions along with details of environmental management of HW.

industries and action taken.

iii. The committee shall develop laboratory where all HW parameters as required under the HOWM Rules can be analysed.

v.

vi. Expedite conducting of environmental audit of common/captive TSDFs available in the State and submit the audit report to CPCB.

vi.

S. NO.	STATE/UT	DIRECTIONS	STATUS
10.	Goa	<p>i. Board shall expedite the setting up of common TSDF and strictly comply with the timeline provided for setting up of common TSDF in the State.</p> <p>iv. Board shall ensure that non-compliance to be documented while processing authorisation for renewal or inspections in order to invoke powers of refusal or revocation of authorisation as per Rules.</p> <p>ii. Board shall immediately update website with respect to all enforcement actions along with details of industries and action taken.</p>	<p>i. Partially Complied Under construction and detail the work carried out has been provided.</p> <p>ii. Not-complied No information p regard.</p> <p>iii. Complied.</p> <p>iv. Partially Complied.</p>

S. STATE/UT

NO.	DIRECTIONS	STATUS
	<p>iv. Board shall verify and validate the inventory data before accepting the same and adopt the CPCB's guidelines while preparation of HW inventory report.</p>	v. Complied
	<p>v. Board needs to take cognizance of The aspects while enforcing the relevant rules (w.r.t. domestic hazardous waste and hazardous waste generated from e-waste rules like fluorescent lamp other mercury containing lamp) and also, preparation of HW inventory and other interventions.</p>	<p>Goa waste management corporation has signed MoU for undertaking awareness creation and collection of E-waste across the State of Goa. Fluorescent other mercury containing lamp collected from various villages stored at Solid Waste Management Units. Local bodies directed to make provisions for collection storage of domestic HW.</p>
	<p>vi. Expedite conducting environmental audit of captive TSDFs available in the State and submit the audit report to CPCB.</p>	of vi. Partially Complied Audit under progress.
11. Gujarat	<p>i. Board shall submit the environmental audit of all common/captive TSDFs exist in the state to CPCB.</p>	<p>i. Partially Complied GPCB has an Environmental Audit Scheme wherein TSDFs falls under Schedule</p>
S.	STATE/UT	STATUS
NO.	DIRECTIONS	STATUS
	<p>the audit scheme and audit being carried out through approved Schedule-I Audit. To ensure the design and construction quality as TSDF protocol, third party RO verification is carried out.</p> <p>i. Board shall immediately invoke the powers conferred under clause 23 (1) and (2) of the Rules, related to</p>	<p>i. Not Complied No information provided</p>

all damages caused to the regard.
environment or third party due to
improper handling and
management of the hazardous and
other wastes, and non-compliance
respectively.

ii. Board shall immediately direct all
the operator of common TSDFs that ii. Complied
not to return the HW consignment
and the consignment needs to be
stored within the TSDF with
information to the waste generator
and also the SPCB.

iii. Board shall initiate action for the
identification and quantification of iii. Not-complied

S. NO.	STATE/UT	DIRECTIONS	STATUS
		the hazardous waste generation at the authorisation stage itself and therefore shall adopt the scientific principles as enumerated for such identification and quantification of HW.	No information provided in regard.
		iv. Expedite conducting of environmental audit of common/captive TSDFs available in the State and submit the audit report to CPCB.	iv. Not complied Audit not conducted yet. H direction has been issued Regional Officers for con the audit.
		v. Board shall immediately upgrade the laboratory facility where all HW parameters as required under the Rules can be analysed.	v. Partially Complied There are 04 laboratories with HSPCB (i.e. Gurugram, Faridabad and Panchkula). only Panchklula lab accredited. Last external conducted by NABL on 24-25 2019 and internal au conducted on 27/08/202. Th is in the process o

laboratory equipment for analysis of remaining parameters i.e. ICP and Gas Chromatography.

S. NO.	STATE/UT	DIRECTIONS	STATUS
13.	Himachal Pradesh	<p>i. Board shall immediately invoke the powers conferred under clause 23 (1) and (2) of the Rules, related to all damages caused to the environment or third party due to improper handling and management of the hazardous and other wastes and non-compliance the respectively.</p>	<p>i. Complied desired actions initiated as & when the s arises. Further, the Stat has also constit "Hazardous Waste Response Team (HWIRT)" so provisions Rules/guidelines per</p>

liabilities and financial penalty are audit in line with guidance enforced.

document prepared by CPCB.

ii. Board shall ensure that ii. Complied non- Renewal of authorization are being compliance to be documented while granted to the units after due processing authorization for validation of compliance renewal or inspections in order to parameters.

invoke powers of refusal or revocation of authorization as per Rules.	iii. Partially Complied
v. Board shall submit environmental audit of all common/captive TSDFs available in the state to CPCB.	The State Board has condu audit of the TSDF on 29.1 Further, the State process to carryout detai party audit of TSDF throu other reputed agencies.

S. NO.	STATE/UT	DIRECTIONS	STATUS
14.	Jammu & Kashmir	<p>i. Board shall immediately invoke the powers conferred under clause 23 (1) and (2) of the Rules, related to all damages caused to the environment or third party due to improper handling and</p>	<p>Complied Notices issue units, of whi issued to 03</p>

management of the hazardous and other wastes and non-compliance respectively.

- | | | |
|-------------------------------|-------------------|----------------|
| ii. Develop | framework for ii. | Complied |
| enforcement of Rules based on | | CPCB framework |

proportionality and precautionary principle. Also, ensure updation of website w.r.t. ii. Board shall immediately enforcement actions along with details of upgrade the laboratory industries and action taken. facility where all HW parameters as required under iii. Board needs to take cognizance of the Rules can be analysed aspects while enforcing the relevant iii. Partially Complied rules (w.r.t. domestic hazardous Communicated the same to iii. Board shall expedite setting waste and hazardous waste Municipal corporation, Jammu and up of TSDF in the state. generated from e-waste rules like directed local bodies vide letter However, till such time fluorescent lamp other mercury dated 20/07/2020. sharing arrangement with containing lamp) and also, authorized TSDF of preparation of HW inventory and neighboring states for disposal other interventions. of hazardous waste may be made.

iv. Not-complied

S. NO.	STATE/UT	DIRECTIONS	STATUS
		iv. Board shall immediately upgrade the laboratory facility where all HW parameters as required under the Rules can be analysed	Laboratory establishment process and equipments procured.
		v. Board shall be expedite setting up of TSDF in the state.	v. Partial Compliance TSDF is being set-up at Samba, Phase-II. Consent Establish has been granted for year vide letter dated 16/03/2
15.	Jharkhand	i. Jharkhand PCB shall bring other waste in regulatory domain and also report in its inventory report.	i. Not-complied No other waste utilization facilities State.
		ii. Adopt uniform inspection format for visits and inspection of HW ii. handling facilities to ensure comprehensive inspection as per the provisions of the Rules.	Complied
		iii. Board shall immediately invoke the powers conferred under clause 23 (1) and (2) of the Rules, related to all damages caused to the environment or third party due to	iii. Information prov

improper handling and management of the hazardous and

S.	STATE/UT	DIRECTIONS	STATUS
NO.		other wastes, and non-compliance respectively.	
		iv. Board shall ensure that iv. Information Not Provided non-compliance to be documented while processing authorization for renewal or inspections in order to invoke powers of refusal or revocation of authorization as per Rules.	v. Not Complied
		v. Expedite conducting environmental audit of common/captive TSDFs available in the State and submit the audit report to CPCB.	vi. Complied
		effective enforcement of Rules based on the principle of enforcement proportionality and also effective enforcement precautionary principle. Hazardous and Other (Management and Transportation Movement) Rules, 2016.	The Board is following framework of enforcement
		vii. Board shall immediately upgrade the laboratory facility where all HW Samples are being sent laboratories recognize	vii. Not Complied

S.	STATE/UT	DIRECTIONS	STATUS
NO.		parameters as required under the Rules can be analysed.	Board, having facility almost all HW parameters
16.	Karnataka	i. Board shall take necessary action for compliance to the HOWM Rules, 2016 and recommendations of the Monitoring Committee and	Not submitted the 2nd, quarter compliance report 2019 to March, 2020).
		vi. Board shall be directed to submit	i. Complied (w.r.t. directed operation)

the 2nd, 3rd and 4th quarter

common TSDFs for not

compliance report.

HW consignment)

ii. Board shall ensure compliance of

ii. Partially Complied

(escrow account op

directions issued by CPCB vide dated 30/01/2019 in case of all spent solvent recovery units available in the State.

operator of common TS compliance to all the pertaining to spent solvent recovery units not be out)

iii. Not complied

(w.r.t. action taken submission of annual occupiers; verification inventory; submission of inventory report to

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
			verification of closing of the manifests; updation of website w.r.t. enforcement actions; development of uniform inspection format; verification of units before grant of	preparation of report. Board habitual defaulters the Envi

authorization; invoke the powers Act, 1986. Other alternative conferred under clause 23 (1) regulatory actions including and (2) of the HOWM Rules, refusal and revocation of Authorisation may also be 2016; refusal and revocation of authorization; effective considered in accordance with enforcement of Rules; development the provisions of HOWM Rules, 2016.

	of sectoral process based generation range/ vi. benchmarkings/guidelines for HW recycling/utilization, display of inventory of spent solvent recovery units on website) vii.	Board sh with res actions industri Board enforcem effective based
iv.	Information not provided: (w.r.t adoption of Uniform format for visits and	proporti precauti

inspections; verification of
amount deposited in escrow
account by Board)

framework
ambiguity
actions
transpar

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
			viii.	and consistency in enforcement for actions. Board shall develop document in recycling and utilisation of HW in terms waste management hierarchy mandated in the rules across all the States in order to ensure the level playing field for the industry.
			ix.	Board shall also develop certain benchmarks/ guidelines for the possibilities of HW recycle/utilisation on case to case basis.
			x.	Board shall develop concept of environmental benchmarking among the similar industries generating HW can be useful to ensure consistency and uniformity. The emerging trend of circular economy would be a key intervention for rationalizing the HW generation and reuse/utilisation.

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
			xi.	Board shall develop sectoral process based reasonable HW generation range to have uniformity in assessing the HW generation from industries and benchmarking the same with its peers, rather than solely depending on industry data.
			xii.	Expedite conducting of

environmental audit of common and captive TSDFs available in the State and submit the audit report to CPCB. In this regard, CPCB has prepared guidance document and same is under finalization. Upon finalization, the same will be circulated to all SPCBs/PCCs for conducting audit in line with guidance document prepared by CPCB.

xiii. Board shall direct operator of TSDF, Dobbaspeta Bangalore Rural for opening of escrow account (as per MoEF&CC O. M. dated 16/04/2009).

S. NO	STATE/UT	DIRECTIONS	STATUS

17. Kerala	i. Board shall expedite the development of elaborate protocols to ensure enhanced level and frequency of enforcement and environmental monitoring of recycling/ utilisation facilities.	i. Complied
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iii. Initiate action for development laboratory where all HW parameters as required under the HOWM Rules can be analysed.	ii. Partially Complied The Board's Central Lab accredited by NABL & b continuously upgraded analysis of all HW parameters. case of non- availability of t infrastructure for analysis of HW parameters it is done throu
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external laboratories.

iv. Expedite conducting of iii. Not Complied
environmental audit of

Audit not conducted yet.

common/captive TSDFs available

S. NO.	STATE/UT	DIRECTIONS	STATUS
18.	Lakshadweep	<p>i. Shall initiate action for identifying hazardous waste generating unit and grant authorization to such however, units available in the UT.</p> <p>ii. Take necessary action . compliance to the HOWM Rules, 2016 and recommendations of the Monitoring Committee.</p> <p>iii. Shall also ensure compliance to the action points suggested by Monitoring committee and submit report to CPCB in prescribed format.</p> <p>iv. Board shall be directed to submit the status on setting up of TSDF or sharing arrangement with authorized common TSDFs of updation neighboring states.</p>	<p>i. Not submitted the quarter com qua</p> <p>July-September, submitted.</p> <p>Not complied (w.r.t. bringing regulatory action of uniform inspection enforcement verification of u of authorization; annual return powers conferred 23 (1) and (2) of Rules, 2016 with revocation of enforcement development benchmarking/guid recycling/utiliza environmental</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOM
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	among similar industries; and setting up of TSDF).	peers, depending on	rather
iii. Partially Complied	(timeline i.e. 31.12.2020,	vi. Board	conferre
	provided for grant of	and (2)	all dama
	authorization; development of		environm
	sectoral process based to		imp
	generation range; to ensure		manage
	effective enforcement of Rules,		and othe
	conditional consent and		complan
	authorization has been issued;	vii. Board sha	
	and laboratory is available)		and ser
iv. Not Applicable			provisio

(w.r.t. development of elaborated (Protection) Act, 1986. Other protocol for pre-processing, alternative regulatory actions recycling/ utilization as no such including refusal and revocation units available in Lakshadweep, of Authorisation can also be however, administration has explored following the due identified an authorized recycler process.

for used/waste oil at Aluva, ii. Board shall update websites Kerala and transport the items to with respect to all enforcement the mainland for final disposal.) actions along with details of industries and action taken.

iii.

			Board develo
			enforcement effective
S.	STATE/UT		
NO.	DIRECTIONS	STATUS	RECOMMENDATIONS
			based on principle of proportionality and also, precautionary principle. Such framework will remove ambiguity in regulatory actions and bring transparency, predictability and consistency in enforcement for actions.
			x. Board shall develop document in recycling and utilisation of HW in terms waste management hierarchy mandated in the rules across all the States in order to

ensure the level playing field for the industry.

xi. Board shall also develop certain benchmarks/ guidelines for the possibilities of HW recycle/utilisation on case to case basis.

viii. Board shall develop concept of environmental benchmarking among the similar industries generating HW can be useful to ensure consistency and uniformity. The emerging trend of circular economy would be a

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
				key intervention for rationalizing the HW generation and reuse/utilisation.
				xiii. In accordance with the orders dated 26/08/2019 of the Hon'ble Tribunal and CPCB report on categorization of States, Board shall submit the status on sharing arrangement made with authorized common TSDFs of neighboring states.
				xiv. Board needs to take cognizance of aspects while enforcing the relevant rules (w.r.t. domestic hazardous waste and hazardous waste generated from e-waste rules like fluorescent lamp other mercury containing lamp) and also, preparation of HW inventory and other interventions.
				xv. Board shall upgrade the laboratory facility where all HW parameters as required under the Rules can be analyzed.

S. NO.	STATE/UT	DIRECTIONS	STATUS
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19. Manipur	i. Manipur PCB shall bring other waste in regulatory domain and also report in its inventory report.	i. Partially Complied	
	ii. Develop enforcement framework for effective enforcement of Rules based on the principle of proportionality and also precautionary principle.	ii. Not Complied Under development for workshop and garages.	
	iii. The Board shall adopt uniform inspection format for visits and inspections of HW handling facilities.	iii. Complied	
	iv. The Board shall scientifically verify and validate the HW data and facilities before grant/ renewal of authorization.	iv. Not complied	
	v. Board shall verify and validate the inventory data before accepting the same and adopt the CPCB's guidelines while preparation of HW inventory report.	v. Partially Complied 02 units verified (i.e. bottling plant and IOC 0	
S. NO.	STATE/UT	DIRECTIONS	STATUS
20. Madhya Pradesh	vi. Initiate action for laboratory where all HW parameters as required under the HOWM Rules can be analyzed.	vi. Not Complied No laboratory available with SPCB, however, proposal has submitted for establishment same.	
	vii. Board shall be directed to submit the status on setting up of TSDF or sharing arrangement with authorized common TSDFs of neighboring states.	vii. Not Complied No action taken.	
	i. Board shall submit the environmental audit of all common/ captive TSDFs exist in the state to CPCB.	i. Partially Complied MPPCB has developed a fo conducting the audit and CPCB for approval & prov	

guidelines for environme
vide letter No. 1691
17.09.2020. Based on the
audit is under process.

S. NO.	STATE/UT	DIRECTIONS	STATUS
21.	Maharashtra	<p>i. Board shall submit environmental audit of all Work common/captive TSDFs exist in the state to CPCB.</p> <p>v. Board shall verify the mandatory amount deposited by all TSDFs in Escrow Account.</p> <p>vi. Board shall provide specific link of inventory of spent solvent recovery units published on its website.</p>	<p>i. Partially Complied order for CHWTSDFs in the Sta NEERI and the work Delays caused due t pandemic.</p> <p>ii. Partially Complied All the 04 faciliti the Escrow Account, details on verifica not reported.</p> <p>iii. Complied</p>
22.	Mizoram	<p>i. Mizoram PCB shall bring other waste in regulatory domain and also report in its inventory report.</p> <p>ii. Board shall expedite the development of elaborate protocols to ensure enhanced level and frequency of enforcement and environmental monitoring of</p>	<p>i. Partially Complied Not included in inven Board initiated actio regard.</p> <p>ii. Not applicable As there is no HW rec utilization facilitie</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS
		iii. Board shall immediately update website with respect to all enforcement actions along with details of industries and action taken.	iii. Complied The Board has its website which information w.r.t. wastes are updated.
		iv. Board needs to take cognizance of aspects while enforcing the relevant rules (w.r.t. domestic hazardous waste and hazardous waste generated from e-waste rules like fluorescent lamp other mercury containing lamp) and also, preparation of HW inventory and other interventions.	iv. Partially Complied Action initiated, however, reported in HW inventory r
		ii. Develop framework for effective enforcement of Rules based on proportionality and precautionary principle. Also, ensure updation of website w.r.t. enforcement actions along with details of industries and action taken.	v. Not complied No framework has been prepared by the Board as hazardous waste generating units are mostly unit of Automobiles and workshop generating less amount of used oil.
		vi. Board shall immediately upgrade the laboratory facility where all HW	vi. Not complied Proposal for upgradation Laboratory was submitted to
S. NO.	STATE/UT	DIRECTIONS	STATUS
		parameters as required under the Rules can be analysed.	vii. Not complied Requested Assam PCB facility arrangement once commissioned/operation
		vii. Board shall be directed to submit the status on setting up of TSDF or sharing arrangement with authorized common TSDFs of neighboring states.	
23.	Meghalaya	i. Board shall take necessary action for compliance to the HOWM Rules, 2016 and recommendations of the Monitoring Committee.	i. Not submitted the 4th quarter compliance however, quarterly July-September, 2020 submitted.
		iii. Board shall be directed to submit	ii. Complied (identification

the 2nd, 3rd and 4th quarter compliance report.

quantification generation;

uniform inspection

ii. Board shall be directed to submit

verification of H

the status on setting up of TSDF or

grant of authorization;

sharing arrangement with authorized common TSDFs of neighboring states.

documentation compliances)

iii. Partially Complied submission of annual

and verification of

data

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
		iv. Not Complied (w.r.t. bringing other waste into regulatory actions; invoke the powers conferred under clause 23 (1) and (2) of the HOWM Rules, 2016; refusal and revocation of authorization of violators and habitual defaulters; updation of website w.r.t. enforcement actions; Development of enforcement framework for effective enforcement of Rules; development of approaches w.r.t. waste management hierarchy, benchmarking/guideline for HW recycling/utilization, environmental benchmarking among similar industries; and setting up of TSDF).		the CPCB's g preparation report. v. Board habitual defaulters u of the (Protection alternative actions inc revocation can als following t vi. Board shall with r enforcement with detail and action vii. Board shall enforcement effective Rules base proportiona precautionar Such framew ambiguity i actions transparenc
		v. Partially Complied (w.r.t. reconciliation of manifest; timeline i.e.		

31.12.2020 provided for and
development of sectoral enforcement

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
			process based generation range; timeline i.e. 31.03.2023 provided for commissioning of laboratory facility)	viii. Board process HW generation uniform HW industrial benchmark its performance depending
		vi. Not Applicable (w.r.t. development of elaborated protocols for pre-processing, recycling/ utilization units as no such units are available in Meghalaya)		ix. Board documents utilization waste hierarchy rules order playing Board certain benchmark the potential recycling case b
				x. Board of benchmark similar HW can consist The em circul
				xi. Board of benchmark similar HW can consist The em circul

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
				key intervention for rationalizing the HW and generation reuse/utilisation.

xii. In accordance with the orders dated 26/08/2019 of the Hon'ble Tribunal and CPCB report on categorization of States, Board shall submit the status on sharing arrangement made with authorized common TSDFs of neighboring states.

xiii. Board needs to take cognizance of aspects while enforcing the relevant rules (w.r.t. domestic hazardous waste and hazardous waste generated from e-waste rules like fluorescent lamp other mercury containing lamp) and also, preparation of HW inventory and other interventions.

S. NO.	STATE/UT	DIRECTIONS	STATUS
			xiv
24.	Nagaland	<p>i. Develop framework for i. Not Complied enforcement of Rules based on proportionality and precautionary principle. Also, ensure updation of website w.r.t. enforcement actions along with details of industries and action taken.</p> <p>ii. Nagaland PCB shall bring other waste in regulatory domain and ii. Not Complied also report in its inventory report.</p> <p>iii. Board shall expedite the development of elaborate protocols to ensure enhanced level and frequency of enforcement and environmental monitoring of recycling/ utilisation facilities.</p>	<p>iii. Not Complied</p> <p>iii</p>

iv. Board shall initiate action for the iv. Not Complied identification and quantification of iv. Board shall expedite the hazardous waste generation at development of elaborate the authorisation stage itself and protocols to ensure enhanced S. STATE/UT DIRECTIONS STATUS RECOMMENDATIONS NO.

therefore shall adopt the scientific level and frequency of principles as enumerated for such enforcement and identification and quantification of environmental monitoring of HW. recycling/ utilisation facilities.

v. The Board shall scientifically verify v. Not Complied v. Board shall initiate action for and validate the HW data and the identification and facilities before grant/ renewal of quantification of the authorization. hazardous waste generation at the authorisation stage itself vi. Board shall immediately update vi. Not complied and therefore shall adopt the website with respect to all scientific principles as enforcement actions along with enumerated for such details of industries and action identification and taken quantification of HW.

vii. Not complied vii. Board shall immediately upgrade vi. The Board shall scientifically the laboratory facility where all HW verify and validate the HW parameters as required under the data and facilities before Rules can be analyzed. grant/ renewal of authorization.

viii. Board shall be directed to submit viii. Not complied the status on setting up of TSDF or vii. Board shall immediately sharing arrangement with update website with respect to authorized common TSDFs of all enforcement actions along neighboring states. with details of industries and action taken S. STATE/UT DIRECTIONS STATUS RECOMMENDATIONS NO.

25. Odisha

i. Board

shall submit i. Partial compliance

environmental audit of all Board issued lett
common/captive TSDFs exist in the occupier of TSDF to e
state to CPCB. approved organ
conducting audit and
report by 15th Octob

iii. Odisha PCB shall bring other waste
in regulatory domain and also
report in its inventory report.

ii. Partially Complied
One unit has be
however not reported

iv. Board needs to take cognizance of aspects while enforcing the relevant rules (w.r.t. domestic hazardous waste and hazardous waste generated from e-waste rules like inventory report. iii. Partially Complied

S. NO.	STATE/UT	DIRECTIONS	STATUS
		fluorescent lamp other mercury containing lamp) and also, preparation of HW inventory and other interventions.	Material recovery facilities have been developed by 77 nos of states, however, not reported in HW inventory report.

26.	Puducherry	<p>i. Board shall immediately invoke the powers conferred under clause 23 (1) and (2) of the Rules, related to all damages caused to the environment or third party due to improper handling and management of the hazardous and other wastes, and non-compliance respectively.</p> <p>ii. Initiate action for laboratory where all HW parameters as required under the HOWM Rules can be analysed.</p>	<p>i. Not complied No information provided regard.</p> <p>ii. Partial Compliance Facility available with accredited for ambient air</p>
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S. NO.	STATE/UT	DIRECTIONS	STATUS
		iii. Board shall be directed to	emission, noise level, e ground water, river & la

expedite setting up of TSDF and iii. Complied submit the status. Sharing arrangement is made with TSDF facility M/s Mother Earth Enviro Tech Limited, Bangalore.

The copy of agreement is provided.

27. Punjab i. The Board shall adopt uniform i. Complied i. Board shall submit the inspection format for visits and environmental audit report of inspections of HW handling all common and captive TSDFs facilities. exist in the state to CPCB. In this regard, CPCB has ii. Board shall submit ii. Not Complied prepared guidance document environmental audit report of all The field offices have already been and same is under finalization. common/captive TSDFs exist in instructed to carry out Upon finalization, the same the state to CPCB. Environmental Audit will be circulated to all SPCBs/PCCs for conducting iii. Board needs to take cognizance of iii. Partially Complied audit in line with guidance aspects while enforcing the relevant The Distt level committees document prepared by CPCB.

rules (w.r.t. domestic hazardous waste and hazardous waste instructed the EO's of t inspect and make action generated from e-waste rules like bring domestic hazardous fluorescent lamp other mercury and fluorescent an containing lamp) and also, mercury containing lamps preparation of HW inventory and ambit of annual inventor other interventions.

S. NO.	STATE/UT	DIRECTIONS	STATUS
		iv. Board shall immediately upgrade the laboratory facility where all HW parameters as required under the Rules can be analysed.	iv. Partiall Complied Board has facility physico-chemical, h pesticides and micr
		v. Board shall ensure compliance of directions issued by CPCB vide vi. Complied dated 30/01/2019 in case of all spent solvent recovery units available in the State.	
28.	Rajasthan	i. Board shall immediately invoke the i. powers conferred under clause 23 (1) and (2) of the Rules, related to all damages caused to the however, environment or third party due to improper handling and management of the hazardous and other wastes, and non-compliance respectively.	Partially Complied. Board has not invoked p conferred under 23(1) authorized of defaulting units have be refused/revoked.
		ii. Rajasthan PCB shall framework for effective enforcement of	ii. Not Complied

Rules based on proportionality and precautionary principle.

iii. Board shall initiate action for the identification and quantification of

iii. Partially Complied

S. NO.	STATE/UT	DIRECTIONS	STATUS
		the hazardous waste generation at the authorisation stage itself and therefore shall adopt the scientific principles as enumerated for such identification and quantification of HW.	Board has informed scientific principles for identification and quantification is not carried out. identification and quantification on the records and forms for being carried out by the Offices.
		iv. Expedite conducting of environmental audit of the all common/captive TSDFs available in the State and submit to CPCB	iv. Partially Complied Work order has been issued for environmental audit of Balotra Waste Management Ltd.
		v. Board shall verify the mandatory amount deposited by all TSDFs in Escrow Account.	v. Complied
		vi. Board shall expedite development of laboratory where all HW parameters can be analyzed.	vi. Partially Complied

vii. Rajasthan PCB shall initiate action to bring other waste in regulatory ambit. Board shall expedite domain and also report in its Board has informed that it has development of laboratory inventory report. issued office order dated S. STATE/UT DIRECTIONS STATUS RECOMMENDATIONS NO.

25/08/2020 to identify units where all HW parameters can which are engaged in handling be analyzed. other waste and bring it into the regulatory ambit. vi. Rajasthan PCB shall ensure to bring other waste in regulatory ambit. vii. Board shall submit the compliance domain and also report in its status w.r.t. spent solvent recovery viii. Partially Complied inventory report. unit in the prescribed format as the Rajasthan PCB has verified details on action taken on erring only 01 unit, out of 03 units, vii. Board shall ensure units, inventory, interaction manifest system is being compliance w.r.t. all points as programme, etc. have not be followed up by only 01 unit, no per CPCB direction dated submitted by Board. action has been taken against 30/01/2019 and submit erring units, and also no updated compliance statuses. interaction programs has been conducted with stakeholders.

29. Sikkim i. Board shall immediately update its i. Complied i. Board shall immediately prepare website with respect to all Till date no accidents or non- enforcement framework for enforcement actions along with compliance to the HW has been effective enforcement of Rules details of industries and action reported. based on principle of taken. proportionality and also, precautionary principle.

ii. Board shall immediately prepare viii. Not complied enforcement framework for effective Under preparation. ii. Board shall take necessary action enforcement of Rules based on to bring other waste in regulatory principle of proportionality and domain, as envisaged in the rules also, precautionary principle. and also report the same in the S. STATE/UT DIRECTIONS STATUS RECOMMENDATIONS NO.

iii. Board shall take necessary action inventory report on hazardous to bring other waste in regulatory and other waste management. domain, as envisaged in the rules iii. Not complied and also report the same in the Not applicable as the import and iii. Board needs to take cognizance of inventory report on hazardous and export of waste falling under aspects while enforcing the other waste management. Schedule III Part B & D of the relevant rules (w.r.t. domestic Hazardous & Other Wastes hazardous waste and hazardous (Management & Transboundary waste generated from e-waste Movement) Rules, 2016 is not rules like fluorescent lamp other reported. Also customs office and mercury containing lamp) and ports are not set up in the state. also, preparation of HW inventory However, the other waste and other interventions.

(indigenously generated) shall also be required to be included in the iv. Board shall immediately upgrade iv. Board needs to take cognizance of inventory report. the laboratory facility where all aspects while enforcing the relevant HW parameters as required under rules (w.r.t. domestic hazardous iv. Partial Compliance the Rules can be analyzed. waste and hazardous waste SPCB-Sikkim has conducted generated from e-waste rules like sensitization & capacity building fluorescent lamp other mercury programme for concerned containing lamp) and also, departments, ULBs, BACs & GPUs.

	preparation of HW inventory and other interventions.	The UDD has also been a with regard to colle channelization of during various meetings of SLC meetings.
	v. Board shall immediately upgrade the laboratory facility where all HW	
S. STATE/UT		
NO.	DIRECTIONS	STATUS
	parameters as required under the Rules can be analyzed.	v. Not Complied Laboratory for hazardous yet to be set up. HW is analyzed in NABL accredi laboratory of West Benga

		vi. Board shall be directed to submit the status on setting up of TSDF or sharing arrangement with authorized common TSDFs of neighboring states.	Management Ltd. vi. Complied The HW generated in the Sikkim is transported to Bengal Waste Management Haldia, West Bengal for The Sikkim SPCB has also initiated co-process Hazardous Waste in cement located in Assam and Meg
30. Tamil Nadu	i. Board shall initiate action for the identification and quantification of the hazardous waste generation at the authorisation stage itself and therefore shall adopt the scientific principles as enumerated for such identification and quantification of HW.	i. Complied TN PCB has been granted authorization under HOWM 2016 after checking material balance and quantification of hazardous waste generation process activity, etc.	
	ii. Board shall ensure documentation of non-compliance while processing authorisation for renewal or	ii. Not complied No information provided in regard.	
S. NO.	STATE/UT	DIRECTIONS	STATUS
		inspections in order to invoke powers of refusal or revocation of authorisation as per Rules.	
		iii. Board shall immediately prepare enforcement framework for effective enforcement of Rules based on principle of proportionality and also, precautionary principle.	iii. Not Complied TN PCB has developed protocol" for independent "monitoring teams" have formed for regular inspections at zone Hazardous waste response team has also formed for investigations of illegal HW, assessment of environmental damages and implementation of remedial work, etc.
		iv. Board shall ensure adoption of Uniform format for visits and inspections of HW handling facilities.	iv. Complied

v. Expedite conducting of
environmental audit of

common/captive TSDFs available v. Not complied S. STATE/UT DIRECTIONS STATUS
RECOMMENDATIONS NO.

in the State and submit the audit TNPCB is taking action in this report to CPCB. regard, however, no such audit report has been submitted vi. Board shall provide specific link of inventory of spent solvent recovery units published on its website. vi. Complied

31. Telangana i. Board shall immediately invoke the i. Complied i. Expedite conducting of powers conferred under clause 23 d environmental audit of (1) and (2) of the Rules, related to Compensation and closure common and captive TSDFs all damages caused to the directions have been issued to available in the State and environment or third party due to defaulting units. submit the audit report to improper handling and CPCB. In this regard, CPCB management of the hazardous and has prepared guidance other wastes, and non-compliance document and same is under respectively. finalization. Upon finalization, ii. Expedite conducting the same will be circulated to environmental audit of all SPCBs/PCCs for ii. Not complied common/captive TSDFs available conducting audit in line with Under process. guidance document prepared in the State and submit the audit report to CPCB. by CPCB.

ii. Board shall verify and validate iii. Board shall verify and validate the the inventory data before inventory data before accepting the accepting the same and adopt iii. Partially Complied the CPCB's guidelines while same and adopt the CPCB's guidelines while preparation of HW preparation of HW inventory inventory report. report.

S.	STATE/UT			
NO.		DIRECTIONS		STATUS
	iv. Board	immediately	update	

inventory of Spent Solvent Recovery iv. Complied. Unit available in their States on Board's website and provide the link of same.

32. Tripura i. Board shall immediately prepare i. Partially Complied i. Board shall immediately enforcement framework for effective Initiative has been taken by prepare enforcement enforcement of Rules based on TSPCB. framework for effective principle of proportionality and enforcement of Rules based on also, precautionary principle. principle of proportionality and also, precautionary ii. Board shall take necessary action principle.

to bring other waste in regulatory ii. Not complied ii. Board shall take necessary domain, as envisaged in the rules action to bring other waste in and also report the same in the regulatory domain, as inventory report on hazardous and envisaged in the rules and also other waste management. report the same in the inventory report on hazardous iii. Board shall expedite and other waste management.

the
development of elaborate protocols
to ensure enhanced level and
frequency of enforcement and
environmental monitoring of
recycling/utilisation facilities

iii. Not complied
Initiative has been tak

iv. Complied

iv. Board shall verify and scientifically

S.	STATE/UT	DIRECTIONS	STATUS
NO.		before grant or renewal of authorization	
		v. Board needs to take cognizance of aspects while enforcing the relevant rules (w.r.t. domestic hazardous waste and hazardous waste generated from e-waste rules like fluorescent lamp other mercury containing lamp) and also, preparation of HW inventory and other interventions	v. Partially Complied Initiative has been taken, not reported in HW report.
		vi. Board shall be directed to submit the status on setting up of TSDF or sharing arrangement with authorized common TSDFs of neighboring states.	Not Complied The matter has been taken up w government of Assam to share t TSDF of Assam State. The State Government has not identified site for setting up of common
33.	Uttar Pradesh	i. Board shall immediately update website with respect to all enforcement actions along with details of industries and action taken.	i. Not Complied No action has been taken in th regard.
		ii. Board shall immediately direct all the operator of common TSDFs not	ii. Not complied

S.	STATE/UT	DIRECTIONS	STATUS
NO.		to return the HW consignment and the consignment needs to be stored within the TSDF with information to the waste generator and also the SPCB.	

- iii. Expedite conducting of environmental audit of common/captive TSDFs available in the State and submit the audit report to CPCB.
- iv. Board needs to take cognizance of aspects while enforcing the relevant rules (w.r.t. domestic hazardous waste and hazardous waste generated from e-waste rules like fluorescent lamp other mercury containing lamp) and also, preparation of HW inventory and other interventions.
- v. Board shall submit the compliance status on the directions issued by CPCB vide dated 30/01/2019 on Spent Solvent Recovery units, as the same has not received by CPCB.
- iii. Not complied
Common TSDF operator directed to submit a
- iv. Partially Complied
Action has been i
regard, however,
HW inventory report.
- v. Not complied
No information p
regard.

S. NO.	STATE/UT	DIRECTIONS	STATUS
34.	Uttarakhand	<p>i. Board shall immediately direct operator of common TSDF for not returning the hazardous waste consignment and the same shall be stored within the premises with information to generating unit and board.</p> <p>ii. Board shall immediately prepare enforcement framework for effective enforcement of Rules based on principle of proportionality and also, precautionary principle.</p>	<p>The information provid Uttarakhand SPCB is not the prescribed format an not includes the status action points.</p>

iii. Board shall also initiate action for upgradation of laboratory, where all parameters listed under rules, can be analysed.

S. NO.	STATE/UT	DIRECTIONS	STATUS	RE
		iv. Board needs to take cognizance of aspects while enforcing the relevant rules (w.r.t. domestic hazardous waste and hazardous waste generated from e-waste rules like fluorescent lamp other mercury containing lamp) and also, preparation of HW inventory and other interventions.	iv.	an pr Bo
		v. Expedite conducting of environmental audit of common/captive TSDFs available in the State and submit the audit report to CPCB.	v.	fo wh u B c
			vi.	en (w wa ge l m a i i
				Ex en co av su
				CP ha do

S. NO.	STATE/UT	DIRECTIONS	STATUS	RE
35.	West Bengal	i. Expedite conducting of environmental audit	i. Partial Compliance of Environmental audit c	

common/captive TSDFs available in the State and submit the audit report to CPCB.

CHWTSDF by engaging I Institute of Social Business Management (however report not su CPCB.

ii. Board shall provide specific link of

inventory of spent solvent recovery ii. Complied units published on its website.

Status on compliance of the recommendations pertaining to CPCB:

1. Development of National Hazardous Waste Tracking System for effective enforcement of rules including verification and reconciliation of manifest system for movement of hazardous waste.

Status: The development of above tracking system is under process. Further, for the development of National Hazardous Waste Tracking System, CPCB requested Ministry of Environment, Forest and Climate Change for considering the National Hazardous Waste Tracking System under Central Sector Scheme of Hazardous Substance Management Division. The said project was also discussed in the meeting convened by MoEF&CC on 18/11/2020 and minutes of the said meeting is awaited. Recommendation: CPCB shall expedite the process of developing National Hazardous Waste Tracking System. Till the development of above tracking system, SPCBs/PCCs shall ensure effective enforcement of rules including verification and reconciliation of manifest system for movement of hazardous waste.

2. Evaluation and strengthening of laboratory facilities available with SPCBs/PCCs for analysis of all parameters specific under HOWM Rules.

APPENDIX-II Status: CPCB prepared format for providing the details of the laboratory facilities available with SPCBs/PCCs. Out of 34 SPCBs/PCCs (who have submitted the status report) only 23 SPCBs/PCCs namely Andhra Pradesh, Assam, Delhi, Goa, Gujarat, Haryana, Himachal Pradesh, Jammu & Kashmir, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Meghalaya, Mizoram, Nagaland, Odisha, Puducherry, Rajasthan, Tamil Nadu, Telangana, Tripura, Uttar Pradesh and West Bengal have laboratory facilities available in their State/UT, however, not for all the parameters as specified in HOWM Rules, 2016. Whereas, 10 SPCBs/PCCs (namely Andaman & Nicobar Island (pH, DO and Noise meter only) Arunachal Pradesh, Bihar, Chandigarh, Chhattisgarh, Jharkhand, Lakshadweep, Manipur, Punjab and Sikkim) have no facility for analysis parameters specified under HOWM Rules, 2016. Further, no information has been provided by Uttarakhand PCB in this regard Chhattisgarh ECB has informed that analysis is being carried out by third party lab however land has been procured for setting of central laboratory and will be developed by 31/12/2021. DPCC has laboratory facility for limited parameter (such as Zn, Pb, Co, Cr, Ni, Fe) and instruments like Bomb Colorimeter, XRF spectrophotometer, Zero head extractor, Flash point apparatus, Rotary evaporator, and Inducted coupled plasma are under procurement.

Haryana SPCB have 04 laboratories at Gurugram, Hissar, Faridabad and Panchkula, of which, only Panchklula laboratory is accredited. Board is in the process of purchasing laboratory equipment for analysis of remaining parameters i.e. ICP and Gas Chromatography. Mizoram PCB has provided list of instruments available with them and proposal submitted to CPCB regarding upgradation of tory facilities. Kerala SPCB has informed that the Board's Central Lab is accredited by NABL & being continuously upgraded for analysis of all HW parameters. In case of non- availability of the infrastructure for analysis of some HW parameters it is done through external laboratories.

Further, CPCB is also conducting training courses for SPCBs/PCCs under Capacity Building Program. Recommendations: All the SPCBs/PCCs shall submit the details of the laboratory facilities available with them to CPCB in the prescribed format for evaluation. Upon examination of the information provided by SPCBs/PCCs, CPCB shall communicate the gaps/shortcomings in the available facilities for analysis of all parameters specified in HOWM Rules, if any to SPCBs/PCCs.

Verification of inventory report submitted by SPCBs/PCCs by way of test checks to ensure that the same is credible, reliable and robust in terms of contents and scope. Status: In this regard, CPCB initiated project for verification of inventory report along with compliance to HOWM Rules through government institutes like IIT, NIT, NEERI, etc. CPCB has identified about 104 institutes for carrying out the said project. SPCBs/PCCs have also been requested to provide the list of hazardous waste generating/handling units available in their states. Shortlisting of state-wise institutes and award of project is under process. The project is expected to be completed within 06 months after award of work. Recommendations: CPCB shall ensure the above verification being carried out in the presence/collaboration of SPCB/PCC and also ensure timely completion of verification of inventory report. Thereafter, based on above study and methodology illustrated during the above study, SPCBs/PCCs shall carry out the task of verification of inventory every year.

3.2 Compliance Status, Observations and Recommendations on the action points covered in the Final Report of the Monitoring Committee vis-a-vis orders dated 26/08/2019 of the Hon'ble Tribunal The orders (uploaded) dated 07/07/2020 of the Hon'ble Tribunal was communicated to all implementing agencies for compliance. In this regard, status of implementation has been received from Ministry of Commerce(CBIC), Ministry of Labour & Employment, DGFT, DG (S) and SPCBs/PCCs of 31 States/UTs namely Andaman & Nicobar Islands, Andhra Pradesh, Arunachal Pradesh, Assam, Chandigarh, Chhattisgarh, Delhi, Goa, Gujarat, Haryana, Himachal Pradesh, Jammu & Kashmir, Jharkhand, Karnataka, Kerala, Lakshadweep, Madhya Pradesh, Maharashtra, Manipur, Meghalaya, Mizoram, Odisha, Puducherry, Punjab, Rajasthan, Sikkim, Tamil Nadu, Telangana, Tripura, Uttar Pradesh and West Bengal. SPCBs of Nagaland and Uttarakhand have also submitted information but not on the recommendations made in CPCB report (June2020) w.r.t actions points given in the Interim and Final Report of the Monitoring Committee. However, status of implementation has not been provided by Ministry of Environment Forest & Climate Change, Port Authorities and 02 SPCB/PCC namely Bihar and DD&DNH on recommendations pertaining to implementation of the Final report of the Monitoring committee. On the basis of status of implementation by various agencies/SPCBs, the compliance status on various recommendations (except on contaminated sites as the same has been provided separately at Section 4 of this report) vis-à-vis the responsible Ministries/Agencies is as below:

**S. Recommendations (Responsible Status of Compliance Remarks/Observations
Recommendation No. Agency and timeline of action) I. IMPORT AND EXPORT OF
HAZARDOUS WASTES AND ISSUES**

5. Disposal of illegally imported CBIC-Partially Complied The circular dated i. CBIC shall take necessary consignments: 03/12/2018 states that the steps to strictly enforce its CBIC has informed that Cost custodian has to arrange for for disposal regarding Circular No. 49/2018-

(i) CBIC and Port authorities have destruction of goods at their unclaimed/uncleared cargo Customs dated 03.12.2018 to jointly devise a policy and own expenses, whereas CBIC is to be borne by the and incorporate mechanism for disposal of has informed that cost for custodian as per procedure mechanism/details of cost confiscated and disposal regarding laid down in Circular No. for disposal of confiscated unclaimed/uncleared cargo confiscated hazardous cargo 49/2018-Customs dated hazardous waste.

lying at various ports. The	03.12.2018. Further, it has	would be
policy/mechanism has to cover	informed that cost for	same nee
the details of bearing cost for	disposal regarding	communic
disposal of such consignments.	confiscated hazardous cargo	for impl
	would be borne by CBIC.	The Monit
(CBIC and Port Authorities : 05		had note
months).	Port Authorities- Not	been con
	Complied	

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks
		Port Authorities have not clearing provided implementation uncleaned/ status	consignmen dated 03.1 strictly i shall regu same and a and MoEF&C of the con details of

6.	Laboratory Upgradation in Ports/Docks:	CBIC- Partially Complied	Information
	(i) CBIC to further extend and enhance the laboratory infrastructure in all the major ports and other non-major ports to prevent entry of hazardous wastes.	CBIC has informed that Central Revenues Control Laboratories have been upgraded and have been equipped with new, state of art equipment's with recommendations made in	arrangement relevant been pro ports. F per Sche Rules, 2 the avai analysis
	Otherwise,		

WCO laboratory Guide 2017. accredited lab. CBIC shall arrangements for analysis of also provide parameter (as relevant parameters with per Schedule III of HOWM EPA/NABL accredited Rules, 2016) wise details laboratories having minimum on the availability of requisite laboratory facility for analysis.

infrastructure/equipment can

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance
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be put in place in advance by CBIC.

(CBIC: 05 months)

7.	Bank Guarantee procedure	DGFT- Partially Complied	DGFT has not and category
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(i) Procedure of executing bank DGFT vide its O.M dated which BG is applicable and procedure of executing guarantee by PSIA's and 24/11/2020 has informed also not developed procedure that Agencies which are bank guarantee by importer in case of import of for executing BG by importers and PSIA's in case restricted items (including seeking enlistment as PSIA's PSIA/Importers in case of import of restricted items hazardous wastes specified are required to submit Bank restricted items.

and identification of the list under Schedule III and VI) and Guarantee of Rs. 10 lakhs. It was also informed that, and category of items on other items as recommended by inputs from MoEF&CC and which BG is applicable.

Monitoring committee be	DPIIT were sought by DGFT mandating Bank Guarantee.
devised and mandated by for DGFT.	

(DGFT: 05 months)

8.	Verification of documents for HW in Part D:	CBIC- Partially Complied	CBI phy
		CBIC has informed that RMS	int
(i)	CBIC shall address the issue of interdicts bills on potential strengthening of RMS for risk on assessment and improved vigilance adequately, assessment & examination, while verifying documents for further necessary		Fur by Clea
	import of other wastes (Part D	verification by apprising	How
	of Schedule III of HOWM Rules,	officer. It was also informed	nee
	2016), especially those that are	that in case of facilitated bills	to
		of entry, documents relating	
S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Obse
	similar to hazardous wastes to (regulated	various regulatory or banned/p	
	or compliances	are checked hazardous waste.	

banned/prohibited for import). before granting out of charge. (CBIC: 05 months) ii. MoEF&CC to verify the It has also been informed that RMS has been interdictions placed in populated for Customs verification of documents.

		Compliance Requirements (CCR) for "Other waste" and focused review of CCR is being conducted for other waste having HS code and strengthen RMS for corresponding instructions. CBIC in meeting dated 06.11.2020 has requested MoEF&CC to provide list of hazardous items alongwith description and details for which further interdictions are required in RMS.	
9.	RMS system:	CBIC-Partially Complied	CBIC has made
(i)	Central Board of Indirect Taxes and Customs (CBIC)	CBIC has informed that it is reviewing Customs	identifying wa not covered by However, HS co
	and DGFT shall jointly	Compliance Regulations and	been classifie
	identify and classify HS code	identifying types of waste	waste.

to cover all scheduled items
as per HW rules and be

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks
	brought under the ambit of RMS for stringent verification and testing procedure. Notification of HS code for the HW consignments (mis declared) and those similar to unrestricted items be expedited by CBIC and DGFT. (CBIC and DGFT: 05 months)	which are not covered by HS code. MoEF&CC- Not Complied MoEF&CC has not provided implementation status. DGFT- Partially Complied DGFT has informed that classification of HS code is under exclusive domain of Department of Revenue/CBIC. Matter has been taken up with MoEF&CC and CBIC.	Moni Fina per o Poli chan addi HS C DGFT
10.	DGFT license in public domain: (i) DGFT license issued to hazardous and other wastes related items may be brought under a separate exclusive section of the minutes of the EFC meeting for special emphasis.	DGFT -Partially Complied DGFT has informed that starting November permissions granted for import of hazardous and other waste will be highlighted under separated sub-head of minutes of	
S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks
11.	Harmonization of 'other' category in line with HWM Rules, 2016: (DGFT: immediate)	meeting of EXIM facilitation committee. CBIC- Partially Complied CBIC has informed that it had however, requested MoEF&CC to	CBIC classifi

- (i) To ensure harmonization of 'other' category in line with HWM Rules, 2016, CBIC and DGFT shall jointly notify HS code for all hazardous and other wastes listed in Part A, B and D of Schedule III of HWM Rules including the items 'oils' under the 'other' class categorically. (CBIC and DGFT: 05 months)
- identify specific tariff lines class
alongwith description of harmoniza
commodities so that the codes with
proposal can be sent for waste
creation of new lines. It was Rules, 2
further informed that, carried o
additional interdictions on
the basis of WCO report
dated 29.03.2017 on Final rep
Harmonized Commodity per of the
Description and Coding Policy,
system related to Basel changes or for
convention with respect to addition of new

Hazardous waste will be HS Codes are carried out by taken, if required. DGFT.

DGFT- Partially Complied

DGFT has informed that
classification of HS code is
under exclusive domain of
Department of

S. No	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Rem
12.	Pre-Shipment Inspection Agency (PSIAs) for certain category of oils as per Annexure 13 of the ASG Report:	Revenue/CBIC. Matter has been taken up with MoEF&CC and CBIC for classification of items under "other" category separately. DGFT-Partially Complied DGFT has informed that MoEF&CC has to identify and recommend the names of items whose import world require PSIA certification and special capacblities required in a PSIA to certify such consigments. Matter has been referred to MoEF&CC and MoPNG for their inputs.	
	(i) Initiatives be taken similar to that of metallic scrap wastes by DGFT for notifying PSIAs for certain category of oils suggested for pre-shipment inspections certificate for imports in the		

Recommendations of the former ASG, Sh Gopal Subramaniam expeditiously.

(DGFT: 05 months)

13. Penal Action against the defaulters in case illegal import: CBIC -Partially Complied CBIC compilation of annual inventory of incidences of
- (i) CBIC, DGFT and Port

Authorities have to report the illegal imports is a time-

incidences of illegal import of

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/
HW	to Ministry of Environment, Forest and Climate Change (MoEF&CC) as per provisions of the H0WM Rules, . 2016 on a regular basis.	consuming process. Report is being compiled and furnished by 30/12/2020 and for the upcoming years by 30th September of the year.	
	(CBIC, Port Authorities and DGFT : on a regular basis)	DGFT- Partially Complied DGFT has informed that Customs authorities are competent authority to	
(ii)	Ministry of Environment, check	imported	

Forest and Climate Change consignments and as such (MoEF&CC) have to expedite reporting of the same. iii. MoEF&CC and DGFT shall the process of delegation of Port Authorities- not take necessary actions power vested under Section Complied against the illegal 19 of the Environment Status of implementation has importers in accordance (Protection) Act, 1986 to not been provided by port with the laws and update CBIC, to enable them to take authorities the same in public domain. credible action against such MoEF&CC- Not Complied violators under the E(P) Act, Status of implementation has 1986. not been provided by MoEF&CC.

(MoEF&CC : 03 months)

14. Re-export of illegal DGFT -Not Complied The Monitoring Committee in i. DGFT shall examine the consignments after confiscation: its Final report had noted the Hon'ble High Court of DGFT has informed that FT direction of Hon'ble High Kerala, where in the case (D&R) Act does not provide Court of Kerala in the case S. Recommendations (Responsible Status of Compliance Remarks/Observations Recommendation No Agency and timeline of action) .

DGFT to expedite the process for

(i) re-export of illegal pertaining to import of pertaining to import of of notifying for delegating such consignments, thus question Multifunctional Devices Multifunctional Devices powers to the Customs of delegation of power to (MFDs) without (MFDs) without Authorities to take action Customs does not arise. permission/license wherein permission/license from against the erring importers. the Hon'ble Court had DGFT, the Hon'ble High directed that power to direct Court directed that the importers to re-export lies (DGFT: 03 months) powers to direct importers with DGFT.

15.	Clearance of Waste Oil/Sludge from Ships:	Port Authorities- Complied	Not Andhra Pra
(i)	Concerned SPCBs/PCCs or Port Authorities of State/UT to grant/obtain necessary authorization to cover hazardous wastes generated from both normal port is given below: operations/activities and all	Port Authorities have not that submitted status report.	Maharashtra ha port(s) authorised. Ho have not been
		Status of implementation provided by SPCBs/PCCs	Assam and Ke informed the agencies to obta and Authorizatio

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/0
	ship generated wastes (MARPOL annexes) (e.g in case of used/waste Oil authorization for Cat. No. 5 and Cat. No. 3 of HOWM Rules, 2016). The same be also covered in the annual report submitted as per HOWM Rules, 2016. (SPCBs/PCCs and Port Authorities: 05 months)	Complied: Odisha, Puducherry Partially Complied: Andaman & Nicobar Islands, Andhra Pradesh, Assam, Goa, Gujarat, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Tamil Nadu, West Bengal. Not Complied- Rajasthan	Gujarat has Board carri of ports consent and conditions waste gener activities. have not be Karnataka h of 03 ports Lakshadweep

(ii) SPCBs/PCCs shall ensure Not Applicable: Arunachal Pradesh, Chandigarh, and waste gen that there
that all the ports (including ICDs/CFSS Chhattisgarh, Delhi, administrat port in Lak
minor ports), have mandatory Himachal Pradesh, cleared at Ko
authorization as per HOWM Haryana, Jammu & disposed
Rules, 2016. The said Kashmir, Jharkhand, authorised
authorization shall be Lakshadweep, Manipur, authorized
Meghalaya, Mizoram, Madhya
granted by the SPCB/PCC that there
Nagaland, Sikkim,
after due scientific which 05
Telangana, Tripura, Uttar
evaluation. Pradesh
(SPCBs/PCCs: 05 months) by CONCOR w
and authori

Information Not Provided: written to them to apply for Punjab & Uttarakhand the same. In this regard CONCOR has responded that it is not dealing with pollution prone bulk cargo and other S. Recommendations (Responsible Status of Compliance Remarks/Observations Recommendation No. Agency and timeline of action) materials are not being dealt by them.

Maharashtra has informed that it has granted consent and authorization to 05 industries for Ports and harbours, jetties and dredging operations Punjab PCB has informed that it has 03 dry ports.

However, no details have been provided. Further, PPCB reported that implementation of HOWM Rules, 2016 will be carried out on quarterly basis.

Rajasthan has informed that it has 11 Ports/ICDs/CFCs.

However, no unit has been authorised.

Tamil Nadu has informed that out of 04 ports, 03 have obtained authorization and application of 01 is under process.

S. Recommendations (Responsible Status of Compliance Remarks/Observations Recommendation No. Agency and timeline of action) West Bengal PCB has not provided details of CFCs and their authorizations.

17 SPCBs/PCCs have informed that as there are no sea ports therefore, recommendation is not applicable to them.

Table B-1: State-wise status on availability and authorization of Ports/ICDs/CFCs and waste reception facilities is tabulated below:

S.No.	State/UT	No. of provided ICDs/ ICDs/ available	No. of Reception Reception	No. of Inventory Ports/ Ports/ CFCs	No. of Waste Waste Facility Facility
		ICDs/ available	authorise	available	authorised CFCs

1. Andaman & Port-24 Port-01 03 03 No Nicobar islands
9. Andhra Port-01 Port-01 5 05 INP Pradesh
10. Arunachal Not Applicable Pradesh
11. Assam Port-01 0 INP INP INP (notice issued to IWAI, IWT for compliance) S. Recommendations (Responsible Status of Compliance Remarks/Observations Recommendation No. Agency and timeline of action)
5. Chandigarh Not Applicable
6. Chhattisgarh Not Applicable
7. Delhi Nil Nil Nil Nil NA
8. Goa Port-01 Port-01 0 0 Yes
9. Gujarat INP Informed INP INP INP ports have been authorised
14. Haryana Not Applicable
15. Himachal Nil Nil Nil Nil NA Pradesh
16. Jammu & Not Applicable Kashmir
17. Jharkhand Not Applicable
18. Karnataka Port-03 02 01 01 Yes
19. Kerala INP Under INP INP INP Process
20. Lakshadweep No major/min or ports
21. Madhya ICDs-07 Directions INP INP INP Pradesh issued
22. Maharashtra INP INP 08 08 INP (at 02 ports) (at 02 ports)
23. Manipur Not Applicable
24. Meghalaya Not Applicable
25. Mizoram Not Applicable

26. Nagaland Not Applicable S. Recommendations (Responsible Status of Compliance Remarks/Observations Recommendation No. Agency and timeline of action)

23. Odisha Port-03 03 03 03 Yes

24. Puducherry Port-01 01 01 01 Yes

25. Punjab Dry ports- INP INP INP INP

26. Rajasthan 11 0 0 0 No

27. Sikkim Not Applicable

28. Tamil Nadu Port-04 03 0 0 Yes

29. Telangana Not Applicable

30. Tripura Not Applicable

31. Uttar Not Applicable Pradesh

32. Uttarakhand Not Applicable

33. West Bengal 02 02 06 06 No

16. Findings of CAG Report CBIC-Partially Complied CBIC has initiated action for i. CBIC, DGFT and CBIC has informed that preparing inventory of the Port

(i) CBIC, DGFT and Port authorities shall power of disallowing illegal imports.

Authorities have to provide updated import/export is dealt by immediately provide complete status of the findings of DGFT and compilation of No information has been updated status of the CAG Report to annual inventory of provided by CBIC and DGFT findings of CAG and CPCB and MoEF&CC. incidences of illegal imports regarding updated status of action taken against Compliance status of action is being compiled and will be the findings of CAG and traceable illegal importers taken against those traceable furnished by 30/12/2020 action against traceable illegal to CPCB and MoEF&CC.

illegal importers by not and for the upcoming years importers.

ii. MoEF&CC, DGFT, CBIC allowing import/export by 30th September of the and Port Authorities shall directly/indirectly until such year.

consignments are safely DGFT-Not Complied
disposed off as per HOWM DGFT has informed that
Rules, 2016 be also provided. CBIC is the competent

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/
	(CBIC, DGFT and Port Authorities: 05 months)	authority to deal with illegal imports.	
(ii)	CBIC, shall prepare annual inventory of the illegally stored in ports/ICDs/CFSS for every financial year and submit to CPCB and MoEF&CC by 30th September every year. (CBIC: 03 months)	Port Authorities -Not Complied Port Authorities have not submitted status report	

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	R
17.	Authorization under HWM Rules, 2016 from concerned SPCB/PCC: (i) CBIC to provide action taken w.r.t authorization for handling, storage,	CBIC- Not Complied CBIC has informed that it is not a consumer of Hazardous waste, hence, recommendation to take authorization does not seem	CBIC take before Howev Rules have

to be appropriate. It further auth
transportation, recycling, informed that, NOC is Rule
utilization, offering for sale, obtained by CBIC from CPCB
transfer or disposal, to deal Further,
with the hazardous wastes that before disposal of waste. It
are confiscated. Further, a also requested CPCB to stipulated
Standard Operating Procedure specify and authorizati
for obtaining authorization for further
hazardous goods/wastes that procedure to be taken up in activities
are confiscated may be Port Authorities-Not offering to
developed by CBIC in Complied Thus, in or
consultation with Port Authorities have not such activi
SPCBs/PCCs. Status implementation Rule 15(3)
(CBIC: 05 months) 2016. The C
(ii) The Ports shall obtain auth
authorization for ship SPCBs/PCCs.
generated wastes of MARPOL
annexes, in addition to the one

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Re
	obtained for normal port operations/activities within the timeline prescribed. (Port Authorities: 05 months)		
18.	Collaboration between regulating authorities: (i) SPCBs/PCCs along with	CPCB-Complied CPCB regularly carries out interaction meeting with various regulatory agencies.	CPCB, SPCBs carry sessi

Customs and Port authorities to ensure regular Assam PCB officials have Andaman & Nicobar interaction among themselves for better CBIC-Complied compliance of import and CBIC has informed that vide attended the coordination Islands, Bihar, Daman & export related issues and Circular meeting held in CPCB zonal Diu and Dadar & Nagar No. 13/2015-

management of ship wastes. office a
Customs, it has setup workshop
Custom Clearance

(MoEF&CC,	CPCB, SPCBs	implemen
/PCC, Customs and Ports	Facilitation Committees at	Rules.
Authorities: On a regular basis)	every major customs seaports and airport in Andhra which Pollution Control Maharashtra Board is also a member that it which is carrying out regular interactive meetings to resolve the session/workshop issues regarding import/export.	Gujarat is activ
	MoEF&CC and Port participa	

Authorities- Not Complied working in silos progress report.

S. Recommendations (Responsible Status of Compliance Remarks/Observations Recommendation No Agency and timeline of action) .

MoEF&CC and Port Kerala has informed that it Authorities have not has already communicated iii. SPCBs/PCCs along with submitted the status report. port authorities for applying Customs and Port for consent and Member authorities ensure regular Status of implementation Secretary has conducted interaction among provided by SPCBs/PCCs is meeting with them.

given below:

Lakshadweep has info

Complied: Gujarat, that it has Himachal Pradesh, Kerala Lakshadweep, Odisha, Punjab, Tamil Nadu, Tr Puducherry, Punjab Tamil conducted meeting

Nadu, Tripura, West Bengal stakeholders.

Partially Complied: Assam, Andaman & Nicobar Islands, Andhra Pradesh, Goa, Rajasthan and Karnataka Maharashtra have neither conducted nor attended interactive Not Complied: sessions/workshops in this Andaman & Nicobar Islands, regard.

Rajasthan and Karnataka 14 SPCBs/PCCs have informed that as there are no Not Applicable: Arunachal sea ports (land locked) Pradesh, Chandigarh, therefore, recommendation Chhattisgarh, Delhi, of carrying of collaboration is Haryana, Jammu & not applicable to them.

Kashmir, Jharkhand, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, Telangana, Uttar Pradesh

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks
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Information not provided:
Madhya Pradesh,
Uttarakhand

II. WASTE RECEPTION FACILITIES IN PORTS TO DEAL WITH WASTES GENERATED FROM SHIPS (MARPOL)

19. Availability of Waste Reception Directorate General of Details on the state-wise i. Ministry of Shipping shall Facilities at ports: Shipping- Partially availability of waste reception expedite the process of Complied facility and its authorization notification of

(i) DG(S) may expedite the DG (S) has informed that the is tabulated in Table B-1 "Mandatory requirements process of notifying the draft above.

'Mandatory requirements draft "Mandatory concerning port reception concerning port reception requirements concerning facilities for the delivery Assam has informed that facilities for the delivery of port reception facilities for of waste from ships and process of verification is going waste from ships and disposal the delivery of waste from on. disposal of such wastes"

of such wastes' and shall place ships and disposal of such and ensure compliance it on its website for inviting wastes" is being reviewed Andhra Pradesh, Gujarat, comments from concerned by law department before by port authorities.

stakeholders and ensure its forwarding the same to implementation through port Ministry of Shipping for authorities.

notification.

(ii) DG(S) may be given appropriate powers to Port

Authorities-

Not

implement the said Complied notification on 'Mandatory

Port Authorities have not

requirements concerning port reception facilities for the submitted the status report. delivery of waste from ships and disposal of such wastes' Status of implementation in all ports. Port authorities provided by SPCBs/PCCs is may be directed to provide the given below:

S.	Recommendations (Responsible	Status of Compliance	Remarks
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No.	Agency and timeline of action)		
	compliance status to DG(S) for enabling the Directorate in preparation of consolidated status on availability of Port Reception Facilities and submission to CPCB. (DG(S) and Port Authorities: 05 months)	Partially Complied: Andaman & Nicobar Islands, Assam, Andhra Pradesh, Gujarat, Karnataka, Kerala, Maharashtra, Odisha, Puducherry, Tamil Nadu and West Bengal	recycling/used/waste Karnataka reception which has the Board. Kerala has orders
(iii)	SPCBs/PCCs may coordinate with DG(S) and Port Authorities for implementation of the aforesaid notification for environmentally sound management and disposal of ship wastes. (SPCBs/PCCs: 05 months)	Not Applicable: Arunachal Pradesh, Chandigarh, Chhattisgarh, Delhi, Haryana, Himachal Pradesh, Jammu & Kashmir, Jharkhand, Lakshadweep, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, Telangana, Tripura, Uttar Pradesh	communicat authoritie shall be after sue Waste rece port authentica informed tha communicated
		Not Complied: Goa and Rajasthan	recommendatio concerned compliance.
		Information not provided: Madhya Pradesh, Punjab, and Uttarakhand	Punjab will be HOWM Rules, quarterly basi
			Rajasthan there
S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Ob
			ports/ICDs/CFC there is no w facility.
			Tamil Nad instruction fo

separate waste
facility with

17 SPCB
informed that
sea port
recommendatio
applicable to

20.	Authorization for the waste reception facilities and ports:	Status of implementation Details on the st provided by SPCBs/PCCs availability is given below: reception fac authorization
(i)	SPCBs/PCCs may be directed to issue authorization to all port authorities on the basis of inventory of ship generated wastes in coordination with port authorities and preparation of annual report in accordance with H0WM Rules, 2016.	Complied: Odisha and Table B-1 above Puducherry Partially Complied: Andhra Pradesh, Odisha, P Andaman & Nicobar Islands, waste reception have been a Assam, Andhra Pradesh, Gujarat, Karnataka, Kerala,

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Rema
(ii)	SPCBs/PCCs shall ensure authorization is granted to Ports and Waste reception facility available at all ports and all the provisions of H0WM Rules, 2016 (i.e. authorization, manifest system, inventorization etc.) are being followed by Ports and Waste Reception Facilities.	Maharashtra, West Bengal Not Complied: Goa and Rajasthan Not Applicable: Arunachal Pradesh, Chandigarh, Chhattisgarh, Delhi, Haryana, Himachal Pradesh, Jammu & Kashmir, Jharkhand, Lakshadweep,	Assam h IWAI, I Goa informe recepti

Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, Telangana, Tripura, Uttar Pradesh

Information not provided: Madhya Pradesh, Punjab and Uttarakhand

Maharash inform communi authori consent meeting Karnata 0 3 por port facilit authori Punjab HOWM Ru quarter

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks
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West Ben that po reception authorized do not pro in Annual

17 SP informed t sea ports therefore, not applic

21.	Swachh sagar portal: (i) DG(S) shall expedite the process of enabling access by regulatory authorities to DG(S) has informed the Ports for are being assessed by enforcement purposes in Mercantile Marine Departments for compliance and enrolment to Swachh Sagar periodically. An assessment exercise is now in progress. DG(S) has also informed that regulatory agencies are enable to access Swachh Sagar Portal by using respective user id and passwords.	Directorate Shipping- Partially	
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S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/0
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III. IMPACT OF HW ON WORKERS' HEALTH			
22.	Coverage of all workers under ESI Act, 1948	Ministry of Labour and The Code on Social Security Employment- Complied	2020 has been not effective impleme

(i) Appropriate directions may be MoLE has informed that the coverage of workers involved Social Security code and issued to Ministry of Labour code on Social Security, 2020 in handling and processing of provide status on the and Employment to expedite was introduced in Lok Sabha hazardous and other waste publication of the Draft Code on 19.09.2020. coverage of workers under health and other social on Social Security, 2019. Subsequently, The Code on involved in handling and support schemes needs to be processing of hazardous (Ministry of Labour and Social Security 2020 was ensured.

considered and passed by and other waste under Employment: 06 months) Lok Sabha and Rajya Sabha. health and other social After the assent from the support schemes. Hon'ble Present of India the same has been notified in the gazette of India for General information on 29/09/2020.

23. Implementation of Rule 5(2) of Status of implementation Gujarat, Haryana, Himachal i. Chief Secretaries of HOWM Rules, 2016: of Rule 5(2) as received Pradesh, Jammu & Kashmir, Meghalaya and from State/UT Mizoram, Punjab and Uttarakhand shall

(i) States/UTs who have not Tripura have taken action to immediately direct the responded is required to Partially Complied: sensitize concerned agencies Andaman & Nicobar concerned agencies for provide compliance status w.r.t implementation of Rule Islands, Assam, implementation of Rule 5(2) within three months, otherwise 5 of HOWM Rules, 2016 and Chandigarh, Gujarat, and monitor the same and Hon'ble NGT may consider meeting has been conducted Haryana, Himachal provide compliance status.

imposing environmental with
Pradesh, Jammu & Kashmir,
compensation, appropriately, departments/l
Karnataka, Madhya

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks
	as per directions of the Orders dated 26.08.2019. (State Government /UT	Pradesh, Maharashtra, Odisha, Punjab, Puducherry, Mizoram, Nagaland,	been issue department

<p>Administration: 03 months)</p> <p>(ii) States/UTs who have responded is required to ensure strengthening of institutional capacities for effective implementation of the Rule 5 followed by monitoring through Chief Secretaries of State Government /UT administration.</p> <p>(State Government / UT</p> <p>Administration: 05 months)</p>	<p>Telangana, Tripura and</p> <p>Uttar Pradesh</p> <p>Not Complied:</p> <p>Meghalaya and Uttarakhand</p> <p>Not Applicable:</p> <p>Lakshadweep and Delhi</p> <p>Information not provided: industries depar</p> <p>Arunachal Pradesh, Andhra earmarked</p> <p>Pradesh, Chhattisgarh, Goa, industrial es</p> <p>Kerala, Manipur, Sikkim,</p> <p>Rajasthan, Tamil Nadu, and</p> <p>West Bengal</p>	<p>Andaman & Nic</p> <p>PCC have info</p> <p>labour an</p> <p>departments</p> <p>sensitized in S</p> <p>Labour de</p> <p>carried out r</p> <p>Trade uni</p> <p>Labour welfar</p> <p>Assam has inf</p> <p>has been a</p> <p>duties under</p> <p>Department of</p> <p>duties under</p> <p>HOWM Rules, 2</p> <p>also been inf</p> <p>labour depart</p> <p>involved in r</p> <p>registration</p> <p>involved in r</p> <p>processing an</p>
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S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Observations
			<p>Chandigarh PCC</p> <p>informed that letters been issued to stakeholde and PCC is in process of consultation stakeholders. Estate offic and labour departments hav been authorized under Rule</p> <p>Delhi has informed that a there is no Hazardous was recycling unit.</p>

Lakshadweep has informed that there is no existing upcoming industrial park, estate and industrial clu also there are no activit involved in recycling, pre processing, and utilization hence no work in this field.

Madhya Pradesh informed that Department o Industry and Department o Labour have been authoris for implementation of Rul 5(1) and 5(2) respectivel Integrated plan has been

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Observations
			<p>prepared and submitted to MoEF&CC and CPCB in 2019.</p> <p>Maharashtra has informed that meetings have been carried out to sensi concerned agenc Department of labour has verified 224 hazardous wa recycling units and compiling the report</p> <p>Meghalaya PCB has informed that matter is to implemented by Department of Labour and Department o Industries. No details hav been provided w.r.t action taken.</p> <p>Mizoram has informed that Department of Industries carried out earmarking allocation of site for TSD Department of labour has been recognised for Rule implementation of However, recognition registration of workers h not been carried out as t</p>

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Observations
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is no recycling/processing and o utilization activities in State.
Odisha has informed that Odisha Industr Infrastructure Development Corporation (IDCO) a Department of labour and Employment have bee authorised.
Telangana has informed tha TSIIC has been authorized allocation of industrial s and Directorate of factori labour, employment, traini and boiler department and National safety council h been authorised recognition and registrat of workers. Skill develop training and annual healt monitoring has been carri out. However, group workers and integrated pl has not been developed.

Nagaland PCB has informed that it has written to

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Obse
24.	Unauthorized industries be brought under the ambit of ESI Act, 1948:	Ministry of Labour and The Code on Social Security- Employment- Complied MoLE has informed that the	Department for taking necessar Uttrakhand that no action w.r.t sensitiza about duties un and action plan proposed in Jan 2020 has been effective impl coverage of wo

(i) Appropriate directions may be code on Social Security, 2020 in handling and processing provide status on the issued to Ministry of Labour was introduced in Lok Sabha of hazardous and other coverage of workers and Employment to expedite on 19.09.2020.

waste under health and publication of the Draft Code Subsequently, The Code on involved in handling and other social support schemes Social Security 2020 was processing of hazardous on Social Security, 2019. needs to be ensured. (Ministry of Labour and considered and passed by and other waste under Lok Sabha and Rajya Sabha. health and other social Employment: 06 months) After the assent from the support schemes. Hon'ble Present of India the same has been notified in the gazette of India for General information on 29/09/2020.

26. DISPLAY OF INFORMATION CPCB had received Assam has informed that all i. SPCBs/PCCs of Assam, OUTSIDE THE FACTORY GATE: clarification from various units are directed to install Andhra Pradesh, SPCBs/PCCs w.r.t display board, consent and Chandigarh, applicability of Mandatory authorization is not being Chhattisgarh, Gujarat, S. Recommendations (Responsible Status of Compliance Remarks/Observations Recommendation No. Agency and timeline of action)

(i) SPCBs/PCCs shall ensure that Online display board as per graded unless compliance is Goa, Haryana, Himachal verification of Hon'ble Apex court orders in ensured. Pradesh, Jharkhand, installation/updation of the matter of W.P (C) Kerala, Meghalaya, display boards at all the 657/1995. In order to Andhra Pradesh has informed Rajasthan, Punjab and Hazardous waste generating implement the orders in the that R.Os have issued notices Telangana shall submit units on a continuous basis. spirit, CPCB had requested and pursuing industrial units progress report.

(SPCBs/PCCs : 05 months)

all SPCBs/PCCs to ensure for ins
strict implementation of boards.

online display board in large

scale units and regulate Goa has info
installation of appropriate generator
size of manual display board display
in medium and small units. COVID-1
CPCB has also sought not been carried ou
information on the pattern of in process
the display board and inspections for
implementation which the installati
High Powered Committee display board.
has refereed in its report and
has been informed that the Gujarat has i
manual display boards had has all

been adopted and the CCA
practice is continued. Online Hon'ble
display Boards have only directi
been installed in few included
categories of the units. display
authori

Status of implementation verification is
provided by SPCBs/PCCs place. However, d
is given below: not bee

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Observations
		Complied: Andaman & Nicobar Islands, Jammu & Kashmir, Karnataka, Madhya Pradesh, Maharashtra, Odisha, Puducherry, Sikkim, Tripura, Uttar Pradesh and West Bengal	Lakshadweep informed that no h waste generating f Lakshadweep, DG sets in the pow and small workshops onl waste/used oils.
		Partially Complied: Assam, Andhra Pradesh, Chandigarh, Chhattisgarh, Gujarat, Goa, Haryana, Himachal Pradesh, Jharkhand, Kerala, Meghalaya, Rajasthan, Nagaland has informed t Punjab and Telangana	Manipur has inform LPG bottling plant depot has sign boa all are workshops garages which are IOCL Dimapur Depot has installed display board

Not Complied: Arunachal most of the HW generating Pradesh, Lakshadweep, units are small automobile Manipur, Mizoram and repair/servicing shops. Nagaland Mizoram has informed that Information not provided: out of 40 HW generating Delhi, Tamil Nadu, units, only 01 unit require Uttarakhand display board. The remaining units are automobile repair units except one hot mix S. Recommendations (Responsible Status of Compliance Remarks/Observations Recommendation No. Agency and timeline of action) plants, which may not require display board.

Punjab has informed that 106 units have not installed display Board, yet no action has been taken against them.

Table B-2: Status of installation/verification of Display Board is tabulated below:

S. No. State/UT No. of HW No. of units No. of Action Taken generating installed units and display Board verified handling units

1. Andaman & 02 02 02 Nil Nicobar Island
2. Arunachal 83 07 07 No action taken Pradesh
3. Assam 176 INP 57 Direction issued to all units
4. Andhra 2683 1756 1756 Notices issued Pradesh and units are being pursued
5. Chandigarh 679 29 25 SCNs issued

6. Chhattisgarh 413 300 300 SCNs issued
7. Delhi Information not provided
8. Goa Information not provided, Verification under process S. Recommendations (Responsible Status of Compliance Remarks/Observations Recommendation No. Agency and timeline of action)
9. Gujarat Details not provided
10. Haryana 4830 1805 1901 Action has been taken against 25 non-complying units
1. Himachal 2436 2319 1849 Action has been Pradesh taken against 75 non-complying units
2. Jammu & 238 238 227 Notices issued Kashmir to 21 units
3. Jharkhand 628 127 81 Notices issued to 16 non-complying units.
4. Karnataka 3070 3070 3070 Nil
5. Kerala 1551 932 358 Notices issued to defaulters, follow-up action is being going on.
6. Lakshadweep Informed no HW generating factories, however D.G sets in power house and small automobile workshops are there
7. Madhya 3192 3192 316 Notices issued Pradesh and rectifications were done
8. Maharashtra 7257 7257 1484 Appropriate directions S. Recommendations (Responsible Status of Compliance Remarks/Observations Recommendation No. Agency and timeline of action) issued in case of non-compliance
19. Manipur Information not provided
20. Meghalaya 19 16 16 Directions are being issued
21. Mizoram 40 01 - Informed that remaining units may not require to install display Board.
22. Nagaland Information not provided

23. Odisha 360 360 360 NA

24. Puducherry 131 131 32 Notices issued

25. Punjab 3255 3149 191 Nil

26. Rajasthan 2090 2027 1162 Action has been taken against 108 non-complying units

27. Sikkim 49 49 49 0

28. Tamil Nadu Information not provided

29. Telangana 2377 1250 1250 Notices issued to non-complying units, 1127 are under process of installing display boards.

30. Tripura 172 172 172 Nil S. Recommendations (Responsible Status of Compliance Remarks/Observations Recommendation No. Agency and timeline of action)

31. Uttar Pradesh 2597 2210 2210 Nil (Operational 2173)

32. Uttarakhand Information Not Provided

33. West Bengal 809 809 29 Nil

27. INSTITUTIONAL REFORMS Status of implementation SPCBs/PCCs of Arunachal i. SPCBs/PCCs of Gujarat and provided by SPCBs/PCCs Pradesh, Chhattisgarh, Delhi, Lakshadweep shall ensure is given below: Goa, Haryana, Himachal regular training of

(i) SPCBs/PCCs shall ensure Pradesh, Jammu & Kashmir, manpower that Complied: Gujarat, Karnataka, Kerala, Madhya ii. SPCBs/PCCs of Assam, adequate manpower is Lakshadweep Pradesh, Manipur, Chandigarh and Jharkhand available with the PCB/PCC, Maharashtra, Meghalaya, shall immediately take steps training shall be regularly Partially Complied: Mizoram, Nagaland, Odisha, to provide adequate provided with emphasis on Andaman & Nicobar Islands, Puducherry, Punjab Sikkim, manpower and shall scientific evaluation and Arunachal Pradesh, Tamil Nadu, Tripura, Uttar Chhattisgarh, Delhi, Goa, Pradesh, Uttarakhand and regularly provide training management of hazardous Haryana, Himachal West Bengal have informed with emphasis on scientific waste.

Pradesh, Jammu & Kashmir, that they are in process of evaluation and management Karnataka, Kerala, Madhya recruiting the required of hazardous waste. Pradesh, Manipur, manpower or has approached Maharashtra, Meghalaya, state government for iii. SPCBs/PCCs of Andaman & Mizoram, Nagaland, Odisha, providing adequate Nicobar Islands, Arunachal Puducherry, Punjab,

manpower. Pradesh, Chhattisgarh, Rajasthan, Sikkim, Tamil Nadu, Goa, Haryana, Kerala, Telangana, Tripura, Andaman & Nicobar Islands Himachal Pradesh, Jammu & Kashmir, Uttar Pradesh, Uttarakhand have informed that it does not have adequate manpower. Karnataka, and West Bengal have adequate manpower.

However, PCC has recruited Kerala, Madhya Pradesh, recently 03 technical staff. Manipur, Maharashtra, S. Recommendations (Responsible Status of Compliance Remarks/Observations Recommendation No. Agency and timeline of action) Not Complied: Assam, Meghalaya, Mizoram, Chandigarh, Jharkhand Assam has informed that Nagaland, Odisha, adequate manpower is not provided in Puducherry, Punjab, Information not provided: provided and also no steps Rajasthan, Sikkim, Tamil Nadu Andhra Pradesh have been taken to increase manpower. However, training Uttar Pradesh, Uttarakhand programme are being and West Bengal shall be attended by officials as and provide the progress report when entrusted.

progress report on providing Andhra Pradesh has informed adequate manpower and that it has 03 Zonal Offices training.

and 13 Regional covering 13 Districts

Chandigarh PCC informed that no training programme has been carried out/attended by officials during 2019 Gujarat has informed has recruited 49 Assam Environmental Engineers in September, 2019 organizing programmes on regular

Jharkhand has informed it does not have adequate

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Observations
			manpower and information has provided w.r.t any steps taken in this regard. informed that 01 training programme has attended by 02 officials Board.
			Lakshadweep PCC informed that it has adequate manpower.

Madhya Pradesh informed that officials have participated in 26 training programmes. However, information related to adequate manpower has not been provided. Rajasthan has informed that it does not have adequate manpower. However, recruitment has been done in compliance of Hon'ble NGT orders.

Telangana has informed that steps have been taken for recruitment.

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks
			SPCBs/PCBs of Jammu & Nagaland, Tripura, informed, initiated upgradation.
(ii)	SPCBs/PCCs should have adequate laboratory infrastructure for analysis of HW parameters.	Partially Complied: Assam, Andhra Pradesh, Delhi, Goa, Gujarat, Haryana, Himachal Pradesh, Jammu & Kashmir, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Meghalaya, Mizoram, Nagaland, Odisha, Puducherry, Rajasthan, Tamil Nadu, Telangana, Assam, Tripura, Uttar Pradesh and West Bengal	Andaman has informed that they have faced waste oil is being further analysis parameters. instruments also analysis
		Not Complied: Andaman & Nicobar Islands, Arunachal Pradesh, Chandigarh, Chhattisgarh, Jharkhand,	only few me with PCB.

Lakshadweep,
Punjab, SikkimManipur, Andhra Pradesh
that it has
at
VishakhapatnamInformation not provided-
Uttarakhand

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Observations
			of Hazardous waste parameters.
			Chandigarh PCC informed that it does not have adequate lab and Punjab Biotechnology Incubator has been authorised to analyse HW parameters.
			Chhattisgarh has informed that land has been acquired and technical specifications for procurement of instruments are under finalization and environmental laboratory will be developed by 31/12/2021
			DPCC does not have a NABL accredited laboratory and limited parameter can be analysed. Further, informed that few instruments require procurement.
			Gujarat has informed that it has state of art laboratory facility which can monitor micro pollutants.

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Observations
			Himachal Pradesh informed that it constituted a committee for additional requirements of laboratory. Budget of 263 lakhs has been approved for procurement of instruments
			Jharkhand has informed that

it do not facility for ana
HW parameters, also report
that steps to p
adequate lab infrastru
are under process. Howeve
no details in this regard
been provided. Further, i
been reported that, sampl
are being sent to authori
lab.

Kerala Board is continuous
upgrading its laboratory a
in case of non -availabili
lab, analysis is being car
out through third party.

Lakshadweep PCC
informed that it does not
lab and samples are sent
accredited lab in Kerala.

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Observations
			<p>Madhya Pradesh informed that procurement of instruments for lab Bhopal is under process a work order has been given PWD for establishment of l</p> <p>Arunachal Pradesh, Manipur and Sikkim have informed that they do not have la facility for analysis hazardous waste.</p> <p>Andhra Pradesh has informe that it has planned to con programs for promot cleaner technology.</p> <p>Chandigarh PCC has started consultative process a further performance- oriented advocac programme will be outlined</p> <p>Chhattisgarh has informe that R&D centre will be</p>

established with laboratory
and advocacy/awareness
programmes are being

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Observations
	(iii) R&D work shall be regularly carried out by the SPCBs/PCCs individually, in collaboration with other SPCBs/PCCs and expert technical Institutes/agencies. Continuous dissemination of information and awareness programs shall be carried out by the SPCBs/PCCs. (SPCBs/PCCs : 05 months)	Complied: Himachal Pradesh, Madhya Pradesh, either Meghalaya and Punjab Partially Complied: Chandigarh, Chhattisgarh, Gujarat, Haryana, Kerala, Odisha, Puducherry, Telangana, Tamil Nadu and West Bengal. Not Complied: Andaman & Nicobar Islands, Andhra Pradesh, Arunachal Pradesh	conducted adoption technologies Gujarat has is progress in R&D in GCPC. However R&D work have provided. Haryana has Board has on awareness pr

Pradesh, Assam, Delhi, Goa, stakeholders, no R&D work Jammu & Kashmir, has been carried out.

Jharkhand, Karnataka, Lakshadweep, Himachal Pradesh has Maharashtra, Manipur, informed that Board has Mizoram, Nagaland, carried out research work Rajasthan, Sikkim, Tripura related to recovery of Fluoride and Uttar Pradesh and Heavy metals from wastewater.

Information not provided-

Uttarakhand J&K PCB has informed that once lab will start R&D work will be initiated.

Karnataka has informed that it will; carryout R&D work S. Recommendations (Responsible Status of Compliance Remarks/Observations Recommendation No. Agency and timeline of action) and will submit report. No details in this regard has been provided.

Kerala informed that process for setting up R&D wing has been initiated also board promotes CT through awards and various establishments as part of Environment Day celebration.

Madhya Pradesh have been informed that Board has carried out various research work Maharashtra has informed that it will plan to organize advocacy program. No information provided w.r.t R&D work.

Meghalaya has informed that it has undertaken a research study on "Cleaner Production in Cement Industry for Environmental Sustainability". However, Meghalaya PCB has informed S. Recommendations (Responsible Status of Compliance Remarks/Observations Recommendation

No. Agency and timeline of action) its financial inability to undertake regular R&D works.

Odisha PCB has informed that it has constituted a R&D committee to identify areas for R&D and in Collaboration with EPIC (University of Chiacago) board has taken up project for clean air by adoption of cleaner technology.

Puducherry has proposed to collaborate with Puducherry Engineering College for R&D activities Punjab has made R&D on recovery of zinc from APCD dust and promoted the same.

Nagaland has noted for compliance w.r.t R&D Sikkim PCB has informed that there is no R&D facility and proposes to involve R&D facility.

S. Recommendations (Responsible Status of Compliance Remarks/Observations Recommendation No. Agency and timeline of action) Tamil Nadu has informed that it has collaborated with IIT Chennai and formed Centre for Urbanization Buildings and Environment (CUBE) Telangana has proposed to identify the sector for carrying out R&D work Tripura has not carried out R&D work but during inspection officials are providing necessary inputs for effective management of Hazardous waste.

Uttar Pradesh has informed that as soon as required manpower is provided, institutional reform will be carried out. It has directed oil refineries to shift to physical refinery.

West Bengal has informed that a separate R&D wing exist in PCB. However, details of the R&D work carried out has not been provided.

S. Recommendations (Responsible Status of Compliance Remarks/Observations Recommendation No. Agency and timeline of action) Andaman & Nicobar Islands, Arunachal Pradesh, Assam, Delhi, Goa, Jharkhand, Lakshadweep Manipur, Mizoram and Rajasthan have not carried out R&D activity and advocacy programmes.

Manipur has submitted proposal for R&D work

28. NATIONAL POLICY CPCB-Partially Complied - CPCB shall expedite the process of finalization of National Policy

(i) National Hazardous Waste The National Expert on Hazardous Waste Management Policy as per Committee (NEC) constituted Management and forward the Hon'ble NGT Orders dated by CPCB has carried out same to MoEF&CC for 26.08.2019 shall be prepared several meeting alongwith publication and implementation and circulated to concerned stakeholder consultation of the same. stakeholders within four with few SPCBs/PCCs, months. Representatives of Recyclers associations, TSDF operators (MoEF&CC and CPCB: 04 and field experts to devise months) National Policy on Hazardous Waste Management (NPHWM).

The draft National Policy is under finalization, upon finalization, the same will be S. Recommendations (Responsible Status of Compliance Remarks/Observations Recommendation No. Agency and timeline of action) forwarded to MoEF&CC for necessary action.

Apart from above state specific and agency wise recommendations on the various action points, the following are also recommended:

1. Chief Secretary of DD&DNH shall submit the compliance status report on the recommendations made in CPCB report (June 2020) w.r.t actions points given in the Interim and Final Report of the Monitoring Committee and in accordance with order dated 07/07/2020 of the Hon'ble Tribunal.

Further, Chief Secretaries of 03 States namely Bihar, Nagaland and Uttarakhand shall submit compliance status report on all the action points as per format circulated vide CPCB letter dated 20/07/2020 w.r.t. Final Report of the Monitoring Committee, as CPCB has not received the same.

2. Chief Secretaries of all States/UTs shall monitor and ensure compliance of the recommendations pertaining to SPCBs/PCCs and State/UT Governments/ Departments (as given in Section 3) and also submit compliance status on annual basis to CPCB.

3. The action points given in the final report of the Monitoring Committee vis-à-vis the recommendations made in Section 3.2 be coordinated by Ministry of Environment, Forest and Climate Change with various central ministries and its agencies to ensure compliance of the same.