

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. No.	Direction of Hon’ble NGT	Status of Compliance
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	<ul style="list-style-type: none"> • CPCB has prepared guidelines for “Preparation of Inventory on Hazardous and Other Waste Generation and their Management” and circulated to all SPCBs/PCCs for preparation and submission of annual inventory vide letter dated 25/06/2019. Same is placed on

	<p>29/01/2019 which was accepted by the Tribunal on 12.04.2019.</p>	<p>CPCB website.</p> <ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> ✓ 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). <p>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.</p>
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		<p>✓ CPCB is in the process of verification (random test checks) of annual inventory submitted by SPCBs/PCCs through government institutes/organisations</p>
ii.	<p>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.</p>	<p>➤ Except Lakshadweep, all the 04 SPCBs/PCCs (Haryana, Manipur, Nagaland and DDN&NH) submitted their reports within the timeline.</p> <p>➤ However, in view of no response from Lakshadweep, CPCB vide its letter dated 04/10/2019 followed by reminder letter dated 19/12/2019 directed for submission of report and deposition of penalty of Rs. 03 lakhs (i.e. Rs 01 lakh per month w.e.f. 01/10/2019).</p> <p>➤ Lakshadweep vide its letter dated 25/12/2019 submitted its report along with penalty of Rs. 03 lakhs to CPCB.</p>
iii.	<p>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 threshold limit of generation of hazardous waste be made by the CPCB within one month from today and placed on its website.</p>	<p>➤ 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.</p> <p>“Conclusion/Recommendations of the document:</p> <p>➤ 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;</p> <p>➤ States/UTs generating 5000 MTA or more of the landfillable hazardous waste need to take immediate action for commissioning of common TSDF</p> <p>➤ 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</p>

	<p>the Hon'ble NGT and</p> <p>➤ 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.”</p> <p>The aforesaid document is appended at Annexure- 3 of CPCB report -June, 2020.</p> <p>➤ 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.</p> <p>➤ 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.</p> <p>Status on Setting up of TSDF is appended at Appendix B and details provided in Chapter 2 of the CPCB report- June 2020.</p>
iv-viii	<p>Status of compliance on Contaminated sites is given below: (details may refer at page 225 at Chapter-8 of status report of CPCB)</p>

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 to 21 SPCBs/PCCs for taking necessary action and submission of Action taken reports on ‘Assessment of Contaminated Sites’	letter dated 06.09.2019
(ii)	CPCB reminder along Guidance document on “Assessment and remediation of contaminated sites” issued by MoEF&CC was communicated to 21 SPCBs/PCC	03 letters and 06 e-mails
(iii)	To review the compliance to aforesaid directions of Hon’ble NGT, interactive meeting was organized with the officials of SPCBs/PCCs at CPCB Delhi	3rd - 4th February, 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

S. No.	Name of the States/UT	Total sites submitted before NGT in 2019	No. of active sites* till date	126 Contaminated Sites list submitted before Hon’ble NGT	
				55 sites (DPRs/ Remediation completed/on-going)	71 sites (DPR required)
1.	Andhra Pradesh (AP)	3	3*	1**	
2.	Assam (AS)	4	4		1
3.	Delhi (DL)	26	26		4
4.	Goa (GA)	2	2		1
5.	Gujarat (GJ)	23	23*	1***	7
6.	Haryana (HR)	17	17		3
7.	Himachal Pradesh	6	6		1
8.	Jharkhand (JH)	14	14		2

9.	Karnataka (KA)	25	25		5
10.	Kerala (KL)	13	10	4 (1## & 1###)	2
11.	Madhya Pradesh (MP)	20	20*	4 (1###)	2
12.	Maharashtra (MH)	5	6*	1***	1
13.	Odisha (OD)	31	32*	4(3##)	18
14.	Punjab (PB)	9	9		6
15.	Tamil Nadu (TN)	14	11	3 (2***)	3
16.	Telangana (TS)	9	9	1	1
17.	Uttar Pradesh (UP)	40	42*	8 (2*** & 2##)	10
18.	Uttarakhand (UK)	9	9		1
19.	West Bengal (WB)	35	7	27 (1**, 1## & 25###)	
20.	Chhattisgarh (CH)	5	5		2
21.	Rajasthan (RJ)	11	11	1	1
	Total	321	291	55	71
Note:					
(a) Contaminated sites – 126 (55+71) sites					Till June, 2020 Total sites: 291 sites (PCS-175 and CS-116)
(b) Probable sites – 195 sites					
(c) New sites* - 7 sites (AP-1, GJ-1, MH-1, MP-1, OD-1, UP-2)					
(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	1 site: RJ-1
DPR about to complete	3 sites: MP-3
Remediation work couldn't initiated due to court	1 site: TS-1
DPR prepared, remediation not yet initiated	8 sites: KL-2, OD-1, TN-1 & UP-4
(# de-listed site)	

Further, HW still lying at the sites (as per detailed investigation report/DPR prepared) **8 sites:** KL-1, MP-1, OD-4, TN-1 & UP-1

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

B. Summary of 71 sites:

Preliminary Assessment done (# de-listed site)	41 sites: AS-1, GJ-7, HR-3, HP-1, KL-2 (1#), MP-2, OD-17, PB-3, TN-2 & UP-3
Preliminary Assessment on-going	1 site: JH-1
Only site inspection carried out, however sampling not done	15 sites: KA-5, MH-1, OD-1, TN-1 & UP-7
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-
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Further as per preliminary assessment report, HW lifted/removed **2 sites:** GJ-01 & UP-1

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 sampling not done	66 sites: AP-1, DL-13, JH-1, KA-18, KL-3, TN-3, TS-7, UP-12 & WB-8 (2*)
Preliminary Assessment about to start	3 sites: MH-3
Remediation on-going	1 site: KA-1
Sampling not carried out as GPS location was not matched with the site	4 sites: OD-3 & UK-1
Information not received from SPCBs/PCC	18 sites: CH-3, PB-2, RJ-9, UP-2 & UK-2

Further as per preliminary assessment report, HW lifted/removed from the sites **4 sites:** DL-1, GA-1, GJ-1* & UP-1

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 lifted/ removed from the sites; however, sampling not done	2 sites: MH-1 & UP-1
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. 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.	45 days
ii.	In case of contaminated sites, SPCBs/PCC shall carry 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.	3 months
	If Remediation needed, SPCBs/PCC may take necessary and submit remediation plan to CPCB for further course of action.	Within 45 days (after completion of investigation study)
iii.	SPCBs shall ensure lifting of hazardous waste still accumulated at sites, wherein DPRs already prepared under NCEF Project.	3 months
iv.	SPCBs/PCCs to ensure that the hazardous waste 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)	3 months
v.	SPCBs/PCCs to ensure that the hazardous waste 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	1 month

	<i>followed by remediation, if needed (as above ii)</i>	
vi.	<i>Financial supports for execution of project on 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.</i>	4 months

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. No.	Recommendations of the Committee	Compliance status
1.	Disposal of hazardous wastes accumulated at identified sites:	
	<p>(i) CPCB/SPCBs/PCCs to ensure that the hazardous waste accumulated at all such identified sites shall be disposed of either through Treatment, Storage and Disposal</p> <p>Facilities (TSDFs) or onsite secured landfilling (SLF) on priority to stop further contamination</p> <p>(CPCB/ SPCBs/PCCs: 06 months)</p>	Detailed information is given at Section-C & D of Chapter 8 (page 228 to 308) for kind reference.
2.	Guidelines for Identification and Assessment of Contaminated Sites:	
	<p>(i) For a consistent and uniform application and approach across the country, guidelines for identification and assessment of contaminated sites shall be published.</p> <p>(CPCB: 03 months)</p>	Guidance document on Assessment and remediation of Contaminated Sites in India issued by MoEF&CC, communicated to 21 SPCBs/PCC. Based on this guidance document, a “Reference document on identification inspection and assessment of contaminated 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:	

	<p>(i) Capacity building program for officials of SPCBs/PCCs on the entire process of remediation,</p> <p>(CPCB: 06 months)</p> <p>(ii) Assessment of about 195 probable contaminated sites and any new additional sites recommended by CPCB/ SPCBs/PCCs shall be completed within period of 1 year after publication of such guidance document by CPCB.</p>	<p>(i) MoEF&CC sponsored “Five – Day International Seminar/workshop on Contaminated Sites; and Demonstration Sessions / Workshop on Environmental Subsurfa Investigations” was organized by IIT Delhi during 17-21 February, 2020 for the officials of MoEF&CC/CPCB/SPCBs, Academic, etc. is given at Annexure-XIV (page 458) for kind reference. CPCB has proposed a 3 separate training programs on identification and assessment of contaminated</p>
	<p>Recommendations of the Committee</p>	<p>Compliance status</p>
	<p>(CPCB/SPCBs/PCCs: 1 year)</p> <p>(iii) For effective implementation of the remediation plan at State level, Empowered Monitoring Committee chaired by Principal Secretary Department of Environment having representatives from department of Industries, SPCB/PC, Groundwater development agency, etc. shall be constituted.</p> <p>(State Govt: 04 months)</p>	<p>Sites for the officials of SPCBs/PCCs for the financial year 2020-21.</p> <p>(i) Detailed progress on assessment of probable contaminated sites under taken by SPCBs/PCCs is given at Section-C of Chapter 8 for kind reference.</p> <p>(ii) Odisha SPCB has informed vide its letter dated 19.05.2020 that at State level Empowered Monitoring Committee (EMC) has been constituted.</p>

<p>4.</p>	<p>Financial Arrangements for remediation of contaminated sites:</p>	
	<p>(i) Financial arrangements between Central-State Governments for the proposed remediation projects shall be resolved immediately so that the remediation works as proposed in DPRs can be undertaken on priority. These DPRs (2017-18 and 2018-19) may need to be revisited in no action is taken in a reasonable time for execution of remediation works.</p> <p>(ii) Govt. should take up on priority not only remediation projects at the sites where DPRs have been prepared but also the assessment of about 195 sites, besides any new addition of potentially contaminated site, if any.</p> <p>(MoEF&CC/State Govt.: 06 months)</p>	<p>It is humbly submitted that MoEF&CC has sanctioned central share under National Clean Energy Fund (NCEF) scheme of Rs. 15.5 crore for preparation of DPRs for 08 areas contaminated (containing 21 sites) for remediation.</p> <p>Further, it is humbly submitted that there is no funding for execution of remediation works, since NCEF scheme has been discontinued by Govt. of India. The DPRs along with templates of bidding have been forwarded to concerned State Govts and SPCBs with request to implement remediation works.</p>
<p>5.</p>	<p>Networking of Academic and Research Institutes:</p>	

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

S. No.	States/UTs	Status submitted before the Hon'ble NGT	Updated status as on June, 2020			Proposed De-listed sites	DPRs and Remediation completed	On-going Assessment/ Remediation works	HW still lying at the site (as per DPR prepared by CPCB)	HW not observed (as per site inspection by SPCBs)	HW removed/ lifted from the sites
			Total Sites (PCS +CS)	Total Sites*	Probable Sites						
1	Andhra Pradesh	3 (2+1)	3*	3	0	1	1	1			
2	Assam	4 (3+1)	4	2	2						
3	Chhattisgarh	5 (3+2)	5	3	2						
4	Delhi (NCR)	26 (22+4)	26	14	12						
5	Goa	2 (1+1)	2		2						1
6	Gujarat	23 (15+8)	23*	15	8	1		1			2
7	Haryana	17 (14+3)	17	13	4					8	
8	Himachal Pradesh	6 (5+1)	6	5	1					6	
9	Jharkhand	14 (12+2)	14	12	2			10			
10	Karnataka	25 (20+5)	25	19	6			1			
11	Kerala	13 (7+6)	10	6	4	3	4		1		
12	Madhya Pradesh	20 (14+6)	20*	16	4	1	4		1		1
13	Maharashtra	5 (3+2)	6*	3	3			1			1
14	Odisha	31 (9+22)	32*	9	23		4		4		
15	Punjab	9 (3+6)	9	3	6						
16	Rajasthan	11 (9+2)	11	9	2						
17	Tamil Nadu	14 (8+6)	11	5	6	3	1	2	1	3	
18	Telangana	9 (7+2)	9	7	2		1			5	
19	Uttar Pradesh	40 (22+18)	42*	17	25		7	2	1	18	3
20	Uttarakhand	9 (8+1)	9	8	1						
21	West Bengal	35 (8+27)	7	6	1	28	27				
Total		321 (195+126)	291*	175	116	37	48	18	8	40	8

Note:* including new 07 sites

ix.	<p>The recommendations of the CPCB with regard to the compensation regime on the subject may be adopted, subject to further consideration of orders.</p>	<p>----</p>
x.	<p>The CPCB may oversee the compliance of these directions compile data from all quarters (i.e. recommendations of Monitoring Committee) and furnish an interim compliance report...</p>	<p>In compliance of the aforesaid orders, CPCB has submitted “Status Report on Compliance of Recommendations of the Monitoring Committee on Management of Hazardous Waste and Directions of the Hon’ble Tribunal” on 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.</p> <p>Compliance of Recommendations in Interim Report:-</p> <p>> 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.</p> <p>> 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.</p> <p>Compliance of Recommendations in Final Report:</p> <p>> 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.</p>

	<p>> 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 ClimateChangean Ministry of Labour) to ensure compliance. Whereas, recommendations pertaining to SPCBs/PCCs, Port Authorities and Department of Labour of States/UT Government needs to addressed on a continuous basis.</p> <p>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.</p> <p>>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.</p> <p>>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.</p> <p>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.</p>
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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 has been generated				
				Rule 23(1) enforced	Rule 23(2) enforced	Refusal/Revocation	Prosecution under E(P)A, 1986	FIR Lodged
1.	Andman & Nicobar Islands	0	-	-	-	-	-	-
2.	Andhra Pradesh	Relevant details not provided in prescribed format						
3.	Arunachal Pradesh	01	01	01	0	0	0	0
4.	Assam	Relevant details not provided in prescribed format						
5.	Bihar*	05	0	0	0	0	0	0
6.	Chandigarh	Relevant details not provided in prescribed format						
7.	Chhattisgarh	04	0	0	04	0	0	0
8.	Delhi	-	-	-	-	-	-	-
9.	Goa	-	-	-	-	-	-	-
10.	Gujarat	Relevant details not provided in prescribed format						
11.	Himachal Pradesh	Relevant details not provided in prescribed format						
12.	Haryana	07	0	0	0	07	0	0
13.	Jammu & Kashmir	30#	-	-	-	-	-	-
14.	Jharkhand	Relevant details not provided in prescribed format						
15.	Karnataka	Relevant details not provided in prescribed format						
16.	Kerala	Relevant details not provided in prescribed format						
17.	Lakshadweep	-	-	-	-	-	-	-
18.	Madhya Pradesh	-	-	-	-	-	-	-
19.	Maharashtra	-	-	-	-	-	-	-
20.	Manipur	Relevant details not provided in prescribed format						
21.	Meghalaya	2	0	0	0	2	0	0
22.	Mizoram	7^	0	0	0	0	0	0
23.	Nagaland*	Relevant details not provided in prescribed format						
24.	Odisha	-	-	3	3	1	0	0
25.	Puducherry	8	2	0	0	2	0	0
26.	Punjab	36	0	0	0	0	0	0
27.	Rajasthan	18	0	0	0	18	0	0
28.	Sikkim	-	-	-	-	-	-	-
	Tamil Nadu	3	0	3	0	0	0	0
	Telangana	14\$	-	-	-	-	-	-
	Tripura	Relevant details not provided in prescribed format						
	Uttar Pradesh	64	-	-	-	-	-	-
	Uttarakhand*	Relevant details not provided in prescribed format						
	West Bengal	Relevant details not provided in prescribed format						

* 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 State/UT	Criteria
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 State/UT*	Criteria
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)	✓
	(b) Port Authorities	x

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:

S. No.	States submitted compliance status	States not submitted compliance status
1.	<i>Andaman & Nicobar Islands</i>	<i>DD&DNH</i>
2.	<i>Andhra Pradesh</i>	
3.	<i>Arunachal Pradesh</i>	
4.	<i>Assam</i>	
5.	<i>Bihar*</i>	
6.	<i>Chhattisgarh</i>	
7.	<i>Chandigarh</i>	
8.	<i>Delhi</i>	
9.	<i>Goa</i>	
10	<i>Gujarat</i>	
11	<i>Haryana</i>	
12	<i>Himachal Pradesh</i>	
13	<i>Jammu & Kashmir</i>	
14	<i>Jharkhand</i>	
15	<i>Karnataka</i>	
16	<i>Kerala</i>	
17	<i>Lakshadweep</i>	
18	<i>Madhya Pradesh</i>	
19	<i>Maharashtra</i>	
20	<i>Manipur</i>	
21	<i>Meghalaya</i>	
22	<i>Mizoram</i>	
23	<i>Nagaland*</i>	
24	<i>Odisha</i>	
25	<i>Puducherry</i>	
26	<i>Punjab</i>	
27	<i>Rajasthan</i>	
28	<i>Sikkim</i>	
29	<i>Tamil Nadu</i>	
30	<i>Telangana</i>	
31	<i>Tripura</i>	
32	<i>West Bengal</i>	
33	<i>Uttar Pradesh</i>	
34	<i>Uttarakhand *</i>	

** 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. No.	Name of the States/UT	No. of sites	Action taken report submitted	Date of 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 & 02.12.2020
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
	Total	280		

***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-2.

Table-2: Revised State wise distribution of contaminated sites

S. No.	States/UTs	Status submitted before Hon'ble NGT in June, 2020 Total Sites (PCS +CS)	De-listed sites	Updated status as December,		
				Total Sites ¹	Probable Sites (PCS)	Contaminated Sites (CS)
1	Andhra Pradesh	3 (3+0)		41	4	0
2	Assam	4 (2+2)		4	2	2
3	Chhattisgarh	5 (3+2)		5	3	2
4	Delhi (NCR)	26 (14+12)	3	23	12	11
5	Goa	2 (1+1)		2	1	1
6	Gujarat	23 (15+8)		23	15	8
7	Haryana	17 (13+4)	3	14	10	4
8	Himachal Pradesh	6 (5+1)	2	4	3	1
9	Jharkhand	14 (12+2)		14	12	2
10	Karnataka	25 (19+6)		25	19	6
11	Kerala	10 (6+4)	1	9	5	4
12	Madhya Pradesh	20 (14+6)		20	14	6
13	Maharashtra	6 (3+3)		6	3	3
14	Odisha	32 (9+23)		32	9	23
15	Punjab	9 (3+6)		9	3	6
16	Rajasthan	11 (9+2)	1	10	8	2

17	Tamil Nadu	11 (5+6)		11	5	6
18	Telangana	9 (7+2)		9	7	2
19	Uttar Pradesh	42 (17+25)	1	43 ¹	22	21
20	Uttarakhand	9 (8+1)	3	6	5	1
21	West Bengal	7 (6+1)		7	6	1
Total		291 (175+116)	14	280	168	112

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. No.	Name of the Site	Action taken/Initiated by SPCB	Observations
Gujarat (02)			
1.	Effluent Channel Project Limited (ECPL), Baroda Effluent Canal, Vadodara District	i) In groundwater samples Color, Phenolic compound, Sulphate, Chloride & TDS are reported higher than acceptable limit of BIS. Remediation work is undertaken by Dye- manufacturing and Pharmaceutical industries (Responsible Parties). ii)	GPCB may monitor target levels periodically. Responsible party may be directed to submit monthly or quarterly progress reports.
2.	Swastik Organic, Sabar Dairy Road, Piplodi, Gujrat	i) Hazardous waste lying at the site was already lifted and shifted to TSDF. ii) In the downstream at village Boriya Khurad, about 7 to 8 bore wells reported as contaminated with reddish brown coloured water. iii) In this regard, it reported that crops like wheat, cotton & castor are irrigated with this colored water. iv) GW samples collected and reported about 200 Pt Co yellowish color. The responsible party has awarded the remediation work to GITCO.	Subsequent to lifting, soil contamination may still remain at the site. GPCB may carry out GW, SW and sediment sampling. Responsible party may be directed to submit monthly or quarterly progress reports. Status report may be updated GSPCB at website and submit to CPCB.
Jharkhand (01)			

3.	Roro hills, Jharkhand - 833201	Detailed investigation report on “Rehabilitation of Roro abandoned asbestos mines” along with remediation status as per direction of Hon’ble NGT is submitted. It was informed that, remedial action has been taken by Dept. of Mining, Jharkhand.	Jharkhand PCB may monitor progress or remediation works, and status report may be updated from time to time at website and submit to CPCB.
Maharashtra (01)			
4.	M/s Godavari Bio-Refineries, Ahmed Nagar District, Maharashtra	Contaminated groundwater is being remediated by applying Bioremediation technique since September, 2017 and the same is underway.	MPCB should monitor progress status report may be updated at website and submit to CPCB from time to time.
Tamil Nadu (02)			
5.	M/s HUL, Kodaikanal, Tamil Nadu	Trail remediation has been done by M/s HUL. TNPCB had approved Consent to Establish for execution of soil remediation activity. All requisite machineries have already been installed for soil remediation.	TNPCB may monitor remediation works being undertaken by Responsible party. Status report may be updated at SPCB’s website and also submit 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 its website and also 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 & Nicobar Islands, Arunachal Pradesh, DD&DNH, Karnataka, and Meghalaya) be directed to submit the quarterly compliance status report on implementation of recommendations made by the Monitoring Committee in its Interim report, as CPCB has not received status report for the 2 nd , 3 rd and 4 th 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.	Not Complied- Andaman & Nicobar Islands, Arunachal Pradesh, DD&DNH, Karnataka, and Meghalaya Complied - Uttar Pradesh	None of the 05 SPCBs/PCCs namely Arunachal Pradesh, DD&DNH, Karnataka, and Meghalaya have submitted quarterly compliance status report for the period of July, 2019 to March 2020. However, Andaman & Nicobar Islands, Arunachal Pradesh, Karnataka and Meghalaya have submitted status as on date. -	DD&DNH shall submit the quarterly compliance status to CPCB immediately. -
2.	As per categorization made by CPCB, since SPCBs of Assam and Chhattisgarh	Not Complied - Chhattisgarh and Assam	Compensation not deposited by Assam and Chhattisgarh.	The Hon'ble Tribunal may pass appropriate orders based on submissions made

S.No.	GENERAL DIRECTIONS	STATUS OF COMPLINACE	REMARKS/OBSERVATIONS	RECOMMENDATIONS
	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, State Government of Assam vide its letter dated 30/09/2020 requested CPCB to move application before Hon'ble NGT to condone the compensation. In response CPCB vide its letter dated 23/11/2020 requested the Environment and Forest Department to directly approach Hon'ble NGT for any relief in this regard.	by Chhattisgarh and Assam, if any.
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.	<p>Complied Bihar, Haryana, Puducherry, Sikkim</p> <p>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</p> <p>Not Complied - Andaman & Nicobar Islands, Andhra Pradesh, Chhattisgarh, Delhi, Goa, Jharkhand, Karnataka,</p>	<p>Lakshadweep PCC has not granted authorization to any unit</p> <p>Assam PCB has not reported the number of units who have submitted annual returns.</p>	<p>i. 10 SPCBs/PCC namely Andaman & Nicobar Islands, Andhra Pradesh, Chhattisgarh, Delhi, Goa, Jharkhand, Karnataka, Meghalaya, Nagaland and Tamil Nadu be directed to 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</p>

S.No.	GENERAL DIRECTIONS	STATUS OF COMPLINACE	REMARKS/OBSERVATIONS	RECOMMENDATIONS
		Lakshadweep, Meghalaya, Nagaland and Tamil Nadu Information not provided- Assam		<p>accordance with the provisions laid down under the HOWM Rules, 2016.</p> <p>ii. 18 SPCBs/PCC (i.e. 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) shall ensure to take action in accordance with the provisions laid down under the HOWM Rules, 2016, against the occupiers not submitting the annual returns within the stipulated timeline.</p>

S.No.	GENERAL DIRECTIONS	STATUS OF COMPLINACE	REMARKS/OBSERVATIONS	RECOMMENDATIONS
				<p>iii. Assam PCB be directed to submit the status of submission of annual return by HW generating units in the State of Assam and action taken in case of defaulting units.</p> <p>Further, Lakshadweep PCC be directed to grant authorization to hazardous waste generating/handling units in accordance with HOWM Rules, 2016.</p>
4.	SPCBs/PCCs shall prepare annual inventory report on hazardous and other waste generation and its management, as per CPCB's guidelines and ensure submission of same within stipulated timeframe as laid down under HOWM Rules, 2016.	<p>Complied- Bihar, Chandigarh, Delhi, Goa, Haryana, Himachal Pradesh, Jammu & Kashmir, Jharkhand, Kerala, Maharashtra, Manipur, Mizoram, Nagaland, Sikkim, Tamil Nadu, Uttar Pradesh and Uttarakhand</p> <p>Partially Complied - Andaman & Nicobar Islands, Assam, Andhra Pradesh, Chhattisgarh, Gujarat, Madhya Pradesh, Meghalaya,</p>	Due to the on-going pandemic and based on request received from SPCBs/PCCs, submission of annual inventory was extended by 20/10/2020. However, 09 SPCBs namely Andhra Pradesh, Chhattisgarh, Gujarat, Madhya Pradesh, Odisha, Puducherry, Punjab, Telangana and West Bengal	<p>i. 04 SPCBs/PCC namely Arunachal Pradesh, Karnataka, Lakshadweep and Tripura shall be directed to immediately submit the annual inventory to CPCB.</p> <p>ii. Assam PCB and Meghalaya shall</p>

S.No.	GENERAL DIRECTIONS	STATUS OF COMPLINACE	REMARKS/OBSERVATIONS	RECOMMENDATIONS
		<p>Puducherry, Punjab, Odisha, Rajasthan, Telangana and West Bengal.</p> <p>Not Complied - Arunachal Pradesh, Karnataka, Lakshadweep and Tripura</p>	<p>have submitted annual inventory after 20/10/2020 Assam PCB and Meghalaya have not submitted the annual inventory as per the prescribed format.</p> <p>Rajasthan PCB has submitted inventory of 2019-20 vide letter dated 28/12/2020.</p>	<p>submit the annual inventory as per prescribed formats.</p> <p>iii. 11 SPCBs/PCCs namely Andaman & Nicobar Islands, Andhra Pradesh, Chhattisgarh, Gujarat, Madhya Pradesh, Odisha, Puducherry, Punjab, Rajasthan, Telangana and West Bengal shall ensure timely submission of annual inventory.</p>
5.	SPCBs/PCCs to ensure verification and reconciliation of closing of manifest document for all the cases in Hazardous waste handling/generating units.	<p>Partially Complied - Andhra Pradesh, Arunachal Pradesh, Assam, Chandigarh, Gujarat, Haryana, Himachal Pradesh, Jammu & Kashmir, Jharkhand, Kerala, Madhya Pradesh, Maharashtra, Meghalaya, Odisha, Puducherry, Punjab, Rajasthan, Sikkim, Tamil Nadu, Telangana, Tripura, Uttar Pradesh and West Bengal</p>	<p>It was observed that verification and reconciliation of closing of manifest document has been carried out in few cases by SPCBs/PCCs.</p> <p>Goa PCB has not provided details on the number however informed that partially complied.</p>	<p>SPCBs/PCCs shall ensure verification and reconciliation of closing of manifest document for all the cases (i.e. within the state and interstate) in hazardous waste handling/generating units.</p>

S.No.	GENERAL DIRECTIONS	STATUS OF COMPLINACE	REMARKS/OBSERVATIONS	RECOMMENDATIONS
		<p>Not Complied – Andaman & Nicobar Islands, Bihar, Chhattisgarh, Delhi, Goa, Karnataka, Lakshadweep, Manipur, Mizoram and Nagaland</p> <p>Information not provided- Uttarakhand</p>	<p>Gujarat PCB has verified reconciliation of closing of manifest within the state, however, w.r.t inter-state informed that the same shall be complied through NHWIS portal.</p> <p>Manipur PCB has informed that the quantity of hazardous wastes generated (i. e. used oil) are mostly reused. Therefore, reconciliation of manifest does not arise.</p> <p>Puducherry PCC has informed that all the units are disposing HW through neighbouring state. Hence closing of manifest is found difficult as the grey copies were not received.</p>	
6.	SPCBs/PCCs of 25 States/UTs shall initiate action on development of sectoral process based reasonable HW generation range/ environmental benchmarking/guidelines	<p>Complied -Gujarat, Haryana, Himachal Pradesh, Kerala, Madhya Pradesh, Mizoram, Tamil Nadu and West Bengal</p> <p>Not Complied (but timeline provided) – Arunachal Pradesh</p>	<p>Haryana and Kerala PCBs have initiated the process to get study conducted from NPC.</p> <p>Assam has initiated action for benchmarking of HW for recycling/utilization in case of petroleum refineries and oil</p>	SPCBs/PCCs shall expedite/initiate action on development of sectoral process based reasonable HW generation range/ environmental benchmarking/guidelines for

S.No.	GENERAL DIRECTIONS	STATUS OF COMPLINACE	REMARKS/OBSERVATIONS	RECOMMENDATIONS
	for HW recycling/ utilization and approach for waste management hierarchy and submit the progress report on the same within 06 months to CPCB.	<p>(December, 2021), Bihar (31/12/2022), Chandigarh (March, 2021), Chhattisgarh (03 months) Jammu & Kashmir (March, 2021) and Punjab (March, 2021)</p> <p>Not Complied - Andaman & Nicobar Islands Andhra Pradesh, Assam, Delhi, Goa, Jharkhand, Karnataka, Lakshadweep, Manipur, Maharashtra, Meghalaya, Nagaland, Odisha, Puducherry, Rajasthan, Sikkim, Telangana, Tripura and Uttar Pradesh.</p> <p>Information not Provided - Uttarakhand</p>	<p>and gas production sector in the State. The process shall require some time for its completion.</p> <p>Himachal Pradesh has constituted Committee in this regard.</p> <p>Goa, Jharkhand and Maharashtra PCBs have informed that it is under process.</p> <p>Manipur Only used oils generated from automobile workshops and garages sector, however details not provided.</p> <p>Tripura PCB requested CPCB to develop such benchmark/guidelines for HW recycling and approach for waste management hierarchy.</p>	<p>HW recycling/ utilization and approach for waste management hierarchy.</p> <p>Further, the details on the sector identified and progress made on development of the said documents be submitted within 01 months to CPCB.</p>
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, Assam, Chhattisgarh, Delhi, Goa, Gujarat, Haryana, Jammu & Kashmir, Jharkhand, Maharashtra, Odisha,	Chandigarh has informed that security auditing under process.	SPCBs/PCCs to ensure regular updation of website with respect to all enforcement actions along with details of industries and action taken thereof.

S.No.	GENERAL DIRECTIONS	STATUS OF COMPLINACE	REMARKS/OBSERVATIONS	RECOMMENDATIONS
		<p>Puducherry, Tamil Nadu, Telangana, Tripura</p> <p>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</p> <p>Not applicable (<i>not observed any non-compliances</i>)- Sikkim</p> <p>Information not Provided - Uttarakhand</p>	<p>Karnataka has provided the web link of the Board despite of providing specific link.</p> <p>West Bengal PCB has informed that developing/ uploading work of their new website under progress.</p>	
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.	<p>Complied - Andhra Pradesh, Goa, Gujarat, Karnataka, Maharashtra, Madhya Pradesh, Odisha, Puducherry, Punjab, Tamil Nadu, Telangana and West Bengal</p> <p>Partially Complied – Rajasthan and Uttar Pradesh</p> <p>Not Applicable (<i>no spent solvent recovery unit</i>)- Andaman & Nicobar Islands, Arunachal Pradesh,</p>	<p>Rajasthan PCB has verified only 01 unit, out of 03 units, manifest system is being followed up by only 01 unit; no action has been taken against erring units and also no interaction programs has been conducted with stakeholders.</p> <p>Uttar Pradesh PCB has not provided web link w.r.t publishing of spent solvent</p>	<p>i. Rajasthan PCB shall ensure compliance of all points of the CPCB direction dated 30.01.2019.</p> <p>ii. Uttar Pradesh PCB shall ensure display of inventory on spent solvent recovery units on their website as per CPCB's directions.</p>

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

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

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
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. <i>w.r.t stipulation of mode of management of HW in authorization document; Evaluation of authorization granted/renewed; Adoption of uniform inspection format;</i></p> <p>ii. Not Complied <i>w.r.t Scientific principal based identification and quantification of Hazardous waste; development of elaborate protocol for pre-processing; inspection and monitoring of waste collector/recycler/utilizer; Closing and reconciliation of manifest; Verification of inventory submitted by units; Development of waste generation range; website updation w.r.t enforcement actions; inclusion of fluorescent and other mercury containing lamps into the ambit of HW inventory; Capacity building; approach for recycling/utilization as per waste management</i></p>	<p>i. Shall carry out identification and quantification of Hazardous and Other Waste.</p> <p>ii. Board shall ensure verification of closing of the manifests received and reconcile the HW handling data.</p> <p>iii. Board 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.</p> <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> <p>v. Board shall prosecute habitual and serious defaulters under provisions of the Environment (Protection) Act, 1986. Other</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
		<p>iii. Board shall be directed to submit the status on setting up of TSDF or sharing arrangement with authorized common TSDFs of neighboring states.</p>	<p><i>hierarchy; Development of benchmarking for HW generation and possibility of recycling/utilization.</i></p> <p>iii. Partially Complied <i>w.r.t inclusion of domestic Hazardous waste into the ambit of national hazardous waste inventory; setting up of TSDFs or sharing arrangement.</i></p> <p><i>(PCC has informed that as per CPCB document, A&N Island falls under the states/UT generating less than 500 MTA of landfillable HW be permitted to make sharing arrangement with neighboring states for disposal of Hazardous waste. In this regard, PCC has authorized unit for collection, storage and transportation of used oil, however, no information has been provided w.r.t arrangement made for disposal of hazardous waste.)</i></p> <p>i. Not applicable:</p>	<p>alternative regulatory actions including refusal and revocation of Authorisation can also be explored following the due process.</p> <p>vi. Shall develop elaborated protocols for pre-processing and recycling/utilization facilities for enhanced level and frequency of enforcement and environmental monitoring.</p> <p>vii. 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.</p> <p>viii. Board shall update websites with respect to all enforcement actions along with details of industries and action taken.</p> <p>ix. Board shall develop an enforcement framework for effective enforcement of Rules</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
			<p><i>w.r.t. direction to common TSDF operator for not returning HW consignment, environmental audit of TSDFs, disclosure of escrow account)</i></p>	<p>based on principle of proportionality and also, precautionary principle.</p> <p>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.</p> <p>xi. Board shall also develop certain benchmarks/ guidelines for the possibilities of HW recycle/utilisation on case to case basis.</p> <p>xii. 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.</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
				<p>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.</p> <p>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.</p> <p>xv. Board shall initiate action for establishment of the laboratory facility where all HW parameters as required under the Rules can be analyzed.</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
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>i. Complied. <i>Board is implementing the framework developed by CPCB.</i></p> <p>xvi. Partially Complied <i>Andhra Pradesh PCB has informed that board has inspected both TSDFs at Visakhapatnam and Nellore on 23.07.2020 and 16.09.2020 respectively, however, not submitted any report and not provided response in respect of captive TSDF.</i></p> <p>xvii. Not Complied. <i>APPCB is issuing Consent for Establish (CFE) after thorough verification of material balance and the EMP submitted by the industry and the hazardous waste generation and disposal quantities are being examined through a Technical Committee. Further, during the inspections, the APPCB officials are verifying the batch processing sheets and material balance submitted by the industry.</i></p>	<p>i. Andhra Pradesh PCB shall immediately submit the environmental audit report of common TSDFs and shall also initiate audit of captive TSDFs operating in the state and submit the audit report to CPCB.</p> <p>vii. 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.</p> <p>viii. Andhra Pradesh PCB direct the operator of common TSDF, Nellore to deposit the mandatory in escrow account and display of same on website of operators.</p> <p>ix. Board shall immediately take necessary action in case of non-compliant spent solvent recovery units.</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
		<p>iv. Immediately open escrow account in the remaining TSDF also and ensure verification of same by board and display on website of operator.</p> <p>v. Andhra Pradesh PCB to ensure all the Spent solvent recovery units operating in the State have mandatory authorization, following manifest system and have been verified for compliance of CPCB's SoP. Further, Board to initiate action against the erring units.</p>	<p><i>along with the application for v. quantification of waste generation.</i></p> <p>iv. Partially complied <i>Both TSDFs (i.e. Nellore and Visakhapatnam) have opened the Escrow Account. However, the mandatory amount has not been deposited by TSDF, Nellore and details w.r. t display on same has not been provided by the Board.</i></p> <p>v. Partially Complied <i>There are 100 Spent solvent generating units and 84 spent solvent recovery units authorized to recover approx. 1 Million MT/annum of Spent Solvent. 35 units does not comply with requisite manifest document and 54 units are not complying with CPCBs SoPs for spent solvent recovery. Show-cause notice has been issued to 03 units found violating CPCB's SoP/manifest</i></p>	<p>Board shall immediately update inventory of Spent Solvent Recovery Units (available in their States) on Board's website and provide the link of same.</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
		vi. Board shall immediately update inventory of Spent Solvent Recovery Units available in their States on Board's website and provide the link of same.	<p><i>documents/ other provision of the HOWM Rules, 2016.</i></p> <p>vi. Not-Complied <i>No information provided by Andhra Pradesh PCB in this regard.</i></p>	
3.	Arunachal Pradesh	<p>i. Board shall take necessary action for compliance to the HOWM Rules, 2016 and recommendations of the Monitoring Committee.</p> <p>iii. Board shall be directed to submit the 2nd, 3rd and 4th quarter compliance report.</p> <p>ii. Board shall be directed to submit the status on setting up of TSDF or sharing arrangement with authorized common TSDFs of neighboring states.</p>	<p>ii. Complied. <i>w.r.t. stipulation of mode of management of HW in authorization document, prosecution of habitual and serious defaulters under provisions of the Environment (Protection) Act, 1986, documentation of non-compliances</i></p> <p>iii. Partially Complied <i>w.r.t. verification of closing of the manifests; verification of annual returns.</i></p> <p>iv. Not-Complied <i>w.r.t. development of elaborated protocols for pre-processing and recycling/utilization facilities (timeline- December, 2021) ;</i></p>	<p>i. Board shall initiate action for inclusion of Other waste in the regulatory actions, including inventory.</p> <p>ii. Shall carry out identification and quantification of Hazardous and Other Waste.</p> <p>iii. Shall develop elaborated protocols for pre-processing and recycling/utilization facilities for enhanced level and frequency of enforcement and environmental monitoring.</p> <p>iv. Shall develop Uniform format for visits and inspections of HW handling facilities is necessary to ensure comprehensive inspections</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
			<p><i>of Hazardous and Other Waste ;development of Uniform format for visits and inspections ; 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)</i></p> <p>v. Not applicable: <i>w.r.t. direction to common TSDF operator for not returning HW consignment, environmental</i></p>	<p>as per the provisions of the Rules.</p> <p>v. 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.</p> <p>vi. Board shall update websites with respect to all enforcement actions along with details of industries and action taken.</p> <p>vii. Board shall develop an enforcement framework for effective enforcement of Rules based on principle of proportionality and also, precautionary principle.</p> <p>viii. 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</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
			<p><i>audit of TSDFs, disclosure of escrow account)</i></p>	<p>ensure the level playing field for the industry.</p> <p>ix. Board shall also develop certain benchmarks/ guidelines for the possibilities of HW recycle/utilisation on case to case basis.</p> <p>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.</p> <p>xi. 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.</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
				<p>xii. 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.</p> <p>xiii. Board shall immediately upgrade the laboratory facility where all HW parameters as required under the Rules can be analyzed.</p>
4.	Assam	<p>i. Immediately adopt identification and quantification of HW based on scientific principal; inclusion of mode of management of each hazardous waste generated in the authorization document.</p> <p>ii. Develop elaborate protocol environmental monitoring of recyclers/utilizers within one month.</p>	<p>i. Not Complied.</p> <p>ii. Complied <i>Frequency of inspection: All HW generating units- once a year; Category 17 and red</i></p>	<p>i. Board shall immediately adopt the identification and quantification of HW based on scientific principal; inclusion of mode of management of each hazardous waste generated in the authorization document.</p> <p>ii. Board shall ensure availability of laboratory facilities for</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
		<p>iii. Take initiative for development of centralized laboratory for north-east region and commissioning of same within 06 months.</p> <p>iv. Develop enforcement framework document for effective enforcement of Rules within one month.</p> <p>v. Board shall immediately update website with respect to all enforcement actions along with details of industries and action taken.</p> <p>vi. Expedite conducting of environmental audit of captive</p>	<p><i>category units and captive TSDFs- once in 06 months; Pre-processing, recycling & utilization units- once in 03 months.</i></p> <p>iii. Partially Complied <i>Laboratory facility available with Assam PCB has been provided.</i></p> <p>iv. Partially Complied <i>Draft framework prepared consisting of monitoring/tracking of non-compliances and frequency of inspection, inventorization of industries and identification and categorization of violations and action to be initiated thereof.</i></p> <p>v. Complied</p> <p>vi. Not Complied</p>	<p>analysis of all the parameters as specified in HOWM Rules.</p> <p>iii. Develop enforcement framework document for effective enforcement of Rules.</p> <p>iv. Expedite conducting of environmental audit of captive TSDFs available in the State and submit the audit report to CPCB.</p> <p>v. Immediately set up TSDF in their State as the timeline (i.e 31/03/2020) stipulated by the Hon'ble Tribunal for compliance has already lapsed.</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
		<p>TSDFs available in the State and submit the audit report to CPCB.</p> <p>vii. Immediately set up TSDF in their State as the timeline for compliance has already been lapsed.</p>	<p><i>Guidelines being sought from CPCB.</i></p> <p>vii. Not Complied <i>Process of selection of Developers for establishment of TSDF is under process.</i></p>	
5.	Bihar	<p>i. Board 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.</p> <p>ii. 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>Information not submitted as per the format circulated by CPCB vide letter dated 20/07/2020, however, quarterly report for July-September, 2020 has been submitted.</p> <p>i. Not complied</p> <p>vi. Not complied <i>(timeline provided 31/03/2021)</i></p> <p>vii. Not complied</p>	<p>i. Board shall immediately submit the compliance status report for the period April-September, 2020 to CPCB as per prescribed format.</p> <p>ii. Board 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.</p> <p>iii. Board shall expedite the development of elaborate protocols to ensure enhanced</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
		<p>renewal or inspections in order to invoke powers of refusal or revocation of authorization as per Rules.</p> <p>iv. Board shall immediately update website with respect to all enforcement actions along with details of industries and action taken.</p> <p>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.</p> <p>vi. Board shall immediately upgrade the existing laboratory where all HW parameters as required under the Rules can be analysed.</p> <p>vii. Board shall immediately update inventory of Spent Solvent Recovery Unit available in their States on</p>	<p>iv. Not complied</p> <p>v. Partially complied <i>(UDHD and ULBs have been sensitized for setting up of deposition centres, however not included in inventory report.)</i></p> <p>vi. Not complied</p> <p>vii. Information not provided <i>(w.r.t. inventory of Spent Solvent Recovery Unit).</i></p>	<p>level and frequency of enforcement and environmental monitoring of recycling/ utilisation facilities.</p> <p>iv. 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.</p> <p>v. Board shall immediately update website with respect to all enforcement actions along with details of industries and action taken.</p> <p>vi. 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</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
		<p>Board's website and provide the link of same.</p> <p>viii. Board shall expedite setting up the TSDF in the State and submit the status.</p>	<p>viii. Partially Complied <i>(CTE has been granted for setting up of TSDF, work in progress)</i></p>	<p>inventory and other interventions.</p> <p>vii. Board shall upgrade the existing laboratory where all HW parameters as required under the Rules can be analysed.</p> <p>viii. Board shall update inventory of Spent Solvent Recovery Unit available in their States on Board's website and provide the link of same.</p> <p>ix. Board shall expedite setting up the TSDF in the State and submit the status.</p>
6.	Chandigarh	<p>i. Chandigarh PCC to bring other waste in regulatory domain and also report the same in its inventory report.</p> <p>ii. Chandigarh PCC shall expedite the development of elaborate protocols to ensure enhanced level and</p>	<p>i. Partially Complied <i>Process has been initiated (March, 2021).</i></p> <p>ii. Partially Complied <i>Process has been initiated</i></p>	<p>Chandigarh PCC shall expedite the process:</p> <p>i. To bring other waste in regulatory domain and also report the same in its inventory report.</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
		<p>frequency of enforcement and environmental monitoring of recycling/ utilisation facilities.</p> <p>iii. Chandigarh PCC shall immediately update website with respect to all enforcement actions along with details of industries and action taken.</p>	<p>iii. Partially Complied <i>Security auditing of website is under process (31/12/2020).</i></p>	<p>ii. Development of protocols to ensure enhanced level and frequency of enforcement and environmental monitoring of recycling/ utilisation facilities.</p> <p>iii. Updation of website with respect to all enforcement actions along with details of industries and action taken.</p>
7.	Chhattisgarh	<p>i. 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>ii. Board shall initiate action for conducting environmental audit of captive TSDFs and submit the audit report to CPCB.</p> <p>iii. Board needs to take cognizance of iii. aspects while enforcing the relevant rules (w.r.t. domestic hazardous waste and hazardous waste</p>	<p>i. Complied</p> <p>ii. Not Complied</p> <p>Partially Complied <i>Methodology has been developed and domestic HW collects by ULBs and sent to disposal facilities.</i></p>	<p>i. Chhattisgarh shall initiate action for conducting environmental audit of captive TSDFs, as per CPCB's guidance document for conducting audit. The said guidance document is under finalization and shall be communicated to SPCBs/PCCs after finalization.</p> <p>ii. Board shall ensure inclusion of hazardous waste generated from enforcement of other regulations (w.r.t. domestic hazardous waste and</p>

S. NO	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
		<p>fluorescent lamp other mercury containing lamp) and also, preparation of HW inventory and other interventions.</p> <p>iv. Board shall develop where all HW parameters as required under the HOWM Rules can be analysed.</p> <p>v. Immediately set up TSDF in their State as the timeline for compliance has already been lapsed.</p>	<p><i>However, the same needs to be incorporated in the inventory.</i></p> <p>iv. Not Complied <i>Land procured for setting of central laboratory and will be developed by 31/12/2021.</i></p> <p>v. Not Complied <i>Land has been identified and notified. Willing letter submitted by M/s Ramky Enviro Engg. Ltd., Hyderabad. The formation of SPV as per RFP is under process.</i></p>	<p>from e-waste rules like fluorescent lamp other mercury containing lamp) in the hazardous waste inventory.</p> <p>iii. Chhattisgarh shall expedite the setting up of laboratory facility.</p> <p>iv. Immediately set up TSDF in their State as the timeline (i.e 31/03/2020) stipulated by the Hon'ble Tribunal for compliance has already lapsed.</p>
8.	Delhi	<p>i. DPCC shall expedite setting up the TSDF in the UT and shall strictly comply with the timeline provided for setting up of common TSDF in the UT.</p> <p>ii. DPCC shall immediately upgrade the laboratory facility where all HW parameters as required under the Rules can be analysed.</p>	<p>i. Partially Complied <i>Environmental Clearance has been granted by MoEF&CC.</i></p> <p>ii. Partially Complied <i>DPCC does not have a NABL accredited laboratory and limited parameter (such as Zn, Pb, Co, Cr, Ni, Fe) can be analyzed. However, instruments like Bomb Colorimeter, XRF spectrophotometer, Zero head</i></p>	<p>i. DPCC shall expedite setting up the TSDF in the UT and shall strictly comply with the timeline (i.e 31/12/2020) stipulated by the Hon'ble Tribunal for setting up of common TSDF in the UT.</p> <p>ii.</p> <p>iii. Delhi PCC shall expedite the upgradation of laboratory facility to ensure analysis of all parameters specified in HOWM Rules, 2016.</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
		<p>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.</p>	<p><i>extractor, Flash point apparatus, Rotary evaporator, and Inducted coupled plasma are under procurement.</i></p> <p>iii. Partially Complied <i>DPCC has constituted a Sub-Committee to examine the issue in respect of Delhi and submit action plan for consideration of DPCC Board. The Sub-Committee consists of members from Toxic Links and Chinthan.</i></p>	<p>iv. Delhi PCC shall initiate action for inclusion of hazardous waste generated from enforcement of other regulations (w.r.t. domestic hazardous waste and hazardous waste generated from e-waste rules like fluorescent lamp other mercury containing lamp).</p>
9.	DD&DNH	<p>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.</p> <p>ii. The committee shall habitual and serious defaulters</p>	Status report not submitted.	<p>i. The Committee shall immediately submit the compliance status report for the period April-September, 2020 to CPCB as per prescribed format.</p> <p>ii. 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</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
		<p>under provisions of Environment (Protection) Act, 1986.</p> <p>iii. The Committee shall immediately update website with respect to all enforcement actions along with details of industries and action taken.</p> <p>iv. Initiate action for development of elaborate protocols for pre-processing and recycling/ utilization facilities for sound environmental management of HW.</p> <p>iii. The committee shall develop laboratory where all HW parameters as required under the HOWM Rules can be analysed.</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>the hazardous and other wastes, and non-compliance respectively.</p> <p>iii. The committee shall prosecute habitual and serious defaulters under provisions of Environment (Protection) Act, 1986.</p> <p>iv. The Committee shall immediately update website with respect to all enforcement actions along with details of industries and action taken.</p> <p>v. Initiate action for development of elaborate protocols for pre-processing and recycling/ utilization facilities for sound environmental management of HW.</p> <p>vi. The committee shall develop laboratory where all HW parameters as required under the HOWM Rules can be analysed.</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
				vii. Expedite conducting of environmental audit of common/captive TSDFs available in the State and submit the audit report to CPCB.
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 <i>Under construction and detailed on the work carried out has been provided.</i></p> <p>ii. Not-complied <i>No information provided in this regard.</i></p> <p>iii. Complied.</p> <p>iv. Partially Complied.</p>	<p>i. Board shall expedite setting up the TSDF in the UT and shall strictly comply with the timeline (i.e 31/12/2020) stipulated by the Hon'ble Tribunal for setting up of common TSDF in the State.</p> <p>ii. 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>iii. 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>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
		<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> <p>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.</p> <p>vi. Expedite conducting of environmental audit of captive TSDFs available in the State and submit the audit report to CPCB.</p>	<p>v. Complied</p> <p><i>The Goa waste management corporation has signed MoU for undertaking awareness creation and collection of E-waste across the State of Goa. Fluorescent lamp other mercury containing lamp are collected from various villages and stored at Solid Waste Management Units. Local bodies directed to make provisions for collection and storage of domestic HW.</i></p> <p>vi. Partially Complied</p> <p><i>Audit under progress.</i></p>	<p>iv. Expedite conducting of environmental audit of 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.</p>
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</p> <p><i>GPCB has an Environmental Audit Scheme wherein all</i></p>	<p>i. Board shall submit the environmental audit report of all common and captive TSDFs existing in the state to CPCB.</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
			<p><i>the audit scheme and audit is being carried out through approved Schedule-I Auditors. To ensure the design and construction quality as per TSDF protocol, third party and RO verification is carried out.</i></p>	<p>ii. Board shall direct operator of TSDFs, (at Vadodara, Bhavnagar and Surendranagar) for opening of escrow account (as per MoEF&CC O. M. dated 16/04/2009).</p>
12.	Haryana	<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. Board shall immediately direct all the operator of common TSDFs that 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.</p> <p>iii. Board shall initiate action for the identification and quantification of</p>	<p>i. Not Complied <i>No information provided in this regard.</i></p> <p>ii. Complied</p> <p>iii. Not-complied</p>	<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. 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.</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
		<p>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.</p> <p>iv. Expedite conducting of environmental audit of common/captive TSDFs available in the State and submit the audit report to CPCB.</p> <p>v. Board shall immediately upgrade the laboratory facility where all HW parameters as required under the Rules can be analysed.</p>	<p><i>No information provided in this regard.</i></p> <p>iv. Not complied <i>Audit not conducted yet. However, direction has been issued to Regional Officers for conducting the audit.</i></p> <p>v. Partially Complied <i>There are 04 laboratories available with HSPCB (i.e. Gurugram, Hissar, Faridabad and Panchkula). Of which, only Panchkula laboratory is accredited. Last external audit was conducted by NABL on 24-25 May, 2019 and internal audit was conducted on 27/08/202. The Board is in the process of purchasing laboratory equipment for analysis of remaining parameters i.e. ICP and Gas Chromatography.</i></p>	<p>iii. 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.</p> <p>iv. Board shall immediately upgrade the laboratory facility where all HW parameters as required under the Rules can be analyzed.</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
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 respectively.</p> <p>ii. Board shall ensure that 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.</p> <p>v. Board shall submit environmental audit of all common/captive TSDFs available in the state to CPCB.</p>	<p>i. Complied <i>The desired actions would be initiated as & when the situation arises. Further, the State Board has also constituted the "Hazardous Waste Incident Response Team (HWIRT)" so that the provisions of the Rules/guidelines pertaining to liabilities and financial penalty are enforced.</i></p> <p>ii. Complied <i>Renewal of authorization are being granted to the units after due validation of compliance parameters.</i></p> <p>iii. Partially Complied <i>The State Board has conducted one audit of the TSDF on 29.10.2018. Further, the State Board is in process to carryout detailed third party audit of TSDF through IITs or other reputed agencies.</i></p>	<p>i. Board shall submit the environmental audit of all common and captive TSDFs available in the state 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.</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
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 management of the hazardous and other wastes and non-compliance respectively.</p> <p>ii. Develop framework for 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>iii. 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.</p>	<p>i. Complied <i>Notices issued to 30 defaulting units, of which, closure orders issued to 03 units.</i></p> <p>ii. Complied <i>CPCB framework is being used.</i></p> <p>iii. Partially Complied <i>Communicated the same to Municipal corporation, Jammu and directed local bodies vide letter dated 20/07/2020.</i></p> <p>iv. Not-complied</p>	<p>i. 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.</p> <p>ii. Board shall immediately upgrade the laboratory facility where all HW parameters as required under the Rules can be analysed</p> <p>iii. Board shall expedite setting up of TSDF in the state. However, till such time sharing arrangement with authorized TSDF of neighboring states for disposal of hazardous waste may be made.</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
		<p>iv. Board shall immediately upgrade the laboratory facility where all HW parameters as required under the Rules can be analysed</p> <p>v. Board shall be expedite setting up of TSDF in the state.</p>	<p><i>Laboratory establishment is under process and equipments are being procured.</i></p> <p>v. Partial Compliance <i>TSDF is being set-up at IGC, Samba, Phase-II. Consent to Establish has been granted for one year vide letter dated 16/03/2020.</i></p>	
15.	Jharkhand	<p>i. Jharkhand PCB shall bring other waste in regulatory domain and also report in its inventory report.</p> <p>ii. Adopt uniform inspection format for visits and inspection of HW handling facilities to ensure comprehensive inspection as per the provisions of the Rules.</p> <p>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 improper handling and management of the hazardous and</p>	<p>i. Not-complied <i>No other waste recycling/ utilization facilities available in the State.</i></p> <p>ii. Complied</p> <p>iii. Information not provided</p>	<p>i. Jharkhand PCB shall bring other waste in regulatory domain and also report in its inventory report.</p> <p>ii. 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>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
		<p>other wastes, and non-compliance respectively.</p> <p>iv. Board shall ensure that 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.</p> <p>v. Expedite conducting environmental audit of common/captive TSDFs available in the State and submit the audit report to CPCB.</p> <p>effective enforcement of Rules based on the principle of proportionality and also precautionary principle.</p> <p>vii. Board shall immediately upgrade the laboratory facility where all HW</p>	<p>iv. Information Not Provided.</p> <p>v. Not Complied</p> <p>vi. Complied <i>The Board is following CPCB's enforcement framework for effective enforcement of Hazardous and Other Waste (Management and Transboundary Movement) Rules, 2016.</i></p> <p>vii. Not Complied <i>Samples are being sent to laboratories recognized by the</i></p>	<p>iii. Board shall ensure that 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.</p> <p>iv. 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.</p> <p>v. Board shall immediately upgrade the laboratory facility where all HW parameters as</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
		parameters as required under the Rules can be analysed.	<i>Board, having facility to analyze almost all HW parameters.</i>	required under the Rules can be analysed.
16.	Karnataka	<p>i. Board shall take necessary action for compliance to the HOWM Rules, 2016 and recommendations of the Monitoring Committee and</p> <p>vi. Board shall be directed to submit the 2nd, 3rd and 4th quarter compliance report.</p> <p>ii. Board shall ensure compliance of directions issued by CPCB vide dated 30/01/2019 in case of all spent solvent recovery units available in the State.</p>	<p>Not submitted the 2nd, 3rd and 4th quarter compliance report (July, 2019 to March, 2020).</p> <p>i. Complied <i>(w.r.t. directed operator of common TSDFs for not returning HW consignment)</i></p> <p>ii. Partially Complied <i>(escrow account opened by operator of common TSDFs and compliance to all the directions pertaining to spent solvent recovery units not been carried out)</i></p> <p>iii. Not complied <i>(w.r.t. action taken for non-submission of annual returns by occupiers; verification of inventory; submission of annual inventory report to CPCB;</i></p>	<p>i. Board shall ensure verification of closing of the manifests received and reconcile the HW handling data.</p> <p>ii. Shall adopt Uniform format for visits and inspections of HW handling facilities is necessary to ensure comprehensive inspections as per the provisions of the Rules.</p> <p>iii. Board 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.</p> <p>iv. Board shall verify and validate the inventory data before accepting the same and adopt the CPCB's guidelines while</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
			<p><i>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 authorization; invoke the powers conferred under clause 23 (1) and (2) of the HOWM Rules, 2016; refusal and revocation of authorization; effective enforcement of Rules; development of sectoral process based generation range/benchmarkings/guidelines for HW recycling/utilization, display of inventory of spent solvent recovery units on website)</i></p> <p>iv. Information not provided: <i>(w.r.t adoption of Uniform format for visits and inspections; verification of amount deposited in escrow account by Board)</i></p>	<p>preparation of HW inventory report.</p> <p>v. Board shall prosecute habitual and serious defaulters under provisions of the Environment (Protection) Act, 1986. Other alternative regulatory actions including refusal and revocation of Authorisation may also be considered in accordance with the provisions of HOWM Rules, 2016.</p> <p>vi. Board shall update websites with respect to all enforcement actions along with details of industries and action taken.</p> <p>vii. Board shall develop an enforcement framework for effective enforcement of Rules based on principle of proportionality and also, precautionary principle. Such framework will remove ambiguity in regulatory actions and bring transparency, predictability</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
				<p>and consistency in enforcement for actions.</p> <p>viii. 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.</p> <p>ix. Board shall also develop certain benchmarks/guidelines for the possibilities of HW recycle/utilisation on case to case basis.</p> <p>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.</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
				<p>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.</p> <p>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.</p> <p>xiii. Board shall direct operator of TSDF, Dobbaspet Bangalore Rural for opening of escrow account (as per MoEF&CC O. M. dated 16/04/2009).</p>

S. NO	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
				xiv. Board shall ensure compliance to all the directions related to Spent Solvent recovery units issued vide dated 30/01/2019.
17.	Kerala	<p>i. 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. Initiate action for development laboratory where all HW parameters as required under the HOWM Rules can be analysed.</p> <p>iv. Expedite conducting of environmental audit of common/captive TSDFs available</p>	<p>i. Complied</p> <p>ii. Partially Complied</p> <p><i>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.</i></p> <p>iii. Not Complied</p> <p><i>Audit not conducted yet.</i></p>	<p>i. Initiate action for development laboratory where all HW parameters as required under the HOWM Rules can be analysed.</p> <p>ii. 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.</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
		in the State and submit the audit report to CPCB.		
18.	Lakshadweep	<p>i. Shall initiate action for identifying hazardous waste generating unit and grant authorization to such 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 neighboring states.</p>	<p>i. Not submitted the 2nd, 3rd and 4th quarter compliance report, however, quarterly report for July-September, 2020 has submitted.</p> <p>Not complied <i>(w.r.t. bringing other waste into regulatory actions; development of uniform inspection format and enforcement framework; verification of units before grant of authorization; submission of annual returns; invoke the powers conferred under clause 23 (1) and (2) of the HOWM Rules, 2016; refusal and revocation of authorization; updation of website w.r.t. enforcement actions; development of benchmarking/ guideline for HW recycling/utilization, environmental benchmarking</i></p>	<p>i. Board shall initiate action for inclusion of Other waste in the regulatory actions, including inventory.</p> <p>ii. Board shall ensure verification of closing of the manifests received and reconcile the HW handling data.</p> <p>iii. Shall immediately grant authorization to units identified by Lakshadweep PCC.</p> <p>iv. Shall develop Uniform format for visits and inspections of HW handling facilities is necessary to ensure comprehensive inspections as per the provisions of the Rules.</p> <p>v. Board shall develop sectoral process based reasonable HW generation range to have uniformity in assessing the HW generation from industries and</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
			<p><i>among similar industries; and setting up of TSDF).</i></p> <p>iii. Partially Complied <i>(timeline i.e. 31.12.2020, provided for grant of authorization; development of sectoral process based to generation range; to ensure effective enforcement of Rules, conditional consent and authorization has been issued; and laboratory is available)</i></p> <p>iv. Not Applicable <i>(w.r.t. development of elaborated protocol for pre-processing, recycling/ utilization as no such units available in Lakshadweep, however, administration has identified an authorized recycler for used/waste oil at Aluva, Kerala and transport the items to the mainland for final disposal.)</i></p>	<p>peers, rather than solely depending on industry data.</p> <p>vi. Board 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.</p> <p>vii. Board shall prosecute habitual and serious defaulters under provisions of the Environment (Protection) Act, 1986. Other alternative regulatory actions including refusal and revocation of Authorisation can also be explored following the due process.</p> <p>ii. Board shall update websites with respect to all enforcement actions along with details of industries and action taken.</p> <p>iii. Board shall develop an enforcement framework for</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
				<p>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.</p> <p>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.</p> <p>xi. Board shall also develop certain benchmarks/ guidelines for the possibilities of HW recycle/utilisation on case to case basis.</p> <p>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</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
				<p>key intervention for rationalizing the HW generation and reuse/utilisation.</p> <p>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.</p> <p>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.</p> <p>xv. Board shall upgrade the laboratory facility where all HW parameters as required under the Rules can be analyzed.</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
19.	Manipur	<p>i. Manipur PCB shall bring other waste in regulatory domain and also report in its inventory report.</p> <p>ii. Develop enforcement framework for effective enforcement of Rules based on the principle of proportionality and also precautionary principle.</p> <p>iii. The Board shall adopt uniform inspection format for visits and inspections of HW handling facilities.</p> <p>iv. The Board shall scientifically verify and validate the HW data and facilities before grant/ renewal of authorization.</p> <p>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.</p>	<p>i. Partially Complied</p> <p>ii. Not Complied <i>Under development for workshops and garages.</i></p> <p>iii. Complied</p> <p>iv. Not complied</p> <p>v. Partially Complied <i>02 units verified (i.e. IOC LPG bottling plant and IOC Oil Depot).</i></p>	<p>i. Manipur PCB shall bring other waste in regulatory domain and also report in its inventory report.</p> <p>ii. The Board shall immediately develop enforcement framework for effective enforcement of Rules based on the principle of proportionality and also precautionary principle.</p> <p>iii. The Board shall scientifically verify and validate the HW data and facilities before grant/ renewal of authorization.</p> <p>iv. Initiate action for development of laboratory where all HW parameters as required under the HOWM Rules can be analyzed.</p> <p>v. Board shall verify and validate the inventory data before accepting the same and adopt the CPCB's guidelines while</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
		<p>vi. Initiate action for laboratory where all HW parameters as required under the HOWM Rules can be analyzed.</p> <p>vii. Board shall be directed to submit the status on setting up of TSDF or sharing arrangement with authorized common TSDFs of neighboring states.</p>	<p>vi. Not Complied <i>No laboratory available with the SPCB, however, proposal has been submitted for establishment of the same.</i></p> <p>vii. Not Complied <i>No action taken.</i></p>	<p>preparation of HW inventory report.</p> <p>vi. 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.</p>
20.	Madhya Pradesh	<p>i. Board shall submit the environmental audit of all common/ captive TSDFs exist in the state to CPCB.</p>	<p>i. Partially Complied <i>MPPCB has developed a format for conducting the audit and requested CPCB for approval & providing guidelines for environmental audit vide letter No. 1691 dated 17.09.2020. Based on the format, audit is under process.</i></p>	<p>i. Board shall expedite the environmental audit of all common and captive TSDFs existing in the state and submit the report to CPCB. Based on the request from Madhya Pradesh PCB, CPCB has prepared guidance document in this regard 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.</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
21.	Maharashtra	<p>i. Board shall submit environmental audit of all 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 <i>Work order for audit of 4 CHWTSDFs in the State is given to NEERI and the work is in progress. Delays caused due to COVID -19 pandemic.</i></p> <p>ii. Partially Complied <i>All the 04 facilities have opened the Escrow Account, however, details on verification of same is not reported.</i></p> <p>iii. Complied</p>	<p>i. Board shall expedite the environmental audit of all common and captive TSDFs exist in the state and submit the 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. Board shall immediately verify the mandatory amount deposited by all TSDFs in Escrow Account.</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 <i>Not included in inventory however, Board initiated actions in this regard.</i></p> <p>ii. Not applicable <i>As there is no HW recyclers and utilization facilities in Mizoram.</i></p>	<p>i. Mizoram PCB shall bring other waste in regulatory domain and also report in its inventory report.</p> <p>ii. Board needs to take cognizance of aspects while enforcing the relevant rules (w.r.t. domestic hazardous waste and hazardous waste</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
		<p>iii. Board shall immediately update website with respect to all enforcement actions along with details of industries and action taken.</p> <p>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.</p> <p>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.</p> <p>vi. Board shall immediately upgrade the laboratory facility where all HW</p>	<p>iii. Complied <i>The Board has its website on to which information w.r.t. hazardous wastes are updated.</i></p> <p>iv. Partially Complied <i>Action initiated, however, not reported in HW inventory report.</i></p> <p>v. Not complied <i>No framework has been prepared by the Board as hazardous wastes generating units are mostly small unit of Automobiles repairing workshop generating less amount of used oil.</i></p> <p>vi. Not complied <i>Proposal for upgradation of Laboratory was submitted to CPCB</i></p>	<p>generated from e-waste rules like fluorescent lamp other mercury containing lamp) and also, preparation of HW inventory and other interventions.</p> <p>iii. 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.</p> <p>iv. Board shall immediately upgrade the laboratory facility where all HW parameters as required under the Rules can be analyzed.</p> <p>v. 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</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
		<p>parameters as required under the Rules can be analysed.</p> <p>vii. Board shall be directed to submit the status on setting up of TSDF or sharing arrangement with authorized common TSDFs of neighboring states.</p>	<p>vii. Not complied <i>Requested Assam PCB for sharing arrangement once TSDF commissioned/operational.</i></p>	<p>arrangement made with authorized common TSDFs of neighboring states.</p>
23.	Meghalaya	<p>i. Board shall take necessary action for compliance to the HOWM Rules, 2016 and recommendations of the Monitoring Committee.</p> <p>iii. Board shall be directed to submit the 2nd, 3rd and 4th quarter compliance report.</p> <p>ii. Board shall be directed to submit the status on setting up of TSDF or sharing arrangement with authorized common TSDFs of neighboring states.</p>	<p>i. Not submitted the 2nd, 3rd and 4th quarter compliance report, however, quarterly report for July-September, 2020 has submitted.</p> <p>ii. Complied <i>(identification and quantification of HW generation; development of uniform inspection format; verification of HW data before grant of authorization; and documentation of non-compliances)</i></p> <p>iii. Partially Complied <i>submission of annual report and verification of inventory data</i></p>	<p>i. Board shall initiate action for inclusion of Other waste in the regulatory actions, including inventory.</p> <p>ii. Board shall ensure verification of closing of the manifests received and reconcile the HW handling data.</p> <p>iii. Board 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.</p> <p>iv. Board shall verify and validate the inventory data before accepting the same and adopt</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
			<p>iv. Not Complied <i>(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).</i></p> <p>v. Partially Complied <i>(w.r.t. reconciliation of manifest; timeline i.e. 31.12.2020 provided for development of sectoral</i></p>	<p>the CPCB's guidelines while preparation of HW inventory report.</p> <p>v. Board shall prosecute habitual and serious defaulters under provisions of the Environment (Protection) Act, 1986. Other alternative regulatory actions including refusal and revocation of Authorisation can also be explored following the due process.</p> <p>vi. Board shall update websites with respect to all enforcement actions along with details of industries and action taken.</p> <p>vii. Board shall develop an enforcement framework for effective enforcement of Rules 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.</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
			<p><i>process based generation range; timeline i.e. 31.03.2023 provided for commissioning of laboratory facility)</i></p> <p>vi. Not Applicable (w.r.t. development of elaborated protocols for <i>pre-processing, recycling/ utilization units as no such units are available in Meghalaya)</i>)</p>	<p>viii. 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.</p> <p>ix. 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.</p> <p>x. Board shall also develop certain benchmarks/guidelines for the possibilities of HW recycle/utilisation on case to case basis.</p> <p>xi. 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</p>

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

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
				xiv. Board shall immediately upgrade the laboratory facility where all HW parameters as required under the Rules can be analysed.
24.	Nagaland	<p>i. Develop framework for 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 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>iv. Board shall initiate action for the identification and quantification of the hazardous waste generation at the authorisation stage itself and</p>	<p>i. Not Complied</p> <p>ii. Not Complied</p> <p>iii. Not Complied</p> <p>iv. Not Complied</p>	<p>i. Board shall submit the compliance status report for the period April-September, 2020 to CPCB as per prescribed format.</p> <p>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.</p> <p>iii. Nagaland PCB shall other waste in regulatory domain and also report in its inventory report.</p> <p>iv. Board shall expedite development of elaborate protocols to ensure enhanced</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
		<p>therefore shall adopt the scientific principles as enumerated for such identification and quantification of HW.</p> <p>v. The Board shall scientifically verify and validate the HW data and facilities before grant/ renewal of authorization.</p> <p>vi. Board shall immediately update website with respect to all enforcement actions along with details of industries and action taken</p> <p>vii. Board shall immediately upgrade the laboratory facility where all HW parameters as required under the Rules can be analyzed.</p> <p>viii. Board shall be directed to submit the status on setting up of TSDF or sharing arrangement with authorized common TSDFs of neighboring states.</p>	<p>v. Not Complied</p> <p>vi. Not complied</p> <p>vii. Not complied</p> <p>Not complied</p>	<p>level and frequency of enforcement and environmental monitoring of recycling/ utilisation facilities.</p> <p>v. 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.</p> <p>vi. The Board shall scientifically verify and validate the HW data and facilities before grant/ renewal of authorization.</p> <p>vii. Board shall immediately update website with respect to all enforcement actions along with details of industries and action taken</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
				<p>viii. Board shall immediately upgrade the laboratory facility where all HW parameters as required under the Rules can be analyzed.</p> <p>ix. Board shall be directed to submit the status on setting up of TSDF or sharing arrangement with authorized common TSDFs of neighboring states.</p>
25.	Odisha	<p>i. Board shall submit environmental audit of all common/captive TSDFs exist in the state to CPCB.</p> <p>iii. Odisha PCB shall bring other waste in regulatory domain and also report in its inventory report.</p> <p>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</p>	<p>i. Partial compliance <i>Board issued letter to operator/ occupier of TSDF to engage Board's approved organization for conducting audit and submitting report by 15th October, 2020.</i></p> <p>ii. Partially Complied <i>One unit has been authorized, however not reported in HW inventory report.</i></p> <p>iii. Partially Complied</p>	<p>i. Board shall expedite the environmental audit of all common and captive TSDFs exist 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.</p> <p>ii. Odisha PCB shall bring other waste in regulatory domain</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
		<p>fluorescent lamp other mercury containing lamp) and also, preparation of HW inventory and other interventions.</p>	<p><i>Material recovery facilities have been developed by 77 nos of ULBs, however, not reported in HW inventory report.</i></p>	<p>and also report in its inventory report.</p> <p>iii. 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.</p>
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 <i>No information provided in this regard.</i></p> <p>ii. Partial Compliance <i>Facility available with PPCC, ii. accredited for ambient air, stack</i></p>	<p>i. PPCC 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 development laboratory where all HW parameters as required under</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
		<p>iii. Board shall be directed to expedite setting up of TSDF and submit the status.</p>	<p><i>emission, noise level, effluent, ground water, river & lake.</i></p> <p>iii. Complied <i>Sharing arrangement is made with TSDF facility M/s Mother Earth Enviro Tech Limited, Bangalore. The copy of agreement is provided.</i></p>	<p>the HOWM Rules can be analyzed.</p>
27.	Punjab	<p>i. The Board shall adopt uniform inspection format for visits and inspections of HW handling facilities.</p> <p>ii. Board shall submit environmental audit report of all common/captive TSDFs exist in the state to CPCB.</p> <p>iii. 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.</p>	<p>i. Complied</p> <p>ii. Not Complied <i>The field offices have already been instructed to carry out Environmental Audit</i></p> <p>iii. Partially Complied <i>The Distt level committees instructed the EO's of the ULBs to inspect and make action plan to bring domestic hazardous waste and fluorescent and other mercury containing lamps into the ambit of annual inventory.</i></p>	<p>i. Board shall submit the environmental audit report of all common and captive TSDFs exist in the state 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.</p> <p>ii. 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</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
		<p>iv. Board shall immediately upgrade the laboratory facility where all HW parameters as required under the Rules can be analysed.</p> <p>v. Board shall ensure compliance of directions issued by CPCB vide dated 30/01/2019 in case of all spent solvent recovery units available in the State.</p>	<p>iv. Partially Complied <i>Board has facility for analysis of physico-chemical, heavy metals, pesticides and microbiology only</i></p> <p>vi. Complied</p>	<p>mercury containing lamp) and also, preparation of HW inventory and other interventions.</p> <p>iii. Board shall immediately upgrade the laboratory facility where all HW parameters as required under the Rules can be analysed.</p>
28.	Rajasthan	<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. Rajasthan PCB shall framework for effective enforcement of Rules based on proportionality and precautionary principle.</p> <p>iii. Board shall initiate action for the identification and quantification of</p>	<p>i. Partially Complied. <i>Board has not invoked powers conferred under 23(1) and (2), however, authorized of 18 defaulting units have been refused/revoked.</i></p> <p>ii. Not Complied</p> <p>iii. Partially Complied</p>	<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. Rajasthan PCB shall develop framework for effective enforcement of Rules based on proportionality and precautionary principle.</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
		<p>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.</p> <p>iv. Expedite conducting of environmental audit of the all common/captive TSDFs available in the State and submit to CPCB</p> <p>v. Board shall verify the mandatory amount deposited by all TSDFs in Escrow Account.</p> <p>vi. Board shall expedite development of laboratory where all HW parameters can be analyzed.</p> <p>vii. Rajasthan PCB shall initiate action to bring other waste in regulatory domain and also report in its inventory report.</p>	<p><i>Board has informed that scientific principle based identification and quantification is not being carried out. However, identification and quantification on the basis of records and forms filled is being carried out by Regional Offices.</i></p> <p>iv. Partially Complied <i>Work order has been placed for environmental audit by M/s Balotra Waste Management Ltd.</i></p> <p>v. Complied</p> <p>vi. Partially Complied</p> <p>vii. Partially Complied <i>Board has informed that it has issued office order dated</i></p>	<p>iii. Board shall ensure 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.</p> <p>iv. Expedite conducting of environmental audit of the all common and captive TSDFs available in the State and submit 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.</p> <p>v. Board shall expedite development of laboratory</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
		viii. Board shall submit the compliance status w.r.t. spent solvent recovery unit in the prescribed format as the details on action taken on erring units, inventory, interaction programme, etc. have not be submitted by Board.	25/08/2020 to identify units which are engaged in handling other waste and bring it into the regulatory ambit. viii. Partially Complied <i>Rajasthan PCB has verified only 01 unit, out of 03 units, manifest system is being followed up by only 01 unit, no action has been taken against erring units, and also no interaction programs has been conducted with stakeholders.</i>	where all HW parameters can be analyzed. vi. Rajasthan PCB shall ensure to bring other waste in regulatory domain and also report in its inventory report. vii. Board shall ensure compliance w.r.t. all points as per CPCB direction dated 30/01/2019 and submit updated compliance statues.
29.	Sikkim	i. Board shall immediately update its website with respect to all enforcement actions along with details of industries and action taken. ii. Board shall immediately prepare enforcement framework for effective enforcement of Rules based on principle of proportionality and also, precautionary principle.	i. Complied Till date no accidents or non-compliance to the HW has been reported. viii. Not complied <i>Under preparation.</i>	i. Board shall immediately prepare enforcement framework for effective enforcement of Rules based on principle of proportionality and also, precautionary principle. ii. Board shall take necessary action to bring other waste in regulatory domain, as envisaged in the rules and also report the same in the

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
		<p>iii. Board shall take necessary action to bring other waste in regulatory domain, as envisaged in the rules and also report the same in the inventory report on hazardous and other waste management.</p> <p>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.</p> <p>v. Board shall immediately upgrade the laboratory facility where all HW</p>	<p>iii. Not complied <i>Not applicable as the import and export of waste falling under Schedule III Part B & D of the Hazardous & Other Wastes (Management & Transboundary Movement) Rules, 2016 is not reported. Also customs office and ports are not set up in the state. However, the other waste (indigenously generated) shall also be required to be included in the inventory report.</i></p> <p>iv. Partial Compliance <i>SPCB-Sikkim has conducted sensitization & capacity building programme for concerned departments, ULBs, BACs & GPUs. The UDD has also been apprised with regard to collection and channelization of Domestic HW during various departmental meetings of SLC and SLAB meetings.</i></p>	<p>inventory report on hazardous and other waste management.</p> <p>iii. 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.</p> <p>iv. Board shall immediately upgrade the laboratory facility where all HW parameters as required under the Rules can be analyzed.</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
		<p>parameters as required under the Rules can be analyzed.</p> <p>vi. Board shall be directed to submit the status on setting up of TSDF or sharing arrangement with authorized common TSDFs of neighboring states.</p>	<p>v. Not Complied <i>Laboratory for hazardous waste is yet to be set up. HW is currently analyzed in NABL accredited laboratory of West Bengal Waste Management Ltd.</i></p> <p>vi. Complied <i>The HW generated in the state of Sikkim is transported to M/s West Bengal Waste Management Ltd., Haldia, West Bengal for disposal. The Sikkim SPCB has also initiated co-processing of Hazardous Waste in cement plants located in Assam and Meghalaya.</i></p>	
30.	Tamil Nadu	<p>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.</p> <p>ii. Board shall ensure documentation of non-compliance while processing authorisation for renewal or</p>	<p>i. Complied <i>TN PCB has been granted authorization under HOWM Rules, 2016 after checking material balance and quantification of the hazardous waste generation from process activity, etc.</i></p> <p>ii. Not complied <i>No information provided in this</i></p>	<p>i. Board shall ensure documentation of non-compliance 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 prepare enforcement framework for effective enforcement of Rules based on principle of proportionality</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
		<p>inspections in order to invoke powers of refusal or revocation of authorisation as per Rules.</p> <p>iii. Board shall immediately prepare enforcement framework for effective enforcement of Rules based on principle of proportionality and also, precautionary principle.</p> <p>iv. Board shall ensure adoption of Uniform format for visits and inspections of HW handling facilities.</p> <p>v. Expedite conducting of environmental audit of common/captive TSDFs available</p>	<p>iii. Not Complied</p> <p><i>TN PCB has developed “monitoring protocol” for industries and “monitoring teams” have been formed for regular/ surprise inspections at zonal level. Hazardous waste incidents response team has also been formed for undertaking investigations of illegal disposal of HW, assessment of environmental damages and implementation of remedial work, etc.</i></p> <p>iv. Complied</p> <p>v. Not complied</p>	<p>and also, precautionary principle.</p> <p>iii. 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.</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
		<p>in the State and submit the audit report to CPCB.</p> <p>vi. Board shall provide specific link of inventory of spent solvent recovery units published on its website.</p>	<p><i>TNPCB is taking action in this regard, however, no such audit report has been submitted</i></p> <p>vi. Complied</p>	
31.	Telangana	<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. Expedite conducting environmental audit of common/captive TSDFs available in the State and submit the audit report to CPCB.</p> <p>iii. 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>	<p>i. Complied <i>Compensation and closure directions have been issued to defaulting units.</i></p> <p>ii. Not complied <i>Under process.</i></p> <p>iii. Partially Complied</p>	<p>i. 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.</p> <p>ii. 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>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
		iv. Board immediately update inventory of Spent Solvent Recovery Unit available in their States on Board's website and provide the link of same.	iv. Complied.	
32.	Tripura	<p>i. Board shall immediately prepare enforcement framework for effective enforcement of Rules based on principle of proportionality and also, precautionary principle.</p> <p>ii. Board shall take necessary action to bring other waste in regulatory domain, as envisaged in the rules and also report the same in the inventory report on hazardous and other waste management.</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>iv. Board shall verify and scientifically</p>	<p>i. Partially Complied <i>Initiative has been taken by TSPCB.</i></p> <p>ii. Not complied</p> <p>iii. Not complied <i>Initiative has been taken.</i></p> <p>iv. Complied</p>	<p>i. Board shall immediately prepare enforcement framework for effective enforcement of Rules based on principle of proportionality and also, precautionary principle.</p> <p>ii. Board shall take necessary action to bring other waste in regulatory domain, as envisaged in the rules and also report the same in the inventory report on hazardous and other waste management.</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>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
		<p>before grant or renewal of authorization</p> <p>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</p> <p>vi. Board shall be directed to submit the status on setting up of TSDF or sharing arrangement with authorized common TSDFs of neighboring states.</p>	<p>v. Partially Complied <i>Initiative has been taken, however, not reported in HW inventory report.</i></p> <p>vi. Not Complied <i>The matter has been taken up with government of Assam to share the TSDF of Assam State. The State Government has not identified any site for setting up of common TSDF.</i></p>	<p>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</p> <p>v. Board shall submit the status on sharing arrangement with authorized common TSDFs of neighboring states.</p>
33.	Uttar Pradesh	<p>i. Board shall immediately update website with respect to all enforcement actions along with details of industries and action taken.</p> <p>ii. Board shall immediately direct all the operator of common TSDFs not</p>	<p>i. Not Complied <i>No action has been taken in this regard.</i></p> <p>ii. Not complied</p>	<p>i. Board shall immediately update website with respect to all enforcement actions along with details of industries and action taken.</p> <p>ii. Board shall immediately direct all the operator of common TSDFs</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
		<p>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.</p> <p>iii. Expedite conducting of environmental audit of common/captive TSDFs available in the State and submit the audit report to CPCB.</p> <p>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.</p> <p>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.</p>	<p>iii. Not complied <i>Common TSDF operator has been directed to submit audit report.</i></p> <p>iv. Partially Complied <i>Action has been initiated in this regard, however, not reported in HW inventory report.</i></p> <p>v. Not complied <i>No information provided in this regard.</i></p>	<p>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.</p> <p>iii. 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.</p> <p>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</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
				<p>also, preparation of HW inventory and other interventions.</p> <p>v. Board shall submit 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.</p>
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>iii. Board shall also initiate action for upgradation of laboratory, where all parameters listed under rules, can be analysed.</p>	<p><i>The information provided by Uttarakhand SPCB is not as per the prescribed format and does not includes the status on all the action points.</i></p>	<p>i. Board shall submit the compliance status report for the period April-September, 2020 to CPCB as per prescribed format.</p> <p>ii. 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>iii. Board shall prepare enforcement framework for effective enforcement of Rules based on principle of proportionality</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
		<p>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.</p> <p>v. Expedite conducting of environmental audit of common/captive TSDFs available in the State and submit the audit report to CPCB.</p>		<p>and also, precautionary principle. Board shall also initiate action</p> <p>iv. for upgradation of laboratory, where all parameters listed under rules, can be analysed.</p> <p>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.</p> <p>vi. 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</p>

S. NO.	STATE/UT	DIRECTIONS	STATUS	RECOMMENDATIONS
				finalization. Upon finalization, the same will be circulated to all SPCBs/PCCs for conducting audit in line with guidance document prepared by CPCB.
35.	West Bengal	<p>i. Expedite conducting of environmental audit of common/captive TSDFs available in the State and submit the audit report to CPCB.</p> <p>ii. Board shall provide specific link of inventory of spent solvent recovery units published on its website.</p>	<p>i. Partial Compliance <i>Environmental audit conducted to CHWTSDF by engaging Indian Institute of Social Welfare and Business Management (IISWBM), however report not submitted to CPCB.</i></p> <p>ii. Complied</p>	<p>i. West Bengal PCB shall immediately submit the environmental audit report of common TSDFs and shall also initiate audit of captive TSDFs operating in the state and submit the audit report to CPCB.</p>

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. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Observations	Recommendation
I. IMPORT AND EXPORT OF HAZARDOUS WASTES AND ISSUES				
5.	<p>Disposal of illegally imported consignments:</p> <p>(i) CBIC and Port authorities have to jointly devise a policy and mechanism for disposal of confiscated and unclaimed/uncleared cargo lying at various ports. The policy/mechanism has to cover the details of bearing cost for disposal of such consignments.</p> <p>(CBIC and Port Authorities : 05 months).</p>	<p>CBIC-Partially Complied</p> <p><i>CBIC has informed that Cost for disposal regarding unclaimed/uncleared cargo is to be borne by the custodian as per procedure laid down in Circular No. 49/2018-Customs dated 03.12.2018. Further, it has informed that cost for disposal regarding confiscated hazardous cargo would be borne by CBIC.</i></p> <p>Port Authorities- Not Complied</p>	<p>The circular dated 03/12/2018 states that the custodian has to arrange for destruction of goods at their own expenses, whereas CBIC has informed that cost for disposal regarding confiscated hazardous cargo would be borne by CBIC. The same needs to be clarified and communicated to concerned for implementation.</p> <p>The Monitoring Committee had noted that there had been considerable delay in</p>	<p>i. CBIC shall take necessary steps to strictly enforce its Circular No. 49/2018-Customs dated 03.12.2018 and incorporate mechanism/details of cost for disposal of confiscated hazardous waste.</p> <p>ii. CBIC shall inform MoEF&CC and DGFT w.r.t details of the confiscated and unclaimed/uncleared cargo disposed and</p>

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Observations	Recommendation
		<i>Port Authorities have not provided implementation status</i>	clearing the uncleared/unclaimed consignments. CBIC circular dated 03.12.2018 needs to be strictly implemented, CBIC shall regularly verify the same and apprise the DGFT and MoEF&CC w.r.t disposal of the consignments with details of the importer.	importers of the same on regular basis. iii. Port Authorities shall immediately submit compliance status on the Hon'ble NGT orders dated 07/07/2020 and ensure timely disposal of all the confiscated and uncleared/unclaimed cargos in consultation with Customs.
6.	<p>Laboratory Upgradation in Ports/Docks:</p> <p>(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. Otherwise, arrangements for analysis of relevant parameters with EPA/NABL accredited laboratories having minimum requisite laboratory infrastructure/equipment can</p>	<p>CBIC- Partially Complied</p> <p><i>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 WCO laboratory Guide 2017.</i></p>	Information regarding arrangements for analysis of relevant parameters have not been provided for non-major ports. Further, parameter (as per Schedule III of HOWM Rules, 2016) wise details on the availability of facility for analysis needs to be verified.	i. CBIC shall make arrangements for analysis of relevant parameters at non-major ports to prevent entry of illegal hazardous wastes either by setting up its own infrastructure or though EPA/NABL accredited lab. CBIC shall also provide parameter (as per Schedule III of HOWM Rules, 2016) wise details on the availability of facility for analysis.

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Observations	Recommendation
	<p>be put in place in advance by CBIC.</p> <p>(CBIC: 05 months)</p>			
7.	<p>Bank Guarantee procedure</p> <p>(i) Procedure of executing bank guarantee by PSIA's and importer in case of import of restricted items (including hazardous wastes specified under Schedule III and VI) and other items as recommended by Monitoring committee be devised and mandated by DGFT.</p> <p>(DGFT: 05 months)</p>	<p>DGFT- Partially Complied</p> <p><i>DGFT vide its O.M dated 24/11/2020 has informed that Agencies which are seeking enlistment as PSIA's are required to submit Bank Guarantee of Rs. 10 lakhs. It was also informed that, inputs from MoEF&CC and DPIIT were sought by DGFT for mandating Bank Guarantee.</i></p>	<p>DGFT has not identified list and category of items on which BG is applicable and also not developed procedure for executing BG by PSIA/Importers in case of restricted items.</p>	<p>i. DGFT shall expedite the process for developing procedure of executing bank guarantee by importers and PSIA's in case of import of restricted items and identification of the list and category of items on which BG is applicable.</p>
8.	<p>Verification of documents for HW in Part D:</p> <p>(i) CBIC shall address the issue of strengthening of RMS for improved vigilance adequately, while verifying documents for import of other wastes (Part D of Schedule III of HOWM Rules, 2016), especially those that are</p>	<p>CBIC- Partially Complied</p> <p><i>CBIC has informed that RMS interdicts bills on potential risk on assessment and assessment & examination, further necessary verification by apprising officer. It was also informed that in case of facilitated bills of entry, documents relating</i></p>	<p>CBIC is verifying documents physically and placing interdiction on basis of RMS. Further, strengthening RMS by reviewing Custom Clearance Requirements. However, continuous steps need to be taken up to ensure to verify imports of regulated</p>	<p>i. CBIC shall place interdictions to improve vigilance in order to verify imports of regulated or banned/prohibited hazardous waste as per HOWM Rules, 2016 and continuously strengthen RMS through its experiences and in</p>

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Observations	Recommendation
	<p>similar to hazardous wastes (regulated or banned/prohibited for import). (CBIC: 05 months)</p>	<p><i>to various regulatory compliances are checked before granting out of charge.</i></p> <p><i>It has also been informed that RMS has been populated for Customs 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.</i></p> <p><i>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.</i></p>	<p>or banned/prohibited hazardous waste.</p>	<p>collaboration with MoEF&CC</p> <p>ii. MoEF&CC to verify the interdictions placed in verification of documents.</p>
9.	<p>RMS system:</p> <p>(i) Central Board of Indirect Taxes and Customs (CBIC) and DGFT shall jointly identify and classify HS code to cover all scheduled items as per HW rules and be</p>	<p>CBIC-Partially Complied</p> <p><i>CBIC has informed that it is reviewing Customs Compliance Regulations and identifying types of waste</i></p>	<p>CBIC has made steps for identifying waste which are not covered by HS code. However, HS codes have not been classified for any of the waste.</p>	<p>i. CBIC, DGFT and MoEF&CC shall jointly take immediate steps to identify and classify HS code to cover all scheduled items as per HW rules. Special efforts shall be made to identify mis-</p>

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Observations	Recommendation
	<p>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)</p> <p>(ii) Implementation of HS Codes and monitoring of compliance have to be reviewed jointly by MoEF&CC and Customs on a regular basis. (MoEF&CC: on a regular basis)</p>	<p><i>which are not covered by HS code.</i></p> <p>MoEF&CC- Not Complied <i>MoEF&CC has not provided implementation status.</i></p> <p>DGFT- Partially Complied <i>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.</i></p>	<p>Monitoring Committee in its Final report had noted that as per of the Foreign Trade Policy, 2015-2020, any changes or formulation or addition of new codes in ITC-HS Codes are carried out by DGFT.</p>	<p>declared /unrestricted items without HS code, such items shall be brought under the ambit of RMS by developing HS codes for the same and stringent verification/ testing procedure shall be adopted for the same.</p>
10.	<p>DGFT license in public domain:</p> <p>(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.</p>	<p>DGFT –Partially Complied <i>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</i></p>		<p>i. DGFT shall ensure to continuously highlight the license issued for hazardous and other waste under EXIM policy in its minutes of meeting and place the same in public domain. DGFT shall</p>

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Observations	Recommendation
	(DGFT: immediate)	<i>meeting of EXIM facilitation committee.</i>		provide copy of the latest Minutes of meeting to CPCB.
11.	<p>Harmonization of ‘other’ category in line with HWM Rules, 2016:</p> <p>(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 HOWM Rules including the items ‘oils’ under the ‘other’ class categorically.</p> <p>(CBIC and DGFT: 05 months)</p>	<p>CBIC- Partially Complied <i>CBIC has informed that it had requested MoEF&CC to identify specific tariff lines alongwith description of commodities so that the proposal can be sent for creation of new lines. It was further informed that, additional interdictions on the basis of WCO report dated 29.03.2017 on Harmonized Commodity Description and Coding system related to Basel convention with respect to Hazardous waste will be taken, if required.</i></p> <p>DGFT- Partially Complied <i>DGFT has informed that classification of HS code is under exclusive domain of Department of</i></p>	<p>CBIC has taken steps, however, categorically classification of ‘oils’ in ‘other’ class category and harmonization of the HS codes with Basel no. for the waste specified in HOWM Rules, 2016 is yet to be carried out.</p> <p>Monitoring Committee in its Final report had noted that as per of the Foreign Trade Policy, 2015-2020, any changes or formulation or addition of new codes in ITC-HS Codes are carried out by DGFT.</p>	<p>i. CBIC, DGFT and MoEF&CC shall jointly expedite the process to provide HS code for Oils under classification of ‘other’ class category and develop HS code for all the hazardous and other wastes as specified in HOWM Rules, 2016 w.r.t import/export.</p>

S. No	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Observations	Recommendation
		<i>Revenue/CBIC. Matter has been taken up with MoEF&CC and CBIC for classification of items under "other" category separately.</i>		
12.	<p>Pre-shipment Inspection Agency (PSIAs) for certain category of oils as per Annexure 13 of the ASG Report:</p> <p>(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.</p> <p>(DGFT: 05 months)</p>	<p>DGFT-Partially Complied</p> <p><i>DGFT has informed that MoEF&CC has to identify and recommend the names of items whose import would require PSIA certification and special capabilities required in a PSIA to certify such consignments. Matter has been referred to MoEF&CC and MoPNG for their inputs.</i></p>		<p>i. DGFT and MoEF&CC shall jointly identify list of items whose import would require PSIA certification and along with details of the special capabilities required in a PSIA and expedite the process of notification of PSIA for various categories of oils suggested for pre-shipment inspections certificate for imports as per the recommendations of the former ASG, Sh Gopal Subramaniam.</p>
13.	<p>Penal Action against the defaulters in case illegal import:</p> <p>(i) CBIC, DGFT and Port Authorities have to report the incidences of illegal import of</p>	<p>CBIC -Partially Complied</p> <p><i>CBIC has informed that compilation of annual inventory of incidences of illegal imports is a time-</i></p>	<p>CBIC is under process of compiling the annual inventory of illegal imports.</p>	<p>i. Port Authorities & MoEF&CC shall immediately provide compliance status.</p>

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Observations	Recommendation
	<p>HW to Ministry of Environment, Forest and Climate Change (MoEF&CC) as per provisions of the HOWM Rules, . 2016 on a regular basis.</p> <p>(CBIC, Port Authorities and DGFT : on a regular basis)</p> <p>(ii) Ministry of Environment, Forest and Climate Change (MoEF&CC) have to expedite the process of delegation of power vested under Section 19 of the Environment (Protection) Act, 1986 to CBIC, to enable them to take credible action against such violators under the E(P) Act, 1986.</p> <p>(MoEF&CC : 03 months)</p>	<p><i>consuming process. Report is being compiled and furnished by 30/12/2020 and for the upcoming years by 30th September of the year.</i></p> <p>DGFT- Partially Complied <i>DGFT has informed that Customs authorities are competent authority to check imported consignments and as such reporting of the same.</i></p> <p>Port Authorities- not Complied <i>Status of implementation has not been provided by port authorities</i></p> <p>MoEF&CC- Not Complied <i>Status of implementation has not been provided by MoEF&CC.</i></p>		<p>ii. CBIC and Port Authorities to report the incidences of illegal import of HW to Ministry of Environment, Forest and Climate Change (MoEF&CC) and DGFT on a regular basis. As and when, any report of illegal imports received by DGFT, the same may also communicated to MoEF&CC.</p> <p>iii. MoEF&CC and DGFT shall take necessary actions against the illegal importers in accordance with the laws and update the same in public domain.</p>
14.	Re-export of illegal consignments after confiscation:	<p>DGFT -Not Complied</p> <p><i>DGFT has informed that FT (D&R) Act does not provide</i></p>	The Monitoring Committee in its Final report had noted the direction of Hon'ble High Court of Kerala in the case	i. DGFT shall examine the Hon'ble High Court of Kerala, where in the case

S. No	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Observations	Recommendation
	<p>(i) DGFT to expedite the process of notifying for delegating such powers to the Customs Authorities to take action against the erring importers.</p> <p>(DGFT: 03 months)</p>	<p><i>for re-export of illegal consignments, thus question of delegation of power to Customs does not arise.</i></p>	<p>pertaining to import of Multifunctional Devices (MFDs) without permission/license wherein the Hon'ble Court had directed that power to direct importers to re-export lies with DGFT.</p>	<p>pertaining to import of Multifunctional Devices (MFDs) without permission/license from DGFT, the Hon'ble High Court directed that the powers to direct importers to re-export lies with the DGFT under FT (D&R) Act, 1992 and not with the Customs Authorities. Thus, DGFT to expedite the process of notification for delegating powers to the Customs Authorities to take action against the erring importers.</p>
15.	<p>Clearance of Waste Oil/Sludge from Ships:</p> <p>(i) Concerned SPCBs/PCCs or Port Authorities of State/UT to grant/obtain necessary authorization to cover hazardous wastes generated from both normal port operations/activities and all</p>	<p>Port Authorities- Not Complied <i>Port Authorities have not submitted status report.</i></p> <p>Status of implementation provided by SPCBs/PCCs is given below:</p>	<p>Andhra Pradesh, Goa, Maharashtra have informed that port(s) has been authorised. However, details have not been provided.</p> <p>Assam and Kerala have informed the concerned agencies to obtain Consent and Authorization.</p>	<p>i. SPCBs/PCCs of Andaman & Nicobar Islands, Assam, Gujarat, Karnataka, Kerala, Madhya Pradesh and Tamil Nadu shall submit updated progress report in this regard.</p> <p>ii. SPCBs/PCCs of Andhra Pradesh, Goa, Maharashtra and West Bengal shall</p>

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Observations	Recommendation
	<p>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.</p> <p>(SPCBs/PCCs and Port Authorities: 05 months)</p> <p>(ii) SPCBs/PCCs shall ensure that all the ports (including minor ports), ICDs/CFSs have mandatory authorization as per HOWM Rules, 2016. The said authorization shall be granted by the SPCB/PCC after due scientific evaluation.</p> <p>(SPCBs/PCCs: 05 months)</p>	<p>Complied: Odisha, Puducherry</p> <p>Partially Complied: Andaman & Nicobar Islands, Andhra Pradesh, Assam, Goa, Gujarat, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Tamil Nadu, West Bengal.</p> <p>Not Complied- Rajasthan</p> <p>Not Applicable: Arunachal Pradesh, Chandigarh, Chhattisgarh, Delhi, Himachal Pradesh, Haryana, Jammu & Kashmir, Jharkhand, Lakshadweep, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, Telangana, Tripura, Uttar Pradesh</p> <p>Information Not Provided: Punjab & Uttarakhand</p>	<p>Gujarat has informed that Board carries out inspection of ports for compliance consent and authorization conditions issued to port for waste generation due to port activities. However, details have not been provided.</p> <p>Karnataka has informed thativ. of 03 ports 02 are authorised.</p> <p>Lakshadweep has informed that there is no major/minor port in Lakshadweep islands and waste generated from administration run ships are cleared at Kochi and waste is disposed of through authorised recyclers.</p> <p>Madhya Pradesh informed that there are 07 ICDs out of which 05 are being operated by CONCOR without consent and authorization and have written to them to apply for the same. In this regard CONCOR has responded that it is not dealing with pollution prone bulk cargo and other</p>	<p>submit point wise information as per the format circulated.</p> <p>iii. Rajasthan shall take immediate action for authorization of reported 11 Ports/ICDs/CFCs in the state.</p> <p>iv. Port Authorities and SPCBs/PCCs of 04 States/UTs namely Bihar, Daman & Diu and Dadar & Nagar Haveli, Punjab and Uttarakhand shall submit compliance status.</p>

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Observations	Recommendation
			<p>materials are not being dealt by them.</p> <p>Maharashtra has informed that it has granted consent and authorization to 05 industries for Ports and harbours, jetties and dredging operations</p> <p>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.</p> <p>Rajasthan has informed that it has 11 Ports/ICDs/CFCs. However, no unit has been authorised.</p> <p>Tamil Nadu has informed that out of 04 ports, 03 have obtained authorization and application of 01 is under process.</p>	

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Observations				Recommendation
			<p>West Bengal PCB has not provided details of CFCs and their authorizations.</p> <p>17 SPCBs/PCCs have informed that as there are no sea ports therefore, recommendation is not applicable to them.</p>				
<p>Table B-1: State-wise status on availability and authorization of Ports/ICDs/CFCs and waste reception facilities is tabulated below:</p>							
S.No.	State/UT	No. of Ports/ICDs/CFCs available	No. of Ports/ICDs/CFCs authorised	No. of Waste Reception Facility available	No. of Waste Reception Facility authorised	Inventory provided by Ports/ICDs/CFCs	
1.	Andaman & Nicobar islands	Port-24	Port-01	03	03	No	
9.	Andhra Pradesh	Port-01	Port-01	5	05	INP	
10.	Arunachal Pradesh	Not Applicable					
11.	Assam	Port-01	0 (notice issued to IWAI, IWT for compliance)	INP	INP	INP	

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

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Observations			Recommendation		
		23. Odisha	Port-03	03	03	03	Yes	
		24. Puducherry	Port-01	01	01	01	Yes	
		25. Punjab	Dry ports-03	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 Pradesh	Not Applicable					
		32. Uttarakhand	Not Applicable					
		33. West Bengal	02	02	06	06	No	
16.	Findings of CAG Report	CBIC-Partially Complied <i>CBIC has informed that power of disallowing import/export is dealt by DGFT and compilation of annual inventory of incidences of illegal imports is being compiled and will be furnished by 30/12/2020 and for the upcoming years by 30th September of the year.</i>	CBIC has initiated action for preparing inventory of the illegal imports. No information has been provided by CBIC and DGFT regarding updated status of the findings of CAG and action against traceble illegal importers.			i. CBIC, DGFT and Port Authorities shall immediately provide updated status of the findings of CAG and action taken against traceable illegal importers to CPCB and MoEF&CC. ii. MoEF&CC, DGFT, CBIC and Port Authorities shall take necessary action against the personnels/agencies involved in illegally		
(i)	CBIC, DGFT and Port Authorities have to provide updated complete status of the findings of CAG Report to CPCB and MoEF&CC. Compliance status of action taken against those traceable illegal importers by not allowing import/export directly/indirectly until such consignments are safely disposed off as per HOWM Rules, 2016 be also provided.	DGFT-Not Complied <i>DGFT has informed that CBIC is the competent</i>						

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Observations	Recommendation
	<p>(CBIC, DGFT and Port Authorities: 05 months)</p> <p>(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.</p> <p>(CBIC: 03 months)</p>	<p><i>authority to deal with illegal imports.</i></p> <p>Port Authorities -Not Complied <i>Port Authorities have not submitted status report</i></p>		<p>importing hazardous & other waste including not allowing import/export directly/indirectly until such consignments are safely disposed of as per HOWM Rules, 2016.</p> <p>iii. CBIC and Port Authorities (Ministry of Shipping) shall regularly provide information of illegal imports along with details of the importers and license/NOC issued by DGFT and MoEF&CC to them for taking necessary action.</p> <p>iv. CBIC shall submit the annual inventory of the illegally imported/stored consignments in Ports/ICDs/CFSs within the timeline stipulated by them and thereafter shall ensure submission by 30th September every year to CPCB and MoEF&CC.</p>

S. No	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Observations	Recommendation
				v. Port Authorities shall immediately submit compliance status.
17.	<p>Authorization under HWM Rules, 2016 from concerned SPCB/PCC:</p> <p>(i) CBIC to provide action taken w.r.t authorization for handling, storage, transportation, recycling, utilization, offering for sale, transfer or disposal, to deal with the hazardous wastes that are confiscated. Further, a Standard Operating Procedure for obtaining authorization for hazardous goods/wastes that are confiscated may be developed by CBIC in consultation with SPCBs/PCCs. (CBIC: 05 months)</p> <p>(ii) The Ports shall authorization for ship generated wastes of MARPOL annexes, in addition to the one</p>	<p>CBIC- Not Complied <i>CBIC has informed that it is not a consumer of Hazardous waste, hence, recommendation to take authorization does not seem to be appropriate. It further informed that, NOC is obtained by CBIC from CPCB before disposal of waste. It also requested CPCB to specify and further procedure to be taken up in this matter.</i></p> <p>Port Authorities-Not Complied <i>Port Authorities have not submitted implementation Status</i></p>	<p>CBIC has informed that it take authorization from CPCB before disposal of waste. However, as per HOWM Rules, 2016, SPCBs/PCC have powers to grant authorisation under the Rules.</p> <p>Further, HOWM Rules stipulated requirement of authorization for various activities related to hazardous and other waste including storage, transportation, offering to sale, disposal etc. Thus, in order to perform such activity and duty as per Rule 15(3) of HOWM Rules, 2016. The CBIC needs to obtain authorization from SPCBs/PCCs.</p>	<p>i. CBIC to provide action taken w.r.t authorization for handling, storage, transportation, recycling, utilization, offering for sale, transfer or disposal, to deal with the hazardous wastes that are confiscated. Further, a Standard Operating Procedure for obtaining authorization for hazardous goods/wastes that are confiscated may be developed by CBIC in consultation with SPCBs/PCCs.</p> <p>ii. Port Authorities shall provide status of compliance.</p>

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Observations	Recommendation
	<p>obtained for normal port operations/activities within the timeline prescribed.</p> <p>(Port Authorities: 05 months)</p>			
18.	<p>Collaboration between regulating authorities:</p> <p>① SPCBs/PCCs along with Customs and Port authorities to ensure regular interaction among themselves for better compliance of import and export related issues and management of ship wastes.</p> <p>(MoEF&CC, CPCB, SPCBs /PCC, Customs and Ports Authorities: On a regular basis)</p>	<p>CPCB-Complied CPCB regularly carries out interaction meeting with various regulatory agencies.</p> <p>CBIC-Complied CBIC has informed that vide Circular No. 13/2015-Customs, it has setup Custom Clearance Facilitation Committees at every major customs seaports and airport in which Pollution Control Board is also a member which is carrying out regular meetings to resolve the issues regarding import/export.</p> <p>MoEF&CC and Port Authorities- Not Complied</p>	<p>CPCB, CBIC and 10 SPCBs/PCCs have been carrying out interaction sessions/workshops/meeting</p> <p>Assam PCB officials have attended the coordination meeting held in CPCB zonal office and jointly organised workshops for implementation of HOWM Rules.</p> <p>Andhra Pradesh, Goa, Maharashtra, has informed that it has planned to conduct interactive session/workshop.</p> <p>Gujarat has informed that it is actively coordinating and participating in order to avoid working in silos</p>	<p>i. MoEF&CC, Port Authorities, and SPCBs/PCCs of 06 States/UTs namely Andaman & Nicobar Islands, Bihar, Daman & Diu and Dadar & Nagar Haveli, Madhya Pradesh, Rajasthan and Uttarakhand shall submit compliance status.</p> <p>Andaman & Nicobar Islands, Rajasthan and Karnataka PCBs/PCC shall take immediate action in this regard and SPCBs/PCCs Assam, Andhra Pradesh, Goa, Maharashtra shall submit progress report.</p>

S. No	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Observations	Recommendation
		<p><i>MoEF&CC and Port Authorities have not submitted the status report.</i></p> <p>Status of implementation provided by SPCBs/PCCs is given below:</p> <p>Complied: Gujarat, Himachal Pradesh, Kerala Lakshadweep, Odisha, Puducherry, Punjab Tamil Nadu, Tripura, West Bengal</p> <p>Partially Complied: Assam, Andhra Pradesh, Goa, Maharashtra</p> <p>Not Complied: Andaman & Nicobar Islands, Rajasthan and Karnataka</p> <p>Not Applicable: Arunachal Pradesh, Chandigarh, Chhattisgarh, Delhi, Haryana, Jammu & Kashmir, Jharkhand, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, Telangana, Uttar Pradesh</p>	<p>Kerala has informed that it has already communicated port authorities for applying for consent and Member Secretary has conducted meeting with them.</p> <p>Lakshadweep has informed that it has conducted Punjab, Tamil Nadu, Tripura conducted meeting with stakeholders.</p> <p>Andaman & Nicobar Islands, Rajasthan and Karnataka have neither conducted nor attended interactive sessions/ workshops in this regard.</p> <p>14 SPCBs/PCCs have informed that as there are no sea ports (land locked) therefore, recommendation of carrying of collaboration is not applicable to them.</p>	<p>iii. SPCBs/PCCs along with Customs and Port authorities ensure regular interaction among themselves for better compliance of import and wastes and provide biannually status.</p>

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Observations	Recommendation
		Information not provided: <i>Madhya Pradesh, Uttarakhand</i>		
II. WASTE RECEPTION FACILITIES IN PORTS TO DEAL WITH WASTES GENERATED FROM SHIPS (MARPOL)				
19.	Availability of Waste Reception Facilities at ports: (i) DG(S) may expedite the process of notifying the draft 'Mandatory requirements concerning port reception facilities for the delivery of waste from ships and disposal of such wastes' and shall place it on its website for inviting comments from concerned stakeholders and ensure its implementation through port authorities. (ii) DG(S) may be given appropriate powers to implement the said notification on 'Mandatory requirements concerning port reception facilities for the delivery of waste from ships and disposal of such wastes' in all ports. Port authorities may be directed to provide the	Directorate General of Shipping- Partially Complied <i>DG (S) has informed that the draft "Mandatory requirements concerning port reception facilities for the delivery of waste from ships and disposal of such wastes" is being reviewed by law department before forwarding the same to Ministry of Shipping for notification.</i> Port Authorities- Not Complied <i>Port Authorities have not submitted the status report.</i> Status of implementation provided by SPCBs/PCCs is given below:	Details on the state-wise availability of waste reception facility and its authorization is tabulated in Table B-1 above. Assam has informed that process of verification is going on. Andhra Pradesh, Gujarat, Odisha, Puducherry have waste reception facility Goa has informed that no waste reception facility is available. Gujarat has informed that reception facilities of ports have already been authorized, there are 78 authorized recyclers for	i. Ministry of Shipping shall expedite the process of notification of "Mandatory requirements concerning port reception facilities for the delivery of waste from ships and disposal of such wastes" and ensure compliance by port authorities. ii. DG(S) may be given appropriate powers to implement the said notification on 'Mandatory requirements concerning port reception facilities for the delivery of waste from ships and disposal of such wastes' in all ports. Port authorities may be directed to provide the compliance status to

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Observations	Recommendation
	<p>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)</p> <p>(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)</p>	<p>Partially Complied: <i>Andaman & Nicobar Islands, Assam, Andhra Pradesh, Gujarat, Karnataka, Kerala, Maharashtra, Odisha, Puducherry, Tamil Nadu and West Bengal</i></p> <p>Not Applicable: <i>Arunachal Pradesh, Chandigarh, Chhattisgarh, Delhi, Haryana, Himachal Pradesh, Jammu & Kashmir, Jharkhand, Lakshadweep, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, Telangana, Tripura, Uttar Pradesh</i></p> <p>Not Complied: <i>Goa and Rajasthan</i></p> <p>Information not provided: <i>Madhya Pradesh, Punjab, and Uttarakhand</i></p>	<p>recycling/refining of used/waste oil.</p> <p>Karnataka has only one waste reception facility at 01 port which has been authorized by the Board.</p> <p>Kerala has informed that orders have been communicated to port authorities. Authorization shall be granted by the SPCB after due scientific evaluation. Waste reception facility in the port shall than be authentically documented.</p> <p>Maharashtra, Kerala has informed that it has already communicated the recommendations to concerned authorities for compliance.</p> <p>Punjab will be enforcing HOWM Rules, 2016 on quarterly basis.</p> <p>Rajasthan has informed that there are 11</p>	<p>DG(S) for enabling the Directorate in preparation of consolidated status on availability of Port Reception Facilities and submission to CPCB.</p> <p>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.</p> <p>iv. SPCBs of Andaman & Nicobar Islands, Assam, Andhra Pradesh, Gujarat, Karnataka, Kerala, Maharashtra, Odisha, Puducherry, Tamil Nadu and West Bengal shall ensure compliance and submit progress report.</p> <p>v. SPCBs of Goa and Rajasthan shall coordinate with DG(S) and Port Authorities for waste reception facility in</p>

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Observations	Recommendation
			<p>ports/ICDs/CFCs, however, there is no waste reception facility.</p> <p>Tamil Nadu has issued instruction for setting up separate waste reception facility within port premises.</p> <p>17 SPCBs/PCCs have informed that as there are no sea ports therefore, recommendation is not applicable to them.</p>	<p>order to ensure environmentally sound management and disposal of ship wastes.</p> <p>vi. SPCBs/PCCs of 05 States/UTs namely Bihar, Daman & Diu and Dadar & Nagar Haveli, Madhya Pradesh, Punjab and Uttarakhand shall submit compliance status.</p> <p>vii. Rajasthan shall ensure to provide waste reception facility, if any ports are available.</p>
20.	<p>Authorization for the waste reception facilities and ports:</p> <p>(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 HOWM Rules, 2016.</p>	<p>Status of implementation provided by SPCBs/PCCs is given below:</p> <p>Complied: <i>Odisha and Puducherry</i></p> <p>Partially Complied: <i>Andaman & Nicobar Islands, Assam, Andhra Pradesh, Gujarat, Karnataka, Kerala,</i></p>	<p>Details on the state-wise availability of waste reception facility and its authorization is tabulated in Table B-1 above.</p> <p>Andhra Pradesh, Gujarat, Odisha, Puducherry have waste reception facility which have been authorised.</p>	<p>i. SPCBs/PCCs of 05 States/UTs namely Bihar, Daman & Diu and Dadar & Nagar Haveli, Madhya Pradesh, Punjab and Uttarakhand shall submit compliance status.</p> <p>ii. SPCB of Andaman & Nicobar Islands, Assam, Andhra Pradesh, Gujarat, Karnataka, Kerala,</p>

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Observations	Recommendation
	<p>(ii) SPCBs/PCCs shall ensure authorization is granted to Ports and Waste reception facility available at all ports and all the provisions of HOWM Rules, 2016 (i.e. authorization, manifest system, inventorization etc.) are being followed by Ports and Waste Reception Facilities.</p> <p>(SPCBs/PCCs : 05 months)</p>	<p><i>Maharashtra, Tamil Nadu West Bengal</i></p> <p>Not Complied: <i>Goa and Rajasthan</i></p> <p>Not Applicable: <i>Arunachal Pradesh, Chandigarh, Chhattisgarh, Delhi, Haryana, Himachal Pradesh, Jammu & Kashmir, Jharkhand, Lakshadweep, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, Telangana, Tripura, Uttar Pradesh</i></p> <p>Information not provided: <i>Madhya Pradesh, Punjab and Uttarakhand</i></p>	<p>Assam has issued notice to IWAI, IWT for compliance.</p> <p>Goa and Rajasthan have informed that no waste reception facility is available.</p> <p>Tamil Nadu has issued instruction for setting up separate waste reception facility within port premises.</p> <p>Maharashtra, Kerala has informed that it has already communicated port authorities for applying for consent and conducted meeting with them.</p> <p>Karnataka has informed that 03 ports of which only one port has waste reception facility which has been authorised by the Board.</p> <p>Punjab will be enforcing HOWM Rules, 2016 on quarterly basis.</p>	<p>Maharashtra, Tamil Nadu and West Bengal shall submit progress report.</p> <p>iii. Goa and Rajasthan SPCB shall ensure establishment of waste reception facility at all ports and ensure authorization of the same.</p> <p>iii. SPCBs/PCCs shall ensure enforcement all the provisions of HOWM Rules, 2016 (i.e. authorization, manifest system, inventorization etc.) on Ports and Waste Reception Facilities and also incorporate the generation and management of hazardous waste from port/waste reception facility in their yearly annual inventory.</p>

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Observations	Recommendation
			<p>West Bengal has informed that ports and waste reception facilities are authorized. However, ports do not provide information in Annual return.</p> <p>17 SPCBs/PCCs have informed that as there are no sea ports (land locked) therefore, recommendation is not applicable to them</p>	
21.	<p>Swachh sagar portal:</p> <p>(i) DG(S) shall expedite the process of enabling access by regulatory authorities to swachh sagar portal for enforcement purposes in consultation with CPCB. (DG(S): 05 months)</p>	<p>Directorate General of Shipping- Partially Complied</p> <p><i>DG(S) has informed the Ports are being assessed by 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.</i></p>		<p>i. DG(S) shall expedite the process of enrollment of all the Ports on swachh sagar portal for enforcement purposes and also provide list of the Ports and SPCBs/PCCs registered on the said portal.</p> <p>ii. SPCBs/PCCs shall access the Swachh Sagar Portal and ensure verification of information/data for compliance of provisions of the HOWM Rules, 2016.</p>

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Observations	Recommendation
III. IMPACT OF HW ON WORKERS' HEALTH				
22.	<p>Coverage of all workers under ESI Act, 1948</p> <p>(i) Appropriate directions may be issued to Ministry of Labour and Employment to expedite publication of the Draft Code on Social Security, 2019. (Ministry of Labour and Employment: 06 months)</p>	<p>Ministry of Labour and Employment- Complied</p> <p><i>MoLE has informed that the code on Social Security, 2020 was introduced in Lok Sabha on 19.09.2020. Subsequently, The Code on Social Security 2020 was considered and passed by Lok Sabha and Rajya Sabha. After the assent from the Hon'ble Present of India the same has been notified in the gazette of India for General information on 29/09/2020.</i></p>	<p>The Code on Social Security, 2020 has been notified. Its effective implementation and coverage of workers involved in handling and processing of hazardous and other waste under health and other social support schemes needs to be ensured.</p>	<p>i. Ministry of Labour and Employment shall ensure implementation of the Social Security code and provide status on the coverage of workers involved in handling and processing of hazardous and other waste under health and other social support schemes.</p>
23.	<p>Implementation of Rule 5(2) of HOWM Rules, 2016:</p> <p>(i) States/UTs who have not responded is required to provide compliance status within three months, otherwise Hon'ble NGT may consider imposing environmental compensation, appropriately,</p>	<p>Status of implementation of Rule 5(2) as received from State/UT</p> <p>Partially Complied: Andaman & Nicobar Islands, Assam, Chandigarh, Gujarat, Haryana, Himachal Pradesh, Jammu & Kashmir, Karnataka, Madhya</p>	<p>Gujarat, Haryana, Himachal Pradesh, Jammu & Kashmir, Mizoram, Punjab and Tripura have taken action to sensitize concerned agencies w.r.t implementation of Rule 5 of HOWM Rules, 2016 and meeting has been conducted with concern departments/letters have</p>	<p>i. Chief Secretaries of Meghalaya and Uttarakhand shall immediately direct the concerned agencies for implementation of Rule 5(2) and monitor the same and provide compliance status.</p>

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Observations	Recommendation
	<p>as per directions of the Orders dated 26.08.2019.</p> <p>(State Government /UT 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 Administration: 05 months)</p>	<p><i>Pradesh, Mizoram, Maharashtra, Nagaland, Odisha, Punjab, Puducherry, Telangana, Tripura and Uttar Pradesh</i></p> <p>Not Complied: <i>Meghalaya and Uttarakhand</i></p> <p>Not Applicable: <i>Lakshadweep and Delhi</i></p> <p>Information not provided: <i>Arunachal Pradesh, Andhra Pradesh, Chhattisgarh, Goa, Kerala, Manipur, Sikkim, Rajasthan, Tamil Nadu, and West Bengal</i></p>	<p>been issued to concerned departments.</p> <p>Andaman & Nicobar Islands PCC have informed that labour and industries departments have been sensitized in SLAC meeting. Labour department has carried out registration under Trade union act and industries department have earmarked locations for industrial estates.</p> <p>Labour welfare department, Assam has informed that it has been authorized for duties under Rule 5(2)(d) and Department of Industry for duties under Rule 5(1) of the HOWM Rules, 2016. It has also been informed that labour department has not involved in recognition and registration of workers involved in recycling, pre-processing and utilization.</p>	<p>ii. Chief Secretaries of 12 States/UTs namely Arunachal Pradesh, Andhra Pradesh, Bihar, Chhattisgarh, Daman & Diu and Dadar Nagar Haveli, Goa, Kerala, Manipur, Rajasthan, Sikkim, Tamil Nadu, and West Bengal shall direct the concerned agency for submission of implementation status and monitor implementation of the Rules.</p> <p>ii. Chief secretaries of Lakshadweep and Delhi shall ensure allocation and earmarking of spaces as per Rule 5(1) and implementation of Rule 5(2) when units involved in recycling, pre-processing and other utilisation activities starts in their states and submission of action plan as per Rule 5(3).</p>

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Observations	Recommendation
			<p>Chandigarh PCC has informed that letters have been issued to stakeholders and PCC is in process of consultation with stakeholders. Estate officer and labour departments have been authorized under Rule 5.</p> <p>Delhi has informed that as there is no Hazardous waste recycling unit.</p> <p>Lakshadweep has informed that there is no existing and upcoming industrial park, estate and industrial clusters also there are no activities involved in recycling, pre-processing, and other utilization hence no workers in this field.</p> <p>Madhya Pradesh has informed that Department of Industry and Department of Labour have been authorised for implementation of Rule 5(1) and 5(2) respectively. Integrated plan has been</p>	<p>Chief Secretaries of Andaman & Nicobar Islands, Assam, Chandigarh, Gujarat, Haryana, Himachal Pradesh, Jammu & Kashmir, Karnataka, Madhya Pradesh, Mizoram, Maharashtra, Nagaland, Odisha, Puducherry, Punjab, Telangana, Tripura and Uttar Pradesh shall ensure implementation of Rule 5 of HOWM Rules, 2016 and submit updated status report.</p>

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Observations	Recommendation
			<p>prepared and submitted to MoEF&CC and CPCB in 2019.</p> <p>Maharashtra has informed that meetings have been carried out to sensitize concerned agencies, Department of labour has verified 224 hazardous waste recycling units and is compiling the report</p> <p>Meghalaya PCB has informed that matter is to be implemented by Department of Labour and Department of Industries. No details have been provided w.r.t action taken.</p> <p>Mizoram has informed that Department of Industries has carried out earmarking or allocation of site for TSDF and Department of labour has been recognised for Rule implementation of 5(2). However, recognition and registration of workers has not been carried out as there</p>	

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Observations	Recommendation
			<p>is no recycling/pre-processing and other utilization activities in the State.</p> <p>Odisha has informed that Odisha Industrial Infrastructure Development Corporation (IDCO) and Department of labour and Employment have been authorised.</p> <p>Telangana has informed that TSIC has been authorized for allocation of industrial space and Directorate of factories, labour, employment, training and boiler department and National safety council have been authorised for recognition and registration of workers. Skill development training and annual health monitoring has been carried out. However, group of workers and integrated plan has not been developed.</p> <p>Nagaland PCB has informed that it has written to</p>	

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Observations	Recommendation
			<p>Department for labour for taking necessary action.</p> <p>Uttrakhand has informed that no action has been taken w.r.t sensitization of agencies about duties under Rule 5 and action plan will be proposed in January 2021</p>	
24.	<p>Unauthorized industries be brought under the ambit of ESI Act, 1948:</p> <p>(i) Appropriate directions may be issued to Ministry of Labour and Employment to expedite publication of the Draft Code on Social Security, 2019. (Ministry of Labour and Employment: 06 months)</p>	<p>Ministry of Labour and Employment- Complied</p> <p><i>MoLE has informed that the code on Social Security, 2020 was introduced in Lok Sabha on 19.09.2020. Subsequently, The Code on Social Security 2020 was considered and passed by Lok Sabha and Rajya Sabha. After the assent from the Hon'ble Present of India the same has been notified in the gazette of India for General information on 29/09/2020.</i></p>	<p>The Code on Social Security, 2020 has been notified. Its effective implementation and coverage of workers involved in handling and processing of hazardous and other waste under health and other social support schemes needs to be ensured.</p>	<p>i. Ministry of Labour and Employment shall ensure implementation of the Social Security code and provide status on the coverage of workers involved in handling and processing of hazardous and other waste under health and other social support schemes.</p>
26.	<p>DISPLAY OF INFORMATION OUTSIDE THE FACTORY GATE:</p>	<p><i>CPCB had received clarification from various SPCBs/PCCs w.r.t applicability of Mandatory</i></p>	<p>Assam has informed that all units are directed to install display board, consent and authorization is not being</p>	<p>i. SPCBs/PCCs of Assam, Andhra Pradesh, Chandigarh, Chhattisgarh, Gujarat,</p>

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Observations	Recommendation
	<p>(i) SPCBs/PCCs shall ensure that verification of installation/updation of display boards at all the Hazardous waste generating units on a continuous basis. (SPCBs/PCCs : 05 months)</p>	<p><i>Online display board as per Hon'ble Apex court orders in the matter of W.P (C) 657/1995. In order to implement the orders in the spirit, CPCB had requested all SPCBs/PCCs to ensure strict implementation of online display board in large scale units and regulate installation of appropriate size of manual display board in medium and small units. CPCB has also sought information on the pattern of the display board and implementation which the High Powered Committee has refereed in its report and has been informed that the manual display boards had been adopted and the practice is continued. Online display Boards have only been installed in few categories of the units.</i></p> <p>Status of implementation provided by SPCBs/PCCs is given below:</p>	<p>grated unless compliance is ensured.</p> <p>Andhra Pradesh has informed that R.Os have issued notices and pursuing industrial units for installation of display boards.</p> <p>Goa has informed that major generator has installed display Boards. Due to COVID-19, verification has not been carried out. Board is in process of conducting inspections for verification of installation and updation of display board.</p> <p>Gujarat has informed that it has all the units having valid CCA have compiled with Hon'ble Supreme Court directions. Board has included specific condition of display board in consent and authorization and system of verification is already in place. However, details have not been provided.</p>	<p>Goa, Haryana, Himachal Pradesh, Jharkhand, Kerala, Meghalaya, Rajasthan, Punjab and Telangana shall submit progress report.</p> <p>ii. Lakshadweep shall take action for compliance of Hon'ble Apex court orders related to Display Board.</p> <p>iii. Arunachal Pradesh, Manipur, Mizoram and Nagaland PCBs shall ensure that display board is installed and regularly updated by all HW generating and handling units.</p> <p>iv. SPCBs/PCCs of 05 States/UTs namely Bihar, Daman & Diu and Dadar & Nagar Haveli, Delhi, Tamil Nadu and Uttarakhand shall</p>

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Observations	Recommendation
		<p>Complied: <i>Andaman & Nicobar Islands, Jammu & Kashmir, Karnataka, Madhya Pradesh, Maharashtra, Odisha, Puducherry, Sikkim, Tripura, Uttar Pradesh and West Bengal</i></p> <p>Partially Complied: <i>Assam, Andhra Pradesh, Chandigarh, Chhattisgarh, Gujarat, Goa, Haryana, Himachal Pradesh, Jharkhand, Kerala, Meghalaya, Rajasthan, Punjab and Telangana</i></p> <p>Not Complied: <i>Arunachal Pradesh, Lakshadweep, Manipur, Mizoram and Nagaland</i></p> <p>Information not provided: <i>Delhi, Tamil Nadu, Uttarakhand</i></p>	<p>Lakshadweep PCC has informed that no hazardous waste generating factories in Lakshadweep, however the DG sets in the power house and small automobile workshops only generating waste/used oils.</p> <p>Manipur has informed that LPG bottling plant and IOC oil depot has sign boards. Rest all are workshops and garages which are micro unit.</p> <p>Nagaland has informed that IOCL Dimapur Depot has installed display board and most of the HW generating units are small automobile repair/servicing shops.</p> <p>Mizoram has informed that out of 40 HW generating units, only 01 unit require display board. The remaining units are automobile repair units except one hot mix</p>	<p>submit compliance status.</p> <p>v. SPCBs/PCCs shall ensure that verification of installation/updation of display boards at all the Hazardous waste generating units on a continuous basis.</p>

S. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance	Remarks/Observations	Recommendation	
			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 generating and handling units	No. of units installed display Board	No. of units verified	Action Taken
1.	Andaman & Nicobar Island	02	02	02	Nil
2.	Arunachal Pradesh	83	07	07	No action taken
3.	Assam	176	INP	57	Direction issued to all units
4.	Andhra Pradesh	2683	1756	1756	Notices issued 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. No.	Recommendations (Responsible Agency and timeline of action)	Status of Compliance		Remarks/Observations		Recommendation	
		9.	Gujarat	Details not provided			
		0.	Haryana	4830	1805	1901	Action has been taken against 25 non-complying units
		1.	Himachal Pradesh	2436	2319	1849	Action has been taken against 75 non-complying units
		2.	Jammu & Kashmir	238	238	227	Notices issued 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 Pradesh	3192	3192	316	Notices issued and rectifications were done
		8.	Maharashtra	7257	7257	1484	Appropriate directions

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							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

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		31. Uttar Pradesh 32. Uttarakhand 33. West Bengal	2597 (Operational 2173) Information Not Provided 809 809	2210 Nil 29 Nil
27.	INSTITUTIONAL REFORMS (i) SPCBs/PCCs shall ensure that adequate manpower is available with the PCB/PCC, training shall be regularly provided with emphasis on scientific evaluation and management of hazardous waste.	Status of implementation provided by SPCBs/PCCs is given below: Complied: Gujarat, Lakshadweep Partially Complied: Andaman & Nicobar Islands, Arunachal Pradesh, Chhattisgarh, Delhi, Goa, Haryana, Himachal Pradesh, Jammu & Kashmir, Karnataka, Kerala, Madhya Pradesh, Manipur, Maharashtra, Meghalaya, Mizoram, Nagaland, Odisha, Puducherry, Punjab, Rajasthan, Sikkim, Tamil Nadu, Telangana, Tripura, Uttar Pradesh, Uttarakhand and West Bengal	SPCBs/PCCs of Arunachal Pradesh, Chhattisgarh, Delhi, Goa, Haryana, Himachal Pradesh, Jammu & Kashmir, Karnataka, Kerala, Madhya Pradesh, Manipur, Maharashtra, Meghalaya, Mizoram, Nagaland, Odisha, Puducherry, Punjab Sikkim, Tamil Nadu, Tripura, Uttar Pradesh, Uttarakhand and West Bengal have informed that they are in process of recruiting the required manpower or has approached state government for providing adequate manpower. Andaman & Nicobar Islands have informed that it does not have adequate manpower. However, PCC has recruited recently 03 technical staff.	i. SPCBs/PCCs of Gujarat and Lakshadweep shall ensure regular training of manpower ii. SPCBs/PCCs of Assam, Chandigarh and Jharkhand shall immediately take steps to provide adequate manpower and shall regularly provide training with emphasis on scientific evaluation and management of hazardous waste. iii. SPCBs/PCCs of Andaman & Nicobar Islands, Arunachal Pradesh, Chhattisgarh, Delhi, Goa, Haryana, Himachal Pradesh, Jammu & Kashmir, Karnataka, Kerala, Madhya Pradesh, Manipur, Maharashtra,

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		<p>Not Complied: Assam, Chandigarh, Jharkhand</p> <p>Information not provided: Andhra Pradesh</p>	<p>Assam has informed that adequate manpower is not provided and also no steps have been taken to increase manpower. However, training programmes are being attended by officials as and when entrusted.</p> <p>Andhra Pradesh has informed that it has 03 Zonal Offices and 13 Regional offices covering 13 Districts</p> <p>Chandigarh PCC has informed that no training programme has been carried out/attended by CPCC officials during 2019-20.</p> <p>Gujarat has informed that it has recruited 49 Assistant Environmental Engineers in September, 2019 and organizing training programmes on regular basis.</p> <p>Jharkhand has informed that it does not have adequate</p>	<p>Meghalaya, Mizoram, Nagaland, Odisha, Puducherry, Punjab, Rajasthan, Sikkim, Tamil Nadu, Telangana, Tripura, Uttar Pradesh, Uttarakhand and West Bengal shall provide the progress report progress report on providing adequate manpower and training.</p> <p>iv. SPCBs/PCCs of 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, Tripura, Uttar Pradesh and West Bengal shall expedite the process of establishing full fledged laboratory and submit the progress report</p>

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			<p>manpower and no information has been provided w.r.t any steps taken in this regard. It has informed that 01 training programme has been attended by 02 officials of the Board.</p> <p>Lakshadweep PCC has informed that it has adequate manpower.</p> <p>Madhya Pradesh has informed that officials have participated in 26 training programmes. However, information related to adequate manpower has not been provided.</p> <p>Rajasthan has informed that it does not have adequate manpower. However, recruitment has been done in compliance of Hon'ble NGT orders.</p> <p>Telangana has informed that steps have been taken for recruitment.</p>	<p>for availability of analysis for all parameters as per HOWM Rules, 2016.</p> <p>v. SPCBs/PCCs of Andaman & Nicobar Islands, Arunachal Pradesh, Chandigarh, Chhattisgarh, Jharkhand, Lakshadweep, Manipur, Punjab, Sikkim shall take action for establishment full fledge laboratory and submit the progress report for availability of analysis for all parameters as per HOWM Rules, 2016.</p> <p>vi. SPCBs/PPCs of Chandigarh, Chhattisgarh, Gujarat, Haryana, Kerala, Odisha, Puducherry, Telangana, Tamil Nadu and West Bengal. shall submit the details/progress made w.r.t R&D work carried out.</p>

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	(ii) SPCBs/PCCs should have adequate laboratory infrastructure for analysis of HW parameters.	<p>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, Tripura, Uttar Pradesh and West Bengal</p> <p>Not Complied: Andaman & Nicobar Islands, Arunachal Pradesh, Chandigarh, Chhattisgarh, Jharkhand, Lakshadweep, Manipur, Punjab, Sikkim</p> <p>Information not provided- Uttarakhand</p>	<p>SPCBs/PCCs of Haryana, Jammu & Kashmir, Mizoram, Nagaland, Puducherry, Tripura, West Bengal have informed that they have initiated process for upgrading lab</p> <p>Andaman & Nicobar Islands has informed that it does not have facility for analysis, waste oil generated in the UT is being sent to mainland for further processing, so no analysis has been carried out.</p> <p>Assam has facility for analysis of various parameters. However, few instruments are out of order and also analysis facility for only few metals is available with PCB.</p> <p>Andhra Pradesh has informed that it has laboratory facility at Zonal office, Vishakhapatnam for analysis</p>	<p>vii. SPCBs of Andaman & Nicobar Islands, Andhra Pradesh, Arunachal Pradesh, Assam, Delhi, Goa, Jammu & Kashmir, Jharkhand, Karnataka, Lakshadweep, Maharashtra, Manipur, Mizoram, Nagaland, Rajasthan, Sikkim, Tripura and Uttar Pradesh shall take action on R&D work and submit the status on compliance w.r.t R&D work carried out by them.</p> <p>viii. All SPCBs/PCCs shall regular carryout R&D work through collaboration with technical institutes/regulatory agencies and submit the report to CPCB after completion of each project. Also, advocacy of the Cleaner technology and dissemination of</p>

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			<p>of Hazardous waste parameters.</p> <p>Chandigarh PCC has informed that it does not have adequate lab and Punjab Biotechnology Incubator has been authorised to analyse HW parameters.</p> <p>Chhattisgarh has informed that land has been acquired, technical specifications for procurement of instruments are under finalization and environmental laboratory will be developed by 31/12/2021.</p> <p>DPCC does not have a NABL accredited laboratory and limited parameter can be analysed. Further, informed that few instruments re under procurement.</p> <p>Gujarat has informed that it has state of art laboratory facility which can monitor micro pollutants.</p>	<p>information in public domain shall be carried out continuously.</p> <p>ix. SPCBs/PPCs of Bihar, DD&DNH and Uttarakhand shall submit information on institutional reforms as per format circulated.</p>

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			<p>Himachal Pradesh has informed that it has constituted a committee for additional requirements of laboratory. Budget of 263.35 lakhs has been approved for procurement of instruments.</p> <p>Jharkhand has informed that it do not facility for analysis of HW parameters, also reported that steps to provide adequate lab infrastructure are under process. However, no details in this regard has been provided. Further, it has been reported that, samples are being sent to authorized lab.</p> <p>Kerala Board is continuously upgrading its laboratory and in case of non -availability of lab, analysis is being carried out through third party.</p> <p>Lakshadweep PCC has informed that it does not have lab and samples are sent to accredited lab in Kerala.</p>	

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			<p>Madhya Pradesh has informed that procurements of instruments for lab at Bhopal is under process and work order has been given to PWD for establishment of lab.</p> <p>Arunachal Pradesh, Manipur and Sikkim have informed that they do not have lab facility for analysis of hazardous waste.</p> <p>Andhra Pradesh has informed that it has planned to conduct programs for promoting cleaner technology.</p> <p>Chandigarh PCC has started consultative process and further performance-oriented advocacy programme will be outlined</p> <p>Chhattisgarh has informed that R&D centre will be established with laboratory and advocacy/awareness programmes are being</p>	

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	<p>(iii) R&D work shall be regularly carried out by the SPCBs/PCCs either 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.</p> <p>(SPCBs/PCCs : 05 months)</p>	<p>Complied: <i>Himachal Pradesh, Madhya Pradesh, Meghalaya and Punjab</i></p> <p>Partially Complied: <i>Chandigarh, Chhattisgarh, Gujarat, Haryana, Kerala, Odisha, Puducherry, Telangana, Tamil Nadu and West Bengal.</i></p> <p>Not Complied: Andaman & Nicobar Islands, Andhra Pradesh, Arunachal Pradesh, Assam, <i>Delhi, Goa, Jammu & Kashmir, Jharkhand, Karnataka, Lakshadweep, Maharashtra, Manipur, Mizoram, Nagaland, Rajasthan, Sikkim, Tripura and Uttar Pradesh</i></p> <p>Information not provided- <i>Uttarakhand</i></p>	<p>conducted to promote adoption of cleaner technologies by stakeholders.</p> <p>Gujarat has informed that it is progressively engaged in R&D in consultation with GCPC. However, details of the R&D work have not been provided.</p> <p>Haryana has informed that Board has only conducted awareness programmes with stakeholders, no R&D work has been carried out.</p> <p>Himachal Pradesh has informed that Board has carried out research work related to recovery of Fluoride and Heavy metals from wastewater.</p> <p>J&K PCB has informed that once lab will start R&D work will be initiated.</p> <p>Karnataka has informed that it will; carryout R&D work</p>	

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			<p>and will submit report. No details in this regard has been provided.</p> <p>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.</p> <p>Madhya Pradesh have been informed that Board has carried out various research work</p> <p>Maharashtra has informed that it will plan to organize advocacy program. No information provided w.r.t R&D work.</p> <p>Meghalaya has informed that it has undertaken a research study on “Cleaner Production in Cement Industry for Environmental Sustainability”. However, Meghalaya PCB has informed</p>	

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			<p>its financial inability to undertake regular R&D works.</p> <p>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.</p> <p>Puducherry has proposed to collaborate with Puducherry Engineering College for R&D activities</p> <p>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</p> <p>Sikkim PCB has informed that there is no R&D facility and proposes to involve R&D facility.</p>	

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			<p>Tamil Nadu has informed that it has collaborated with IIT Chennai and formed Centre for Urbanization Buildings and Environment (CUBE)</p> <p>Telangana has proposed to identify the sector for carrying out R&D work</p> <p>Tripura has not carried out R&D work but during inspection officials are providing necessary inputs for effective management of Hazardous waste.</p> <p>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.</p> <p>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.</p>	

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

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		<i>forwarded to MoEF&CC for necessary action.</i>		

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 (June2020) 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.