

WP(C). 16253/2023

-:1:-



2025:KER:19345

"C.R."

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE THE CHIEF JUSTICE MR. NITIN JAMDAR

&

THE HONOURABLE MR. JUSTICE S.MANU

FRIDAY, THE 7TH DAY OF MARCH 2025 / 16TH PHALGUNA, 1946

WP(C) NO. 16253 OF 2023

PETITIONER:

SUDHAKARAN K.V., AGED 63 YEARS,
NOW RESIDING AT KUNNATHU VALAPPIL HOUSE,
KOLATHUPRAMBIL, OTHUKKUNGAL,
MALAPPURAM., PIN - 676528.

BY ADVS. SRI. P.B.SAHASRANAMAN,
SRI. T.S.HARIKUMAR,
SRI. SANAND RAMAKRISHNAN

RESPONDENTS:

- 1 CENTRAL POLLUTION CONTROL BOARD,
REPRESENTED BY THE DIVISIONAL HEAD,
COMPOSTABLE DIVISION, PARIVESH BHAVAN,
EAST ARJUN NAGAR, DELHI-110032, PIN - 100032.
- 2 KERALA POLLUTION CONTROL BOARD,
REPRESENTED BY ITS MEMBER SECRETARY, PATTOM P.O.,
THIRUVANANTHAPURAM., PIN - 695004.
- 3 STATE OF KERALA,
REPRESENTED BY ITS ADDITIONAL CHIEF SECRETARY,
ENVIRONMENTAL DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM., PIN - 695001.



4 SPROUT PRIVATE LIMITED,
REPRESENTED BY ITS MANAGING DIRECTOR SANTHOSH
PHILIP, PARAMBATTE HOUSE, KAITHPURAM P.O. MANDAPAM,
SREEKANDAPURAM, KANNUR, PIN - 670631.

5 K. PRABHAKARAN, AGED 72 YEARS,
S/O. KUMARAN, RESIDING IN SWASRAYA MANDIR,
MATTANCHERRY, KOCHI- 682 002, SECRETARY,
SWASRAYA, MATTANCHERRY, KOCHI- 682 002.

ADDL. R5 IS IMPEADED AS PER ORDER DATED 09/07/2024
IN I.A 1/2023 IN WP(C).

6 THE PRINCIPAL SECRETARY,
LOCAL SELF GOVERNMENT DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.

ADDL. R6 IS SUO MOTU IMPEADED AS PER ORDER DATED
21/01/2024 IN WP(C).

R1 BY ADV. SHRI M. AJAY
R2 BY ADV. SHRI T. NAVEEN, SC,
BY SENIOR GOVERNMENT PLEADER SRI. V. TEKCHAND,
R5 BY ADV. SRI. G. HARIHARAN
BY ADVS. SMT.K.S.SMITHA(K/106/2012)
SRI. AMAL DEV D(K/001570/2018)
SMT. T.T.SHANIBA(K/000254/2016)

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 07.03.2025, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:



“C.R.”

JUDGMENTDated this the 7th day of March, 2025.**Nitin Jamdar, C. J.**

In this Public Interest Litigation, the Petitioner raises the issue of the Respondents' failure to act against manufacturers and others conducting business without registration under the Plastic Waste Management Rules, 2016. Rule 13 of these Rules requires the registration of producers, recyclers, and manufacturers engaged in the business of carry bags, recycled plastic bags, or multilayered packaging. It also mandates action against manufacturers, retailers, and vendors selling such products in violation of the Rules.

2. The Petitioner states that several companies manufacture paper cups labeled as 100% biodegradable, compostable, and recyclable, claiming approval from the Government of Kerala, without registration. The Petitioner has joined Respondent No. 4 as one of the violators. Respondent No. 4 has filed a counter affidavit denying these allegations.

3. We have heard Mr. P. B. Sahasranaman, learned counsel for the Petitioner, Mr. M. Ajay, learned counsel for the Central Pollution Control Board, Mr. T. Naveen, learned standing counsel for the Kerala State Pollution Control Board, Mr. Abhijit, learned counsel representing Mr. Praveen H., learned counsel for Respondent No. 4, and Mr. V. Tekchand, learned Senior Government Pleader for the State.



4. On 4 February 2011, the Government of India framed the Plastic Waste (Management and Handling) Rules, 2011, under the Environment Protection Act, 1986. These Rules established a regulatory framework for managing plastic waste in the country. To enhance their effectiveness, the Central Government reviewed the existing Rules and, exercising its powers under Sections 3, 6, and 25 of the Act, introduced the Plastic Waste Management Rules, 2016, which came into force on 18 March 2016. These Rules have been amended periodically, with the latest amendment on 14 March 2024. They apply to all waste generators, local bodies, Grama Panchayats, manufacturers, importers, and producers.

5. Rule 3(o) of the Rules of 2016 defines “plastic” to mean a material which contains as an essential ingredient a high polymer such as polyethylene terephthalate, high density polyethylene, Vinyl, low density polyethylene, polypropylene, polystyrene resins, multi-materials like acrylonitrile butadiene styrene, polyphenylene oxide, polycarbonate, Polybutylene terephthalate. “Plastic packaging” is defined under Rule 3(oa) to mean material made by using plastics for protecting, preserving, storing, and transporting products in various ways. “Carry bags” are defined under Rule 3(c) to mean bags covered under Category II of plastic packaging – Clause (5.1) (II), given in Schedule – II made from plastic material or compostable plastic or biodegradable plastic, used to carry or dispense commodities, which have a self-carrying feature but do not include bags that constitute or form an integral part of the packaging in which goods are



sealed before use. “Multilayered packaging” is defined under Rule 3(n) to mean any material used or to be used for packaging and having at least one layer of plastic as the main ingredient in combination with one or more layers of materials such as paper, paper board, polymeric materials, or aluminium foil, either in the form of a laminate or co-extruded structure. Rule 4 of the Rules of 2016 stipulates that the manufacture, import, stocking, distribution, sale and use of carry bags, plastic sheets or like, or cover made of plastic sheets and plastic packaging shall be subjected to certain conditions stipulated therein.

6. Rule 5 deals with plastic waste management by the local bodies in their respective jurisdiction. The reference to the local body is by way of amendment on 30 October 2023. The responsibility of the local body is under Rule 6. The local body is under responsibility of ensuring that the provisions of the Rules as amended are adhered to. This stipulation is inserted by amendment dated 12 August 2021. Rule 6 of the Rules of 2016 states that the local body is responsible for developing infrastructure for segregation, collection, storage, transportation, processing, and disposal of plastic waste, either independently or through agencies. Manufacturers, producers, importers, and brand owners may voluntarily engage with local bodies under mutually agreed terms. The local body has to set up and coordinate waste management systems, ensuring compliance with the rules, environmental protection, and proper channelization of recyclable and non-recyclable plastic waste. It has to raise awareness, engage civil society, and



prevent open burning of plastic waste. It has to establish a plastic waste management system. The local body has to take measures to prevent stocking, distribution, sale, and use of prohibited single-use plastic items and include details on waste generation, management infrastructure, projections, bye-law implementation, and enforcement actions in its annual report. Under Rule 7 of the Rules of 2016, it is the responsibility of the Grama Panchayat or Panchayat at the District level, either on its own or by engaging an agency, to set up, operationalise or co-ordinate waste management in the rural area. Similarly, responsibility is placed on producers, importers, brand owners and waste generators for plastic waste management. Rule 10 has set up protocols for compostable and biodegradable plastic materials.

7. Marking and labelling is provided under Rule 11. It mandates that Each plastic packaging shall bear the details in English. Rigid plastic packaging and multilayer flexible plastic packaging shall, with effect from 1 July 2024, display the name and registration certificate, number of the producer, importer, or brand owner, as generated through the centralised online portal. Flexible plastic packaging of a single layer, including plastic sachets, pouches, plastic sheets, covers, and carry bags, shall also mention its thickness along with the name and registration number. Plastic sheets, packaging, and carry bags made of compostable plastic shall, with effect from 1 January 2025, bear the name, registration number, and certificate number issued under sub-rule (4)(h). Plastic packaging and carry bags made



of biodegradable plastic shall bear the name and relevant certification details. The requirement to display such details shall not apply to plastic packaging covered under Rule 26 of the Legal Metrology Packaged Commodities Rules, 2011, or in cases where printing is technically not feasible, as per the guidelines under the BIS Compulsory Registration Scheme for Electronic and IT Products. Such cases shall require approval from the Central Pollution Control Board, and the requisite information shall be printed on the packaging enclosing individual units of goods or the individual units of packaging. Each recycled plastic packaging shall bear a label specifying the percentage of recycled plastic and conform to prescribed ISO standards. Each compostable plastic packaging shall bear a label indicating its industrial composability in accordance with prescribed ISO standards.. Each biodegradable plastic packaging shall specify the number of days required for degradation and the environment in which it decomposes. Rule 11, therefore, mandates that the details regarding the name and registration certificate shall be mentioned in each plastic packaging in English so that this registration certificate, which is made mandatory, can be affixed on every plastic packaging. Registration has to be obtained under Rule 13 of the Rules of 2016. Rule 13 has undergone amendments on 6 July 2022, 30 October 2023, and 14 March 2024. Rule 14 has placed responsibility on retailers and street vendors not to sell or provide commodities to consumers in carry bags, plastic sheets or multilayered packaging. Rule 17 provides for Annual Reports.



8. Therefore, it is clear that Rule 11 of the Rules of 2016 mandates the details of registration. This registration is contemplated under Rule 13. For registration, the registering authority has to examine whether all the necessary parameters have been met and whether manufacturing such products is not hazardous to human health and the environment. Therefore, any product sold without registration under Rule 13 of the Rules of 2016 would not only be illegal but also hazardous to the human health. Furthermore, Rule 14 prohibits even retailers and street vendors from selling or providing commodities to the consumer in carry bags and multilayered packaging, which are not manufactured, labelled, or marked as prescribed under the Rules. Retailers and street vendors breaching Rule 14 are liable to pay fines. While these stipulations are in the statute book, the issue is of ground-level implementation.

9. Schedule II to the Rules of 2016 under Rule 9 also deals with the guidelines on extended producer responsibility for plastic packaging and commodities made from compostable or biodegradable plastics. The procedure for registration has been specified therein with detailed particulars and then the obligations.

10. The role of the Central Pollution Control Board (CPCB) is laid down in Clause 12 of Schedule II to the Rules of 2016. As regards the role of the State Pollution Control Board, it is specified under Clause 13 which includes registration of Producers, Importers & Brand-Owners (operating in



one or two states) and plastic waste processors. The State Pollution Control Board has to verify compliance through inspection and periodic audit. The State Pollution Control Board or Pollution Control Committee has to establish a mechanism to ensure a regular dialogue between relevant stakeholders involved in the fulfilment of extended producer responsibility obligations under the Rules of 2016.

11. The plastic products referred to under Rule 11 of the Rules of 2016 cannot be manufactured by a person who is not registered under Rule 13. That is why, Rule 14 of the Rules of 2016 has mandated the retailers and vendors not to use products that do not contain information as provided under Rule 11.

12. The main grievance of the Petitioner is that the manufacturing of plastic products, which requires registration under Rule 13 of the Rules of 2016, is rampantly going on without there being any registration. The Petitioner contends that Rule 10 of the Rules of 2016 determines the protocols for compostable and biodegradable plastic materials. Determining the degradability and disintegration of plastic materials has to be done as per the protocols of the Indian standards.

13. In this Petition, a report was filed on 16 June 2023 by the Kerala State Pollution Control Board (KSPCB); however, it dealt primarily with the unit of Respondent No. 4. As regards Respondent No. 4, the Authorities have not reported any adverse position. There was no detailed



affidavit on the larger issue. Then, by order dated 22 October 2024, the Respondent – Board was directed to place on record their stand on the larger issue raised in this petition.

14. An affidavit is filed by the KSPCB stating how it proposes to take measures on the subject matter. In the affidavit, the KSPCB has placed a Government Order dated 21 March 2023 on record. By this Government Order issued by the Additional Chief Secretary of the Local Self Government Department, direction is issued to constitute a special enforcement mechanism (Enforcement Squad), to identify the violations related to waste management and take legal action. Under these guidelines, a Squad was prepared to monitor the waste management in the State. The KSPCB has also stated that the registration of establishment under the Rules of 2016 plays a significant role in effecting regulation and implementation of the rules and the Enforcement Squad can ensure that producers do not engage in banned activities.

15. The Rules of 2016 place responsibility on the Panchayat and local authorities concerning various aspects of the Rules. The State has already established an Enforcement Squad for waste management. It was pointed out that 23 Enforcement Squads are in operation in the State to address the broader issues regarding waste disposal. We had expressed an opinion that these Squads can also bring to the notice of the KSPCB if there is any breach of the Rules of 2016. KSPCB suggested that Enforcement Squads



can also conduct district-wise identification.

16. The learned counsel for the CPCB states that the App “SUP-CPCB” developed by the CPCB provides for lodging complaints. It also monitors the status of the grievances. The learned counsel also submitted that the App is user-friendly and has a visual representation of the issues that are being reported. The learned Senior Government Pleader states that such an App is also developed by the Traffic Police Authorities in the State. There is no reason why the SPCB did not develop a similar App under the same lines as the CPCB. The citizens and Non-Governmental Organisations can be involved by making it easier to report non-compliance with Rules 11 and 13 of the Rules of 2016 by the SPCB by developing an App as done by the CPCB. Sensitisation drives will have to be undertaken, and necessary instructions will have to be issued to the Panchayats.

17. On 10 December 2024, we directed that the Additional Chief Secretary, Local Self Government Department to examine the suggestions of the KSPCB in paragraph 7 of its counter affidavit dated 5 December 2024 and issue necessary directions to the Enforcement Squads established under the Government Order dated 21 March 2023 within three weeks. The KSPCB was directed to prepare a report on the role of local authorities and Panchayats under the Rules of 2016 and submit it to the Additional Chief Secretary, who was to issue appropriate directions to the Panchayats and local bodies within the same period. The KSPCB and the State of



Kerala were also directed to explore developing an Application (App) similar to the Central Pollution Control Board's SUP-CPCB App to facilitate public grievance redressal regarding the unauthorised distribution of plastic products. The KSPCB was called upon to formulate a one-year plan to sensitise the retailers and vendors by widely publicizing the requirements of Rules 11 and 13 of the Rules of 2016 and the consequences under Rule 14. The KSPCB was directed to address communications to the Additional Chief Secretary within three weeks and ensure phase-wise implementation.

18. As regards the directions issued to the State to consider the recommendation of the KSPCB, the learned Senior Government Pleader has placed before us the circular dated 10 February 2025 issued by the Local Self Government Department which states that the suggestions of the KSPCB have been examined, the same was accepted by the State Government, and directions are issued to the Local Self Government Departments to assist the KSPCB. The Circular dated 10 February 2025 is as follows:

“GOVERNMENT OF KERALA

*No: WM3/36/2025-LSGD
Local Self Government (WM) Department
Thiruvananthapuram,
Dated:10-02-2025.*

CIRCULAR

*Sub: Local Self Government Department -Regulation of the
banned SUP(Single Use Plastic) items- Instructions to the*



Enforcement Squad- reg.

- Ref: 1) GO (Rt) No.2566/2022/LSGD Date, 22/10/2022.
2) GO (Rt) No.673/2023/LSGD Date, 21/03/2023.
3) Interim Order dated 10-12-2024 of the Hon. High Court in WP(C)16253/2023 filed by Sri. Sudhakaran K.V.*

The Ministry of Environment and Forests and Climate Change has banned several items of Single Use Plastic in India under the Plastic Waste Management Rules, 2016 considering the grave impact of plastic waste upon the environment. Since 2019, the Environment Department has further expanded this list of banned items vide Section 5 directions under the Environment Protection Act, 1986. Vide these orders, namely G.O(Ms) No.6/2019/Env. dated 27.11.2019 and G.O(Ms) 7/2019/Env. dated 17.12.2019, the State Government Environment Department has laid down steps to be taken for enforcing the ban in the State.

As per the Government Order cited 1st, guidelines were issued for the constitution of Enforcement Squads to detect the violations of laws in respect of the Waste Management Rules. Subsequently, as per the Government Order cited 2nd, guidelines for the functioning of the Enforcement Squad were issued.

G.O(Ms) No. 6/2019/Env. dated 27.11.2019 also lays down that the Local Self-Government Secretaries may exercise powers for enforcement of the ban in accordance with Section 19 of the Environment Protection Act, 1986. In accordance with this and powers vested in the Local Self-Governments under the Kerala Municipality Act, 1994 and the Kerala Panchayath Raj Act, 1994 and subsequent Government orders, the local self-government officials and the District Enforcement Squads have been taking action against Single Use Plastic.



Meanwhile one Sri. Sudhakaran K.V. filed WP(C) 16253/2023 before the Hon'ble High Court, seeking a direction to implement the Plastic Waste Management Rules, 2016 and to take strict and stringent action against those manufacturers and producers who do not have the required registration as contemplated under Rule 13 of Plastic Waste Management Rules, 2016. As per the order cited 3rd, Hon'ble High Court directed that the Local Self Government Departments shall comply with the suggestions put forth by the Kerala State Pollution Control Board in its affidavit and issue necessary directions to the Enforcement Squads established under the Government Order dated 21st March 2023. The suggestions put forth in the Affidavit of the Pollution Control Board are with regard to the regulation of the banned SUP items including the plastic-coated SUP items and compostable commodities by the stakeholders.

Government have examined the matter in detail and the following instructions are issued for strict compliance.

a) Local Self Government Institutions(LSGIs) shall assist Kerala State Pollution Control Board(KSPCB) in identification of manufacturers and suppliers of banned SUP items.

b) Local Self Government Institutions(LSGIs) shall independently or jointly with PCB conduct exhaustive inspection drives at regular intervals in their areas to identify manufacturers and suppliers of banned SUP items including the plastic-coated SUP items and compostable commodities.

c) The Enforcement Squads shall conduct District-wise squad work for identification of major commercial establishments (Malls/Market place/Shopping Centres/Cinema Locations/Schools/Colleges/Office Complexes/Hospitals Houses/Tourist and other institutions) and Stockists/Retailers/Sellers/Importers and other similar entities which are dealing in bulk in the



aforementioned single use plastic items and compostable/ biodegradable commodities not certified by the Central Pollution Control Board(CPCB).

d) The Enforcement Squad shall conduct inspections at Producer, Manufacturer, Importer, Brand owner (PIMBO), engaged in plastic packaging including compostable carry bags and sheets to ensure that units are registered on the Centralised EPR Portal.

e) The Enforcement Squad shall conduct regular inspection of entities to ensure that only entities having authorized certificates from CPCB are involved in the selling of compostable plastics.

f) The Board shall conduct regular interactive sessions, including convening meetings and organizing workshops with stakeholders (PIMBOs, PWP's Plastic Waste Processors, Industry Associations, etc..) in the matter.

*ANUPAMA T V
SPECIAL SECRETARY"*

It is directed that the Local Self Government Institutions shall independently or jointly with the Pollution Control Board carry out inspection drives. Enforcement Squads are also directed to carry out district-wise squad work and conduct regular inspections. Therefore, directions have been issued to all the Local Self Government Departments to assist the KSPCB on identification, manufacture and supply of banned items. Exhaustive inspection drives are to be conducted through Enforcement Squads and regular inspections are to be carried out.

19. A report was filed by the Chief Environmental Engineer, KSPCB on 20 January 2025, wherein it is stated that in compliance with the directions



issued by this Court, the matter regarding developing an App was brought to the attention of the Secretary, Environment Department, on 31 December 2024. It was also pointed out that the Local Self Government Departments (LSGD) have a War Room Management Portal for the district enforcement team which is connected with a single contact number through which citizens can inform about garbage/waste dumping in public places to the bodies maintained by the Local Self Government Departments. The Local Bodies have designated a Nodal Officer and the complaints lodged on the Portal are investigated for taking necessary action. It was also pointed out that the one-year plan to sensitise the retailers and vendors by giving wide publicity to the requirements of Rules 11 and 13 and the consequences of Rule 14 was submitted to the Special Secretary, LSGD, vide letter dated 20 January 2025.

20. As regards the formulation of a one-year plan to sensitise the retailers and vendors by giving wide publicity to the requirements of Rules 11 and 13 of the Rules of 2016 and the consequences of Rule 14, the KSPCB has stated that the plan was submitted to the Special Secretary, LSGD, on 20 January 2025 for further action, with the one-year plan annexed. The learned Senior Government Pleader has pointed out that the said plan has been approved by communication dated 10 February 2025. We take on record the said communication as a commitment of the State Government and the Kerala State Pollution Control Board.



21. Therefore, there is an existing statutory framework, but admittedly, there are large scale violations. The mislabelling of products by unregistered entities can have serious consequences for human health and waste disposal, impacting the maintenance of a clean environment. Strict vigilance is, therefore, necessary, and the Enforcement Squad, now set up with the aid of the Local Self Government Departments, can monitor the issue raised by the Petitioner. The Petition has been monitored over a period of time, and various directions have been issued, and reports have been filed. Accordingly, certain directions regarding enforcement mechanism are necessary. Now, as the State Government has issued a Circular on 10 February 2025 which covers various issues raised, according to us, this Petition can be disposed of directing implementation of this Circular.

22. In light of the statutory framework, the stand of the Pollution Control Board and the State Government through affidavits and the Circular of 10 February 2025, we issue the following directions:

(i) The Local Self-Government Institutions in the State of Kerala will comply with the Circular dated 10 February 2025, issued by the State and assist the KSPCB in identifying the manufacturers and suppliers of banned Single Use Plastic (SUP) items, failing which the State Government will be entitled to take suitable action.

(ii) The Local Self Government Institutions will conduct inspections, independently or jointly with the KSPCB at regular intervals to identify the manufacturers and suppliers of banned



SUP items, including plastic-coated SUP items and compostable commodities.

(iii) The Enforcement Squads will conduct inspections at the district-level to identify major commercial establishments, including malls, marketplaces, shopping centres, cinema houses, tourist locations, schools, colleges, office complexes, hospitals, and other institutions, as well as stockists, retailers, sellers, importers, and similar entities engaged in bulk transactions of single-use plastic items and compostable or biodegradable commodities not certified by the CPCB and report the violations to the concerned Authorities.

(iv) The Enforcement Squads will inspect the producers, manufacturers, importers, and brand owners engaged in plastic packaging, including the compostable carry bags and sheets, to verify their registration on the Centralized Extended Producer Responsibility (EPR) Portal, and report violations to the concerned Authorities.

(v) The Enforcement Squads will conduct regular inspections to ensure that only the entities holding valid CPCB authorization certificates are engaged in the sale of compostable plastics, and report violations to the concerned Authorities.

(vi) The Kerala State Pollution Control Board, as part of its plan to educate retailers and vendors, will conduct meetings with the State and District Level Associations, office bearers of producers, recyclers, manufacturers, and Enforcement Squad stakeholders within one month. District-level meetings with Associations, office bearers, and Enforcement Squad stakeholders shall be conducted within two months.



(vii) As part of its plan, the Kerala State Pollution Control Board will conduct awareness programs for the retailers and vendors in co-ordination with the Local Self Government Department, Suchitwa Mission, the relevant local bodies, and educational institutions. These activities can include awareness sessions, exhibitions on plastic alternatives, street plays involving educational institutions and Non-Governmental Organizations, media advertisements, short films, recognition of best practices, and preparation of informational brochures. Similar activities should be replicated next year.

(viii) The Kerala State Pollution Control Board, in collaboration with the State Government, will develop a mobile phone Application similar to the App developed by the Central Pollution Control Board for reporting violations and other plastic-related issues. The mobile application will be launched within three months.

(ix) The Kerala State Pollution Control Board will, in addition to relying on the violations reported by the Enforcement Squads, take appropriate action for breaches of the Plastic Waste (Management and Handling) Rules, 2011, framed under the Environment Protection Act, 1986, reported through the mobile application.

(x) These directions are in addition to the existing enforcement mechanisms and activities, and not in substitution of the same.

23. With the above directions, the Petition is disposed of.

24. In case further directions are required regarding the functioning of the Enforcement Squads or assistance to the Pollution Control Board, we



leave it open to the KSPCB, the Petitioner, or any public-spirited person/Non-Governmental Organization with *bona fides*, to approach this Court for the same.

Sd/-
NITIN JAMDAR,
CHIEF JUSTICE

Sd/-
S. MANU,
JUDGE

krj/-

//TRUE COPY//

P.A. TO C.J.



APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 THE TRUE PICTURE OF THE PLASTIC-COATED PAPER CUP, SOLD BY THE 4TH RESPONDENT.
- EXT.P2 TRUE COPY OF THE G.O.(RT)NO.129/2019/ ENVT. DATED 31-12-2019 ISSUED BY THE 2ND RESPONDENT.
- EXT.P3 TRUE PHOTOGRAPH OF THE PAPER CUP WITH AN ENDORSEMENT STATING THE REGISTRATION WITH THE 1ST RESPONDENT.
- EXT.P4 TRUE COPY OF THE SAID STANDARD OPERATING PROCEDURE (SOP) FOR ISSUING CERTIFICATE TO MANUFACTURERS/SELLERS OF COMPOSTABLE PLASTIC CARRY BAGS AND COMMODITIES, AUGUST, 2022 BY THE 1ST RESPONDENT.
- EXT.P5 TRUE COPY OF THE DIRECTION ISSUED BY THE 1ST RESPONDENT UNDER SEC.5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986, ON 07-02-2023.
- EXT.P6 TRUE COPY OF THE NEWS REPORT APPEARED IN THE TIMES OF INDIA, DATED 20-04-2023.
- EXT.P7 TRUE COPY OF THE REPRESENTATION MADE BY THE PETITIONER TO THE 1ST RESPONDENT, DATED 04-05-2023.

RESPONDENTS' ANNEXURES/EXHIBITS:-

- EXT. R1(A) THE TRUE COPY OF THE NOTIFICATION DATED AUGUST 12, 2021.
- EXT. R1(B) THE TRUE COPY OF THE NOTIFICATION DATED JULY 06, 2021.
- EXT. R1(C) THE TRUE COPY OF THE CERTIFICATE FOR THE MANUFACTURING OF COMPOSTABLE PLASTIC COMMODITIES ENCLOSED.
- EXT.R2(A) TRUE COPY OF THE CERTIFICATE NO. CPCB-UPC-II/SPROUT PRIVATE LIMITED/KERALA/414 DATED 19-07-2023.
- EXT.R2(B) TRUE COPY OF THE INTEGRATED CONSENT TO OPERATE NO.KSPCB/KN/ICO/10033370/2023 DATED 30.11.2023 ISSUED BY THE BOARD TO THE 4TH RESPONDENT UNIT.
- EXT.R2(C) SCREEN SHOT OF THE DETAILS OF THE CERTIFIED MANUFACTURERS AND SELLERS OF COMPOSTABLE CARRY BAGS, AS PER THE CPCB LIST DATED 14/09/2023.



- EXT.R2(D) TRUE COPY OF THE INSPECTION REPORT OF THE PAPER CUP MANUFACTURING UNIT IN VARIOUS DISTRICTS.
- ANNEX.- R2(A) TRUE COPY OF THE CIRCULAR NO. PCB/TA/115/97(A) DATED 25-8-2020 ISSUED BY THE POLLUTION CONTROL BOARD.
- ANNEX.- R2(B) TRUE COPY OF THE CERTIFICATE OF REGISTRATION NO. PCB/KNR/WHITE/7/2018 DATED 29-1-2018 WITH VALIDITY UPTO 31-12-2032, ISSUED BY THE POLLUTION CONTROL BOARD.
- ANNEX.- R2(C) TRUE COPY OF THE REPORT NO. NIIST-ETD/PCB/BIO-DEG/SPROUT-01 DATED 29-6-2020, ISSUED BY THE POLLUTION CONTROL BOARD.
- ANNEX.- R2(D) TRUE COPY OF THE ORDER, G.O.(RT) NO. 12/2021/ENVT. DATED 28-1-2021 ISSUED BY THE GOVERNMENT.
- ANNEX.- R2(E) TRUE COPY OF THE REPORT NO. CIPET:IPT-KOCHI/TESTING/ 2020-21/054 DATED 14-5-2020 ISSUED BY THE INSTITUTE OF PLASTICS TECHNOLOGY ADDRESSED TO THE MEMBER SECRETARY, KSPCB.
- EXT. R4(A) A TRUE COPY OF THE ORDER DATED 31/12/2019 AS GO (RT) NO. 129/2019/ENVT.
- EXT. R4(B) A TRUE COPY OF THE JUDGMENT DATED 09/06/2020 PASSED IN WP (C) NO. 11145/2020.
- EXT. R4(C) A TRUE COPY OF THE REPORT DATED 29/06/2020 ISSUED BY THE NATIONAL INSTITUTE FOR INTERDISCIPLINARY SCIENCE AND TECHNOLOGY.
- EXT. R4(D) A TRUE COPY OF THE INVOICE DATED 28/05/2020, EVIDENCING PAYMENT OF RS. 3,22,258/- BY THE 4TH RESPONDENT.
- EXT. R4(E) A TRUE COPY OF THE ORDER DATED 28/01/2021 HAVING GO (RT) NO. 12/2021/ENVT.
- EXT. R4(F) TRUE COPY OF THE GOVERNMENT ORDER G.O.(RT.) NO.2566/2022/LSGD DATED 22-10-2022, ALONG WITH THE ENGLISH TRANSLATION ISSUED BY THE GOVERNMENT.
- EXT. R4(G) A TRUE COPY OF GOVERNMENT ORDER, G.O(RT) NO673/2023/LSGD DATED 21-03-2023 ALONG WITH THE ENGLISH TRANSLATION, ISSUED BY THE GOVERNMENT.
- EXT. R4(H) A TRUE COPY OF THE STATEMENT FILED BY THE GOVERNMENT PLEADER IN WP NO. 16028/2021, ALONG WITH THE ANNEXURE REFERRED TO THEREIN.
- EXT. R4(I) A TRUE COPY OF THE INTERIM REPORT NO. 22535 DATED 27/03/2023 ISSUED BY CIPET.



- EXT. R4(J) A TRUE COPY OF THE INVOICE EVIDENCING PAYMENT OF ₹4,42,500/- TO THE CIPET.
- EXT. R4(K) A TRUE COPY OF THE CERTIFICATE DATED 19/07/2023 ISSUED BY THE 2ND RESPONDENT.
- ANNEX.- R2(A) TRUE COPY OF THE LETTER NO. KSPCB/596/2023-EE-3 DATED 3-12-2024 SENT BY THE POLLUTION CONTROL BOARD TO THE SPECIAL SECRETARY TO GOVERNMENT, LSG DEPARTMENT.
- ANNEX.- R2(B) TRUE COPY OF THE LETTER NO. KSPCB/596/2023-EE-3 DATED 31-12-2024 SENT BY THE POLLUTION CONTROL BOARD TO THE SECRETARY TO GOVERNMENT, ENVIRONMENT DEPARTMENT.
- ANNEX.- R2(C) TRUE COPY OF THE LETTER NO. KSPCB/596/2023-EE-3 DATED 20-1-2025 SENT BY THE POLLUTION CONTROL BOARD TO THE SPECIAL SECRETARY TO GOVERNMENT, LSG DEPARTMENT.

//TRUE COPY//

P.A. TO C.J.