

HIGH COURT OF MEGHALAYA
AT SHILLONG

PIL No.7/2024

Date of Order : 14.05.2025

Phuyosa Yobin

Vs

State of Meghalaya & anr

Coram:

Hon'ble Mr. Justice I.P. Mukerji, Chief Justice

Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Petitioner

: In-person

For the Respondents

: Mrs. T. Yangi B., AAG with

Mr. J.N. Rynjah, GA

Mr. Philemon Nongbri, Adv for R/2

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| i) | Whether approved for reporting in Law journals etc.: | Yes |
| ii) | Whether approved for publication in press: | Yes |

Note: For proper public information and transparency, any media reporting this judgment is directed to mention the composition of the bench by name of judges, while reporting this judgment/order.

This public interest litigation (PIL) was admitted and entertained in August, 2024 by the bench presided over by the then Chief Justice Mr. Justice S. Vaidyanathan. It was of the view that although for a very long-time, plastic was being used for storage of materials, its negative qualities were so significant that time had come to totally ban its use. It directed the State to take measures in that direction, by its order dated 16th August, 2024.

The matter came before us on 21st November, 2024. We appreciated the views taken by their lordships. Nevertheless, we expressed the view that for a long period of time plastic was being used as a very inexpensive material to store goods and items in containers, bags, bottles and so on. We felt that in the absence of a viable substitute, sudden and total ban of plastic might jeopardise the economic life of this State.

We took note and appreciated the adverse effect of plastic on the eco-system and environment.

Plastic waste cannot be easily recycled or safely destroyed. It causes waste management problems as because of its long natural life it chokes waterbodies and the drainage system resulting in accumulation of garbage in public places.

The respondent No.2 in the writ was directed to file a report in the form of an affidavit in this Court showing the action taken in terms of the said order.

Today, Mrs. T. Yangi B., learned Additional Advocate General appearing for the respondent No.1 has filed a report dated 11th March, 2025 in terms of our said order.

We have perused the report.

We find that action has been taken only in a major portion of East Khasi Hills District and hardly any in the remaining eleven districts of this

State. The report indicates that in most of the places only awareness camps have been held. Members of the public have been made aware of the illegality in the use of plastic of 120 microns or more.

We did not find that any real action has been taken to ensure removal of this description of plastic products from the market. Positive and effective steps for removal of these items from the market would be the first step towards having a society without plastic and with its replacement by an equivalent substitute available at an equivalent price.

In those circumstances, we direct each and every Deputy Commissioner heading a district to take the following measures:

- (a) Continue to carry out awareness camps indicating the adverse effects of plastic.
- (b) Informing and convincing the people by public announcement, through advertisement, billboards, wall writing, other media that the use of plastic is detrimental to personal health, environment and the ecological system;
- (c) Give reasonable time to persons who have already procured and have possession of plastic less than 120 microns to return the items to the seller or to dispose of them hygienically;
- (d) Plastic of less than 120 microns width should not be permitted to be manufactured in the State. The State should take all steps to

prevent its clandestine manufacture and subject to (c) above identify and inspect places where they are in frequent use, seize them and deal with the offenders appropriately. For this purpose, administrative orders may be issued.

The respondent administration through the rank of Secretary shall collect all the reports from the Deputy Commissioners and file a report in this Court by 20th June, 2025.

List this PIL on 25th June, 2025.

(W. Diengdoh)
Judge

(I.P. Mukerji)
Chief Justice

Meghalaya
14.05.2025
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