

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/WRIT PETITION (PIL) (WRIT PETITION (PIL)) NO. 6 of
2023**

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AMIT MANIBHAI PANCHAL

Versus

STATE OF GUJARAT & ORS.
=====

Appearance:

MR AMIT M PANCHAL, PARTY IN PERSON(5000) for the
Applicant(s) No. 1

MS DEVANGI SOLANKI, AMICUS CURIAE

MR KAMAL TRIVEDI, ADVOCATE GENERAL assisted by MR.
VINAY BAIRAGRA, AGP for the Opponent(s) No. 1,3,4MR MITESH AMIN, SR. ADVOCATE with MR HS MUNSHAW(495)
for the Opponent(s) No. 5

SIDDHANT R SHAH(8722) for the Opponent(s) No. 6

MS MANISHA L SHAH, SR. ADVOCATE with SIDDHARTH S
RAMI(8342) for the Opponent(s) No. 8,9
=====CORAM: HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE
SUNITA AGARWAL

and

HONOURABLE MR. JUSTICE D.N. RAY

Date : 12/09/2025

ORAL ORDER**(PER : HONOURABLE THE CHIEF JUSTICE
MRS. JUSTICE SUNITA AGARWAL)**

1. Perused the affidavit of the Commissioner of Municipalities Administration, Gujarat dated 10.09.2025 wherein there is a reference of the Circular dated 06.09.2025 issued by the Commissioner, wherein following directions have been issued :-

"(a) Regional Commissioners are directed to ensure that Nagarpalikas complete the operationalization of the MRF facilities within the timelines specified in Annexure-1 thereto and that, no extension

beyond these timelines would be granted;

(b) Nagarpalikas that have not executed contracts or in case, where the contracts are executed, but the agencies are not registered with EPR portal, then in those way, to complete the process of execution and registration within a period of 15 days;

(c) All Chief Officers of Nagarpalikas are strictly instructed that if the tasks outlined in Annexure-1 are not completed within the prescribed timelines the office of the deponent will be compelled to initiate disciplinary action for violation thereof."

2. It is stated therein that a meeting of all the Regional Commissioners of Municipalities as well as the Chief Officers of Nagarpalikas has been conducted through video conferencing on 29.07.2025 for evaluation of the current position of the MRF Facility being functional in the Nagarpalikas. As on date, 94 Nagarpalikas have executed agreements with various agencies, but only 44 of such agencies were found to be registered on the EPR portal, whereas 50 are in the process of registering. 56 Nagarpaliks were found to have not entered into a contract with the plastic waste agency. Necessary instructions, as such, have been issued to all the concerned to enter into the contracts, making the existing MRF Facilities functional by registering all such agencies on the EPR portal.
3. A meeting of the State Monitoring Committee under the chairmanship of the Principal Secretary, Urban Development and Urban Housing Department, Gujarat has also been convened on 08.08.2025 wherein taking

stock of the situation related to the availability of MRF Facility, timeline for completing the installation of the said facility was discussed and 01.06.2026 has been worked out as the date by which all the Nagarpalikas in the State would be completing the installation of MRF Facility. The Regional Commissioner of 6 zones have been directed to ensure that the process is completed within the timeline specified in the said meeting.

4. On behalf of the Gujarat Pollution Control Board (GPCB), Ms. Manisha L. Shah, learned Senior advocate has placed a note to give brief details of the inspections carried out by GPCB of 148 Nagarpalikas. It is submitted that after preparation of detailed inspection report, GPCB has issued show-cause notice to 131 Nagarpalikas for non-compliant with the Plastic Management Rules, 2016. The details collected through the Regional Officers of the GPCB of all inspected Nagarpalikas show that :-

- 86 Nagarpalikas have installed MRF facility out of which 42 Nagarpalikas have signed MOU with registered Plastic Waste Processor for processing of plastic waste. Out of 86 Nagarpalikas, 4 MRF facilities are not been made operational yet.
- Out of 86 Nagarpalika having MRF facilities, 49 are manually operated, 27 are mechanized and 10 MRF facilities are operated both manually and mechanically.
- 62 Nagarpalikas have not installed MRF for the segregation of Plastic Waste. However, in 9 Nagarpalikas MRF Facilities are under

construction and one Nagarpalika has tied up with private agency to process legacy waste.

- 62 Nagarpalikas have not provided information of Plastic waste generation.
- 89 Nagarpalikas have not done MoU with the registered Plastic Waste Processor for the processing of generated Plastic Waste.

5. Certain initiatives undertaken by GPCB to permit eco-friendly practices during the annual ritual of Ambaji yatra has been narrated before us :-

1. 107 tones plastic waste collected along all three routes spanning to 370 Kms.
2. Total 135400 used plastic bottles recovered through 21 Reverse Vending Machines installed at camps in Dalpur, Kheroj, Danta and Yatraddham.
3. 10000 reusable steel bottles distributed in exchange of total 1,10,250 used plastic bottles. (1 steel bottle to exchange with 10 used plastic bottles)
4. More than 2500 cloths bags distributed through to eliminate use of plastic bags."

6. We applaud the efforts of the GPCB in taking such initiative which will go a long way in promoting eco-friendly practises amongst the public at large. Such practices should be continued and be promoted further in other eco-sensitive zones of the State.

7. During the course of hearing, we further required Mr. G.H. Virk, learned counsel appearing for the Ahmedabad Municipal Corporation to showcase the steps taken by

the AMC to manage the plastic waste in the area of its jurisdiction. Though a note has been put up before us, but on the request of Mr. Virk, we provide that an affidavit of a competent officer of AMC shall be placed before the Court on the next date fixed to bring on record the initiatives taken by the AMC in keeping up the objects of the Plastic Waste Management Rules, 2016 and the initiatives, if any, taken by it to create awareness amongst the people and manage plastic waste at the places of large footfall, in the city.

8. As prayed, put up this matter on 21.11.2025 at 12.30 p.m.

(SUNITA AGARWAL, CJ)

(D.N.RAY,J)

BIJOY B. PILLAI