

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.

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Appearance:

PARTY IN PERSON(5000) for the Applicant(s) No. 1
MS DEVANGI SOLANKI, AMICUS CURIAE
MR KAMAL TRIVEDI, ADVOCATE GENERAL with MR VINAY
BAIRAGRA, ASSISTANT GOVERNMENT PLEADER for the
Opponent(s) No. 1,3,4
MR MITESH AMIN, SENIOR ADVOCATE with MR HS
MUNSHAW(495) for the Opponent(s) No. 5
SIDDHANT R SHAH(8722) for the Opponent(s) No. 6
MS MANISHA LAVKUMAR, SENIOR ADVOCATE with
SIDDHARTH S RAMI(8342) for the Opponent(s) No. 8,9

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**CORAM:HONOURABLE THE CHIEF JUSTICE MRS.
JUSTICE SUNITA AGARWAL
and
HONOURABLE MR.JUSTICE D.N.RAY**

Date : 16/01/2026

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

1. The affidavit in compliance of the order dated 21.11.2025 filed by the Ahmedabad Municipal Corporation (AMC) and Gujarat Pollution Control Board (GPCB), in the Court today are taken on record. It is demonstrated that AMC

has engaged with individual vendors, namely fruits and vegetables vendors of 10 major / large fruits and vegetables markets across the city and 34 local clusters of such vendors operating in internal lanes / roads across the city, to sensitize and motivate both vendors and customers to make their market lorry "plastic free". Large bulk of cloth bags have been distributed to approximately 1050 fruit / vegetable vendors. To incentivize them, the AMC Officers have engaged with the vendors / Association to declare their market "plastic free". In order to constantly sensitize and motivate the vendors and customers, the AMC facilitated the installation of boards "Plastic Free Lorry" and other motivational messages. To ensure enforcement, AMC deployed Officers to regularly visit the market / stores, at multiple points of time in a day and it is submitted that AMC shall continue its endeavor to make vegetable / fruit market "plastic free markets".

2. As regards illegal use / sale of prohibited plastic, it is stated that strict enforcement drive has been initiated whereby multiple locations of trade and commerce, heavy public footfall areas and other locations have been identified as places which are storing, distributing and /or manufacturing plastic products, which were subjected to surprise inspections (without any prior notice) by a special team of selected officers. About 74,536 individual units have been inspected between 22.11.2025 and 08.01.2026 and notices have been issued to 15,378 persons / units. The AMC has imposed penalty aggregating to Rs.43,05,854/- and seized 1238.7 kgs of prohibited plastic articles in the course of the

said enforcement drive and 123 units have been sealed. The AMC shall carry on the said exercise to ensure that banned plastic articles are not sold, distributed or used across the city.

3. The question is of disposal of the seized plastic articles in terms of the plastic disposal norms, which must be ensured by the AMC. The learned Counsel for the AMC is, therefore, directed to bring the response of the AMC on the disposal of seized prohibited plastic as per the plastic disposal norms.

4. We also require the AMC to find out the ways and means of collecting single use plastic water bottles, by installation of Plastic bottle reverse vending machines at appropriate public places, specifically during the festivals, such as, flower show, kite festival and any such other festival where there is huge public gathering. The public places of tourist attraction, picnic spots, public parks and gardens where large number of public are collected on a daily basis, a special drive for installation of Plastic bottle reverse vending machine should be undertaken. The collection of plastic waste littering across the city, in an around such places, shall be one of the major projects of the AMC, more so when it is organising so many public festivals, events, regularly.

5. Coming to the affidavit of GPCB about the inspection of the facilities of all Municipal Corporations as well as 152 Nagarpalikas to verify adequacy of handling plastic waste, it may be noted that 152 Nagarpalikas have been inspected by

GPCB and as per the details provided by the Regional Officers of GPCB, 89 Nagarpalikas have already installed MRF facilities, out of which 4 are not operational; 48 Nagarpalikas have signed MOU with registered plastic waste processors for processing of plastic waste. Out of 89 Nagarpalikas having MRF facilities, 50 are manually operated, 28 are mechanised and 11 MRF facilities are operated both manually and mechanically. Remaining 63 Nagarpalikas who have not installed MRF for the segregation of plastic waste so far, MRF facility for 9 Nagarpalika is under construction and 1 Nagarpalika has tied-up with private agency to process legacy waste. 62 Nagarpalikas have not provided information of plastic waste generation. Thus, 104 Nagarpalikas (including those with or without MRF facilities) have not executed MOU with registered plastic waste processor for the processing of the generated plastic waste. The GPCB is continuously engaging with the Urban Local Bodies to facilities engagement with registered recyclers for the processing of waste collected by them. Show-cause notices have been issued by the GPCB to the respective Nagarpalikas for non-installation of MRF facility and / or non-signing of MOU with registered plastic waste processors.

6. As regards, 17 Municipal Corporations are concerned, all have engaged recyclers for processing their waste and have completed registration on the EPR portal.

7. The GPCB has also engaged in making additional effort for promotion and management of plastic waste, including

installation of cloth bag vending machines at public and market places and installation of plastic bottle reverse vending machines for recovery and crushing of used plastic bottles, which are subsequently recycled to produce useful product.

8. It is stated that GPCB, in coordination with Regional Offices and Urban Local Bodies has also initiated the identification of ingress points in water bodies that pose a risk of plastic waste littering, and surveys are being conducted to identify major plastic waste hot-spots across the State for further action.

9. For the efforts of GPCB to monitor collection of plastic waste and processing of collecting plastic waste, we record our appreciation but there is a still long way to go, and to reach at our destination, it seems that the State Monitoring Committee is required to make its efforts to ensure that all Urban Local Bodies in the State are equipped with handling of plastic waste, its segregation by installation of MRF facilities and engagement with Plastic Waste Processor for processing of the generated plastic waste. The State Monitoring Committee committed to the task, is required to address the teething issues or the problems, if any, being faced by Nagarpalikas in upgrading their facilities and shall provide necessary assistance so as to ensure the effective implementation of the Plastic Waste Management Rules, 2016, amended up to date, in the State of Gujarat.

10. As prayed, the matter is posted on 06.03.2026 at 12:30 p.m.

(SUNITA AGARWAL, CJ.)

(D.N.RAY, J.)

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