

Peoples Alliance on Waste (PAW)

To

Date: 24 April 2014

The Secretary

Ministry of Environment and Forests

CGO Complex Paryavaran Bhavan

New Delhi

CC: Additional Secretary, MoEF

Chairman CPCB

Secretary, MoUD

Sub: Reg. Constitution of Expert Committee to review comments on Draft MSW Rules 2013.

Ref: Your office order No.18-3/2004-HSMD of 4th April 2014

Dear Dr. Rajagopalan,

We, the undersigned groups, urge the MoEF to reconsider the constitution of the committee formed vide office order No.18-3/2004-HSMD dated 4th April 2014 to examine the comments and suggestions received on the Draft Notification of MSW (M&H) Rules 2012. We feel that this committee violates the observations made by the Karnataka High Court in its Order WP No. 46523/2012 dated 24th October 2013, mandating a process that is far more inclusive.

We feel that the outcome of the committee will be as good as the constitution of the committee – which is weak in representation and the necessary experience and expertise. Hence, any review process under this committee will be grossly misrepresentative of facts and ground realities essential for informed decision making especially on a subject as complex and diverse as waste management.

We feel that it is necessary to identify what the new Rules need to address, therefore the constitution of the committee should be created accordingly

A) Broadly the areas of importance that the Rules need to address has been identified as:

1. Methodologies of Segregation, collection and transportation of waste
2. Recycling, Processing and Landfilling
3. Governance
4. Enforcement
5. Standards
6. Labour
7. Finance

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Therefore there should be Domain / Academic experts, whose inputs should be drawn and taken into the Redrafting Committee

B) It is important that the Solid Waste management Rules integrate and address as an overarching Rules across all types of Waste integrating Household Bio medical, C&D, Hazardous, E waste, Slaughter House waste which all find their way into the MSW streams. Again there should be Domain / Research experts from these sectors whose inputs should be drawn and taken into the Redrafting Committee

C) And finally, the process of the constituting the redrafting committee cannot be top down decision which based on convenience and ease of availability and historical presence. It is suggested that the MOEF first convenes, Multi stakeholders Regional consultations - 4 Regions and from these consultations draw on depth of expertise or base of representation members who can be invited to form part of the Redrafting Committee. This will ensure broad basing and cross section of representations across stakeholders and regions.

If the MOEF is indeed interested in creating an effective and progressive set of Rules, in consonance with the directions of the High Court of Karnataka, it needs to address the creation of the Redrafting committee as a layered process with inputs from Domain experts, Academic, Research organisations, Civil society groups, Community based organisations, Industry and broad based representations drawn from the Regional consultations.

We are compelled to observe that it appears that the present committee has been constituted simply picking up a few known experts and all the Pollution control board members can never hope to deliver the kind of Rules that a country of 1.2 billion needs.

We strongly urge you to reconstitute the committee with a fair representation of all sectors and in adherence to the Karnataka High Court Order in spirit.

Sincerely


For Peoples Alliance on Waste

Represented by its constituent organisations, individuals (in alphabetical order)

1. AIKKM, Delhi
2. CIVIC, Bangalore
3. Environment Support Group., Bangalore
4. GAIA, Chennai
5. Hasiru Dala, Bangalore
6. Janvikas, Indore
7. Kagad, Kach, Patra Kashtakari Panchayat (KKPKP), Pune
8. Kalpana Kar, Bangalore
9. Marwan Abubaker A.M, Port Blair
10. Nagrik Chetna Manch, Pune
11. Paryavaran Mitra, Ahmedabad
12. Prof V Jagannatha, Mysore
13. Sahas, Bangalore
14. Saurabha,, New Delhi
15. Stree Mukti Sanghatana-Mumbai
16. Solid Waste Management Round Table, SWMRT, Bangalore

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Any further Communication to People Alliance on Waste, PAW, may be sent to the undersigned

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2)  Solid Waste Management Round Table
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We, the undersigned, urge the MoEF to reconsider the constitution of the committee formed under No. 13-Grand-4-HSMD dated 4th April 2014 to examine the comments and suggestions received on the Draft Notification of MSW (M&H) Rules 2013. We feel that this committee violates the observations made by the Karnataka High Court in its Order WP No. 45572-2012 dated 18th October 2012, mandating a process that is far more inclusive.

We feel that the outcome of the committee will be as good as the constitution of the committee which is weak in representation and the necessary experience and expertise. Hence, any review process under this committee will be grossly unrepresentative of facts and ground realities essential for informed decision making especially in a subject as complex and diverse as waste management.

We feel that it is necessary to identify what the new Rules need to address, therefore the constitution of the committee should be created accordingly.

Already the areas of importance that the Rules need to address has been identified as:

1. Methodologies of waste management, collection and transportation of waste.
2. Recycling, Processing and Landfilling
3. Governance
4. Enforcement
5. Standards
6. Labour
7. Finance