



DAILY EDITORIAL ANALYSIS

TOPIC

**A POWERFUL JUDICIAL REMEDY
FOR WASTE MANAGEMENT IN
INDIA**

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A POWERFUL JUDICIAL REMEDY FOR WASTE MANAGEMENT IN INDIA

Context

- As India faces a monumental challenge in managing its waste, with **plastic pollution and unprocessed solid waste**, there is a need for judicial remedy to address the country's waste management crisis.

About the Solid Waste in India

- India generated 170,000 tonnes of municipal solid waste per day, about 156,000 tonnes were collected, of which nearly 54% was treated, and 24% was deposited in landfills (FY 2021–22).
 - The remaining 22% was unaccounted for due to leakages in the waste supply chain.
- Cities with a **million-plus population** in India contribute up to **half of total waste generation**, and Indian cities are expected to generate an **estimated 435 million tonnes of solid waste by 2050**.

Challenges in Waste Management

- Plastic Pollution:** India is the largest plastic polluter globally, releasing 9.3 million tonnes annually, accounting for 20% of global plastic emissions.
 - Official statistics report that India generates plastic waste at a rate of 0.12 kg per capita per day.
- Uncontrolled Dumping and Landfills:** India's dumpsites outnumber sanitary landfills by 10:1, leading to severe environmental degradation.
 - While the government reports 95% collection coverage, it excludes rural areas, open burning of waste, and informal sector recycling, leading to inaccurate assessments of plastic waste management.
- India's Electronic Waste Generation:** It has more than doubled since 2018, having surpassed 1.6 million metric tons in the financial year 2022.
 - Only about one-third of this volume was collected and processed.
- Lack of Reliable Data and Transparency:** Waste generation data is often incomplete, with rural areas and informal recycling efforts excluded from official reports.
 - The **Central Pollution Control Board (CPCB)** relies on municipal bodies for data, but methodologies remain unclear.

Judicial and Government Interventions

- Role of Supreme Court of India:** The Supreme Court has emphasized the importance of waste segregation, stating that it **must begin at the household level**.
 - Judicial oversight, such as **continuing mandamus**, has been suggested to ensure compliance with waste management laws.
- High Court Directives:** Various High Courts have issued orders to improve waste management practices, including stricter enforcement of **Solid Waste Management Rules, 2016**.
 - Courts have intervened in cases where municipal bodies failed to implement proper waste disposal mechanisms.

What is Continuing Mandamus?

- A judicial tool that **allows courts to issue ongoing directives** to ensure compliance with environmental laws and policies.
- It enables sustained oversight, holding authorities accountable for implementing waste management measures.

Benefits of Judicial Oversight

- Ensures transparency in data collection and reporting.
- Promotes adherence to waste segregation, recycling, and scientific disposal practices.
- Encourages collaboration between government agencies, local bodies, and citizens.

Government Initiatives

- **Solid Waste Management Rules (2016):** It emphasizes decentralized waste management, segregation at source, and scientific disposal of waste.
 - ♦ It mandates **Extended Producer Responsibility (EPR)** for plastic waste management.
 - ♦ The **EPR regulations** mandate targets for minimum level of **reuse, recycling / refurbishment** and **use of recycled content**, as applicable and promote **circular economy**.
- **Swachh Bharat Mission (SBM):** It focuses on improving sanitation and waste management infrastructure in urban and rural areas.
 - ♦ It promotes community participation in waste segregation and composting.
- **Waste-to-Energy Projects:** It encourages the establishment of waste-to-energy plants to reduce landfill dependency and generate renewable energy.

Way Forward

- **Strengthening Waste Segregation:**
 - ♦ Implement strict penalties for non-compliance with waste segregation policies.
 - ♦ Encourage community-based waste management initiatives to improve local participation.
- **Enhancing Recycling and Circular Economy:**
 - ♦ Integrate informal waste recyclers into formal waste management systems.
 - ♦ Promote waste-to-energy plants to reduce landfill dependency.
- **Improving Data Collection and Transparency:**
 - ♦ Conduct third-party audits to ensure accurate reporting of waste generation and disposal.
 - ♦ Expand monitoring mechanisms to include rural areas and informal waste processing.
- **Aligning with Mission LIFE:** Aligning with the **'Reduce Waste' Theme** of the Mission Lifestyle for Environment (LIFE), cities can promote zero waste ecosystems such as zero-waste wards, events, societies, and festivals.

Conclusion

- India's waste management crisis demands urgent intervention through policy reforms, judicial oversight, and community participation.
- Strengthening waste segregation, recycling infrastructure, and data transparency will be crucial in addressing the country's mounting waste challenges.
- As urbanization accelerates, India must adopt sustainable waste management practices to protect its environment and public health.

Source: TH

Mains Practice Question

[Q] Discuss the role of judicial intervention in addressing India's waste management crisis.

