

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

ORIGINAL APPLICATION NO. 993 OF 2024

IN THE MATTER OF:

News Item titled "PACKAGE Where has the plastic waste disappeared" appearing in The Times of India dated 30.07.2024.

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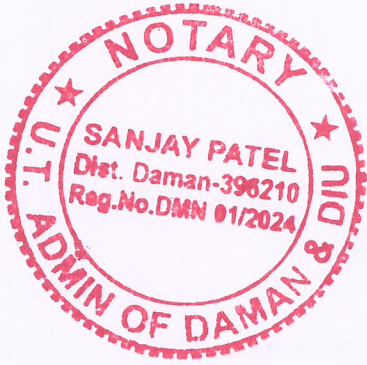
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 Daman Dt. 25/03/26
Particular Attestation

**BEFORE THE NATIONAL GREEN TRIBUNAL
 PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 993 OF 2024**

IN THE MATTER OF:

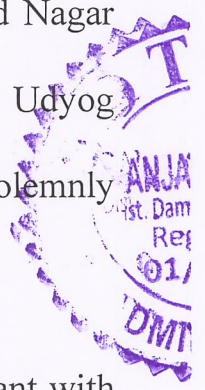
News Item titled "PACKAGE Where has the plastic waste disappeared" appearing in The Times of India dated 30.07.2024.

**AFFIDAVIT ON BEHALF OF RESPONDENT NO.36 –
 UNION TERRITORY OF DADRA & NAGAR HAVELI
 & DAMAN AND DIU.**

I, B. Mohandaas, I.F.S. presently posted as Member Secretary, Pollution Control Committee, U.T. Administration of Dadra and Nagar Haveli and Daman and Diu, having my office at 1st Floor, Udyog Bhavan, Bhenslore, Nani Daman, Daman - 396210, do hereby solemnly affirm and state as under:

1. That in my official capacity as stated above I am conversant with the facts and circumstances of the case as such I am duly authorized and competent to swear present Affidavit.
2. That a draft notification in exercise of powers conferred by Section 5 of the Environment (Protection) Act, 1986 was published in the official gazette vide PCC/DMN/Plastic Bags/12-

(Signature)



13/57 dated 26.04.2023 by UT Administration of Daman and Diu and Dadra and Nagar Haveli inviting objections and suggestions from General Public with respect to the said Notification within 60 days.

3. It is stated that Notification vide PCC/DMN/Plastic bags/12-13/473, dated 24/01/2014 was issued stating that w.e.f. 01.03.2014 the use, sale and storage of all kinds of plastic bags shall be forbidden in the UT of Daman and Diu and Dadra and Nagar Haveli. A copy of Notification dated 24.01.2014 issued by UT Administration of Daman and Diu and Dadra and Nagar Haveli is annexed hereto and is marked as ANNEXURE R-1.
4. That on 18.03.2016 Ministry of Environment, Forest & Climate Change (MoEFCC), Govt. of India, has notified Plastic Waste Management Rules 2016 (hereinafter referred to as PWM Rules) in exercise of powers conferred under Section 3, 6 & 25 of the Environment (Protection) Act, 1986. A copy of Plastic Waste Management Rules 2016 is annexed as ANNEXURE R-2.
5. That the Ministry of Environment, Forest & Climate Change (MoEFCC), Govt. of India, notified Guidelines For Extended



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Producer Responsibility (EPR) for Plastic Packaging vide fourth amendment to Plastic Waste Management (PWM) Rules on February 16, 2022. As per the said Guidelines, the following entities shall register on the centralized portal developed by Central Pollution Control Board namely :



(I) Producers, (II) Importers (III) Brand Owners (PIBOs) and (IV) Plastic Waste Processors (PWPs) engaged in (a). Recycling, (b) Co-processing, (c) Waste to Energy, (d) Waste to Oil and (e). Industrial Composting.

It was further stipulated that CPCB by itself or through designated agency shall verify compliance of producers, importers and Brand owners through inspection and periodic audit as deemed appropriate. of producers, importers and Brand owners as well as Plastic waste processors in their jurisdiction as per the Plastic Waste Management Rules 2016.

6. It is further stipulated that the concerned State Pollution Control Board or Pollution Control Committee shall register Producers, Importers and Brand Owners (Operating in one or two States) and plastic waste processors through the online portal developed by



CPCB to fulfil their EPR liability. Further, the PIBOs are required to obtain registration from CPCB if operating in more than two States/UTs and from the State Pollution Control Board (SPCB)/ Pollution Control Committee (PCC) if operating in one or two States / UTs only. Similarly, PWPs are also required to obtain registration from concerned SPCBs/ PCCs. A copy of Plastic Waste Management (Amendment) Rules, 2022 is annexed as **ANNEXURE R-3.**

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- 7 It is stated that public notices were regularly published as a part of campaign, directing units coming in purview of PWM Rules to obtain registration under PWM Rules and to apply for the same on centralized CPCB portal and also comply with their responsibility regarding EPR action plan, not to carry out any prohibited activity and comply with other provisions of PWM Rules 2016 amended till date and action to be taken on all the stakeholders for ban on Single Use Plastic (SUP) items as per PCC notification vide PCC/DMN/Plastic bags/12-13/473, dated 24/01/2014.
8. That the EPR Portal (<https://eprplastic.cpcb.gov.in/#/plastic/home>) was launched on April 05, 2022. Since then, so far as UT of DNH & DD is concerned, 601 applications of PIBOs and 71
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applications of PWPs have been received on the said centralized EPR portal. Out of the said applications, 513 applications of PIBOs and 56 applications of PWPs have been decided till date.

9. Pollution Control Committee (PCC), DNH & DD has taken proactive steps to ensure that all plastic waste generators within the UT of DNH & DD are registered on the EPR portal and comply with recycling and disposal norms.
10. It is submitted that UT of DNH & DD, through Pollution Control Committee, DNH & DD has fully complied with the provisions of the Plastic Waste Management (Amendment) Rules - 2022 and has accordingly registered the Producers, Brand Owners and Importers in the UT of DNH & DD. Pollution Control Committee (PCC) is fully committed to ensure that all plastic-recycling companies operating within the UT comply with the legal requirements set by the Central Pollution Control Board and the Ministry of Environment, Forest and Climate Change as well as the PCC .
11. Pollution Control Committee (PCC), DNH & DD has taken proactive measures to identify and rectify the discrepancies which were found in the issuance of EPR certificates and such measures include conducting physical audits, cross – checking data



submitted by the respective recyclers, and verifying their recycling capacities carefully.

12. That on 20.11.2023 CPCB issued directions to SPCB's and /PCC'S to take immediate necessary action to improve upon the system of grant of registration with SPCB/PCC monitoring and enforcement of PMW Rules, EPR guidelines and directions issued by CPCB.
13. That on 12.11.2024 and 14.01.2025 directions were issued to SPCB's/PCC's by CPCB to immediately complete audit of PWP's.
14. On 02.02.2025 CPCB issued directions to Member Secretary, Daman and Diu and Dadra Nagar Haveli, Pollution Control Committee to submit action taken report of directions dated 20.11.2023, 12.11.2024 and 14.01.2025 issued by CPCB. A copy of Directions dated 22.02.2025 is annexed as **ANNEXURE R-4**.
15. That the Central Pollution Control Board (CPCB) alongwith official of CPCB audited M/s. Zero Waste Management situated in Daman and observed non-compliance and during such inspection it was found that there were discrepancies regarding the Plastic

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Waste Recycling credit certificate generation and there was deficit in production capacity regarding the Plastic Waste Processor.

16. Therefore Show Cause Notice dated 03.11.2025 was issued to M/s. Zero Waste Management for following major non-compliance which are as under :-

- “1. Deficit in production capacity as per trial run conducted during audit is 35280 TPA which is 98% of the total registered processing capacity.
2. Deficit of 98% in Power Consumption as per audit observations was found.
3. On-site plant and machinery are not in confirmation with the details submitted in the application for registration under PWM Rules.
4. 4.7% GST invoices for sales transactions not found to be uploaded as per CPCB direction dated 21.12.2022.

It was stated that Unit has grossly violated the provisions of Section 5 of Environment Protection Act, and Plastic Waste Management Rules, 2016 as amended. A copy of Show Cause Notice dated 03.11.2025 is annexed as ANNEXURE R-5.

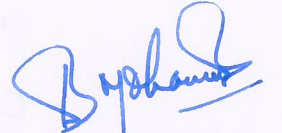


17. It is submitted that answering respondent had complied with directions issued by CPCB and action taken report has been submitted to the Chairman Central Pollution Control Board on 25.02.2026. A copy of Action Taken Report dated 25.02.2026 is annexed as ANNEXURE R-6.
18. It is further stated that Show Cause Notices (SCNs) has been issued for non-compliance of the provisions of the Plastic Waste Management Rules, 2016 (as amended) and the Extended Producer Responsibility (EPR) Guidelines. As per rule 9(1) read with Schedule-II of the PWM Rules, Producers, Importers, and Brand Owners (PIBOs) are mandated to implement EPR in accordance with the statutory EPR guidelines for plastic packaging. In terms of the compliance timelines notified by the Central Pollution Control Board (CPCB) under the EPR framework, PIBOs registered on the Centralised EPR Portal were required to file their annual return (AR) for the FY 2024-2025 by 30.11.2025. Non-filing of the Annual Return within the prescribed timeline constitutes violation of the PWM Rules and EPR Guidelines. As provided under Rule 9 and Schedule-II of the PWM Rules, in cases of non-filing, the Annual Return shall be



auto-generated by the system, and the EPR obligation for FY 2025-26 shall be enhanced by 25% over the applicable EPR target of FY 2024-25, in line with the Polluter Pays Principle. Further action, including imposition of environmental compensation under the Environment (Protection) Act, 1986, will be initiated by the Central Pollution Control Board (CPCB) as per delegated enforcement powers.

19. It is most humbly submitted before this Hon'ble Tribunal that, if any violations, are found in this UT it shall be dealt with strictly by the PCC in accordance with the provisions of law.
20. On the facts and in the circumstances it is therefore most respectfully prayed that this Hon'ble Tribunal may pass appropriate orders.


DEPONENT

सदस्य सचिव
Member Secretary
प्रदूषण नियंत्रण समिति
Pollution Control Committee
Dadra & Nagar Haveli and Daman & Diu
दादरा एवं नगर हवेली तथा दमण एवं दीव

Annexure R-1

U.T ADMINISTRATION OF DAMAN & DIU AND DADRA & NAGAR
HAVELI

DEPARTMENT OF ENVIRONMENT AND FORESTS

SECRETARIAT, DAMAN

No: PCC/DMN/Plastic Bags/12-13/473

Date: 24/01/2014

NOTIFICATION

Whereas, article 48-A of the Constitution of India, inter-alia envisages that the state shall endeavour to protect the environment;

Whereas, the U.T. Administration of Daman & Diu and Dadra & Nagar Haveli after considering the adverse effects of the plastic carry bags on the environment and local ecology, felt that plastic carry bags are littered about irresponsibly and have detrimental effect on the environment;

And whereas, it is observed that the plastic carry bags also cause blockage of gutters, sewerage system and drains thereby resulting in serious environmental and health related problems to both humans and livestock.

And whereas, a draft notification, in exercise of powers conferred by section 5 of the Environment (Protection) Act, 1986 read with the Ministry of Home Affairs, Notification No. S.O.667 (E) dated the 10th September 1992 and sub-rule (3) of Rule 5 of the Environment (Protection) Rules, 1986 was published in the Official Gazette vide PCC/DMN/Plastic Bags/12-13/57 dated 26/4/2013, by the U.T. Administration of Daman and Diu and Dadra and Nagar Haveli, inviting objections and suggestions from general public with respect to the said notification within sixty days from the date of the publication of the said notification.

And whereas, the objections and suggestions received from the public with respect to the said draft notification have been considered by the Government.

Now, therefore in exercise of the powers conferred by section 5 of the Environment (Protection) Act, 1986 read with the Ministry of Home Affairs, Notification No. S.O.667 (E) dated the 10th September 1992 and sub-rule (3) of Rule 5 of the Environment (Protection) Rules, 1986, the Administrator of Daman & Diu and Dadra & Nagar Haveli hereby directs the following:

1. That with effect from 1st March, 2014, the use, sale and storage of all kinds of plastic bags shall be forbidden in respect of the following places in the U.T. of Daman & Diu and Dadra & Nagar Haveli, namely;

- (a) All Hotels & Resorts
- (b) Hospitals with 20 or more beds except for the use of plastic bags as prescribed under Bio medical waste (management and handling) Rules 1998.
- (c) All fruit and vegetable outlets.
- (d) All liquor shops.
- (e) All Restaurants and eating places having seating capacity of more than 10 seats.
- (f) All shops in main markets and local shopping centres and all shopping malls.
- (g) All retail and wholesale outlets (including branded chain of outlets) selling different consumer products including fruits and vegetables.
- (h) Protected Areas i. e. Notified Wildlife/Bird Sanctuaries and National Parks.
- (i) All Water Bodies including Rivers, Canals, Reservoirs, Ponds, Lakes and Wells.
- (j) All Tourist Places.
- (k) All Gardens and Parks.
- (l) All Beaches.

2. The following officers shall implement these directions in their respective jurisdiction namely:-

- (a) Member Secretary, Pollution Control Committee, Daman & Diu and Dadra & Nagar Haveli.
- (b) Sub-Divisional Magistrates in their respective districts.
- (c) Chief Officer, Municipal Council in their respective areas.
- (d) Food and Supply Officer in their respective jurisdiction.
- (e) Director, Health services in their respective areas.
- (f) Chief Executive Officer, District Panchayat in their respective areas.

(g) Police inspectors in their respective jurisdiction.

3. The Member Secretary, Pollution Control Committee, Daman & Diu and Dadra & Nagar Haveli, Shall ensure all monitoring and implementation of these directions. The Member Secretary (PCC) and the Sub-Divisional Magistrates of the respective area/jurisdictions are authorized to file complaint under Section 19 of the Environment (Protection) Act, 1986 as already empowered vide Notification no. S.O 349(E) dated 16th April, 1987 as amended up to date.

By order and in the name of

Administrator, Daman & Diu and Dadra & Nagar Haveli.

N. P. Kulkarni
24/1/2014.

Deputy Secretary (Environment & Forests)

DD & DNH

**MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
NOTIFICATION**

New Delhi, the 18th March, 2016

G.S.R. 320(E).—Whereas the Plastic Waste (Management and Handling) Rules, 2011 published *vide* notification number S.O 249(E), dated 4th February, 2011 by the Government of India in the erstwhile Ministry of Environment and Forests, as amended from time to time, provided a regulatory frame work for management of plastic waste generated in the country;

And whereas, to implement these rules more effectively and to give thrust on plastic waste minimization, source segregation, recycling, involving waste pickers, recyclers and waste processors in collection of plastic waste fraction either from households or any other source of its generation or intermediate material recovery facility and adopt polluter's pay principle for the sustainability of the waste management system, the Central Government reviewed the existing rules;

And whereas, in exercise of the powers conferred by sections 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), the draft rules, namely, the Plastic Waste Management, Rules, 2015 were published by the Government of India in the Ministry of Environment, Forest and Climate Change *vide* number G.S.R. 423(E), dated the 25th May, 2015 in the Gazette of India, inviting objections and suggestions from all persons likely to be affected thereby, before the expiry of a period of sixty days from the date on which copies of the Gazette containing the said notification were made available to the public;

And Whereas copies of the said Gazette were made available to the public on the 25th May, 2015;

And Whereas the objections and suggestions received within the said period from the public in respect of the said draft rules have been duly considered by the Central Government;

NOW, Therefore, in exercise of the powers conferred by sections 3, 6 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), and in supersession of the Plastic Waste (Management and Handling) Rules, 2011, except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following rules, namely:-

1. Short title and commencement.- (1) These rules shall be called the Plastic Waste Management Rules, 2016.

(1) Save as otherwise provided in these rules, they shall come into force on the date of their publication in the Official Gazette.

2. Application.-(1) These rules shall apply to every waste generator, local body, Gram Panchayat, manufacturer, Importers and producer.

(2) The rule 4 shall not apply to the export oriented units or units in special economic zones, notified by the Central Government, manufacturing their products against an order for export: Provide this exemption shall not apply to units engaged in packaging of gutkha, tobacco and pan masala and also to any surplus or rejects, left over products and the like.

3. Definitions.- In these rules, unless the context otherwise requires.-

(a) "Act" means the Environment (Protection) Act, 1986 (29 of 1986);

(b) "brand owner" means a person or company who sells any commodity under a registered brand

- label.
- (c) **“carry bags”** mean bags made from plastic material or compostable plastic material, used for the purpose of carrying or dispensing commodities which have a self carrying feature but do not include bags that constitute or form an integral part of the packaging in which goods are sealed prior to use.
- (d) **“commodity”** means tangible item that may be bought or sold and includes all marketable goods or wares;
- (e) **“compostable plastics”** mean plastic that undergoes degradation by biological processes during composting to yield CO₂, water, inorganic compounds and biomass at a rate consistent with other known compostable materials, excluding conventional petro-based plastics, and does not leave visible, distinguishable or toxic residue;
- (f) **“consent”** means the consent to establish and operate from the concerned State Pollution Control Board or Pollution Control Committee granted under the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974), and the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981);
- (g) **“disintegration”** means the physical breakdown of a material into very small fragments;
- (h) **“extended producer’s responsibility ”** means the responsibility of a producer for the environmentally sound management of the product until the end of its life;
- (i) **“food-stuffs”** mean ready to eat food products, fast food, processed or cooked food in liquid, powder, solid or semi-solid form;
- (j) **“facility”** means the premises used for collection, Storage, recycling, processing and disposal of plastic waste;
- (k) **“importer”** means a person who imports or intends to import and holds an Importer -Exporter Code number, unless otherwise specifically exempted.
- (l) **“institutional waste generator”** means and includes occupier of the institutional buildings such as building occupied by Central Government Departments, State Government Departments, public or private sector companies, hospitals, schools, colleges, universities or other places of education, organisation, academy, hotels, restaurants, malls and shopping complexes;
- (m) **“manufacturer”** means and include a person or unit or agency engaged in production of plastic raw material to be used as raw material by the producer.
- (n) **“multilayered packaging”** means any material used or to be used for packaging and having at least one layer of plastic as the main ingredients in combination with one or more layers of materials such as paper, paper board, polymeric materials, metalised layers or aluminium foil, either in the form of a laminate or co-extruded structure;
- (o) **“plastic”** means material which contains as an essential ingredient a high polymer such as polyethylene terephthalate, high density polyethylene, Vinyl, low density polyethylene, polypropylene, polystyrene resins, multi-materials like acrylonitrile butadiene styrene, polyphenylene oxide, polycarbonate, Polybutylene terephthalate;
- (p) **“plastic sheet”** means Plastic sheet is the sheet made of plastic;
- (q) **“plastic waste”** means any plastic discarded after use or after their intended use is over;
- (r) **“prescribed authority”** means the authorities specified in rule 12;
- (s) **“producer”** means persons engaged in manufacture or import of carry bags or multilayered packaging or plastic sheets or like, and includes industries or individuals using plastic sheets or like or covers made of plastic sheets or multilayered packaging for packaging or wrapping the commodity;
- (t) **“recycling”** means the process of transforming segregated plastic waste into a new product or raw material for producing new products;

- (u) **"registration"** means registration with the State Pollution Control Board or Pollution Control Committee concerned, as the case may be;
- (v) **"street vendor"** shall have the same meaning as assigned to it in clause (1) of sub-section (1) of Section 2 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (7 of 2014);
- (w) **"local body"** means urban local body with different nomenclature such as municipal corporation, municipality, nagarpalika, nagarnigam, nagarpanchayat, municipal council including notified area committee (NAC) and not limited to or any other local body constituted under the relevant statutes such as gram panchayat, where the management of plastic waste is entrusted to such agency;
- (x) **"virgin plastic"** means plastic material which has not been subjected to use earlier and has also not been blended with scrap or waste;
- (y) **"waste generator"** means and includes every person or group of persons or institution, residential and commercial establishments including Indian Railways, Airport, Port and Harbour and Defense establishments which generate plastic waste;
- (z) **"waste management"** means the collection, storage, transportation reduction, re-use, recovery, recycling, composting or disposal of plastic waste in an environmentally safe manner;
- (aa) **"waste pickers"** mean individuals or agencies, groups of individuals voluntarily engaged or authorised for picking of recyclable plastic waste.
- 4. Conditions.-** (1) The manufacture, importer stocking, distribution, sale and use of carry bags, plastic sheets or like, or cover made of plastic sheet and multilayered packaging, shall be subject to the following conditions, namely:-
- a) carry bags and plastic packaging shall either be in natural shade which is without any added pigments or made using only those pigments and colourants which are in conformity with Indian Standard : IS 9833:1981 titled as "List of pigments and colourants for use in plastics in contact with foodstuffs, pharmaceuticals and drinking water", as amended from time to time;
- b) Carry bags made of recycled plastic or products made of recycled plastic shall not be used for storing, carrying, dispensing or packaging ready to eat or drink food stuff;
- c) carry bag made of virgin or recycled plastic, shall not be less than fifty microns in thickness;
- d) plastic sheet or like, which is not an integral part of multilayered packaging and cover made of plastic sheet used for packaging, wrapping the commodity shall not be less than fifty microns in thickness except where the thickness of such plastic sheets impair the functionality of the product;
- e) the manufacturer shall not sell or provide or arrange plastic to be used as raw material to a producer, not having valid registration from the concerned State Pollution Control Boards or Pollution Control Committee;
- f) sachets using plastic material shall not be used for storing, packing or selling gutkha, tobacco and pan masala;
- g) recycling of plastic waste shall conform to the Indian Standard: IS 14534:1998 titled as Guidelines for Recycling of Plastics, as amended from time to time;
- h) The provision of thickness shall not be applicable to carry bags made up of compostable plastic. Carry bags made from compostable plastics shall conform to the Indian Standard: IS 17088:2008 titled as Specifications for Compostable Plastics, as amended from time to time. The manufacturers or seller of compostable plastic carry bags shall obtain a certificate from the Central Pollution Control Board before marketing or selling; and
- i) plastic material, in any form including Vinyl Acetate - Maleic Acid - Vinyl Chloride Copolymer, shall not be used in any package for packaging gutkha, pan masala and tobacco in all forms.
- 5. Plastic waste management.-** (1) The plastic waste management by the urban local bodies in their respective jurisdiction shall be as under:-

- (a) plastic waste, which can be recycled, shall be channelized to registered plastic waste recycler and recycling of plastic shall conform to the Indian Standard: IS 14534:1998 titled as Guidelines for Recycling of Plastics, as amended from time to time.
- (b) local bodies shall encourage the use of plastic waste (preferably the plastic waste which cannot be further recycled) for road construction as per Indian Road Congress guidelines or energy recovery or waste to oil etc. The standards and pollution control norms specified by the prescribed authority for these technologies shall be complied with.
- (c) Thermo set plastic waste shall be processed and disposed off as per the guidelines issued from time to time by the Central Pollution Control Board.
- (d) The inert from recycling or processing facilities of plastic waste shall be disposed of in compliance with the Solid Waste Management Rules, 2000 or as amended from time to time.
- 6. Responsibility of local body.-** (1) Every local body shall be responsible for development and setting up of infrastructure for segregation, collection, storage, transportation, processing and disposal of the plastic waste either on its own or by engaging agencies or producers.
- (2) The local body shall be responsible for setting up, operationalisation and co-ordination of the waste management system and for performing the associated functions, namely:-
- Ensuring segregation, collection, storage, transportation, processing and disposal of plastic waste;
 - ensuring that no damage is caused to the environment during this process;
 - ensuring channelization of recyclable plastic waste fraction to recyclers;
 - ensuring processing and disposal on non-recyclable fraction of plastic waste in accordance with the guidelines issued by the Central Pollution Control Board;
 - creating awareness among all stakeholders about their responsibilities;
 - engaging civil societies or groups working with waste pickers; and
 - ensuring that open burning of plastic waste does not take place.
- (3) The local body for setting up of system for plastic waste management shall seek assistance of producers and such system shall be set up within one year from the date of final publication of these rules in the Official Gazette of India.
- (4) The local body to frame bye-laws incorporating the provisions of these rules.
- 7. Responsibility of Gram Panchayat.-** (1) Every gram panchayat either on its own or by engaging an agency shall set up, operationalise and co-ordinate for waste management in the rural area under their control and for performing the associated functions, namely,-
- ensuring segregation, collection, storage, transportation, plastic waste and channelization of recyclable plastic waste fraction to recyclers having valid registration; ensuring that no damage is caused to the environment during this process;
 - creating awareness among all stakeholders about their responsibilities; and
 - ensuring that open burning of plastic waste does not take place
- 8. Responsibility of waste generator.-** (1) The waste generator shall.-
- take steps to minimize generation of plastic waste and segregate plastic waste at source in accordance with the Solid Waste Management Rules, 2000 or as amended from time to time.
 - not litter the plastic waste and ensure segregated storage of waste at source and handover segregated waste to urban local body or gram panchayat or agencies appointed by them or registered waste pickers', registered recyclers or waste collection agencies;
- (2) All institutional generators of plastic waste, shall segregate and store the waste generated by them in accordance with the Municipal Solid Waste (Management and Handling) Rules, 2000 notified vide S.O. 908(E) dated the 25th September, 2000 under the Act or amendment from time to time and handover

segregated wastes to authorized waste processing or disposal facilities or deposition centers either on its own or through the authorized waste collection agency.

(3) All waste generators shall pay such user fee or charge as may be specified in the bye-laws of the local bodies for plastic waste management such as waste collection or operation of the facility thereof, etc.;

(4) Every person responsible for organising an event in open space, which involves service of food stuff in plastic or multilayered packaging shall segregate and manage the waste generated during such events in accordance with the Municipal Solid Waste (Management and Handling) Rules, 2000 notified vide

S.O. 908(E) dated the 25th September, 2000 under the Act or amendment from time to time.

9. Responsibility of producers, Importers and Brand Owners.- (1) The producers, within a period of six months from the date of publication of these rules, shall work out modalities for waste collection system based on Extended Producers Responsibility and involving State Urban Development Departments, either individually or collectively, through their own distribution channel or through the local body concerned.

(2) Primary responsibility for collection of used multi-layered plastic sachet or pouches or packaging is of Producers, Importers and Brand Owners who introduce the products in the market. They need to establish a system for collecting back the plastic waste generated due to their products. This plan of collection to be submitted to the State Pollution Control Boards while applying for Consent to Establish or Operate or Renewal. The Brand Owners whose consent has been renewed before the notification of these rules shall submit such plan within one year from the date of notification of these rules and implement with two years thereafter.

(3) manufacture and use of non- recyclable multilayered plastic if any should be phased out in Two years time.

(4) The producer, within a period of three months from the date of final publication of these rules in the Official Gazette shall apply to the Pollution Control Board or the Pollution Control Committee, as the case may be, of the States or the Union Territories administration concerned, for grant of registration.

(5) No producer shall on and after the expiry of a period of Six Months from the date of final publication of these rules in the Official Gazette manufacture or use any plastic or multilayered packaging for packaging of commodities without registration from the concerned State Pollution Control Board or the Pollution Control Committees.

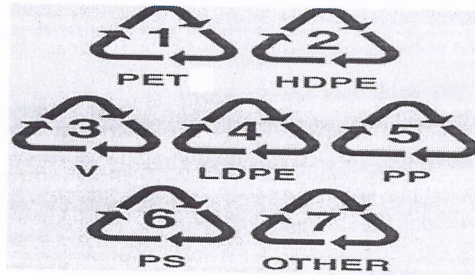
(6) Every producer shall maintain a record of details of the person engaged in supply of plastic used as raw material to manufacture carry bags or plastic sheet or like or cover made of plastic sheet or multilayered packaging.

10. Protocols for compostable plastic materials.-Determination of the degree of degradability and degree of disintegration of plastic material shall be as per the protocols of the Indian Standards listed in Schedule-I to these rules.

11. Marking or labelling.-(1) Each plastic carry bag and multilayered packaging shall have the following information printed in English namely,-

- (a) name, registration number of the manufacturer and thickness in case of carry bag;
- (b) name and registration number of the manufacturer in case of multilayered packaging; and
- (c) name and certificate number [Rule 4(h)] in case of carry bags made from compostable plastic

(2) Each recycled carry bag shall bear a label or a mark "recycled" as shown below and shall conform to the Indian Standard: IS 14534: 1998 titled as "Guidelines for Recycling of Plastics", as amended from time to time;



NOTE: PET-Polyethylene terephthalate, HDPE-High density polyethylene, V-Vinyl (PVC), LDPE- Low density polyethylene, PP-Polypropylene, PS-Polystyrene and Other means all other resins and multi-materials like ABS (Acrylonitrile butadiene styrene), PPO (Polyphenylene oxide), PC (Polycarbonate), PBT (Polybutylene terephthalate) etc.

Each carry bag made from compostable plastics shall bear a label "compostable" and shall conform to the Indian Standard : IS or ISO 17088:2008 titled as Specifications for "Compostable Plastics".

12. Prescribed authority.- (1) The State Pollution Control Board and Pollution Control Committee in respect of a Union territory shall be the authority for enforcement of the provisions of these rules relating to registration, manufacture of plastic products and multilayered packaging, processing and disposal of plastic wastes.

(2) The concerned Secretary-in-charge of Urban Development of the State or a Union Territory shall be the authority for enforcement of the provisions of these rules relating to waste management by waste generator, use of plastic carry bags, plastic sheets or like, covers made of plastic sheets and multilayered packaging.

(3) The concerned Gram Panchayat shall be the authority for enforcement of the provisions of these rules relating to waste management by the waste generator, use of plastic carry bags, plastic sheets or like, covers made of plastic sheets and multilayered packaging in the rural area of the State or a Union Territory.

(4) The authorities referred to in sub-rules (1) to (3) shall take the assistance of the District Magistrate or the Deputy Commissioner within the territorial limits of the jurisdiction of the concerned district in the enforcement of the provisions of these rules.

13. Registration of producer, recyclers and manufacturer,- (1) No person shall manufacture carry bags or recycle plastic bags or multilayered packaging unless the person has obtained a registration from the State Pollution Control Board or the Pollution Control Committee of the Union Territory concerned, as the case may be, prior to the commencement of production;

(2) Every producer shall, for the purpose of registration or for renewal of registration, make an application to the State Pollution Control Board or the Pollution Control Committee of the Union territory concerned, in Form I

(3) Every person recycling or processing waste or proposing to recycle or process plastic waste shall make an application to the State Pollution Control Board or the Pollution Control Committee, for grant of registration or renewal of registration for the recycling unit, in Form II.

(4) Every manufacturer engaged in manufacturer of plastic to be used as raw material by the producer shall make an application to the State Pollution Control Board or the Pollution Control Committee of the Union territory concerned, for the grant of registration or for the renewal of registration, in Form III.

(5) The State Pollution Control Board or the Pollution Control Committee shall not issue or renew registration to plastic waste recycling or processing units unless the unit possesses a valid consent under the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) and the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981) along with a certificate of registration issued by the District Industries Centre or any other Government agency authorised in this regard.

(6) The State Pollution Control Board or the Pollution Control Committee shall not renew registration of producer unless the producer possesses and action plan endorsed by the Secretary in charge of Urban Development of the concerned State or Union Territory for setting of plastic waste management system.

(7) On receipt of the application complete in all respects for the registration for recycling or processing of plastic waste under sub-rule (3), the State Pollution Control Board may, after such inquiry as it considers necessary and on being satisfied that the applicant possesses appropriate facilities, technical capabilities and equipment to handle plastic waste safely, may grant registration to the applicant on fulfilment of the conditions as may be laid down in terms of registration.

(8) Every State Pollution Control Board or Pollution Control Committee shall take a decision on the grant of registration within ninety days of receipt of an application which is complete in all respects.

(9) The registration granted under this rule shall initially be valid for a period of one year, unless revoked, suspended or cancelled and shall subsequently be granted for three years.

(10) State Pollution Control Board or the Pollution Control Committees shall not revoke, suspend or cancel registration without providing the opportunity of a hearing to the producer or person engaged in recycling or processing of plastic wastes.

(11) Every application for renewal of registration shall be made at least one hundred twenty days before the expiry of the validity of the registration certificate.

14. Responsibility of retailers and street vendors- (1) Retailers or street vendors shall not sell or provide commodities to consumer in carry bags or plastic sheet or multilayered packaging, which are not manufactured and labelled or marked, as per prescribed under these rules.

(2) Every retailers or street vendors selling or providing commodities in, plastic carry bags or multilayered packaging or plastic sheets or like or covers made of plastic sheets which are not manufactured or labelled or marked in accordance with these rules shall be liable to pay such fines as specified under the bye-laws of the local bodies.

15. Explicit pricing of carry bags.- (1) The shopkeepers and street vendors willing to provide plastic carry bags for dispensing any commodity shall register with local body. The local body shall, within a period of six months from the date of final publication of these rules in the Official Gazette of India notification of these rules, by notification or an order under their appropriate state statute or byelaws shall make provisions for such registration on payment of plastic waste management fee of minimum rupees forty eight thousand @ rupees four thousand per month. The concerned local body may prescribe higher plastic waste management fee, depending upon the sale capacity. The registered shop keepers shall display at prominent place that plastic carry bags are given on payment.

(2) Only the registered shopkeepers or street vendors shall be eligible to provide plastic carry bags for dispensing the commodities.

(3) The local body shall utilize the amount paid by the customers for the carry bags exclusively for the sustainability of the waste management system within their jurisdictions.

16. State Level Monitoring Committee.- (1) The State government or the union Territory shall, for the purpose of effective monitoring of implementation of these rules, constitute a State Level Advisory Committee consisting of the following persons, namely:-

- | | | |
|-----|---|------------|
| (a) | the Secretary, Department of Urban Development | - Chairman |
| (b) | Director from State Department of Environment | - Member |
| (c) | Member Secretary from State Pollution Control Board
or Pollution Control Committee | - Member |
| (d) | Municipal Commissioner | - Member |
| (e) | one expert from Local Body | - Member |
| (f) | one expert from Non-Governmental
involved in Waste Management | - Member |

- | | | |
|-----|---|--------------|
| (g) | Commissioner, Value Added Tax or his nominee, | - Member |
| (h) | Sales Tax Commissioner or Officer | - Member |
| (i) | representative of Plastic Association,
Drug Manufacturers Association,
Chemical Manufacturers Association | - Member |
| (j) | one expert from the field of Industry | - Member and |
| (k) | one expert from the field of academic institution | - Member |
| (l) | Director , Municipal Administration | - Convener |

The State Level Advisory Body shall meet at least once in Six Month and may invite experts, if it considers necessary.

17. Annual reports.- (1) Every person engaged in recycling or processing of plastic waste shall prepare and submit an annual report in Form-IV to the local body concerned under intimation to the concerned State Pollution Control Board or Pollution Control Committee by the 30th April, of every year.

(2) Every local body shall prepare and submit an annual report in Form -V to the concerned Secretary-in-charge of the Urban Development Department under intimation to the concerned State Pollution Control Board or Pollution Control Committee by the 30th June, every year.

(3) Each State Pollution Control Board or Pollution Control Committee shall prepare and submit an annual report in Form VI to the CPCB on the implementation of these rules by the 31st July, of every year.

(4) The CPCB shall prepare a consolidated annual report on the use and management of plastic waste and forward it to the Central Government along with its recommendations before the 31st August of every year.

SCHEDULE-I

[See rule 10]

1.	IS / ISO 14851: 1999 Determination of the ultimate aerobic biodegradability of plastic materials in an aqueous medium-Method by measuring the oxygen demand in a closed Respirometer
2.	IS / ISO 14852: 1999 Determination of the ultimate aerobic biodegradability of plastic materials in an aqueous medium-Method by analysis of evolved carbon dioxide
3.	IS / ISO 14853: 2005 Plastics- Determination of the ultimate anaerobic biodegradation of plastic materials in an aqueous system-Method by measurement of biogas production
4.	IS /ISO 14855-1: 2005 Determination of the ultimate aerobic biodegradability of plastic materials under controlled composting conditions-Method by analysis of evolved carbon dioxide (Part-1 General method)
5.	IS / ISO 14855-2: 2007 Determination of the ultimate aerobic biodegradability of plastic materials under controlled composting conditions-Method by analysis of evolved carbon dioxide (Part-2: Gravimetric measurement of carbon dioxide evolved in a laboratory- scale test)
6.	IS / ISO 15985: 2004 Plastics- Determination of the ultimate anaerobic biodegradation and disintegration under high-solids anaerobic digestion conditions- Methods by analysis of released biogas
7.	IS /ISO 16929: 2002 Plastics- Determination of degree of disintegration of plastic materials under defined composting conditions in a pilot - scale test
8.	IS / ISO 17556: 2003 Plastics- Determination of ultimate aerobic biodegradability in soil by measuring the oxygen demand in a Respirometer or the amount of carbon dioxide evolved
9.	IS / ISO 20200:2004 Plastics- Determination of degree of disintegration of plastic materials under simulated composting conditions in a laboratory - scale test

FORM - I

[See rules 13 (2)]

APPLICATION FOR REGISTRATION FOR PRODUCERS or Brand Owners

From:

[भाग II-खण्ड 3(ii)]

भारत का राजपत्र : असाधारण

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.....

.....(Name and full address of the occupier)

To

The Member Secretary,

..... Pollution Control Board or Pollution Control Committee

.....

.....

Sir,

I /We hereby apply for registration under rule 9 of the Plastic Waste Management Rules, 2015

1. Producers

PART - A GENERAL		
1.(a)	Name and location of the unit	
(b)	Address of the unit	
(c)	Registration required for manufacturing of: (i) Carry bags; (a) petro- based, (b) Compostable (ii) Multilayered plastics	
(d)	Manufacturing capacity	
(e)	In case of renewal, previous registration number and date of registration	
2.	Is the unit registered with the District Industries Centre of the State Government or Union Territory? If yes, attach a copy.	
3.(a)	Total capital invested on the project	
(b)	Year of commencement of production	
4. (a)	List and quantum of products and by-products	
(b)	List and quantum of raw materials used	
5.	Furnish a flow diagram of manufacturing process showing input and output in terms of products and waste generated including for captive power generation and water.	
6.	Status of compliance with these rules- Thickness – fifty micron (Yes/No)	
PART - B PERTAINING TO LIQUID EFFLUENT AND GASEOUS EMISSIONS		
7.	(a) Does the unit have a valid consent under the Water (Prevention and control of Pollution) Act, 1974 (6 of 1974)? If yes, attach a copy	
	(b) Does the unit have a valid consent under the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981)? If yes, attach a copy	
PART - C PERTAINING TO WASTE		
8.	Solid Wastes or rejects: (a) Total quantum of waste generated (b) Mode of storage within the plant (c) Provision made for disposal of wastes	
9.	Attach or Provide list of person supplying plastic to be used as raw material to manufacture carry bags or plastic sheet of like or multilayered packaging	

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[PART II—SEC. 3(ii)]

10.	Attach or provide list of personnel or Brand Owners to whom the products will be supplied	
11.	Action plan on collecting back the plastic wastes	
		Name and Signature
Date :		Designation
Place :		

II Brand Owners:

PART - A GENERAL		
1.	Name, Address and Contact number	
2	In case of renewal, previous registration number and date of registration	
3	Is the unit registered with the District Industries Centre of the State Government or Union Territory? If yes, attach a copy.	
4.(a)	Total capital invested on the project	
(b)	Year of commencement of production	
5. (a)	List and quantum of products and by-products	
(b)	List and quantum of raw materials used	
PART - B PERTAINING TO LIQUID EFFLUENT AND GASEOUS EMISSIONS		
5	Does the unit have a valid consent under the Water (Prevention and control of Pollution) Act, 1974 (6 of 1974)? If yes, attach a copy	
6	Does the unit have a valid consent under the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981)? If yes, attach a copy	
PART - C PERTAINING TO WASTE		
7.	Solid Wastes or rejects: (c) Total quantum of waste generated (d) Mode of storage within the plant (d) Provision made for disposal of wastes	
8.	Attach or Provide list of person supplying plastic material	
9	Action plan on collecting back the plastic wastes	
		Name and Signature
Date :		Designation
Place :		

FORM - II

[see rule 13 (3)]

APPLICATION FORM FOR REGISTRATION OF UNITS ENGAGED IN PROCESSING OR
RECYCLING OF PLASTIC WASTE

1.	Name and Address of the unit	
2.	Contact person with designation, Tel./Fax /email	

[भाग II-खण्ड 3(ii)]

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3.	Date of commencement				
4.	No. of workers (including contract labour)				
5.	Consents Validity	a. Water (Prevention & Control of Pollution) Act, 1974; Valid up to _____ b. Air (Prevention & Control of Pollution) Act, 1981; Valid up to _____ c. Authorization ; valid up to			
6.	Manufacturing Process	Please attach a flow diagram of the manufacturing process flow diagram for each product.			
7.	Products and installed capacity of production (MTA)	Products		Installed capacity	
8.	Waste Management:	S. No.	Type	Category	Qty.
	a. Waste generation in processing plastic-waste	(i)			
		(ii)			
		(iii)			
	b. Waste Collection and transportation (attach details)				
	c. Waste Disposal details	S. No.	Type	Category	Qty
		(i)			
		(ii)			
d. Provide details of the disposal facility, whether the facility is authorized by SPCB or PCC					
e. Please attach analysis report of characterization of waste generated (including leachate test if applicable)					
9.	Details of plastic waste proposed to be acquired through sale, auction, contract or import, as the case may be, for use as raw material	(i) Name (ii) Quantity required /year			
10.	Occupational safety and health aspects	Please provide details of facilities			
11.	Pollution Control Measures				
	Whether the unit has adequate pollution control systems or equipment to meet the standards of emission or effluent.	If Yes, please furnish details			
	Whether unit is in compliance with conditions laid down in the said rules.	Yes/No			
	Whether conditions exist or are likely to exist of the material being handled or processed posing adverse immediate or delayed impacts on the environment.	Yes/No			
	Whether conditions exist (or are likely to exist) of the material being handled or processed by any means capable of yielding another material (e.g. leachate) which may possess eco-toxicity.	Yes/No			
12.	Any other relevant information including fire or accident mitigative measures				
13.	List of enclosures as per rule				

Name and Signature

Designation

Date :

Place :

FORM - III

[See rules 13(4)]

APPLICATION FOR REGISTRATION FOR MANUFACTURERS OF PLASTIC RAW MATERIALS

From:

.....

.....(Name and full address of the occupier)

To

The Member Secretary,

..... Pollution Control Board or Pollution Control Committee

.....

.....

Sir,

I/We hereby apply for registration under the Plastic Waste Management Rules, 2011

PART - A GENERAL		
1.(a)	Name and location of the unit	
(b)	Address of the unit	
(c)	In case of renewal, previous registration number and date of registration	
2.	Is the unit registered with the DIC or DCSSI of the State Government or Union Territory? If yes, attach a copy.	
3.(a)	Total capital invested on the project	
(b)	Year of commencement of production	
(c)	List of producers and quantum of raw materials supplied to producers	
		Name and Signature Designation
Date :		
Place :		

Form - IV

[See rules 17 (1)]

FORMAT OF ANNUAL REPORT BY OPERATOR OF PLASTIC WASTE PROCESSING OR RECYCLING FACILITY TO THE LOCAL BODY

Period of Reporting:

(1)	Name and Address of operator of the facility	
(2)	Name of officer in-charge of the facility (Telephone/Fax/Mobile/ E-mail)	
(3)	Capacity:	
(4)	Technologies used for management of plastic waste:	
(5)	Quantity of plastic waste received during the year being reported upon along with the source	
(6)	Quantity of plastic waste processed (in tons): - Plastic waste recycled(in tons) - Plastic waste processed (in tons) - Used (in tons)	
(7)	Quantity of inert or rejects sent for final disposal to landfill sites:	
(8)	Details of land fill facility to which inert or rejects were sent	

[भाग II-खण्ड 3(ii)]

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	for final disposal: - Address -Telephone	
(9)	Attach status of compliance to environmental conditions, if any specified during grant of Consent or registration	

Signature of Operator

Dated :

Place:

Form - V

[See rules 17(2)]

FORMAT FOR ANNUAL REPORT ON PLASTIC WASTE MANAGEMENT TO BE SUBMITTED BY THE LOCAL BODY**Period of Reporting:**

(1)	Name of the City or Town and State:	
(2)	Population	
(3)	Area in sq. kilometers	
(4)	Name & Address of Local body Telephone No. Fax No. E-mail:	
(5)	Total Numbers of the wards in the area under jurisdiction	
(6)	Total Numbers of Households in the area under jurisdiction	
(7)	Number of households covered by door to door collection	
(8)	Total number of commercial establishments and Institutions in the area under jurisdiction -Commercial establishments - Institutions	
(9)	Number of commercial establishments and Institutions covered by door to door collection -Commercial establishments - Institutions	
(10)	Summary of the mechanisms put in place for management of plastic waste in the area under jurisdiction along with the details of agencies involved in door to door collection	
(11)	Attach details of infrastructure put in place for management of plastic waste generated in the area under jurisdiction	
(12)	Attach details of infrastructure required, if any along with justification	
(13)	Quantity of Plastic Waste generated during the year from area under jurisdiction (in tons)	
(14)	Quantity of Plastic Waste collected during the year from area under jurisdiction (in tons)	
(15)	Quantity of plastic waste channelized for recycling during the year (in tons)	
(16)	Quantity of plastic waste channelized for use during the year (in tons)	
(17)	Quantity of inert or rejects sent to landfill sites during the year (in tons)	
(18)	Details of each of facilities used for processing and disposal of plastic waste Facility-I i) Name of operator ii) Address with Telephone Number or Mobile iii) Capacity iv) Technology Used v) Registration Number vi) Validity of Registration (up to)	

Name of the SPCB or PCC	Estimated Plastic Waste generation in Tons Per Annum (TPA)	No. of registered Plastic Manufacturing or Recycling (including multilayer, compostable) units. (Rule 9)			No. of Unregistered plastic manufacturing Recycling units. (in residential or unapproved areas)	Details of Plastic Waste Management (PWM) e.g. Collection, Segregation, Disposal (Co-processing road construction etc.) (Rules 6) (Attach separate	Partial or complete ban on usages of Plastic Carry Bags (through Executive Order) (Attach copy of notification or executive order)	Status of Marking Labelling on carry bags (Rule 8) (Specify the number of units or not complied)	Explicit Pricing of carry bags (Rule 10)	Details of the meeting of State Level Advisory Body (SLA) along with its recommendations on Implementation (Rule 11)	No. of violations and action taken on non-compliance of provisions of these Rules	Number of Municipal Authority or Gram Panchayat- under jurisdiction and Submission of Annual Report to CPCB (Rule 12)
		Plastic units	Compostable Plastic Units	Multilayer Plastic units								

	<p>Facility-II</p> <p>i) Name of operator</p> <p>ii) Address with Telephone Number or Mobile</p> <p>iii) Capacity</p> <p>iv) Technology Used</p> <p>v) Registration Number</p> <p>Validity of Registration (up to)</p>	
(19)	<p>Give details of:</p> <p>Local body's own manpower deployed for collection including street sweeping, secondary storage, transportation, processing and disposal of waste.</p>	
(20)	<p>Give details of:</p> <p>Contractor or concessionaire's manpower deployed for collection including street sweeping, secondary storage, transportation, processing and disposal of waste.</p>	
(21)	<p>Mention briefly, the difficulties being experienced by the local body in complying with provisions of these rules including the financial constrains, if any</p>	
(22)	<p>Whether an Action Plan has been prepared for improving solid waste management practices in the city? If yes (attach copy)</p> <p>Date of revision:</p>	

Signature of CEO or Municipal Commissioner or
Executive Officer or Chief Officer

Date:

Place:

Form-VI

**STATE-WISE STATUS OF IMPLEMENTATION OF PLASTIC WASTE MANAGEMENT
RULES, 2016 FOR THE YEAR ... ANNUAL REPORT Format**

[भाग II-खण्ड 3(ii)]

भारत का राजपत्र : असाधारण

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(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)

[F. No. 17-2/2001-HSMD]

BISHWANATH SINHA, Jt. Secy.

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 6th July, 2022

G.S.R. 522(E).—Whereas the draft rules further to amend the Plastics Waste Management Rules, 2016, were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) dated the 18th January, 2022, *vide* notification number G.S.R. 22 (E) dated the 18th January, 2022, inviting objections and suggestions from all persons likely to be affected thereby within a period of sixty days from the date copies of the Gazette containing the said draft rules were made available to the public;

And whereas, copies of the Gazette containing the said draft rules were made available to the public on the 18th January, 2022 ;

And whereas, objections and suggestions received within the aforesaid period have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sections 3, 6, and 25 of the Environment (Protection) Act 1986, (29 of 1986), the Central Government hereby makes the following rules further to amend the Plastic Waste Management Rules, 2016, namely :-

1. Short title and commencement.- (1) These rules may be called the Plastic Waste Management (Second Amendment) Rules, 2022.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Plastic Waste Management Rules, 2016 (hereinafter referred to as the said rules), in rule 3,-

(i) after clause (ab), the following clause shall be inserted, namely:-

‘(ac) “Biodegradable plastics” means plastics, other than compostable plastics, which undergoes degradation by biological processes under ambient environment (terrestrial or in water) conditions, without leaving any micro plastics, or visible, or distinguishable or toxic residue, which has adverse environment impacts, adhering to laid down standards of Bureau of Indian Standards and certified by the Central Pollution Control Board;’;

(ii) in clause (b), after the words “brand labels”, the words “or trademark” shall be inserted;

- (iii) in clause (c), before the words “means bags made” the following words and brackets “(covered under Category II of plastic packaging – Clause (5.1) (II), given in Schedule – II)” shall be inserted.
- (iv) clause (ga), shall be renumbered as “(gb)” thereof and before clause (gb) as so renumbered, the following clause shall be inserted, namely :-
- ‘(ga) “End of Life disposal” means using plastic waste for generation of energy subject to relevant guidelines in force, which includes co-processing (e.g. in cement, steel or any other such industry) or waste to oil, except in cases where feedstock chemicals are produced for further use in the production of plastic which may then be considered under recycling or for road construction as per Indian Road Congress guidelines etc.’;
- (v) for clause (k), the following clause shall be substituted, namely:-
- ‘(k) “Importer” means a person who imports plastic packaging or products with plastic packaging or carry bags or multilayered packaging or plastic sheets or like;’;
- (vi) after clause (o), the following clause shall be inserted, namely :-
- ‘(oa) “Plastic Packaging” means packaging material made by using plastics for protecting, preserving, storing, and transporting of products in a variety of ways;’;
- (vii) after clause (qa), the following clause shall be inserted, namely :-
- ‘(qb) “Plastic Waste Processors” means recyclers of plastic waste as well as entities engaged in using plastic waste for energy (waste to energy) including in coprocessing or converting plastic waste to oil (waste to oil) except in cases where feedstock chemicals are produced for further use in the production of plastic which may then be considered under recycling, industrial composting;’;
- (viii) after clause (qb), the following clause shall be inserted, namely:-
- ‘(qc) “Post-consumer plastic packaging waste” means plastic packaging waste generated by the end-use consumer after the intended use of packaging is completed and is no longer being used for its intended purpose;’;
- (ix) after Clause (r), the following clause shall be inserted, namely:-
- ‘(ra) “Pre-consumer plastic packaging waste” means plastic packaging waste generated in the form of reject or discard at the stage of manufacturing of plastic packaging and plastic packaging waste generated during the packaging of product including reject, discard, before the plastic packaging reaches the end-use consumer of the product;’;
- (x) after clause (s), the following clause shall be inserted, namely :-
- ‘(sa) “Recyclers” are entities who are engaged in the process of recycling of plastic waste;’;
- (xi) after clause (u), the following clause shall be inserted, namely:-
- ‘(ua) “Reuse” means using an object or resource material again for either the same purpose or another purpose without changing the object’s structure;’;
- (xii) after clause (w), the following clause shall be inserted, namely :-
- ‘(wa) “Use of recycled plastic” means recycled plastic used as raw material, instead of virgin plastic, in the manufacturing process;’;
- (xiii) after clause (aa), the following clause shall be inserted, namely :-
- ‘(aab) “Waste to Energy” means using plastic waste for generation of energy and includes co-processing (e.g. in cement, steel or any other such industry);’.
3. In in rule 4 of the said rules, , -
- (i) in sub-rule (1),
- (a) in clause (d), after the words “thickness except”, the words “ as specified by the Central Government” shall be inserted;

(b) in clause (h),-

(A) after the words “made up of compostable plastic”, the words “and biodegradable plastics” shall be inserted;

(B) for the letters and figures “IS 17088:2008,”, the letters and figures “IS / ISO 17088:2021” shall be substituted;

(C) after the words “seller of compostable plastic”, the words “and biodegradable plastics” shall be inserted;

(ii) in sub-rule (3), after the words “compostable plastic”, the words “and biodegradable plastics” shall be inserted.

4. In rule 9 of the said rules, -

(i) for sub-rule (1), the following sub-rule shall be substituted, namely:-

“(1) The Producers, Importers and Brand Owners shall fulfil Extended Producers Responsibility for Plastic Packaging as per guidelines specified in Schedule -II.”;

(ii) in sub-rule (2), the portion beginning with the words “This plan of collection” and ending with the words “two years thereafter” shall be omitted;

(iii) in sub-rule (4), before the words “Pollution Control Board”, the words, “Central Pollution Control Board and State” shall be inserted;

(iv) in sub-rule (5), -

(A) after the words “without registration from” the words “Central Pollution Control Board if operating in more than two states or Union territories,” shall be inserted;

(B) after the words “Pollution Control Committees”, the words, brackets and figures “ as per sub-rule (2) of rule 13” shall be inserted.

5. For rule 10 of the said rules, the following rule shall be substituted, namely.-

“ 10. Protocols for compostable and biodegradable plastic materials.- (1) Determination of the degree of degradability and degree of disintegration of plastic material shall be as per the protocols of the Indian Standards listed in Schedule I.

(2)The compostable plastic materials shall conform to the IS / ISO 17088:2021, as amended from time to time.

(3) The biodegradable plastics shall conform to the standard notified by the Bureau of Indian Standards and certified by the Central Pollution Control Board.

(4) Until a standard referred to in sub-rule (3) is notified by the Bureau of Indian Standards, biodegradable plastics shall conform to tentative Indian Standard IS 17899 T:2022 as notified by the Bureau of Indian Standards.

(5) As a transitory measure, provisional certificate for biodegradable plastics, shall be issued by the Central Pollution Control Board, in cases, where an interim test report is submitted, for an ongoing test, which covers the first component of the IS 17899 T:2022 relating to biodegradability given at Sl. No. (i) or Sl. No. (ii) of Table 1 or Sl. No. (i) of Table 2 of the IS 17899 T:2022:

Provided that the provisional certificate shall be valid till 30th June 2023 with the condition that production or import of biodegradable plastics shall cease after the 31st day of March, 2023.

(6) The interim test report shall be obtained from the Central Institute of Petrochemical Engineering and Technology or a laboratory recognised under the Laboratory Recognition Scheme, 2020, of the Bureau of Indian Standards or laboratories accredited for this purpose by the National Accreditation Board for Testing and Calibration Laboratories, and they shall certify the bio-degradation of plastic is in line with IS 17899 T:2022.

6. In sub-rule (1) of rule 11 of the said rules,-

(i) for clause (a), the following clause shall be substituted, namely:-

“(a) name, registration number of the producer or brand owner and thickness in case of carry bag and plastic packaging :

Provided that this provision shall not be applicable,-

(i) for plastic packaging used for imported goods:

(ii) for cases falling under rule 26 of the Legal Metrology Packaged Commodities Rules, 2011, after the approval of the Central Pollution Control Board:

(iii) for cases where it is technically not feasible to print the requisite information mandated under this Rule, as per specifications given in the “Guidelines for use of Standard Mark and labelling requirements under BIS Compulsory Registration Scheme for Electronic and IT Products” after the approval of the Central Pollution Control Board .”;

(ii) in clause (b), “with effect from the 1st January, 2023” for the word “manufacturer”, the words “producer or brand owner” shall be substituted.

(iii) after clause (c), the following clause shall be inserted, namely:-

“(d) the importer or producer or brand owner of imported carry bags or multi-layered packaging or plastic packaging, alone or along with the products shall adhere to clause (a) and (b).”

7. In rule 12 of the said rules, in sub-rule (1), before the words, “State Pollution Control Board” the words, “Central Pollution Control Board or” shall be inserted.

8. In rule 13 of the said rules, -

(i) for sub-rule (1), the following sub-rule shall be substituted, namely:-

“(1) No person shall manufacture carry bags or recycle plastic bags or multilayered packaging unless the person has obtained registration from,-

(i) the concerned State Pollution Control Board or Pollution Control Committee of the Union territory, if operating in one or two states or Union territories; or

(ii) the Central Pollution Control Board, if operating in more than two States or Union territories.”;

(ii) in sub-rule (2),-

(A) after the word “producer”, the words “or importer” shall be inserted;

(B) after the words “make an application” , the words and figures “as per the guidelines specified in Schedule -II,” shall be inserted;

(iii) in sub-rule (3), after the words “in Form II”, the words and figures “as per the guidelines specified in Schedule -II” shall be inserted.

(iv) Sub-rule (6) shall be omitted;

(v) in sub-rule (7), after the words “terms of registration” occurring at the end, the words and figures “and the registration shall be subject to fulfilment of obligations in accordance with the guidelines on Extended Producer Responsibility for Plastic Packaging specified in Schedule -II.” shall be inserted.

9. After rule 17 of the said rules, the following rule shall be inserted, namely:-

“18. Imposition of Environmental Compensation.- The Environmental Compensation shall be levied based upon polluter pays principle, on persons who are not complying with the provisions of these rules, as per guidelines notified by the Central Pollution Control Board.”.

10. For Schedule I of the said rules, the following shall be substituted, namely:-

“SCHEDULE-I

[See rule 10]

(1)	(2)
1	IS / ISO 14851: 2019 Determination of the Ultimate Aerobic Biodegradability of Plastic Materials in an Aqueous Medium — method by measuring the Oxygen demand in a closed respirometer (First Revision)
2	IS / ISO 14852: 1999 Determination of the ultimate aerobic biodegradability of plastic materials in an aqueous medium—method by analysis of evolved Carbon dioxide
3	IS / ISO 14853: 2016 Plastics — Determination of the ultimate anaerobic biodegradation of plastic materials in an aqueous system —method by measurement of biogas production (First Revision)
4	IS / ISO 14855-1: 2012 Determination of the ultimate aerobic biodegradability of plastic materials under controlled composting conditions — method by analysis of evolved Carbon dioxide: Part 1 General method (First Revision)
5	IS / ISO 14855-2: 2018 Determination of the ultimate aerobic biodegradability of plastic materials under controlled composting conditions — method by analysis of evolved carbon dioxide: Part 2 Gravimetric measurement of Carbon dioxide evolved in a laboratory- scale test (First Revision)
6	IS / ISO 15985: 2014 Plastics — Determination of the ultimate anaerobic biodegradation under high-solids anaerobic-digestion conditions — methods by analysis of released biogas (First Revision)
7	IS / ISO 16929: 2019 Plastics — Determination of the Degree of Disintegration of Plastic Materials under Defined Composting Conditions in a Pilot-Scale Test (Second Revision)
8	IS / ISO 17556: 2019 Plastics — Determination of the Ultimate Aerobic Biodegradability of plastic materials in soil by measuring the Oxygen demand in a Respirometer or the amount of Carbon Dioxide Evolved (Second Revision)
9	IS / ISO 20200 : 2015 Plastics — Determination of degree of disintegration of plastic materials under simulated composting conditions in a laboratory - Scale test (First Revision)”

11. In the said rules, in Form I,-

(i) in the sub-heading “I.Producers”, for serial number 11 and the entries relating thereto, the following shall be substituted, namely:-

“ 11.	Action plan in line with the guidelines specified in Schedule -II”.	
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(ii) in sub-heading “II Brand Owners”, for serial number 9 and the entries relating thereto, the following shall be substituted, namely:-

“9.	Action plan in line with the guidelines specified in Schedule -II”.	
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(iii) after sub-heading “II. Brand Owners” and the entries relating thereto, the following shall be inserted, namely:-

" III- Importers

[भाग II—खण्ड 3(i)]

भारत का राजपत्र : असाधारण

13

PART – A GENERAL	
1.	Name, Address and Contact number
2	In case of renewal, previous registration number and date of registration
3	Is the unit registered with the District Industries Centre of the State Government or Union Territory? If yes, attach a copy.
4.(a)	Total capital invested on the project
(b)	Year of commencement of production
5. (a)	List and quantum of products and by-products
(b)	List and quantum of raw materials used
6 (a)	Quantity of plastic sheet or like used for packaging of imported or to be imported products
(b)	Quantity of plastic sheet or like used for packaging for further supply or self-use
(c)	Quantity of multilayered packaging for further supply or self-use
PART – B PERTAINING TO LIQUID EFFLUENT AND GASEOUS EMISSIONS	
7.	Does the unit have a valid consent under the Water (Prevention and control of Pollution) Act, 1974 (6 of 1974)? If yes, attach a copy
8.	Does the unit have a valid consent under the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981)? If yes, attach a copy
PART – C PERTAINING TO WASTE	
9.	Solid Wastes or rejects: (a) Total quantum of waste generated (b) Mode of storage within the plant (c) Provision made for disposal of wastes
10. (a)	Attach or provide list of person supplying imported (i) plastic sheet or like used for packaging, (ii) multilayered packaging
(b)	Quantity of imported (i) plastic sheet or like used for packaging along with the quantity used for further supply or self use, (ii) multilayered packaging along with the quantity used for further supply or self use
11.	Action Plan in line with Guidelines specified in Schedule - II
Name and Signature	
Designation	
Date :	
Place :".	

12. In Form IV of the said rules, after serial number (9) and the entries thereto, the following shall be inserted, namely:-

“(10). Data to be provided as per guidelines specified in Schedule -II by 30th April of every year to the concerned State Pollution Control Board or Pollution Control Committee”

13. In Form VI of the said rules, after the table, the following note shall be inserted:-

“Note: The following informations shall be provided to the Central Pollution Control Board by 30th April of every year, namely:-(a) Manufacturer of carry bag, recycled plastic bag, multilayered packaging (Registered under clause (i) of sub-rule (1) of rule 13;

(b) Producer, Importer, Brand Owner (Registered under clause (i) of sub-rule (2) of rule 13;(c)Recycler and plastic waste processor (Registered under clause (i) of sub-rule (3) of rule 13”.

14. Paragraph 3 of Schedule – II of the said rules shall be omitted. 15. In Schedule II of the said rules, for sub-- paragraph (7.8), the following shall be substituted, namely:-

“(7.8) In case, the obligated entity utilizes plastic packaging made from biodegradable plastics, the provisions of rule 10 shall be applicable and the Extended Producer Responsibility target shall not be applicable.”

[F. No. 17/24/2021-HSMD]

NARESH PAL GANGWAR, Addl. Secy.

Note : The principal rules were published in the Gazette of India, vide number G.S.R. 320(E), dated the 18th March, 2016 and subsequently amended vide notification number G.S.R. 285(E), dated the 27th March, 2018, vide notification number G.S.R. 571(E), dated the 12th August, 2021, vide notification number G.S.R. 647(E), dated the 17th August, 2021 and last amended vide notification number G.S.R. 133(E), dated the 16th February 2022.

Annexure R- 4



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार.
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA.

File : CP-20/94/2021-UPC-II-HO-CPCB-HO

Date: 21/02/2025

To,

The Member Secretary,
Daman & Diu and Dadra & Nagar Haveli Pollution Control Committee
Office of the Deputy Conservator of Forests,
Moti Daman, Daman – 396220"

Directions under Section 5 of the EPA, 1986 regarding compliance of various provisions under Schedule-II of Plastic Waste Management Rules, 2016, i.e., Guidelines on Extended Producer Responsibility (EPR)

WHEREAS, the Ministry of Environment, Forest & Climate Change (MoEF&CC) has notified Plastic Waste Management Rules, 2016, in exercise of the powers conferred under sections 3, 6 & 25 of the Environment (Protection) Act, 1986 vide Notification No. G.S.R 320 (E) dated March 18, 2016; and

WHEREAS, Guidelines for Extended Producers Responsibility for Plastic packaging were notified by MoEF&CC on February 16, 2022 as Schedule-II of the Plastic Waste Management Rules, 2016; and

WHEREAS, as per Section 6.1(a) of the EPR Guidelines, "The following entities shall register on the centralized portal developed by Central Pollution Control Board namely:- (1) Producer (P); (ii) Importer (1); (iii) Brand owner (BO), (iv) Plastic Waste Processor engaged in (a) recycling, (b) co-processing (c) waste to energy, (d) waste to oil, and (e) industrial composting; and

WHEREAS, as per Section 12.4 of EPR Guidelines, Central Pollution Control Board by itself or through a designated agency shall verify compliance of Producers, Importers & Brand-Owners through inspection and periodic audit, as deemed appropriate. Central Pollution Control Board, as required, can also verify compliance of Plastic Waste Processors through inspection and periodic audit. In case of plastic waste processors and Producers, Importers & Brand-Owners operating in a State or Union Territory, Central Pollution Control Board may, if required, direct State Pollution Control Board or Pollution Control Committee to take action; and

WHEREAS, as per Section 13.1 of EPR Guidelines, the concerned State Pollution Control Board or Pollution Control Committee shall register Producers, Importers & Brand-Owners (operating in one or two states) and plastic waste processors, through the online portal developed by Central Pollution Control Board. Provision for registration shall be made on the Extended Producer Responsibility portal. State Pollution Control Board or Pollution Control Committee by itself or through a designated agency shall verify compliance of Producers, Importers & Brand-Owners through inspection and periodic audit, as deemed appropriate, of Producers, Importers & Brand-Owners as well as plastic waste processors in their jurisdiction as per the Plastic Waste Management Rule, 2016; and

‘परिवेश भवन’ पूर्वी अर्जुन नगर, दिल्ली - 110032.

Parivesh Bhawan, East Arjun Nagar, Delhi - 110 032.

दूरभाष /Tel : 43102030, 22305792, वेबसाइट/Website: www.cpcb.nic.in

WHEREAS, as per Section 11.6 of the EPR Guidelines, the pro forma for the certificate shall be developed by Central Pollution Control Board. In no case, the amount of plastic packaging waste recycled by the enterprise shall be more than installed capacity of the enterprise. The certificates will be for plastic packaging category-wise and shall include GST data of the enterprise; and

WHEREAS, as per section 9.1 of the EPR Guidelines, "Environmental Compensation shall be levied based upon polluter pays principle, with respect to non-fulfilment of Extended Producer Responsibility targets by Producers, Importers & Brand Owners, for the purpose of protecting and improving the quality of the environment and preventing, controlling and abating environment pollution"; and

WHEREAS, as per section 9.2 of the EPR Guidelines, "Central Pollution Control Board shall lay down guidelines for imposition and collection of environment compensation on Producers, Importers & Brand-Owners, recyclers and end of life processors, in case of non-fulfilment of obligations set out in these guidelines, and the same shall be notified. The Guidelines for Environmental Compensation shall be updated, as required"; and

WHEREAS, CPCB has prepared the Environmental Compensation (EC) guidelines as per the provision of EPR guidelines and PWM Rules, 2016, as amended; and

WHEREAS, as per revised guidelines for assessment of Environmental Compensation prepared by CPCB, EC is to be levied considering the category wise shortfall in EPR target, as Cat I: Rs.2900 / T; Cat II: Rs.5000 / T; Cat III & IV: Rs.7900 / T; and

WHEREAS following Directions dated 20.11.2023 were issued to the SPCBs/PCCs:

1. *To take immediate necessary actions to improve upon the system of grant of registration within SPCB/PCC, monitoring and enforcement ensuring enforcement of the PWM Rules, EPR guidelines and directions/guidelines issued by CPCB, including the following:*
 - a. *To re-check processing facilities of Registered PWPs in your state and to confirm that the Processing capacity as per the Registration granted to them is in conformity with the actual facilities available in the unit. All other details provided in the online application form are also to be revalidated by SPCB/PCC.*
 - b. *To regularly monitor EPR Certificate generation process of the Registered PWPs ensuring that EPR Certificates generated by PWPs are in accordance with requirements prescribed in CPCB guidance manual such as uploading of GST E-invoice corresponding to the sales of finished on the EPR Portal.*
 - c. *If violations are observed as per (a) & (b) above, to conduct detailed enquiry into the issue of CTE and CTO and also as to how physical verification of the Unit was approved by SPCB/PCC, in view of the gross violations observed also as to why the process of generation of EPR Certificates was not monitored by SPCB/PCC.*

- d. *To fix the liability on erring official/s and take disciplinary action against erring officials, if any, as per the findings of the enquiry set up, as at (c) above.*
2. *To take the following actions against the defaulting PWPs, if any, identified as per (1) above:*
 - a. *To suspend the consent/authorization/registration issued to the defaulting PWPs, with immediate effect and issue show cause notice to debar such PWPs from operating under the Extended Producer Responsibility framework for a period of one year as per Clause 11.4 of the EPR Guidelines or/ and for revocation of the consent/authorization/registration issued to the Unit;*
 - b. *To levy Environmental Compensation (EC), corresponding to the quantum of EPR certificates generated not in conformity with requirement prescribed in CPCB Guidance manual for operating Centralized EPR Portal. The EC is to be levied as per "Guidelines for Assessment of Environmental Compensation to be levied for violation of PWP Rules" (https://cpcb.nic.in/uploads/plasticwaste/EC_Regime_PWM.pdf) and Unit be directed to deposit the same in the designated Escrow Account, created by the SPCB/PCC for the purpose.*
 - c. *To take necessary action as per applicable law against violating PWPs which have submitted false documents for obtaining registration as well as for generating EPR certificates. It may further be ensured that action taken by SPCB/PCC regarding these units should act as a deterrent for other Units in committing such violations.*
3. *To take all necessary steps to ensure that PWPs henceforth complies with all conditions including generating GST E-invoice for all sales of only finished products and uploads the same on the EPR Portal, failing which necessary action be immediately taken including levying of EC against each non-complying Unit.*

WHEREAS, CPCB has developed the Audit app and web module for the purpose of conducting audit of registered PWPs with the provision for online submission of reports by auditors; and

WHEREAS, CPCB has also developed the 'Standard Operating Procedure (SOP) for conducting audit of registered PWPs' for assistance and guidance to auditors; and

WHEREAS, several news articles have been published in the national as well as the local newspapers on authenticity of the EPR certificates being generated by the registered PWPs; and

WHEREAS, the matter related to generation of fake EPR Certificates is also consideration of Hon'ble NGT vide its Original Application No. 926/2024 News Item titled "6 lakh fake pollution-trading certificates unearthed in three States" appearing in The Hindu dated 14.07.2024; and

WHEREAS, EPR Certificates of the order of 112.01 Lac Tones have been generated till date, of which EPR Certificates of 80447 Tones have been generated by 18 registered PWPs in your state/UT; and

WHEREAS, in view of aforementioned points, it had been decided to conduct audit of all PWPs which have generated EPR Certificates. It had further been decided to Audit 474 PWPs which have generated > 200 T of EPR Certificates in the first Phase I, out of which 134 PWPs are to be audited by concerned SPCBs/PCCs; and

WHEREAS, CPCB, vide letter dated 02.08.2024, had assigned 0 no. of PWPs to your SPCB/PCC for Audit; and

WHEREAS following Directions dated 12.11.2024 were issued to the SPCBs/PCCs:

1. *To immediately complete audit of the PWPs as assigned vide above mentioned letter dated 02.08.2024 in line with the SOP for conducting audit of registered PWPs.*
2. *To submit the report duly approved by Member Secretary of the SPCB on the audit web module within 10 days of issuance of this direction.*
3. *To submit Action taken report w.r.t. above mentioned directions dated 20.11.2023 issued by CPCB."*

WHEREAS, CPCB issued Directions dated 21.12.2022 to all PWPs to upload GST E-Invoice of all transactions related to plastic packaging; and

WHEREAS, it is observed that all PWPs operating in your jurisdiction are not uploading GST E-Invoice of the transactions related to plastic packaging which is non-compliance of aforementioned CPCB's Directions; and

WHEREAS in view of the aforementioned points, it is essential to correlate the quantum of EPR Certificates generated not in conformity with the provisions of EPR guidelines and take necessary action against the defaulting units to ensure that authentic EPR certificates are generated in accordance with the actual plastic waste being processed by the units;

WHEREAS, CPCB has made provisions on the EPR portal for strengthening of process of generation of EPR certificates by PWPs which shall allow upload of GST e-Invoices only after successful verification of uploaded details from GSTN portal; and

WHEREAS, Instruction sheet for uploading of GST e-Invoices for sale of product by PWPs is available on the EPR Portal; and

WHEREAS following Directions dated 14.1.25 were issued to SPCBs/PCCs

1. To submit reasons for non-submission of Action Taken report of Directions dated 20/11/23 and 12/11/24 issued by CPCB
2. To take necessary action against the defaulting PWPs as per findings of the CPCB Audit Reports as well as Audit Reports of SPCB/PCC in accordance with Directions dated 20/11/23 and 12/11/24 issued by CPCB on the matter.

3. Proportionate EC must be levied in case any of the following non-compliance is observed in the audit report:
- i. Plant & Machinery not found on-site as per the details submitted in the Registration application
 - ii. GST E-invoice is not uploaded as proof of sale of finished product on the EPR Plastic Portal or uploaded GST E-invoice is not found to be in order as proof of sale of finished product on the EPR Plastic Portal
 - iii. Actual processing capacity (as assessed in the audit by actually operating the plant) is less than the Registered capacity (as per the Registration application)
 - iv. Power consumption bill is less than expected power consumption as assessed in the audit by actually operating the plant.

EC waiver may be given in respect of deficit of upto 20% in (iii) and (iv) above considering errors/benefit of doubt in assessing the capacity/electricity consumption during the audit assessment.

Further, the EC waiver may also be considered for non-uploading of GST E-invoice (but have uploaded manually generated GST) subject to the condition that such PWP's must register on the GST Portal for the purpose of generation of GST E-Invoice within 15 days of issue of the proposed Directions and also that:

- a. Plant and Machinery is in conformity with the details submitted in the Registration application;
 - b. Details of sales of such uploaded manual GST invoice as proof of sale of finished product on the EPR Plastic Portal is found to be in order;
 - c. Deficit in processing capacity (as assessed in the audit by actually operating the plant) which is within 20% of the Registered capacity (as per the Registration application) and expected power consumption of the products for which EPR certificate has been generated
 - d. Deficit in power consumption bill corresponding to total productions claimed is within 20% of the consumption bill as assessed during audit by actually operating the plant
4. To ensure that all PWP's upload GST E-invoice for transactions related to plastic packaging as per CPCB's Directions dated 21.12.22 and further issue /renew consent of the PWP's only if they register on the GST Portal for generation of GST E-Invoice

WHEREAS, Action Taken Report (ATR) from your SPCB/PCC, for the directions issued dated 20.11.2023, 02.11.2024 and 14.1.25, has not been received till date CPCB; and

WHEREAS, CPCB has conducted Audit of 1 PWP and following major non-compliance were observed during the Audit:

i. ZERO WASTE MANAGEMENT, Dadra & Nagar Haveli, DNHDD

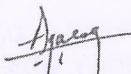
- a. Deficit in production capacity as per trial run conducted during audit is 35280TPA which is 98% of the total registered processing capacity
- b. Deficit of 98% in Power consumption as per audit observations was found.
- c. On-site plant and machinery is not in confirmation with the details submitted in the application for registration under PWM Rules.
- d. 4.7% GST invoices for sales transactions not found to be uploaded as per CPCB direction dated 21-12-2022.

Copy of the CPCB Audit Report/Reports are enclosed for ready reference

NOW THEREFORE, in view of above and in exercise of the powers vested to Chairman, Central Pollution Control Board (CPCB) vide Notification No. S.O.730 (E) dated July 10, 2002 notified as per provisions of Section 5 of the Environment (Protection) Act, 1986, the following Directions are issued to your office:

1. To submit reasons for non-submission of Action Taken report of Directions dated 20/11/23, 12/11/24 and 14.1.25 issued by CPCB
2. To take necessary action against the defaulting PWPs as per findings of the CPCB Audit Reports (enclosed) as well as Audit Reports of SPCB/PCC in accordance with Directions dated 14.1.25 issued by CPCB on the matter

You are hereby directed to take necessary action for compliance of aforesaid directions and submit the action taken report (*including Unit-wise details of EPR Certificates generated not in conformity with the requirement prescribed in CPCB Guidance manual, EC levied, status of suspension/revocation of consent/ registration and issuance of closure direction with respective period of debarring from EPR Framework*) to this office within 15 days of receipt of this direction.


(Amandeep Garg)
Chairman

Handwritten initials



प्रदूषण नियंत्रण समिति

Pollution Control Committee

Annexure R-5

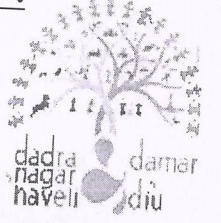
संघ प्रदेश प्रशासन दादरा एवं नगर हवेली एवं दमन एवं दीव

U. T. Administration of Dadra and Nagar Haveli and Daman and Diu

प्रथम तल, उद्योग भवन, भेंसलोर, नानी दमन, दमन - ३९६२१०

1st Floor, Udyog Bhavan, Bhenslore, Nani Daman, Daman-396210

Ph.: 0260 - 2262524 / 2260975, e-mail – pcc-dnhdd@ddd.gov.in



No. PCC/DDD/O-2663/WA/AA/KG/22-23/140

Date: 03/11/2025

SHOW CAUSE NOTICE

WHEREAS, M/s. Zero Waste Management located at Gala No. 109, 1st Floor, "B" Type Building, Sr. No. 37/1(1)B, Village-Kachigam, Nani Daman was issued Consolidated Consent and Authorization – Renewal to manufacture Aglo Mareded Plastic Granules for Bituminus Mixed road making - 36000 MT/Year vide order no. PCC/DDD//O-2663/WA/AA/KG/22-23/1269995 dated 13/02/2023 under the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 and valid up to 27/01/2028;


AND WHEREAS, the unit was audited by the CPCB officials along with PCC officials and the following major non-compliance were observed:

1. Deficit in production capacity as per trial run conducted during audit is 35280 TPA which is 98% of the total registered processing capacity.
2. Deficit of 98% in Power Consumption as per audit observations was found.
3. On-site plant and machinery are not in confirmation with the details submitted in the application for registration under PWM Rules.
4. 4.7% GST invoices for sales transactions not found to be uploaded as per CPCB direction dated 21-12-2022.

NOW THEREFORE, it is to conclude that the unit has grossly violated the provisions stipulated under the Section 5 of the Environment (Protection) Act, 1986 for Non-compliance of Plastic Waste Management Rules, 2016 (as amended).

Further in order to strengthen its efforts towards Environmental Protection, Pollution Control Committee, DNH & DD; in the exercise of power under Section 5 of The Environment (Protection) Act, 1986; issues Show Cause Notice to M/s. Zero Waste Management; why necessary legal action shall not be initiated against you regarding the above-mentioned violations and lapses.

You are hereby directed to reply within **7 days** of the receipt of this Show Cause Notice, failing which the necessary legal action shall be initiated as per the provisions of the Act, which may **include disconnection of Power Supply and Closure of the unit followed by Environmental Compensation without any further notice.**


(B. Mohandaas)

Member Secretary
Pollution Control Committee,
DNH & DD
o/c

To,
M/s. Zero Waste Management
Gala No. 109, 1st Floor, "B" Type Building,
Sr. No. 37/1(1)B, Village-Kachigam, Nani Daman

Copy to:

1. The Chairman, PCC DNH & DD, for kind information

प्राप्त किया / RECEIPT
31/12/25
समिति का कार्यालय
Office of the Collector
दमण /Daman

Annexure R - 6



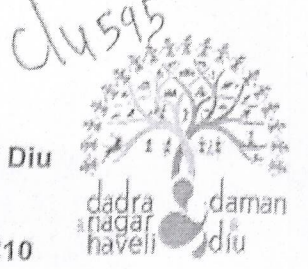
प्रदूषण नियंत्रण समिति
Pollution Control Committee

संघ प्रदेश प्रशासन दादरा एवं नगर हवेली एवं दमन एवं दीव
U. T. Administration of Dadra and Nagar Haveli and Daman and Diu

प्रथम तल, उद्योग भवन, भेंसलोर, नानी दमन, दमन - ३९६२१०

1st Floor, Udyog Bhavan, Bhenslore, Nani Daman, Daman-396210

Ph.: 0260 - 2262524 / 2260975, e-mail – pcc-dnhdd@ddd.gov.in



No. PCC/DDD/PW/Part VII/22-23/ 34

Date: 21/02/2026

To,
The Chairman,
Central Pollution Control Board,
(Ministry of Environment Forest & Climate Change)
Parivesh Bhawan, East Arjun Nagar, Delhi – 110032.

Subject: Submission of action taken report against of direction under section 5 of the EPA, 1986 regarding compliance of various provisions under Schedule – II of Plastic Waste Management Rules, 2016, i.e., Guidelines on Extended Producer Responsibility (EPR).

Sir,

With Reference to above cited subject, please find enclosed action taken report against of direction under section 5 of the EPA, 1986 regarding compliance of various provisions under Schedule – II of Plastic Waste Management Rules, 2016, i.e., Guidelines on Extended Producer Responsibility (EPR).

Yours faithfully,

(B. Mohandass)
Member Secretary,
Pollution Control Committee,
DNH & DD.

Encl.: As above

Copy to;

- The Chairman, Pollution Control Committee, DNH&DD for kind information.
- G. Thirumurthy, Divisional Head, DH-UPC-II, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi – 110032 for kind information.

प्राप्त किया / RECEIPT

26/02/26
समवेतता कार्यालय

Office of the Collector
दमण /Daman

C/4593

Action Taken Report in the matter of direction under section 5 of the EPA, 1986 regarding compliance of various provisions under Schedule – II of Plastic Waste Management Rules, 2016, i.e., Guidelines on Extended Producer Responsibility (EPR)

Sr. No.	CPCB Remarks	Action Taken
a.	To submit reasons for non-submission of Action Taken report of Directions dated 20/11/23, 12/11/24 and 14.1.25 issued by CPCB.	The process for grant of registration has already been improved and streamlined. Further, an account has been created for conducting audits of PWP's in the Union Territory of Dadra and Nagar Haveli and Daman and Diu; however, the official audit has not been assigned to till date.
b.	To take necessary action against the defaulting PWP's as per findings of the CPCB Audit Reports (enclosed) as well as Audit Reports of SPCB/PCC in accordance with Directions dated 14.1 .25 issued by CPCB on the matter.	Necessary action has already been taken against the defaulting PWP's in accordance with the findings and directions issued by the Central Pollution Control Board (CPCB) vide directions dated 21/02/2025 in the matter.