

BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 993 OF 2024

IN THE MATTER OF:

IN RE: NEWS ITEM TITLED “*PACKAGE WHERE HAS THE PLASTIC WASTE DISAPPEARED*” APPEARING IN THE TIMES OF INDIA DATED 30.07.2024

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PLACE: NEW DELHI

Dated:04.10.2024



BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 993 OF 2024

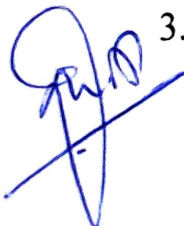
IN THE MATTER OF:

IN RE: NEWS ITEM TITLED "*PACKAGE WHERE HAS THE PLASTIC WASTE DISAPPEARED*" APPEARING IN THE TIMES OF INDIA DATED 30.07.2024

AFFIDAVIT ON BEHALF OF STATE OF SIKKIM IN COMPLIANCE
WITH THE ORDER DATED 31.07.2024

I, Karma Legshey Dhendup, IFS, Chief Conservator of Forest and Environment, Government of Sikkim, New Secretariat, Deorali, Gangtok District, Sikkim do hereby solemnly affirm and most humbly and respectfully submit as under:

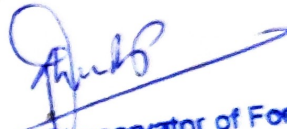
1. That I am the Chief Conservator of Forest and Environment to the Government of Sikkim and therefore, authorized to file this affidavit which is based on instructions received from Government of Sikkim.
2. That I am competent to depose to the contents of this affidavit.
3. That a suo moto cognizance was taken by this Hon'ble Court with regard to a news item titled as "*PACKAGE Where has the plastic waste disappeared*" which appeared in the Times of India on 30.07.2024.


Chief Conservator of Forest
Forest and Environment Deptt.
Government of Sikkim




1615
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4. The present affidavit is being filed in compliance of directions issued by this Hon'ble Court vide order dated 31.07.2024.
5. That a Status Report on behalf of State of Sikkim on Extended Producer Responsibility (EPR) under the Plastic Waste Management Rules, 2016 (as amended) in Sikkim for 2022-2024 alongwith annexures is annexed herewith and marked as **Annexure R1**.
6. That the present affidavit is true to the best of my knowledge and information received from the State of Sikkim and nothing material has been concealed therefrom.

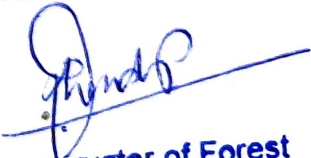

Chief Conservator of Forest
Forest and Environment Deptt.
Government of Sikkim
DEPONENT

VERIFICATION:

Verified at Gangtok, Sikkim on 3rd day of September, 2024, that the contents of the above said affidavit are true and correct to the best of my knowledge and belief. Nothing material has been concealed therefrom.

Identified by:

Pem Tshering Lepela
Gangtok, Sikkim.

Solemnly Affirmed before me on this the
3rd Day of sep, 2024, by Shri/Smt/Kri
honne lepa of Gangtok
Identified by Shri/Smt/Kri Pem
Tshri Lepela of Gangtok


Chief Conservator of Forest
Forest and Environment Deptt.
Government of Sikkim
DEPONENT


Ms. Manati Sharina
3/9/24
Oath Commissioner
Pakyong District
High Court of Sikkim
Vide Notification No. 22/MCS/13/5/2024

Status report on Extended Producer Responsibility (EPR) under the Plastic Waste Management Rules, 2016 (as amended) in Sikkim (2022-2024).

1. Overview of EPR Initiatives.

The CPCB brought out Standard Operating Procedure (SOP) on March 2021 for registration of Producers, Importer and Brand Owner and framework for implementation of extended producer responsibility. **(Annexure-I)**

2. The MoEF&CC, Govt. of India undertook two-pronged approach for addressing plastic pollution challenges: prohibiting some identified items and regulating the rest of the items.

i. The Plastic Waste Management (amendment) Rules 2021 prohibited identified single-use plastic items effective from July 1, 2022. **(Annexure-II)**

ii. Draft amendment rules on October 2021 introduced detailed EPR guidelines for plastic packaging, outlining responsibilities for PIBOs, including collection and recycling targets. **(Annexure-III)**

3. Based on the SOP and draft notification brought out by the Ministry, the SPCB-Sikkim took following initiatives:

i. **Public Notice for Registration of PIBOs (2021):**

On July 7, 2021, the State Pollution Control Board (SPCB) of Sikkim published a public notice on its official website and in local newspapers. This notice called for the registration of Producers, Importers, and Brand Owners (PIBOs) operating within Sikkim, in accordance with the SOP and the draft rules. PWM Rules, 2016, and its subsequent amendments. The notice aimed to sensitize and bring PIBOs under the regulatory framework for plastic waste management. **(Annexure-IV)**

ii. **Stakeholder Meeting on EPR (November 30, 2021):**

On November 30, 2021, the SPCB-Sikkim organized a meeting at Sidkeong Tulku Conference Hall inviting PIBOs (both local and operating from outside the state), Waste Management Agencies (WMAs), distributors, wholesalers of major consumable goods and electronics, and relevant line departments. The meeting was focused on discussing the Extended Producer Responsibility obligations of PIBOs. Three prominent WMAs, namely M/s The Shakti Plastic Industries, M/s GEM Enviro Management Pvt. Ltd., and M/s Rapidue Technologies Pvt. Ltd., attended the meeting. **(Annexure-V)**

iii. The representative of the WMAs also visited local industry like Sikkim Milk Union, Tadong to sensitize the company about the EPR obligations on November 30, 2021.

iv. The representative of the WMAs gave assurance to invest in the State under the EPR regime by establishing a system for collection and transportation of plastic packaging waste. The gave assurance to set-up material recovery facility in Urban Local Body areas for collection, sorting, segregation, bailing and transportation of plastic packaging waste provided they were allotted adequate space in such areas.



4. The Plastic Waste Management (Amendment) Rules 2022 came into force on February 2022:
- i. It provided a comprehensive framework for EPR implementation, emphasizing the need for sustainable practices in plastic packaging.
 - ii. Included provisions for financial contributions to waste management organizations and compliance reporting by PIBOs.
 - iii. CPCB created an online portal for registration and implementation of EPR regime and directed all PIBOs to register in the EPR portal.
 - iv. SPCB-Sikkim brought out a notice informing all stakeholder regarding the EPR regime notified by the Central Government which came into effect on 16th February 2022 and informing all PIBOs to register themselves under this EPR regime.
 - v. PIBOs who are operating also in Sikkim and other States have registered under CPCB EPR portal. The list of PIBOs registered under CPCB EPR portal and operating in Sikkim is enclosed for reference. **(Annexure-VI)**
5. EPR Web Portal
- i. Centralized EPR Portal Launch by CPCB in the year 2022 for plastic packaging, specifically for PIBOs and Plastic Waste Processors (PWPs). The CPCB also published separate Standard Operating Procedures (SOPs) for PWPs and PIBOs.
 - ii. On 16th March and 29th March 2022, the SPCB-Sikkim issued a notice about the web portal for the registration of PIBOs & PWPs and the online submission of EPR action plans. The portal, introduced by the Central Pollution Control Board (CPCB), was intended for the collection and channelization of pre-consumer and post-consumer plastic waste. The notice mandated immediate compliance. **(Annexure-VII)**
 - iii. SPCB-Sikkim widely publicized the matter by bringing out a notice on its website and in local newspapers through the Information and Public Relations (IPR) Department, communicating the statutory requirements to all industrial units.
 - iv. The EPR registration of PIBOs exclusively operating in Sikkim is yet commence under EPR portal.
6. PLASTIC AWARENESS WEEK
- SPCB-Sikkim initiated a state-wide awareness campaign by the name Plastic Waste Awareness Week, which was launched by the Hon'ble Chief Minister, Govt. of Sikkim, from 6th to 12th March 2022. During the event awareness materials such as pamphlets, posters, stickers and videos developed by the SPCB were released which were distributed in gram panchayat units and municipal wards to all households through Rural Developments and Urban Development Departments and by the SPCB-Sikkim. **(Annexure-VIII)**
7. CPCB issued direction u/s 5 of the EPA, 1986 to all PIBOs to register in the centralized EPR portal on 13.05.2022. **(Annexure-IX)**



8. SPCB circulated the direction to local industries to comply with the direction.
9. Training on Phasing Out Single-Use Plastic (SUP) and EPR Obligations:
SPCB-Sikkim conducted training sessions for the Hon'ble Councilors of Urban Local Bodies (ULBs) on the phasing out of Single-Use Plastic (SUP) and EPR obligations. The training also covered the use of the centralized EPR portal introduced by CPCB on July 11, 2022.

(Annexure-X)

10. Verification of EPR Activities

SPCB-Sikkim received few reports from some waste companies (waste management agencies) who were engaged by PIBOs, mainly located outside the state, to fulfil EPR obligation on their behalf. The WMAs reported to collect waste from Gangtok area and the reports were forwarded to the Gangtok Municipal Corporation (GMC) requesting for verification of the activities performed by Waste Management Agencies (WMAs) operating on behalf of PIBOs under the EPR framework.

A meeting was held on 17.05.2023 with GMC to discuss the irregularities in waste collection reports submitted by WMAs for FY 2021-2022. SPCB-Sikkim directed the re-collection of plastic waste from areas under GMC's jurisdiction by M/s The Shakti Plastic Industries Pvt. Ltd. and M/s GEM Enviro Management Pvt. Ltd. A six-month timeframe was given for the task, with the option to engage local scrap vendors. The WMAs were held responsible for ensuring compliance.

(Annexure-XI)

11. Action taken by SPCB-Sikkim against defaulting agencies:

It was found that reports submitted by WMAs claiming certain amount of plastic waste during different periods were not authentic as per the information received from the GMC accordingly Board initiated legal action by issuing show-cause notices and directions.

- i. SPCB-Sikkim issued a show-cause notice to M/s The Shakti Plastic Industries Pvt. Ltd., which was working on behalf of M/s Bisleri International Pvt. Ltd.
- ii. Subsequently, as a follow up action w.r.t to misleading information on plastic waste collection from Gangtok the company was directed to deposit bank guarantee to ensure that they carry out re-collection of plastic waste from the Gangtok town in close supervision of the GMC and the SPCB. The amount was forfeited as the task was not completed within stipulated timeframe.
- iii. Likewise, Bank Guarantee deposited by M/s GEM Enviro Management Pvt. Ltd. was also forfeited.
- iv. The Gangtok Municipal Corporation lodged an FIR against M/s Rapidue Technologies Pvt. Ltd., a Waste Management Agency working on behalf of M/s Bisleri International Pvt. Ltd. for submitting a fabricated reports and forged documents on plastic waste collection from Gangtok.

(Annexure-XII)

12. As per the amended rules, PIBOs operating in one or two states require to obtain registration in the centralized EPR portal from the concerned SPCBs and in case of operating in more states than they require to obtain registration from CPCB. There are 16 nos. of PIBOs registered EPR portal who are operating in our State Further all PWPs/ Co-processors require to obtain registration from respective SPCBs in the centralized portal. However, PWPs/Coprocessor have not been established in the State.

13. In case of Sikkim, most of the industries are operating in multiple states, accordingly, they have obtained registration from CPCB. Local industries have so far not registered



citing exemption to MSME units (micro and small enterprises). Few industries have applied for registration but their application are pending due to non-submission of proper documents or proper EPR Action Plan.

14. Till date no significant work have been done by any PIBOs towards EPR obligation in the state of Sikkim as the PIBOs are operating in pan-India basis and mostly registered with CPCB. Moreover, as per the new framework developed by the CPCB in the centralized EPR portal, the PIBOs are not mandatorily required to undertake plastic waste collection in every state instead they can fulfill EPR obligation from any location. The approach for EPR obligation has been shifted towards purchasing of EPR Certificates directly from PWPs (recycler/co-processor/ disposal facility) in lieu of physical collection of plastic wastes to meet their annual EPR target.
15. Such shift in the framework has adversely affected the small states like Sikkim from benefitting from the EPR regime as the state does not have facilities like PWPs/ Cement plant/co-processing facilities and major PIBOs have also no operation base in the State.
16. As reported by Gangtok Municipal Corporation, Urban Development Department 49.15 MT of post-consumer multilayered plastic packaging (category-3 as per clauses 5.1 of EPR Framework) has been safely disposed through co-processing in cement kiln during the period 01.02.2024 to 29.02.2024 by M/s Swachh Sustainable Solution Pvt. Ltd. on behalf of Dabur India Limited for fulfilling the EPR obligations from Gangtok, Sikkim.

(Annexure-XIII)



Annexure - I
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**Standard Operating Procedure for Registration of
Producers, Importers & Brand-Owners (PIBOs)
Under
Plastic Waste Management Rules 2016 (as amended)**



**Central Pollution Control Board
Delhi
March 2021**

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**CENTRAL POLLUTION CONTROL BOARD****Standard Operating Procedure (SOP) for Registration of
Producers, Importers & Brand Owners (PIBOs) under
Plastic Waste Management (PWM) Rules, 2016, as amended****1.0 Introduction**

As per the provision of PWM Rules, Extended Producers Responsibility (EPR) for management of plastic waste packaging is entrusted with the PIBOs who introduce the products in the market. They are required to establish a system for management of plastic waste generated due to their products by engaging with local bodies. Local bodies are responsible for setting up of PWM system with assistance from Producers & Brand Owners.

Further, PIBOs who are operating in more than two states, are required to obtain registration from CPCB and those operating in one or two states have to obtain registration from the concerned SPCB/PCC. EPR Action Plan for PWM has to be submitted for obtaining the registration.

CPCB prepared format for EPR Action Plan required for obtaining registration as per provision of PWM Rules (**Annexure I**) in June 2019. Based on interaction with various stakeholders during the intervening period, the procedure for grant of Registration has been reviewed and necessary updations have been worked out. This SOP delineates various alternatives for fulfilling EPR by PIBOs as well as documents the procedure for obtaining the registration so as to facilitate easy filing of application and progress reports by the PIBOs as well as to ensure effective implementation of EPR plan. Various provisions of PWM Rules taken into consideration for framing the SOP are given in **Annexure II**.

2.0 Action Plan Framework

EPR Action Plan for PWM has to be submitted by PIBOs (those operating in more than two states) for obtaining registration from CPCB. **PIBOs shall fulfill EPR in all the States/UTs in which they are introducing their products. EPR Target for a particular State/UT shall be equal to the type & quantum of plastic introduced by them in the market (post consumer waste) in the specific State /UT.**

The PIBOs have three alternatives **as per Annexure I** for implementation of EPR plan for PWM in the States/UTs in which they are introducing their products:

- a) PWM through Own Distribution Channel
- b) PWM through Direct engagement with Urban Local Body (ULB)
- c) PWM through engagement with Waste Management Agency (WMA), which in turn should engage with ULBs

PIBOs shall have the option of adopting any or all of the above options. However, it has to be ensured that the **total type & quantum of plastic waste** managed through these alternatives in a particular State/UT meets the EPR target of the concerned PIBO for the respective State/UT. **WMAs, if engaged, shall be enrolled with the concerned ULB/ any authority designated by the State/UT. Details of such WMAs shall be intimated to the respective SPCB/PCC by the ULB/ designated state authority.**

3.0 SOP for issuance of Certificate by CPCB

3.1 Submission of application

The PIBOs shall apply to CPCB for the registration online on the portal. The application format which is in accordance with Form-I of PWM Rules 2016 is enclosed at **Annexure III**. Application fee, as prescribed, shall be paid by PIBO at the time of submitting the application for Registration with CPCB.

3.2 EPR Action Plan Details

EPR Action Plan to meet the statewise EPR target (type & quantity) has to be submitted for each of the State/UT in which the PIBO is introducing the plastic in the market. The guiding principle for preparing the EPR Action Plan is discussed in this section.

3.2.1 PWM through Own Distribution Channel

In "PWM through own distribution channel" option, plastic waste shall be collected through the same channel through which it is introduced in the market.

3.2.1.1 Plastic Waste Collection: Detail of collection mechanism such as introduction of Deposit Refund Scheme, Setting up of collection centres etc. shall be submitted at the time of registration. Engagement with local bodies shall not be required for this option.

3.2.1.2 Plastic Waste Processing: PIBO has to engage with Plastic Waste Processing Facility (PWPF)- (Recycler/ Co-processor, etc.) for processing

of the plastic waste. PWPF should be registered with SPCB/PCC (Rule 13(3) of PWM Rules). The number of WMAs/PIBO to engage with PWPF shall be limited by the processing capacity of PWPF as per Registration issued by SPCB/PCC. The following details have to be provided for each of the PWPF engage with for processing of waste:

- i. Name of PWPF
- ii. Name of State /UT
- iii. Type of PWPF (Recycling, co-processing, WtE, road making, Waste to Oil etc.)
- iv. PWPF Processing Capacity (TPA)
- v. Validity date of Registration of PWPF
- vi. Qty of PW to be processed in PWPF
- vii. Type of PW to be processed (Low value (LDPE, MLP, PP); High valued (HDPE, PP, PET etc.))

Annexure R-1

Brand Owner has to sign an agreement (Format given in **Annexure IV**) with the PWPF.

3.2.2 PWM through Direct engagement with ULB

3.2.2.1 Plastic Waste Collection: PIBO may engage with the concerned ULB/ designated state authority for plastic waste management. Engagement with ULB/designated state authority can be for segregation, collection, transportation of waste, channelization of waste to PWPF, setting up/ operation & maintenance of material recovery facility (MRF)/ Refused Derived Fuel (RDF), engagement of informal sector in PWM etc. as per provision of PWM Rules. Details of such PIBOs shall be intimated to the respective SPCB/PCC by the ULB/ designated state authority.

Valid Document issued by concerned ULB / designated state authority supporting PIBO's engagement has to be submitted at the time of Registration to CPCB.

3.2.2.2 Plastic Waste Processing

Details, as per Section 3.2.1.2, have to be provided

3.2.3 PWM through engagement with Waste Management Agency (WMA), which in turn should engage with ULBs

PIBOs may also engage with WMAs for segregation, collection, transportation of waste, channelization of waste to PWPF, setting up/ operation & maintenance of material recovery facility (MRF)/ Refused Derived Fuel (RDF), engagement of informal sector in PWM etc. as per provision of PWM Rules. Such WMAs shall be enrolled with the concerned ULB/ designated state authority for implementation of provisions of PWM Rules required for registration of Producers /Brand-owners. Multiple WMAs can be engaged by Producers & Brand Owners for PWM. The following details have to be provided for each of the WMA engaged with:

- Name of the waste management agency
- Qty & type of plastic waste proposed to be managed through WMA
- Validity of agreement with WMA

Producers & Brand-Owners should have Agreement (**Annexure-V**) with WMA for PWM. Scope of Work of the WMA shall be clearly defined in the Agreement.

3.2.3.1 Plastic Waste Collection:

Engagement of WMA with ULB/ designated state authority shall be for the same activities as enumerated in 3.2.2.1 above. Valid Document issued by concerned ULB / designated state authority supporting WMA's enrolment has to be submitted at the time of Registration to CPCB. Scope of Work of the WMA should be clearly defined in the document.

3.2.3.2 Plastic Waste Processing: WMA has to engage with PWPF for processing of the plastic waste. WMA has to sign an agreement (Format given in **Annexure-IV**) with the PWPF. Other details shall be the same as Section 3.2.1.2.

3.3 Checklist of documents to be submitted for Obtaining Registration from CPCB

- (a) Proof of Selling in more than two states (GST/ tax invoice etc)
- (b) DIC Certificate, if the unit has a production facility
- (c) Valid Consents under Air & Water Act, if the unit has a production facility
- (d) Documents related to Action Plan for fulfilling EPR liability (State/UT wise)

- i. Document issued by ULB / designated state authority related to engagement of PIBO/WMA (as applicable)
- ii. Registration issued by SPCBs/PCCs to PWPF to be engaged with for PW processing
- iii. Agreement of PIBO/WMA with PWPF for PW processing (as applicable)
- iv. Agreement of PIBO with WMA (as applicable)

3.4 Processing of application

- i. The application shall be examined by CPCB and shortcomings, if any, shall be communicated to the applicant **within seven working days** of receipt of the application. Within CPCB, all concerned officials are required to respond within two working days of receipt of the required documents.
- ii. If no response is received from the applicant **within thirty days of receipt of CPCB's communication, the application shall be considered as withdrawn.**
- iii. The Registration certificate shall be deemed to be generated, if CPCB does not send any response to the applicant **within one month** of the receipt of the complete application in its office. Within CPCB, the reason for delay shall be examined and official responsible for the delay shall be required to give explanation for the same.

3.5 Responsibility of State Government/Administrator

- i. The State/UT shall nominate a State/UT level Nodal Agency/Department preferably the Department at State level which administers the affairs of Urban Local Bodies in the state/UT such as Urban development Deptt. /Local Self Government (LSG)/ Municipal Administration Deptt. Depending on the functional requirement, state may identify more than one such department as nodal department/agency. However, one of these departments shall be notified as the State Nodal Agency for the purpose of coordination to ensure that entire state including Rural Local Bodies, Town Panchayats, Cantonment Boards etc. are covered under the EPR Framework.
- ii. The State Nodal Agency (Urban Development/ LSG/ Municipal Administrative Department) shall map the existing PWM facilities (**As per Form-V of PWM Rules**) and update the details on six-monthly basis which

shall enable brandowners to tie-up with the ULBs/designated state authorities. Such details shall be shared on its website so as to be easily accessible to the PIBOs (**Annexure VI**).

- iii. State Nodal Agency shall be responsible for submission of consolidated details of EPR related activities of PIBOs & PWPFs located in their jurisdiction and other details to SPCB/PCC.

3.6 Responsibility of SPCB/PCC

- SPCBs /PCCs shall monitor implementation of EPR Action Plan of PIBOs at State / UT level to ensure its effective implementation.
- SPCB/PCC shall compile PIBO wise activities operating in the state/UT as per their EPR action plan and share it in public domain.
- SPCB shall assess the information on EPR Activities of PIBOs/ WMA provided by the State Nodal Agency vis-à-vis their EPR Plan and communicate deficiencies, if any, to the PIBO.
- SPCB/PCC shall validate information provided by State Nodal Agency and PIBO and submit the same to CPCB.

3.7 Grant of Registration

- i. Fresh Registration valid for a period of one year in accordance with provision of PWM Rules shall be issued to the PIBOs.
- ii. Subsequent registrations shall be valid for a period of three years in accordance with provision of PWM Rules.
- iii. Registration certificate shall be issued online to PIBOs **within seven working days** of submission of complete application.
- iv. Member Secretary, CPCB shall be the approving authority for issuing of the Certificate and concerned Divisional Head, shall be the designated signatory on the Certificate.
- v. **Copy of the Registration along with the EPR Action Plan shall be shared with the concerned SPCB/PCCs and the Nodal Agency designated by the State Government/ UT Administrator. Details of EPR Action Plan of all PIBOs operational in a State/UT shall be displayed on the website of concerned SPCB/PCC/Designated Nodal Agency as per format given in Annexure VII.**

3.8 Submission of Half-Yearly Progress Reports by PIBO

- i. The PIBO shall be submitting half-yearly progress reports regarding management of plastic waste for **each State/ UT in their EPR Action Plan to concerned SPCB/PCC.**
- ii. PIBO has to demonstrate that quantity as well as type of plastic waste as per EPR target has been processed and it shall be mandatory to submit documentary evidence from respective processing facilities. The PIBO shall further submit supporting documents as evidence of Statewise collection of waste as per the EPR target.
- iii. The Half-Yearly Progress reports shall be submitted **within 15 days** of completion of the corresponding half-year term as per details given below:

1	PWM through Own Distribution Channel	
A	Details of PW Collection & Channelization	Statewise Quantity of Waste collected (TPA) along with supporting document in line with the collection mechanism
B	Details of Plastic Waste Processing	<ul style="list-style-type: none"> -Qty of Plastic waste processed -Type of Plastic Waste processed -Data to be reported for each PWPF -Report to be submitted as per Annexure VIII -Documents to be provided: <ul style="list-style-type: none"> a) Signed document issued by PWMF to the PIBO to include <ul style="list-style-type: none"> • Qty of PW processed • Type of PW processed • Date of issue & period for which waste has been processed b) Copy of valid registration issued by SPCB/PCC to PWPF c) Copy of last Annual report (Form IV of PWM Rules) filed by PWPF with concerned ULB
2	PWM through Direct engagement with ULB /designated state authority	
A	Details of PW Collection & Channelization-	<ul style="list-style-type: none"> -Valid document supporting engagement with ULB/ Designated state authority issued to PIBO - Legal undertaking by PIBO certifying that said type & quantity of plastic waste has been collected as per EPR Action plan
B	Details of Plastic Waste Processing	Same as 1B

3	PWM through engagement with Waste Management Agency (WMA), which in turn should engage with ULBs	
A	Details of PW Collection & Channelization	-Valid document supporting enrolment with ULB/ Designated state authority issued to WMA -Legal undertaking by WMA certifying that said type & quantity of plastic waste has been collected as per EPR Action plan of PIBOs who have engaged WMA -Document issued by WMA to PIBO indicating, type, quantity of waste managed assigned to PIBO along with the period for which it is assigned
B	Details of PW Processing	-Qty of Plastic waste processed -Type of Plastic Waste processed -Data to be reported for each PWPF/WMA -Report to be submitted as per Annexure VIII . Documents to be submitted (a) Signed document issued by PWPF to the WMA to include <ul style="list-style-type: none"> • Qty of PW processed • Type of PW processed • Date of issue & Period for which waste has been processed (b) Document signed by WMA indicating type & quantity of waste managed assigned to PIBO (c) Copy of valid registration issued by SPCB/PCC to PWPF (d) Copy of last Annual report (Form-IV) filed by PWPF with concerned ULB

3.9 Submission of Progress Reports by PIBOs/ SPCB/PCC

- **PIBOs** shall submit Half yearly reports to SPCB/PCC giving statement of plastic waste collection and utilization during the HY term under consideration as per **Section 3.7**.
- State Nodal Agency shall be responsible for submission of consolidated Half-yearly report including details of PWM activities carried out by PIBOs & PWM recyclers to SPCB/PCC/PCC. **The format is placed at Annexure IX.**
- **Concerned SPCB/PCC** shall validate the reports submitted by PIBOs and Nodal State Agency and submit the same to CPCB (**Annexure IX & X**). **The validation**

may be done through Form IV submitted by the recyclers/ Form-V submitted by ULBs/ field inspection etc.

- CPCB shall coordinate the activities related to EPR implementation in the country.

3.10 Renewal of Registration

- PIBO shall submit the application for renewal four months before the expiry of the Registration along with the necessary documents as discussed in the previous sections.
- PIBO have to ensure that all due Half-Yearly reports for the preceding Registration period have been submitted prior to submitting the renewal application.
- The documents submitted by the PIBO shall be assessed along with the Half-yearly reports submitted by PIBO.
- Registration granted to PIBO shall be renewed for a period of three years by CPCB within 15 days of receipt of complete documents from the Producers & Brand Owner.
- Member Secretary, CPCB shall be the approving authority for issuing of the Certificate and the concerned Divisional Head shall be the designated signatory on the Certificate.
- Documents to be submitted for renewal
 - Filled in application format
 - Copy of original Registration certificate
 - EPR Action Plan.
 - The renewal shall be based on the compliance status as received from the State Boards.

3.11 Cancellation of Registration

- The documents submitted by the PIBOs shall be subject to verification including third party audit by CPCB.
- At any stage, if the document submitted by the PIBO is found to be false, then the Registration issued shall be liable to be cancelled.
- If any PIBO is found to be violating the provision of Registration, a notice shall be issued by CPCB.

- iv. An opportunity will be given to hear the PIBO within fifteen days from the date of issuance of notice; prior to considering the case for cancellation or suspension of Registration by CPCB.
- v. The decision on cancellation or suspension of authorization will be intimated within 10 working days after hearing. Chairman CPCB will be the final authority for taking decision on cancellation or suspension.

4.0 Applicability of SOP

- (i) SOP shall be applicable to all applications received after the date of issue of the current SOP. However, the existing registrations shall be aligned with the SOP within three months of issue of SOP.
- (ii) The applications under process at CPCB for grant of Registration shall be processed as per provisions of the current SOP. Therefore, if required, additional details shall be furnished by the applicants.
- (iii) As the National Framework for EPR is under consideration at MoEF&CC, the SOP shall be applicable till the finalization of EPR Framework by MoEF&CC, following which PIBOs shall be liable to fulfill EPR liability as specified in the Framework.

PREPARATION OF ACTION PLAN FOR PRODUCERS/ IMPORTERS/ BRAND OWNERS (PIBOS) FOR PLASTIC WASTE MANAGEMENT**1.0 Background:**

Plastic Waste Management(PWM) Rules 2016 provide a regulatory frame work for management of plastic waste generated in the country. The provisions of these Rules lay emphasise 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.

As per the provisions of the PWM Rules the PIBOs have to work out modalities for waste collection system based on Extended Producers Responsibility (EPR). **EPR means the responsibility of a producer (includes Brand-owners/Importers) for the environmentally sound management of the product until the end of its life.** Further the PIBOs are required to obtain Registration from CPCB/ SPCBs/PCCs (as the case may be) prior to commencement of production. The PIBOs are required to apply for Registration in Form I along with the Action Plan for plastic waste management.

This document gives the outline for framing the Action Plan for plastic waste management(PWM) by PIBOs.

2.0 Alternatives for Action Plan

The following alternatives may be considered for preparation of action plan for PWM:

(i) Plastic Waste management through Own Distribution channels-

- a. **Waste Collection:** Through own distribution channel.
- b. **Waste Quantity:** Waste quantity should be equivalent to the estimated quantity of plastic waste generated.
- c. **Waste Recycling:** In this case, the PIBOs Owner must have contract with the recyclers to ensure that the waste collected by them is sent to the recyclers. Alternatively, the PIBOs can send the plastic waste for co-processing in cement mills. Road making or any other waste processing facility, the documentary proof of which has to be submitted to CPCB.
- d. **Action Plan Coverage:** To cover the area in which the products are sold to ensure collection of plastic waste preferably in the states/UT covered by their distribution channel

(ii) **Plastic Waste management through Urban Local Bodies(ULBs):** The PIBOs can engage with the ULBs for collection, segregation and recycling of equivalent quantity of plastic waste.

a) **Waste Collection:** In partnership with ULBs.

b) **Waste Quantity:** Waste quantity should be equivalent to the estimated quantity of plastic waste generated.

c) **Waste Recycling:** In this case, the PIBOs/ULBs may have contract with the recyclers to ensure that the waste collected by them is sent to the recyclers. Alternatively, the plastic waste can be sent for coprocessing in cement mills/ Road making or any other waste processing facility, the documentary proof of which has to be submitted to CPCB.

d) **Action Plan Coverage:** To ensure Pan-India coverage, preferably one ULB from each of the five zones of India i.e North, South, Central, East and West India may be engaged by PIBOs selling their products on Pan-India basis. For those PIBOs selling their products in a limited no. of States/UTs – ULBs may be engaged so as to ensure maximum coverage of States/UTs. Also, to ensure that cities of all categories are covered preferably one ULB from Tier I, II & III be engaged.

(iii) **Through Agency:** in which the Agency must have necessary contracts with the ULBs for collection & segregation of waste and with the recyclers for reuse /recycle of waste. Other requirements of this alternative shall be same as "ii" above.

a) **Waste Collection:** In partnership with Agencies

b) **Waste Quantity:** Waste quantity should be equivalent to the estimated quantity of plastic waste generated.

c) **Waste Recycling:** In this case, the PIBOs/Agencies may have contract with the recyclers to ensure that the waste collected by them is sent to the recyclers. Alternatively, the plastic waste can be sent for co-processing in cement mills/ Road making or any other waste processing facility, the documentary proof of which has to be submitted to CPCB.

d) **Action Plan Coverage:** To ensure Pan-India coverage, preferably one Agency from each of the five zones of India i.e North, South, Central, East and West India may be engaged by PIBOs selling their products on Pan-India basis. For those PIBOs selling their products in a limited no. of States/UTs – Agencies may be engaged so as to ensure maximum coverage of States/UTs. Also, to ensure that cities of all categories are covered preferably one Agency from Tier I, II & III be engaged.

PIBOs may consider any or a combination of the above alternatives for preparation of the Action plan. In addition to the above three alternatives, PIBOs may submit

the Action Plan following any other option which is feasible and ensures management of plastic waste management in accordance with provisions of PWM Rules.

3.0 Implementation and Monitoring Plan:

- (i) PIBOs need to submit verification process in case of engagement of Agency to confirm that said quantity of waste has been managed by the Agency and there is no overlap / duplication with other PIBOs.
- (ii) The Action Plan submitted by PIBOs shall be sent to concerned SPCBs/PCCs for confirmation.
- (iii) The PIBOs to submit the details of waste collected through either of the three options in 2.0 above and submit it to CPCB/SPCB on quarterly basis. Format of submission of quarterly report is enclosed at Annexure II.
- (iv) SPCB in turn to verify the claims submitted by the PIBOs with the concerned ULBs/ recyclers and confirm the same to CPCB within 15 days of receipt of the details.

4.0 Validation of Information submitted by PIBOs

- (i) The PIBOs shall be solely responsible for the information provided to SPCB/CPCB.
- (ii) If, at any stage, information provided by the PIBOs is found to be incorrect, then the Registration granted by CPCB shall be cancelled.

Format for framing Action plan for PWM incorporating the above points is placed at Annexure 1. Format for Submitting Quarterly Reports on PWM by PIBOs to CPCB is enclosed at Annexure 2.

Format for framing Action plan for PWM

Sl.No	Item	Description
1	Name & Address of the Unit	
2	Quantity & Type of Plastic Consumed	
3	Estimated quantity of Plastic Waste to be generated	
4	Action Plan for Own Waste/ Equivalent quantity of Waste	
5	In case of Equivalent Quantity of Waste, source of waste generation to be identified	
6	Action Plan based on: a) Own Distribution Channel b) Engagement with ULBs c) Engagement of Agency d) Any Other (please provide details)	
6a	Own Distribution Channel	
i	Details of Distribution Network	
ii	Does the Network have Pan- India coverage	
iii	Estimated Qty of Waste to be Collected	
iv	Mode of Reusing/Recycling Waste (Recycler/ Road Making / Coprocessing/ Others (please specify)	
v	Details (including registration details) of Recycler / Coprocessor/ Agency engaged in Road making/ Others (please specify)	
vi	Break-up of quantity proposed to be sent to Recycler / Coprocessor/ Agencies engaged in Road making/ Others (please specify)	
6b	Engagement with ULBs	
i	List of ULBs to be engaged with for PWM	
ii	Does the above list ensure Pan India coverage	
iii	Break up of Waste to be collected in association with the ULBs	
iv	Document supporting engagement with ULBs	
v	Mode of Reusing/Recycling Waste (Recycler/ Road Making / Coprocessing),	
vi	Engagement with Recycler / Coprocessor/ Agency engaged in Road making	

vii	Details (including registration details) of Recycler / Coprocessor/ Agency engaged in Road making	
viii	Break-up of quantity proposed to be sent to Recycler / Coprocessor/ Agencies engaged in Road making	
ix	Document supporting engagement with Recycler / Coprocessor/ Agency engaged in Road making	
6c	Engagement of Agency	
i	List of Agencies to be engaged with for PWM	
ii	Does the above list ensure Pan India coverage	
iii	Document supporting engagement of the Agency by the ULBs/ Bulk Waste generators	
iv	Break up of Waste to be collected/segregated by the Agency	
v	Mode of Reusing/Recycling Waste (Recycler/ Road Making / Coprocessing)	
vi	Engagement with Recycler / Coprocessor/ Agency engaged in Road making	
vii	Details (including registration details) of Recycler / Coprocessor/ Agency engaged in Road making	
viii	Break-up of quantity proposed to be sent to Recycler / Coprocessor/ Agencies engaged in Road making	
6d	Any Other Options (Please specify and provide details on PWM as per 6 a-c above)	

(Signature),

(Name & Designation of Authorized person)

Note : The PIBOs to submit the material flow sheet for PWM incorporating the above details

Format for Submitting Quarterly Reports on PWM by PIBOs to CPCB

Sl.No	Item	Description
1	Name & Address of the Unit	
	Period for which Quarterly Report is submitted	
2	Quantity & Type of Plastic Consumed	
3	Quantity of Plastic Waste generated	
4	Details of Waste Collected	
a	Details of waste collected through Own Distribution Channel (Quantity along with supporting Documents)	
b	Details of Waste Collected through ULBs (Name, Quantity along with Supporting Documents)	
c	Details of Waste Collected through engaging Agency (Name, Quantity, Details of ULBs, Bulk Waste Generators along with Supporting Documents)	
d	Details of Waste Collected through Others (Please Specify)(Name, Quantity, Details of ULBs, Bulk Waste Generators along with Supporting Documents)	
5	Details of Waste Processed	
a	Details of waste sent to Recycler (Name, Quantity, Supporting Documents)	
b	Details of waste sent to Coprocessing (Name, Quantity, Supporting Documents)	
c	Details of waste sent to Road making (Name, Quantity, Supporting Documents)	
d	Details of waste sent to Others (please specify)(Name, Quantity, Supporting Documents)	

(Signature),

(Name & Designation of Authorized person)

Annexure II**Provisions of PWM Rules 2016 related to SOP for granting registration to Producers & Brand-Owners**

3(b): "brand owner" means a person or organization who sells any commodity under a registered brand label;

3(t): "producer" means persons engaged in manufacture or import of carry bags or multi-layered packaging or plastic sheets or like, and includes industries or individuals using plastic sheets or like or covers made of plastic sheets or multi-layered packaging for packaging or wrapping the commodity;

6(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.

6(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

9(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;

9(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;

13(1): No person shall manufacture carry bags or recycle plastic bags or multi-layered 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;

13(2): Every producer or brand-owner shall, for the purpose of registration or for renewal of registration, make an application in Form-I to

- i. "The concerned State Pollution Control Board or Pollution Control Committee of the Union territory, if operating one or two States or Union Territories"; or
- ii. "The Central Pollution Control Board, if operating in more than two States or Union Territories".

APPLICATION FORM FOR BRAND-OWNERS

Part A. General Information		
1a	Name of the organization	
1b	Registered Address of the organization	
1c	Postal Address of the organization	
1d	Name & Designation of Authorized person	
1e	Contact no. of Authorized person	
1f	Email id of Authorized person	
1g	States/UT in which the Brand owner is operating	
1h	Proof of Selling in states /UTs in which Brand Owner is operational <i>(GST, Tax invoice etc. to be provided for each of the states & UT in which the organization is operational)</i>	GST, Tax invoice etc. to be provided for each of the states & UT in which the organization is operational
2a	Renewal application (Yes / No)	
3a	Does the units have a production facility (Y/N)	
3b	Is the production facility registered with District Industries Centre of State/UT (Y/N)	
3c	If yes, please provide copy of certificate	
4a	Total capital invested in the project (Rs. Lacs)	
4b	Year of Commencement of operations	
5a	Details (type & qty) of products produced/marketed	
5b	Total Quantity of plastic consumed (TPA)	
PART – B (PERTAINING TO LIQUID EFFLUENT AND GASEOUS EMISSIONS)		

6a	Date of validity of Consent (Water Act) (Information to be provided in this section if unit has a production facility ,If 3a is "yes")	
6b	Date of validity of Consent (Air Act)	
6c	Provide copy of Consent (Air & Water Act)	
PART – C (PERTAINING TO WASTE)		
7a	Total Qty of PW Generated (TPA) (7a = 7b+7c)	
7b	Quantity of Pre- consumer PW generated (TPA)	
7c	Quantity of Post-consumer PW generated (TPA) (State wise Quantity / type of plastic waste (LDPE/HDPE/PP/MLP/PET etc introduced in the market (TPA)	
7d	Details of Storage of Pre-consumer PW within plant	
7e	Details of Disposal of Pre-consumer PW	
8	Details of plastic suppliers (Name, Contact details (Address & contact no.), Type of plastic Quantity (TPA)	
9	EPR Action Plan	

APPLICATION FORMAT FOR PRODUCERS

PART A: GENERAL INFORMATION		
1a	Name of the organization	
1b	Registered Address of the organization	
1c	Postal Address of the organization	
1d	Name & Designation of Authorized person	
1e	Contact no. of Authorized person	
1f	Email id of Authorized person	
1g	States/UT in which the Brand-owner is operating.	
1h	Product for which registration is required (Carry bag / petro based); Carry bags (Compostable) ; Multi-layer plastics)	
1i	Total production capacity (TPA)	
2a	Renewal application (Yes / No)	
3a	Is the production facility registered with District Industries Centre of State/UT (Y/N)	
3b	If yes, please provide copy of certificate	
4a	Total capital invested in the project (Rs. Lacs)	
4b	Year of Commencement of operations	
5a	Details (type & qty) of products produced/marketed	
5b	Total Quantity of plastic consumed (TPA)	
6	Flow diagram of manufacturing process showing input and output in terms of products and waste generated including for captive power generation and water.	
7	Status of compliance with these rules- Thickness – fifty microns (Yes/No)	
PART – B :PERTAINING TO LIQUID EFFLUENT AND GASEOUS EMISSIONS		
8a	Date of validity of Consent (Water Act)	
8b	Date of validity of Consent (Air Act)	-do-
8c	Provide copy of Consent (Air & Water Act)	
PART – C (PERTAINING TO WASTE)		
9a	Total Qty of PW Generated (TPA)	
9b	Quantity of Pre- consumer PW generated (TPA)	
9c	Quantity of Post-consumer PW generated (TPA) (State wise Quantity / type of plastic waste (LDPE/HDPE/PP/MLP/PET etc introduced in the market (TPA))	
9d	Details of Storage of Pre-consumer PW within plant	
9e	Details of Disposal of Pre-consumer PW	
10	Details of plastic suppliers: <ul style="list-style-type: none"> • Name • Contact details (Address & contact no.) • Type of plastic Quantity (TPA) 	

11	Details of Personnel or Brand Owners to whom the products will be supplied	
12	EPR Action Plan	

Format of Agreement: PIBOs/ WMA with PWPF

The Agreement between **PIBOs/ WMA** with PWPF to include the following:

1	Name & Address of PIBOs/ WMA
2	State/UT
3	Name & Address of PWPF
4	EPR Target of PIBOs
5	Copy of Registration issued to PWPF(to be enclosed)
6	Validity date of Registration issued to PWPF
7	Type of plastic waste processed at PWPF (LDPE/HDPE/PP/MLP/PET etc)
8	Processing capacity of PWPF(TPA)
9	Type of processing facility (recycling, co-processing etc,)
10	Type of plastic waste (LDPE/HDPE/PP/MLP/PET etc) to be provided by PIBOs/ WMA
11	Quantity of plastic waste (TPA) to be provided by PIBOs/ WMA
12	List of PIBOs/ WMA along with PW qty for which PWPF has signed agreement
13	Balance PWPF processing capacity (TPA)(8-12)
14	Any other condition
15	Date of signing of Agreement
16	Date of validity of Agreement
17	Agreement to be on legal stamp paper
18	Signatures of designated authorities of both parties

ANNEXURE V

Format of Agreement: PIBOs with WMA

Agreement between PIBO and WMA to include the following:

1	Name of PIBO				
2	Name of WMA				
3	State/UT				
4	Date of signing of agreement				
5	Date of validity of agreement				
6	EPR Target of PIBO(Type & Quantity (TPA))				
7	Total type & qty (TPA) of waste to be managed through WMA				
8	Details of waste to be managed through WMA				
8a	Plastic Waste Collection & Channelization				
	WMA	Name of ULB/ Designated State Authority	Scope of Work	Type of PW to be managed (LDPE/HDPE/PP/PE T etc.)	Qty of PW to be managed (TPA)
	i				
	ii				
	iii				
8b	Plastic Waste Processing				
	WMA	Name of PWPF	Type of PWPF(Recycling , co-processing etc)	Type of PW to be processed (LDPE/HDPE/PP/PE T etc.)	Qty of PW to be processed (TPA)
	i				
	ii				
	iii				
8	Any other conditions				
9	Date of signing of Agreement				
10	Date of validity of Agreement				
11	Agreement to be on legal stamp paper				
12	Signed by designated authorities of both parties				

ANNEXURE VI

STATUS OF PLASTIC WASTE MANAGEMENT IN STATE/UT									
Name of State/UT									
Duration for which report filed									
STATUS OF PWM									
Sl. No	ULB/ state designated authority	Plastic Waste collected (TPA)	Plastic Waste processed (TPA)	Infrastructure for PWM (Please attach details)					
				Adequate Collection & Segregation facility (Yes/No)	Adequate transport ation facility (yes/No)	MRF		RDF	
						Capacity (TPA)	Adequate (yes /no)	Capacity (TPA)	Adequate (yes /no)

Annexure VII

EPR Action Plan of PIBOs registered in the State /UT

State/UT							
A. COLLECTION OF PLASTIC WASTE							
Sl. No	PIBO	WMA(if engaged)	ULB/Designated State Authority	Scope of Work	Qty of plastic to be channelized (TPA)	Type of plastic waste	Validity of Registration of PIBO
B. PROCESSING OF PLASTIC WASTE							
S.No	PIBO	WMA (if engaged)	Name of PWPF	Type of PWPF(Recycling, co-processing etc)	PW Quantity to be processed (TPA)	Type of PW to be processed (LDPE/HDP E/PP/PET etc.)	Validity of Registration of PIBO

ANNEXURE VIII

Half yearly Report to be submitted by PIBO

Name of PIBO	
State/UT	
Date of issue of Registration	
Fresh/ Renewal	
Period Reported for	

A. Plastic Waste Collection & Channelization

Name of ULB/ Designated State Authority	WMA (if engaged)	PW generated (MT)	Scope of Work	PW Quantity channelized (MT)	Type of plastic waste collected

B. Plastic Waste Processing

Sl. No	Name of Processing facility	WMA (if engaged)	Type of PWPF(Recycling , co-processing etc)	PWPF Capacity (TPA)	Type of PW to be processed (LDPE/HDP E/PP/PET etc.)	Qty of PW actually processed (MT)
1						
2						
3						

ANNEXURE IX**FORMAT OF HALF- YEARLY REPORT TO BE SUBMITTED BY NODAL AGENCY TO SPCB**

Name of State/UT					
Duration for which report filed					
A. COLLECTION OF PLASTIC WASTE					
Sl. No	PIBO/WMA	ULB/ Designated State Authority	Scope of Work	PW Quantity channelized (MT)	Type of plastic waste collected
B. PW PROCESSING DETAILS					
Sl. No	Name of PWPF	Techno-logy	Processing Capacity (TPA)	Quantity of waste processed(MT)	Qty of waste received along with Source (MT) (multiple entries can be made)

C. In addition to above "STATUS OF PLASTIC WASTE MANAGEMENT IN STATE/UT " as per Annexure VI has to be submitted to concerned SPCB/PCC

IMPLEMENTATION STATUS OF EPR ACTION PLAN OF PIBO

Name of State/UT						
Duration for which report filed						
A. COLLECTION OF PLASTIC WASTE						
Sl. No	PIBO	WMA(if engaged)	ULB/ designated state authority	Scope of Work	PW Quantity Channelized (MT)	Type of plastic waste channelized
B. PROCESSING OF PLASTIC WASTE						
S.No	PIBO	WMA(if engaged)	PWPF	Type of plastic waste	PW Quantity processed (MT)	Type of plastic waste processed

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 12th August, 2021

G.S.R. 571(E).—Whereas the draft rules to amend the Plastics Waste Management Rules, 2016, were published in the Gazette of India, Extraordinary, dated the 11th March, 2021 vide notification number GSR 169 (E), 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 11th March, 2021;

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 6, 8 and 25 of Environment (Protection) Act 1986, (29 of 1986), the Central Government hereby makes the following rules to amend the Plastic Waste Management Rules, 2016, namely :-

1. (1) These rules may be called Plastic Waste Management (Amendment) Rules, 2021.
(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 2, in sub-rule (1), after the word "Importers", the words, "brand-owner, plastic waste processor (recycler, co-processor, etc.)" shall be inserted.
3. In the said rules, in rule 3,
 - (i) after clause (n), the following clause shall be inserted, namely :-

'(na) "Non-woven plastic bag" means Non-woven plastic bag made up of plastic sheet or web structured fabric of entangled plastic fibers or filaments (and by perforating films) bonded together by mechanical or thermal or chemical means, and the "non-woven fabric" means a flat or tufted porous sheet that is made directly from plastic fibres, molten plastic or plastic films;'
 - (ii) after clause (q), the following clause shall be inserted, namely: -

'(qa) "Plastic waste processing" means any process by which plastic waste is handled for the purpose of reuse, recycling, co-processing or transformation into new products;'
 - (iii) after clause (v), the following clauses shall be inserted, namely: -

'(va) "Single-use plastic commodity" mean a plastic item intended to be used once for the same purpose before being disposed of or recycled;'

'(vb) "Thermoset plastic" means a plastic which becomes irreversibly rigid when heated and hence cannot be remoulded into desired shape;'

'(vc) "Thermoplastic" means a plastic which softens on heating and can be moulded into desired shape;'
4. In the said rules, in rule 4, -
 - (a) in sub-rule (1), -
 - (i) for the words "importer stocking", the words "import, stocking" shall be substituted;
 - (ii) in clause (c), for the words "fifty microns in thickness", the words, figures, letters and brackets "seventy five microns in thickness with effect from the 30th September, 2021 and one hundred and twenty (120) microns in thickness with effect from the 31st December, 2022" shall be substituted;
 - (iii) in clause (h), after the words, "carry bags", the words "and commodities" shall be inserted;

- (iv) in clause (h), after the words, “compostable plastic carry bags”, the words “or commodities or both” shall be inserted;
- (v) after clause (i), following clause shall be inserted, namely: -
- “(j) non-woven plastic carry bag shall not be less than 60 Gram Per Square Meter (GSM) with effect from the 30th September, 2021.”;
- (b) after sub-rule (1), the following sub-ules shall be inserted, namely:-
- “(2) The manufacture, import, stocking, distribution, sale and use of following single-use plastic, including polystyrene and expanded polystyrene, commodities shall be prohibited with effect from the 1st July, 2022:-
- (a) ear buds with plastic sticks, plastic sticks for balloons, plastic flags, candy sticks, ice-cream sticks, polystyrene [Thermocol] for decoration;
- (b) plates, cups, glasses, cutlery such as forks, spoons, knives, straw, trays, wrapping or packing films around sweet boxes, invitation cards, and cigarette packets, plastic or PVC banners less than 100 micron, stirrers.
- (3) The provisions of sub-rule (2) (b) shall not apply to commodities made of compostable plastic.
- (4) Any notification prohibiting the manufacture, import, stocking, distribution, sale and use of carry bags, plastic sheets or like, or cover made of plastic sheets and multi-layered packaging and single-use plastic, including polystyrene and expanded polystyrene, commodities, issued after this notification, shall come into force after the expiry of ten years, from the date of its publication”.
5. In the said rules, in rule 5, in sub-rule (1), in clause (d), for the figures “2000”, the figures “2016” shall be substituted.
6. In the said rules, in rule 6, in sub-rule (2), after clause (a), following clause shall be inserted, namely: -
- “(aa) ensuring that the provisions of these rules, as amended, are adhered to;”.
7. In the said rules, in rule 7, in sub-rule (1), after clause (a), following clause shall be inserted, namely: -
- “(aa) ensuring that the provisions of these rules, as amended, are adhered to;”.
8. In the said rules, in rule 9, in sub-rule (1), after the words, “local body concerned”, the words “as per guidelines issued under these rules from time to time” shall be inserted.
9. In rule 11, sub-rule (1), -
- (i) after the words “plastic carry bag”, the words, “plastic packaging” shall be inserted;
- (ii) in clause (a), after the word “manufacturer”, the words “producer or brand-owner” shall be inserted, and after the words “carry bag”, the words “and plastic packaging used by the brand owner” shall be inserted;
- (iii) in clause (b), after the words “multilayered packaging”, the words “excluding multi-layered packaging used for imported goods” shall be inserted;
- (iv) in clause (c), after the words “name and certificate number”, the words “of producer” shall be inserted.
10. In rule 12, -
- (i) in sub-rule (2), after the words “waste generator,” ,the words “restriction or prohibition on” shall be inserted;
- (ii) in sub-rule (3), after the words “waste generator,” ,the words “restriction or prohibition on” shall be inserted.

11. In rule 13, in sub-rule (1), after the words “Union Territory concerned”, the words “or the Central Pollution Control Board” shall be inserted.

[F. No. 17-2-2001 (Pt)-Part I -HSMD]

NARESH PAL GANGAWAR, Jt. Secy.

Note : The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number GSR 320 (E), dated the 18th March, 2016 and subsequently amended *vide* notification number GSR 285 (E), dated the 27th March, 2018.

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 16th February, 2022

G.S.R. 133(E).—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. (1) These rules may be called the Plastic Waste Management (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 9, in sub-rule (1), for the words “as per guidelines issued under these rules from time to time”, the words “as per guidelines specified in SCHEDULE – II” shall substituted.
3. In the said rules, after SCHEDULE – I, the following Schedule shall be inserted namely:-

SCHEDULE-II*[See Rule 9 (1)]***Guidelines on Extended Producer Responsibility for Plastic Packaging****1. Background:**

(1.1) The Ministry of Environment, Forest and Climate Change (MoEFCC), (hereinafter referred to as ‘The Ministry’), notified the Plastic Waste Management Rules, 2016 on 18th March, 2016. The Ministry also notified the Solid Waste Management Rules, 2016 on 8th April, 2016. As plastic waste is part of solid waste, therefore, both the rules apply to managing plastic waste in the country.

(1.2) The Plastic Waste Management Rules, 2016, mandate the generators of plastic waste to take steps to minimize generation of plastic waste, not to litter the plastic waste, ensure segregated storage of waste at source and hand over segregated waste in accordance with rules. The rules also mandate the responsibilities of local bodies, gram panchayats, waste generators, retailers and street vendors to manage plastic waste. (1.3) The Plastic Waste Management Rules, 2016 cast Extended Producer Responsibility on Producer, Importer, and Brand Owner. Extended Producer Responsibility shall be applicable to both pre-consumer and post-consumer plastic packaging waste.

(1.4) These guidelines provides framework for implementation of Extended Producer Responsibility. The Guidelines provide the roles and responsibilities of Producers, Importers, Brand Owners, Central Pollution Control Board, State Pollution Control Board or Pollution Control Committees, recyclers and waste processors for effective implementation of Extended Producer Responsibility. The definitions given in Plastic Waste Management Rules, 2016, apply until, specifically mentioned in these guidelines;

2. Date of Coming into Effect:

These guidelines shall come into force with immediate effect. The on-going processes related to Extended Producer Responsibility obligations will be aligned with these guidelines.

3. Definitions:

(a) “**Biodegradable plastics**” means that plastics, other than compostable plastics, which undergoes complete degradation by biological processes under ambient environment (terrestrial or in water) conditions, in specified time periods, without leaving any micro plastics, or visible, distinguishable or toxic residue, which have adverse environment impacts, adhering to laid down standards of Bureau of Indian Standards and certified by Central Pollution Control Board.

(b) “**Brand Owner**” means a person or company who sells any commodity under a registered brand label or trade mark;

(c) “**Carry Bags**” (covered under Category II of plastic packaging – Clause (5.1) (II)) means 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) “**End of Life disposal**” means using plastic waste for generation of energy and includes co-processing (e.g. in cement kilns) or waste to oil or for road construction as per Indian Road Congress guidelines, etc;

(e) “**Extended Producer Responsibility**” means the responsibility of a producer for the environmentally sound management of the product until the end of its life;

- (f) **“Importer”** means a person who imports plastic packaging product or products with plastic packaging or carry bags or multilayered packaging or plastic sheets or like;
- (g) **“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;
- (h) **“Plastic Packaging”** means packaging material made by using plastics for protecting, preserving, storing and transporting of products in a variety of ways.
- (i) **“Plastic Sheet”** means plastic sheet is the sheet made of plastic;
- (j) **“Plastic Waste Processors”** means recyclers and entities engaged in using plastic waste for energy (waste to energy), and converting it to oil (waste to oil), industrial composting.
- (k) **“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.
- (l) **“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.
- (m) **“Producer”** means person 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;
- (n) **“Recyclers”** are entities who are engaged in the process of recycling of plastic waste;
- (o) **“Recycling”** means the process of transforming segregated plastic waste into a new product or raw material for producing new products;
- (p) **“Reuse”** means using an object or resource material again for either the same purpose or another purpose without changing the object's structure;
- (q) **“Use of recycled plastic”** means recycled plastic, instead of virgin plastic, is used as raw material in the manufacturing process;
- (r) **“Waste Management”** means the collection, storage, transportation reduction, re-use, recovery, recycling, composting or disposal of plastic waste in an environmentally sound manner;
- (s) **“Waste to Energy”** means using plastic waste for generation of energy and includes co-processing (e.g. in cement kilns).

4. Obligated Entities:

The following entities shall be covered under the Extended Producer Responsibility obligations and provisions of these guidelines namely: -

- (i) Producer (P) of plastic packaging;
- (ii) Importer (I) of all imported plastic packaging and / or plastic packaging of imported products;
- (iii) Brand Owners (BO) including online platforms/marketplaces and supermarkets/retail chains other than those, which are micro and small enterprises as per the criteria of Ministry of Micro, Small and Medium Enterprises, Government of India.;
- (iv) Plastic Waste Processors

5. Coverage of Extended Producer Responsibility:

(5.1) The following plastic packaging categories are covers under Extended Producer Responsibility:

(i) Category I

Rigid plastic packaging;

(ii) Category II

Flexible plastic packaging of single layer or multilayer (more than one layer with different types of plastic), plastic sheets or like and covers made of plastic sheet, carry bags, plastic sachet or pouches;

(iii) Category III

Multilayered plastic packaging (at least one layer of plastic and at least one layer of material other than plastic);

(iv) Category IV

Plastic sheet or like used for packaging as well as carry bags made of compostable plastics.

(5.2) The Extended Producer Responsibility Guidelines covers the following with respect to plastic packaging namely: -

- (i) Reuse;
- (ii) Recycling;
- (iii) Use of recycled plastic content;
- (iv) End of life disposal.

6. Registration:

(6.1) (a) The following entities shall register on the centralized portal developed by Central Pollution Control Board namely: -

- (i) Producer (P);
- (ii) Importer (I);
- (iii) Brand owner (BO);
- (iv) Plastic Waste Processor engaged in (a) recycling, (b) waste to energy, (c) waste to oil, and (iv) industrial composting,

(b) Registration of Producers, Importers & Brand-Owners (operating in one or two states) and Plastic Waste processors shall be done by State Pollution Control Board or Pollution Control Committee through the centralized Extended Producer Responsibility portal developed by Central Pollution Control Board.

(c) After these guidelines have come into effect, with respect to, entities starting their business in a particular year and placing their products in market in that year, they shall have Extended Producer Responsibility target obligations from the next year.

(6.2) The entities covered under clause 6.1 shall not carry any business without registration obtained through on-line centralized portal developed by Central Pollution Control Board.

(6.3) The entities covered under clause (6.1) shall not deal with any entity not registered through on-line centralized portal developed by Central Pollution Control Board.

(6.4) In case, it is found or determined that any entity registered on the on-line portal has provided false information or has willfully concealed information or there is any irregularity or deviation from the conditions stipulated while obtaining registration under Extended Producer Responsibility guidelines, then the registration of such an entity would be revoked for a one -year period after giving an opportunity to be heard. The entities whose registration has been revoked shall not be able to register afresh for the period of revocation.

(6.5) In case any entity falls in more than one sub-category mentioned in the clause (6.1) then the entity shall register under each of those sub-categories separately. Further, in cases, where the entity has units in different states, in a particular sub-category mentioned in clause 6.1, then these units shall also be registered separately. However, only one registration under a sub category in a state would be needed, even if, more than one unit are located in a state. The registration shall be as per Standard Operating Procedure laid down by Central Pollution Control Board for the purpose, as per these Guidelines.

(6.6) While registering, the entities shall have to provide PAN Number, GST Number, CIN Number of the company and Aadhar Number and PAN Number of authorized person or representative and any other necessary information as required.

7. Targets for Extended Producer Responsibility and obligations of Producers, Importers & Brand-Owners:

(7.1) The Extended Producer Responsibility targets for the Producers, Importers & Brand-Owners shall be determined category-wise.

(7.2) Producer (P):

(a) Extended Producer Responsibility target (Refer example 1 to 3 in Annexure):

Eligible Quantity in MT (Q I) shall be the average weight of plastic packaging material (category-wise) sold in the last two financial years (A) plus average quantity of pre-consumer plastic packaging waste in the last two financial years (B) minus the annual quantity (C) supplied to the entities covered under sub-clause 4 (iii) in the previous financial year as under: -

$$Q I \text{ (in MT)} = (A + B) -$$

and the Extended Producer Responsibility target shall be determined category-wise, as given below

Extended Producer Responsibility target

	Year	Extended Producer Responsibility target (as a percentage of Q I - category-wise)
I	2021 - 22	25 %
II	2022 - 23	70 %
III	2023 - 24	100 %

The Extended Producer Responsibility target in MT category-wise, as applicable, shall be provided by Producer, as part of Action Plan on the centralized portal developed by Central Pollution Control Board.

(b) Obligation for recycling (Refer example 1 to 3 in Annexure):

The Producer shall ensure minimum level of recycling (excluding end of life disposal) of plastic packaging waste collected under Extended Producer Responsibility Target, category-wise, as given below namely: -

Minimum level of recycling (excluding end of life disposal) of plastic packaging waste
(% of Extended Producer Responsibility Target)

Plastic packaging category	2024-25	2025-26	2026-27	2027-28 and onwards
Category I	50	60	70	80
Category II	30	40	50	60
Category III	30	40	50	60
Category IV	50	60	70	80

In case of Category IV plastic packaging category (plastic sheet or like used for packaging and carry bags made of compostable plastics), the minimum level of recycling means processing plastic packaging waste for composting through industrial composting facilities.

(c) End of life disposal (refer examples 1 to 3 in Annexure):

(i) Only those plastics, which cannot be recycled will be sent for end of life disposal such as road construction, waste to energy, waste to oil, cement kilns (for co processing) etc. as per relevant guidelines issued by Indian Road Congress or Central Pollution Control Board from time to time.

(ii) The producers shall ensure end of life disposal of the plastic packaging waste only through methodologies specified in Rule 5 (1) (b) of Plastic Waste Management Rules, 2016,

(d) Obligation for use of recycled plastic content (Refer example 6 in Annexure)

The Producer shall ensure use of recycled plastic in plastic packaging category-wise as given below namely: -

Mandatory use of recycled plastic in plastic packaging
(% of plastic manufactured for the year)

Plastic packaging category	2025-26	2026-27	2027-28	2028-29 and onwards
Category I	30	40	50	60
Category II	10	10	20	20
Category III	5	5	10	10

In cases, where it is not possible to meet the obligation in respect of recycled plastic content on account of statutory requirements, the exemption will be granted by Central Pollution Control Board on case-to-case basis. However, in such cases, the Producers, Importers & Brand-Owners will have to fulfil its obligation of use of recycled content (in quantitative terms) through purchase of certificate of equivalent quantity from such Producers, Importers & Brand-Owners who have used recycled content in excess of their obligation. Central Pollution Control Board will develop mechanism for such exchange on the centralized online portal.

7.3 Importer (I):

(a) Extended Producer Responsibility Target (Refer example 1 to 3 in Annexure)

Eligible Quantity in MT (Q 2) shall be the average weight of all plastic packaging material and / or plastic packaging of imported products (category-wise) imported and sold in the last two financial years (A) plus average quantity of pre-consumer plastic packaging in the last two financial years (B) waste minus the annual quantity (C) supplied to the entities covered under sub-clause 4 (iii) in the previous financial years as under: -

$$Q 2 \text{ (in MT)} = (A + B) - C$$

and the Extended Producer Responsibility target shall be determined, category-wise, as given below namely: -

	Year	Extended Producer Responsibility target (as a percentage of Q 2 - category-wise)
I	2021 - 22	25 %
II	2022 - 23	70 %
III	2023 - 24	100 %

The Extended Producer Responsibility target in MT category-wise, as applicable, shall be provided by Importer as part of Action Plan on the centralized portal developed by Central Pollution Control Board.

(b) Obligation for recycling (Refer example 1 to 3 in Annexure)

The Importer shall ensure minimum level of recycling (excluding end of life disposal) of plastic packaging waste collected under extended producer responsibility Target, category-wise, as given below.

Minimum level of recycling (excluding end of life disposal) of plastic packaging waste
(% of extended producer responsibility Target)

Plastic packaging category	2024-25	2025-26	2026-27	2027-28 and onwards
Category I	50	60	70	80
Category II	30	40	50	60
Category III	30	40	50	60
Category IV	50	60	70	80

In case of Category IV plastic packaging category (plastic sheet or like used for packaging and carry bags made of compostable plastics), the minimum level of recycling means processing plastic packaging waste for composting through industrial composting facilities.

(c) End of life disposal (refer examples 1 to 3 in Annexure)

(i) Only those plastics, which cannot be recycled will be sent for end of life disposal such as road construction, waste to energy, waste to oil as per relevant guidelines issued by Indian Road Congress or Central Pollution Control Board from time to time.

(ii) The importer shall ensure end of life disposal of the plastic packaging waste only through methodologies specified in rule 5 (1) (b) of Plastic Waste Management Rules, 2016, as amended.

(d) Obligation for use of recycled plastic content (Refer example 6 in Annexure)

The Importer shall ensure use of recycled plastic in plastic packaging category-wise as given below.

Mandatory use of recycled plastic in plastic packaging
(% of imported plastic for the year)

Plastic packaging category	2025-26	2026-27	2027-28	2028-29 and onwards
Category I	30	40	50	60
Category II	10	10	20	20
Category III	5	5	10	10

Any recycled plastic used in imported material shall not be counted towards fulfilment of obligation. The importer will have to fulfil its obligation of use of recycled content (in quantitative terms) through purchase of certificate of equivalent quantity from such Producers, Importers & Brand-Owners who have used recycled content in excess of their obligation. Central Pollution Control Board will develop mechanism for such exchange on the centralized online portal.

7.4 Brand Owner (BO):

a) Extended Producer Responsibility target (refer examples 1 to 3 in Annexure)

Eligible Quantity in MT (Q 3) shall be the average weight of virgin plastic packaging material (category-wise) purchased and introduced in market in the last two financial years (A) plus average quantity of (B) of pre-consumer plastic packaging in the last two financial years as under: -

$$Q 3 \text{ (in MT)} = A + B$$

The Extended Producer Responsibility target shall be determined, category-wise, as given below namely: -

	Year	Extended Producer Responsibility Target (as a percentage of Q3 - category-wise)
I	2021 - 22	25 %
II	2022 - 23	70 %
III	2023 - 24	100 %

The Extended Producer Responsibility target in MT category-wise, as applicable, shall be provided by Brand Owner as part of the Action Plan on the centralized portal developed by Central Pollution Control Board.

(b) Obligation for reuse (refer examples 4 and 5 in Annexure):

I. The Brand Owner using Category I (rigid) plastic packaging for their products shall have minimum obligation to reuse such packaging as given below: -

Provided that the reuse of Category I rigid plastic packaging in food contact applications shall be subject to regulation of Food Safety and Standards Authority of India.

(II) Minimum obligation to reuse for Category I (rigid plastic packaging).

	Year	Target (as percentage of Category I rigid plastic packaging in products sold annually)

A	Category I rigid plastic packaging with volume or weight equal or more than 0.9 liter or kg but less than 4.9 litres or kg, as the case may be	
I	2025 – 26	10
II	2026 – 27	15
III	2027-28	20
IV	2028-29 and onwards	25
B	Category I rigid plastic packaging with volume of weight equal or more than 4.9 litres or kg.	
I	2025 – 26	70
II	2026 – 27	75
III	2027-28	80
IV	2028-29 and onwards	85

(III) The quantity of rigid packaging reused by brand Owner shall be calculated by reducing virgin plastic packaging manufactured/imported/purchased in that year from the sales of the Brand Owner. The brand owner shall provide this information on the centralized portal developed by Central Pollution Control Board.

(IV) The quantity of Category I rigid plastic packaging reused shall be reduced from the total plastic packaging used under Category I by the obligated entities (Brand Owners).

III. The quantity of Category I rigid plastic packaging reused during the year 2022 – 2023 and 2023-2024, shall be reduced from the total plastic packaging used under Category I.

(c) Obligation for recycling (refer examples 1 to 3 in Annexure):

The Brand Owner shall ensure minimum level of recycling (excluding end of life disposal) of plastic packaging waste collected under Extended Producer Responsibility target, category-wise, as given below.

Minimum level of recycling (excluding end of life disposal) of plastic packaging waste
(% of Extended Producer Responsibility Target)

Plastic packaging category	2024-25	2025-26	2026-27	2027-28 and onwards
Category I	50	60	70	80
Category II	30	40	50	60
Category III	30	40	50	60
Category IV	50	60	70	80

In case of Category IV plastic packaging category (plastic sheet or like used for packaging and carry bags made of compostable plastics), the minimum level of recycling means processing plastic packaging waste for composting through industrial composting facilities.

(d) End of life disposal (refer examples 1 to 3 in Annexure)

(i) Only those plastics, which cannot be recycled will be sent for end of life disposal such as road construction, waste to energy, waste to oil, as per relevant guidelines issued by Indian Road Congress or Central Pollution Control Board from time to time.

(ii) The Brand Owner shall ensure end of life disposal of the plastic packaging waste only through methodologies specified in rule 5 (1) (b) of the Plastic Waste Management Rules, 2016, as amended.

(e) Obligation for use of recycled plastic content (refer examples 6 in Annexure)

(i) The Brand Owner shall ensure use of recycled plastic in plastic packaging, category-wise, as given below namely:

Mandatory use of recycled plastic in plastic packaging

(% of manufactured plastic for the year)

Plastic packaging category	2025-26	2026-27	2027-28	2028-29 and onwards
Category I	30	40	50	60
Category II	10	10	20	20
Category III	5	5	10	10

(ii) In cases, where it is not possible to meet the obligation in respect of recycled plastic content on account of statutory requirements, the exemption will be granted by Central Pollution Control Board on case-to-case basis. However, in such cases, the Producers, Importers & Brand-Owners will have to fulfil its obligation of use of recycled content (in quantitative terms) through purchase of certificate of equivalent quantity from such Producers, Importers & Brand-Owners who have used recycled content in excess of their obligation. Central Pollution Control Board will develop mechanism for such exchange on the centralized online portal.

(iii) In case, where Brand Owner is also Producer and/or Importer of plastic packaging material, the clause 7.2 and 7.3 shall also apply for determining their Extended Producer Responsibility targets and obligations as Producer and /or Importer, respectively.

(7.5) The Extended Producer Responsibility target in MT category-wise, as applicable, shall be provided by all Producers, Importers & Brand-Owners as part of Action Plan on the centralized portal developed by Central Pollution Control Board.

(7.6) The obligations for reuse, recycling of waste and use of recycled plastic content in packaging shall be reviewed every five years based upon available technologies for meeting the Targets specified.

(7.7) Extended Producer Responsibility on plastic packaging will promote sustainable packaging, as per guidelines prepared by Central Pollution Control Board, inter alia based on the following criteria,

(i) package designing promoting reuse;

(ii) package designing amenable for recycling;

(iii) recycled plastic content in plastic packaging material and; (iv) package designing for environment.

(7.8) In case, the obligated entity utilizes plastic packaging which is 100% biodegradable in the ambient environment leaving no traces of micro plastics or chemical residue or any other traces having adverse environmental and health impacts as certified by regulatory entities Central Pollution Control Board, Bureau of Indian Standards, Central Institute of Petrochemicals Engineering & Technology, the Extended Producer Responsibility target will not be applicable for such material.

8. Generation of surplus Extended Producer Responsibility certificates, carry forward and offsetting against previous year Extended Producer Responsibility targets and obligations, and sale and purchase of surplus Extended Producer Responsibility certificates:

(8.1) A Brand Owner who has fulfilled their Extended Producer Responsibility targets, category-wise, can use the surplus for the following namely: -

(i) Off setting previous year shortfall subject to clause 9.5;

(ii) Carry forward for use in succeeding year;

(iii) Sell it to other Producers, Importers & Brand-Owners.

(8.2) Surplus in one category can only be used for off-setting, carry forward and sale in the same category. A surplus under reuse can be used for against reuse, recycling and also end of life disposal. A surplus under recycling can be used for recycling and end of life disposal. A surplus under end of life disposal cannot be used for reuse or recycle.

(8.3) Producers, Importers & Brand-Owners can also meet their Extended Producer Responsibility obligations under a category by purchasing surplus Extended Producer Responsibility certificates from other Producers, Importers & Brand-Owners of the same category.

(8.4) Such transactions shall be recorded and submitted by the Producers, Importers & Brand-Owners on the online portal while filing annual returns under the Extended Producer Responsibility framework. Central Pollution Control Board will develop mechanism for such exchange on the centralized portal.

9. Imposition of Environmental Compensation:

(9.1) 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 .

(9.2) 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.

(9.3) The Environment Compensation, as applicable, shall be levied by Central Pollution Control Board on the Producers, Importers & Brand-Owners operating in more than two states with respect to non-fulfilment of their Extended Producer Responsibility targets, responsibilities and obligations in these guidelines.

(9.4) The Environment Compensation, as applicable, shall be levied by respective State Pollution Control Board on the Producers, Importers & Brand-Owners operating in their jurisdiction (for Producers, Importers & Brand-Owners not operating in more than two states/Union Territory's), Plastic Waste Processors which includes recyclers and other waste processors – waste to energy, waste to oil, co-processors, with respect to non-fulfilment of their Extended Producer Responsibility targets or responsibilities and obligations set out under these guidelines. In case, the State Pollution Control Board or Pollution Control Committee does not take action in reasonable time, the Central Pollution Control Board shall issue directions to the State Pollution Control Board /Pollution Control Committee.

(9.5) Payment of environmental compensation shall not absolve the Producers, Importers & Brand-Owners of the obligations set out in these guidelines. The unfulfilled Extended Producer Responsibility obligations for a particular year will be carried forward to the next year for a period of three years. In case, the shortfall of Extended Producer Responsibility obligation is addressed within three years. The environmental compensation levied shall be returned to the Producers, Importers & Brand-Owners as given below, namely

- (i) Within one year of levying of EC: 75% return;
- (ii) Within two years 60% return;
- (iii) Within three years 40% return,

After completion of three years on environmental compensation getting due the entire environmental compensation amount shall be forfeited. This arrangement shall allow for collection and recycling of plastic packaging waste by Producers, Importers & Brand-Owners in later years as well.

(9.6) The funds collected under environmental compensation shall be kept in a separate Escrow account by Central Pollution Control Board or State Pollution Control Board or Pollution Control Committee. The funds collected shall be utilized in collection, recycling and end of life disposal of uncollected and non-recycled or non- end of life disposal of plastic packaging waste, on which the environmental compensation is levied. Modalities for utilization of the funds for plastic waste management on an annual basis would be recommended by the Committee for Extended Producer Responsibility implementation and approved by the Competent Authority in the Ministry.

10. Role of Producers, Importers & Brand-Owners:

(10.1) The Producers, Importers & Brand-Owners shall have to register through the online centralized portal developed by Central Pollution Control Board. The certificate of registration shall be issued using the portal.

(10.2) Producers, Importers & Brand-Owners shall provide Action Plan containing information on the Extended Producer Responsibility Target, category-wise, where applicable, through the online centralized portal developed by Central Pollution Control Board, along with application for registration or renewal of registration under Plastic Waste Management Rules, 2016. The Action Plan shall cover tenure of the Registration as per the provisions of Plastic Waste Management Rules, 2016. The standard operating procedure for registration and the action plan pro forma shall be developed by Central Pollution Control Board as per these guidelines.

(10.3) Brand Owner covered under clause 4 (iii) shall provide details of plastic packaging purchased from Producers and/or Importers covered under clause 4 (i) and 4 (ii) separately. The quantities attributed to each Producer and Importer covered under clause 4 (i) and 4 (ii) obligated upon Brand Owner shall be deducted from the obligation of Producers and Importers. The record of such purchase including category-wise quantity purchased, shall be maintained separately by Brand Owner.

(10.4) The Producers and Importers covered under clauses 4 (i) and 4 (ii) will maintain the record of the quantity of plastic packaging material made available to Brand Owner covered under clause 4 (iii). The record of such sale including category-wise quantity sold, will be maintained separately by Producers and Importers. In case such records are not maintained, they will have to fulfil the complete Extended Producer Responsibility obligation. The online platform shall cross-check the declaration of transactions among Producers, Importers & Brand-Owners.

(10.5) In order to develop a separate waste stream for collection of plastic packaging waste for directly fulfilling Extended Producer Responsibility obligations, the Producers, Importers & Brand-Owners may operate schemes such as deposit refund system or buy back or any other model. This will prevent mixing of plastic packaging waste with solid waste.

(10.6) The Producers, Importers & Brand-Owners shall file annual returns on the plastic packaging waste collected and processed towards fulfilling obligations under Extended Producer Responsibility with the Central Pollution Control Board or concerned State Pollution Control Board or Pollution Control Committee as per pro forma prescribed by Central Pollution Control Board by the 30th June of the next financial year. Information on the reuse and/or recycled content used for packaging purposes will also be provided. The details of the registered recyclers from whom the recycled plastic has been procured will also be provided.

11. Role of Plastic Waste Processors (Recyclers or Other Waste Processors including industrial composting facilities)

(11.1) All plastic waste processors shall have to register with concerned State Pollution Control Board or Pollution Control Committee in accordance with provision 13(3) of Plastic Waste Management Rules, 2016 on the centralized portal developed by Central Pollution Control Board. Central Pollution Control Board shall lay down uniform procedure for registration within three months of the publication of these guidelines.

(11.2) The Plastic waste processors shall submit annual returns after end of every financial year by 30th April of the next financial year on the quantity of plastic waste processed category-wise as per prescribed pro forma on the centralized portal developed by Central Pollution Control Board.

(11.3) The total quantity of plastic waste processed by plastic waste processors and attributed to Producers, Importers & Brand-Owners, on an annual basis, will be made available on the centralized portal developed by Central Pollution Control Board as also on the website of Plastic waste processors.

(11.4) In case, at any stage it is found that the information provided by the plastic waste processor is false, the plastic waste processor shall be debarred by State Pollution Control Board, as per procedure laid down by Central Pollution Control Board, from operating under the Extended Producer Responsibility framework for a period of one year.

(11.5) Only plastic waste processors registered under Plastic Waste Management Rules, 2016, as amended, shall provide certificates for plastic waste processing, except in case of use of plastic waste in road construction. In case where plastic waste is used in road construction the Producers, Importers & Brand-Owners shall provide a self-declaration certificate in pro forma developed by Central Pollution Control Board. The certificate provided by only registered plastic waste processors shall be considered for fulfilment of Extended Producer Responsibility obligations by Producers, Importers & Brand-Owners.

(11.6) 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.

(11.7) The certificate for plastic packaging waste provided by registered plastic waste processors shall be in the name of registered Producers, Importers & Brand-Owners or Local authorities, as applicable, based upon agreed modalities. Central Pollution Control Board will develop mechanism for issuance of such certificate on the centralized portal.

(11.8) The Plastic Waste Processors undertaking end-of-life disposal of plastic packaging waste viz. waste to energy, waste to oil, cement kilns (co processing) shall provide information on an annual basis as per prescribed pro forma, on the centralized portal developed by Central Pollution Control Board. These entities shall ensure the disposal of plastic packaging waste as per relevant rules, guidelines framed by regulatory bodies in an environmentally sound manner.

12. Role of Central Pollution Control Board

(12.1) The Central Pollution Control Board shall register Producers, Importers & Brand-Owners who are operating in more than two states and plastic waste processors, through online portal. Central Pollution Control Board shall prescribe the standard operating procedure for registration of Producers, Importers & Brand-Owners under Plastic Waste Management Rules, 2016.

(12.2) The Central Pollution Control Board may charge fee for processing of applications for registration and an annual fee for processing of returns, as per procedure prescribed by CPCB. In case, where Producers, Importers & Brand-Owners, are operating in the jurisdiction of a State Pollution Control Board or Pollution Control Committee, the Central Pollution Control Board as per guidelines so decided, will share the application fee with the concerned State Pollution Control Board or Pollution Control Committee.

(12.3) The registration shall be done within two weeks from the submission of a complete application online by the Producers, Importers & Brand-Owners. The tenure of registration shall be as per Plastic Waste Management Rules, 2016.

(12.4) 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.

(12.5) Central Pollution Control Board shall publish the list of Producers, Importers & Brand-Owners who have failed to meet Extended Producer Responsibility targets and obligations in the previous financial year, on an annual basis, by 30th September of the next financial year.

(12.6) The Central Pollution Control Board will establish a mechanism to ensure a regular dialogue between relevant stakeholders involved in the fulfilment of extended producer responsibility obligations for plastics under the Plastic Waste Management Rule, 2016.

(12.7) The Central Pollution Control Board shall carry out a compositional survey of collected mixed municipal waste to determine the share of plastic waste as well as different categories of plastics packaging material on a half-yearly basis.

(12.8) The Central Pollution Control Board shall carry out review of technologies related to plastic packaging and plastic waste management for techno-economic viability and feasibility specifically with respect to clause 7.6.

13. Role of State Pollution Control Board or Pollution Control Committee:

(13.1) 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.

(13.2) The State Pollution Control Board or Pollution Control Committee shall bring out a list of entities (Exception Report) who have not fulfilled their Extended Producer Responsibility responsibilities on annual basis and publish the same on their website. The State Pollution Control Board or Pollution Control Committee shall submit the Annual Reports submitted by Producers, Importers & Brand-Owners and plastic waste processors in their jurisdiction to Central Pollution Control Board and upload the same on the online Extended Producer Responsibility portal.

(13.3) State Pollution Control Board or Pollution Control Committee will establish a mechanism to ensure a regular dialogue between relevant stakeholders involved in the fulfilment of extended producer responsibility obligations under the Plastic Waste Management Rule, 2016.

(13.4) State Pollution Control Board or Pollution Control Committee shall carry out a compositional survey of collected mixed municipal waste to determine the share of plastic waste as well as different categories of plastics packaging material on a half-yearly basis.

14. Plastic Packaging Waste Collection System by Producers, Importers & Brand-Owners

(14.1) Producers, Importers & Brand-Owners while fulfilling their Extended Producer Responsibility obligations may develop collection and segregation infrastructure of plastic packaging waste, as required, based on the category of plastics. It may include the following based on implementation modality of Extended Producer Responsibility adopted by Producers, Importers & Brand-Owners: -(a) establish waste plastic collection points and Material Recovery Facilities (MRFs);

(b) ensure the collection of the plastic packaging waste from the collection points, with a frequency that is proportionate to the area covered and the volume;

(c) offer the collection of plastic, from the entities like urban local bodies, gram panchayats, other public authorities or third parties carrying out waste management, and provide for the collection from all entities that have made use of that offer; provide for the necessary practical arrangements for collection and transport;

(d) ensure that the plastic packaging waste collected from the collection points are subsequently subject to recycling in a registered facility by a recycler or its permitted end use in the designated manner.

(14.2) Producers, Importers & Brand-Owners may ensure the network of collection points taking into account population size, expected volume of plastic or packaging waste, accessibility and vicinity to end-users, not being limited to areas where the collection and subsequent management is profitable.

(14.3) The entities involved in waste collection will hand over the waste for treatment and recycling or for identified end uses.

(14.4) Participation of voluntary collection points - voluntary collection points will hand over plastic packaging waste to the Producers, Importers & Brand-Owners or third party agencies acting on their behalf with a view to their treatment and recycling or their identified end use.

15. Fulfilment of Extended Producer Responsibility Obligations

The Producers, Importers & Brand-Owners shall have to provide the details of recycling certificate only from registered recyclers along with the details of quantity sent for end of life disposal, by 30th June of next financial year while filing annual returns on the online portal. The details provided by Producers, Importers & Brand-Owners and registered plastic waste processors will be cross-checked by the online portal. In case of difference, the lower figure would be considered towards fulfilment of Extended Producer Responsibility obligation of Producers, Importers & Brand-Owners. The certificates shall be subject to verification by Central Pollution Control Board or State Pollution Control Board or Pollution Control Committee, as the case may be.

16. Centralized Online Portal

(16.1) Central Pollution Control Board shall establish an online system for the registration as well as for filing of annual returns by Producers, Importers & Brand-Owners, plastic waste processors of plastic packaging waste by 31st March 2022:-

(16.2) The online system developed by Central Pollution Control Board for the registration as well as for filing of returns by Producers, Importers & Brand-Owners shall reflect the plastic packaging material introduced in the market Producers, Importers & Brand-Owners in a financial year. It shall also reflect the details regarding the audit of the Producers, Importers & Brand-Owners as well as recyclers or other waste processors of plastic packaging waste.

(16.3) The State Pollution Control Board or Pollution Control Committee shall also use the centralized portal developed by Central Pollution Control Board for registration of Producers, Importers & Brand-Owners as well as recyclers/waste processors. The centralized portal would act as the single point data repository with respect to orders and guidelines related to implementation of Extended Producer Responsibility for plastic packaging under Plastic Waste Management Rule, 2016 Producers, Importers & Brand-Owners may, if they so desire, facilitate the development of online web portal or platform.

(16.3) Till the online web portal is developed all activities related to implementation of Extended Producer Responsibility under the Plastic Waste Management Rules, 2016 will be done in an offline manner.

17. Monitoring

State Pollution Control Board or Pollution Control Committee shall submit annual report on Extended Producer Responsibility portal with respect to fulfilment of Extended Producer Responsibility by Producers, Importers & Brand-Owners (which include manufacturers of plastic packaging material) and plastic waste processors in the State/Union Territory to Central Pollution Control Board. The report shall also be submitted to the State Level Monitoring Committee constituted under the Plastic Waste Management Rules, 2016. State Pollution Control Board or Pollution Control Committee shall also submit annual report with respect to recyclers or end of life disposal in the State or Union Territory to Central Pollution Control Board by 31st July of the next year.

18. Committee for Extended Producer Responsibility under PWM Rules

(18.1) A committee shall be constituted by the Central Pollution Control Board under chairpersonship of Chairman, Central Pollution Control Board to recommend measures to Ministry of Environment, Forest and Climate Change for effective implementation of Extended Producer Responsibility including amendments to Extended Producer Responsibility guidelines. The committee shall monitor the implementations of Extended Producer Responsibility and also take such measures as required for removal of difficulties. The Committee shall also be tasked with the guiding and supervision of the online portal including approval of requisite forms or pro forma.

(18.2) The committee shall comprise of representative from concerned line Ministries/Departments such as Ministry of Housing and Urban Affairs, Ministry of Micro, Small and Medium Enterprises, Department of Drinking Water and Sanitation, Department of Chemical and Petrochemicals; Bureau of Indian Standards, three State Pollution Control Board or Pollution Control Committee, Central Institute of Plastic Engineering and Technology (CIPET), National Environmental Engineering Research Institute (NEERI), and three industry associations, and any other invitee as decided by the chairperson of the committee.

ANNEXURE

Examples for Clause 7

Extended Producer Responsibility Target and Minimum level of recycling of plastic packaging waste

[Refer Clause 7.2 (a), (b) & (c), Clause 7.3 (a), (b) & (c), and Clause 7.4 (a), (b) & (c)]

Example 1:

<i>Year 2022-23</i>	
<i>Plastic packaging introduced in the market category-wise (Category II Flexible plastic packaging)</i>	<i>100 MT</i>
<i>Extended Producer Responsibility Target @ 70 %</i>	<i>70 MT</i>
<i>Minimum level of recycling of plastic packaging waste collected under Extended Producer Responsibility - no threshold has been prescribed</i>	<i>Quantity of plastic packaging waste collected under Extended Producer Responsibility and recycled as per actuals</i> <i>Quantity of plastic packaging waste collected under Extended Producer Responsibility and used for energy recovery, co-processing, road construction, waste to oil etc. as per actuals</i>

Example 2:

<i>Year 2024-25</i>	
<i>Plastic packaging introduced in the market category-wise (Category II Flexible plastic packaging)</i>	<i>100 MT</i>
<i>Extended Producer Responsibility Target @ 100 %</i>	<i>100 MT</i>
<i>Minimum level of recycling of plastic packaging waste collected under Extended Producer Responsibility @ 30%</i>	<i>Minimum 30 MT of plastic packaging waste collected under Extended Producer Responsibility needs to be recycled.</i> <i>Remaining plastic packaging waste collected (Maximum 70 MT) may be used for energy recovery, co-processing, road construction, waste to oil etc.</i>

Example 3:

<i>Year 2028-29</i>	
<i>Plastic packaging introduced in the market category-wise (Category II Flexible plastic packaging)</i>	<i>100 MT</i>
<i>Extended Producer Responsibility Target @ 100 %</i>	<i>100 MT</i>
<i>Minimum level of recycling of plastic packaging waste collected under Extended Producer Responsibility @ 60 %</i>	<i>Minimum 60 MT of plastic packaging waste collected under Extended Producer Responsibility needs to be recycled.</i> <i>Remaining plastic packaging waste collected (Maximum 40 MT) may be used for energy recovery, co-processing, road construction, waste to oil etc.</i>

Reuse**[Refer Clause 7.4 (b)]****Example 4:**

<i>Year 2025 – 26 (Minimum obligation for reuse comes into effect)</i>	
<i>Plastic packaging introduced in the market category-wise (Category I Rigid Plastic Packaging)</i>	<i>100 MT</i>
<i>Reuse of Category I rigid plastic packaging with volume or weight equal or more than 0.9 litres or</i>	<i>15 MT</i>

kilogrammes bUnion Territory less than 4.9 litres or kilogrammes	(Reuse @ 15 %; minimum obligation for reuse 10 %)
Fresh plastic packaging introduced (A)	85 MT
Extended Producer Responsibility target for compliance @ 100% of (A)	85 MT
Minimum level of recycling of Category I plastic packaging waste collected under Extended Producer Responsibility @ 60%	Minimum 51 MT of plastic packaging waste collected under Extended Producer Responsibility needs to be recycled. A maximum of 34 MT plastic packaging waste collected may be used for energy recovery, co-processing, road construction, waste to oil etc.

Example 5:

For Year 2022 - 23	
Plastic packaging introduced in the market category-wise (Category I Rigid Plastic Packaging)	100 MT
Reuse of Category I rigid plastic packaging with volume or weight equal or more than 0.9 litres or kilogrammes bUnion Territory less than 4.9 litres or kilogrammes	10 MT
Fresh plastic packaging introduced (A)	90 MT
Extended Producer Responsibility Target @ 35 % of (A)	31.5 MT

Use of recycled plastic content**[Refer Clause 7.2 (d), 7.3 (d)]****Example 6:**

Year 2025-26	
Plastic packaging introduced in the market category-wise (Category II Flexible plastic packaging)	100 MT
Extended Producer Responsibility Target as per clause 5.1 @ 100 %	100 MT
Minimum content of recycled plastic in packaging @ 10%	10 MT of plastic content in the packaging should be recycled plastic 90 MT of virgin plastic content in packaging

[F. No. 17/2/2001 – Part I - HSMD]

NARESH PAL GANGWAR, Addl. Secy.

Note : The principal rules were published in the Gazette of India, Extraordinary, Part II Section 3, Sub-Section (i) vide number G.S.R 320 (E) dated the 18th March, 2016 and subsequently amended vide notification numbers G.S.R 285 (E) dated the 27th March, 2018, G.S.R. 571 (E) dated the 12th August, 2021 and G.S.R. 647 (E) dated the 17th September, 2021.

1667 - IV
Annexure - IV



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STATE POLLUTION CONTROL BOARD

DEPARTMENT OF FORESTS & ENVIRONMENT
GOVERNMENT OF SIKKIM
DEORALI - 737102

F. No. 1073/SPCB/527

Dated: 7/7/2021

NOTICE

FOR REGISTRATION OF PRODUCERS, IMPORTERS & BRAND-OWNERS UNDER PROVISION OF PLASTIC WASTE MANAGEMENT (PWM) RULES.

Producer, importer & Brand-owner (PIBOs) under Plastic Waste Management Rules 2016 are required to fulfil Extended Producer Responsibility (EPR) for the plastic waste generated due to the products introduced by them in the market. EPR is the responsibility of a producer/importer/brand-owner for environmentally sound management of the product till the end of its life.

PIBOs are requested to obtain registration from CPCB, if operating in more than two States/UTs and from concerned SPCB/PCC, if operating in one or two States/UTs only

This notice is being issued to inform all the PIBOs to obtain Registration from CPCB/SPCB/ PCC (as applicable). Those PIBOs who have not yet applied for registration are informed that they shall submit application for registration complete in all respects, to CPCB (for those operating in more than two States/UTs). Action, as deemed fit under Environmental (Protection) Act, 1986, including levying of Environmental Compensation and closure of PIBO's operations shall be initiated against defaulters.

(Member Secretary)

State Pollution Control Board Sikkim

Dr. Gopal Pradhan
Member Secretary
State Pollution Control Board
Forest Env. & W/L Mangt. Deptt
Govt. of Sikkim, Gangtok



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Minutes of Meeting held on 30th November 2021 at Sidkeong Tulku Conference Hall, State Pollution Control Board-Sikkim.

An awareness programme for PIBOs distributors, wholesalers & waste Management Agency (WMA) on Extended Producer Responsibility (EPR) was held on 30th November 2021 at Sidkeong Tulku Conference Hall of Forest Secretariat, Block-C, Deorali under the chairmanship of Dr. Thomas Chandy, Chairman, SPCB

The meeting began with a welcome address by Dr. Gopal Pradhan, Member Secretary, SPCB. The meeting was attended by Mr. Hem Kurmar Cheltri, Municipal Commissioner Gangtok, Mr. Saron Kr. Tamang, Municipal Executive Officer Rangpo, Mr. Lakpa Gyaso Sherpa, MEO Namchi, Ms. Permle Gurung, MEO Nayabazar Jorhang, Mr. Sund Pradhan, OSD(SBM-G) Rural Development Department, Mr. Raj Pradhan representative of SEEDS and the Representative from Waste Management Agency, Representative from Pharma units, Representative from major Wholesaler/Distributors etc.

He briefly highlighted the roles and responsibility of the SPCB and given the state of indiscriminate disposal of plastic waste in the environment he emphasized that there is an urgent need for a concerted effort from all stakeholder to take initiative in establishing a system for proper management of plastic wastes and EPR is tool for achieving the desired objective of effective handling and channelization of plastic wastes.

He also stated that regulators like SPCB is heavily reliant on the information submitted by various stakeholder like ULBs, RLBs, WMA, PIBOs and the distributor or wholesaler of the brand for implementation of the rules and providing inputs to the Government for proper framing of the policies.

The programme was continued with the presentation on Plastic Waste Management Rules and draft EPR regulation notification G.S.R 722(E) dated 6th October 2021 by Mr. Ranjan Rai, Executive Environmental Engineer (EEE), SPCB. The salient features of the presentation were

1. categorization of plastic packaging as Rigid, Flexible Single or Multilayer, Multilayer). EPR action plan after collection, Registration under provision of PWM, 2016 EPR target for Producer (P), Importer (I) and Brand Owners (BO).
2. the Surplus Certificate regime (Plastic credit Trading) for PIBOs in respect of meeting EPR targets, use of surplus certificate for offsetting previous year shortfall, carry forward for use in succeeding year, selling it to other PIBOs etc
3. Action on violation of sec 15 of the EPA, 1986, levying of Environment Compensation. And also the role and responsibility of the SPCB/CPCB under the PWM Rules 2016, etc

Thereafter, the floor was opened for discussion and Dr. Thomas Chandy Chairman SPCB-Sikkim expressed his concern whether the PIBOs were in a position to meet the stipulation laid down in the Draft EPR in its present form. The participants responded in affirmative.

Further he highlighted SPCB is getting report from past few years from WMA but the veracity of the same is to be ascertained. Also as per the latest notification brought out by the MoEF&CC, Govt. of India there is prohibition in import, stocking, distribution, sale & use of Single Use Plastic w.e.f. 1st July 2022. The draft regulation makes it mandatory for PIBOs with the help of WMA to collection 100% waste by year 2023-2024 and put in back to the system by recycling, reuse and disposal.

Representative of the WMAs put forth their comments are follows:

- i. Gem Environment Pvt. Ltd informed that they are collecting waste through local Scarp dealers (local kabariwala) and Municipal Commissioner also informed the house that Scarp dealers have been registered by the GMC
- ii. The Shakti Plastic Industries stated that they have their own recycling facility and in case of other states they operate by entering into an alliance with other parties (Waste Processor) e.g. in west Bengal they have alliance with UMA Industries, Chairman

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pls put up in file
20/11/2021
27/11/2021

suggested them to Set up a Material Recovery facilities in Sikkim in co-ordination with ULBs.

- iii. The Rapidue Technologies (Recycle), they informed that they have digital/online platform for waste management which deals in channelization of waste from Rack picker to recycling facilities/ cement kilns, energy recovery facilities etc. Further they informed that they work in value chain method under an online platform e.g w-commerce (digital waste market) which provides a common platform networking all PIBOs/ Processors/ Scrap dealers/ waste aggregator and ULBs.

Representatives of ULBs also raised various issues pertaining to waste management and MEO Rangpo also requested the SPCB /WMAs to facilitate setting up Material Recovery Facilities but the major constraints in availability of land and sought the intervention of the Board in allotment of land under the Forest Dept for these activities.

Annexure VI

Sl.No.	List of PIBOs operating in the state of Sikkim
1	M/s Glenmark Pharmaceuticals Ltd.
2	M/s Micro Labs Ltd.
3	M/s Alembic Pharmaceuticals Ltd.
4	M/s Zuventus Healthcare Ltd.
5	M/s Intas Pharamaceuticals Ltd
6	M/s SBL private limited
7	M/s Alkem Health Science
8	M/s Cipla Pvt Ltd
9	M/s Golden Cross
10	M/s Lupin Limited
11	M/s Mankind Pharma Ltd.
12	M/s Sun Pharma Laboratories Ltd
13	M/s Torrent Pharma Limited
14	M/s Aristo Pharma Pvt. Ltd.
15	M/s Zydus Wellness Products Ltd.
16	M/s IPCA Laboratories Ltd.



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STATE POLLUTION CONTROL BOARD-SIKKIM
FOREST & ENVIRONMENT DEPARTMENT
GOVERNMENT OF SIKKIM
DEORALI - 737102

E. No. 80/4/SPCB/ 2743

Dated: 16/3/2022

NOTICE

This is for the information of all industrial units including MSME operating in the state of Sikkim which are using plastic packaging or generating any plastic waste during its operation to get themselves registered in the Centralized Extended Producer Responsibilities portal for plastic packaging <https://eprplastic.cpcb.gov.in/#/plastic>.

Further, effective immediately, all units to ensure that all pre-consumer plastic waste (i.e., process-rejects, empty containers etc.) are not handed over to scrap collector or unauthorized agency and to be strictly channelized as per the EPR action plan and handed over to those plastic waste processor (Recycling facility, co-processing plant, disposal facility) registered in the EPR portal of the CPCB.

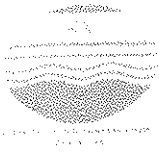
Failure to comply with the above direction action, as deemed fit under Environmental (Protection) Act, 1986, including levying of Environmental Compensation and closure of operation of defaulting Producer, Importer or Brand owner shall be initiated as per the law.

**Member Secretary,
State Pollution Control Board-Sikkim,
Department of Forest & Environment
Government of Sikkim,
Deorali, Gangtok.**

Dr Gopal Pradhan
Member Secretary
State Pollution Control Board
Forest & Environment Deptt.
Govt of Sikkim



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7
संज्ञादी
अमृत महीच्छा

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STATE POLLUTION CONTROL BOARD-SIKKIM
FOREST & ENVIRONMENT DEPARTMENT
GOVERNMENT OF SIKKIM
DEORALI - 737102

F. No. /SPCB/ 1256 (9)

Dated: 29/3/2022

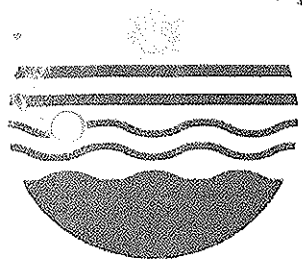
NOTICE

This is for the information of all concerned that Central Pollution Control Board has setup an exclusive centralized portal for registration of Producers, Importers and Brand Owners for fulfilling the EPR obligation under the Plastic Waste Management (Amendment) Rules, 2022. Therefore applications for Registration of Producers, Importers and Brand-Owners (PIBOs) and Plastic Waste Processors (PWPs) and EPR Action Plan under Plastic Waste Management Rules, 2016 (as amended) may be submitted online on the following portal: www.cpcbepplastic.in by all PIBOs and PWPs as provided in the said Rules.

Member Secretary,
State Pollution Control Board-Sikkim,
Government of Sikkim,
Deorali, Gangtok.
Dr. Gopal Pradhan
Member Secretary
State Pollution Control Board
Forest Env. & W/L Mangt. Dept.
Govt. of Sikkim, Gangtok



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STATE POLLUTION CONTROL BOARD
SIKKIM

SPCB SIKKIM Newsletter

Issue 4 | October - 2021 to March - 2022

"SPECIAL ISSUE ON PLASTIC WASTE MANAGEMENT"

PLASTIC WASTE AWARENESS WEEK 6TH TO 12TH MARCH 2022



Hon'ble Chief Minister Shri Prem Singh Tamang launched the Plastic Waste Awareness Week initiated by the State Pollution Control Board-Sikkim, on 5th March 2022 at a program held at Samman Bhawan, Gangtok. Speaking on the occasion he stated that plastic waste awareness was necessary for both urban as well as rural people. The Plastic Waste Awareness Week was observed throughout the State from 6th March to 12th March 2022 with the main objective of creating awareness of the health hazards of plastics among the public and the need to properly dispose of plastic waste.

The Chief Minister stated that plastic was one of the most commonly found materials on the earth today and had become an integral part of people's everyday life. It is a convenient material for packaging and for carrying goods but has the potential to do irreversible damage to mother earth. He said that plastic pollution can cause several diseases and the changed lifestyle of modern times and dependence on packaged foods has led to higher incidence of diseases like cancer, heart problems and kidney problems which were unknown in the Sikkimese population years ago. Speaking about the recent ban on the packaged drinking water bottles of 2 litres and below, the Chief Minister stated that the State Government would support entrepreneurs for setting up of units that produce drinking water in glass bottles which can be reused like beer bottles.

The Chief Minister released awareness materials such as pamphlets, posters, stickers and videos developed by the State Pollution Control Board-Sikkim on the occasion. These materials were distributed in the gram panchayat units and municipal wards to all households through the Rural Development and Urban Development Departments.

Highlights



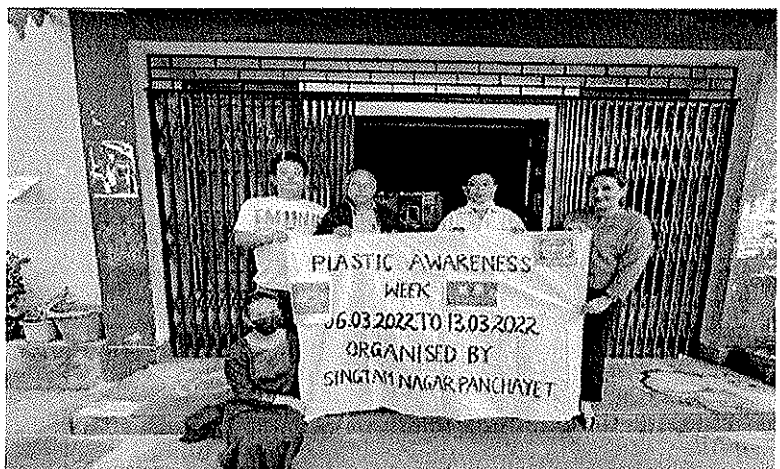
HCM releasing a short video on harmful effects of Single Use Plastics



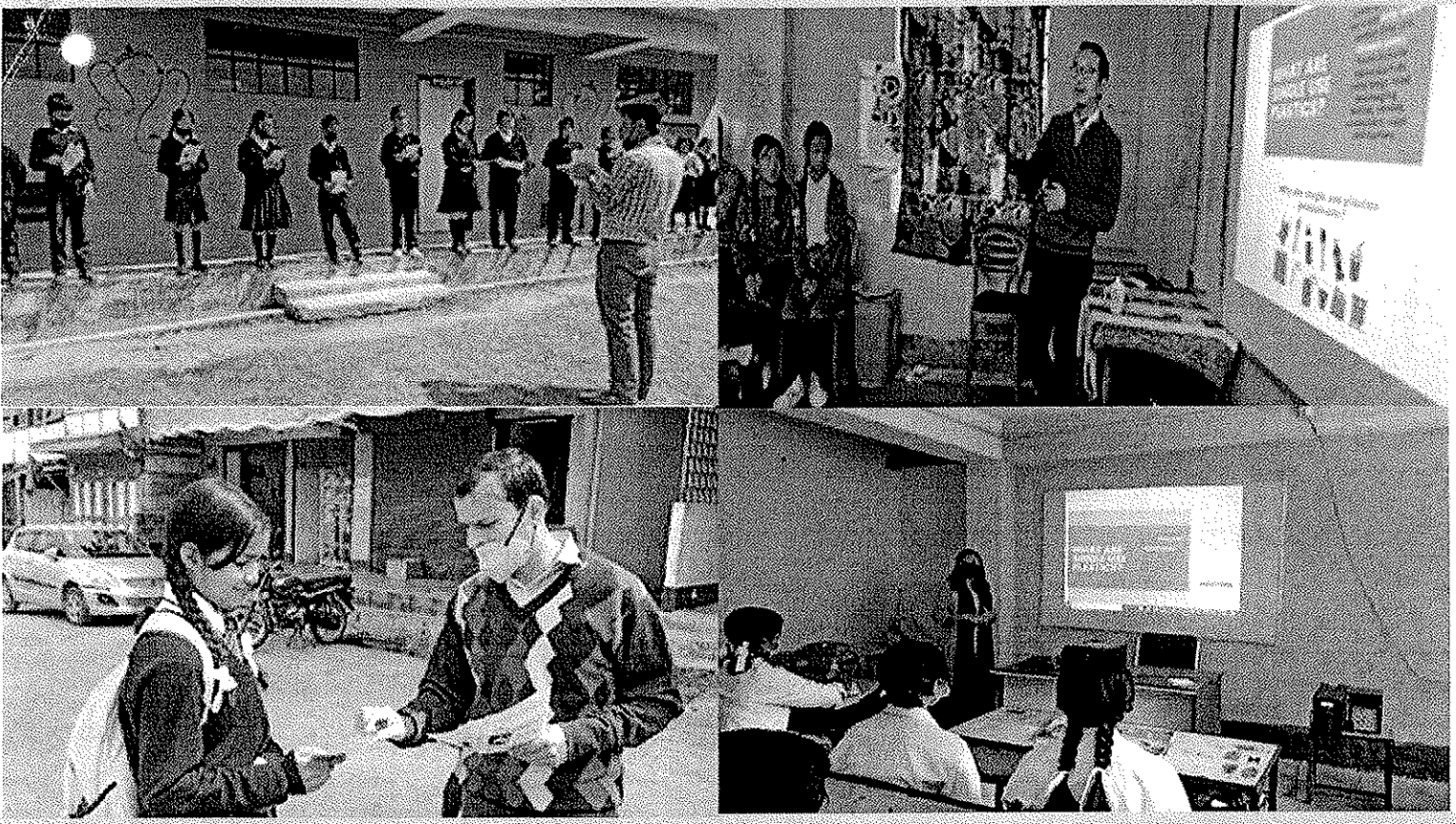
HCM releasing a 5 minute video on the harmful effects of plastic waste



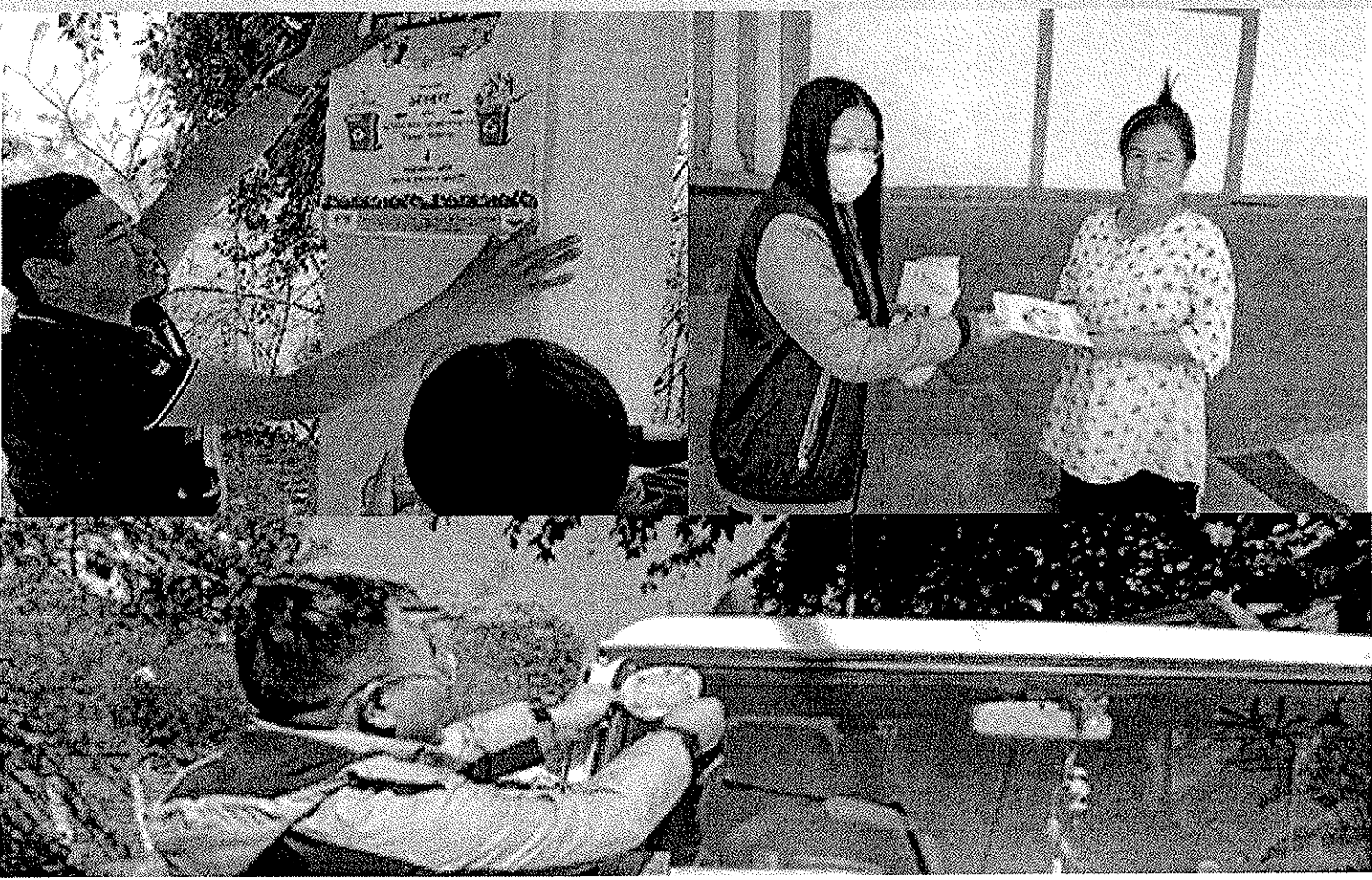
HCM felicitating a Single Use Plastic survey Volunteer



School children being educated about plastic waste management



Plastic Waste Management Awareness to the general public



Women's 'Run' 1078 UP awareness



A 'Run' for ladies on the theme of "Run to Say No to Single Use Plastics" was organized jointly by the State Pollution Control Board-Sikkim and the Inner Wheel Club of Gangtok at M.G. Marg Gangtok on 27th March 2022. The event was flagged off by the Hon'ble Minister for Forest and Environment Shri Karma Loday Bhutia. Speaking on the occasion he urged all to reduce the use of plastic as it was harmful to the environment and had serious consequences to human and animal lives. Shri Arun Upreti, Hon'ble Minister for Urban Development gave away the prizes to the winners of the run. While congratulating the organizers of the 'Run' he stated that everyone should accept the responsibility to take care of the environment by using environment friendly products.

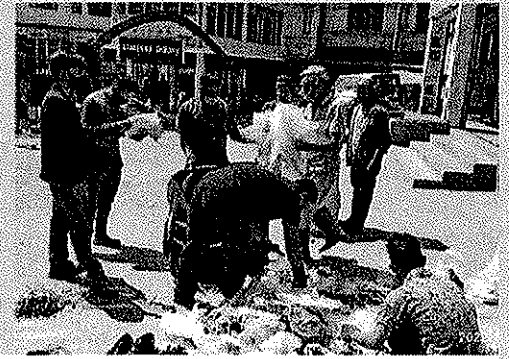
Single Use Plastic waste audit conducted by SPCB-Sikkim through Volunteers



At Buriakhop, Soreng District

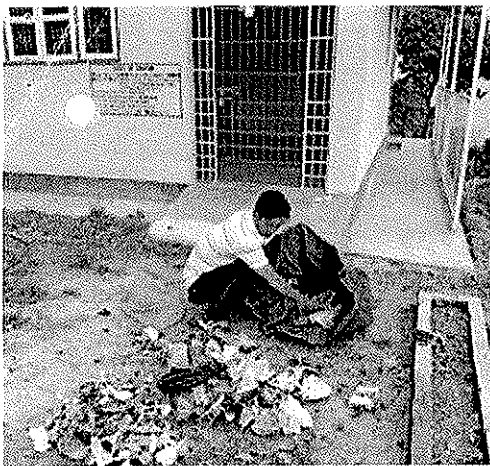


At Chuba Phong, Namchi District

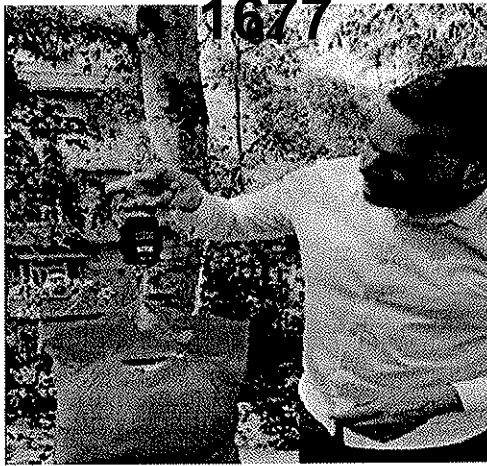


At Geyzing

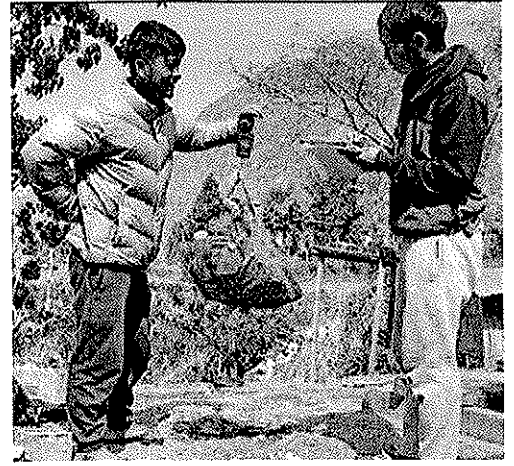




At Suldung Kamling, Soreng District



At Tadong, Gangtok District



At Wok-Omchung, Namchi District

Sensitization Program for Councillors In SWM



The State Pollution Control Board - Sikkim organized a sensitization programme on municipal solid waste management on 6th October 2021 at the State Institute of Rural Development, Karfectar, South Sikkim. The programme was organized for councillors of South and West District urban local bodies. The Councillors from Namchi Municipal Council and Geyzing and Naya Bazar-Jorethang Urban Local Bodies participated.

Welcoming the participants Dr. Gopal Pradhan, Member Secretary, SPCB-Sikkim mentioned the challenge faced by urban local bodies all over the country in managing solid wastes due to the consumerist trend of modern society. Two presentations were made during the program. Joint Director SPCB-Sikkim, Mrs. Kusum Gurung explained the principles of solid waste management and its reflection in the Solid Waste Management and Plastic Waste Management Rules of 2016. She emphasized on the importance of segregation of wastes into biodegradable, non-biodegradable and domestic hazardous wastes by the waste generators and how this facilitates waste management at subsequent stages in landfills. Shri Ranjan Rai, Executive Environmental Engineer SPCB - Sikkim provided a glimpse into the technologies for waste management available which ought to be introduced for minimization of waste entering landfills.

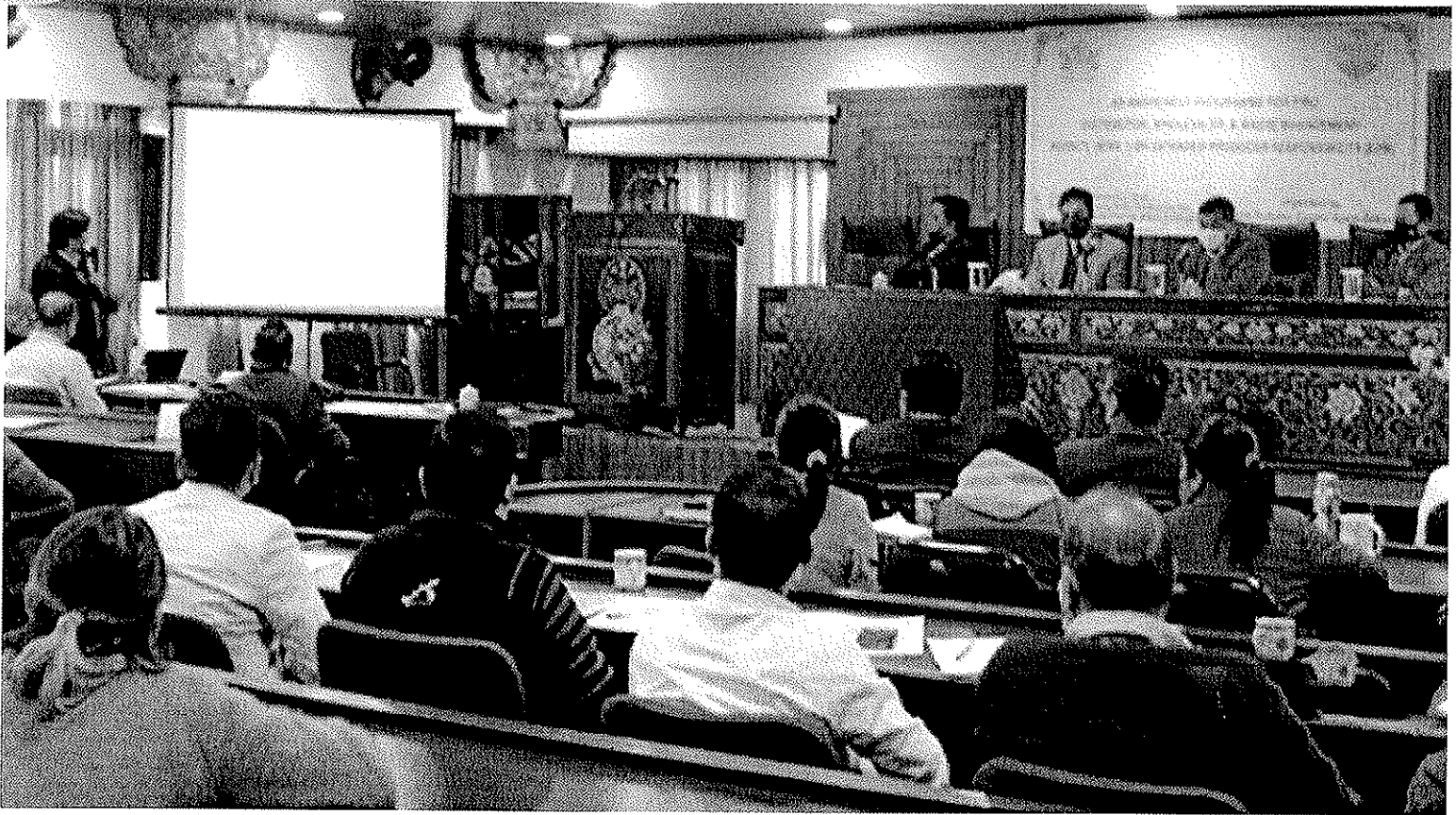
In the interaction that followed, the Chairman SPCB-Sikkim Dr. Thomas Chandy, emphasized the role of public representatives in motivating people towards segregated and safe disposal of solid wastes.

CAAQMS display board at Zero Point Gangtok



Hon'ble Chief Minister, Shri Prem Singh Golay, inaugurated the Continuous Ambient Air Quality Monitoring Station (CAAQMS) at Zero Point on 5th March 2022. This station will monitor the real time ambient air quality of Gangtok and display it at Zero Point and M.G. Marg Gangtok. The facility

Extended Producer Responsibility meeting



A meeting on plastic waste management with special focus on Extended Producer Responsibility (EPR) was organized by the State Pollution Control Board Sikkim at the Sidkeong Tulku Conference Hall in Forest Secretariat on 30th November 2021. The meeting presided over by the Chairman SPCB Sikkim was attended by officials of SPCB Sikkim, Urban Local Bodies, Forest and Environment Department and other departments apart from the distributors of consumer goods, industrialists, leading waste management agencies of the country and representatives of small and medium enterprises.

Welcoming the gathering, Dr. Gopal Pradhan, Member Secretary, SPCB-Sikkim stated that EPR did not have the desired effect in the State so far, as there was a gap in the plastic waste generated and collected. Shri Ranjan Rai, Executive Environmental Engineer, SPCB Sikkim made a power point presentation on the principles and stipulations of EPR in the proposed new law of the Ministry of Environment, Forests and Climate Change

Dr. Thomas Chandy in his closing remarks stated that there was a good opportunity for local entrepreneurs to enter the recycling business which is economically viable due to the thriving fast moving consumer goods market in the State.

Monthly Air Quality Index (AQI) from Eight (08) Ambient Air Quality Monitoring Stations under National Air Quality Monitoring Programme (NAMP)

State Pollution Control Board Sikkim has been conducting ambient air quality monitoring under the National Air Quality Monitoring Programme in eight stations in the State. Under NAMP three main pollutants viz. PM10, Sulphur dioxide (SO2) and Nitrogen dioxide (NO2) are being monitored regularly at all air stations.

Monitoring is carried out over 104 days and on 24 hours basis in a year as per the frequency stipulated by CPCB guidelines. The data generated is uploaded in the EAQDES portal and subsequently reports are prepared and also uploaded in the SPCB-Sikkim websites and ENVIS.

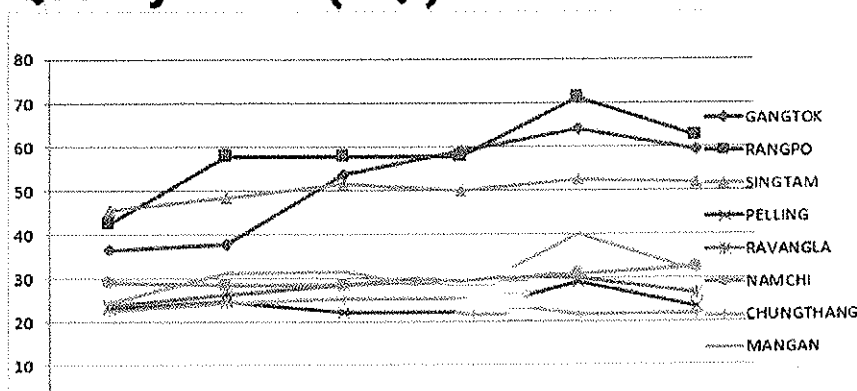
As per the comparative analysis of the data generated for the average air quality index, Sikkim State is well within the national standard (permissible limit) and has been mostly under Good category of AQI Health Index.

Sl. No.	Name Of Station	Oct- 21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22
1.	Deorali, Gangtok District	51	56	54	50	46	66
2.	Rangpo, Pakyong District	44	64	66	64	62	71
3.	Singtam, Gangtok District	48	50	54	61	58	66
4.	Pelling, Gyalshing District	33	31	32	35	39	41
5.	Ravangla, Namchi District	23	23	23	22	23	21
6.	Namchi, Namchi District	32	33	27	25	24	29
7.	Chungthang, Mangan District	27	29	25	25	25	27
8.	Mangan, Mangan District	34	26	30	23	27	29

AQI Category and Health Impacts

Good (0-50)	Minimal Impact	Poor (201-300)	Breathing discomfort to people on prolonged exposure
Satisfactory (51-100)	Minor breathing discomfort to sensitive people	Very Poor (301-400)	Respiratory illness to the people on prolonged exposure
Moderate (101-200)	Breathing discomfort to the people with lung, heart disease, children and older adults	Severe (>401)	Respiratory effects even on healthy people

Monthly Air Quality Index (AQI) October 2021- March 2022-Sikkim



River Water Quality for the month of March, 2022

Station Code	Type	Sampling Date	pH	Cond. μ mhos/Cm	NO ₃ -N mg/l	D.O mg/l	B.O.D mg/l	T. Coliform MPN/100ml	Faecal Coliform 100/ml
1801	R	01/03/22	7.5	165	1.0	8.5	1.3	60	45
1802	R	04/03/22	7.1	250	1.9	8.7	2.0	115	85
1803	R	07/03/22	6.5	150	1.5	8.0	2.5	110	40
1804	R	09/03/22	6.7	215	2.2	8.9	2.1	210	85
1805	R	11/03/22	6.8	225	2.2	9.1	2.2	220	100
1806	R	14/03/22	6.5	160	1.4	8.2	2.0	120	45
1807	R	14/03/22	7.2	231	2.1	8.7	1.8	190	100
1808	R	17/03/22	7.1	222	2.2	9.0	1.9	175	85
1809	R	17/03/22	6.9	235	2.3	8.9	2.0	165	105
2034	R	23/03/22	7.0	160	1.5	9.0	1.0	70	45
2035	R	23/03/22	7.0	170	1.3	9.0	0.8	60	38
2036	R	26/03/22	6.5	160	1.2	7.5	1.0	75	37
2037	R	26/03/22	6.5	155	1.3	8.0	1.2	100	85
2038	R	28/03/22	7.0	145	1.5	7.0	1.1	150	100

The details of the monitoring stations are as under

SN	Station Code	Name of Station	Latitude $^{\circ}$ N	Longitude $^{\circ}$ E
1	1801	River Teesta after confluence of River Lachenchu and Lachungchu, CHUNGTHANG, NORTH Sikkim.	27.602	88.649
2	1802	River Dikchu before confluence with River Teesta near NHPC hydro-electric power project, DIKCHU, East Sikkim	27.40	88.52
3	1803	River Maney KHOLA AT BURTUK near Army Base camp 4 km U/S of Gangtok, East Sikkim.	27.35	88.61
4	1804	River Maney Khola after confluence with Ray Khola at ADAMPOOL AFTER MEETING TREATED WASTE WATER of STOP, Gangtok, East Sikkim.	27.30	88.58
5	1805	After confluence of Ranl Chu and Rorachu at RANIPOOL, East Sikkim.	27.29	88.59
6	1806	Ranichu before confluence with River Teesta at SINGTAM, East Sikkim.	27.22	88.49
7	1807	River Teesta after confluence with River Ranichu at SINGTAM, East Sikkim.	27.11	88.45
8	1808	River Teesta after confluence with Rongpochu after meeting the industrial effluents from the town RANGPO, East Sikkim.	27.17	88.52
9	1809	River Teesta at Melli Downstream, MELLI, South Sikkim.	27.08	88.45
10	2034	River Rangit at dam site(NHPC), South Sikkim	27.29	88.29
11	2035	River Rangit at Legship, West Sikkim	27.27	88.27
12	2036	River Rangit at Reshi, West Sikkim	27.22	88.30
13	2037	River Rangit at Jorethang, South Sikkim	27.13	88.27

Disclaimer

Efforts have been made to make the data and information provided in this newsletter as accurate as possible. The use of data and information published by SPCB Sikkim should be duly cited.

SPCB Sikkim Officers(Editorial)

Dr. Thomas Chandy
Chairman

Dr. Gopal Pradhan
Member Secretary

Mrs. Kusum Gurung
Joint Director

Mr. B.K. Chettri
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24Hoursinspired

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Annexure -



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

F. No. B-17011/7/PWM(MLP)/2022

Dated: 13.05.2022

To,

Registered PIBOs
(As per list)

Sub:- Registration of Producers, Importers & Brand-Owners (PIBOs) Under Plastic Waste Management Rules, 2016 - Reg.

Sir,

With reference to the above-mentioned subject, this is to inform that in compliance with 'Guidelines on EPR for Plastic Packaging' notified by MoEF&CC on 16 February, 2022 in Schedule – II of PWM Rules, CPCB has developed Centralized EPR portal for Registration of PIBOS. It which is available on the link www.cpcbepplastic.in

In view of above, you are required to submit your application for renewal of Registration on the centralized EPR portal (www.cpcbepplastic.in) along with updated information and payment of relevant application fee. SOP & Instruction Sheet for the same is available on the website.

You are further required to submit compliance documents for 25% of EPR target for the intervening period (from date of issue of Registration certificate to till date) as per the enclosed format (Annexure-I). Softcopy of the requisite information is to be emailed in excel format to pwm.cpcb@gov.in within 15 days of receipt of the mail. The supporting documents in pdf format with reference Annexure nos. are to be annexed with the email. It is to be further noted that henceforth all compliance reports shall be filed on the EPR Portal as per the format prescribed by CPCB.

Further, it is to inform that CPCB reserves the right to take such action as deemed fit under Environment (Protection) Act, 1986, for violation of PWM Rules, 2016, if any by the concerned PIBOs for the period prior to grant of Registration also.

This issues with the approval of the Competent Authority.

Yours faithfully,

(Divya Sinha)

Addl. Director & I/c, UPC-II

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032
Parivesh Bhawan, East Arjun Nagar, Delhi-110032
दूरभाष/Tel : 43102030, 22305792, वेबसाईट/Website : www.cpcb.nic.in

-// TRUE COPY //-

Table 1: EPR Action Plan			
Duration			
EPR Target (TPA)			
EPR Alternative for Action Plan (Own Distribution channel/ Direct engagement with Local Body / Engagement with local body through Waste management agency)			
Sl. No.	Collection	Processing	
	Qty of Waste (TPA)	Processing	Qty of waste (TPA)
#Details of Collection through Own Distribution Channel to be provided in case EPR Alternative " Own Distribution Channel"			

Table 2: Details of Plastic Waste Processing										
Sl. No.	Date	Name of Plastic Waste Processing Facility (PWPF)	Type of PWPF	Contact details				Qty of Waste (Tones)	Supporting Document Description	Supporting Document Annexure No.
				Address of PDPF	Name of Authorized person	E-mail	Phone No.			

S.No.	Name of Registered Producer/Importer/Brand Owner	Producer/Importer/ Brand-owners
1	M/s. Varun Beverages Ltd.	Brand Owner
2	M/s. Gujarat Co-Operative Milk Marketing Federation Ltd.,	Brand Owner
3	M/s. Parle Agro Pvt. Ltd.,	Brand Owner
4	M/s. Indian Farmers Fertilizer Cooperative Ltd.,	Brand Owner
5	M/s. Hindustan Unilever Limited,	Brand Owner
6	M/s. J.K. Cement Ltd.,	Brand Owner
7	M/s. Parle Products Private Limited	
8	M/s. Johnson & Johnson Pvt. Ltd.,	Brand Owner
9	M/s. Grasim Industries Limited,	Brand Owner
10	M/s. Cipla Ltd.,	Brand Owner
11	M/s. Balaji Wafers Pvt. Ltd.,	Brand Owner
12	M/s. Samsung India Electronics Private Ltd.,	Brand Owner
13	M/s. Chambal Fertilisers and Chemicals Ltd.,	Brand Owner
14	M/s. Kandhari Beverages Pvt. Ltd.	Brand Owner
15	M/s Mother Dairy Fruit & Vegetable Pvt. Ltd.,	Brand Owner
16	M/s. Coromandel International Ltd.	Brand Owner
17	M/s. Colgate Palmolive (India) Ltd.	Brand Owner
18	M/s. Moon Beverages Ltd.,	Brand Owner
19	M/s. HeidelbergCement India Ltd.,	Brand Owner
20	M/s. Huhtamaki-PPL Ltd.,	Producer
21	M/s. The Himalaya Drug Company,	Brand Owner
22	M/s. RSPL Limited,	Brand Owner
23	M/s. Mondelez India Foods Private Limited,	Brand Owner
24	M/s. Haldiram Snacks (P) Ltd.	Brand Owner
25	M/s. Wipro Enterprises Pvt. Ltd.,	Brand Owner
26	M/s. Procter & Gamble Home Products Private Limited,	Brand Owner
27	M/s. CavinKare Pvt. Ltd.,	Brand Owner
28	M/s. Jyothy Labs Limited,	Brand Owner
29	M/s. Whirlpool of India Ltd.,	Brand Owner
30	M/s. Bunge India (P) Ltd.	Brand Owner
31	M/s. Prataap Snacks Ltd.,	Brand Owner
32	M/s. Indian Railway Catering and Tourism Corporation Ltd. (IRCTC),	Brand Owner
33	M/s. Gopal Snacks Pvt. Ltd.,	Brand Owner
34	M/s. Nirma Ltd.,	Brand Owner
35	M/s. UPL Ltd.	Brand Owner
36	M/s. Amazon Seller Services Pvt. Ltd.	Brand Owner
37	M/s. Tata Chemicals Limited,	Brand Owner

S.No.	Name of Registered Producer/Importer/Brand Owner	Producer/Importer/ Brand-owners
38	M/s. Reckitt Benckiser (India) Pvt. Ltd.,	Brand Owner
39	M/s. Zuari Cement Ltd.,	Brand Owner
40	M/s. Balrampur Chini Mills Ltd.,	Brand Owner
41	M/s. Laxmi Snacks Pvt. Ltd.,	Brand Owner
42	M/s. Haldiram Foods International Pvt. Ltd.,	Brand Owner
43	M/s. United Breweries Ltd.	Brand Owner
44	M/s. DS Confectionery Products Ltd.,	Brand Owner
45	M/s. SLMG Beverages Pvt. Ltd.,	Brand Owner
46	M/s. Heritage Foods Ltd.	Brand Owner
47	M/s. Unicharm India Pvt. Ltd.,	Brand Owner
48	M/s. N.K. Proteins Pvt. Ltd.	Brand Owner
49	M/s. Surya Food & Agro Ltd.,	Brand Owner
50	M/s. Anmol Industries Ltd.	Brand Owner
51	M/s. Godrej & Boyce Mfg. Co. Ltd.,	Brand Owner
52	M/s. Tata Global Beverages Ltd.,	Brand Owner
53	M/s. Havells India Limited	Brand Owner
54	M/s. Nestle India Limited,	Brand Owner
55	M/s. Bikaji Foods International Ltd.	Brand Owner
56	M/s. B.L. Agro Industries Ltd.	Brand Owner
57	M/s. Bajaj Consumer Care Ltd.,	Brand Owner
58	M/s. GHCL Limited,	Brand Owner
59	M/s. Vadilal Industries Ltd.	Brand Owner
60	M/s. Dr. Reddy's Laboratories Ltd.,	Brand Owner
61	M/s. Creamy Foods Ltd.	Brand Owner
62	M/s. Khandelia Oil & General Mills Pvt. Ltd.	Brand Owner
63	M/s. Instakart Services Private Ltd.	Brand Owner
64	M/s. Ferrero India Private Limited,	Brand Owner
65	M/s. CEAT Ltd.,	Brand Owner
66	M/s. Lupin Ltd.,	Brand Owner
67	M/s. Bikanervala Foods Pvt. Ltd.	Brand Owner
68	M/s. Apricot Foods Pvt. Ltd.	Brand Owner
69	M/s. GlaxoSmithKline Pharmaceuticals Ltd.,	Brand Owner
70	M/s. Hindalco Industries Ltd.,	Brand Owner
71	M/s. Cargill India Pvt. Ltd.,	Brand Owner
72	M/s. Mars International India Pvt. Ltd.	Brand Owner
73	M/s. Hygienic Research Institute Pvt. Ltd.	Brand Owner
74	M/s. Herbalife International Pvt. Ltd.,	Brand Owner
75	M/s. Asian Paints Limited,	Brand Owner
76	M/s. Fena Pvt. Ltd.,	Brand Owner
77	M/s. Emami Ltd.,	Brand Owner

S.No.	Name of Registered Producer/Importer/Brand Owner	Producer/Importer/ Brand-owners
78	M/s. Agro Tech Foods Limited,	Brand Owner
79	M/s. MTR Foods Pvt. Ltd.,	Brand Owner
80	M/s. Saj Food Products Pvt. Ltd.,	Brand Owner
81	M/s. Canon India Pvt. Ltd.,	Brand Owner
82	M/s. KRBL Limited.,	Brand Owner
83	M/s. DS Spiceco Pvt. Ltd.,	Brand Owner
84	M/s. Kellogg India Pvt. Ltd.	Brand Owner
85	M/s. Pidilite Industries Limited,	Brand Owner
86	Bharat Foods Co-operative Ltd.	Brand Owner
87	M/s. Emami Agrotech Ltd.	Brand Owner
88	M/s. Sheelpe Enterprises Pvt. Ltd.,	Brand Owner
89	M/s. Saurashtra Cement Ltd.	Brand Owner
90	M/s. Pfizer Ltd.,	Brand Owner
91	M/s. Haldiram Manufacturing Co. Pvt. Ltd.	Brand Owner
92	M/s. Eastern Condiments Pvt. Ltd.	Brand Owner
93	M/s. Modicare Ltd.,	Brand Owner
94	M/s. Gujarat Sidhee Cement Ltd.	Brand Owner
95	M/s. Dwarikesh Sugar Industries Limited,	Brand Owner
96	M/s. C.P. Milk & Foods Products Pvt. Ltd.,	Brand Owner
97	M/s. Super Market Groceries Pvt. Ltd.,	Brand Owner
98	M/s. Devyani Food Industries Ltd.,	Brand Owner
99	M/s. Anchor Consumer Products Pvt. Ltd.	Brand Owner
100	M/s. Sony India Pvt. Ltd.,	Brand Owner
101	M/s. Harita-NTI Ltd.,	Brand Owner
102	M/s. Hector Beverages Private Limited,	Brand Owner
103	M/s. Marico Limited,	Brand Owner
104	M/s. Ready Roti India Pvt. Ltd.,	Brand Owner
105	M/s. Simbhaoli Sugars Ltd.,	Brand Owner
106	M/s. Sanghvi Foods Pvt. Ltd.	Brand Owner
107	M/s. Dr. Oetker India Pvt. Ltd.	Brand Owner
108	M/s. Rallis India Ltd.,	Brand Owner
109	M/s. Tata Motors Ltd.,	Brand Owner
110	M/s. Godrej Consumer Products Limited,	Brand Owner
111	M/s. Dharampal Satyapal Ltd.,	Brand Owner
112	M/s. Sanofi India Ltd.	Brand Owner
113	M/s. 3M India Pvt. Ltd.	Brand Owner
114	M/s. Gharda Chemicals Limited	Brand Owner
115	M/s. Guiltfree Industries Limited	Brand Owner
116	M/s. Honasa Consumer Pvt. Ltd.,	Brand Owner

S.No.	Name of Registered Producer/Importer/Brand Owner	Producer/Importer/ Brand-owners
117	M/s. A.V. Thomas & Co. Ltd.,	Brand Owner
118	M/s. Perfetti Van Melle India Pvt. Ltd.,	Brand Owner
119	M/s. Dow AgroSciences India Private Ltd.,	Brand Owner
120	M/s. Euro India Fresh Foods Limited,	Brand Owner
121	M/s. Frigorifico Allana Private Ltd.,	Brand Owner
122	M/s. Mohani Tea Leaves Pvt. Ltd.,	Brand Owner
123	M/s. Atul Ltd.	Brand Owner
124	M/s. Procter & Gamble Hygiene and Health Care Limited	
125	M/s. Field Fresh Foods Pvt. Ltd.	Brand Owner
126	M/s. Unibic Foods India Pvt. Ltd.,	Brand Owner
127	M/s. Heinz India Pvt. Ltd.	Brand Owner
128	M/s. Dharampal Premchand Ltd.	Brand Owner
129	M/s. Ushodaya Enterprises Pvt. Ltd. (Foods Division)	Brand Owner
130	M/s. Coca-Cola India Pvt. Ltd.,	Brand Owner
131	M/s. Orient Electric Ltd.	Brand Owner
132	M/s. Jagannath Salt (P) Ltd.,	Brand Owner
133	M/s. Cadila Pharmaceutical Ltd.,	Brand Owner
134	M/s. Adani Wilmar Limited,	Brand Owner
135	M/s. BIC Cello (India) Pvt. Ltd.,	Brand Owner
136	M/s. Noble Hygiene Pvt. Ltd.	Brand Owner
137	M/s. Siemens Ltd.,	Brand Owner
138	M/s. Oriflame India Pvt. Ltd.	Brand Owner
139	M/s. Mankind Pharma Ltd.	Brand Owner
140	M/s. Kitty Industries Private Limited,	Brand Owner
141	M/s. V-Guard Industries Ltd.	Brand Owner
142	M/s. Exide Industries Ltd.	Brand Owner
143	M/s. Zydus Healthcare Ltd.,	Brand Owner
144	M/s. Prayagh Nutri Products Pvt. Ltd.	Brand Owner
145	M/s. Today Tea Ltd.	Brand Owner
146	M/s. Abbott Healthcare Pvt. Ltd.,	Brand Owner
147	M/s. Cera Sanitaryware Ltd.	Brand Owner
148	M/s. ID Fresh Food (India) Pvt. Ltd.	Brand Owner
149	M/s. Prime Comfort Products Pvt. Ltd.,	Brand Owner
150	M/s. Hamdard Laboratories India (Medicine Division),	Brand Owner
151	M/s. Nutricia International Pvt. Ltd.,	Brand Owner
152	M/s. Honda Cars India Limited.,	Brand Owner
153	M/s. Haldiram Ethnic Foods Pvt. Ltd.	Brand Owner
154	M/s. Rajdhani Flour Mills Ltd.	Brand Owner
155	Ozone Procon Pvt. Ltd.	Brand Owner
156	M/s. Ankur Chemfood Ltd.	Brand Owner

S.No.	Name of Registered Producer/Importer/Brand Owner	Producer/Importer/ Brand-owners
157	M/s. Wal-Mart India Private Limited,	Brand Owner
158	M/s. Jubilant FoodWorks Ltd.	Brand Owner
159	M/s. Shriram Pistons & Rings Ltd.	Brand Owner
160	M/s. Shreeram Chemfood Pvt. Ltd.,	Brand Owner
161	M/s. Panasonic India Pvt. Ltd.,	Brand Owner
162	M/s. Shree Chem Food Ltd.,	Brand Owner
163	M/s. Sanofi Synthelabo (India) Pvt. Ltd.	Brand Owner
164	M/s. Amcor Flexible Ind. Pvt. Ltd.	Producer
165	M/s. Baidyanath Ayurved Bhawan Pvt. Ltd.	Brand Owner
166	M/s. Vasant Masala Pvt. Ltd.,	Brand Owner
167	M/s. Metro Cash and Carry India Private Limited	Brand Owner
168	M/s. South India Krishna Oil and Fats Pvt. Ltd.,	Brand Owner
169	M/s. Rudolf Atul Chemicals Ltd.,	Brand Owner
170	M/s. Terrestrial Foods Pvt. Ltd.	Brand Owner
171	M/s. Honda Motorcycle & Scooter India Pvt. Ltd.	Brand Owner
172	M/s. S.C. Johnson Products Private Limited,	Brand Owner
173	M/s. Surya Fresh Foods Limited,	Brand Owner
174	M/s. Beiersdorf India Pvt. Ltd.	Brand Owner
175	M/s. Kerry Ingredients India Private Limited,	Brand Owner
176	M/s. Gokul Agro Resources Ltd.,	Brand Owner
177	M/s. ADM Agro Industries India Pvt. Ltd.	Brand Owner
178	M/s. Drums Food International Pvt. Ltd.,	Brand Owner
179	M/s. Umang Dairies Ltd.,	Brand Owner
180	M/s. Indo Brine Industries Ltd.,	Brand Owner
181	M/s. Gillette India Limited,	Brand Owner
182	M/s. Pernod Ricard India (P) Ltd.	Brand Owner
183	M/s. India Yamaha Motor Pvt. Ltd.	Brand Owner
184	M/s. Bauli India Bakes & Sweets Pvt. Ltd.,	Brand Owner
185	M/s. Koteswar Chemfood Industries Pvt. Ltd.,	Brand Owner
186	M/s. Digital Age Retail Pvt. Ltd.,	Brand Owner
187	M/s. Girnar Food & Beverages Pvt. Ltd.,	Brand Owner
188	M/s. Fashion Suitings Pvt. Ltd.,	Brand Owner
189	M/s. Ratnamani Metals & Tubes Ltd.,	Brand Owner
190	M/s. Popular Bakery Products Pvt. Ltd.,	Brand Owner
191	M/s. CCL Products (India) Limited,	Brand Owner
192	M/s. Anik Milk Products Pvt. Ltd.,	Brand Owner

S.No.	Name of Registered Producer/Importer/Brand Owner	Producer/Importer/ Brand-owners
193	M/s. Murugappa Morgan Thermal Ceramics Ltd.,	Brand Owner
194	M/s. Abbott India Ltd.,	Brand Owner
195	M/s. RPG Life Sciences Ltd.,	Brand Owner
196	M/s. Endurance Technologies Ltd.,	Brand Owner
197	M/s. Modi Distillery,	Brand Owner
198	M/s. Kohinoor Speciality Foods India Pvt. Ltd.,	Brand Owner
199	M/s. Keventer Agro Ltd.,	Brand Owner
200	M/s. Mohan Makin Ltd.,	Brand Owner
201	M/s. Terapanth Foods Ltd.,	Brand Owner
202	M/s. Rich Graviss Products Pvt. Ltd.	Brand Owner
203	M/s. Foodcoast International,	Brand Owner
204	M/s. Ravi Foods Pvt. Ltd.,	Brand Owner
205	M/s. Trendsutra Client Services Pvt. Ltd.,	Brand Owner
206	M/s. Apple India Pvt. Ltd.	Brand Owner
207	M/s. Organic India Pvt. Ltd.,	Brand Owner
208	M/s. Balaji Chem Food,	Brand Owner
209	M/s. Dry Blend Foods Pvt. Ltd.,	Brand Owner
210	M/s. Carrier Airconditioning & Refrigeration Ltd.	Brand Owner
211	M/s. Sekhani Industries Pvt. Ltd.	Brand Owner
212	M/s. Desai Foods Pvt. Ltd.	Brand Owner
213	M/s. Triguni Food Pvt. Ltd.	Brand Owner
214	M/s. Savancia Fromage and Dairy P Ltd.	Brand Owner
215	M/s. Blue Star Limited,	Brand Owner
216	M/s. Harsh Bakers,	Brand Owner
217	M/s. Aastha Salt Industries Ltd.,	Brand Owner
218	M/s. Vega Industries Pvt. Ltd.	Brand Owner
219	M/s. COFCO International India Private Limited	Brand Owner
220	M/s. Tiffany Foods,	Brand Owner
221	M/s. Amrit Corp. Ltd. (Unit Amrit Food),	Brand Owner
222	M/s. Waghmare Food Products Pvt. Ltd.,	Brand Owner
223	M/s. Pahai Foods Pvt. Ltd.,	Brand Owner
224	M/s. Natco Pharma Limited,	Brand Owner
225	M/s. Sandarbh Foods Pvt. Ltd.,	Brand Owner
226	M/s. A.P Organics Limited	Brand Owner
227	M/s. Merck Specialities Pvt. Ltd.	Brand Owner
228	M/s. Ajit Bakery,	Brand Owner
229	M/s. Cloudtail India Pvt. Ltd.	Brand Owner

S.No.	Name of Registered Producer/Importer/Brand Owner	Producer/Importer/ Brand-owners
230	M/s. JCB India Ltd.	Brand Owner
231	M/s. Hewlett Packard Enterprise India Pvt. Ltd.	Brand Owner
232	M/s. Asus India Pvt. Ltd.	Brand Owner
233	M/s. John Deere India Pvt. Ltd.,	Brand Owner
234	M/s. Red Bull India Private Limited,	Brand Owner
235	M/s. Tata Starbucks Pvt. Ltd.	Brand Owner
236	M/s. Jubilant Life Sciences Ltd.,	Brand Owner
237	M/s. Soothe Healthcare Pvt. Ltd.,	Brand Owner
238	M/s. Nilons Enterprises Pvt. Ltd.,	Brand Owner
239	M/s. Tasty Bite Eatables Ltd.,	Brand Owner
240	M/s. Arvind Youth Brand Pvt. Ltd.,	Brand Owner
241	M/s. Biosash Business Pvt. Ltd.,	Brand Owner
242	M/s. Indagro Foods Pvt. Ltd.	Brand Owner
243	M/s. Welspun India Ltd.,	Brand Owner
244	M/s. Dukes Products India Ltd.,	Brand Owner
245	M/s. Skoda Auto Volkswagen India Pvt. Ltd. (SAVWIPL),	Brand Owner
246	M/s. KCM Appliances Pvt. Limited	Brand Owner
247	M/s. Rasoi Magic Foods (I) Pvt. Ltd.	Brand Owner
248	M/s. Yakult Danone India Pvt. Ltd.,	Brand Owner
249	M/s. Positive Food Ventures Pvt. Ltd.,	Brand Owner
250	Pfizer Products India Pvt. Ltd.	Brand Owner
251	M/s. Manglam Milk India Pvt. Ltd.,	Brand Owner
252	M/s. TTE Technology India Pvt. Ltd.	Brand Owner
253	M/s. 3M Electro & Communication India Pvt. Ltd.	Brand Owner
254	M/s. Novozymes South Asia Pvt. Ltd.,	Brand Owner
255	M/s. Atul Bio-Science Ltd.,	Brand Owner
256	M/s. Dima Products,	Brand Owner
257	M/s. Berger Paints India Ltd.,	Brand Owner
258	M/s. Sanofi Pasteur India Pvt. Ltd.	Brand Owner
259	M/s. Hetero Labs Ltd.,	Brand Owner
260	M/s. Fabcafe Foods Pvt. Ltd.	Brand Owner
261	M/s. Clues Network Private Limited	Brand Owner
262	M/s. Punjab Agro Juices Ltd.	Brand Owner
263	M/s. Sandvik Materials Technology India Pvt. Ltd.,	Brand Owner
264	M/s. Milk Food Ltd.,	Brand Owner
265	M/s. Dharampal Satyapal Ltd. (Silver Foil Division),	Brand Owner
266	M/s. Hetero Drugs Ltd.,	Brand Owner
267	M/s. Sandoz Private Limited,	Brand Owner
268	M/s. Be Better Personal Care Pvt. Ltd.,	Brand Owner

S.No.	Name of Registered Producer/Importer/Brand Owner	Producer/Importer/ Brand-owners
269	M/s. Sanofi Healthcare India Pvt. Ltd.	Brand Owner
270	M/s. Nourish Organics Foods Pvt. Ltd.	Brand Owner
271	M/s. Sipwise Beverages Pvt. Ltd.,	Brand Owner
272	M/s. Merck Performance Materials Pvt. Ltd.	Brand Owner
273	M/s. Amazon Retail India Pvt. Ltd.,	Brand Owner

Amendment - (X)

1691

SPCB convenes meeting on SUP ban implementation



Picture dated July 11, 2022

The State Pollution Control Board - Sikkim convened a meeting of district authorities, State government department and local body officials from all over the State regarding implementation of the Plastic Waste Management (Amendment) Rules, 2021 by which manufacture, import, stocking, distribution, sale and use of certain items of single use plastics (SUPs) have been prohibited with effect from 1st July 2022. The meeting was attended by District Collectors, Superintendents of Police, Commissioner and Municipal Executive Officers of Urban Local Bodies and Block Development Officers. Officials of Forest & Environment, Urban Development and Rural Development Departments were also present.

-// TRUE COPY // -

Minutes of the meeting on plastic waste collection, channelization, recycling and disposal by Waste Management Agencies to clear the past dues and implementation of plastic EPR held at Conference hall of SPCB-Sikkim, Deorali on 17.05.2023

The meeting was attended by following officials from the SPCB-Sikkim and Gangtok Municipal Corporation, Deorali:

1. Mr. R. B Bhandari, Municipal Commissioner, GMC
2. Mr. BK Chettri, Chief Scientific Officer, SPCB
3. Mr. Ranjan Rai, Executive Env. Engineer, SPCB
4. Mr. Karma W. Chankapa, Deputy Commissioner, GMC
5. Mr. Pravash Chettri, JE-SPCB
6. Miss Tshering Palmu Bhutia, PA-SPCB.

The meeting began with a brief introduction to the waste management rules followed by detail deliberation on issues given below:

- 1. Re-collection of plastic waste from areas falling under the jurisdiction of GMC and transportation outside the state by Waste Management Agencies (WMAs) namely, M/s Gem Enviro Management Pvt. Ltd and M/s Shakti Plastic Industries Pvt. Ltd., in the backdrop of unfulfilled EPR obligation pertaining to financial year 2021-2022, and finalising the modalities for the same.**

Board officials gave brief overview about the issue which were mainly related to irregularities observed in the EPR waste collection report submitted to the SPCB-Sikkim for the period of 2021 to 2022 by WMAs and based on the verification of the same from the office of GMC, SPCB had issued a direction u/s 5 of the EPA, 1986 to the WMAs to carry out re-collection of PW from Gangtok to clear the past dues within six months' time and to ensure timely completion of the task, accordingly, they required to deposit Bank Guarantee for the said purpose. Now, agencies are willing to undertake the task, there is a need to set out a mechanism for proper collection, sorting, quantification and verification by the authorities to complete the task.

Municipal commissioner, GMC stated that due to lack of man power and infrastructure setup they are not in a position to facilitate collection, segregation of plastic waste from market area and household and providing the same to the WMAs.

GMC officials stated that despite all efforts, source segregation has been a big challenge and it is not practically possible to segregate the waste at the time of collection of the waste by the GMC truck from residential and market areas.



The SPCB official suggested that the GMC could provide assistance in quantification of the waste by weighing it in their facility at Martam and certificate can be issued for that specific truck load of waste.

GMC officials stated that it would be difficult to weight plastic waste only as trucks transporting the waste to Siliguri usually carry mixed items like paper, cardboard, metals, glass including plastic and it would be a cumbersome task to weigh plastic fraction only.

The SPCB requested the GMC to provide the inventory/contact details of all scrap collectors operating within their jurisdiction so that amount of waste being dealt by the unorganised sector are also taken into account to frame relevant action plan or policy and the same gets reflected in the Annual Reports as well.

Exe. Env. Engineer, SPCB stated that the matter pertains to re-collection of plastic waste by the WMAs towards fulfilling their claims of certain quantity of waste collected from Gangtok area during above stated reporting period which was apparently not the case. Now, in order to complete the task of re-collection of specified quantity of plastic waste in a time bound manner, following suggestions/proposal were put forth:

- i. it was opined that WMAs may be given the liberty to engage local scarp vendors/collector to fulfil the task on their behalf. The WMAs shall be responsible to fulfil the task and they have to ensure that local scrap collector collects plastic waste from Gangtok area within the time frame specified under the Direction issued by the Board and subsequent Bank Guarantee deposited to that effect.
- ii. all the plastic waste are to be collected from Gangtok area and it shall be the responsibility of the scrap collector engaged by the WMA to collect, sort and segregate the waste and store it within their premises.
- iii. it may be ensured that plastic wastes which are already segregated at Martam, landfill site are not to be collected by them as it will defeat the very purpose of conducting this exercise.
- iv. it shall be the responsibility of the WMAs and the local scarp collector engaged by them, to plan and execute the task in the given time.
- v. as and when the waste consignment is ready for dispatch, the quantum of the waste has to be ascertained by weighing of the truck at the weigh bridge situated at Martam, landfill site, prior to transporting it outside the state under the supervision of GMC personnel.
- vi. the designated personnel of the GMC shall issue certificate for the same after proper verification and the same is recorded in the log book maintained for this purpose.

- vii. after completion of the task, the WMA shall report to SPCB and based on the examination of the certificates and other supporting documents, WMAs will be given clearance certificate by the SPCB.

The proposal was unanimously accepted and decision were taken to implement the said mechanism at the earliest in close co-ordination between the GMC and SPCB.

2. Extended Producers Responsibility under the PWM Rules, 2016 and subsequent amendments.

Functioning of the EPR mechanism were discussed in detail and GMC officials were also apprised about the requirement of registration of ULB in the online EPR portal created by the CPCB. It was informed that the related documents/ SOP shall be forwarded for information.

The recent change in the EPR mechanism in the online platform by the CPCB whereby PIBOs have been given a leeway to fulfil their EPR target for collection/recycling/reuse/disposal of plastic waste from any states instead of collection and channelizing waste from all states. As a result, states having large numbers of Plastic Waste Processing facility viz. recycling/ co-processing/ waste-oil processing facility are going to get more benefit and a situation has arisen whereby PIBOs is unlikely to focus on states like Sikkim to meet the EPR target.

Accordingly, SPCB officials stated that the Board is considering to bring out a suitable state centric mechanism to address this shortcoming by involving industries having manufacturing base in the Sikkim to assist in collection and channelization of post-consumer waste in line with the concept of EPR.

The Board officials also informed the GMC officials about the commitment given by the M/s Shakti Plastic Industries, which is a Waste Management agency (WMA) for setting up of Material Recovery Facility (MRF) in the ULB area and they will also bear the operation and maintenance cost of such MRFs. Only requirement from their side is allotment of land for the said purpose. The draft MoU has already been forwarded to the UDD, Govt. of Sikkim and GMC officials were requested to follow it up with the concerned Department at the earliest. The proposal was submitted by the agency as per the previous EPR regime whereby such WMAs were engaged by PIBOs to fulfil their EPR target. Now, as stated earlier, there is a shift in the EPR mechanism and unless it is taken up proactively, the State may fail to take



advantage of such beneficial proposal for management of municipal waste particularly plastic wastes.

GMC officials stated that they will co-ordinate with the Department for timely implementation of the proposal.

3. Sorting of the waste Domestic Hazardous Waste.

The issue of improper segregation of solid waste and requirement of segregation of the waste into three streams i.e biodegradable (green), non-biodegradable (blue) and domestic hazardous waste (black) at the point of generation, which was one of the main hindrances to subsequent sorting & effective treatment of the waste at the landfill site, as mandated under the rules were also discussed during the meeting.

Municipal Commissioner stated that they are trying to generate awareness through all platform, however, only few localities have taken up the segregation of the waste seriously. The GMC officials acknowledged that previous programmes had not resulted in the desired behavioural changes. He stated that more thrust towards meeting this goal will be the priority of the GMC in the coming days.

CSO, SPCB stated that school and college students may be targeted for generating awareness and as per the past experiences, students seem to grasp the importance of such issues more easily which is translated into action at the household level.

Exe. Env. Engineer, SPCB requested the GMC officials to set up or designate a collection point or waste deposition centre, wherever practicably possible, so that people can deposit Domestic Hazardous waste for proper disposal. At present owing to lack of awareness and necessary facility all such wastes e.g. broken tube light, CFL bulb, discarded medicines, batteries etc., are being collected along with normal household waste which is both risky for the waste pickers and seriously hampering the subsequent sorting of waste and treatment by composting at the landfill site.


Municipal Commissioner, GMC responded that owing to availability of space such facility could not be set up, moreover, people have the tendency to dump all mixed waste at such facility which will defeat its purpose. However, he stated that the issue related to Domestic hazardous waste requires serious consideration on the part of the authority and gave assurance that it will be taken up shortly by the GMC and mechanism to collect this type of waste will be established in accordance with the rules.

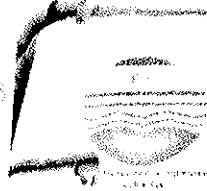
4. SUP monthly inspection.

The Board officials also raised the issue of monthly SUP inspection in ULB areas and many reported cases of indiscriminate selling of prohibited items in the market. Accordingly, proper fines are to be levied to discourage merchants/ shopkeeper from selling such items and in case of repeated offender hefty fines may be imposed as a deterrence. The unabated business of selling and using prohibited SUPs are ruining the pro-environment image of the state.

It was brought to the notice of the GMC that prevalent practice of imposing few hundred rupees is not able to deter the bulk seller/ distributor as they easily cough up such amounts, which is puny in compare to the profit earned by them. Hence, there is a need to identify such big players who are brining prohibited items in bulk in the market.

GMC officials stated that they will look into this matter in all seriousness and GMC officials involved in the task will be given necessary instruction to curb such practices.


Ranjan Tal
Executive Environmental Engineer
State Pollution Control Board-Sikkim
Forest Env & W/L Mangt. Deptt
Govt. of Sikkim



Annexure 1697

XIII



14
सिक्किम
संघ शासन

Email: spcbsikkim@gmail.com

STATE POLLUTION CONTROL BOARD-SIKKIM
FOREST & ENVIRONMENT DEPARTMENT
GOVERNMENT OF SIKKIM
DEORALI - 737102

L.N.G. 2003/SPCB/ 2747
To

Dated: 17/3/2023

Mr. Sachin Sharma,
Director,
M/s GEM Enviro Management Pvt. Ltd.,
Unit No. 203, Plaza-3, Central Square
Bara Huindu Rao, Delhi-110006

Sub: Direction under Section 5 of the Environment (Protection) Act, 1986 read with Section 33A of the Water (Prevention & Control of Pollution) Act, 1974 & Section 31A of the Air (Prevention & Control Pollution) Act, 1981.

WHEREAS, improper disposal of plastic waste has detrimental effect on the environment due to pollution of air, water and soil resulting from uncontrolled land filling and toxic fumes generation due to illegal burning of plastic waste; and

WHEREAS, the Plastic Waste Management (Amendment) Rules, 2022 notified vide G.S.R. 133(E) dated 16/02/2022 provides the duties of Producers, Importers and Brand Owners (PIBOs) along with detailed framework for Extended Producers Responsibilities (EPR) to be implemented by all PIBOs for management of pre-consumer and post-consumer towards fulfillment of targets for collection, recycling, reuse and final disposal; and

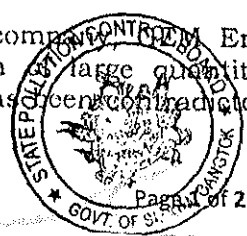
WHEREAS, Clause 14.1 Schedule II of the Plastic Waste Management (Amendment) Rules, 2022 (Guidelines on Extended Producers' Responsibility for Plastic Packaging) states that, "Producers, Importers & Brand-Owners while fulfilling their Extended Producer Responsibility obligations may develop collection and segregation infrastructure of plastic packaging waste, as required, based on the category of plastics."; and

WHEREAS, Clause 14.1 (b) Schedule II of the Plastic Waste Management (Amendment) Rules, 2022 (Guidelines on Extended Producers' Responsibility for Plastic Packaging) states that PIBOs shall, "ensure the collection of the plastic packaging waste from the collection points, with a frequency that is proportionate to the area covered and the volume."; and

WHEREAS, Clause 14.1 (c) Schedule II of the Plastic Waste Management (Amendment) Rules, 2022 (Guidelines on Extended Producers' Responsibility for Plastic Packaging) states that PIBOs shall, "offer the collection of plastic, from the entities like urban local bodies, gram panchayats, other public authorities or third parties carrying out waste management, and provide for the collection from all entities that have made use of that offer; provide for the necessary practical arrangements for collection and transport."; and

WHEREAS, as reported by the Urban Local Bodies in the state, plastic waste collection and channelization system has not been established by the PIBOs in the state and no waste is being collected from any urban or rural areas including areas falling under Gangtok Municipal Corporation till date; and

WHEREAS, your company, GEM Enviro Management Pvt. Ltd., have been reporting collection of large quantity of plastic waste from Gangtok Municipal area, which has been conducted and the claim has been rejected



Page 1 of 2

P.T.O

-// TRUE COPY -//

by the Gangtok Municipal Corporation upon verification of reports submitted by your company; and

WHEREAS, failing to furnish information to the Board attracts penal action under Section 32 (d) of the Air (Prevention & Control of Pollution) Act, 1981 read with Section 42 (d) of the Water (Prevention & Control of Pollution) Act, 1974; and

WHEREAS, providing false statement while providing any information to the Board attracts penal action under Section 32 (f) of the Air (Prevention & Control of Pollution) Act, 1981 read with Section 42 (f) of the Water (Prevention & Control of Pollution) Act, 1974; and

WHEREAS, Clause 11.4 Schedule II of the Plastic Waste Management (Amendment) Rules, 2022 provides for debarring of PWP in the event of furnishing false information to the Board;

WHEREAS, your firm M/s Gem Environ Management Pvt. Ltd. has been engaged by M/s Perfetti Van Melles India Pvt. Ltd. and M/s Jyothy Labs Ltd. And other PIBOs to fulfil EPR obligations stated in the said Plastic Waste Management Rules on their behalf; and

WHEREAS, as per the clarification report dated 11.10.2022 submitted by your firm to State Pollution Control Board-Sikkim was stated that plastic waste amounting 12.11 MT has been collected from the Gangtok Municipal Corporation area (GMC); and

WHEREAS, your Company was issued show-cause notice vide F.No. 2003 P-II/SPCB/2007 dated 02/01/2023 due to certain irregularities observed by the Board; and

WHEREAS, your reply vide letter no. Nil dated 25/01/2023 to our show-cause notice dated 2/1/2023 was duly examined by the Board and found to be highly untenable, erroneous in factual details, and patently false as per the verification report received from the concerned Urban Local Body i.e Gangtok Municipal Corporation;

NOW, THEREFORE, in exercise of the power vested under Section 33 A of the Water (Prevention & Control of Pollution) Act, 1974 & Section 31 A of the Air (Prevention & Control of Pollution) Act, 1981 read with Section 5 of the Environment (Protection) Act, 1986 you are hereby directed to comply with the following direction and submit action taken report to SPCB-Sikkim within the timeframe specified hereunder:

1. That you shall physically collect the total quantity of plastic waste stated in your report in coordination with the concerned ULBs under the close supervision of the SPCB-Sikkim during the current financial year in addition to the EPR target for the current year.
2. That you shall deposit Rs 3,00,000.00 (Rupees Three Lakh only) as bank guarantee with duly submitting an undertaking along with time bound Action Plan for the said task to comply with the direction with SPCB-Sikkim within one month from the date of issue of this direction failing which the amount shall be forfeited and SPCB shall be constrained to Levy Environmental Compensation for such act of gross non-compliance.

In view of the seriousness of the issue, non-compliance of the above direction within stipulated time frame shall lead to blacklisting of your firm along with levying of appropriate Environmental Compensation without any further notice and no request for relaxation or extension of time shall be entertained thereof.



(Dr. Gopal Pradhan)

Member Secretary,
State Pollution Control Board-Sikkim

Page 2 of 2 State Pollution Control Board
Forest & Environment Deptt.
Govt of Sikkim



STATE POLLUTION CONTROL BOARD-SIKKIM
FOREST & ENVIRONMENT DEPARTMENT
GOVERNMENT OF SIKKIM
DEORALI - 737102

F. No. 2003 P-D SPCB/ 2007

Dated: 12/01/2025

To

Mr. Sachin Sharma,
Director,
M/s GEM Enviro Management Pvt. Ltd.,
P-3, Unit No. 203, Central Square
Bara Huindu Rao, Delhi-110006

Sub: Showcause Notice.

WHEREAS, improper disposal of plastic waste has detrimental effect on the environment due to pollution of air, water and soil resulting from uncontrolled land filling and toxic fumes generation due to illegal burning of plastic waste; and

WHEREAS, Central Government has notified Plastic Waste Management (PWM) Rules, 2016 on 18/03/2016 vide G.S.R 320(E) for management of Plastic Waste and amended thereof vide G.S.R. 571(E) dated 12/08/2021, G.S.R. 133(E) dated 16/02/2022 and G.S.R. 522(E) dated 06/07/2022; and

WHEREAS, the Plastic Waste Management (Amendment) Rules, 2022 notified vide G.S.R. 133(E) dated 16/02/2022 provides the duties of Producers, Importers and Brand Owners (PIBOs) and detailed guidelines on Extended Producers Responsibilities (EPR) to be implemented by all PIBOs for management of pre-consumer and post-consumer Plastic Waste including fulfillment of targets for collection & recycling to be undertaken by such agencies; and

WHEREAS, Rule 3(h) of the Plastic Waste Management (PWM) Rules, 2016 states that "EPR means the responsibility of a producer for the environmentally sound management of the product until the end of its life."; and

WHEREAS, Schedule II Clause 14.1 of the Plastic Waste Management (Amendment) Rules, 2022 (Guidelines on Extended Producers' Responsibility for Plastic Packaging) states that, "Producers, Importers & Brand-Owners while fulfilling their Extended Producer Responsibility obligations may develop collection and segregation infrastructure of plastic packaging waste, as required, based on the category of plastics."; and

WHEREAS, Schedule II Clause 14.1 (b) of the Plastic Waste Management (Amendment) Rules, 2022 (Guidelines on Extended Producers' Responsibility for Plastic Packaging) states that PIBOs shall, "ensure the collection of the plastic packaging waste from the collection points, with a frequency that is proportionate to the area covered and the volume."; and

WHEREAS, Schedule II Clause 14.1 (c) of the Plastic Waste Management (Amendment) Rules, 2022 (Guidelines on Extended Producers' Responsibility for Plastic Packaging) states that PIBOs shall, "offer the collection of plastic, from the entities like urban local bodies, gram panchayats, other public authorities or third parties carrying out waste management, and provide for the collection from all entities that have made use of that offer; provide for the necessary practical arrangements for collection and transport."; and

WHEREAS, as reported by the Urban Local Bodies in the state, plastic waste collection and channelization system has not been established by the PIBOs in the state and no waste is being collected from any urban or rural areas including areas falling under Gangtok Municipal Corporation; and

WHEREAS, Waste Management Agencies have been reporting collection of large quantum of plastic waste from Gangtok Municipal area, however, Gangtok Municipal Corporation has verified that collection has taken place till date; and

Cont...



WHEREAS, failing to furnish information to the Board attracts penal action under Section 38 (d) of the Air (Prevention & Control of Pollution) Act, 1981 read with Section 42 (d) of the Water (Prevention & Control of Pollution) Act, 1974; and

WHEREAS, providing false statement while providing any information to the Board attracts penal action under Section 32 (f) of the Air (Prevention & Control of Pollution) Act, 1981 read with Section 42 (f) of the Water (Prevention & Control of Pollution) Act, 1974; and

WHEREAS, Schedule II Clause 11.4 of the Plastic Waste Management (Amendment) Rules, 2022 (Guidelines on Extended Producers' Responsibility for Plastic Packaging) states that, "In case, at any stage it is found that the information provided by the plastic waste processor is false, the plastic waste processor shall be debarred by State Pollution Control Board, as per procedure laid down by Central Pollution Control Board, from operating under the Extended Producer Responsibility framework for a period of one year."; and

WHEREAS, your firm M/s Gem Environ Management Pvt. Ltd. has been engaged by M/s Perfetti Van Melles India Pvt. Ltd. and M/s Jyothy Labs Ltd. And other PIBOs to fulfil EPR obligations stated in the said Plastic Waste Management Rules on their behalf; and

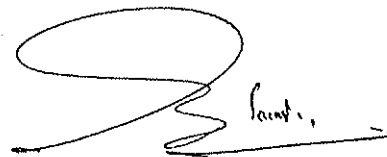
WHEREAS, as per the clarification report on dated 11.10.2022 submitted by your firm to State Pollution Control Board-Sikkim it has been stated that plastic waste amounting 12.11 MT has been collected from the Gangtok Municipal Corporation area (GMC); and

WHEREAS, the supporting documents containing acknowledgements issued by the Gangtok Municipal Corporation were also furnished along the report; and

WHEREAS, upon verification by the office of the Gangtok Municipal Cooperation the said document was not issued by their office vide letter no.131/GMC/2022 dated 10/11/2022; and

NOW, THEREFORE, in exercise of the powers vested under Section 31A of the Air (Prevention & Control of Pollution) Act, 1981 read with Section 33A of the Water (Prevention & Control of Pollution) Act, 1974 and Section 5 of the Environment Protection Act, 1986, **M/s Gem Enviro Management Pvt. Ltd.** located at **P-3, Unit No. 203, Central Square Bara Huindu Rao, Delhi-110006**, is directed to show cause as to why your firm should not be debarred by State Pollution Control Board-Sikkim and legal action should not be initiated against you within 15 days of issue of this notice.

In case of default in compliance with the above conditions or any other exigencies, the SPCB-Sikkim will be constrained to initiate action in accordance with the provisions of the EPA, 1986 and levy Environmental Compensation without giving any further notice.



(Dr. Gopal Pradhan)

Member Secretary,
State Pollution Control Board-Sikkim
Dr. Gopal Pradhan
Member Secretary
State Pollution Control Board
Forest Env. & Wildlife Deptt
Govt. of Sikkim, Gangtok





Email: spcbsikkim@gmail.com

STATE POLLUTION CONTROL BOARD-SIKKIM
FOREST & ENVIRONMENT DEPARTMENT
GOVERNMENT OF SIKKIM
DEORALI - 737102

30

F. No. 2003/SPCB/109

Dated: 21/04/2023

To,
Mr. Sachin Sharma,
Director,
M/s GEM Enviro Management Pvt. Ltd.,
Unit No. 203, Plaza-3, Central Square,
Bara Huindu Rao, Delhi-110006.

Sub: Direction under Section 5 of the Environment (Protection) Act 1986 read with Section 33A of the Water (Prevention & Control OF Pollution) Act, 1974 & Section 31A of the Air (Prevention & Control Pollution) Act, 1981-reg.

Sir,

This has reference to the direction issued under Section 5 of the EPA, 1986 vide letter no. 2003/SPCB/2747 dated 17/03/2023 and reply received through your email dated 04/04/2023.

Reference above, parawise response in respect of the said direction is still awaited from your end and the Board is constrained to notify that such negligent action is viewed seriously and not in consonance with the standing norm, hence, detailed response in the extant matter must reach office of SPCB within one week from the date of the issue of this letter without fail.

Further, the details of the Bank Guarantee are provided hereunder for your reference and related Performa further bank guarantee/agreement is appended here with as annexure-I.

1. **Beneficiary Name:** Member Secretary SPCB-Sikkim
2. **Address:** Block-C Forest Secretariat Gangtok-737102
3. **Beneficiary Bank Name and IFSC Code:** State Bank of India, Deorali Branch
IFSC: SBIN0008287
4. **Beneficiary e-mail address:** spcbsikkim@gmail.com
memebersecretary@spcbsikkim.org
5. **Purpose:** Collection of Plastic Waste from Sikkim for fulfilling EPR obligation as per direction issued vide letter No. F.No.2003/SPCB/2747 dated 17.03.2023.
6. **Bank Guarantee Text or Agreement:** Enclosed as Annexure-I



(Dr. Gopal Pradhan)

Member Secretary
State Pollution Control Board, Sikkim
Forest & Environment Deptt.
Govt of Sikkim

Encl: Performa for Bank Guarantee /Agreement

-// TRUE COPY //-

ONE HUNDRED RUPEES

1702

द्विसहस्रं पञ्चसहस्रं



एक सय रुपियाँ

NON-JUDICIAL

६ ८ ६

Sl.No. B 281409

DEED OF AGREEMENT

Bank Guarantee for Performance Security

This deed of agreement is made on this the 10th day of May 2023, at Gangtok, Sikkim between ICICI Bank Limited, Branch located at 2692, D.B. Gupta Road, Karol Bagh, New Delhi-110005 hereinafter referred to as the GUARANTOR of the FIRST PART.

AND

The Member Secretary, State Pollution Control Board, Sikkim, hereinafter referred to as the BOARD of the SECOND PART.

AND

M/S. Gem Enviro Management Private Limited, Unit No-203, Plaza-3, Central Square, 20, Manoharlal Khurana Marg, Bara Hindu Rao, Delhi, 110006 (hereinafter called "the Waste Management Agency) represented by Mr. Kuldeep Sharma, Field Executive referred to as the THIRD PART.

1. Whereas, the First Party Guarantee is in pursuant to the direction issued by the Second Party vide letter no. **F.No.2003/SPCB/2747 dated 17/03/2023** (hereinafter called "the direction") to the Third Party whereby the Second Party had directed the Third Party to execute and deposit Bank Guarantee amounting to **Rs. 3,00,000/-** (Rupees three lakh only) for undertaking time bound task of physical collection, channelization, recycling and disposal of 12.11 MT of Plastic Waste (All

Page 1 of 4

Kuldeep Sharma

-// TRUE COPY//-

STAMP PAPER/BARRAR PAPER

Date of issue 10/05/2022

To Whom issued :

(a) Name Gopal Shyamprasad Kuldeep Sharma

(b) Address Deorali, Gangotri

Pradhan
Postbox No. 1 & 2
New Market
M. G. Marg, Gangotri

category of Plastic Waste as per 2022 amendment to PWM Rules, 2016) from the State of Sikkim in close supervision of Gangtok Municipal Corporation and State Pollution Control Board Sikkim.

2. Whereas, the Third Party agreed and undertook to execute the aforementioned work in a time bound manner duly depositing the prescribed amount as Bank Guarantee.
3. Whereas the First Party has agreed to guarantee the due performance of the work stipulated under the direction issued by the Second Party in the manner hereinafter appearing.

NOW THIS DEED OF AGREEMENT WITNESSETH and the parties hereby agree as follows:

- (a) That if the Third Party (unless relieved from the performance by any clause of the direction or appropriate order/memorandum/notification of the Board) shall in any respect fail to execute the said work performance within three months during the current financial year i.e. before 31.08.2023 in addition to the EPR target for the current year and channelization for recycling from the state of Sikkim or commit any breach of his obligations thereunder then the First Party will indemnify and pay the aggregate sum of **Rs. 3,00,000/- (Rupees Three Lakhs Only)** to the Second Party, as such sum being payable in the types and amount of currencies in which the Bank Guarantee Price is payable, provided that the Second Party or his Authorized Representative has notified the First Party to that effect and has made a claim against the First Party.
- (b) That the First Party shall not be discharged or released from his guarantee by an arrangement between Third Party and the Second Party, with or without the consent of the First Party, or by any alteration in the obligations undertaken by the Third Party, or by any forbearance on the part of Third Party, whether as to payment, time, performance, or otherwise, any notice to the Guarantor of any such arrangement, alteration, or forbearance is hereby expressly waived.
- (c) That in the event of any dispute or difference may arise between the above-mentioned parties created by this covenant, the parties shall be at liberty to seek appropriate remedy in appropriate forum/appropriate court of law having, the jurisdiction shall be exclusively at Gangtok, Sikkim.

Kuldip Sharma


4. Whereas, failing to complete the task in compliance with the said Direction as per the agreement within the specified timeframe, the Third Party is liable to pay Rs 3,00,000/- (Rupees three lakh) to the Second Party and the amount specified under the bank guarantee shall be forfeited in the event of non-fulfillment of the obligation laid down within the stipulated timeframe prescribed hereunder and the amount along with entire interest accrued shall be paid to the Second Party.
5. Whereas, the guarantee shall be valid for a duration prescribed hereunder within which the Third Party shall undertake full compliance with the direction, including, *inter alia*, collection, channelization, recycling, and final disposal of 12.11 MT of Plastic Waste from the State of Sikkim within the prescribed time period.
6. Whereas, in the event of non-payment of the amount prescribed above to the Second Party then the First Party shall be under the obligation to indemnify the Second Party the aggregate sum of Rs. 3,00,000/- (Rupees Three Lakh only) with entire interest accrued during the period.
7. Notwithstanding, if anything contrary contained in any law for the time being in force or banking practice, this guarantee shall not be assignable or transferable by the beneficiary. Notice or invocation by any person such as assignee, transferee or agent of beneficiary shall not be entertained by the First Party Any invocation of guarantee can be made only by the beneficiary directly.
Notwithstanding anything stated herein before:
- i) The Bank guarantee letter has been submitted to the Second Party along with BG beneficiary copy amounting to Rs 3,00,000/- duly registered vide e-stamp certificate no. IN-DL95665664856548V dated 25th April 2023 bearing Sl. no. 871272-871274, issued by ICICI Bank Limited., Branch located at 2692, D.B. Gupta Road, Karol Bagh, New Delhi-110005 bearing BG No. 6291NDDG00002124 Issuance date April 25, 2023 and accordingly the Deed of Agreement is prepared between the parties on 10th of May, 2023.
- ii) The expiry date and claim expiry date for the Bank Guarantee is 24.04.2024.
- iii) The validity period shall be extended for such duration as permitted by the Second Party in writing, which shall not exceed three (03) months beyond the date of expiry.



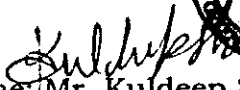
8. Whereas, the First Party is liable to pay the guarantee amount or any part thereof under this bank Guarantee as and when The Member Secretary, State Pollution Control Board-Sikkim, Government of Sikkim, Deorali-737102 serves upon the Bank a written claim or demand to this effect.

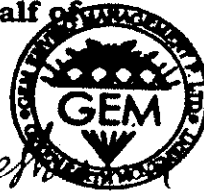
Given under our hand on the date first mentioned above.

**For and on behalf of
The State Pollution Control
Board-Sikkim,
(Sign & Stamp)**


Name: Dr. Gopal Pradhan
Designation: Member Secretary
Dr Gopal Pradhan
Member Secretary
State Pollution Control Board
Forest & Environment Deptt.
Govt of Sikkim

**For and on behalf of
The GEM
(Sign & Stamp)**


Name: Mr. Kuldeep Sharma
Designation: Field Executive



WITNESSES:

1)

2)

RECEIPT

Performance agreement signed between the SPCB-Sikkim and GEM Enviro Management Private Ltd. has been handed over and received by Mr. Kuldeep Sharma, Field Executive, GEM today on 10th May 2023.

Kuldeep Sharma

10.5.2023

4:00 PM





o/c.

1708



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Email: spcbsikkim@gmail.com

STATE POLLUTION CONTROL BOARD-SIKKIM
FOREST & ENVIRONMENT DEPARTMENT
GOVERNMENT OF SIKKIM
DEORALI - 737102

F. No. 203/SPCB/ 98/

Dated: 6/09/2023

To

The Branch Manager,
ICICI Bank Limited,
At, 2692, D.B Gupta Road,
Karol Bagh, New Delhi- 110005.

Subject- Regarding the Bank Guarantee for Performance Security.

Sir,

With reference to the above cited Deed of Agreement for Bank Guarantee For Performance Security dated 10th May 2023, which is enclosed herewith for reference, in which the third party (as mentioned in the agreement) i.e. M/s Gem Enviro Management Private Limited, Delhi had agreed and undertook to execute the aforementioned work in a time bound manner duly depositing the prescribed amount as Bank Guarantee in your Bank.

The said party i.e the M/S Gem Enviro Management Private Limited was required to execute and complete the said work performance within three months during the current financial year i.e. before 31.08.2023.

However, the M/s Gem Enviro Management Private Limited in total breach of the agreement failed to execute and complete the work with the time prescribed by the Board, consequently, forfeited the guaranteed amount as per the terms of the agreement and liable for further action.

Therefore, you are requested to kindly initiate the process to release the BG amount in accordance with the terms of the said agreement and transfer/credit the Bank Guarantee amounting to Rs 3,00,000/- (Rupees three lakh only) to Bank account of the State Pollution Control Board-Sikkim as agreed in the Bank Guarantee Agreement mentioned above. The details of the account are as follows:

1. Beneficiary Name: Member Secretary, SPCB-Sikkim.
2. Bank Details: STATE BANK OF INDIA, DEORALI BAZAR

GANGTOK, SIKKIM, 737102
IFSC : SBIN0008287
Account No.: 38363252568



Yours Sincerely,

(Dr. Gopal Pradhan)
Member Secretary

State Pollution Control Board-Sikkim

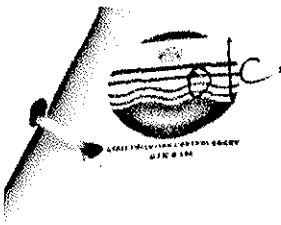
Dr Gopal Pradhan

Member Secretary,
State Pollution Control Board,
Forest & Environment Deptt.
Govt of Sikkim

Copy to:

GEM EMPL, Unit no. 203, Plaza-3, Central Square, Bara Bazar, New Delhi-110006.

-// TRUE COPY //-



Email: spchsikkim@gmail.com

STATE POLLUTION CONTROL BOARD-SIKKIM
FOREST & ENVIRONMENT DEPARTMENT
GOVERNMENT OF SIKKIM
DEORALI - 737102

F.No. 2003/SPCB/983 to 985

Dated: 06/9/2023

To
Mr. Kuldeep Sharma,
Field Executive,
GEM Enviro Management Pvt. Ltd
Unit No. 203, Plaza-3, Central Square,
Bara Huindu Rao, Delhi-110006

Sub: Plastic Waste Collection from Gangtok as per the performance security agreement dated 10.05.23-reg.

Ref:

- i. Letter vide F.No. 429/SPCB/390 dated 03/06/2023,
- ii. Letter Vide F.No. 2003/SPCB/2747 dated 17.03.2023&
- iii. Email on 4th Jul 2023 at 1:44 PM

Sir,

With reference to your letter No. Nil dated 24.08.2023 regarding 12.5 MT plastic waste collection, channelization, recycling and disposal by your firm to clear the past dues and implementation of plastic EPR, wherein it is mentioned that 5.0 MT Plastic waste has been physically collected and had sought extension of time up to 31st December 2023 for completing the task.

The Board has carefully perused the plastic waste collection reports and photographs and found that Plastic Waste is being collected from Martam Landfill site, which is in the violation of the procedure prescribed for the said purpose as it was categorically stated that no wastes are to be collected from landfill site and Gem Enviro Management Pvt. Ltd has to physically collect/segregate the Waste from within the Gangtok town.

Therefore, report submitted by your firm is rejected on account of violation of the norm set out by the Board, moreover, you have failed to comply with the timeline prescribed under the Bank Guarantee for Performance Security dated 10th May, 2023, wherein the said work Performance was to be executed and completed within three months during the Current Financial Year i.e. before 31.08.2023.

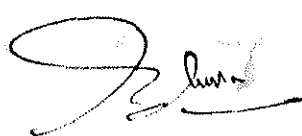
In view of the above, the SPCB-Sikkim in exercise of the condition laid down on the agreement hereby notify you that the Bank Guarantee amounting to Rs 3,00,000/- (Rupees three lakh only) bearing BG No. 6291NDDG00002124 Dated 25.04.23 issued by the ICICI Bank, Delhi stands forfeited and the same is to be transferred and deposited to the Board's Account maintained at SBI, Deorali Branch, A/C No. 38363252568, IFSC Code: SBIN0008287 within 07 days from the issue of this letter, failure shall lead to necessary action by the Board.



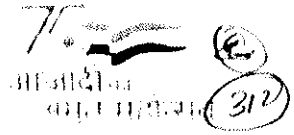
(Dr. Gopal Pradhan)
Member Secretary
State Pollution Control Board-Sikkim

Copy to:

- Municipal Commissioner, GMC, Deorali for information, please.
- Mr. Sachin Sharma, Director,
GEM Enviro Management Pvt. Ltd
Unit No. 203, Plaza-3, Central Square,
Bara Huindu Rao, Delhi-110006


Member Secretary
State Pollution Control Board-Sikkim
Member Secretary
State Pollution Control Board
Forest & Environment Deptt.
Govt of Sikkim

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STATE POLLUTION CONTROL BOARD-SIKKIM
FOREST & ENVIRONMENT DEPARTMENT
GOVERNMENT OF SIKKIM
DEORALI, GANGTOK - 737102

E.No. - SPCB / 1003

Dated: 2/12/2022

To,

The Authorised Signatory,
M/s The Shakti Plastics Industries,
202/203/204/205, 2nd floor, Business Classic,
Chincholi Bunder Road, Malad (W),
Mumbai-400064.

Sub: Showcause Notice.

WHEREAS, improper disposal of plastic waste has detrimental effect on the environment due to pollution of air, water and soil resulting from uncontrolled land filling and toxic fumes generation due to burning of plastic waste; and

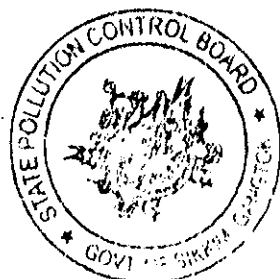
WHEREAS, Central Government has notified Plastic Waste Management (PWM) Rules, 2015 on 18-03-2016 vide G.S.R 320(E) for management of Plastic Waste and amended thereof vide G.S.R. 571(E) dated 12/08/2021, G.S.R. 133(E) dated 16/02/2022 and G.S.R. 522(E) dated 06-07-2022; and

WHEREAS, the Plastic Waste Management (Amendment) Rules, 2022 notified vide G.S.R. 133(E) dated 16/02/2022 provides the duties of Producers, Importers and Brand Owners (PIBOs) and detailed guidelines on Extended Producers Responsibilities (EPR) to be implemented by all PIBOs for management of pre and post-consumer Plastic Waste including fulfillment of targets for collection & recycling to be undertaken by such agencies; and

WHEREAS, Rule 3(h) of the Plastic Waste Management (PWM) Rules, 2015 states that "EPR means the responsibility of a producer for the environmentally sound management of the product until the end of its life."; and

WHEREAS, Schedule II Clause 14.1 of the Plastic Waste Management (Amendment) Rules, 2022 (Guidelines on Extended Producers' Responsibility for Plastic Packaging) states that, "Producers, Importers & Brand-Owners while fulfilling their Extended Producer Responsibility obligations may develop collection and segregation infrastructure of plastic packaging waste, as required, based on the category of plastics."; and

Ac



WHEREAS, Schedule II Clause 14.1 (b) of the Plastic Waste Management (Amendment) Rules, 2022 (Guidelines on Extended Producers' Responsibility for Plastic Packaging) states that PIBOs shall, "*ensure the collection of the plastic packaging waste from the collection points, with a frequency that is proportionate to the area covered and the volume.*"; and

WHEREAS, Schedule II Clause 14.1 (c) of the Plastic Waste Management (Amendment) Rules, 2022 (Guidelines on Extended Producers' Responsibility for Plastic Packaging) states that PIBOs shall, "*offer the collection of plastic, from the entities like urban local bodies, gram panchayats, other public authorities or third parties carrying out waste management, and provide for the collection from all entities that have made use of that offer; provide for the necessary practical arrangements for collection and transport.*"; and

WHEREAS, as reported by the ULBs plastic waste collection and channelization system has not been established by the PIBOs in the state and no waste is being collected from any urban or rural areas including areas falling under Gangtok Municipal Corporation; and

WHEREAS, Waste Management Agencies have been reporting collection of large quantum of plastic waste from Gangtok Municipal area, however, Gangtok Municipal Corporation has verified that no collection has taken place till date; and

WHEREAS, failing to furnish information to the Board attracts penal action under Section 32 (d) of the Air (Prevention & Control of Pollution) Act, 1981 read with Section 42 (d) of the Water (Prevention & Control of Pollution) Act, 1974; and

WHEREAS, providing false statement while providing any information to the Board attracts penal action under Section 32 (f) of the Air (Prevention & Control of Pollution) Act, 1981 read with Section 42 (f) of the Water (Prevention & Control of Pollution) Act, 1974; and

WHEREAS, Schedule II Clause 11.4 of the Plastic Waste Management (Amendment) Rules, 2022 (Guidelines on Extended Producers' Responsibility for Plastic Packaging) states that, "*In case, at any stage it is found that the information provided by the plastic waste processor is false, the plastic waste processor shall be debarred by State Pollution Control Board, as per procedure laid down by Central Pollution Control Board, from operating under the Extended Producer Responsibility framework for a period of one year.*"; and

WHEREAS, your firm M/s Shakti Plastic Industries has been engaged by M/s Bisleri International Pvt.Ltd. to fulfil EPR obligations stated in the said Plastic Waste Management Rules on their behalf; and

WHEREAS, as per the periodic report for the year 2021-22 submitted by your firm to State Pollution Control Board-Sikkim it has been stated that plastic waste amounting to quantity of 57.208 MT has been collected from the Gangtok Municipal Corporation area (GMC); and

WHEREAS, the supporting documents containing acknowledgements issued by the Gangtok Municipal Corporation were also enclosed in the periodic report; and



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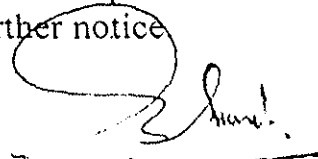
WHEREAS, on verification by the GMC officials, the above mentioned documents have been stated as forged and not authentic vide memo no. 46/GMC/2022 dated 31/08/2022; and

WHEREAS, status and information regarding the said matter has been intimated to the Central Pollution Control Board vide letter no. 2027/SPCB/865 dated 21/09/2022; and

WHEREAS, the Ministry of Environment, Forests & Climate Change, Govt. of India vide Notification No. S.O. 327 (E) of 10/04/2001 has delegated the powers vested under Section 5 of the EPA, 1986 to the State Pollution Control Board - Sikkim, to issue directions to any industry or any local body or any other authority for violations of the standards and rules notified under the EPA, 1986 and amendment thereof; and

NOW, THEREFORE, in exercise of the powers vested under Section 31A of the Air (Prevention & Control of Pollution) Act, 1981 read with Section 33A of the Water (Prevention & Control of Pollution) Act, 1974 and Section 5 of the Environment Protection Act, 1986, M/s **Shakti Plastic Industries** located at **Malad (W), Mumbai** is directed to showcause as to why your firm should not be debarred by State Pollution Control Board-Sikkim and legal action should not be initiated against you within 15 days of issue of this notice.

In case of default in compliance with the above conditions or any other exigencies, the SPCB-Sikkim will be constrained to initiate action in accordance with the provisions of the EPA, 1986 and levy Environmental Compensation without giving any further notice.



(Dr. Gopal Pradhan)

Member Secretary,
State Pollution Control Board-Sikkim

Dr. Gopal Pradhan
Member Secretary
State Pollution Control Board-Sikkim
Forest Department, Sikkim
Govt. of Sikkim





STATE POLLUTION CONTROL BOARD-SIKKIM
FOREST & ENVIRONMENT DEPARTMENT
GOVERNMENT OF SIKKIM
DEORALI - 737102

Email: spcbsikkim@gmail.com

F.No. 2007/SPCB/ 2748

Dated: 17/3/2023

To
The Managing Director,
M/s The Shakti Plastic Industries,
202/203/204/205, 2nd Floor
Business Classic, Chincholi Bunder Road,
Malad (W), Mumbai 400064,

Sub: Direction under Section 5 of the Environment (Protection) Act, 1986 read with Section 33A of the Water (Prevention & Control of Pollution) Act, 1974 & Section 31A of the Air (Prevention & Control Pollution) Act, 1981.

WHEREAS, improper disposal of plastic waste has detrimental effect on the environment due to pollution of air, Water and Soil resulting from rampant disposal on land and toxic fumes generation due to burning of plastic waste; and

WHEREAS, the Plastic Waste Management (Amendment) Rules, 2022 notified vide G.S.R. 133(E) dated 16/02/2022 provides the duties of Producers, Importers and Brand Owners (PIBOs) along with detailed framework for Extended Producers Responsibilities (EPR) to be implemented by all PIBOs for management of pre-consumer and post-consumer towards fulfillment of targets for collection, recycling, reuse and final disposal; and

WHEREAS, Clause 14.1 (b) Schedule II of the Plastic Waste Management (Amendment) Rules, 2022 (Guidelines on Extended Producers' Responsibility for Plastic Packaging) states that PIBOs shall, "ensure the collection of the plastic packaging waste from the collection points, with a frequency that is proportionate to the area covered and the volume." and

WHEREAS, Clause 14.1 (c) Schedule II of the Plastic Waste Management (Amendment) Rules, 2022 (Guidelines on Extended Producers' Responsibility for Plastic Packaging) states that PIBOs shall, "offer the collection of plastic, from the entities like urban local bodies, gram panchayats, other public authorities or third parties carrying out waste management, and provide for the collection from all entities that have made use of that offer; provide for the necessary practical arrangements for collection and transport."; and

WHEREAS, as reported by the Urban Local Bodies in the state, plastic waste collection and channelization system had not been established by the PIBOs in the state and no wastes are being collected from any urban or rural areas including areas falling under the Gangtok Municipal Corporation till date; and

WHEREAS, your company (TSPI) have been reporting collection of large quantity of plastic waste from the Gangtok Municipal area, which has been contradicted and the claim has been rejected by the Gangtok Municipal Corporation upon verification of reports submitted by your company; and

WHEREAS, failing to furnish information to the Board attracts penal action under Section 32 (d) of the Air (Prevention & Control of Pollution) Act,

1981 read with Section 42 (d) of the Water (Prevention & Control of Pollution) Act, 1974; and

WHEREAS, providing false statement while providing any information to the Board attracts penal action under Section 32 (f) of the Air (Prevention & Control of Pollution) Act, 1981 read with Section 42 (f) of the Water (Prevention & Control of Pollution) Acts, 1974; and

WHEREAS, Clause 11.4 Schedule II of the Plastic Waste Management (Amendment) Rules, 2022 provides for debarring of PWP in the event of furnishing false information to the Board;

WHEREAS, your firm M/s Shakti Plastic Industries has been engaged by M/s Bisleri International Pvt. Ltd. to fulfil EPR obligations stated in the said Plastic Waste Management Rules on their behalf; and

WHEREAS, as per the periodic report for the year 2021-22 submitted by your firm to State Pollution Control Board-Sikkim it has been stated that plastic waste amounting to 57.208 MT has been collected from the Gangtok Municipal Corporation area (GMC); and

WHEREAS, your Company was issued show-cause notice vide F.No. Nil/SPCB/005 dated 02/12/2022.; and

WHEREAS, instead of submitting reply to our show-cause notice dated 02/12/22 within the stipulated timeframe, you have sought extension of time to file your reply vide TSPI/EPR/YB/1857/2022 dated 14/12/2022 without providing any clarification on the extant issue; moreover, the said reply is still awaited and sufficient time has already elapsed in between. Accordingly, the request for further extension of time can't be considered by the Board.

NOW, THEREFORE, in exercise of the power vested under section 5 of the Environment (Protection) Act, 1986 read with Section 33 A of the Water (Prevention & Control of Pollution) Act, 1974 & Section 31 A of the Air (Prevention & Control Pollution) Act, 1981 you are hereby directed to comply with the following directions and submit action taken report to SPCB-Sikkim within the timeframe specified hereunder:

1. That you shall physically collect the total quantity of plastic waste stated in your report in coordination with the concerned ULBs under the close supervision of the SPCB-Sikkim during the current financial year in addition to the EPR target for the current year.
2. That you shall deposit Rs 3,00,000.00 (Rupees Three Lakh only) as bank guarantee duly submitting an undertaking along with time bound Action Plan for the said task to SPCB-Sikkim within one month from the date of issue of this direction failing which the amount shall be forfeited and SPCB shall be constrained to Levy Environmental Compensation for such act of gross non-compliance.

In view of the seriousness of the issue, it may be noted that further noncompliance of the above direction within stipulated timeframe shall lead to blacklisting of your firm along with levying of appropriate Environmental Compensation without any further notice and no request for relaxation or extension of time shall be entertained thereof.



(Dr. Gopal Pradhan)

Member Secretary,

State Pollution Control Board-Sikkim

Dr Gopal Pradhan

Member Secretary

State Pollution Control Board
Forest & Environment Deptt.
Govt of Sikkim

Page 2 of 2

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STATE POLLUTION CONTROL BOARD-SIKKIM
FOREST & ENVIRONMENT DEPARTMENT
GOVERNMENT OF SIKKIM
DEORALI 737102



Email: spcbsikkim@gmail.com

351

F.No. 2003/SPCB/128

Dated 26/1/2023

To

The Managing Director,
M/s The Shakti Plastic Industries
202/203/204/205, 2nd Floor
Business Classic,
Chincholi Bunder Road, Malad(W),
Mumbai 400064 MH-India

Sir,

This has reference to the direction issued under Section 5 of the EPA, 1986 vide letter no. 2003/SPCB/2748 dated 17/03/2023 and reply received through your email dated 04/04/2023 (vide letter no. TSPI/EPR/DL/0014/2023 dated 29th March 2023).

Reference above, the assertion under paragraph sl no. 1, 2 & 3 in respect of the said reply are denied and summarily rejected due to factual inaccuracies and lacking substance and it is reiterated that action under consideration is being undertaken solely on the basis of the merit of the case and thorough examination of the material facts on record.

Accordingly, as your firm has agreed to collect the given quantity of plastic waste from the state of Sikkim and channelize in for recycling/disposed under close supervision of Gangtok Municipal Corporation and SPCB-Sikkim duly depositing the Bank Guarantee (BG) to the tune of Rs 3,00,000/- (Three lakhs only).

In this context, you shall collect the plastic waste amounting to 57.5MT within the specified duration in enclosed BG agreement. The relevant details for the Bank Guarantee are provided hereunder for your reference and Bank Guarantee agreement for performance security is appended here with as annexure-I.

1. **Beneficiary Name:** Member Secretary SPCB-Sikkim
2. **Address:** Block-C Forest Secretariat Gangtok-737102
3. **Beneficiary Bank Name and IFSC Code:** State Bank of India, Deorali Branch
IFSC: SBIN0008287
4. **Beneficiary e-mail address:** spcbsikkim@gmail.com
memebersecretary@spcbsikkim.org
5. **Purpose:** Collection of Plastic Waste from Sikkim for fulfilling EPR obligation as per direction issued vide letter No. F.No.2003/SPCB/2748 dated 17.03.2023.
6. **Bank Guarantee Text or Agreement:** Enclosed as Annexure-I

(Dr. Gopal Pradhan)

Member, Secretary

Dr. Gopal Pradhan

State Pollution Control Board-Sikkim

Forest & Environment Department

Govt of Sikkim



Encl. Bank Guarantee agreement for performance security

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11.05.2023

Annexure-I

[Stamp Paper]

DEED OF AGREEMENT

Bank Guarantee for Performance Security

This deed of agreement is made on this 08th day of May 2023 at Mumbai, Maharashtra Between STATE BANK OF INDIA, Trade Finance C.P.C. 31, Mahal Industrial Estate, off Mahankali Caves Road, Andheri (East), Mumbai 400093. [IFSC code] hereinafter referred to as the GUARANTOR of the FIRST PART.

AND

The Member Secretary, State Pollution Control Board, Sikkim, hereinafter referred to as the BOARD of the SECOND PART.

AND

THE SHAKTI PLASTIC INDUSTRIES, a Partnership Firm incorporated under the Provisions of Indian Partnership Act, 1932, (GST Registration No. 27AAMFS7839M1Z8) having its Office at 2nd Floor, 202-205, Business Classic, Chincholi Bunder Road, Malad - West, Mumbai - 400 064, Maharashtra (hereinafter called "the Waste Management Agency) referred to as the THIRD PART.

1. Whereas, the First Party Guarantee is in pursuant to the direction issued by the Second Party vide letter no. **F.No.2003/SPCB/2748 dated 17/03/2023** (hereinafter called "the direction") to the Third Party whereby the Second Party had directed the Third Party to execute and deposit Bank Guarantee amounting to **Rs. 3,00,000/-** (Rupees three lakh only) for undertaking time bound task of physical collection, channelization, recycling and disposal of 58 MT of Plastic Waste (All category of Plastic Waste as per 2022 amendment to PWM Rules, 2016) from the State of Sikkim in close supervision of Gangtok Municipal Corporation and SPCB -Sikkim.
2. Whereas, the Third Party agreed and undertook to execute the aforementioned work in a time bound manner duly depositing the prescribed amount as Bank Guarantee.
3. Whereas the First Party has agreed to guarantee the due performance of the work stipulated under the direction issued by the Second Party in the manner hereinafter appearing.

Sanjeer

For STATE BANK OF INDIA
[Signature]
Authorized Signatory
(Name:S.S. No.....)

Page 1 of 3

For STATE BANK OF INDIA
[Signature]
Authorized Signatory
(Name:S.S. No.....)

-// TRUE COPY//-

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(49) H.S. 2023

NOW THIS DEED OF AGREEMENT WITNESSETH and the parties hereby agree as follows:

- (a) If the Third Party (unless relieved from the performance by any clause of the direction or appropriate order/memorandum/notification of the Board) shall in any respect fail to execute the said work performance within six months during the current financial year i.e. before 31.10.2023 in addition to the EPR target for the current year and channelization for recycling/ coprocessing from the state of Sikkim or commit any breach of his obligations thereunder then the First Party will indemnify and pay the Second Party the aggregate sum of **Rs. 3,00,000/- (Rupees Three Lakhs Only)**, such sum being payable in the types and amount of currencies in which the Bank Guarantee Price is payable, provided that the Second Party or his Authorized Representative has notified the First Party to that effect and has made a claim against the First Party.
- (b) The First Party shall not be discharged or released from his guarantee by an arrangement between Third Party and the Second Party, with or without the consent of the First Party, or by any alteration in the obligations undertaken by the Third Party, or by any forbearance on the part of Third Party, whether as to payment, time, performance, or otherwise, any notice to the Guarantor of any such arrangement, alteration, or forbearance is hereby expressly waived.
- (c) In the event of any dispute or difference that may arise between the parties created by this covenant, the parties shall be at liberty to seek appropriate remedy in appropriate forum/appropriate court of law having the jurisdiction shall be exclusively at Gangtok, Sikkim.

4. Whereas, failing to complete the task in compliance with the said Direction as per the agreement within the specified timeframe, the Third Party is liable to pay Rs 3,00,000/- (Rupees three lakhs only) to the Second Party and the amount specified under the bank guarantee shall be forfeited in the event of non-fulfillment of the obligation laid down within the stipulated timeframe prescribed hereunder and the amount along with entire interest accrued interest shall be paid to the Second Party.

5. Whereas, the guarantee shall be valid for a duration prescribed hereunder within which the Third Party shall undertake full compliance

For STATE BANK OF INDIA

Mrendalew
1183816
Authorized Signatory

(Name: S.S. No.....)

Page 2 of 3

For STATE BANK OF INDIA

Wladhan
Authorized Signatory

(Name: S.S. No.....)

Sanyeev

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1718
भारतीय गैर न्यायिक

भारत INDIA

₹ 500



FIVE HUNDRED
RUPEES

पाँच सौ रुपये

Rs. 500

INDIA NON JUDICIAL

महाराष्ट्र MAHARASHTRA

© 2023 ©

BY 511966

प्रधान मुद्रांक कार्यालय, मुंबई.
प.मु.वि.क्र / ०००००७
25 APR 2023
सदाम् अधिकारी



शक्ति प्लास्टिक इंडस्ट्रीज

This page forms an integral part of... Rf. no
6122423B40000874

Agreement executed by/issued on behalf
of Shri Smt./M/s. The Shakti Plastic Industries
on date 11.5.23 at Mumbai

For STATE BANK OF INDIA

M. Bhandale
443886
Authorized Signatory
(Name S.S. No.....)

For STATE BANK OF INDIA

M. S. Khan
Authorized Signatory
(Name S.S. No. 21615.....)

For *Sanyev*
The Shakti plastic industries

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1039

जाडपत्र-२/Annexure-II

प्रतिष्ठापना व्यतिरिक्त वापरण्यात येणाऱ्या मुद्राकावरा :

मुद्रांक विक्री नोंदवही अतः क्रमांक/दिनांक

Sales Register Serial No/Date

दस्तावा प्रकार

(Nature of Document)

दस्त नोंदणी करणार्ह आहे का ?

(Whether it is to be Registered? Yes/no)

मिळकतीचे वर्णन-

(Property Description in brief)

मुद्रांक विक्रेताचे नाव व सही

(Stamp Purchaser's Name & Signature)

दरमिती अर्वाचात त्याचे खर्च, काय सही

(If through other party then Name

Address & Signature)

दुसऱ्या बंधवशाचे नाव

(Name of the other Party)

मुद्रांक शुल्क रक्कम

(Stamp Duty Amount)

श्री. राजम गणपत रिंदि परवासाधारक मुद्रांक विक्रीत

परवासा सहाय्य एल.एस.सी. - ८००००००

जी-२, हेसु प्लानेटिक इमारत, अल्पा विहार हॉटेलाच्या बाजूला

एल.आय.सी. कार्यालयाच्या भागे, ए.ए.सी. रोड,

मालाड (पश्चिम), मुंबई-४०० ०६४.

या वापरणाऱ्याची ज्यांनी मुद्रांक खरेदी केला त्याची त्याच वापरणाऱ्याची

दवाक खरेदी केल्यापासून ६ महिन्यांत वापरणे बंधनकारक आहे

Tel.: 28807359 / Mob.: 9820141066

STATE BANK OF INDIA
PBB Goregaon (West) Branch
Shop No. 11, Bhoomi Classic CHS Ltd
Link Road, Malad (West),
Mumbai-400 064.
Br. Code No.: 17293

Rakesh Kumar Jha
SS No. -5J - 170

26 APR 2023

[Signature]

For STATE BANK OF INDIA

Authorized Signatory
(Name & S. No.)

1720

(45)



STATE BANK OF INDIA
TFCPC Andheri
Plot No. 31, MIDC Andheri
East
Mumbai

Tel No. :
Fax No. :
SWIFT No. : SBININBB863
PIN Code : 400093

11-05-2023

To,
THE MEMBER SECRETARY, STATE POLLUTION CONTROL BOARD SIKKIM
BLOCK--C FOREST SECRETARIAT
GANGTOK-737102

DEAR SIR(S),

Guarantee Number : 6122423BG0000874
Date of Issue : 11-05-2023
Guarantee Amount : INR 300,000.00
Date of Expiry : 31-10-2023
Date of Claim : 31-10-2023
Applicant Name : THE SHAKTI PLASTIC INDUSTRIES
E Stamp Certificate No. :
E Stamp Issuance Date & Time :
State of Execution :
Stamp Duty Type/Article No. :
Bank Guarantee Amount : INR 300,000.00
Amount of Stamp duty Paid : 0.00
Issuing Bank Branch :
Bank Guarantee Beneficiary : THE MEMBER SECRETARY, STATE POLLUTION CONTROL BOARD SIKKIM

We confirm having Issued / Extended the captioned Bank Guarantee in your favour on behalf of our above named Constituent and the same signed by the officers of the Bank.



AUTHORISED SIGNATORY - 1



*AUTHORISED SIGNATORY - 2

(*2nd signatory required, if BG is for Rs. 50000/- and above)

May 17, 2023 4:21 PM

Sanyal

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1721

The beneficiaries are advised in their own interest to verify the genuineness of the Guarantee with the BG issuing Branch and also verify that Bank Guarantee for Rs 50000/- (Rupee Fifty Thousand Only) & above is signed by two authorized officials of the Bank.

PLEASE CONTACT BRANCH FOR eTradeSBI FACILITY-INTERNET ACCESS TO TRADE FINANCE

Sayeev

Sayeev Kumar Choudhary

Change prform, TSPH
MO. No. 9971795309

Shanti plastic industries

Sayeev.Choudhary99@gmail.com

SBI Manager

Umesh - 9967259234

May 17, 2023 4:21 PM

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6122423B40000874



(50)
11.5.2023

with the direction, including, *inter alia*, collection, channelization, recycling, and final disposal of 58 MT of Plastic Waste from the State of Sikkim within the prescribed time frame.

6. Whereas, in the event of non-payment of the amount prescribed above to the Second Party then the First Party shall be under the obligation to indemnify the Second Party the aggregate sum of Rs. 3,00,000/- (Rupees Three Lakhs only).
7. Notwithstanding anything contrary contained in any law for the time being in force or Banking practice, this guarantee shall not be assignable or transferable by the beneficiary. Notice or invocation by any person such as assignee, transferee or agent of beneficiary shall not be entertained by the Bank. Any invocation of guarantee can be made only by the beneficiary directly.

Notwithstanding anything to the contrary contained herein above:

- i) Our liability under this Guarantee shall not exceed Rs 3,00,000/- (Three Lakhs only).
- ii) This Bank Guarantee shall be valid up to 31st Oct'23 (being the date of expiry of the guarantee)
- iii) We are liable to pay the guarantee amount only and only if we receive from you a written demand on or before 31st Oct'23 (being claim date of the guarantee)
8. Whereas, the bank is liable to pay the guarantee amount or any part thereof under this bank Guarantee as and when The Member Secretary, State Pollution Control Board-Sikkim, Government of Sikkim, Deorlai-737102 serves upon the Bank a written claim or demand to this effect.

Given under our hand on the date first mentioned above.

Authorized Signatory

Bank Details

For STATE BANK OF INDIA
W. Bhandari
Authorized Signatory
(Name:S.S. No.)

For STATE BANK OF INDIA
Sudhan
Authorized Signatory
(Name:S.S. No.)

Page 3 of 3

for Sangeer
The Sikkim plastic industry

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1723



Email: spcsikkim@gmail.com

STATE POLLUTION CONTROL BOARD-SIKKIM
FOREST & ENVIRONMENT DEPARTMENT
GOVERNMENT OF SIKKIM
DEORALI - 737102

F.No. 2003/SPCB/ 90

Dated: 20/04/2023

To

The Managing Director,
M/s Shakti Plastic Industries,
202/203/204/205, 2nd Floor,
Business Classic,
Chincholi Bunder Road, Malad(W),
Mumbai 400064 MH-India.

Subject: Details pertaining to Collection & Disposal of Plastic Waste in the month of November 2022- reg.

Ref: Direction issued vide Letter No. 2003/SPCB/2748 dated 17/03/2023

Sir,

With reference to your letter no. nil dated 31/01/2023, regarding above cited subject, this is to inform you that effective immediately you are to ensure that submission of all periodic reports on plastic waste collection pertaining to the state of Sikkim are kept on hold till further notice and desist from placing/ publishing such unverified report in any forum and before any authority towards fulfillment of EPR obligation without prior express permission of the SPCB-Sikkim. It may be noted that henceforth all such report submitted to our office stands summarily rejected till compliance report is received to the satisfaction of the Board.



Encl: As above.

Yours faithfully

(Dr. Gopal Pradhan)
Member Secretary
State Pollution Control Board-Sikkim
Dr Gopal Pradhan
Member Secretary
State Pollution Control Board
Forest & Environment Deptt.
Govt of Sikkim

-// TRUE COPY//-



1724



Email: spcbsikkim@gmail.com

STATE POLLUTION CONTROL BOARD-SIKKIM
FOREST & ENVIRONMENT DEPARTMENT
GOVERNMENT OF SIKKIM
DEORALI - 737102

F. NO. ⁸⁰⁶⁴ VSPCB 3123 ⁸ 3124

Dated: 7/11/2023

To
The Branch Manager,
State Bank of India,
TFCPC Andheri,
Plot No. 31, MIDC Andheri,
East Mumbai 400093.

Subject- Demand letter for releasing Bank Guarantee No. 6122423BG0000874.

Sir,

With reference to the above cited Deed of Agreement for Bank Guarantee for Performance Security dated 25th April 2023, which is enclosed herewith for reference, in which the third party (as mentioned in the agreement) i.e., M/s The Shakti Plastic Industries, Mumbai had agreed and undertook to execute the aforementioned work in a time bound manner duly depositing the prescribed amount as Bank Guarantee in your Bank.

The said party i.e M/s The Shakti Plastic Industries, Mumbai was required to execute and complete the said work performance within six months during the current financial year i.e., before 31.10.2023.

However, M/s The Shakti Plastic Industries, Mumbai in total breach of the agreement failed to execute and complete the work within the time prescribed by the Board, consequently, forfeited the guaranteed amount as per the terms of the agreement and stands liable for further action.

Therefore, you are requested to kindly initiate the process to release the Bank Guarantee amount in accordance with the terms of the said agreement and transfer/credit the Bank Guarantee amounting to Rs 3,00,000/- (Rupees three lakh only) to Bank account of the State Pollution Control Board-Sikkim as agreed in the Bank Guarantee Agreement mentioned above. The details of the account are as follows:

- Beneficiary Name: Member Secretary, SPCB-Sikkim.
- Bank Details: STATE BANK OF INDIA, DEORALI BAZAR
GANGTOK, SIKKIM, 737102
IFSC : SBIN0008287
Account No.: 35529556638

Yours Sincerely,

(Dr. Gopal Pradhan)
Member Secretary

State Pollution Control Board-Sikkim

Dr. Gopal Pradhan
Member Secretary

Copy to:
Managing Director, M/s Shakti Plastic Industries, 2nd floor, 202-205, Business Classic,
Chincholi Bunder Road, Malad West, Mumbai-400064, Maharashtra.



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1725



SPCB Sikkim <spcbsikkim@gmail.com>

Demand letter for releasing Bank Guarantee No. 6122423BG0000874-reg.

Inland tfpcandheri <inland.tfpcandheri@sbi.co.in>
To: SPCB Sikkim <spcbsikkim@gmail.com>

Tue, Feb 6, 2024

Dear Sir,

Please find attached Screen shot for Credit of Invoked amount for the BG 6122423bg0000874

* Account Number From Date To/Uptill This Date

Transaction Type Amount > or = Amount < or =

Dr./Cr. Summations Yes No Details of Dr./Cr. Summations Yes No Next Transaction Number

Branch Number

Account Details				
Account Number	35529556638	Customer Name	STATE POLLUTION CONTROL BOARD SI	Total Balance/Cleared Balance
Currency	INR	Number of Transactions	9680	9375079.00 CR

Transmit

S.No.	Type	Post-Dt	Jrnl.No.	Value-Dt	Txn-Amount	Curr-Balance	Chq-No.	Txn-Desc
15	9	19/01/24	276487301	-	-	-	-	H24019000000042416300003P2NI
16	36	19/01/24	276487301	-	-	-	-	4697194044303
17	20	19/01/24	276487301	-	-	-	-	NEFT*UBIN0566420*001223837887*BILLS PAYABLE - OTHE
18	1	19/01/24	276487301	19/01/24	1400000.00 CR	9523066.00 CR	-	BY TRANSFER
19	56	16/01/24	101135476	-	-	-	-	MS HIMALAYAN MYRIAD
20	20	16/01/24	101135476	-	-	-	-	RTGS UTR NO: SBINR52024011696164056
21	65	16/01/24	101135476	-	-	-	-	CA Multicity Cheque
22	1	16/01/24	101135476	16/01/24	940200.00 DR	8123066.00 CR	567526	CHQ TRANSFER
23	20	12/01/24	276527737	-	-	-	-	12358 PROCEED OF 23BG874 SHAKTI PLASTIC INVOCED
24	1	12/01/24	276527737	12/01/24	300000.00 CR	9063266.00 CR	-	CREDIT

Regards
Indrajit Singh
Inland dept.
TFPC Andheri (61224)
022-26819203/209

From: SPCB Sikkim <spcbsikkim@gmail.com>
Sent: Saturday, February 3, 2024 3:47 PM
To: inland tfpcandheri <inland.tfpcandheri@sbi.co.in>
Subject: Re: Demand letter for releasing Bank Guarantee No. 6122423BG0000874-reg.

[Quoted text hidden]

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726

6/9/2023

Dated:06.09.2023

To,
Officer-in-charge,
Sadar Thana,
Gangtok, Sikkim

Sub: FIR against Rapidue Technologies Pvt. Ltd.

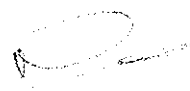
Respected Sir,


The GMC was in receipt of letter no:2003/SPCB/584 dated 10.07.2023 from State Pollution Control Board regarding EPR(extended producer responsibility) activity performed by M/S Rapidue Technologies Pvt. Ltd. (Waste Management Agencies) for which 1006.471 MT of plastic waste has been collected from Gangtok Municipal Corporation and multiple copy acknowledgement for lifting of plastic waste was issued to them by GMC .

On verification by the office, the company has forged all the documents which shows that it has been issued from GMC . Therefore, an investigation may be carried out at the earliest possible.

Thanking you,


Municipal Commissioner,
Gangtok Municipal Corporation.
Municipal Commissioner
Gangtok Municipal Commission


Nodal officer,
Solid Waste Management,
Gangtok Municipal Corporation.


Assistant Engineer-III,
Landfill and project,
Gangtok Municipal Corporation.



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Dalmia
cement

FUTURE TODAY

cement! sugar! refractories! power!

Certificate of Co-Processing

Issued To Swachh Sustainable Solutions Pvt. Ltd.

Certificate No. DCBL/SSSPL/24

Date 14-02-2024

This is to certify that we have received the following quantities of **49.15 MT** of Post Consumer Multi Layer Plastic Packaging (Category-3 as per clause 5.1 of EPR Framework*) sent by M/s./s. Swachh Sustainable Solutions Pvt. Ltd on behalf of Dabur India Limited for fulfilling the EPR obligations, from Gangtok in Sikkim for Pre and / Or Co-processing in our Cement Kiln during the period 01-02-2024 to 29-02-2024. The same would be safely and completely disposed off within 90 days of receipt and thereafter will not exist. We certify that the following mentioned quantity has not been accounted for / billed to any other entity.

Waste Name: Post Consumer Multi Layer Plastic Packaging (Category-3 as per clause 5.1 of EPR Framework*)

Quantity (Tons) : 49.15

For Dabur India Limited

Authorised Signatory

Authorised Signatory

Name: Raju Ranjan Prasad

Designation: Unit Head

*As per the Guidelines notified on 16th Feb 2022 w.r.t Extended Producer Responsibility for Plastic packaging

Dalmia Cement (Bharat) Limited

Unsoo Mootang, Mill - Thangskai, PO Lohmshong, District - East Jaintia Hills - 793210 (Meghalaya) India
T 91 9612901824/9612 895 625 Toll Free 1800 2020 W www.dalmiacement.com CIN : U65191TN1996PLC035963


Registered Office: Dalmiapuram, District - Truchirapalli, Tamil Nadu - 621 651, India

A Dalmia Bharat Group Company, www.dalmiabharat.com

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Receipt details for the period 01-02-2024 to 29-02-2024 for Gangtok In Sikkim.

Collection State	Collection City	Vehicle Details	Date of Receipt	Quantity received (MT)	Type of Plastic Waste	Co-processor name & location
Sikkim	Gangtok	WB57E5194	1-2-2024	9.78	Post Consumer Multi Layer Plastic Packaging	Dalmia Cement (Bharat) Limited Meghalaya
Sikkim	Gangtok	WB57F1183	3-2-2024	10.68	Post Consumer Multi Layer Plastic Packaging	Dalmia Cement (Bharat) Limited Meghalaya
Sikkim	Gangtok	AS01LC4819	2-2-2024	9.11	Post Consumer Multi Layer Plastic Packaging	Dalmia Cement (Bharat) Limited Meghalaya
Sikkim	Gangtok	WB71C0786	6-2-2024	9.91	Post Consumer Multi Layer Plastic Packaging	Dalmia Cement (Bharat) Limited Meghalaya
Sikkim	Gangtok	WB71B9378	10-2-2024	9.67	Post Consumer Multi Layer Plastic Packaging	Dalmia Cement (Bharat) Limited Meghalaya
Total Quantity In MT				49.15		

For Dalmia Cement (Bharat) Limited


Dalmia Cement (Bharat) Limited

Uxoo Mootang, Vill - Thongskai, PO Lohmshuang, District - East Jaintia Hills - 793210 (Meghalaya) India
 T 91 9612901424/9612 895 625 Toll Free 1800 2020 W www.dalmiacement.com CIN - U65191TN1906PLC035963

Registered Office - Dalmiapuram, District - Tiruchirappalli, Tamil Nadu - 621 651, India

A Dalmia Bharat Group Company www.dalmiabharat.com

-// TRUE COPY //-

BEOFRE 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

VAKALATNAMA

KNOW ALL to whom these present shall come that I, Pradeep Kumar, Secretary of Forest and Environment, Government of Sikkim, in the above case do hereby appoint:

Sameer Abhyankar, Amish Tandon, Ayush Beotra, Ayushi Bansal, Aakash Thakur, Rahul Kumar, Anushree Kulkarni, Aryan Shrivastav, Vaishnavi, Ria Dhawan, Sarthak, Charchika Yadav, Advocates

D-247, LGF, Defence Colony, New Delhi- 110024

Mobile: 9953328394

Email: contactadvsa@gmail.com

(herein after called the advocate/s) to be my/our Advocate in the above noted case authorized him:-

To act, appear and plead in the above-noted case in this Court or in any other Court in which the same may be tried or heard and also in the appellate Court including High Court subject to payment of fees separately for each Court by me.

To sign, file, verify and present pleadings, appeals, cross objections or petitions for execution review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages.

To file and take back documents and to admit and/or deny the documents of opposite party.

To take execution proceedings. To deposit, draw and receive money, cheques, cash and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case.

To appoint and instruct any other Legal Practitioner, authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he may think it to do so and to sign the Power of Attorney on our behalf.

And I the undersigned do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and purposes.

And I undertake that I or my duly authorized agent would appear in the Court on all hearings and will inform the Advocates for appearance when the case is called.

And I undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the Court shall be of the Advocate which he shall receive and retain himself.

And I the undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the Advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above Court. I hereby agree that once the fee is paid. I will not be entitled for the refund of the same in any case whatsoever. If the case lasts for more than three years, the advocate shall be entitled for additional fee equivalent to half of the agreed fee for every additional three years or part thereof.

IN WITNESS WHEREOF I do hereunto set my hand to these presents the contents of which have been understood by me on this 3rd day of September, 2024.

Accepted subject to the terms of fees.



Sukh
MAH/1322/1/2024

Dev
PH/259/2021

Ayushi Bansal
AYUSHI BANSAL
D-110010A
0-2947/2018

Sameer Abhyankar
SAMEER ABHYANKAR
D/1957/08

Aakash Thakur
Aakash Thakur
01/769/23

Vaishnavi
VAISHNAVI
BR/25 15/2023

Sarthak
Sarthak
D-11667/2023

Charchika Yadav
Charchika Yadav
D/3916/2024

Pradeep Kumar
Client

**PRADEEP KUMAR IFS
SECRETARY
Forest & Env. Deptt.
Government of Sikkim**

Advance Service | ORIGINAL APPLICATION No. 993 of 2024 News Item titled "PACKAGE Where has the plastic waste disappeared" appearing in The Times of India dated 30.07.2024

1 message

Office of Sameer Abhyankar <contactadvsa@gmail.com>

Thu, Oct 3, 2024 at 6:06 PM


To: mscb.cpcb@nic.in, memsec@tnpcb.gov.in, ro.moefccc@gov.in, secv-moef@llic.in, ronz.chd-mef@nic.in, moef.ddn@gmail.com, rocz.lko-mef@nic.in, apcccentral-ngp-mef@gov.in, ro.ranchi-mef@gov.in, moef.ddn@gmail.com, ronez.sng-mef@nic.in, roez.bsr-mef@nic.in, rosz.bng-mef@nic.in, rosz.bpl-mef@nic.in, rowz.bpl-mef@nic.in

Dear Sir

Please find attached a scanned copy of the Affidavit on behalf of the State of Sikkim in Compliance with the order dated 31.07.2024 in the Captioned Matter.

Regards
Prince Kumar
For
Mr.Sameer Abhyankar
Advocate for State of Sikkim

--
Address for Correspondence:
D-247, LGF, Defence Colony,
New Delhi 110024
Ph. +91-11-49402169

 **Affidavit on behalf of State of Sikkim.pdf**

9684K