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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
O.A. NO. 137 OF 2026

IN THE MATTER OF:

AAKASH RANISON

...APPLICANT

VERSUS

CENTRAL POLLUTION CONTROL BOARD (CPCB)
& ORS.

...RESPONDENTS

N.D.O.H.: 01.09.2026

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DATED: 19.06.2026

PLACE: NEW DELHI

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...RESPONDENTS

**REPLY ON BEHALF OF HINDUSTAN COCA-COLA
BEVERAGES PRIVATE LIMITED, RESPONDENT NO. 4,
TO THE ORIGINAL APPLICATION FILED BY THE
APPLICANT SEEKING DIRECTIONS FOR MANDATING
TETHERED CAPS FOR PLASTIC BEVERAGE BOTTLES**

1. The Applicant has filed the present application under Sections 14, 15 and 18 of the National Green Tribunal Act, 2010 seeking directions mandating tethered caps for plastic beverage bottles. The Applicant has *inter alia* sought interim directions, requiring Respondents to initiate pilot implementation of tethered caps across major beverage categories and high consumption sectors.
2. Vide order dated 20.02.2026, this Hon'ble Tribunal issued notice to the respondents to file response by one week before the next date of hearing.
3. Pursuant to receipt of notice, the Respondent No. 4, Answering Respondent herein, appeared through counsel before this Hon'ble Tribunal on 26.02.2026. The present

reply is being filed by the Answering Respondent pursuant to directions by this Hon'ble Tribunal.

4. At the outset, the Answering Respondent denies all claims, contentions, allegations and averments made by the Applicant against the Answering Respondent. Nothing stated in the OA may be deemed to have been admitted by the Answering Respondent for want of a specific denial, save and except as may be specifically admitted herein.
5. It is submitted that the Answering Respondent is Hindustan Coca-Cola Beverages Pvt. Ltd. and is engaged in operating plants for bottling, distribution and sale the beverages under various brand names like Coca-Cola, Thums Up, Maaza, Fanta etc. owned by 'The Coca-Cola Company' (TCCC).

PRELIMINARY SUBMISSIONS/OBJECTIONS:

6. **Non-compliance with procedural requirements:** That the present Original Application is unsupported by the documents, studies, or data relied upon, in contravention of Rule 8(2)(ii) of the NGT (Practices and Procedure) Rules, 2011. Rule 8 [2(ii)] of the NGT (Practices and Procedure) Rules 2011 mandates that every application or appeal must have two compilations i.e. (i) Compilation 1 comprising of the application or appeal alongside impugned order; and (ii) Compilation 2 comprising of all other documents and annexures referred to in the application or appeal, in paper book form. As the present application does not enclose the documents/studies/data referred to and relied upon by the

Applicant, the application ought to be dismissed as not filed properly being non-compliant with the NGT (Practices and Procedure) Rules 2011.

7. **Absence of any statutory violation:** The Application is liable to be dismissed as it does not identify any violation of any existing environmental laws in India. Instead, it seeks introduction of new design mandates, which are policy decisions of a legislative and technical nature, and fall within the domain of expert bodies and the legislature. The Application does not establish any basis warranting substitution of expert-driven policy formulation with judicial determination.

8. **Misplaced reliance on foreign regulation:** The Application is misconceived as it is based solely on a transposition of the EU Directive (EU) 2019/904 on the Indian regulatory framework, without any India specific data or study establishing:
 - cap contribution to litter or marine pollution;
 - differential collection rates for caps versus bottles in India;
 - Evidence that caps "systematically bypass" India's waste collection systems; and /or
 - any comparison showing India's cap collection is inadequate.

It is submitted that the regulatory framework in India adequately addresses plastic waste management through

laws including Plastic Waste Management Rules, 2016 (as amended from time to time) (“**PWM Rules 2016**”), FSSAI Packaging Regulations, 2018 and applicable BIS Standards. Any regulatory intervention must be based on domestic data, technical evaluation, and statutory processes.

That the present Application is liable to be dismissed for the reason that it lacks any scientific evidence - incremental or independent environmental harm attributable to non-tethered bottle caps, as distinct from plastic bottle waste generally. It is submitted that tethered and non-tethered designs use the same materials (HDPE/PP), tethering neither reduces the quantum of plastic in the environment nor its persistence; it changes only the geometry of disposal. Tethering does not enhance recyclability, as material separation and recovery occur at the recycling stage irrespective of cap attachment. It is submitted that invocation of the Precautionary Principle requires, at minimum, a credible and identifiable threat of harm, vague, undifferentiated risk that is coextensive with general plastic waste does not satisfy this threshold. The Precautionary Principle is a tool for addressing specific, demonstrable environmental risks only and not indemonstrable harm. The Application, therefore, discloses no cause of action warranting intervention by this Hon'ble Tribunal.

9. **Adequacy of existing regulatory framework:** India’s legal framework, including the Environment (Protection) Act, 1986 and Plastic Waste Management Rules, 2016 (as amended from time to time), already governs plastic waste

through a comprehensive Extended Producer Responsibility (EPR) regime, which *inter alia* provide for:

- a. Coverage of all packaging components, including caps;
- b. 100% collection targets from 2023-24 onwards;
- c. Mandatory recycled content commenced with 30% from 2025-2026 and moves to 60% for rigid plastics by 2028-29;
- d. Environmental compensation for non-compliance;
- e. Centralized EPR portal for registration, monitoring, and compliance verification.

Additionally, the FSSAI Packaging Regulations, 2018 and BIS Standards provide for:

- a. Food grade requirements for all packaging materials including caps;
- b. BIS standards compliance for PET bottles (IS 12252) and caps (IS 10146/IS 10910);
- c. Recent amendments enabling recycled PET for food contact, supporting circularity;

It is submitted that this outcome-based framework effectively addresses environmental concerns without requiring design-specific mandates. In practice, this framework operates as a two-stage system: collection of caps is ensured under the EPR obligation of Producer, Importer and Brand Owners (“PIBO”), while recycling is undertaken independently by authorised recyclers as part of standard material recovery processes. The Answering Respondent are actively discharging their statutory duties

under the Environment (Protection) Act, 1986 and Plastic Waste Management Rules, 2016, including continuous monitoring, policy evolution, and enforcement of Extended Producer Responsibility (EPR). The courts in India have taken the consistent view that it is neither within the domain of the courts nor the scope of judicial review to embark upon an enquiry as to whether a particular public policy is wise or whether better public policy can be evolved.

It is, thus, submitted that all the contentions and grounds raised by the Applicant are denied for lack of India-specific evidence and for mischaracterizing the existing regulatory framework in India. Nothing shall be deemed to be admitted merely for want of specific denial.

The para-wise response to the Application is as follows:

PARA-WISE REPLY

10. The contents of paragraph 1 are generic in nature and merit no response from the Answering Respondent. It is, however, submitted that the Application does not enclose any supporting documents or reliable data to establish the averments and the same, thus, remain unsubstantiated.
11. The contents of paragraph 2 are denied as being false and unsubstantiated. It is denied that the present Original Application raises a substantial question relating to the environment within the meaning of Sections 14 and 15 of the National Green Tribunal Act, 2010. It is also denied that the alleged issues raised by the Applicant arises from the

deficient implementation and enforcement of the Environment (Protection) Act, 1986, and the Plastic Waste Management Rules, 2016. It is submitted that the present Applicant fails to demonstrate any deficiency in implementation of existing laws. Mere absence of a specific design mandate (tethered caps) does not constitute a legislative or regulatory failure, as alleged. Without prejudice, and even assuming *arguendo* that plastic caps contribute to environmental concerns, as the PWM Rules, 2016 hold PIBOs accountable for total plastic packaging by weight (which includes the cap as well), the present legislative framework addresses compliance obligations including both the bottle body and cap which is a deliberate outcome-oriented mechanism. The Answering Respondent discharge their EPR obligations, 100% collection targets, recycled content mandates, environmental compensation, and portal registration, in respect of total packaging, which includes caps without exception. It is submitted that, as per the Answering Respondent's verified sales and EPR compliance records, the total plastic packaging placed in the market; including bottles together with their integral components such as caps, is fully captured under the weight based Extended Producer Responsibility framework. The total quantity of packaging introduced was 163,041.52 MT in FY 2023–24 and 149,113.44 MT in FY 2024–25, against which corresponding EPR obligations of 166,113.90 MT for FY 2024–25 and 161,030.91 MT for FY 2025–26, respectively, have been discharged through verified collection and recycling mechanisms. It is, thus,

respectfully submitted that there is no legislative gap insofar as recycling requirements in India's EPR framework are concerned. It is, thus, submitted that a design mandate is neither necessary nor proportionate.

India's informal recycling sector collects bottles as whole units; cap-from-bottle separation occurs downstream at the processing stage via float-sink techniques. During recycling, caps (PP/HDPE) are mechanically separated from PET through float-sink processes, wherein caps float and PET sinks, ensuring efficient material segregation without requiring design-level interventions. It is submitted that plastic caps, typically composed of high-density polyethylene (HDPE), constitute a high-value, recyclable plastic stream with an established and economically viable end-use market. Unlike low-value multi-layered or film plastics, HDPE caps are actively segregated and collected by recyclers due to their higher per-kg realization (approximately INR 35–75/kg in the Indian scrap market) and their suitability for direct conversion into secondary products such as buckets, drums, and other rigid containers through well-established injection and blow-moulding processes. The robust demand from the bucket and industrial container manufacturing sectors further reinforces the closed-loop material pathway, wherein recycled HDPE material is reintroduced as feedstock for similar applications. This market-driven value chain inherently incentivizes collection and prevents environmental leakage of such materials. Therefore, it

submitted that the Applicant has produced no litter audit, behavioural study, or observational data specific to India to establish otherwise. Hence, as stated hereinabove, the existing regulatory framework adequately addresses plastic waste management through outcome-based EPR targets.

12. The contents of Paragraph 3 are denied as being false and misleading. No India-specific evidence is provided to establish that bottle caps significantly contribute to litter or bypass waste systems. It is submitted that under the EPR framework, PIBOs are obligated to account for and collect all packaging components including caps as part of total packaging weight. It is submitted that the Answering Respondent have robust collection and recycling programmes that include caps as part of the overall packaging recovery. It is further submitted that in India's waste collection ecosystem, HDPE/PP caps have significant recycling value and are actively traded in the informal recycling sector. This is because recycled PP/HDPE from caps constitutes a distinct and valuable secondary material stream, which is processed into granules and supplied for use across multiple non-food grade industrial applications.
13. In response to the contents of Paragraph 4, in the absence of supporting data, the figures cited are denied as being unsubstantiated. Without prejudice, it is submitted that general statistics without any specific data on the proportion of the waste attributable to beverage bottle caps, does not establish any causal link to the specific issue of tethered versus non-tethered caps.

14. The contents of Paragraph 5 are denied as being unsubstantiated. The Application fails to provide any India specific data in support of the assertion that due to their detachable design and small size, bottle caps have "significantly lower recovery rates" than PET bottle bodies. It is submitted that under the EPR regime in India, total packaging weight (including caps) are accounted for in compliance calculations. The practical regulatory architecture thus clearly distinguishes between (i) producer responsibility for collection under EPR and (ii) recycler-led material recovery and reprocessing, adequately addressing any potential gap in cap recycling. In this regard, the Respondent company's EPR compliance data is relied upon to demonstrate comprehensive collection of packaging materials. It is reiterated that in India's waste collection ecosystem, caps and bottles are typically collected together and processed by recyclers, who then separate materials using standard float-sink techniques.
15. The contents of Paragraph 6 are denied as being false and misleading. The Application does not provide any evidence in support of the averments that plastic caps are "not economically attractive" and "frequently separated and discarded". For lack of any evidence, it is denied that a substantial percentage of caps escape formal recycling streams and enter open environments. As stated hereinabove, in India, HDPE/PP caps have significant recycling value and are actively traded in the informal recycling sector. It is submitted that the studies cited by the

Applicant pertain to plastic pollution generally, as opposed detached caps. Therefore, it is submitted that without evidence of identifiable, incremental harm caused specifically by non-tethered design, a design mandate is uncalled for.

16. The contents of Paragraph 7 are denied as being vague and misleading. Without prejudice to the fact the alleged statistics are unsubstantiated, it is submitted that such global statistics cannot be directly extrapolated to the Indian context without reliable supporting data. The claim about bottle caps being among 'top 5-10' litter items is derived from international studies conducted in different jurisdictions having different waste management systems, demographics, and infrastructure. Based on global data alone, the averment that India is among the significant contributors to mismanaged plastic waste, is misplaced and misleading.
17. In response to the contents of Paragraph 8, it is submitted that the contentions of the Applicant inherently mischaracterize the nature and effectiveness of EPR compliance. Initiatives such as "Bottles for Change" are specifically designed as comprehensive collection programs that capture all packaging components including caps. Further, the characterization of detachable caps as an 'inherent design flaw' is misleading and loses sight of the fact that breaking the tethers for easier use cannot be ruled out, which would not only undermine the purported purpose

of attaching the cap but also, the unused, broken tethers will inevitably add up and generate more plastic waste.

18. The contents of Paragraph 9 are denied for being unsubstantiated. The Application does not enclose the scientific studies and environmental audits relied upon by the Applicant to contend that plastic bottle caps have been identified as one of the most frequently littered single-use plastic items, particularly with respect to India. It is submitted that the Indian waste collection system operates differently from Western countries as it relies significantly on the informal sector wherein all valuable recyclable materials are collected, including caps. The assertion that caps are 'difficult to manage' overlooks the role of India's informal sector in collecting and trading of HDPE/PP caps.
19. The contents of Paragraph 10 are denied as vague, generic and misleading. Without prejudice to the lack of any evidence placed on record in support of the averments made by the Applicant in the paragraph under response, it is submitted that such averments would apply to all plastic materials, not specifically bottle caps. In particular, the Applicant has neither contended nor established any incremental environmental harm from non-tethered caps as opposed to that by tethered caps. Both designs use the same plastic materials (HDPE/PP). As regards the issue of environmental persistence, it is submitted that India's comprehensive EPR framework mandates effective collection and recycling of plastic waste.

20. The contents of Paragraph 11 are denied as vague and misleading. It is reiterated that the averments made by the Applicant that unchecked proliferation of non-tethered plastic bottle caps contributes significantly to marine plastic pollution and resultant ecological harm is not supported by any India specific studies. It is submitted that invocation of the precautionary principle is misplaced where a comprehensive regulatory framework already exists.
21. The contents of Paragraph 12 are denied as unsubstantiated and misleading. The absence of any reliable scientific data in this regard establishes that the Applicant's assumption that tethered caps are an internationally acknowledged best practice is without any basis. It is submitted that the term "Best practice" is context-dependent. India's EPR-based regulatory framework reflects local conditions. In fact, several major jurisdictions like the United Kingdom, United States, China and Japan have not adopted tethered caps.
22. The contents of Paragraphs 13 and 14 are denied as false and misleading. The allegation that not prescribing mandatory design standards for tethered caps is regulatory omission that undermines the very objectives of waste reduction, source control, and Extended Producer Responsibility enshrined in the Plastic Waste Management Rules, 2016 is misconceived and misleading. It is submitted that the regulatory framework in India is robust and outcome-oriented. No evidence to establish inadequacy requiring design mandates has been produced by the Applicant.

23. In response to the contents of Paragraphs 15, it is submitted that reliance by the Applicant on the judgments passed by the Hon'ble Supreme Court is misplaced as the same pertain to general environmental protection principles, not specific mandate for tethered caps. Reliance on constitutional principles is misplaced in the absence of demonstrated regulatory failure. It is submitted that the current EPR framework effectively implements the Polluter Pays Principle by requiring the PIBOs to bear the cost of collection, recycling, and environmental compensation for non-compliance. It is further submitted that prevention at source does not necessarily mean any specific design, but effective collection and recycling, which is achieved through comprehensive EPR framework to prevent environmental harm. It is thus, submitted that no case has been made out by the Applicant to show that there is judicial invention required in the present case.
24. In response to the contents of Paragraph 16, it is submitted no cause of action as alleged has arisen in the present case as the Indian regulatory framework pertaining to plastic waste management is effectively governed. Further, the Answering Respondent's manufacturing and sale of beverages complies with all applicable regulations including but not limited to the Environment Protection Act, PWM Rules, FSSAI Packaging Regulations, and BIS Standards. It is thus, denied that there is any inaction on part of the Answering Respondent as alleged.

25. In response to the contents of Paragraph 17, it is denied that non-prescription of mandatory design standards for plastic bottle caps defeats the objectives of the Plastic Waste Management Rules, 2016. It is submitted that PWM Rules, 2016 objectives are achieved through EPR obligations that make PIBOs accountable for their entire packaging including caps. Rule 9(3) explicitly requires PIBOs to *"establish, maintain and operate a system for collecting back the plastic waste generated"* from their products. It is submitted that the Applicant has failed to establish with cogent evidence its allegations that by permitting detachable caps, the regulatory framework allows the introduction of plastic components, or in any manner undermines the goals of source reduction, weakens producer accountability, and renders downstream waste management measures ineffective in any manner. It is submitted that in the Indian regulatory framework, the source reduction is achieved through overall targets and EPR compliance and producer responsibility for collection and recycling.
26. The contents of Paragraph 18 are denied as false and misleading. It is submitted that regulatory divergence from the EU does not constitute arbitrariness under Article 14 of the Constitution of India. It is submitted that there is no evidence or basis that EU Directive is not the only "rational" approach, as different jurisdictions have legitimately adopted different approaches based on their specific contexts. As stated hereinabove, the UK, US, China and Japan have not adopted tethered caps.

27. The contents of Paragraph 19 are denied as false and misleading. In the absence of verified India-specific scientific data as well existence of a comprehensive regulatory framework governing the field, it is denied that there is need for immediate directions from this Hon'ble Tribunal in the present matter. It is further submitted that the Applicant's characterization of tethered caps as "simple" and "cost-effective" is not supported by evidence. It is submitted that EU implementation required:

- a. 5 years of preparation (2019-2024);
- b. Investments of €9-11 billion across the European beverage industry;
- c. Extensive technical standardization through CETIE and CEN over multiple years;
- d. Development of new bottle finish standards (GME 30.40);
- e. Conversion of over 200 production lines for Coca-Cola alone, with capital investment of €120-320 million.

Without prejudice, it is, therefore, submitted that any mandated transition in India would neither be simple nor without significant costs and risks.

28. The contents of Paragraph 20 are denied as false and misleading. It is denied that the manufacturing and marketing of plastic beverage bottles with non- tethered caps is a violation of the principle of Extended Producer Responsibility (EPR) as embodied in the Plastic Waste Management Rules, 2016. It is submitted that the

Answering Respondent fully comply with all applicable EPR obligations covering all packaging components including caps. As mentioned hereinabove, under the PWM Rules, EPR obligation extends to total packaging weight including caps and environmental compensation applies for non-compliance. It is submitted that the Answering Respondent are registered on the centralized EPR portal. It is further submitted that the EPR targets from 2023-24 are 100%, covering all packaging. As regards the allegation of "externalizing" costs, the same is unfounded as under the existing regulatory framework in India, the Answering Respondent bear full EPR responsibility for packaging. Furthermore, it is submitted that the Applicant has not provided any basis for the characterization of caps as "difficult to collect" in the Indian context, particularly in view of the fact that in India's informal sector, collecting caps are actively collected due to their commercial value. It is respectfully submitted that the design of caps (tethered or non-tethered) does not affect EPR compliance of the Answering Respondent and the Answering Respondent duly fulfil its obligation to ensure collection and recycling of total packaging.

29. The contents of Paragraph 21 are denied. It is respectfully submitted that technical product design mandates are properly within the domain of regulatory authorities, the Ministry of Environment, Forest and Climate Change (MoEFCC), Central Pollution Control Board (CPCB), Food Safety and Standards Authority of India (FSSAI), Bureau of

Indian Standards (BIS). It is respectfully submitted that such authorities have the expertise to consider several factors such as: (a) Technical feasibility and BIS standardization requirements; (b) FSSAI food safety implications; (c) Consumer safety issues; (d) Industry-wide standardization and compatibility; (e) Economic feasibility and transition timelines; (f) India-specific data and scientific studies, etc. It is, thus, submitted that the present case is not fit for exercise of the statutory jurisdiction for issuance of binding directions.

RESPONSE TO THE GROUNDS:

- a. In response to the contents of Ground (a), it is reiterated that no India-specific data has been provided to support this claim. The assertion that plastic bottle caps are a significant component of plastic waste, and disproportionately represented in litter, is based solely on international studies, particularly the EU's beach litter counts, in case of the EU Directive. It is also reiterated that in India's plastic waste collection ecosystem, the economic value of HDPE/PP caps facilitates informal sector collection of caps along with bottles as part of the overall recyclable material.
- b. In response to the contents of Ground (b), it is submitted that the averments in the paragraph under response apply to all plastic materials regardless of design. It is further submitted that tethered caps use the same materials (HDPE/PP) and do not reduce material usage or environmental persistence. Thus, it is submitted that the

solution to plastic pollution is effective collection and recycling. The same is already mandated by the EPR framework applicable in India, which applies to 100% of packaging including caps. It is further submitted that recycled cap material is routinely utilised in injection-moulded products such as crates, household goods, automotive components, and infrastructure materials, demonstrating that caps are effectively recycled, albeit in non-food-grade applications.

- c. In response to the contents of Grounds (c) and (d), it is submitted that the mere adoption of a regulatory measure in a foreign jurisdiction does not *ipso facto* establish its suitability for the Indian regulatory framework. Without prejudice, it is reiterated that implementation of the EU regime required a five-year transition period, estimated industry investment of €9–11 billion, extensive standardisation through CETIE/CEN, and development of new technical standards (GME 30.40). The transition also gave rise to consumer safety concerns, including reported injuries. It is, therefore, submitted that such implementation is neither “simple” nor devoid of significant economic and operational implications. Pertinently, several major beverage markets, including the United Kingdom, the United States, China, and Japan, have not adopted tethered cap requirements. This demonstrates that regulatory approaches may legitimately differ across jurisdictions based on local conditions, infrastructure, and policy priorities. Hence, merely because a particular regulatory

measure has been adopted in a foreign jurisdiction does not render its non-application in India, arbitrary. Enforcement and application of relevant policies based on local conditions, infrastructure, and socio-economic realities is within the legislative competence.

- d. The contents of Ground (e) are denied as false and misleading. It is submitted that India has a comprehensive EPR framework (100% collection targets, recycled content mandates, environmental compensation) suited to Indian conditions. The PWM Rules 2016 (as amended through June 2025) cover aspects such as total packaging weight including caps, 100% collection targets, mandatory recycled content (60% for rigid plastics) and environmental compensation. Thus, the contention that there is unchecked proliferation of detached plastic bottle caps, is false as it ignores the extensive collection and recycling infrastructure that exists in India, including the informal sector that actively collects caps due to their economic value.
- e. The contents of Ground (f) are denied as false and misleading. It is denied that merely because tethered bottle caps are not mandated in India, does not imply that the core objectives of the PWM Rules 2016, are being defeated. It is submitted that the PWM Rules 2016 objectives are achieved through collection targets and producer accountability, in India. It is submitted that the PWM Rules 2016 objectives of collection, recycling, and environmentally sound management, are addressed through EPR for total packaging.

- f. The contents of Ground (g) are denied as false, misleading, and misconceived. It is specifically denied that the manufacture and marketing of non-tethered plastic bottle caps, in any manner, violate the principle of Extended Producer Responsibility (EPR). It is respectfully submitted that the principle of EPR requires producers to assume responsibility for the collection, channelisation, recycling, and environmentally sound management of plastic packaging waste. The Answering Respondent duly fulfil such obligations in respect of all packaging components, including bottle caps. It is reiterated that the objectives of EPR are effectively achieved through mandatory producer registration, compliance with prescribed collection and recycling targets, environmental compensation mechanisms for any non-compliance, and the establishment of responsible collection and recycling systems, all of which are duly maintained and adhered to by the Respondent. Accordingly, the allegation of any violation of EPR principles is wholly untenable.
- g. The contents of Ground (h) are denied as false and misleading. It is submitted that the Precautionary Principle does not mandate adoption of every possible preventive measure regardless of context, cost, or alternative approaches. It is reiterated that comprehensive EPR (100% collection targets covering all packaging including bottle caps) represents a legitimate regulatory approach to prevent environmental harm from plastic waste.

- h. The contents of Ground (i) are denied as false and misleading. The Respondent pays for collection and recycling under EPR obligations. Environmental compensation is levied for non-compliance. The Polluter Pays Principle is satisfied through comprehensive EPR compliance. It is thus denied that there is any violation of the Polluter Pays Principle as alleged.
- i. The contents of Ground (j) are denied as false and misleading. It is submitted that the regulatory discretion to choose among different effective approaches does not violate Article 14. The decision to implement comprehensive EPR (100% collection targets, recycled content mandates) represents a reasoned policy choice suited to India's specific context, demographics, waste management infrastructure, and industrialization. Multiple jurisdictions (UK, US, China, Japan, Southeast Asia) have not adopted tethered caps – this demonstrates legitimate variation in regulatory approaches, not arbitrariness.
- j. The contents of Ground (k) are denied as false and misleading. It is submitted The Respondent does not cause environmental degradation – it complies with all applicable environmental laws and EPR obligations covering total packaging including caps. The petition fails to establish any specific environmental harm attributable to the Respondent's lawful conduct. The right to environment under Article 21 is protected through the comprehensive EPR framework which the Respondent complies with.

- k. The contents of Ground (l) are denied as false and misleading. Without specific evidence of environmental harm from the Respondent's conduct, this is a generalized allegation that does not establish any cause of action against the Respondent. The Respondent's lawful manufacture and sale of beverages complying with all applicable regulations (PWM Rules 2016, FSSAI Packaging Regulations, BIS standards) does not constitute environmental harm.
- l. The contents of Ground (m) are denied as false and misleading. The Respondent's lawful manufacture and sale of beverages complying with all applicable regulations, including PWM Rules 2016, FSSAI Packaging Regulations, BIS Standards, does not constitute environmental harm. It is denied that plastic pollution from non-tethered caps infringes the fundamental right to a clean, healthy, and pollution-free environment guaranteed under Article 21 of the Constitution of India.
- m. The contents of Ground (n) are denied as false and misleading. It is denied that current practice imposes economic burden on public exchequer for cleaning up littered caps. It is submitted that under EPR, producers /brand owners bear costs of collection and waste management. Environmental compensation is levied for non-compliance. The allegation of public exchequer burden is contrary to the EPR framework which internalizes these costs to producers. The Respondent's EPR compliance ensures that costs of collection and recycling of all

packaging (including caps) are borne by the producer, not the public exchequer.

- n. The contents of Ground (o) are denied as false and misleading. It is denied that alleged unchecked pollution frustrates Swachh Bharat Mission objectives. It is submitted that the Respondent's compliance and collection initiatives support Swachh Bharat Mission objectives. There is no contradiction between the Respondent's activities and national cleanliness objectives. The comprehensive EPR framework (100% collection targets, recycled content mandates) aligns with Swachh Bharat Mission goals of clean India and responsible waste management.
- o. In response to the contents of Ground (p), it is submitted that merely because a design or specification is existent in another jurisdiction, the same does not mean that the same is also suited and must therefore be enacted in India. Without prejudice it is submitted that no basis has been placed on record by the Applicant in support of the contention that the technology for tethered caps is globally established, readily accessible, and does not entail prohibitive costs. It is reiterated that in EU, the transition required €9-11 billion industry investment; 5 years of preparation; extensive standardization work through CETIE and CEN; development of new bottle finish standards (GME 30.40) with specific dimensional requirements and conversion of 200+ production lines for the Answering Respondent alone, at a cost of €120-320 million. It is thus submitted that any mandated transition in India would

require similar extensive preparation, BIS standardization, capital investment, and consumer safety assessment.

- p. In response to the contents of Ground (q), it is denied that there is any failure to act on part of the Respondent in violation of the principle of Inter-Generational Equity. The comprehensive EPR framework prescribed in India ensures that current generation producers bear responsibility for their packaging's environmental impact, thereby protecting future generations' interests. It is submitted that the Respondent's compliance with the said comprehensive EPR framework including but not limited to its sustainability initiatives aimed at 100% recyclability, recycled content progression, collection programs, demonstrates the Respondent's commitment to inter-generational equity.

In light of the above, it is submitted that the present Application is devoid of merit and ought to be dismissed.

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AFFIDAVIT

I, Mr. Jayanto Mukherjee, S/o Sh. Debi Prasad Mukherjee, aged about 47 years, Authorized Representative of the Respondent No. 4 Company in the above-mentioned matter having its office at Brigade Magnum, Tower B, 7th-9th Floor, Amruthahalli Kodigehalli Gate, Hebbal, Bengaluru, Karnataka 560092, do hereby solemnly affirm and state as under: -

1. That I am the Authorized Representative of the Respondent No.4 Company in the abovementioned matter and as such I am fully conversant with the facts and proceedings of the case.
2. That I have read and understood the contents of the accompanying Reply and I say that the facts stated therein are true and correct to my knowledge.
3. That the annexures annexed with the accompanying Reply are true copies of their respective originals.



Jayanto Mukherjee



DEPONENT

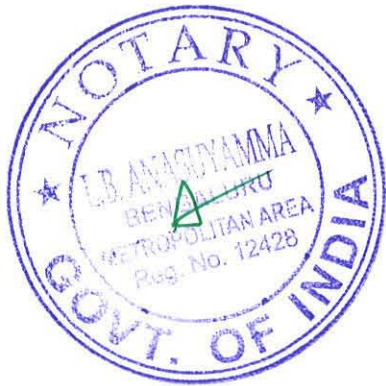
VERIFICATION

Verified that the contents of the above-mentioned affidavit are true and correct to the best of my knowledge and belief. Nothing false has been stated therein and no material fact has been concealed therefrom.

Verified at Bengaluru, on this the 16th day of June, 2026.



DEPONENT



SWORN TO BEFORE ME



L.B. ANASUYAMMA, B.A.L., LL.B.,
ADVOCATE & NOTARY PUBLIC
Old No. 224/4, New No. B-48/5
Bahubali Nagar, Jalahalli
BENGALURU - 560 013

17 JUN 2026

NOTARIAL REGISTER

Sl.No. 2 Page 94
 Vol. JTU Date 17/6/2026

VAKALATNAMABEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A. NO. 137 OF 2026

IN THE MATTER OF:

AAKASH RANISON

.. APPLICANT

VERSUS

CENTRAL POLLUTION CONTROL BOARD (CPCB)
& ORS.

...RESPONDENTS

KNOWN ALL to whom these presents shall come That I/ we, Mr. Jayanto Mukherjee, Senior Associate General Counsel – Supply Chain for Hindustan Coca-Cola Beverages Private Limited be above named do hereby appoint

Ruby Singh Ahuja *Advocate-on-Record D/740/1993	Vishal Gehrana *Advocate-on-Record UP/5202/2008	Shagun Prashar D/960/2009	Akanksha Thapa D/834/2010
Shriya Misra D/3036/2011	Ravneet Kaur Malik D/1500-B/2011	Kritika Sachdeva D/2693/2014	Varsha Himatsingka WB/1911/2018
Jappanpreet Hora D/3206/2018	Devang Kumar D/6531/2018	Piyush Sharma D/3390/2019	Pragya Goyal MP/1633/2020
Tribhuvan Narain Singh D/3781/2024	Abhyuday Mishra MP/3381/2025	Vedant Singh D/15255/2025	

herein after called Advocates to be my/ our advocates in the above noted case and authorized them.

To act appear and plead in the above noted case in the court or in any court in which the same may be tried or heard and also in the appellate courts including High Court.

To sign, verify and present pleadings application, appeals, cross objections or petitions for execution, review, restoration, withdrawal, compromise or other petitions, replies, objections or affidavits or 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.

To withdraw or compromise the said case or submit to arbitration any difference of disputes that may arise touching or in any manner relating to the said case.

To take out execution proceedings.

To deposit, draw and receive moneys, cheques and grant receipts there and to all other acts and things which may be necessary to be done for the progress and in the course of prosecution of that said case.

To appoint and instruct other legal practitioners authorizing him to exercise the power and authorize hereby confer upon the advocate whenever he may think fit to do so and sign the power of attorney on our behalf.

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

And I/ We undersigned do hereby agree that in the event of any part of the fees agreed by me/ us to be paid to the Advocate remaining unpaid, he shall be entitled to withdraw from the prosecution and would be entitled to the same.

IN THE WITNESS WHEREOF I/ We do hereby upto put my/ our hand to these presents the contents to which have been understood by me / us on the 19th day of June 2026.

Accepted

Ravindra Kumar

(KARANJAWALA & CO.)
Advocates
FIRST FLOOR, 212 ROUSE AVENUE,
DEEN DAYAL UPADHYAY MARG,
NEW DELHI - 110002
PHONE NOS.: 43588888
EMAIL ID: service@karanjawala.in;
karanjawala@karanjawala.in

Vedant

Jayant

Hindustan

Hindustan
Beverages Pvt. Ltd. *
Client





सत्यमेव जयते

710 INDIA NON JUDICIAL

30

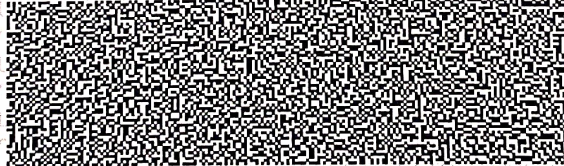
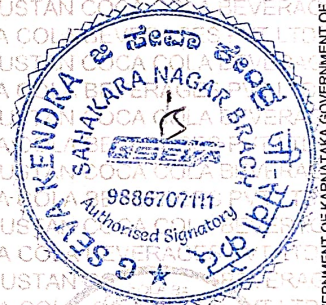
Government of Karnataka

Rs. 100

e-Stamp

Certificate No. : IN-KA65181045091749X
 Certificate Issued Date : 09-Oct-2025 05:33 PM
 Account Reference : NONACC (FI)/ kagcsl08/ SAHAKARNAGAR4/ KA-GN
 Unique Doc. Reference : SUBIN-KAKAGCSL0840542868977984X
 Purchased by : HINDUSTAN COCA COLA BEVERAGES PVT LTD
 Description of Document : Article 41(f) Power of Attorney - when given for trading operation
 Property Description : POWER OF ATTORNEY
 Consideration Price (Rs.) : 0
 (Zero)
 First Party : HINDUSTAN COCA COLA BEVERAGES PVT LTD
 Second Party : HINDUSTAN COCA COLA BEVERAGES PVT LTD
 Stamp Duty Paid By : HINDUSTAN COCA COLA BEVERAGES PVT LTD
 Stamp Duty Amount(Rs.) : 100
 (One Hundred only)

सत्यमेव जयते



Please write or type below this line

POWER OF ATTORNEY

Through this Power of Attorney, the authorised signatory of M/s. Hindustan Coca-Cola Beverages Private Limited, a Company incorporated under the Companies Act, 1956 and having its registered office at Unit Nos. 303 and 304, 3rd Floor, Bani Address One, Golf Course Road, Sector-56, Gurgaon, Gurugram - 122011, Haryana, India and Corporate Office at Brigade Magnum, B-Wing, 7th, 8th & 9th Floor, Bellary Road, Kodigehalli Gate, Bengaluru- 560092, Karnataka. (hereinafter referred to as "HCCB" or "the Company") having been authorised by a resolution passed by the Board of Directors in its meeting held on 22nd September 2025 do hereby nominate, constitute and appoint Mr. Jayanto Mukherjee, Senior Associate General Counsel-Supply Chain of the Company to be the true and lawful attorney in fact and at law of the Company to do, execute and perform all or any of the following acts, deeds, matters and things:-

Statutory Alert:

1. The authenticity of this Stamp certificate should be verified at 'www.shcllestamp.com' or using e-Stamp Mobile App of Stock Holding
2. Any discrepancy in the details on this Certificate and as available on the website / Mobile App renders it invalid.
3. The onus of checking the legitimacy is on the users of the certificate.
3. In case of any discrepancy please inform the Competent Authority.



- (i) To institute, sign, file, defend, compromise and settle, participate into mediation in all legal proceedings of civil or criminal nature, in any arbitral forum or in any Court or Tribunal, Hon'ble National Consumer Disputes Redressal Commission or Magistrate Court, Sessions Court, Tribunal, National Company Law Tribunal, Hon'ble High Court(s) or Hon'ble Supreme Court of India or any quasi-judicial authority/ies, Central/State Government or other Statutory Authorities in India.
- (ii) To appear before the above referred Court(s) or any quasi-judicial authority/ies, Central/State Government or other Statutory Authorities.
- (iii) To sign, execute, and file application(s), petition(s), rejoinder(s), other communication(s), affidavit(s), Vakalatnama(s) and all other documents, as may be required.
- (iv) To appoint Vakil(s), Advocates and pleaders and to do all other acts, deeds and things as may be necessary and expedient in the premises aforesaid.
- (v) To compound any case/matter/s, as required by the Company, before any applicable courts or authority whether state or central authorities.

Mr. Jayanto Mukherjee, Senior Associate General Counsel-Supply Chain, be and is hereby authorised to delegate any or all of the powers mentioned above, to handle legal matters on behalf of the Company, to any officials of the Company, as she may deem fit, from time to time on a case to case basis by way of issuance of letter of authority (ies).

This Power of Attorney is effective from 20th January 2026 and shall remain in force unless otherwise revoked in writing by the Company.

IN WITNESS WHEREOF Ms. Nafisa Charania, Company Secretary and authorised signatory of the Company have affixed her signatures for and on behalf of Hindustan Coca-Cola Beverages Private Limited herein below on the date and year mentioned below

Nafisa Charania

Company Secretary

Jayanto Mukherjee

Mr. Jayanto Mukherjee,
Senior Associate General Counsel-Supply Chain
I accept it

Place: 23/1/26

Date: Bangalore

Witness:



ATTESTED BY ME
L.B. ANASUYAMMA, B.A., LL.B.
ADVOCATE & NOTARY PUBLIC
GOVT OF INDIA
Old No. 224/4, New No. B-48/5
Bahuballi Nagar, Jalahalli,
Bengaluru - 560 013.


Re: Service of Reply on behalf of the Respondent No.4 i.e. Hindustan Coca-Cola Beverages Pvt. Ltd. in O.A. No. 137 of 2026

From Service <service@karanjawala.in>

Date Fri 19/06/2026 12:30

To mscb.cpcb@nic.in <mscb.cpcb@nic.in>; Lever.Care@Unilever.com <Lever.Care@Unilever.com>; consumer.feedback@pepsico.com <consumer.feedback@pepsico.com>; swassan@coca-cola.in <swassan@coca-cola.in>; hccb-india@coca-cola.in <hccb-india@coca-cola.in>; indiahelpline@coca-cola.com <indiahelpline@coca-cola.com>; wecare@bisleri.co.in <wecare@bisleri.co.in>; hello@epigamia.com <hello@epigamia.com>; support@wingreens.in <support@wingreens.in>; paperboat@hectorbeverages.com <paperboat@hectorbeverages.com>; neeraj@hectorbeverages.com <neeraj@hectorbeverages.com>; corpcomm@dabur.com <corpcomm@dabur.com>; contactus@itc.in <contactus@itc.in>; hello@moisoi.in <hello@moisoi.in>; hello@yufoodlabs.com <hello@yufoodlabs.com>; rohit@sbbfoods.com <rohit@sbbfoods.com>; partnerships@pluckk.in <partnerships@pluckk.in>; investor.relations@pluckk.in <investor.relations@pluckk.in>; publicrelations@pluckk.in <publicrelations@pluckk.in>; info@fruitjump.in <info@fruitjump.in>

Cc Ruby S. Ahuja <rubysingh.ahuja@karanjawala.in>; Ravneet Kaur Malik <ravneetkaur.malik@karanjawala.in>; Vedant Singh Choudhary <vedantsingh.choudhary@karanjawala.in>

 1 attachment (5 MB)

Reply on behalf of Respondent No.4 in OA No. 137 of 2026.pdf;

Re: O.A. No. 137 of 2026
Aakash Ranison
vs.
Central Pollution Control Board (CPCB) & Ors.
[BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, NEW DELHI]

Dear all,

We hereby serve upon you a copy of the Reply on behalf of Hindustan Coca-Cola Beverage Pvt. Ltd, Respondent No.4 in the captioned matter.

Kindly treat this as an effective service of the same.

Regards,

[KARANJAWALA & CO.]
Advocates for the Respondent No.4



FIRST FLOOR, 212 ROUSE AVENUE,
DEEN DAYAL UPADHYAY MARG,
NEW DELHI - 110002
Tel: +91 11 43588888

7, FACTORY ROAD
NEAR SAFDARJUNG HOSPITAL
NEW DELHI - 110029
TEL:+91 11 43788888

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NOTE – All communications *inter alia* such as service of documents/papers/pleadings, notice of mentioning etc. should be sent only on service@karanjawala.in. Service on any other email id shall not constitute a valid service on the firm.