

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
Principal Bench, New Delhi**

**Original Application No. 997/2019**

**In the Matter of: -**

**Aditya Dubey (Minor)**

**Applicant(s)**

**Vs.**

**Amazon Retail India Private Limited & Ors.**

**Respondent(s)**

**With**

**Original Application No. 28/2020**

**Aditya Dubey (Minor) through his  
Legal Guardian Mrs. Anu Dubey & Anr.**

**Applicant(s)**

**Vs.**

**Coca-Cola India Pvt. Ltd. (CCIPL) & Ors.**

**Respondent(s)**

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(Divya Sinha)

Scientist 'E'  
Central Pollution Control Board  
Parivesh Bhawan, East Arjun Nagar  
Delhi-110032

Place: Delhi

Date: 12.10.2020

**Central Pollution Control Board**

12/10/2020

**Action Taken Report in the matter of (i) Aditya Dubey(Minor) Vs. M/s. Amazon Retail India Pvt. Ltd. & Ors.(OA No.997/2019 ) & (ii) Aditya Dubey (Minor) Vs. M/s. Coca-Cola India Pvt. Ltd. & Ors. (OA No. 28/2020)**

**1.0 Background:**

The first petition (OA No.997/2019) sought enforcement of the liability against Amazon and Flipkart using excessive plastic packaging material without meeting statutory liability.

The second petition (OA No. 28/2020) was against violation of obligation under Rule 9 of the Plastic Waste Management Rules, 2016, by M/s. Coca-cola India Pvt. Ltd., M/s. Hindustan Coca-cola Beverages Pvt. Ltd., M/s. Pepsico India Holding Pvt. Ltd., M/s. Bisleri International Pvt. Ltd., M/s. Parle Agro Pvt. Ltd., M/s. Patanjali Peaya Private Ltd., M/s. NourishCo Beverages Ltd., M/s. Indian Railway Catering & Tourism Corp. Ltd. in terms of principle of Extended Producer Liability.

Vide order dated 10/09/2020 in the above-cited matter, Hon'ble NGT directed as follows:

**Para 2.** *"The matter has been considered on earlier occasions and it was observed that the statutory regulators were not taking coercive measures including invoking of "Polluter Pays" principle for enforcing the statutory norms. Central Pollution Control Board (CPCB) was directed to look into the matter and file further report.*

**Para 3.** *Accordingly, a report has been filed by the CPCB on 04.09.2020 which again mentions one or other reasons for not enforcing the law but does not mention the coercive measures adopted either directly by CPCB or in coordination with the State PCBs/PCCs. The CPCB can also consider ordering environmental audit against the concerned entities and assess and recover compensation for violation of environmental norms, following due process of law.*

**Para 4.** *Let further steps be taken in the matter and an action taken report be filed---*"

## 2.0 Action Taken by CPCB: -

CPCB has taken the following Actions in compliance with above Directions of Hon'ble NGT:

### 2.1 Action taken w.r.t 10 firms listed in OA No.997/2019 & OA No. 28/2020

#### (a) Show Cause Notices for Closure of operations & Levying EC:

Two firms namely M/s. Patanjali Peya Pvt. Ltd. & M/s. Flipkart Private limited- are not registered with CPCB and have not responded to CPCB's communications on the matter. Accordingly, Show Cause Notice under Section 5 of the Environment (Protection) Act, 1986 dated October 08, 2020 (**Annexure I & II**) has been issued to these units for closure of their operation and for levying of Environment Compensation for non-compliance of provisions of PWM Rules, 2018.

#### (b) Show Cause Notice for Levying Environment Compensation (EC):

Four firms namely M/s. Hindustan Coca-cola Beverages Pvt. Ltd., M/s. Pepsico India Holding Pvt. Ltd., M/s. Bisleri International Pvt. Ltd., & M/s. NourishCo Beverages Ltd.- are registered with CPCB. However, they have not provided information for evidence based assessment of implementation of Action Plan for fulfilment of Extended Producer Responsibility (EPR) liability. Further, the documents submitted by them have not been endorsed by SPCB/PCC/ULB. Accordingly, Show Cause Notice under Section 5 of the Environment (Protection) Act, 1986 dated October 08, 2020 (**Annexure III- VI**) has been issued to these firms for levying of Environment Compensation for non-compliance of provisions of PWM Rules, 2018.

#### (c) Registration of Firms:

4 firms namely M/s Amazon Seller Service Pvt. Ltd, M/s. Coca-cola India Pvt. Ltd., M/s. Parle Agro Pvt. Ltd., M/s. Indian Railway Catering & Tourism Corp. Ltd.- have been recently granted registration by CPCB as Brand Owner/producer under Plastic Waste Management (PWM) Rules,2018.

They are required to submit quarterly progress reports and comply with conditions stipulated in the Registration certificate issued to them

**(d) Environmental Audit:**

Hon'ble NGT has observed that CPCB may consider ordering Environmental Audit against these 10 firms. CPCB has held deliberations with expert agencies on the matter. Since, it will be for the first time that such an Audit shall be conducted, a committee has been constituted to deliberate and suggest mechanism for conducting Environmental Audit as well as specify the agencies which can be engaged for such Audits.

**2.2. Action taken w.r.t other Producers/ Brand-owners:**

Directions under Section 5 of Environment (Protection) Act, 1986 dated October 06, 2020 has been issued to all SPCBs/PCCs (**Annexure-VII**) for identification of the Brand owners/ producers who are operating without Registration from SPCB/PCC/ CPCB in their State/UT and to take action against the defaulting units as per provisions of PWM Rules, 2018 which may include closure of their operations, and levying Environmental Compensation.

Further, CPCB receives applications for Registration under Rule 13(2) of PWM Rules. Applications are examined by CPCB and clarification/information, if any, are communicated to the applicants. However, many such applicants have not responded to CPCB's queries. As the applicants are non-compliant during this period, list of such applicants has also been forwarded to the State Board for taking action against the defaulting units as per provision of PWM Rules,2018 which shall include closure of their operations, and levying environmental compensation.

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**SPEED-POST / E-MAIL**

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-11011/UPC-II/PWM(Direction)/2020-21

Date: 8/10.2020

To,

**M/s. Patanjali Peya Pvt. Ltd.**  
**Kripalu Bagh Kankhal,**  
 Haridwar- 249408

**Sub:- SHOW CAUSE NOTICE UNDER SECTION 5 OF THE ENVIRONMENT  
 (PROTECTION) ACT, 1986 FOR NON-COMPLIANCE TO PLASTIC WASTE  
 MANAGEMENT RULES, 2018**

**WHEREAS**, the Central Government has notified the standards for discharge of environmental pollutants from various categories of industries under the Environment (Protection) Act, 1986 and the rules framed there under; and

**WHEREAS**, the Ministry of Environment, Forest & Climate Change has notified Plastic Waste Management Rules, 2016, as amended 2018 which inter-alia prescribes specifications with regard to registration of Producers/Brand Owners/Importers and stipulate procedures for Plastic Waste Management.

**WHEREAS**, Under Rule 9(1) of Plastic Waste Management Rules, 2016 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;

**WHEREAS**, Under Rule 9(2) of Plastic Waste Management Rules, 2016 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.

**WHEREAS**, Under Rule 13(1) of Plastic Waste Management Rules, 2016 No person shall manufacture carry bags or recycled 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;

**WHEREAS**, Under Rule 13(2) of Plastic Waste Management Rules, 2016 Every producer or brand-owner shall, for the purpose of registration or for renewal of registration, make an application in Form-I to

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- 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".

**WHEREAS**, Original Application no. 28/2020 regarding violation of obligation under Rule 9 of the Plastic Waste Management Rules, 2016, by M/s. Coca-cola India Pvt. Ltd., M/s. Hindustan Coca-cola Beverages Pvt. Ltd., M/s. Pepsico India Holding Pvt. Ltd., M/s. Bisleri International Pvt. Ltd., M/s. Parle Agro Pvt. Ltd., M/s. Patanjali Peya Private Ltd., M/s. NourishCo Beverages Ltd., M/s. Indian Railway Catering & Tourism Corp. Ltd. in terms of principle of Extended Producer Liability have been filed in Hon'ble NGT, PB, New Delhi.

**WHEREAS**, CPCB issued letters B-17011/7/UPC-II-PWM(MLP)/2020/12159 dated February 27, 2020 and B-17011/7/UPC-II-PWM(MLP)/2020/5231 dated August 19, 2020 to M/s Patanjali Peya Pvt. Ltd. for submission of application for registration under provision of PWM Rules, 2018 within seven days. However, no reply has been received from your unit so far.

**WHEREAS**, vide reports submitted in the matter of OA no. 28/2020 in June, 2020 and September 2020, CPCB has informed Hon'ble NGT that M/s Patanjali Peya Pvt. Ltd. hasn't provided any information regarding submission of application for registration as a Brand-owner/Producer under PWM Rules, 2018.

**WHEREAS**, Hon'ble NGT in its Order dated September 10th, 2020 in OA no. 997/2019 and 28/2020 has directed CPCB to take coercive action against the non-complying units.

**NOW THEREFORE**, in view of above and in exercise of the powers vested under Section 5 of the Environmental (Protection) Act, 1986, M/s Patanjali Peya Pvt. Ltd. is hereby directed to Show Cause as to why the following action should not be taken against it for not complying with PWM Rules, 2018.

- i) Closure of operations of the unit.
- ii) Levying of Environment Compensation for non-compliance of provisions of PWM Rules, 2018.

M/s Patanjali Peya Pvt. Ltd. is hereby given an opportunity to submit its reply within 7 days from issuance of these Directions, failing which appropriate action will be taken against it under the provision of Environmental (Protection) Act, 1986.

  
(Shiv Das Meena)  
Chairman

**SPEED-POST / E-MAIL****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-11011/UPC-II/PWM(Direction)/2020-21

Date: 10.10.2020

To,

**M/s. FlipKart Private Limited**Essae Vaishnavi Summit, No. 6/B, 7<sup>th</sup> Main, 80 Feet Road,  
Koramangala Industrial Layout, Bangalore-560 034**Sub: -SHOW CAUSE NOTICE UNDER SECTION 5 OF THE ENVIRONMENT  
(PROTECTION) ACT, 1986 FOR NON-COMPLIANCE TO PLASTIC WASTE  
MANAGEMENT RULES, 2018**

**WHEREAS**, the Central Government has notified the standards for discharge of environmental pollutants from various categories of industries under the Environment (Protection) Act, 1986 and the rules framed there under; and

**WHEREAS**, the Ministry of Environment, Forest & Climate Change has notified Plastic Waste Management Rules, 2016, as amended 2018 which inter-alia prescribes specifications with regard to registration of Producers/Brand Owners/Importers and stipulate procedures for Plastic Waste Management.

**WHEREAS**, Under Rule 9(1) of Plastic Waste Management Rules, 2016 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;

**WHEREAS**, Under Rule 9(2) of Plastic Waste Management Rules, 2016 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.

**WHEREAS**, Under Rule 13(1) of Plastic Waste Management Rules, 2016 No person shall manufacture carry bags or recycled 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;

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‘परिवेश भवन’ पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

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

**WHEREAS**, Under Rule 13(2) of Plastic Waste Management Rules, 2016 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".

**WHEREAS**, Original Application no 997/2018 regarding excessive use of plastic packaging materials by Amazon and Flipkart.com in the course of e-marketing in violation of EPR PWM rules,2016 has been filed in Hon'ble NGT.

**WHEREAS**, CPCB has issued letter no. B-17011/7/PWM(MLP)/2018/12688 dated 13.11.2018, letter no. B-17011/7/PWM(corres)/2019/8541 dated 06/11/2019 and Email dated March 4 ,2020 to M/s FlipKart. Ltd. for submission of the application for registration under provision of PWM Rules, 2018.

**WHEREAS**, M/s Instakart Services private Ltd has informed that M/s Flipkart Private limited is their holding company, registered in Singapore and M/s Instakart is engaged in the business of providing logistics and fulfilment services to group companies

**WHEREAS**, vide reports submitted in the matter of OA no. 997/2019 in December, 2019 , June 2020 and September 2020, CPCB has informed Hon'ble NGT that M/s Flipkart Pvt. Ltd is required to submit application for registration directly to CPCB or provide requisite documents supporting its linkage with M/s Instakart Services Pvt. Ltd.

**WHEREAS**, no communication has been received from M/s Flipkart Pvt. Ltd till date on the matter.

**WHEREAS**, Hon'ble NGT in its Order dated September 10th, 2020 in OA no. 997/2019 and 28/2020 has directed CPCB to take coercive action against the non-complying units.

**NOW THEREFORE**, in view of above and in exercise of the powers vested under Section 5 of the Environmental (Protection) Act, 1986, M/s Flipkart Private limited is hereby directed to Show Cause as to why the following action should not be taken against it for not complying with PWM Rules, 2018.

- i) Closure of operations of the unit.
- ii) Levying of Environment Compensation for non-compliance of provisions of PWM Rules, 2018.

M/s Flipkart Private limited is hereby given an opportunity to submit its reply within 7 days from issuance of these Directions, failing which appropriate action will be taken against it under the provision of Environmental (Protection) Act, 1986.

  
(Shiv Das Meena)  
**Chairman** 



**SPEED-POST / E-MAIL 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-11011/UPC-II/PWM(Direction)/2020-21

Date: 8.10.2020

To,

**M/s. Hindustan Coca Cola Beverages Pvt. Ltd.**

B-91, Mayapuri Industrial Area,  
Phase-I, New Delhi-110064

**Sub: - SHOW CAUSE NOTICE UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986 FOR NON-COMPLIANCE OF PLASTIC WASTE MANAGEMENT RULES, 2018**

**WHEREAS**, the Central Government has notified the standards for discharge of environmental pollutants from various categories of industries under the Environment (Protection) Act, 1986 and the rules framed there under; and

**WHEREAS**, the Ministry of Environment, Forest & Climate Change has notified Plastic Waste Management Rules, 2016, as amended 2018 which inter-alia prescribes specifications with regard to registration of Producers/Brand Owners/Importers and manufacturing of plastic carry bags, sheets, or like stipulate procedures for Plastic Waste Management.

**WHEREAS**, vide Registration No. B-17011/7/UPC-II-PWM(MLP)/2019(HCCBPL) dated 20-08-2019, M/s. Hindustan Coca Cola Beverages Pvt. Ltd. has been registered with CPCB as producer as per Provisions of Plastic Waste Management (PWM), Rules, 2018.

**WHEREAS**, as per condition no.8 mentioned in registration certificate issued by CPCB, M/s. Hindustan Coca Cola Beverages Pvt. Ltd is required to submit Quarterly Progress Report (QPR) for disposal of Multi-layered packaging/plastic waste in prescribed format.

**WHEREAS**, as per Extended Producer Responsibility (EPR) action plan submitted by the unit, total plastic waste generation is 1,05,744 TPA, however as per QPRs submitted for the period August,2019 to March,2020, the unit has collected and disposed only about 17000 Ton plastic waste.

**WHEREAS**, it is observed that remaining documents submitted by the unit as QPR do not provide information for evidence based assessment of implementation of Action Plan for fulfilment of EPR liability by the industry and documentary proof of involvement with ULBs for collection & channelization of waste is provided for only about 1811 Ton of plastic waste.

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**WHEREAS**, as per letter no. B-17011/7/PWM(MLP)/2020 dated 13-07-2020, M/s. Hindustan Coca Cola Beverages Pvt. Ltd. is required to submit Quarterly Progress Report (QPR) duly endorsed by concerned Urban Local Body (ULB)/SPCB/PCC.

**WHEREAS**, Original Application no. 28/2020 regarding violation of obligation under Rule 9 of the Plastic Waste Management Rules, 2016, by M/s. Coca-cola India Pvt. Ltd., M/s. Hindustan Coca-cola Beverages Pvt. Ltd., M/s. Pepsico India Holding Pvt. Ltd., M/s. Bisleri International Pvt. Ltd., M/s. Parle Agro Pvt. Ltd., M/s. Patanjali Peya Private Ltd., M/s. NourishCo Beverages Ltd., M/s. Indian Railway Catering & Tourism Corp. Ltd. in terms of principle of Extended Producer Liability have been filed in Hon'ble NGT, PB, New Delhi.

**WHEREAS**, vide reports submitted in the matter of OA no. 28/2020 in June, 2020 and September 2020, CPCB has informed Hon'ble NGT that documentary proof of involvement of ULBs for collection & channelization of waste is not provided by M/s. Hindustan Coca-cola Beverages Pvt. Ltd and the firm is required to submit the QPR to CPCB with ULBs' endorsed documents for collection and disposal of post-consumer plastic waste.

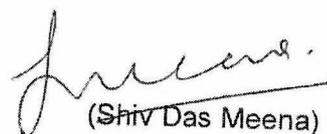
**WHEREAS**, vide letter B-17011/7PWM(MLP)/2020 dated 10.08.2020, CPCB has granted extension of time for filing QPR for the period April, 2020 to August, 2020 by September 30, 2020 in view of COVID 19 pandemic. However, QPR of said period has not been received so far.

**WHEREAS**, Hon'ble NGT in its Order dated September 10th, 2020 in OA No. 997/2019 and 28/2020 has directed CPCB to take action against the non-complying units.

**NOW THEREFORE**, in view of above and in exercise of the powers vested under Section 5 of the Environmental (Protection) Act, 1986, M/s. Hindustan Coca Cola Beverages Pvt. Ltd. is hereby directed to Show Cause as to why the following action should not be taken against it for not complying with PWM Rules, 2018

- i) Levying of Environment Compensation for non-compliance of provisions of PWM Rules, 2018.

M/s. Hindustan Coca Cola Beverages Pvt. Ltd. is hereby given an opportunity to submit its reply within 7 days from issuance of these directions, failing which appropriate action will be taken against it under the provision of Environmental (Protection) Act, 1986.

  
(Shiv Das Meena)

Chairman 

**SPEED-POST / E-MAIL****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-11011/UPC-II/PWM(Direction)/2020-21

Date: 8.10.2020

To,

**M/s. Pepsico India Holding Pvt. Ltd.**  
Level 3-6, Pioneer Square, Sector 62,  
Nr. Golf Course Extension Road,  
Gurgaon 122101

**Sub: - SHOW CAUSE NOTICE UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986 FOR NON-COMPLIANCE OF PLASTIC WASTE MANAGEMENT RULES, 2018**

**WHEREAS**, the Central Government has notified the standards for discharge of environmental pollutants from various categories of industries under the Environment (Protection) Act, 1986 and the rules framed there under; and

**WHEREAS**, the Ministry of Environment, Forest & Climate Change has notified Plastic Waste Management Rules, 2016, as amended 2018 which inter-alia prescribes specifications with regard to registration of Producers/Brand Owners/Importers and manufacturing of plastic carry bags, sheets, or like stipulate procedures for Plastic Waste Management.

**WHEREAS**, vide Registration No. B-17011/7/UPC-II-PWM(MLP)/2018(PIHPL) dated 08-04-2019, M/s. Pepsico India Holding Pvt. Ltd. has been registered with CPCB as Brand owner as per Provisions of Plastic Waste Management (PWM), Rules, 2018.

**WHEREAS**, as per condition no.7 mentioned in registration certificate issued by CPCB, M/s Pepsico India Holding Pvt. Ltd. is required to submit Quarterly Progress Report (QPR) for disposal of Multi-layered packaging/plastic waste in prescribed format.

**WHEREAS**, as per CPCB's letter no. B-17011/7/PWM(MLP)/2020 dated 23-06-2020, M/s. Pepsico India Holding Pvt. Ltd. was required to submit Quarterly Progress Report (QPR) duly endorsed by concerned Urban Local Body (ULB)/SPCB/PCC.

**WHEREAS**, Original Application no. 28/2020 regarding violation of obligation under Rule 9 of the Plastic Waste Management Rules, 2016, by M/s. Coca-cola India Pvt. Ltd., M/s. Hindustan Coca-cola Beverages Pvt. Ltd., M/s. Pepsico India Holding Pvt. Ltd., M/s. Bisleri International Pvt. Ltd., M/s. Parle Agro Pvt. Ltd., M/s. Patanjali Peya Private Ltd., M/s. NourishCo Beverages Ltd., M/s. Indian Railway Catering & Tourism Corp. Ltd. in terms of principle of Extended Producer Liability have been filed in Hon'ble NGT, PB, New Delhi.

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**WHEREAS**, vide reports submitted in the matter of OA no. 28/2020 in June, 2020 and September 2020, CPCB has informed Hon'ble NGT that M/s. Pepsico India Holding Pvt. Ltd. has not provided any information regarding submission of QPR and revised action plan so far.

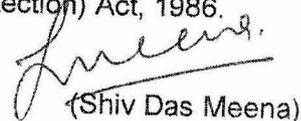
**WHEREAS**, M/s. Pepsico India Holding Pvt. Ltd. has submitted QPRs for the period of January to December, 2019 in July, 2020 and it has been observed that documents submitted by the unit as QPR do not provide information for evidence based assessment of implementation of Action Plan for fulfilment of EPR liability by the industry and documentary proof of involvement of ULBs for collection & channelization of waste is not provided.

**WHEREAS**, Hon'ble NGT in its Order dated September 10th, 2020 in OA no. 997/2019 and 28/2020 has directed CPCB to take action against the non-complying units.

**NOW THEREFORE**, in view of above and in exercise of the powers vested under Section 5 of the Environmental (Protection) Act, 1986, M/s. Pepsico India Holding Pvt. Ltd. is hereby directed to Show Cause as to why the following action should not be taken against it for not complying with PWM Rules, 2018

- i) Levying of Environment Compensation for non-compliance of provisions of PWM Rules, 2018.

M/s. Pepsico India Holding Pvt. Ltd. is hereby given an opportunity to submit its reply within 7 days from issuance of these directions, failing which appropriate action will be taken against it under the provision of Environmental (Protection) Act, 1986.

  
(Shiv Das Meena)

Chairman 

**SPEED-POST / E-MAIL**

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

Date: 8.10.2020

F.No.B-11011/UPC-II/PWM(Direction)/2020-21

To,

**M/s. Bisleri International Pvt. Ltd.**  
Western Express Highway,  
Andheri (East) Mumbai – 400 099

**Sub: - SHOW CAUSE NOTICE UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986 FOR NON-COMPLIANCE OF PLASTIC WASTE MANAGEMENT RULES, 2018**

**WHEREAS**, the Central Government has notified the standards for discharge of environmental pollutants from various categories of industries under the Environment (Protection) Act, 1986 and the rules framed there under; and

**WHEREAS**, the Ministry of Environment, Forest & Climate Change has notified Plastic Waste Management Rules, 2016, as amended 2018 which inter-alia prescribes specifications with regard to registration of Producers/Brand Owners/Importers and manufacturing of plastic carry bags, sheets, or like stipulate procedures for Plastic Waste Management.

**WHEREAS**, vide Registration No. B-17011/7/UPC-II-PWM(MLP)/2018(BIPL) dated 21-12-2018, M/s. Bisleri International Pvt. Ltd. has been registered with CPCB as Brand owner as per Provisions of Plastic Waste Management (PWM), Rules, 2018.

**WHEREAS**, as per condition no.7 mentioned in registration certificate issued by CPCB, M/s Bisleri International Pvt. Ltd. is required to submit Quarterly Progress Report (QPR) for disposal of Multi-layered packaging/plastic waste in prescribed format.

**WHEREAS**, as per CPCB's letter no. B-17011/7/PWM(MLP)/2020 dated 14-07-2020, M/s. Bisleri International Pvt. Ltd. was required to submit Quarterly Progress Report (QPR) duly endorsed by concerned Urban Local Body (ULB)/SPCB/PCC.

**WHEREAS**, M/s. Bisleri International Pvt. Ltd. has submitted QPRs for the period of January, 2019 to June, 2020.

**WHEREAS**, it is observed that documents submitted by the unit as QPR do not provide information for evidence based assessment of implementation of Action Plan for fulfilment of EPR liability by the industry and submitted documents are not endorsed by Urban Local Body (ULB)/SPCB/PCC.

Contd.....

**WHEREAS**, Original Application no. 28/2020 regarding violation of obligation under Rule 9 of the Plastic Waste Management Rules, 2016, by M/s. Coca-cola India Pvt. Ltd., M/s. Hindustan Coca-cola Beverages Pvt. Ltd., M/s. Bisleri International Pvt. Ltd., M/s. Bisleri International Pvt. Ltd., M/s. Parle Agro Pvt. Ltd., M/s. Patanjali Peya Private Ltd., M/s. NourishCo Beverages Ltd., M/s. Indian Railway Catering & Tourism Corp. Ltd. in terms of principle of Extended Producer Liability have been filed in Hon'ble NGT,PB,New Delhi.

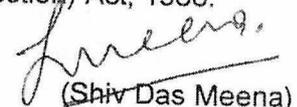
**WHEREAS**, vide reports submitted in the matter of OA no. 28/2020 in June, 2020 and September 2020, CPCB has informed Hon'ble NGT that M/s. Bisleri International Pvt. Ltd. is required to submit Urban local bodies (ULBs) endorsed documents of QPR regarding PAN India coverage of Plastic Waste Management.

**WHEREAS**, Hon'ble NGT in its Order dated September 10th, 2020 in OA no. 997/2019 and 28/2020 has directed CPCB to take action against the non-complying units.

**NOW THEREFORE**, in view of above and in exercise of the powers vested under Section 5 of the Environmental (Protection) Act, 1986, M/s. Bisleri International Pvt. Ltd. is hereby directed to Show Cause as to why the following action should not be taken against it for not complying with PWM Rules, 2018

- i) Levying of Environment Compensation for non-compliance of provisions of PWM Rules, 2018.

M/s. Bisleri International Pvt. Ltd. is hereby given an opportunity to submit its reply within 7 days from issuance of these directions, failing which appropriate action will be taken against it under the provision of Environmental (Protection) Act, 1986.

  
(Shiv Das Meena)  
Chairman

9

**SPEED-POST / E-MAIL**

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  
 Date: 8.10.2020

F.No.B-11011/UPC-II/PWM(Direction)/2020-21

To,

**M/s. NourishCo Beverages Limited,**  
 Level 3, Pioneer Square, Sector 62,  
 Near Gold Course, Extension Road,  
 Gurgaon – 122101, Haryana

**Sub:- SHOW CAUSE NOTICE UNDER SECTION 5 OF THE ENVIRONMENT  
 (PROTECTION) ACT, 1986 FOR NON-COMPLIANCE TO PLASTIC WASTE  
 MANAGEMENT RULES, 2018**

**WHEREAS**, the Central Government has notified the standards for discharge of environmental pollutants from various categories of industries under the Environment (Protection) Act, 1986 and the rules framed there under; and

**WHEREAS**, the Ministry of Environment, Forest & Climate Change has notified Plastic Waste Management Rules, 2016, as amended 2018 which inter-alia prescribes specifications with regard to registration of Producers/Brand Owners/Importers and stipulate procedures for Plastic Waste Management.

**WHEREAS**, vide Registration No. B-17011/7/UPC-II-PWM(MLP)/2018(NCBL) dated 20-03-2019, M/s. NourishCo Beverages Limited has been registered with CPCB under Extended Producer Responsibility (EPR) as per Provisions of Plastic Waste Management (PWM), Rules, 2018.

**WHEREAS**, vide letters dated July 30, 2019, February 27, 2020 and June 23, 2020, M/s. NourishCo Beverages Limited was informed by CPCB to submit revised action plan to CPCB under PWM Rules, 2018, however, no response in the matter have been received from the unit so far.

**WHEREAS**, as per condition no.7 mentioned in registration certificate issued by CPCB, M/s. NourishCo Beverages Limited is required to submit Quarterly Progress Report (QPR) for disposal of Multi-layered packaging/plastic bags.

**WHEREAS**, Original Application no. 28/2020 regarding violation of obligation under Rule 9 of the Plastic Waste Management Rules, 2016, by M/s. Coca-cola India Pvt. Ltd., M/s. Hindustan Coca-cola Beverages Pvt. Ltd., M/s. Pepsico India Holding Pvt. Ltd., M/s. Bisleri International Pvt. Ltd., M/s. Parle Agro Pvt. Ltd., M/s. Patanjali Peaya Private Ltd., M/s. NourishCo Beverages Ltd., M/s. Indian Railway Catering & Tourism Corp. Ltd. in terms of principle of Extended Producer Liability have been filed in Hon'ble NGT, PB, New Delhi.

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**WHEREAS**, vide reports submitted in the matter of OA no. 28/2020 in June, 2020 and September 2020, CPCB has informed Hon'ble NGT that M/s. NourishCo Beverages Limited has not provided any information regarding submission of QPR and revised action plan so far.

**WHEREAS**, vide letter B-17011/7PWM(MLP)/2020 dated 17.09.2020, CPCB has informed the unit to submit required documents to CPCB by November 30, 2020. However, QPR prior to March, 2020 (pre covid phase) have to be submitted in compliance with the conditions stipulated in the certificate.

**WHEREAS**, M/s. NourishCo Beverages Limited has not submitted QPR which is in violation of condition of certificate issued.

**WHEREAS**, Hon'ble NGT in its Order dated September 10th, 2020 in OA no. 997/2019 and 28/2020 has directed CPCB to take coercive action against the non-complying units.

**NOW THEREFORE**, in view of above and in exercise of the powers vested under Section 5 of the Environmental (Protection) Act, 1986, M/s. NourishCo Beverages Limited is hereby directed to Show Cause as to why the following action should not be taken against it for not complying with PWM Rules, 2018

- i) Levying of Environment Compensation for non-compliance of provisions of PWM Rules, 2018.

M/s. NourishCo Beverages Limited is hereby given an opportunity to submit its reply within 7 days from issuance of these directions, failing which appropriate action will be taken against it under the provision of Environmental (Protection) Act, 1986.

  
(Shiv Das Meena) *SM*  
Chairman



SPEED-POST/E-MAIL

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-11011/UPC-II/PWM (Direction)/2019-20

Date: 06.10.2020

To,

The Chairman,  
All SPCBs/PCCS

**Sub:- Directions under Sec 5 of EPA, 1986 to SPCBs/PCCs regarding Registration of Plastic Brand owners/ Producers and fulfilment of Extended Producer Responsibility as per provision of PWM Rules**

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

**WHEREAS**, Ministry of Environment, Forest and Climate Change amended PWM Rules 2016 vide Notification No. G.S.R. 285(E) dated March 27, 2018.

**WHEREAS**, Under Rule 9(1) of Plastic Waste Management Rules, 2016 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;

**WHEREAS**, Under Rule 9(2) of Plastic Waste Management Rules, 2016 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.

**WHEREAS**, Under Rule 12(1) of Plastic Waste Management Rules, 2016 The State Pollution Control Board or Pollution Control Committee shall be the authority for enforcement of the provisions of these rules relating to registration, manufacture of plastic products and multi-layered packaging, processing and disposal of plastic wastes;

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**WHEREAS**, Under Rule 13(1) of Plastic Waste Management Rules, 2016 No person shall manufacture carry bags or recycled 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;

**WHEREAS**, Under Rule 13(2) of Plastic Waste Management Rules, 2016 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".

**WHEREAS** it is observed that several Brand owners/producers are operating without registration from SPCB/PCC/CPCB as the case may be.

**WHEREAS** it is observed that several States/UTs have not registered any Brand owner/Producer as per provision of Rule 13(1) of PWM Rules.

**WHEREAS** it is observed that several Brand owners/ producers who have applied for Registration do not respond to queries raised by CPCB for considerably long duration and are non-compliant as per provisions of PWM Rules during this period. The list of such Brand owners/ producers along with the date of last correspondence from CPCB is enclosed herewith.

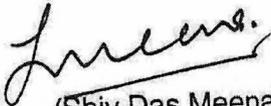
**WHEREAS** it is observed that Brand owners/ producers do not respond to queries raised by CPCB for Registration under provision of PWM Rules for long period during and can be considered as non-compliant with provisions of PWM Rules during this period. The list of such Brand owners/ producers along with the date of last correspondence from CPCB is enclosed herewith.

**WHEREAS** Hon'ble NGT in its Order dated September 10, 2020 in the matter of O.A. 997/2020 and 28/2020 has observed that coercive measures have to be adopted by SPCBs/PCC/CPCB to ensure that the Producers/Brand owners obtain Registration and fulfil their EPR liability as per provisions of PWM Rules 2016.

**NOW THEREFORE** in view of above and in exercise of powers vested under Section 5 of EPA, following Directions are being issued to your office: :

- SPCBs/PCCs shall identify the Brand owners/ producers operating without Registration from SPCB/PCC/ CPCB in their State/UT.
- SPCBs/PCCs shall take action against the defaulting units as per provisions of Plastic Waste Management Rules, 2018 which shall include closure of their operations, and levying Environmental Compensation.

You are required to confirm receipt of this direction and file the response by  
October 10, 2020 to this office.

  
(Shiv Das Meena)  
Chairman *By*

Copy to:

1. **Joint Secretary (CP Division)**  
**Ministry of Environment, Forests &  
Climate Change**  
Indira Paryavaran Bhawan, Jor Bagh  
Road, New Delhi, 110003

: For kind information please

2. **Incharge, IT Division**  
CPCB

: For uploading on CPCB website

  
(Prashant Garuava)  
Member Secretary *By*

o/c

Application for Registration with CPCB Currently Pending with *applicants*

Sl. No.	Name of Brand-owners/ Producers
1.	<b>M/s. Panasonic India Pvt. Ltd.</b> 12TH FLOOR, AMBIENCE TOWER, AMBIENCE ISLAND, NH-8, GURGAON Gurgaon HR 122002
2.	<b>M/s. Mahesh Edible Oil Industries Ltd.</b> 3/14 AJUNGPURA -B DELHI DL 110014 IN
3.	<b>M/s. Coromandel International Ltd.</b> 1-2-10, SARDAR PATEL ROAD, SECUNDERABAD HYDERABAD ANDHRA PRADESH TG 500003 IN
4.	<b>M/S. Indo Nissin Foods Pvt. Ltd.</b> 1102 11th Floor, Raheja Towers, West wing, M.G Road Bangalore Bangalore KA 560001 IN
5.	<b>M/s. Aculife Healthcare Pvt. Ltd.</b> Commerce House - V, Besides Vodafone House, Prahladnagar Corporate Road, Ahmedabad Ahmedabad GJ 380051 IN
6.	<b>M/s. Daikin Air Conditioning India Pvt. Ltd.</b> 210, 1st Floor, Okhla Industrial Area, Phase 3, Delhi South Delhi DL 110020 IN
7.	<b>M/s. Devyani Food Industries Ltd.</b> F-2/7 OKHLA INDUSTRIAL AREAPHASE I NEW DELHI DL 110020 IN
8.	<b>M/s. Srinivasa Farms Pvt. Ltd.</b> PLOT NO.82, KAVURI HILLS, PHASE II, MADHAPUR HYDERABAD Hyderabad TG 500081 IN
9.	<b>M/s. N. Ranga Rao &amp; Sons Pvt. Ltd.</b> No.1553 Vanivilas Road Mysore Mysore KA 570004 IN
10.	<b>M/s. Seco Tools India Pvt Ltd</b> AT NO. 582, PUNE NAGAR ROAD KOREGAON BHIMA TAL-SHIRUR, PUNE Pune MH 412216 IN
11.	<b>M/s Vijay Solvex Ltd.</b> BHAGWATI SADAN, SWAMI DAYANANDMARG, STATION ROAD, ALWAR RJ 301001 IN
12.	<b>M/s Deepak VegPro Pvt. Ltd.</b> OLD INDUSTRIAL AREA,ITARANA ROAD, ALWAR 301 001 ALWAR RJ 000000 IN
13.	<b>M/s. Herbalife Nutrition International Pvt. Ltd.</b> PARDHANANI WILSHIRE, No. 14, COMMISSARIAT ROAD BANGALORE KA 560025
14.	<b>M/s. M.C. Traders</b> 2 K.M. Stone, Bagha Purana Road, Nihal Singh Wala, Moga, Punjab
15.	<b>M/s. Creamline Dairy Products Ltd.</b> H.No.6-3-1238/B/21 Asif Avenue, Rajbhavan Road, Hyderabad TG 500082 IN
16.	<b>M/s. ADM Agro Industries Latur &amp; Vizag Pvt. Ltd.</b> Vatika Professional Point, 3rd Floor Golf Course Extension Road, Sector 66 Gurugram Gurgaon HR 122018 IN
17.	<b>M/s. ADM Agro Industries India Pvt. Ltd.</b> Plot No J-97, MIDC, Tarapur Industrial Area Doripuja Road, Near Mahavir Chambers, Boisar Palghar Thane MH 401506 IN
18.	<b>M/s. Skoda Auto Volkswagen India Private Ltd.(SAVWIPL)</b> E -1, MIDC INDUSTRIAL AREA PHASE III VILLAGE NIGOJE MHALUNGE KHARABWADI CHAKAN TAL KHED PUNE MH 410501 IN
19.	<b>M/s. Dream Bake Pvt. Ltd.</b> 296, Kalu Khan Road Boral KOLKATA WB 700154 IN

1

दिव्या सिन्हा/Divya sinha  
श्रेणीक "E"/Scientist "E"  
केंद्रीय प्रदूषण नियंत्रण बोर्ड  
Central Pollution Control Board  
पर्यावरण, वन एवं जल विभाग, भारत सरकार  
Ministry of Environment, Forest & Climate Change, Govt. of India  
परिवेश भवन, पूर्वी अरजुन नगर  
Parvash Bhawan, East Arjun Nagar  
दिल्ली/Delhi-110032

20.	<b>M/s. Microsoft Corporation (India ) Pvt. Ltd.</b> 807, New Delhi House Barakhamba Road New Delhi Central Delhi DL 110001 IN
21.	<b>M/s. Liberty Oil Mills Ltd.</b> VILLAGE BAMNETALUKA SHAHAPUR THANE MH 421602 IN
22.	<b>M/s Ruchi Soya Industries Ltd.</b> RUCHI HOUSE, ROYAL PALMS, SURVEY NO. 169, AAREY MILK COLONY, NEAR MAYUR NAGAR, GOREGAON (EAST) Mumbai Mumbai City MH 400065 IN
23.	<b>M/s. Baidyanath Ayurved Bhawan Pvt. Ltd.</b> 1 GUPTA LANE KOLKATA WB 700006
24.	<b>M/s. Three-N-Products Pvt. Ltd.</b> 24-A SHIVAJI MARG NEW DELHI New Delhi DL 110015
25.	<b>M/s. Natco Pharma Ltd.</b> Natco House , Road No.2, Banjara hills Hyderabad Hyderabad TG 500034 IN
26.	<b>M/s. Tong Garden Food Marketing Pvt. Ltd.</b> Plot no.72, Mahalaxami Industrial Estate, Vasna Iyava, Sanand Viramgam Highway Sanand Ahmedabad GJ 382170
27.	<b>M/s. Future Consumer Ltd.</b> Knowledge House, Shyam Nagar, Off Jogeshwari Vikhroli Link Road, Jogeshwari(East) Mumbai MH 400060 IN
28.	<b>M/s. Mahindra Summit Agriscience Ltd.</b> Mahindra Towers, Dr. G. M. Bhosale Marg, P. K Kurne Chowk, Worli MUMBAI Mumbai City MH 400018 IN
29.	<b>M/s. Milkfood Limited</b> BAHADURGARH DISTT PATIALALA PUNJAB PB 147021 IN
30.	<b>M/s. Vicco Laboratories</b> 25 JERBAI WADIA ROAD PAREL MUMBAI MH 400012
31.	<b>M/s/ Uniqlo India Pvt. Ltd.</b> 5th Floor, Caddie Commercial Tower Aerocity (DIAL) New Delhi South West Delhi DL 110037 IN
32.	<b>M/s. CP Milk and Foods Pvt. Ltd.</b> B-13, H ROAD MAHANAGAR EXTENSION, MAHANAGAR LUCKNOW Lucknow UP 226006
33.	<b>M/s. TechNova Imaging Systems (P) Ltd.</b> LAXMI MILLS ESTATE OFFDR E MOSES ROAD MAHALAXMI MUMBAI MH 400011 IN
34.	<b>M/s. Globus Industries and Services Ltd.</b> VILLAGE KHIPANWALI, TEH. FAZILKA, DISTT. FEROZEPUR. FEROZEPUR PB 140056 IN
35.	<b>M/s. Hitachi Air Conditioning India Limited</b> 9TH FLOOR, ABHIJEET, MITHAKHALI SIX ROADS AHMEDABAD GJ 380006
36.	<b>M/s. Dharampal Premchand Ltd.</b> 4873 CHANDNI CHOWK DELHI DL 110006
37.	<b>M/s. Godawat Foods International Pvt Ltd.</b> PLOT NO. 437, A/P CHIPARI, TAL. SHIROL, DIST. KOLHAPUR KOLHAPUR Kolhapur MH 416101 IN
38.	<b>M/s. Godrej Tyson Foods Ltd.</b> Godrej One, 3rd Floor, Pirojshanagar Eastern Express Highway, Vikhroli (East) Mumbai Mumbai City MH 400079 IN
39.	<b>M/s. Provimi Animal Nutrition India Pvt. Ltd.</b> IS-40, KHB INDUSTRIAL AREA, YELAHANKA NEW TOWN, BANGALORE Bangalore KA 560064 IN

डिप्टी सचिव/Dr. V. S. Sinha  
 Scientist "E"  
 केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
 Central Pollution Control Board  
 पर्यावरण, वन एवं जल विभाग, भारत सरकार  
 Ministry of Environment, Forest & Climate Change, Govt. of India  
 पारवश भवन, पूर्वी अरजुन नगर  
 Parvash Bhawan, East Arjun Nagar  
 केंद्रीय/ Delhi-110032

40.	<b>M/s. V.V.V &amp; Sons Edible Oils Ltd.</b> POST BOX NO.:19 443, BAZAAR VIRUDHUNAGAR TN 626001 IN
41.	<b>M/s. Piramal Enterprises Ltd.</b> Piramal Ananta, Agastya Corporate Park, Opp. Fire Brigade, Kamani Junction, LBS Marg, Kurla (West), Mumbai Mumbai City MH 400070 IN
42.	<b>M/s. Laxmi Snacks Pvt. Ltd.</b> 11/12 ANAND INDUSTRIAL ESTATEBORSAD CHOKDI ANAND GJ 388001 IN
43.	<b>M/s. Haier Appliances Ind. Pvt. Ltd.</b> BUILDING NO. 1, OKHLA ESTATE PHASE - III DELHI South Delhi DL 110020 IN
44.	<b>M/s. Avery Dennison India Pvt. Ltd.</b> P-24, Green Park Extension, New Delhi New Delhi South Delhi DL 110016 IN
45.	<b>M/s. Colgate Palmolive (India) Ltd.</b>
46.	<b>Fashion Suitings Pvt. Ltd.</b> RCM WORLD, SPL-6, RIICO GROWTH CENTRE POST- SWAROOPGANJ , VIA- HAMIRGARH BHILWARA RJ 311025 IN
47.	<b>M/s. B. N. Agritech Limited</b> BUILDING NO.5, S/F, DLF INDL AREA, NEAR MOTI NAGAR METRO STATIO, MOTI NAGAR NEW DELHI North Delhi DL 110015 IN
48.	<b>M/s. Dlecta Foods Pvt. Ltd</b> 36, RAJNIGANDHA SHOPPING CENTRE, 1ST FLOOR, GOKULDHAM, GOREGAON EAST MUMBAI MH 400063 IN
49.	<b>M/s. Moon Beverages Pvt. Ltd.</b> SUPERIOR HOUSE 25, BAZAR LANE, BENGALI MARKET NEW DELHI DL 110003 IN
50.	<b>M/s. Aakash Glopal Foods Ltd.</b> 13/1/5,16/2,17/4 Village Kumedi Tehsil Sanwer Indore Indore MP 453551 IN
51.	<b>M/s. Philips India Ltd.</b> 3rd Floor, Tower A, DLF IT Park, 08 Block AF Major Arterial Road, New Town (Rajarhat) Kolkata WB 700156
52.	<b>M/s. Soothe Healthcare Pvt. Ltd.</b> Shop No. 2, Second Floor, Corner Market Malviya Nagar, New Delhi-110017 New Delhi South Delhi DL 110017 IN
53.	<b>M/s. Saurashtra Cement Ltd.</b> NR RAILWAY STATIONRANAVAV RANAVAV GJ 360560 IN
54.	<b>M/s. Gujarat Sidhee Cement Ltd.</b> Sidheegram, PO Prashnawada BO Via Sutrapada SO Taluka, Dist Gir Somnath Sidheegram Junagadh GJ 362275 IN
55.	<b>M/s. Haldiram Ethnic Foods (P) Ltd.</b> B-1/H-3, Mohan Co-operative Industrial Estate Main Mathura Road, New Delhi New Delhi DL 110044 IN
56.	<b>M/s. Agra Oil and General Industries Ltd.</b> PLOT NO. 238, VILLAGE UATTARDHONA FAIZABAD ROAD TIWARI GANJ CHINHAT LUCKNOW Lucknow UP 226028
57.	<b>M/s. Field Fresh Foods Pvt. Ltd.</b> C 2, First Floor, Plot No. 16, Udyog Vihar, Phase IV, Gurgaon HR 122015 IN
58.	<b>M/s. Toyota Kirloskar Motor Pvt. Ltd.</b> PLOT NO.1, BIDADI INDUSTRIAL-AREA RAMANAGARA TALUK, BANGALORE RURAL DISTRICT, BANGALORE RURAL DISTRICT, KA 562109 IN
59.	<b>M/s. Bharat Foods Co-operative Ltd.</b> Plot No.186, Sector 4, Near Oslo Circle

3

मिस्त्रा दिव्या/Divya sinha  
मानिन न. "D"/Scientist "E"  
केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
Central Pollution Control Board  
पर्यावरण, वन एवं जल विभाग, भारत सरकार  
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परिवेश भवन, पूर्वी अर्जुन नगर  
Parivesh Bhawan, East Arjun Nagar  
दिल्ली/Delhi-110032

	Gandhidham 370201
60.	<b>M/s. Hetero Drugs Pvt. Ltd.</b> 7-2-A2, HETERO CORPORATE INDUSTRIAL ESTATE, SANATHNAGAR HYDERABAD TG 500018 IN
61.	<b>M/s. Super Market Groceries Pvt. Ltd.</b> FAIRWAY BUSINESS PARK, 2ND, 7TH AND 8TH FLOOR, CHALLAGHATTA VILLAGE, BEHIND DELL, DOMLUR BANGALORE Bangalore KA 560071 IN
62.	<b>M/s Modi Distillery</b> 7, RAJ NIWAS MARG DELHI DELHI DL 000000 IN
63.	<b>M/s. Itone (India) Pvt. Ltd.</b> 312 Floor 3,Plot 541,Jogani Ind Estate,Senapati Bapat Marg,near Madhani Ind Estate,Dadar (West) Mumbai Mumbai City MH 400028
64.	<b>M/s. DS Drinks and Beverages Pvt.Ltd.</b> 4828/24, PRAHLAD LANE, ANSARI ROAD, DARYAGANJ NEW DELHI Central Delhi DL 110002
65.	<b>M/s. Wrigley India Pvt. Ltd.</b> 206 OKHLA INDUSTRIAL ESTATE PHASE - III NEW DELHI DL 110020
66.	<b>M/s. Rakesh Eatables &amp; General Products Pvt. Ltd.</b> B-4, INDUSTRIAL AREA HAJIPUR Vaishali BR 844101
67.	<b>M/s. Zuari Cement Ltd.</b> Krishna Nagar – 516 311,Yerraguntla, Dist. – Kadapa, Andra Pradesh, India.
68.	<b>M/s. Dinshaw's Dairy Foods Pvt. Ltd.</b> GITTIKHADAN GOREWADA ROAD NAGPUR NAGPUR MH 440013
69.	<b>M/s. GlaxoSmithKline Pharmaceuticals Limited</b> Dr. Annie Besant Road Worli Mumbai- 400030
70.	<b>M/S. MSN Laboratories Pvt. Ltd.</b> MSN HOUSE, PLOT NO. C 24, SANATH NAGAR INDUSTRIAL ESTATE, SANATH NAGAR HYDERABAD TG 500018
71.	<b>M/s. Saj Foods Products Pvt. Ltd.</b> 5/1 ACHARYA JAGADISH CHANDRABOSE RD CALCUTTA WB 700020
72.	<b>M/s. Waghmare Food Products Pvt. Ltd.</b> 56, OLD BAGADGANJ, OPPOSITE - GANGABAI GHAT, NAGPUR MH 440008
73.	<b>M/s. Shalimar Nutrients Private Limited</b> 46C CHOWRINGHEE ROAD, EVEREST HOUSE 17TH FLOOR, SUITE NO. 17A, B & C KOLKATA WB 700071
74.	<b>M/s. Ozone Procon Pvt. Ltd.</b> FF/25, Orchid the Shopping Mall, B/s. Bhagwan (Goverdhan) Party Plot, Opp. Thaltej Lake, Thaltej Ahmedabad Ahmedabad GJ 380059
75.	<b>M/s. RayBan Sun Optics India</b> SP810-811, ROAD NO.20 RIICO INDUSTRIAL AREA, PHASE-II, BHIWADI ALWAR Alwar RJ 301019
76.	<b>M/s. Cloudtail India (P) Ltd.</b> Ground Floor Rear Portion, H-9, Block B- 1 Mohan Cooperative Industrial Area, Mathura Road ,Delhi DL 110044
77.	<b>M/s. KELLOG India Pvt. Ltd.</b> PLOT NO L2 & L3M I D C TALOJA RAIGAD MH 410208
78.	<b>M/s. Mars International Pvt. Ltd.</b> 4658-A, NO. 21 ANSARI ROAD, DARYA GANJ NEW DELHI Central Delhi DL 110002

दिव्या सिन्हा/Divya sinha  
 कक्षा-3 "E"/Scientist "E"  
 केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
 Central Pollution Control Board  
 एन.पी.ए. रोड, एन.पी.ए. इलाका, नई दिल्ली  
 Ministry of Environment & Climate Change, Govt. of India  
 पॉपुलेशन भवन, पूर्वी अर्जुन नगर  
 Pavesh Bhawan, East Arjun Nagar  
 दिल्ली/Delhi-110032

Item Nos. 04&amp;05

Court No. 1

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

(By Video Conferencing)

Original Application No. 997/2019

(With report dated 04.09.2020)

Aditya Dubey (Minor)

Applicant(s)

Versus

Amazon Retail India Private Limited &amp; Ors.

Respondent(s)

**WITH**

Original Application No. 28/2020

Aditya Dubey (Minor) through his Legal  
Guardian Mrs. Anu Dubey & Anr

Applicant(s)

Versus

Coca-Cola India Pvt. Ltd. (CCIPL) &amp; Ors.

Respondent(s)

Date of hearing: 10.09.2020

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE S. P. WANGDI, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Applicant(s): Ms. Priya Hingorani, Senior Advocate with Mr. Meenesh Dubey,  
Advocate

Respondent(s): Mr. Balendu Shekhar, Advocate for CPCB

**ORDER**

1. These applications seek enforcement of 'Extended Producer Responsibility' under the Plastic Waste Management Rules, 2016. The first petition seeks enforcement of the liability against Amazon and Flipkart using excessive plastic packaging material without meeting statutory liability. The second petition alleges violation of such statutory

liability by M/s Coca-Cola India Pvt. Ltd. (CCIPL), Gurgaon, Haryana, M/s Hindustan Coca-Cola Beverages Pvt Ltd, Gurgaon, Haryana, PepsiCo India Holdings Pvt. Ltd., Gurgaon, Haryana, M/s Bisleri International Pvt. Ltd., Mumbai, M/s Parle Agro Pvt. Ltd., Mumbai, M/s Patanjali Peya Private Ltd., Haridwar, Uttarakhand, M/s Nourish Co-Beverages Ltd. (Himalayan Water), Gurgaon, Haryana and M/s Indian Railway Catering & Tourism Corp. Ltd., New Delhi.

2. The matter has been considered on earlier occasions and it was observed that the statutory regulators were not taking coercive measures including invoking of "Polluter Pays" principle for enforcing the statutory norms. Central Pollution Control Board (CPCB) was directed to look into the matter and file further report.

3. Accordingly, a report has been filed by the CPCB on 04.09.2020 which again mentions one or other reasons for not enforcing the law but does not mention the coercive measures adopted either directly by CPCB or in coordination with the State PCBs/PCCs. The CPCB can also consider ordering environmental audit against the concerned entities and assess and recover compensation for violation of environmental norms, following due process of law.

4. Let further steps be taken in the matter and an action taken report be filed before the next date by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

5. The Member Secretary, CPCB may remain present in person during the hearing on the next date through video conferencing.

A copy of this order be sent to the Member Secretary, CPCB by e-mail for compliance.

List for further consideration on 14.10.2020.

In view of the order in the main application, no separate order is required in I.A. No. 01/2020 which stands disposed of.

Adarsh Kumar Goel, CP

S. P. Wangdi, JM

Dr. Nagin Nanda, EM

September 10, 2020  
Original Application No. 997/2019  
(I.A. No. 01/2020)  
DV