

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

Original Application No. 993 of 2024

IN THE MATTER OF:

News Item titled "PACKAGE Where
has the plastic waste disappeared"
appearing in The Times of India Dated 30.072024. ... Petitioner
Versus

Central Pollution Control Board, through
its Member Secretary, Parivesh Bhawan,
East Arjun Nagar, Delhi-110032 & Ors ... Respondents

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Purnima

PURNIMA KRISHNA

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DATED 12.12.2024
NEW DELHI

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
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Original Application No. 993 of 2024

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

Vs

Central Pollution Control Board,
through its Member Secretary,
Parivesh Bhawan, East Arjun Nagar,
Delhi- 110032 & ors.

...Respondents

REPORT FILED ON BEHALF OF THE 2nd RESPONDENT
TAMIL NADU POLLUTION CONTROL BOARD

I, M. Vijayalakshmi, D/o. K.R.Muthiah, age about 59 years, having office at No.76, Mount Salai, Guindy, Chennai – 32 do hereby solemnly affirm and sincerely state as follows:

1. I am the Additional Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai and I am filing this Report on behalf of the fourth Respondent Tamil Nadu Pollution Control Board and as such I am well acquainted with the facts of the case as per records.
2. It is respectfully submitted that the Ministry of Environment & Forests, Climate Change, Govt. of India vide notification dated 16.02.2022 has issued "Guidelines on Extended Producer Responsibility for Plastic Packaging" as Schedule II of Plastic Waste Management (Amendment) Rules, 2022. The said Guidelines provide the roles and responsibilities of Producers, Importers, Brand Owners, Central Pollution Control



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Board, State Pollution Control Board, recyclers and waste processors for effective implementation of Extended Producer Responsibility. As per the guidelines, CPCB has developed a centralized EPR portal for registration of Producers, Importers and Brand Owners (PIBOs) and Plastic Waste Processors (PWPs) and issued Standard Operating Procedure (SOP) for Registration of Plastic Waste Processors & Producer, Importer & Brand Owners (PIBOs) through Plastic EPR Portal.

3. It is respectfully submitted that Producer, Importer and Brand Owners (PIBOs) operating / marketing in one or two States shall obtain Registration from the respective State Pollution Control Boards and PIBOs operating / marketing in more than two States shall obtain Registration from Central Pollution Control Board. Plastic Waste Processors shall also register with the State Pollution Control Board through the online EPR portal developed by CPCB. PIBOs shall fulfill their EPR obligation by purchasing EPR certificates from Plastic Waste Processors through the CPCB's EPR portal.
4. It is respectfully submitted that certain entities are either exempt from EPR registration or have modified obligations under the framework which include
 - a. Brand owners of Micro and Small category as per Micro, Small, and Medium Enterprises Development Act, 2006 are not required to register under the EPR framework
 - b. Producers of Micro and Small category as per Micro, Small, and Medium Enterprises Development Act, 2006 are exempted from



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the EPR obligations, however they are required to register in the EPR portal.

- c. Export-Oriented Units (EOUs) and units located in Special Economic Zones (SEZs) are exempted from EPR obligations

5. It is respectfully submitted that the current status (as on 11.12.2024) of registration of the Producers, Importers and Brand Owners in the EPR portal with respect to the State of Tamil Nadu (applied to TNPCB) is given as follows:

S. No.	Stake holders	Total Applications received	Registration Issued	Not approved / Returned	Under Process
1	Producer	238	65	56	117
2	Importer	842	760	72	10
3	Brand Owner	114	80	32	2

6. It is respectfully submitted that the current status (as on 11.12.2024) of registration of the Plastic Waste Processors (Plastic Waste Recyclers, Cement kilns, Waste to oil plants, Waste to Energy plants) and urban local bodies in the EPR portal with respect to the State of Tamil Nadu is given as follows:

S. No.	Stake holders	Total Applications received	Registration Issued	Not approved / Returned	Under Process
1.	Plastic Waste Recyclers	166	91	54	21
2.	Cement kilns (Co-processing)	14	14	0	0



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3.	Waste to Oil plants	2	1	1	0
4.	Waste to Energy plants	1	1	0	0
5.	Urban local bodies	25 ULBs registered in the portal			

7. It is respectfully submitted that TNPCB has taken several actions and initiatives for bringing the entities PIBOs and PWWs to register in the EPR portal as well as to facilitate the EPR registration process.
8. It is respectfully submitted that Tamil Nadu Pollution Control Board had carried out various meetings, workshops and training programs to facilitate registration in the EPR portal as follows:
- Tamil Nadu Pollution Control Board & Tamil Nadu Green Climate Company organized two training workshops on 'Extended Producer Responsibility (EPR) in Plastics and Packaging Waste in India' on 12.04.2022 & 26.07.2022.
 - Training session on the EPR portal registration process was held for plastic waste recyclers in Chennai District at the office of District Environment Engineer, TNPCB, Chennai on 06.09.2022.
 - Online meetings were held on 05.12.2022 with plastic waste processors (including recyclers, cement industries, and plastic waste-to-oil plants), as well as Producers, Importers, and Brand Owners to explain the registration process in the EPR portal.
 - Three online sessions were conducted on 10.04.2023 and 11.04.2023 with brand owners, providing clarifications on the EPR portal registration process.

Shrinani
12/12/2022

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M. Vijayalekhani 11/12/2022

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- v. An online meeting for plastic waste processors on the EPR portal registration process was conducted on 28.04.2023.
- vi. A training workshop on the EPR portal registration process for compostable plastic manufacturers was organized at the TNPCB Corporate Office on 28.04.2023.
- vii. On 03.11.2023, TNPCB, in coordination with GIZ (Deutsche Gesellschaft für Internationale Zusammenarbeit, German development agency), conducted an online workshop on EPR for plastic packaging for all District Environmental Engineers of TNPCB.
- viii. TNPCB organized a workshop on 03.06.2024, for all Engineers of TNPCB to guide them through the process of registration on the EPR portal for PIBOs and PWP.
- ix. As a part of the World Environmental Day celebration, TNPCB conducted a training session for Producers, Importers, Brand Owners, and Plastic Waste Processors on the EPR registration process on 05.06.2024.
- x. TNPCB in co-ordination with GIZ conducted an online workshop on EPR registration process for plastic packaging to Plastic Waste Processors on 02.07.2024.
- xi. TNPCB in co-ordination with GIZ conducted an online workshop on EPR registration process for plastic packaging to Urban Local Bodies (ULBs) on 09.07.2024.
- xii. TNPCB in co-ordination with GIZ conducted an online workshop on EPR registration process for plastic packaging to Producer, Importer, Brand Owner (PIBOs) on 16.07.2024.



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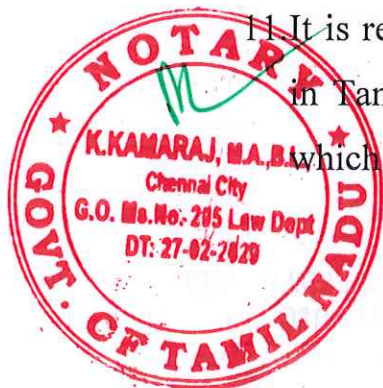
M. Vijayalakshmi
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xiii. TNPCB organized a meeting with registered cement industries and CMA officials to facilitate the transfer of EPR credits from cement industries to ULBs on 08.11.2024.

9. It is respectfully submitted that as a part of enforcement measures against non-registered entities, Tamil Nadu Pollution Control Board issued Directions under section 5 of Environment (Protection) Act, 1986 to 485 Large and Medium industries vide Board Proc. Dated 02.03.2023, instructing them to register as Brand Owners under the EPR provisions on the portal. These industries included sectors such as sugar industries, cement, pharmaceuticals, non-alcoholic beverages, food processing industries, fertilizers, milk & dairy industries, mineralized water, vegetable oil, tyre industries and others. Of the 485 brand owners, 162 entities had responded either by means of applying in the portal or responded of their exemption for not registering in the portal.

10. It is respectfully submitted that for the remaining 323 unregistered large and medium industries, Tamil Nadu Pollution Control Board has again issued directions under section 5 of Environment (Protection) Act, 1986 vide Board Proc. dated 28.03.2024 mandating their registration as Brand Owners on the EPR portal. Further on 28.05.2024, a press release was issued stating that unregistered PIBOs and Plastic Waste Processors need to get registered in the EPR portal.

11. It is respectfully submitted that a total of 638 brand owners operating in Tamil Nadu have been identified as utilizing plastic packaging, of which 580 are eligible to register under EPR as they are not classified



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U. Kalishankar 11/12/2024
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as small or micro enterprises. Of the 580 industries, 332 entities have applied in the EPR portal either to CPCB / TNPCB in which 283 industries had been issued with Registration in the EPR portal either by CPCB / TNPCB. The detailed status of EPR registration by various category of industries as Brand Owners is given as follows:

Category of Industries	No of industries	No of industries eligible for EPR	No of industries applied for EPR	No of industries registrations issued
Vehicles and machinery parts	39	39	38	27
Cement	25	25	22	22
Chemical Industries	30	30	25	23
Sugar Industries	47	47	36	26
Medical Products	45	37	24	21
Milk and dairy products	54	53	33	32
Fertilizer Industry	13	10	6	6
Tyre, tube & rubber components	25	22	11	9
Food Industries	156	143	66	55
Animal Feed Industries	27	26	11	10
Electronics and Household Products	130	105	39	34
Mineralized water and beverages	30	27	8	7
Tobacco products	1	0	-	-
Miscellaneous	16	16	13	11
Total	638	580	332	283



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12. It is respectfully submitted that with respect to plastic waste processors, all the 14 cement industries who are carrying out co-processing of cement kilns have applied and obtained EPR registration from TNPCB. Whereas out of the total of 765 identified Plastic Waste Recyclers, 466 entities have been identified as eligible for EPR registration, of which EPR Registration issued to 107 plastic waste recyclers.
13. It is respectfully submitted that Tamil Nadu Pollution Control Board has issued directions under section 5 of Environment (Protection) Act, 1986 vide Board Proc. dated 27.05.2024 to 396 plastic waste processors who had not registered on the EPR portal, mandating them to complete their registration on the EPR portal and on 28.05.2024, a press release was issued stating that unregistered Plastic Waste Processors need to get registered in the EPR portal.
14. It is respectfully submitted that TNPCB has implemented a series of tailored initiatives to ensure obligated entities to comply with EPR registration requirements. These efforts include issuing directions, disseminating press releases, conducting training sessions on the EPR registration process and compliance, and providing knowledge materials. Additionally, TNPCB has established a dedicated EPR Cell to assist obligated entities with the registration process, ensuring they are well-informed and supported. It is submitted that TNPCB is taking continuous actions to achieve 100% compliance, ensuring all obligated entities are registered on the EPR portal.



[Handwritten Signature]
[Handwritten Initials]
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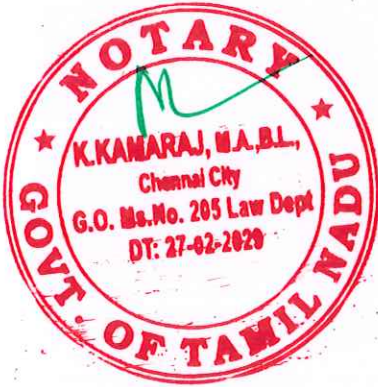
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Under the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal may be pleased to pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of this case and thus render justice.

M. Vijayalakshmi 11/12/2024
 ADDITIONAL CHIEF ENVIRONMENTAL ENGINEER
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VERIFICATION

I, M.Vijayalakshmi, D/o.K.R.Muthiah, aged about 59 years working as Additional Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai-32 do hereby submit that the contents of above report are true to the best of my knowledge through records.



M. Vijayalakshmi 11/12/2024
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K. Kamaraj
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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.**

Original Application No.993 of 2024 (PB)

Suo Motu matter In re: News item appearing in
"The Times of India" dated 30.07..2024 titled
"PACKAGE where has the plastic waste disappeared"

Vs

Central Pollution Control Board,
Through its Member Secretary,
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...Respondents

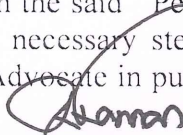
VAKALATNAMA

I, **R. Kannan**, Member Secretary, Tamil Nadu Pollution Control Board, Chennai-600032, Petitioner(s) / Appellant(s) / Respondent(s) in the above Application do hereby appoint and retain **Ms. Purnima Krishna**, Advocate on Record, for the State of Tamil Nadu, National Green Tribunal, New Delhi to act and appear for me in the above Petition and on my behalf to conduct and prosecute (or defend) the same and all proceedings that may be taken in respect of any application connected with the same or any decree or order passed therein including proceeding in taxation and application for Review, to file and obtain return of documents, and to deposit and receive money on my/our behalf in the said Petition and in applications for Review and to represent me/us and to take all necessary steps on our behalf in the above matter. I agree to all act done by the aforesaid Advocate in pursuance of this authority.

Dated this the day of October, 2024.

ACCEPTED AND IDENTIFIED


PURNIMA KRISHNA
ADVOCATE


MEMBER SECRETARY
TAMILNADU POLLUTION CONTROL BOARD
76, MOUNT SALAI, CHENNAI-600 032.

Petitioner (s) / Appellant(s)
Respondent (s) /Caveator (s)

MEMO OF APPEARANCE

To

The National Green Tribunal
Principal Bench, New Delhi.

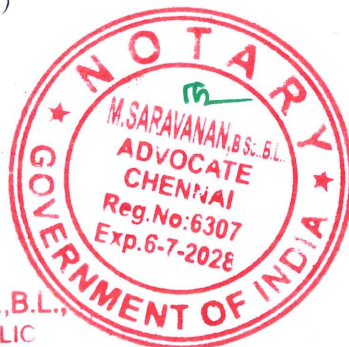
Dear Sir,

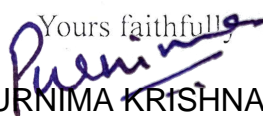
Please enter my appearance in the above mentioned Petition/Appeal/Reference Review/Suit made on behalf of the Petitioner(s) / Appellant(s) / 2nd Respondent(s) / Plaintiff(s)/ Defendant(s)

Chennai.

Dated: .10.2024.


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Yours faithfully

PURNIMA KRISHNA
Advocate for the Petitioner(s)/
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