



F.NO. CP-99/143/2021-UPC-II-HO-CPCB-HO

07 February, 2023

To,

The Chairperson
All SPCBs/ PCCs

Subject: - Direction under Section 5 of the Environment (Protection) Act, 1986 to SPCBs/ PCCs for Implementation of the Plastic Waste Management Rules, 2022 (as amended)

Whereas, the Ministry of Environment, Forest & 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 Environmental (Protection) Act, 1986 vide Notification No. G.S.R. 320(E) dated March 27, 2016, and;

Whereas, per Rule 4(h) of PWM Rules, manufacturers and sellers of biodegradable & compostable plastic commodities are to be certified by CPCB;

Whereas, it is observed that banned SUP products claiming to be biodegradable/oxo-biodegradable products are being sold in the market;

Whereas, CPCB has not issued any certificate for biodegradable products as per Rule 4(h) of the Plastic Waste Management Rules, 2022 (as amended) till date;

Whereas, no exemption has been given to oxo-biodegradable plastics under Plastic Waste Management Rules, 2022 (as amended);

Whereas, industries are found to be manufacturing compostable plastic using false identities impersonating those who have been certified as compostable plastic manufacturers by CPCB;

Whereas, MoEF&CC issued Notification dated August 12, 2021 which mandates the thickness of carry bag as 120 microns with effect from December 31, 2022;

Now, therefore, in view of above and exercise of powers vested under Section 5 of the Environment (Protection) Act, 1986 to the Chairman, CPCB, the following directions are issued for compliance:

1. Conduction of Inspections

- Regular inspections of entities (industries, commercial establishments, distributors, stockists, sellers, users, etc.) be conducted to ensure that banned SUP products claiming to be biodegradable (without CPCB certificate)/oxo-biodegradable are not manufactured, imported, stocked, distributed, sold or used.
- Regular inspection of industries to ensure that only manufacturers having authorized certificate from CPCB are involved in the manufacturing process of compostable plastics.

परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

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

- c. Regular inspection of entities to ensure that only entities having authorized certificate from CPCB are involved in the selling of compostable plastics.
- d. Regular inspections of entities (industries, commercial establishments, distributors, stockists, sellers, users, etc.) be conducted to ensure that carry bags with thickness of less than 120 microns are not manufactured, imported, stocked, distributed, sold, or used.

2. Public Notices

- a. Public notices/advertisements to be issued in English and regional language in leading newspapers and website of SPCB/ PCC informing the general public that sale of banned SUP biodegradable (without CPCB certificate) and oxo-biodegradable plastics is in violation of PWM Rules.
- b. Public notices/ads to be issued in English and regional language in leading newspapers and website of SPCB/ PCC informing the general public regarding minimum permitted thickness of 120 microns for carry bags with effect from December 31, 2022

You are requested to take necessary action to ensure compliance of above Directions and submit an action taken report within 15 days of issue of this letter in this regard to Central Pollution Control Board.

(Tanmay Kumar)

Chairman

Copy to:

1. Sh. Naresh Pal Gangwar
Additional Secretary
Ministry of Environment, Forest and Climate Change
Indira Paryavaran Bhawan
Jor Bagh Road, New Delhi - 110003
2. Division Head, IT Division, CPCB

(Prashant Gargava)
Member Secretary

Copy to:

Sh. Naresh Pal Gangwar
Additional Secretary
Ministry of Environment, Forest and Climate Change
Indira Paryavaran Bhawan
Jor Bagh Road, New Delhi - 110003

o/c

30 Nov, 2022

RNI No. MAHBIL /2009/31733



महाराष्ट्र शासन राजपत्र

असाधारण भाग चार-अ

वर्ष ८, अंक १११]

बुधवार, नोव्हेंबर ३०, २०२२/अग्रहायण ९, शके १९४४

[पृष्ठे २, किंमत : रुपये १५.००

असाधारण क्रमांक २२६

प्राधिकृत प्रकाशन

महाराष्ट्र शासनाने केंद्रीय अधिनियमांन्वये तयार केलेले
(भाग एक, एक-अ आणि एक-ल यांमध्ये प्रसिद्ध केलेले नियम व आदेश यांव्यतिरिक्त) नियम व आदेश.

पर्यावरण व वातावरणीय बदल विभाग

१५ वा मजला, नवीन प्रशासन भवन, मादाम कामा मार्ग, हुतात्मा राजगुरु चौक,
मंत्रालय, मुंबई ४०० ०३२, दिनांक ३० नोव्हेंबर, २०२२.

अधिसूचना

महाराष्ट्र अविघटनशील कचरा (नियंत्रण) अधिनियम, २००६.

क्रमांक प्लास्टिक-२०२२/प्र.क्र.१०४/तां.क.१.—महाराष्ट्र अविघटनशील कचरा (नियंत्रण) अधिनियम, २००६ (२००६ चा रोमन दहा) अंतर्गत प्रदान करण्यात आलेल्या अधिकारांचा वापर करून महाराष्ट्र शासन याद्वारे महाराष्ट्र प्लास्टिक आणि थर्मोकोल अविघटनशील वस्तूंचे (उत्पादन, वापर, विक्री, वाहतूक, हाताळणी आणि साठवणूक), अधिसूचना, दिनांक २३ मार्च, २०१८ मध्ये पुढीलप्रमाणे सुधारणा करित आहे :—

सदर अधिसूचनेच्या परिच्छेद ३ मध्ये,—

(अ) नियम १ च्या उप-नियम (१) मध्ये “नॉन वोवन पॉलिप्रॉपिलीन बॅग्स” च्या ऐवजी “नॉन ओव्हन पॉलिप्रॉपिलीन बॅग्स (Non-woven Polypropylene Bags) ६० ग्रॅम पर स्क्वेअर मीटर (जीएसएम) पेक्षा कमी जाडी” असे वाचण्यात यावे.

(ब) नियम ३ च्या उप-नियम ३ च्या २ मध्ये पुढीलप्रमाणे बाबी समाविष्ट करण्यात याव्यात.

(२अ) “ कंपोस्टेबल पदार्थांपासून बनविण्यात आलेले एकल वापर वस्तू, उदा. स्ट्रॉ, ताट, कप्स, प्लेट्स, ग्लासेस, काटे, चमचे, भांडे, वाडगा, कन्टेनर इ. तथापि, कंपोस्टेबल पदार्थांपासून प्लास्टिक पासून बनविलेल्या अशा वस्तू कंपोस्टेबल असल्याबाबत सेंट्रल इन्स्टीट्यूट ऑफ प्लास्टीक इंजिनिअरींग अँड टेक्नॉलॉजी (CIPET) व केंद्रीय प्रदूषण नियंत्रण मंडळाकडून प्रमाणित करून घेणे बंधनकारक राहील. ”

(क) नियम ३ च्या उप-नियम ४ च्या (अ) ऐवजी पुढीलप्रमाणे वाचावे.

“ प्लास्टिक पॅकेजिंगसाठी वापरण्यात येणारे आवरण हे ५० मायक्रॉनपेक्षा जास्त जाडीचे असावे. ”

तथापि, पॅकेजिंगसाठी वापरण्यात येणाऱ्या प्लास्टिकच्या जाडीचा उत्पादनाच्या गुणवत्तेवर परिणाम होते असेल अशा ठिकाणी ५० मायक्रॉनपेक्षा कमी जाडीच्या प्लास्टिक पॅकेजिंग मटेरिअलचा वापर करता येऊ शकेल.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,

संजय ब. संदानशिव,
शासनाचे अवर सचिव.

(१)

ENVIRONMENT AND CLIMATE CHANGE DEPARTMENT

Mantralaya, Madam Cama Marg, Hutatma Rajguru Chowk,

Mumbai 400 032, dated the 30th November, 2022.

NOTIFICATION

MAHARASHTRA NON-BIODEGRADABLE GARBAGE (CONTROL) Act, 2006.

No.Plastic-2022/C.R.104/TC-1.—In exercise of the powers conferred by section 4 of the Maharashtra Non-biodegradable Garbage (Control) Act, 2006 (X of 2006), the Government of Maharashtra hereby amends the Maharashtra Plastic and Thermocol Products (Manufacture, Uses, Sale, Transport, Handling and Storage) Notification, 2018 dated 23rd March, 2018 as follows, namely :—

In the said notification, in para 3,—

(a) in clause (1), in sub-clause (1), for the words “ non-woven polypropylene bags ” the words “ non-woven polypropylene bags less than sixty Grams per Square Meter (GSM) shall be substituted ” ;

(b) in clause (3), after sub-clause (ii), the following sub-clause shall be inserted, namely :—

“(ii-a) Single use items made from compostable material such as Straw, Plates, Cups, Glasses, Forks, Container like Bowl, etc. The manufacturers or sellers of single use items made from compostable material shall obtain certificate from the Central Institute of Plastic Engineering and Technology (CIPET) and Central Pollution Control Board.”.

(c) in clause (iv), for sub-clause (a), the following clause shall be substituted, namely:—

“(a) The plastic packaging material shall be more than fifty micron thickness :

Provided that, in case thickness of plastic sheets impair the functionality of the product, the packaging material may be less than fifty micron.”.

Example! - stretch wrap, cling etc.

By order and in the name of the Governor of Maharashtra,

SANJAY SANDANSHIV,

Under Secretary of Government.

As per clarification given by M.P.C.B. all single use items made from compostable material is allowed.



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. CP-20/117/2021-UPC-II-HO-CPCB-HO-Part(10)

Dated: 25-01-2023

To,

M/s. E-commerce Company
(As per list)

Sub: - Closure Directions under Section 5 of the Environment (Protection) Act, 1986 for Non-compliance of PWM Rules, 2016 (as amended) - Reg.

Whereas, the Ministry of Environment, Forest & Climate Change (MoEF&CC) notified the Plastic Waste Management (PWM) Rules, 2016, in exercise of the powers conferred under section 3, 6 & 25 of the Environmental (Protection) Act, 1986 vide Notification No. G.S.R. 320 (E) dated March 27, 2016; and

Whereas, MoEF&CC issued Notification, dated August 12, 2021 which mandated banning of identified Single Use Plastic (SUP) items and prescribed minimum thickness of carry bag with effect from July 01, 2022; and

Whereas, as per Rule 4(2) of PWM Rules, 2016 (as amended), "The manufacture, import, stocking, distribution, sale and use of following single use plastic (SUP), including polystyrene and expanded polystyrene, commodities shall be prohibited with effect from the 1st July, 2022:

(a) ear buds with plastic sticks, plastic sticks for balloons, plastic flags, candy sticks, ice-cream sticks, polystyrene [Thermocol] for decoration.

(b) Plates, cups, glasses, cutlery such as forks, spoons, knives, straw, trays, wrapping or packing films around sweet boxes, invitation cards, and cigarette packets, plastic or PVC banners less than 100 micron, stirrers; and

Whereas, as per Rules 4(1)(c) of PWM Rules, 2016 (as amended) "Carry bag made of virgin or recycled plastic shall not be less than seventy five microns in thickness with effect from the 30th September, 2021 and one hundred and twenty (120) microns in thickness with effect from 31st December, 2022"; and

Whereas, as per Rule 4(1)(d) of PWM Rules (as amended) "Plastic sheet or like, which is not an integral part of multilayered packaging and cover made of plastic sheet used for packaging, wrapping the commodity shall not be less than fifty microns in thickness except as specified by the Central Government where the thickness of such plastic sheets impair the functionality of the product"; and

Whereas, as per Rule 4(1)(j) "non-woven plastic carry bag shall not be less than 60 Gram Per Square Meter (GSM) with effect from the 30th September, 2021."; and

Whereas, M/s. Unit Name Limited is engaged in selling / using banned SUP items as per the said Notification; and

Whereas, vide letter No. B.17011/7/UPC-II-PWM(SUP)/2022 dated 01/02/2022, CPCB issued following Directions to your unit to stop selling / usage of banned SUP items through the online platform provided by your organization with effect from July 01, 2022.

Whereas, vide letter dated 03-6-2022, a reminder letter was sent for compliance of the above said direction issued to your unit; and

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/टेल: 43102030, 22305702 वेबसाइट/Website: www.cpcb.nic.in

Whereas, report on compliance of aforementioned Directions has not been received from your organization, although six months have lapsed since the ban on SUP items has been in force, as per MoEF&CC Notification dated 12.08.22.; and

Whereas, CPCB issued Show Cause Notice dated December 13, 2022 under Sec 5 of the Environment (Protection) Act, 1986 (notice thereof) to your unit for i) Closure of operations of the unit ii) Levying of Environment Compensation for non-compliance of provisions of PWM Rules, 2018 and given an opportunity to submit its reply within 10 days from issuance of these directions; and

Whereas, M/s. Unit name has not submitted any response to CPCB so far;

Whereas, as per the EC Regime prepared by CPCB, Environmental Compensation is to be levied @Rs.5000/- per ton of SUP items sold in marketplace through your platform.

NOW THEREFORE, in view of above and in exercise of the powers vested to Chairman, Central Pollution Control Board (CPCB) under Section 5 of the Environment (Protection) Act, 1986, the following directions are issued to your unit:

1. The industry shall close down its operations with immediate effect and not resume its operations till it complies with provision of the PWM Rules, 2016 (as amended) related to SUP ban.
2. The unit shall pay **Rs. 25,00,000/-** (Twenty Five lakhs only) as interim Environmental Compensation charge for violation of Plastic Waste Management Rules, 2016 (as amended) to CPCB (A/c No. 532702050000164, Bank Name: Union Bank Of India, IP Extension Branch, Vikash marg Ext, Delhi, IFSC: UBIN0553271). In case of delay, simple interest @12% shall be levied for the delay period (delay period shall be calculated after 15 days of issue of this direction till the date of EC deposited by the unit).

You are required to take necessary action to comply with the above Directions and submit the Compliance report within 15 days of issue of these Directions, failing which CPCB shall be constrained to take action as deemed fit under Section 5 of EPA.

Yours faithfully,


15/01/23

(Tanmay Kumar)
Chairman

Copy to:

1. The Secretary,
Ministry of Electronics and Information Technology
(Government of India)
Electronics Niketan, 6, CGO Complex,
Lodhi Road, New Delhi – 110003 : For information & necessary action please
2. Sh. Naresh Pal Gangwar,
Additional Secretary,
Ministry of Environment, Forests & Climate Change
Indira Paryavaran Bhawan, Jorbagh Road,
New Delhi – 110003

3. DH (IT)


(Prashant Gargava)
Member Secretary

E commerce companies (Non-complying)

Sl. No.	Name	Address
1.	MS Movers and Packers	M/s. MS Movers and Packers 8A/ 174/2740 Sai Co-operative Housing Society, Hariyali Village, Tagore Nagar, Vikroli East Mumbai, Maharashtra 400083
2.	Limeroad	M/s. A. M. Marketplaces Pvt Ltd (Lime Road) 4 th & 5th Floor, Plot No. 48, Sector 44, Near HUDA City Center Metro Station, Gurgaon, Haryana – 122001
3.	Yepme	M/s. Yepme Limited 312 F, 3rd Floor, Centrum Plaza, Golf Course Road, Sector 53, Gurgaon 122001
4.	Netmeds	M/s. Netmeds 5th Floor, EA Chambers (Express Avenue) No 49 & 50 L, Whites Road, Royapettah, Chennai – 600014
5.	Zivame	M/s. Reliance Retail Limited (Zivame) 3rd Floor, Court House, Lokmanya Tilak Marg, Dhobi Talao, Mumbai, Maharashtra - 400 002
6.	Clovia	M/s. Purple Panda Fashions Private Limited (Clovia) 109 B -plot No. 18, Rajendra Jaina Tower, Wazirpur Commercial Complex, Wpia, New Delhi -110052
7.	Quikr	M/s. Quikr India Pvt. Ltd. 1st Floor, Raghuvanshi Mansion, Senapati Bapat Marg, Lower Parel, Mumbai, Maharashtra – 400013
8.	Sulekha	M/s. Sulekha.com New Media Pvt. Ltd. RMZ Millenia Business Park, 2nd Floor of, Campus 1A, No 143, Dr. MGR Road, Kandanchavadi, Perungudi, Chennai - 600 096
9.	Hopscotch	M/s. Hopscotch 1st Floor DGP House, Behind Bengal Chemical, Old Prabhadevi Road, Mumbai, Maharashtra 400025
10.	FreshMenu	M/s. FreshMenu No 1229, 4th Main Cross, Sector 7, HSR Layout, Bengaluru, Karnataka 560034