



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
December 7, 2020

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

13939-13940

To,

1. M/s Kothari Products Limited
C/62, Vibgyor Tower, 9th floor, Bandra Kurla Complex
Bandra East, Mumbai – 400 051
2. M/s Kamla Pasand
28/114, Pheel Khana
Kanpur, Uttar Pradesh-208001

Sub: Directions under Sec 5 of Environment (Protection) Act, 1986 for enforcement of provisions of Plastic Waste Management (PWM) Rules for storing, packing or selling gutkha/pan masala and tobacco products in all forms.

WHEREAS in exercise of Powers under Section 6, 8 and 25 of the Environment (Protection) Act, 1986, Ministry of Environment, Forest & Climate Change (MoEF&CC) has notified Plastic Waste Management (PWM) Rules vide Notification no. G.S.R 320(E) dated March 18, 2016;

WHEREAS Under Rule 4(f) of PWM Rules 2016 - Sachets using plastic material shall not be used for storing, packing or selling gutkha, tobacco and pan masala in all forms;

WHEREAS Under Rule 4 (i) of PWM Rules 2016- Plastic material, in any form including Vinyl Acetate - Maleic Acid - Vinyl Chloride Copolymer, shall not be used in any package for packaging gutkha, pan masala and tobacco in all forms;

WHEREAS In view of above, gutkha/pan masala manufacturers are prohibited from usage of plastics in any form in packaging of their products in accordance with 4(i) of Plastic Waste Management Rules;

WHEREAS Under Rule 9 (1) of PWM 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 PWM 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

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

वेबसाइट/Website : www.cpcb.nic.in

State Pollution Control Boards while applying for Consent to Establish or Operate or Renewal of the consent. The Brand Owners whose consent has been renewed before the notification of these rules shall submit such plan within one year from the date of notification of these rules and implement within two years thereafter;

WHEREAS samples of gutkha/pan masala manufactured by your industry were collected during market survey and it has been observed that plastic is being used in packaging of gutkha/pan masala;

WHEREAS Plastic waste management rules were notified in 2016, wherein the use of plastics is prohibited for packaging of tobacco products in all forms, however, plastic is still being used by your industry in packaging of gutkha/pan masala;

WHEREAS usage of plastic for packaging of gutkha/pan masala is in violation Plastic Waste Management Rules, 2016; and

WHEREAS collection & channelization of such plastic packaging for recycling is difficult owing to the small size of the packaging and the same are found littered on streets, dumped in water bodies etc. posing a grave threat to the environment;

NOW THEREFORE In view of above and in exercise of powers vested under Section 5 of EPA, Unit is hereby directed to Show cause as to why action including levying Environmental Compensation and / or closure of gutkha/pan masala manufacturing operations should not be taken against the unit for violation of PWM Rules

Unit is hereby given an opportunity to submit its reply with 15 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

Copy to:

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

(Prashant Gargava)
Member Secretary