



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-20/8/2024-UPC-II-HO-CPCB-HO

March 14, 2024

11132-11167

To,

The Chairman
SPCBs/PCCs - All States/UTs

Sub: - Directions under Section 5 of the EPA, 1986 regarding compliance of various provisions under Schedule-II of Plastic Waste Management Rules, 2016, i.e., Guidelines on Extended Producer Responsibility (EPR)

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

WHEREAS, Guidelines for Extended Producers Responsibility for Plastic packaging were notified by MoEF&CC on February 16, 2022 as Schedule-II of the Plastic Waste Management Rules, 2016; and

WHEREAS, as per Section 6.1(a) of the EPR Guidelines, "The following entities shall register on the centralized portal developed by Central Pollution Control Board namely: - (i) Producer (P); (ii) Importer (I); (iii) Brand owner (BO), (iv) Plastic Waste Processor engaged in (a) recycling, (b) co-processing (c) waste to energy, (d) waste to oil, and (e) industrial composting; and

WHEREAS, as per section 6.2 of the above Guidelines, "The entities covered under clause 6.1 shall not carry any business without registration obtained through online Centralized Portal developed by Central Pollution Control Board"; and

WHEREAS, as per section 10.1 of the above Guidelines, "The Producers, Importers & Brand Owners shall have to register through the online centralized portal developed by Central Pollution Control Board. The certificate of registration shall be issued using the portal; and

WHEREAS, as per section 10.6 of the above Guidelines, "The Producers, Importers & Brand-Owners shall file annual returns on the plastic packaging waste collected and processed towards fulfilling obligations under Extended Producer Responsibility with the Central Pollution Control Board or concerned State Pollution Control Board or Pollution Control Committee as per pro forma prescribed by Central Pollution Control Board by the 30th June of the next financial year. Information on the reuse and/or recycled content used for packaging purposes will also be provided. The details of the

‘परिवेश भवन’ पर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

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

registered recyclers from whom the recycled plastic has been procured will also be provided"; and

WHEREAS, as per Section 11.1 of the EPR Guidelines, *"All plastic waste processors shall have to register with concerned State Pollution Control Board or Pollution Control Committee in accordance with provisions of 13(3) of Plastic Waste Management Rules, 2016 on the centralized portal developed by Central Pollution Control Board. Central Pollution Control Board shall lay down uniform procedure for registration within three months of the publication of these guidelines"; and*

WHEREAS, as per Section 11.2 of EPR Guidelines, *"The Plastic waste processors shall submit annual returns after end of every financial year by 30th April of the next financial year on the quantity of plastic waste processed category-wise as per prescribed pro forma on the centralized portal developed by Central Pollution Control Board"; and*

WHEREAS, CPCB has developed the Centralized EPR portal for registration of Producers, Importers and Brand-owners (PIBOs) & Plastic Waste Processors (PWPs) that has been formally launched on April 05, 2022; and

WHEREAS, 36228 PIBOs (Producers: 3988, Importer: 29807 and Brand Owners: 2433) and 2351 Plastic Waste Processors (PWPs) have already been registered on the EPR portal; and

WHEREAS, it has been observed that several PIBOs/PWPs are continuing with their operations without obtaining registration on the Centralized EPR Portal, which is in violation of Plastic Waste Management Rules, 2016, as amended; and

WHEREAS, in the matter of CWP No. 2369 of 2018 titled 'Suleman and others vs. Union of India', vide order dated 01.03.2024 (**Annexure I**), the Hon'ble High court of Himachal Pradesh has made the following observations:

"However, we find that very few industries have been registered and, therefore, have impressed upon her to collect the relevant data of the industries registered in the various States and U.T.s from the relevant authorities, so that industries falling under the PWM Rules essentially get registered under the PWM Rules, 2016, be it with the Central Pollution Control Board or else the respective State Pollution Control Boards, as the case may be. The Officer has assured us that the needful shall be done before the next date of hearing."

WHEREAS, CPCB has issued letters to department of Industries/State Authorities dated 06.03.2024 (**Annexure - II**) to provide the list of industries involved in introducing/processing of plastic packaging under their jurisdiction and to further ensure that all such entities register themselves on the centralized EPR portal in compliance of the PWM Rules, 2016, as amended; and

WHEREAS, CPCB has issued a public notice dated 14/03/2024 (**Annexure III**) informing all PIBOs & PWPs to register on the centralized EPR portal on or before 31.03.24; and

NOW THEREFORE, in compliance of above and in exercise of powers vested under Section 5 of Environment (Protection) Act, 1986 to the Chairman, CPCB, the following directions are hereby issued to all SPCBs/PCCs for compliance:

- a. To issue a public notice on the SPCBs/PCCs website informing all PIBOs & PWPs in your jurisdiction to register on the centralized EPR portal on or before 31.03.24.
- b. To publish the aforesaid notice in the regional newspaper in English as well as in local languages.
- c. To follow-up with the department of Industries / State authorities to provide necessary information as per letter dated 06.03.2024 (**Annexure II**) to CPCB.

You are hereby directed to take necessary action for compliance of aforesaid directions and submit the action taken report to this office within 10 days of receipt of this direction.

18/3/24
(Tanmay Kumar)
Chairman

Copy to:

1. Additional Secretary,
HSMD,
Ministry of Environment, Forest and Climate
Change
Indira Paryavaran Bhawan Jorbagh Road,
New Delhi – 110 003 : for kind information, please
2. Regional Directors,
All CPCB Regional Directorates : for kind information and
follow up with SPCBs/PCCs
in your jurisdiction
3. DH (IT) : for uploading on CPCB
website, please


(Bharat Kumar Sharma)
Member Secretary

O/C