



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/ 2020-21

22 October , 2021

To,

Gutkha/Pan Masala Manufacturers (As per list)

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; and

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; and

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; and

WHEREAS, In view of above, gutkha/pan masala manufacturers are prohibited from usage of plastics in any form in packaging of their products; and

WHEREAS, your unit was inspected on July 06, 2021 by CPCB and samples of packaging material for Gutkha / pan masala were collected from your unit and tested by CPCB; and

WHEREAS, the test reports confirmed that plastic material was being used for packaging of Gutkha/ pan masala in your industry; and

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; and

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

WHEREAS, in compliance of NGT Directions dated Sep 10, 2020 in O.A. 247/2017, CPCB framed the Guidelines for levying Environment Compensation(EC) for violation of PWM Rules; and

WHEREAS, Hon'ble NGT directions vide order dated 08.01.2021 on the matter , directed that EC and penal action regime proposed by the CPCB may be duly

Contd..

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implemented by the CPCB, State PCBs/PCCs, State Level Monitoring Committees and all other concerned authorities; and

WHEREAS, as per the EC Regime prepared by CPCB , Environmental Compensation @Rs.5000/- per ton of plastic used is to be levied in packaging of tobacco products; and

WHEREAS, as per the information collected by the inspecting officials, approx. 115.2 tonnes/year of plastic has been used for packaging of plastic since 2016.

NOW THEREFORE In view of above and in exercise of powers vested under Section 5 of EPA,1986, the firm is hereby directed to Show cause as to why following action should not be taken against it for complying PWM rules,2018 :

1. The industry shall close down its operations with immediate effect and not resume its operations till it switches over to environmentally sound alternatives
2. The industry shall submit a time bound action plan to switchover to environmentally sound alternatives
3. The industry shall deposit EC of Rs.28.8 Lacs (Twenty Eight Lacs and Eighty Thousand) with CPCB.

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


(Tanmay Kumar)
Chairman 

Copy to:

1. The Joint Secretary (CP Division)
Ministry of Environment, Forests & Climate Change
Indira ParyavaranBhawan, JorBagh Road,
New Delhi -110003
2. The Member Secretary : To ensure compliance of above Directions
(concerned State/UT)
3. Incharge , IT Division


(PrashantGargava)
Member Secretary

o/c

List of Gutkha/Pan Masala Manufacturers

S.No.	Name of industry
1.	M/s Dhariwal Industries Ltd. S.No. 67,68,69/P,70-71,78-82 At: Fajalpur, NH-8, (PO) Rayka, Distt. Vadodara - 391340
2.	M/S UNICORN PACKAGING LLP 19 A Swastik Industrial Estate, Village Sari, Tal. Sanand, District Ahmedabad Gujarat Pin 382213
3.	M/S BAGHBAN PACKAGING LLP 19 B, Swastik Industrial Estate, Village Sari, Tal. Sanand, District Ahmedabad Gujarat Pin 382213
4.	M/s. Ghodawat Packers Kotagondhunsu Village, Adargunchi Post Hubli Taluk, Dharwad District, Karnataka - 580028