



F. No. B.17011/7/UPC-II-PWM(SUP)/2022

June 10, 2022

To,

The Manufacturers,
(As per list)

Sub: Modified Directions under Section 5 of the Environment (Protection) Act, 1986 to Plastic raw material Manufacturers for phasing out of Single Use Plastic (SUP)-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 sections 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 bags 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 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, M/s (Name of Industry) is engaged in manufacturing plastic raw material which can be used for production of plastic items including banned SUP items as per details given above.

Whereas, vide letter No. B-17011/UPC II/PWM (SUP)/ 2022 dated February 01, 2022) following Directions were issued to your unit:

- i. Not to supply plastic raw material to producers in formal/ informal sector engaged in production of banned SUP items
- ii. To ensure that suppliers/ stockists/ dealers and other entities engaged in the industry's supply chain do not supply plastic raw material to producers engaged in production of banned SUP items
- iii. To provide monthly details by 7th of every month of material sold to suppliers, stockiest, dealers/ producers including GST details to CPCB as per prescribed format. The soft copy in excel format is to be emailed to CPCB

Whereas, Chemicals & Petrochemicals Manufacturers Association (CPMA) submitted a representation dated February 19, 2022 in which it cited the following limitations for compliance of the aforementioned directions:

- i. As suppliers of raw materials, we do not have any legal authority to monitor/inspect the production facilities of our buyers or to validate the type of products produced by them.
- ii. We also do not have any statutory authority to exercise our control, over the buyers on their usage of the materials supplied by us. The Buyers can use our materials for the purposes of producing of their products or for resale/trading of the material, as they run their independent businesses.
- iii. It is practically impossible for any supplier to track the activities of all the entities engaged in their supply chain, beyond sale of material by him or by his appointed distributors.
- iv. Any Suppliers refusing supply the material to a Buyer (Manufacturer or Trader) is potentially liable to be challenged for 'Restrictive Trade Practices' under the Indian Competition Act.
- v. The monthly sales information required to be submitted by the manufacturers of plastic raw materials tends to be competitive and confidential in nature. So, sharing of such information (over e-mails or in print form) outside the formal statutory compliances systems, would have high vulnerability of leaking information

Whereas CPMA representatives had a meeting with CPCB officials and subsequently submitted a representation dated March 29, 2022 in which they suggested the following measures for stopping supply of plastic raw material to banned SUP producers

1. Printing on Invoices: The manufacturers shall start printing the following on all invoices raised for sale of plastic raw materials, latest by 1st July'22: "Not to be used in the manufacture of SUP items prohibited under PWM Rules, 2016."

2. Printing on Bags: The manufacturers shall start printing the following on all Packaging Bags (25 kgs/Jumbo Bags) of plastic raw material, latest by 1st Oct'22: "Not to be used in the manufacture of SUP items prohibited under PWM Rules, 2016."
3. Printing on MoU/ Sale Contracts/Price Lists: Wherever applicable, the manufacturers shall start printing the following on MoU/Sales Contracts/Price Lists etc. pertaining to sales of plastic raw materials, latest by 1st July'22: "Buyer hereby undertakes and warrants to comply, at all times, with the applicable laws including but not limited to the Plastic Waste Management Rules 2016 as amended from time to time and notifications and directives issued there under ("PWM Rules"), in relation to the use of the Goods. Buyer expressly undertakes and warrants that the materials shall not be used, directly or indirectly, in production of banned Single Use Plastic ("SUP") items, listed in PWM Rules."
4. Sale Report/Data: The plastic raw material manufacturers shall provide the complete list of customers to whom any quantities of plastic raw materials are sold, on an annual basis to CPCB, within 1 month after close of the Financial Year.

Whereas, the submissions made by CPMA have been considered by CPCB and;

Now, therefore, in view of above and in exercise of powers vested under Section 5 of Environment (Protection) Act, 1986 to the Chairman CPCB, following modified Directions in-lieu of Directions dated February 01, 2022 are issued to your unit

1. The manufacturers shall not directly supply plastic raw materials to producers (in formal/informal sector) engaged in production of banned SUP items.
2. Manufacturers shall inform its plastic raw material buyers that they shall not be supplying plastic raw material for production of banned SUP items w.e.f July 01, 2022.
3. The manufacturers shall print the following advisory on their invoices raised for sale of plastic raw material w.e.f. July 01, 2022:
"Not to be used in the manufacture of Single Use Plastic (SUP) items prohibited under PWM Rules"
4. The manufacturers shall print the following advisory on all Packaging Bags of plastic raw material w.e.f July 01, 2022:
"Not to be used in the manufacture of Single Use Plastic (SUP) items prohibited under PWM Rules, 2016."
5. The following shall be incorporated in all MoU/ Sale Contracts/Price Lists pertaining to sales of plastic raw materials w.e.f July 01, 2022:
"Buyer hereby undertakes and warrants to comply, at all times, with the applicable laws including but not limited to the Plastic Waste Management Rules"

2016 as amended from time to time and notifications and directives issued thereunder ("PWM Rules"), in relation to the use of the Goods. Buyer expressly undertakes and warrants that the plastic raw material purchased shall not be used, directly or indirectly, in production of banned Single Use Plastic (SUP) items, listed in PWM Rules."

6. The plastic raw material manufacturers shall provide sale details of plastic raw materials on quarterly basis to CPCB w.e.f July 01, 2022 in the as per Annexure I format.

Necessary action shall be taken to ensure compliance of aforesaid directions and Action Taken Report be submitted to this office on quarterly basis through online, failing which appropriate action including levying of Environmental Compensation will be taken against your industry in accordance with the provisions under Environmental (Protection) Act, 1986.

Yours faithfully,



(Tanmay Kumar)
Chairman

Copy to:

1. Additional Secretary,
Ministry of Environment, Forests & Climate Change
Indira Paryavaran Bhawan
Jorbagh Road,
New Delhi – 110003
2. DH (IT), CPCB



(Prashant Gargava)
Member Secretary

o/c

R.P.H.

List of Manufacturers

S.No.	Registered Address
1.	M/s. Reliance Industries Limited 3rd Floor, Maker Chambers IV, 222, Nariman Point, Mumbai, Maharashtra - 400021
2.	M/s. Indian Oil Corp Indian Oil Bhavan G-9, Ali Yavar Jung Marg, Bandra (East), Mumbai - 400051
3.	M/s. Haldia Petro Chemicals Tower 1, Bengal Eco Intelligent Park (Techna) Block EM, Plot No 3, Sector V, Salt Lake PO: Bidhan Nagar, District: North 24 Paraganas, Kolkata 700091
4.	M/s. GAIL(INDIA) Limited GAIL Bhawan, 16 Bhikaji Cama Place, R K Puram, New Delhi – 110066
5.	M/s. HPCL Mittal Energy Phullokari Village, Talwandi, Saboo Taluka, District Bathinda - 151301, Punjab
6.	M/s. IVL Dhunseri Petrochem 'Dhunseri House', 4A, Woodburn Park, Kolkata 700020
7.	M/s. Supreme Petrochem Ltd. Solitaire Corporate Park, Building No. 11, 5th Floor, 167, Guru Hargovindji Marg, Chakala, Andheri (East), Mumbai - 400093,
8.	M/s. Finolex Industries Gat No. 399, Village Urse, Taluka Maval, Pune District, Maharashtra - 410506
9.	M/s. Chemplast Sanmar Ltd. 9 Cathedral Rd Madras, Tamil Nadu 600086
10.	M/s. LG Polymers India Pvt Ltd. Quality Innovation & Solutions RR Venkatapuram, Visakhapatnam Andhra Pradesh - 530029
11.	M/s. INEOS Styrolution India Limited 5th Floor, OHM House-2, OHM Business Park, Near Balaji Hospital, Subhanpura, Vadodara - 390007, Gujarat

S.No.	Registered Address
12.	M/s. ONGC Petro Additions Ltd. 35, Nutan Bharat Co-operative Housing Society Limited, R.C. Dutt Road, Alkapuri, Vadodara-390007, Gujarat
13.	M/s. Mangalore Refinery & Petrochemicals Ltd. Kuthethoor P.O., Via Katipalla, Mangalore, - 575030
14.	M/s. Brahmaputra Cracker & Polymer Ltd. 1st Floor, House No 6, Bhuban Road, Uzanbazar Guwahati, Assam - 781001
15.	M/s. DCW Limited Nirmal 3rd Floor, Nariman Point Mumbai-400021, India.
16.	M/s. DCM Shriram Ltd. 2nd Floor (West Wing), World Mark 1 Aerocity, Delhi - 110037
17.	M/s. Gujarat State Fertilizers Ltd. P.o. Fertilizernagar, Vadodara, Gujarat - 391750
18.	M/s. Bhansali Engineering Polymers Unit No. 401,4th Floor, Peninsula Heights, C.D., Barfiwala Road, Andheri (West), Mumbai 40005