



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/ 2022-23 6933

12th December 2022

To,

M/s Som Global Pan Masala Pvt. Ltd.
Plot No.-123, Block-C
Naraina Industrial Area,
New Delhi -110028

Sub: Revocation of Directions issued 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 cannot 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, cannot 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 samples of gutkha/pan masala manufactured by your industry were collected during market survey and it was observed that plastic is being used in packaging of gutkha/pan masala; and

WHEREAS Show cause notice dated February 05, 2021 was issued to your industry 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; and

WHEREAS vide letter dated 19.02.2021 unit contested that the samples of Gutkha/Pan masala had been collected without their knowledge and same were not manufactured by your company; and

WHEREAS inspection of your unit was conducted on July 06, 2021 and samples were taken by CPCB officials; and

WHEREAS based on the findings of the sample reports, confirmed directions dated 22.10.21 was issued to your industry for submission of Environmental Compensation of Rs. 44,50,000/- (Forty four lakhs fifty thousand only) and closure of its operation with immediate effect and not to resume operations till you switch over to environmentally sound alternatives; and

WHEREAS vide letter dated 07.01.2022 unit contested that the Report of the finding were not provided to the unit and requested for personal hearing; and

WHEREAS personal hearing was provided to you vide letter dated 22.02.22 which held on 04.03.2022; and

WHEREAS CPCB issued letter dated 25.03.2022, 25.04.2022 & 14.07.2022 to the unit to submit affidavit to confirm closure of the plant, submit samples use by their unit for packaging of products along with CIPET test report of the same and submit EC levied. Test report of the samples collected during inspection was also provided; and

WHEREAS vide letter dated 31.05.2022 submitted the affidavit and confirmed closure of the plant, submitted the samples used by their unit for packaging of products at unit along with CIPET test report of the same which confirmed usage of non-plastic material for Gutkha/ Pan masala manufactured in your unit; and

WHEREAS vide email dated 29.11.2022 unit has submitted Environmental Compensation levied of Rs. 44, 50,000/-.

WHEREAS CPCB has constituted three member Committee to evaluate the documents submitted by the Unit. The Committee has verified the documents and recommended to revocation of closure directions issued to the unit; and

NOW, THEREFORE, in view of the above compliance made by unit to direction issued by CPCB and in exercise of the powers vested under Section 5 of EPA, 1986 **M/s. Som Global Pan Masala Pvt. Ltd** is allowed to resume its manufacturing operations with following conditions

- i. Unit shall intimate the date of resumption of manufacturing operation to CPCB.
- ii. Unit should not start its manufacturing operation without obtaining valid Consent to Operate from Delhi Pollution Control Committee.

In case the unit fails to comply with the above conditions, CPCB will be constrained to initiate further action against the unit including withdrawal of revocation direction, in

accordance with provisions of Environmental (Protection) Act, 1986, without any further notice.

/

(Tanmay Kumar)
Chairman

Copy to:

1. The Additional Secretary (CP Division)
Ministry of Environment, Forests & Climate Change
Indira Paryavaran Bhawan, JorBagh Road,
New Delhi -110003

2. The Member Secretary
Delhi Pollution Control Committee
4th and 5th Floor, ISBT Building,
Kashmere Gate, Delhi-06

: To ensure compliance of Directions

3. Incharge, IT Division


(Prashant Gargava)
Member Secretary 