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Chairman



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पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार  
CENTRAL POLLUTION CONTROL BOARD  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA

D.O. No: CP-20/33/2021-UPC-II-HO-CPCB-HO

28<sup>th</sup> March, 2023

To,

The Chairman  
All SPCBs/PCCs

**Sub: Direction under Section 5 of the) EPA, 1986 regarding implementation of Guidelines for Extended Producers Responsibility on Plastic Packaging -Reg.**

**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 on Extended Producer Responsibility for Plastic Packaging were notified by MoEF&CC on February 16, 2022 in Schedule – II of 4th amendment of Plastic Waste Management Rules, 2016; and

**WHEREAS**, as per section 4 of the above Guidelines, “The following entities shall be covered under the Extended Producer Responsibility obligations and provisions of these guidelines namely: - (i) Producer (P) of plastic packaging; (ii) Importer (I) of all imported plastic packaging and / or plastic packaging of imported products; (iii) Brand Owners (BO) including online platforms/marketplaces and supermarkets/retail chains other than those, which are micro and small enterprises as per the criteria of Ministry of Micro, Small and Medium Enterprises, Government of India.; and (iv) Plastic Waste Processors”; and

**WHEREAS**, as per section 6.1(a) of the above 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 (PWP) engaged in (a) recycling, (b) waste to energy, (c) waste to oil, and (iv) industrial composting”; and

**WHEREAS**, as per the EPR Guidelines, CPCB has developed the Centralized portal for registration of Producers, Importer and Brand-owners (PIBOs) & Plastic Waste Processors (PWPs) which was launched on April 05, 2022 and is available at <https://cpcbepplastic.in/>; and

**WHEREAS**, vide letters dated 17-8-2022, 18-09-2022 & 13.12.22, CPCB issued directions to all Plastic raw material manufacturers not to supply plastic raw material directly to producers engaged in manufacturing of plastic packaging who have not obtained valid Registration from CPCB/SPCB/PCC on the Centralized EPR Portal; and



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**WHEREAS**, 2058 Producers, 3327 Importers & 1322 Brandowners and 1749 PWP's are currently registered on the EPR Portal; and

**WHEREAS**, CPCB has conducted a series of Meetings, Workshops with the stakeholders and incorporated modifications on the EPR Portal based on the suggestions given by the stakeholders. CPCB has also set up the Help desk to address EPR related issues raised by stakeholders.

**WHEREAS**, as per deliberations held during EPR Appraisal Committee Meeting held on 28.12.22, CPCB issued Advisory on 30-12-2022 to all SPCBs/PCCs to facilitate grant of Consent to Producers/Plastic waste Producers operating in MSME/ informal sector so that they can be brought into the mainstream EPR framework; and

**WHEREAS**, vide letter dated 30-12-22, CPCB also issued advisory to all Plastic raw materials manufacturers to supply plastic raw materials based on provision of proof of submission of application for registration on EPR portal to producers in MSME/informal sector till March 31,2023 as per deliberations held during EPR Appraisal Committee Meeting; and

**WHEREAS**, in its recent interactions with industry representatives and industrial associations following issues related to EPR registration of Producers have been brought to CPCB's notice:

- a. Producers are required to submit the Consent to Operate (CTO) from SPCBs/ PCCs, for submitting application for EPR Registration. Since the completion of procedural formalities for grant of CTO takes time, the procedure for Registration on the basis of CTO correspondingly gets delayed
- b. SPCBs/PCCs have issued Closure notices to the Producers who have applied for CTO to the concerned SPCBs/PCCs but could not be registered on the EPR Portal because of lack of valid CTO as there is no provision for grant of provisional registration on the EPR Portal
- c. SPCBs/PCCs are insisting on payment of outstanding dues & liabilities including penalty before grant of CTO to such producers which leads to delay in the process of registration of Producers on the EPR Portal.
- d. Unregistered Producers in MSME category will be unable to procure plastic raw material from manufacturers after 31.03.2023 following the Advisory issued by CPCB that prohibits sale of plastic raw material to unregistered Producers.

**NOW THEREFORE**, in exercise of powers vested under Section 5 of Environment (Protection) Act, 1986 to the Chairman CPCB, following directions are hereby issued:


- a. Application for grant of EPR Registration of Producer shall be processed on proof of submission of application (Application No. generated through EPR Portal) for grant of Consent before the concerned SPCBs/PCCs. Provisional EPR Registration shall be valid for an initial period of six months which may further be extended for a period of six months provided the justification for the same has been submitted by the concerned producers. Final EPR Registration shall be issued only after submission of valid CTO.

- b. Closure notices already issued in the past by SPCBs/PCCs to Producers without EPR registration shall be revoked immediately upon submission of proof of application for EPR Registration by such producers.
- c. No new Closure notices to be issued to producers who have provided proof of submission of application for EPR for Registration.
- d. SPCBs/PCCs shall expedite the process of grant of CTE/ CTO to the Producers of Plastic Packaging as well as the Plastic Waste Processors without linking the grant of such CTE/CTO to recovery of dues, if any, to ensure speedy implementation of the EPR framework.

The above Directions are applicable to all Producers and will be valid till October 31, 2023. It is to be further noted that timeline for supplying raw material to unregistered Producers in MSME /informal sector by plastic raw material manufacturers has been extended to April 30, 2023

You are hereby directed to take necessary action for compliance of aforesaid Directions and submit Action taken Report to this office within 15 days of receipt of this Direction.

Yours sincerely,

  
28/3/23  
(Tanmay Kumar)