



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-20/28/2021-UPC-II-HO-CPCB-HO-Part(1)

26 May, 2023

To,

M/s. VCT Products
Survey No. 269/P, 212 P/P2,
Xcelon Industrial Park-2,
Village Chacharvadi Vasna,
Sanand, Ahmedabad- 382213

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 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, samples of gutkha/pan masala manufactured by your industry were collected during market survey and it has been 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 vide 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 23.02.2021, the unit claims that it is engaged in manufacture and supply of scented tobacco and are not in any way directly or indirectly concerned with manufacture of pan masala.

‘परिवेश भवन’ पर्यी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

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

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, 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. 5,50,000/- (Five lakhs and 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 17.11.2021 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 25.03.202 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 unit 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. However details regarding closure of plant and EC were not provided; and

WHEREAS, vide letter dated 01.08.2022 unit informed that the Environmental Compensation have been submitted However details regarding closure of plant were not provided; and

WHEREAS, CPCB has convened meetings on September 12,2022 & November 14, 2022 respectively to deliberate upon the requirements for compliance of direction issued on October 22,2021;and

WHEREAS, vide letter dated 08.03.2023, the unit submitted the affidavit and confirmed closure of the plant, submitted the CIPET test report of the samples used by their unit for packaging of products and confirmed usage of non-plastic material for Gutkha/ Pan masala manufactured in your unit and submission of Environmental Compensation levied; and

WHEREAS, the unit has remained operational during the period **November 2021 to February 2023** (1.25 years), which is in violation of Directions dated 22.10.21 as evident from the affidavit confirming the actual date of closure submitted by the unit. Also, the Unit has paid EC as per Directions dated 22.10.2021 on 01.08.2022. Hence, interest on the EC levied as per the said Directions for the intervening period is payable.

Accordingly, additional EC of Rs. 43,00000/- (Rupees Forty Three Lacs) and interest of Rs. 38,000/- (Rupees Thirty Eight Thousands only) is to be paid by the Unit. The industry shall deposit balance EC of Rs. 43,38000/- (Forty Three Lacs and Thirty Eight Thousand Only) as per aforementioned details.

WHEREAS CPCB has constituted three members 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. VCT Products** is allowed to resume its manufacturing operations with following conditions

- i. The industry shall deposit balance EC of Rs 43,38000 (Forty Three Lacs and Thirty Eight Thousand Only) as per aforementioned details
- ii. Industry shall intimate the date of resumption of manufacturing operations to CPCB.
- iii. Industry should not start its manufacturing operations without obtaining valid Consent to Operate from Gujarat Pollution Control Board.

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.

(Naresh Pal Gangwar)

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
Gujarat Pollution Control Board
Paryavan Bhavan, Sector 10- A
Gandhinagar – 382 043
3. The Regional Director
Regional Directorate - Vadodara
Parivesh Bhawan, Opp. Ward No. 10 VMC

: To ensure compliance of
Directions

Office Subhanpura, Vadodara – 390 023

4. Incharge , IT Division



(Prashant Gargava)
Member Secretary