



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. VSG Pan Industries Pvt. Ltd.
Khasra No. 52/6/2, /2,8,9/1,13,14,15/2,16/1,17,18/1,26
Village Jhundpur, Tehsil rai, Sonipat -131029

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 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 (M/s. Vishnu Aromatics Ltd., 5/1 To 4/2/1/1/1 Liwaspur, Bahalgarh Rai Sonapat, Haryana 131021) 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 has claims that no plastic is used for packaging of products.

WHEREAS inspection of your unit was to be conducted on July 06, 2021. However inspecting CPCB officials were informed by locals and HPCB RO Sonipat that the unit is

‘परिवेश भवन’ पर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

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

the franchise of Vimal Pan Masala is now with M/s VSG Pan Industries Ltd. and operating at Khasra No. 52/6/2, /2,8,9/1,13,14,15/2,16/1,17,18/1,26 Village Jhundpur, Tehsil rai, Sonipat -131029

WHEREAS, unit was inspected on July 06, 2021 by CPCB and samples of packaging material for Guthkha / 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. 76,35,000/- (Seventy six lakhs and thirty five thousands 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 06.12.2021 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 25.03.2022 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 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 31.05.2022 Unit also informed that unit has filed an application before the Additional District Judge, Rohini Delhi against the direction dated 22.10.21. The court has passed an interim order dated 13.12.2021 that " the defendant is restrained from taking any coercive action against the plaintiff pursuant to the order bearing No B-0-11011/UPC-II/PWM/20-21 dated 22.10.2021".

WHEREAS, vide order dated 22.08.2022 on the directions passed by CPCB against VSG Pan the Hon'ble Court has vacated/recalled the interim stay; 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.

WHEREAS, vide email dated 13.03.2023 unit has submitted affidavit confirming closure of unit and submission of Environmental Compensation levied.

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 10.03.2023**. Hence, interest on the EC levied as per the said Directions for the intervening period is payable. Accordingly, additional EC of Rs. 1,90,00000/- (One Crore and Ninety Lacs) and interest of Rs 1,140,000 (Rupees Eleven Lacs Forty Thousands only) is to be paid by the Unit. The industry shall deposit balance EC of Rs. 2,02,00000/- (Rupees Two Crores and Two Lacs 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. VSG Pan Industries Pvt. Ltd.** is allowed to resume its manufacturing operations with following conditions

- i. The industry shall deposit balance EC of **Rs. 2,02,00000/- (Rupees Two Crores and Two Lacs 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 Haryana 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
Haryana State Pollution Control Board, C-11, : To ensure compliance of
Directions

Sector-6. Panchkula-134109, Haryana,

3. The Regional Director
Regional Directorate - Chandigarh
BSNL Telephone Exchange, 2nd Floor,
Sector -49 C, Chandigarh – 160047
4. Incharge , IT Division



(Prashant Gargava)
Member Secretary