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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. Ghodawat Packers
Kotagondhunsu Village,
Adargunchi Post Hubli Taluk,
Dharwad District, Karnataka – 580028**

Sub:- Directions 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, inspection of your unit was conducted on July 06, 2021 and samples were taken from CPCB officials; and

WHEREAS, based on the findings of the sample reports, show cause notice dated 22.10.21 were issued to your industry as to why action including levying Environmental Compensation of Rs. 45,000/- (Forty Five Thousands only) and closure of gutkha/pan masala manufacturing operations should not be taken against the unit for violation of PWM Rules; and

WHEREAS, no response received by CPCB from your unit; and

‘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, confirmed directions dated 22.02.2022 was issued to your industry submission of Environmental Compensation of Rs. 45 ,000/- (Forty five thousands only) and closure of its operation with immediate effect and not to resume till you switch over to environmentally sound alternatives; and

WHEREAS, the unit vide letter dated 15.07.2022 has submitted the affidavit and confirming closure of the plant w.e.f 27.06.2022, submitted of Environmental Compensation of Rs. 45,000/- (Forty Five Thousands only) and CIPET report of the samples which confirmed usage of non-plastic material used by their unit for packaging of products at unit; and

WHEREAS, vide letter dated 04.08.2022, CPCB has issued revocation direction to your unit.

WHEREAS, as per Rule 18 of PWM Rules "The Environmental Compensation shall be levied based upon polluter pays principle, on persons who are not complying with the provisions of these rules, as per guidelines notified by the Central Pollution Control Board"; and

WHEREAS, as per the EC Regime prepared by CPCB, Environmental Compensation @Rs.5000/- per ton of plastic used is to be levied in packaging of tobacco products; and

WHEREAS, the unit has remained operational during the period **February 2022 to June 2022** (0.3 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. Accordingly, additional EC of Rs. 8,000/- (Rupees Eight Thousands only) is to be paid by the Unit.

NOW THEREFORE In view of above and in exercise of powers vested under Section 5 of EPA, the following directions are issued to your industry:

1. The industry shall deposit balance EC of **Rs. 8,000/- (Rupees Eight Thousands only)** as per aforementioned details.

You are required comply with above Directions and submit compliance details within 15 days of issue of this Directions, failing which CPCB shall be constrained to take action as deemed fit under Section 5 of EPA.

(Naresh Pal Gangwar)
Chairman



Copy to:

1. The Additional Secretary (CP Division)
Ministry of Environment, Forests & Climate
Change
Indira Paryavaran Bhawan, Jor Bagh Road,
New Delhi -110003
2. The Member Secretary
Karnataka State Pollution Control Board,
Parisara Bhavan, 4th & 5th Floor,
49, Church St., Bangalore-560 001
3. The Regional Director
Regional Directorate - Bengaluru
A-Block, Nisarga Bhavan, 1st and 2nd Floors,
7th D Cross, Thimmaiah Road, Shivanagar,
Bengaluru-560079
4. Incharge , IT Division

: To ensure compliance of
Directions


(Prashant Gargava)
Member Secretary