



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)

20 June, 2023

To,

M/s. R.K. Products CO. (Unit-II),
Plot No. 35 & 36 Industrial Estate,
Naubad, Bidar, Karnataka- 585402

Sub: Revocation 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, 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 01.03.2021, the unit has contested that the samples collected during market survey were not manufactured in their unit.

‘परिवेश भवन’ पर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

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

WHEREAS, your unit was inspected on July 06, 2021 by CPCB and samples of packaging material for Guthka / pan masala were collected from your unit and tested by CPCB; and

WHEREAS, the test reports confirmed that plastic material was being used for packaging of Guthka/ pan masala in your industry; 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. 16.8 Lakhs (Rupees Sixteen Lacs and Eighty Thousand)** and closure of operations with immediate effect and not to resume operations till it switches over to environmentally sound alternatives; and

WHEREAS, vide letter dated 14.03.2023 unit has submitted CIPET test report of sample used for packaging material, affidavit confirming closure of the unit and submission of Environmental Compensation levied.

WHEREAS, the unit has remained operational during the period November 2021 to March 2023 (1.25 years), as is evident from the affidavit confirming the actual date of closure submitted by the unit, which is in violation of Directions dated 22.10.2021.

Accordingly, industry has to deposit balance EC of **Rs. 4.2 Lacs (Rupees Four Lacs and Twenty 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 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. R.K. Products CO. (Unit-II)**, is allowed to resume its manufacturing operations with following conditions:

- i. The industry shall deposit balance EC of **Rs. 4.2 Lacs (Rupees Four Lacs and Twenty Thousand only)** as per aforementioned details within 15 days of issue of this letter.
- 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 **Karnataka 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.

(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
Karnataka State Pollution Control Board,
ParisaraBhavan, 4th & 5th Floor,
49, Church St., Bangalore-560 001
: To ensure compliance
of Directions
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

(Prashant Gargava)
Member Secretary

o/c