



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

20 June, 2023

To,

M/s. Pan Parag India Limited (Kothari Products)  
Factory Nos. 6 & 7 Industrial Estate,  
Fazalganj, Kapil Road, Kanpur

**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 December 07, 2020 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 December 12, 2021, Sh. S. N. Shukla, Advocate on behalf of M/s Kothari products Limited informed that unit was not manufacturing Gutkha/Pan Masala/ tobacco products.

‘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**, proposed Directions for levying Environmental compensation was issued on February 05, 2021.

**WHEREAS**, your 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. 1.09 Crores and closure of its operations with immediate effect and not to resume operations till it switches over to environmentally sound alternatives; and

**WHEREAS**, vide letter dated 22.05.2023 unit informed that the Environmental Compensation has been submitted and vide letter dated 23.5.23 submitted affidavit confirming confirmed closure of operations and further informing that the Unit shall not be operating production of gutkha and Pan Masala in future.

**WHEREAS**, the unit has remained operational during the period November 2021 to December 2022 (1.08 years), which is in violation of Directions dated 22.10.2021 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 **31-0-3-2023**. Hence, interest on the EC levied as per the said Directions for the intervening period is payable.

Accordingly, additional EC of **Rs. 21.9 Lacs (Rupees Twenty One Lacs and Ninety Thousand Only)** and interest of **Rs. 17 Lacs (Rupees Seventeen Lacs only)** is to be paid by the Unit. The industry has to deposit balance EC of **Rs. 38.9 Lacs (Thirty Eight Lacs and Ninety 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. Pan Parag India Limited (Kothari Products)** is allowed to resume its manufacturing operations with following conditions:

- i. The industry shall deposit balance EC of **Rs. 38.9 Lacs (Thirty Eight Lacs and Ninety Thousand Only)** as per aforementioned details within 15 days of issue of this letter.

- ii. Industry should not start its manufacturing operations without obtaining valid Consent to Operate from **Uttar Pradesh 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  
Uttar Pradesh Pollution Control Board,  
Building.No. TC-12V VibhutiKhand,  
Gomti Nagar, Lucknow-226 010  
: To ensure compliance  
of Directions
3. The Regional Director  
Regional Directorate - Lucknow  
PICUP Bhawan, Vibhuti Khand, Gomti  
Nagar, Lucknow – 226010
4. Incharge , IT Division

  
(Prashant Gargava)  
**Member Secretary**

o/c