



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. Maa Vindhyavasini Tobacco Pvt Ltd.
133/173, Transport Nagar, Kanpur,
Uttar Pradesh 208023

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, 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 08-03-2021, the unit has contested that samples have been collected without their knowledge and same are not manufactured by the company.

‘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 Guthkha / 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 22.10.2021 was issued to your industry for submission of Environmental Compensation of **Rs. 46.54 Lacs (Rupees Forty Six Lacs and Fifty Four Thousand)** and closure of its operations with immediate effect and not to resume operations till you switch over to environmentally sound alternatives; and

WHEREAS, vide letter dated 10.04.2023, unit has submitted CIPET test report of sample used for packaging material, affidavit confirming closure of unit and submission of Environmental Compensation levied.

WHEREAS, the unit has remained operational during the period November 2021 to April 2022 (1.4 years), which is in violation of Directions dated 22.10.21 as is 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 **23.12.2022**. Hence, interest on the EC levied as per the said Directions for the intervening period is payable. Accordingly, additional EC of **Rs. 4.65 Lacs (Rupees Four Lacs and Sixty Five Thousand Only)** and interest of **Rs. 6 Lacs (Rupees Six Lacs only)** is to be paid by the Unit. The industry shall deposit balance EC of **Rs. 10.65 Lacs (Rupees Ten Lacs and Sixty Five 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. Maa Vindhya Vasini Tobacco Pvt Ltd.** is allowed to resume its manufacturing operations with following conditions:

- i. The industry shall deposit balance EC of **Rs. 10.65 Lacs (Rupees Ten Lacs and Sixty Five 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 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.

15/11/23
(Tanmay Kumar)
Chairman *df*

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 : To ensure compliance
Uttar Pradesh Pollution Control Board, of Directions
Building.No. TC-12V VibhutiKhand,
Gomti Nagar, Lucknow-226 010
3. The Regional Director
Regional Directorate - Lucknow
PICUP Bhawan, Vibhuti Khand, Gomti
Nagar, Lucknow – 226010
4. Incharge , IT Division

PKS
(Prashant Gargava)
Member Secretary

o/c