



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-20/51/2021-UPC-II-HO-CPCB-HO April, 2023 -19

520-522

To,

**M/s VST Industries**  
P. O. Box No. 1804  
Azamabad, Hyderabad  
Telangana- 500020

**M/s Godfrey Phillips**  
49, Community Centre, New Friends Colony,  
New Delhi, Delhi 110025

**M/s Indian Tobacco Company Pvt. Ltd.**  
Virginia House,  
37, Jawaharlal Nehru Road,  
Kolkata, West Bengal- 700071

**Sub: - Show Cause Notice under Section 5 of the Environment (Protection) Act, 1986 for Non-Compliance of Plastic Waste Management Rules, 2016**

**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**, CPCB had issued the following directions vide letter dated October 22, 2020 under Sec 5 of Environment (Protection) Act, 1986 for enforcement of provisions of Plastic Waste Management (PWM) Rules for storing, packing or selling cigarette and tobacco in all forms;

- Why action including levying Environmental Compensation and / or closure of cigarette manufacturing operations should not be taken against the unit for violation of PWM Rules; and

**WHEREAS**, vide representation dated 16/12/2020, 15/12/2020, 03/12/2020, M/s VST Industries, M/s Godfrey Phillips, M/s Indian Tobacco Company Pvt. Ltd. respectively had claimed that Cigarettes were not covered in clause 4 (f) and (i) of PWM Rules, 2016; and

**WHEREAS**, representation submitted by M/s VST Industries, M/s Godfrey Phillips, M/s Indian Tobacco Company Pvt. Ltd. respectively was considered by CPCB and it was observed that as per PWM Rules 4(f) and 4(i) usage of Plastic in any form is prohibited for packaging of tobacco in any form, which includes Cigarettes; and

o/c

‘परिवेश भवन’ पूर्वी अर्जुन नगर, दिल्ली-110032  
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

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

7088/UPC-17  
19.04.2023

**WHEREAS**, CPCB had issued the following proposed directions vide letter dated February 03, 2021 under Sec 5 of Environment (Protection) Act, 1986 for enforcement of provisions of Plastic Waste Management (PWM) Rules for storing, packing or selling cigarette and tobacco in all forms; and

- a. The unit shall pay Rs. 5,00,00,000/- (Five Crores Rupees Only) as Interim Environmental Compensation charges to CPCB for violation of PWM Rules.
- b. Unit shall submit a time bound action plan within 30 days to shift to environmental friendly alternatives for packaging of cigarettes.

**WHEREAS**, vide representation dated **23.02.2021, 24.02.2021, 24.02.2021**, M/s **VST Industries, M/s Godfrey Phillips, M/s Indian Tobacco Company Pvt. Ltd.** respectively requested for extension in submission of action taken report due to pandemic and also requested for personal hearing; and

**WHEREAS**, personal hearing was scheduled on 14.07.2021 and due to paucity of time hearing was rescheduled; and

**WHEREAS**, MoEF&CC issued Notification, dated August 12, 2021 which mandated banning of identified Single Use Plastic (SUP) items and prescribed minimum thickness of carry bag with effect from July 01, 2022; and

**WHEREAS**, as per Rule 4(2) of PWM Rules, 2016 (as amended), "*The manufacture, import, stocking, distribution, sale and use of following single use plastic (SUP), including polystyrene and expanded polystyrene, commodities shall be prohibited with effect from the 1<sup>st</sup> July, 2022:*

(a) *ear buds with plastic sticks, plastic sticks for balloons, plastic flags, candy sticks, ice-cream sticks, polystyrene [Thermocol] for decoration.*

(b) *Plates, cups, glasses, cutlery such as forks, spoons, knives, straw, trays, wrapping or packing films around sweet boxes, invitation cards, and cigarette packets, plastic or PVC banners less than 100 micron, stirrers; and*

**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 provision 9.2 of Schedule-II notified through Amendments to PWM Rules dated February 16,2022 "Central Pollution Control Board shall lay down guidelines for imposition and collection of environment compensation (EC) on Producers, Importers & Brand-Owners, recyclers and end of life processors, in case of nonfulfillment of obligations set out in these guidelines, and the same shall be notified. The Guidelines for Environmental Compensation shall be updated, as required; and

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

**WHEREAS**, CPCB vide letter dated 22.09.2022 directed your industry to provide the status of compliance of the directions issued to your unit; and

**WHEREAS**, no response on the matter has been received so far: and

**NOW, THEREFORE**, in view of above and in exercise of the powers vested to Chairman, Central Pollution Control Board (CPCB) under Section 5 of the Environment (Protection) Act, 1986, **M/s VST Industries, M/s Godfrey Phillips, M/s Indian Tobacco Company Pvt. Ltd.** respectively is hereby directed to show cause as to why action including levying Environmental Compensation and / or closure of cigarette manufacturing operations should not be taken against the unit for non-compliance.

You are hereby given an opportunity to comply with above stated direction and submit the compliance report within 15 days of issue of this notice, failing which CPCB shall be constrained to take action as deemed fit under Section 5 of EPA.

13/9/23  
(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. **Incharge, IT Division**

Prashant  
(Prashant Gargava)  
Member Secretary

केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
दिनांक... 26/9/2023