



F. No. CP-20/17/2024-UPC-II-HO-CPCB-HO

Date: 25.11.2024

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

**WHEREAS**, the Ministry of Environment, Forest and Climate Change (MoEF&CC) has notified Plastic Waste Management Rules, 2016, in exercise of powers conferred under sections 3, 6, & 25 of the Environment (Protection) Act, 1986 vide Notification No. G.S.R 320 (E) dated March 18, 2016; and

**WHEREAS**, Guidelines for Extended Producers Responsibility for Plastic Packaging was notified by MoEF&CC on February 16, 2022 as Schedule II of Plastic Waste Management Rules, 2016; and

**WHEREAS**, as per section 6. 1 (a) of the EPR Guidelines, "The following entities shall register on the Centralized EPR Portal developed by Central Pollution Control Board namely: (1) Producer (P) including micro and small enterprises as defined under the Micro, Small and Medium Enterprises Development Act, 2006 (27 of 2006) (2) Importer (I); (3) Brand owner (BO); (4) Plastic Waste Processor engaged in (a) recycling, (b) waste to energy, (c) waste to oil, (iv) co-processing and (v) industrial composting; (5) Manufacturers and importers of plastic raw material; (6) Manufacturers of items made from compostable plastics or biodegradable plastics"; and

**WHEREAS**, as per section 7.5 of the EPR Guidelines, "The Extended Producer Responsibility target in MT category-wise, as applicable, shall be provided by all Producers, Importers & Brand-Owners as part of Action Plan on the centralized portal developed by Central Pollution Control Board"; and

**WHEREAS**, as per section 9.1 of the EPR Guidelines, "Environmental Compensation shall be levied based upon polluter pays principle, with respect to non-fulfilment of Extended Producer Responsibility targets by Producers, Importers & Brand Owners, for the purpose of protecting and improving the quality of the environment and preventing, controlling and abating environment pollution"; and

**WHEREAS**, as per section 10.6 of the EPR Guidelines, "The Producers, Importers & Brand-Owners shall file annual returns on the plastic packaging waste collected and processed towards fulfilling obligations under Extended Producer Responsibility with the Central Pollution Control Board or concerned State Pollution Control Board or Pollution Control Committee as per pro forma prescribed by Central Pollution Control Board by the **30th June** of the next financial year. Information on the reuse and/or recycled content used for packaging purposes will also be provided. The details of the registered recyclers from whom the recycled plastic has been procured will also be provided"; and

**WHEREAS**, as per section 12.9 of the EPR Guidelines, "The Central Government may permit filing of annual returns by Producers, Importers and Brand owners under clause 10.6 and by Plastic Waste Processors under clause 11.2 for a period not exceeding nine months for the reasons to be recorded in writing"; and

**WHEREAS**, CPCB updated the " Guidelines for Assessment of Environment Compensation for violation of PWM Rules. 2016 (As amended) in May 2024 and

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