



F.No.CP-20/117/2021-UPC-II-HO-CPCB-HO-Part(10)

Date: 01-03-2023

To,

The Chairman  
All SPCBs/PCCs

**Sub: Directions Under Section 5 of the Environment (Protection) Act, 1986 for Implementation of ban on Single Use Plastic (SUP)-Reg.**

**Whereas**, the Ministry of Environment, Forest & Climate Change (MoEF&CC) notified the PWM Rules, 2016, in exercise of the powers conferred under section 3,6, & 25 of the Environmental (Protection) Act, 1986 Vide Notification No. G.S.R. 320 (E) dated March 27, 2016; and

**Whereas**, Hon'ble Prime Minister of India announced India's pledge to phase out SUP by 2022 on World Environment Day, June 05, 2022 and also pitched for freedom for Single Use Plastic while delivering the Independence Day speech on August 15, 2019; and

**Whereas**, MoEF&CC vide Notification dated August 12, 2021, banned identified 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 Rules 4(1)(c) of PWM Rules, 2016 (as amended) *"Carry bag made of virgin or recycled plastic, shall not be less seventy five microns in thickness with effect from the 30th September,2021and one hundred and twenty (120) microns in thickness with effect from 31st December, 2022"; and*

**Whereas**, as per Rule 4 (d) of the PWM Rules, *"plastic sheet or like, which is not an integral part of multilayered packaging and cover made of plastic sheet used for packaging, wrapping the commodity shall not be less than fifty microns in thickness except where the thickness of such plastic sheets impair the functionality of the product"; and*

**Whereas**, as per Rule 12 (1) of PWM Rules, *"the State Pollution Control Board and Pollution Control Committee in respect of a Union territory is the authority for enforcement of the provisions of these rules relating to registration, manufacture of*

*plastic products and multilayered packaging, processing and disposal of plastic wastes”; and*

**Whereas**, as per Rule 12 (2) of PWM Rules *“the concerned Secretary-in-charge of Urban Development of the State or a Union Territory is the authority for enforcement of the provisions of these rules relating to waste management by waste generator, use of plastic carry bags, plastic sheets or like, covers made of plastic sheets and multilayered packaging”; and*

**Whereas**, CPCB prepared a Comprehensive Action Plan for implementation of SUP ban as per which SPCBs/PCCs have a key role to play for elimination of SUP; and

**Whereas**, CPCB issued Direction dated 01-2-2022 to all SPCBs/PCCs to ensure compliance of notification published by MoEF&CC dated 12-08-2021 in line with comprehensive action plan; and

**Whereas**, for effective monitoring of ban on identified single use plastic items and plastic waste management in the country, CPCB developed SUP Compliance Monitoring portal and SUP field inspection app to facilitate the structured inspection and monitoring by state boards and local bodies, and SUP Public Grievance App to ensure citizen participation for effective enforcement of ban; and

**Whereas**, CPCB issued Directions dated 30-06-2022 to all SPCBs/PCCs to monitor compliance through SUP Compliance Monitoring App; and

**Whereas**, pan India enforcement drive for implementation of ban on identified single use plastic items was carried out from July to September 2022 by CPCB/SPCB/PCCs; and

**Whereas**, special inspection drive was conducted from October to December 2022 with focus on enforcement on street vendors, local shops, wholesale markets etc. by CPCB/SPCB/PCC with State UDD; and

**Whereas**, it has been observed that it is essential to break the Supply chain of SUP items for enforcement of SUP ban; and

**Whereas**, it was observed that supply chain can be broken through identification & initiating necessary action against wholesale suppliers/retailers/stockist/producers of banned SUP items as well as plastic raw material suppliers to banned SUP producers for enforcement of SUP ban; and

**Whereas**, to further strengthen enforcement through inspection drive and to ensure consistent reporting of SUP inspection at pan India level, CPCB has prepared Special Operating Procedure (SOP) (**Annexure I**) with the prime objective to break the supply chain of SUP items. Key features of SOP include the following:

- a. Inspections shall be conducted jointly by SPCB/PCC and UDD officials. SPCBs/PCCs shall inspect the industrial units and UDD officials shall inspect commercial entities. Violations & details of action taken w.r.t Commercial establishment shall be reported by State UDD and violation

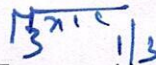
- & details of action taken w.r.t industries shall be reported by the SPCB/PCC.
- b. All the inspection reports shall be filed on SUP compliance monitoring portal through field inspection app.
  - c. The inspection report has provision for providing information w.r.t supplier of SUP items (for commercial users), plastic raw material suppliers (for banned SUP producers) and SUP producers (for plastic waste recyclers making granules).
  - d. The action taken report has provision to include details of action taken against the defaulters (Seizure/ challan/ fine levied/ cancellation of permission granted for Commercial entities & Seizure/ Show Cause Notice/ Closure/ environmental compensation levied in case of banned SUP producers).
  - e. The SUP Compliance Monitoring Portal shall auto generate the Daily report.
  - f. SPCB/PCC official can validate the auto generated report and submit the report by the last working day of every month.

**Now therefore**, in view of above and in exercise of powers vested under section 5 of environmental (Protection) Act, 1986 to the chairman, CPCB following directions are issued for compliance:

1. To conduct SUP ban enforcement drive jointly with State UDD as per the SOP prepared by CPCB for four days a month during the period March-August, 2023. The schedule of inspection is to be finalized by the concerned SPCB/PCC in consultation with State UDD and is to be completed by 25<sup>th</sup> of every month. The Police force may be deployed during the inspection drive as per requirement.
2. To conduct the inspections with focus on street vendors, local shops, wholesale markets, interstate borders, industries, bus depots, railway stations, airports etc.
3. To register all the concerned field officers (SPCB/PCC/State UDD) on SUP Compliance monitoring portal
4. To conduct the inspections through Field inspection app and file the inspection report on the SUP compliance monitoring portal. Violations & details of action taken w.r.t Commercial establishment shall be reported by State UDD and violation & details of action taken w.r.t industries shall be reported by the SPCB/PCC
5. To include information w.r.t supplier of SUP items (for commercial users), plastic raw material suppliers (for banned SUP producers) and SUP producers (for plastic waste recyclers making granules) in the inspection report
6. To provide details w.r.t action taken against the defaulters ( Seizure/ challan/ fine levied/ cancellation of permission granted for Commercial entities & Seizure/ Show Cause Notice/ Closure/ environmental compensation levied in case of banned SUP producers)
7. To validate the auto generated reports and submit the report by last working day of every month.

You are requested to take necessary action to ensure compliance of above Directions and submit action taken report before the 30<sup>th</sup> of every month till August, 2023 to this office.

Yours faithfully,

  
(Tanmay Kumar)  
Chairman

*R.P. Singh*



o/c