



F.NO. CP-99/143/2021-UPC-II-HO-CPCB-HO

07 February, 2023

To,

The Chairperson
All SPCBs/ PCCs

Subject: - Direction under Section 5 of the Environment (Protection) Act, 1986 to SPCBs/ PCCs for implementation of the Plastic Waste Management Rules, 2022 (as amended)

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

Whereas, per Rule 4(h) of PWM Rules, manufacturers and sellers of biodegradable & compostable plastic commodities are to be certified by CPCB;

Whereas, it is observed that banned SUP products claiming to be biodegradable/oxo-biodegradable products are being sold in the market;

Whereas, CPCB has not issued any certificate for biodegradable products as per Rule 4(h) of the Plastic Waste Management Rules, 2022 (as amended) till date;

Whereas, no exemption has been given to oxo-biodegradable plastics under Plastic Waste Management Rules, 2022 (as amended);

Whereas, industries are found to be manufacturing compostable plastic using false identities impersonating those who have been certified as compostable plastic manufacturers by CPCB;

Whereas, MoEF&CC issued Notification dated August 12, 2021 which mandates the thickness of carry bag as 120 microns with effect from December 31, 2022;

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

1. Conduction of Inspections

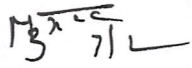
- a. Regular inspections of entities (industries, commercial establishments, distributors, stockists, sellers, users, etc.) be conducted to ensure that banned SUP products claiming to be biodegradable (without CPCB certificate)/oxo-biodegradable are not manufactured, imported, stocked, distributed, sold or used.
- b. Regular inspection of industries to ensure that only manufacturers having authorized certificate from CPCB are involved in the manufacturing process of compostable plastics.

- c. Regular inspection of entities to ensure that only entities having authorized certificate from CPCB are involved in the selling of compostable plastics.
- d. Regular inspections of entities (industries, commercial establishments, distributors, stockists, sellers, users, etc.) be conducted to ensure that carry bags with thickness of less than 120 microns are not manufactured, imported, stocked, distributed, sold, or used.

2. Public Notices


- a. Public notices/advertisements to be issued in English and regional language in leading newspapers and website of SPCB/ PCC informing the general public that sale of banned SUP biodegradable (without CPCB certificate) and oxo-biodegradable plastics is in violation of PWM Rules.
- b. Public notices/ads to be issued in English and regional language in leading newspapers and website of SPCB/ PCC informing the general public regarding minimum permitted thickness of 120 microns for carry bags with effect from December 31, 2022.

You are requested to take necessary action to ensure compliance of above Directions and submit an action taken report within 15 days of issue of this letter in this regard to Central Pollution Control Board.


(Tanmay Kumar)
Chairman

Copy to:

1. Sh. Naresh Pal Gangwar
Additional Secretary
Ministry of Environment, Forest and Climate Change
Indira Paryavaran Bhawan
Jor Bagh Road, New Delhi - 110003
2. Division Head, IT Division, CPCB


(Prashant Gargava)
Member Secretary

o/c