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असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)

PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित

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पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय**अधिसूचना**

नई दिल्ली, 18 मार्च, 2016

सा.का.नि. 320(अ).—भारत सरकार, तत्कालीन पर्यावरण और वन मंत्रालय द्वारा अधिसूचना संख्या का.आ. 249(अ), तारीख 4 फरवरी, 2011 के तहत प्लास्टिक अपशिष्ट (प्रबंध और प्रहस्तन) नियम, 2011 प्रकाशित किए गए थे, जिन्हें समय-समय पर संशोधित किया गया। इन नियमों ने देश में जनित प्लास्टिक अपशिष्ट के प्रबंध के लिए एक नियामक ढांचा उपलब्ध कराया;

और इन नियमों को अधिक कारगर ढंग से लागू करने और प्लास्टिक अपशिष्ट को न्यूनतम करने, स्रोत पर पृथक्करण, पुनः चक्रण पर बल देने के लिए घरों से अथवा इसके जनन के अन्य किसी स्रोत से अथवा मध्यवर्ती सामग्री पुनः प्राप्ति सुविधा से प्लास्टिक अपशिष्ट के टुकड़ों के संग्रहण में अपशिष्ट बीनने वालों, पुनः चक्रकों और अपशिष्ट संसाधकों को शामिल किया और अपशिष्ट प्रबंध प्रणाली की दीर्घकालिकता के लिए प्रदूषकों के भुगतान करने का सिद्धांत अपनाने के लिए केंद्रीय सरकार ने वर्तमान नियमों की समीक्षा की;

और पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 6, 8 और 25 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत सरकार, पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय द्वारा मसौदा नियम अर्थात् प्लास्टिक अपशिष्ट प्रबंध नियम, 2015 भारत के राजपत्र में सा.का.नि.423(अ), तारीख 25 मई, 2015 के तहत प्रकाशित कराए गए थे जिसमें जिस तारीख को उक्त अधिसूचना वाले राजपत्र की प्रतियां जनता को उपलब्ध कराई गई थीं उससे 60 दिन की अवधि समाप्त होने से पूर्व इनसे प्रभावित होने वाले संभावित सभी व्यक्तियों से आपत्तियां और सुझाव आमंत्रित किए गए थे;

और उक्त राजपत्र की प्रतियां 25 मई, 2015 को जनता को उपलब्ध करा दी गई थीं।

और उक्त मसौदा नियमों के संबंध में जनता से उक्त अवधि के अंदर प्राप्त आपत्तियों और सुझावों पर केंद्रीय सरकार द्वारा विधिवत विचार किया गया है;

[फा. सं. 17-2 / 2001-एचएसएमडी]

(b) **“brand owner”** means a person or company who sells any commodity under a registered brand

label.

- (c) **“carry bags”** mean bags made from plastic material or compostable plastic material, used for the purpose of carrying or dispensing commodities which have a self carrying feature but do not include bags that constitute or form an integral part of the packaging in which goods are sealed prior to use.
- (d) **“commodity”** means tangible item that may be bought or sold and includes all marketable goods or wares;
- (e) **“compostable plastics”** mean plastic that undergoes degradation by biological processes during composting to yield CO₂, water, inorganic compounds and biomass at a rate consistent with other known compostable materials, excluding conventional petro-based plastics, and does not leave visible, distinguishable or toxic residue;
- (f) **“consent”** means the consent to establish and operate from the concerned State Pollution Control Board or Pollution Control Committee granted under the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974), and the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981);
- (g) **“disintegration”** means the physical breakdown of a material into very small fragments;
- (h) **“extended producer’s responsibility ”** means the responsibility of a producer for the environmentally sound management of the product until the end of its life;
- (i) **“food-stuffs”** mean ready to eat food products, fast food, processed or cooked food in liquid, powder, solid or semi-solid form;
- (j) **“facility”** means the premises used for collection, Storage, recycling, processing and disposal of plastic waste;
- (k) **“importer”** means a person who imports or intends to import and holds an Importer -Exporter Code number, unless otherwise specifically exempted.
- (l) **“institutional waste generator”** means and includes occupier of the institutional buildings such as building occupied by Central Government Departments, State Government Departments, public or private sector companies, hospitals, schools, colleges, universities or other places of education, organisation, academy, hotels, restaurants, malls and shopping complexes;
- (m) **“manufacturer”** means and include a person or unit or agency engaged in production of plastic raw material to be used as raw material by the producer.
- (n) **“multilayered packaging”** means any material used or to be used for packaging and having at least one layer of plastic as the main ingredients in combination with one or more layers of materials such as paper, paper board, polymeric materials, metalised layers or aluminium foil, either in the form of a laminate or co-extruded structure;
- (o) **“plastic”** means material which contains as an essential ingredient a high polymer such as polyethylene terephthalate, high density polyethylene, Vinyl, low density polyethylene, polypropylene, polystyrene resins, multi-materials like acrylonitrile butadiene styrene, polyphenylene oxide, polycarbonate, Polybutylene terephthalate;
- (p) **“plastic sheet”** means Plastic sheet is the sheet made of plastic;
- (q) **“plastic waste”** means any plastic discarded after use or after their intended use is over;
- (r) **“prescribed authority”** means the authorities specified in rule 12;
- (s) **“producer”** means persons engaged in manufacture or import of carry bags or multilayered packaging or plastic sheets or like, and includes industries or individuals using plastic sheets or like or covers made of plastic sheets or multilayered packaging for packaging or wrapping the commodity;
- (t) **“recycling”** means the process of transforming segregated plastic waste into a new product or raw material for producing new products;

- (u) **"registration"** means registration with the State Pollution Control Board or Pollution Control Committee concerned, as the case may be;
- (v) **"street vendor"** shall have the same meaning as assigned to it in clause (l) of sub-section (1) of Section 2 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (7 of 2014);
- (w) **"local body"** means urban local body with different nomenclature such as municipal corporation, municipality, nagarpalika, nagarnigam, nagarpanchayat, municipal council including notified area committee (NAC) and not limited to or any other local body constituted under the relevant statutes such as gram panchayat, where the management of plastic waste is entrusted to such agency;
- (x) **"virgin plastic"** means plastic material which has not been subjected to use earlier and has also not been blended with scrap or waste;
- (y) **"waste generator"** means and includes every person or group of persons or institution, residential and commercial establishments including Indian Railways, Airport, Port and Harbour and Defense establishments which generate plastic waste;
- (z) **"waste management"** means the collection, storage, transportation reduction, re-use, recovery, recycling, composting or disposal of plastic waste in an environmentally safe manner;
- (aa) **"waste pickers"** mean individuals or agencies, groups of individuals voluntarily engaged or authorised for picking of recyclable plastic waste.

4. Conditions.- (1) The manufacture, importer stocking, distribution, sale and use of carry bags, plastic sheets or like, or cover made of plastic sheet and multilayered packaging, shall be subject to the following conditions, namely:-

- a) carry bags and plastic packaging shall either be in natural shade which is without any added pigments or made using only those pigments and colourants which are in conformity with Indian Standard : IS 9833:1981 titled as "List of pigments and colourants for use in plastics in contact with foodstuffs, pharmaceuticals and drinking water", as amended from time to time;
- b) Carry bags made of recycled plastic or products made of recycled plastic shall not be used for storing, carrying, dispensing or packaging ready to eat or drink food stuff;
- c) carry bag made of virgin or recycled plastic, shall not be less than fifty microns in thickness;
- d) 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;
- e) the manufacturer shall not sell or provide or arrange plastic to be used as raw material to a producer, not having valid registration from the concerned State Pollution Control Boards or Pollution Control Committee;
- f) sachets using plastic material shall not be used for storing, packing or selling gutkha, tobacco and pan masala;
- g) recycling of plastic waste shall conform to the Indian Standard: IS 14534:1998 titled as Guidelines for Recycling of Plastics, as amended from time to time;
- h) The provision of thickness shall not be applicable to carry bags made up of compostable plastic. Carry bags made from compostable plastics shall conform to the Indian Standard: IS 17088:2008 titled as Specifications for Compostable Plastics, as amended from time to time. The manufacturers or seller of compostable plastic carry bags shall obtain a certificate from the Central Pollution Control Board before marketing or selling; and
- i) 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.

5. Plastic waste management.- (1) The plastic waste management by the urban local bodies in their respective jurisdiction shall be as under:-

- (a) plastic waste, which can be recycled, shall be channelized to registered plastic waste recycler and recycling of plastic shall conform to the Indian Standard: IS 14534:1998 titled as Guidelines for Recycling of Plastics, as amended from time to time.
- (b) local bodies shall encourage the use of plastic waste (preferably the plastic waste which cannot be further recycled) for road construction as per Indian Road Congress guidelines or energy recovery or waste to oil etc. The standards and pollution control norms specified by the prescribed authority for these technologies shall be complied with.
- (c) Thermo set plastic waste shall be processed and disposed off as per the guidelines issued from time to time by the Central Pollution Control Board.
- (d) The inert from recycling or processing facilities of plastic waste shall be disposed of in compliance with the Solid Waste Management Rules, 2000 or as amended from time to time.

6. Responsibility of local body.- (1) Every local body shall be responsible for development and setting up of infrastructure for segregation, collection, storage, transportation, processing and disposal of the plastic waste either on its own or by engaging agencies or producers.

(2) The local body shall be responsible for setting up, operationalisation and co-ordination of the waste management system and for performing the associated functions, namely:-

- (a) Ensuring segregation, collection, storage, transportation, processing and disposal of plastic waste;
 - (b) ensuring that no damage is caused to the environment during this process;
 - (c) ensuring channelization of recyclable plastic waste fraction to recyclers;
 - (d) ensuring processing and disposal on non-recyclable fraction of plastic waste in accordance with the guidelines issued by the Central Pollution Control Board;
 - (e) creating awareness among all stakeholders about their responsibilities;
 - (f) engaging civil societies or groups working with waste pickers; and
 - (g) ensuring that open burning of plastic waste does not take place.
- (3) The local body for setting up of system for plastic waste management shall seek assistance of producers and such system shall be set up within one year from the date of final publication of these rules in the Official Gazette of India.
- (4) The local body to frame bye-laws incorporating the provisions of these rules.

7. Responsibility of Gram Panchayat.- (1) Every gram panchayat either on its own or by engaging an agency shall set up, operationalise and co-ordinate for waste management in the rural area under their control and for performing the associated functions, namely,-

- (a) ensuring segregation, collection, storage, transportation, plastic waste and channelization of recyclable plastic waste fraction to recyclers having valid registration; ensuring that no damage is caused to the environment during this process;
- (b) creating awareness among all stakeholders about their responsibilities; and
- (c) ensuring that open burning of plastic waste does not take place

8. Responsibility of waste generator.- (1) The waste generator shall.-

- (a) take steps to minimize generation of plastic waste and segregate plastic waste at source in accordance with the Solid Waste Management Rules, 2000 or as amended from time to time.
 - (b) not litter the plastic waste and ensure segregated storage of waste at source and handover segregated waste to urban local body or gram panchayat or agencies appointed by them or registered waste pickers', registered recyclers or waste collection agencies;
- (2) All institutional generators of plastic waste, shall segregate and store the waste generated by them in accordance with the Municipal Solid Waste (Management and Handling) Rules, 2000 notified vide S.O. 908(E) dated the 25th September, 2000 under the Act or amendment from time to time and handover

segregated wastes to authorized waste processing or disposal facilities or deposition centers either on its own or through the authorized waste collection agency.

(3) All waste generators shall pay such user fee or charge as may be specified in the bye-laws of the local bodies for plastic waste management such as waste collection or operation of the facility thereof, etc.;

(4) Every person responsible for organising an event in open space, which involves service of food stuff in plastic or multilayered packaging shall segregate and manage the waste generated during such events in accordance with the Municipal Solid Waste (Management and Handling) Rules, 2000 notified vide

S.O. 908(E) dated the 25th September, 2000 under the Act or amendment from time to time.

9. Responsibility of producers, Importers and Brand Owners.- (1) The producers, within a period of six months from the date of publication of these rules, shall work out modalities for waste collection system based on Extended Producers Responsibility and involving State Urban Development Departments, either individually or collectively, through their own distribution channel or through the local body concerned.

(2) Primary responsibility for collection of used multi-layered plastic sachet or pouches or packaging is of Producers, Importers and Brand Owners who introduce the products in the market. They need to establish a system for collecting back the plastic waste generated due to their products. This plan of collection to be submitted to the State Pollution Control Boards while applying for Consent to Establish or Operate or Renewal. The Brand Owners whose consent has been renewed before the notification of these rules shall submit such plan within one year from the date of notification of these rules and implement with two years thereafter.

(3) manufacture and use of non- recyclable multilayered plastic if any should be phased out in Two years time.

(4) The producer, within a period of three months from the date of final publication of these rules in the Official Gazette shall apply to the Pollution Control Board or the Pollution Control Committee, as the case may be, of the States or the Union Territories administration concerned, for grant of registration.

(5) No producer shall on and after the expiry of a period of Six Months from the date of final publication of these rules in the Official Gazette manufacture or use any plastic or multilayered packaging for packaging of commodities without registration from the concerned State Pollution Control Board or the Pollution Control Committees.

(6) Every producer shall maintain a record of details of the person engaged in supply of plastic used as raw material to manufacture carry bags or plastic sheet or like or cover made of plastic sheet or multilayered packaging.

10. Protocols for compostable plastic materials.-Determination of the degree of degradability and degree of disintegration of plastic material shall be as per the protocols of the Indian Standards listed in Schedule-I to these rules.

11. Marking or labelling.-(1) Each plastic carry bag and multilayered packaging shall have the following information printed in English namely,-

- (a) name, registration number of the manufacturer and thickness in case of carry bag;
- (b) name and registration number of the manufacturer in case of multilayered packaging; and
- (c) name and certificate number [Rule 4(h)] in case of carry bags made from compostable plastic

(2) Each recycled carry bag shall bear a label or a mark "recycled" as shown below and shall conform to the Indian Standard: IS 14534: 1998 titled as "Guidelines for Recycling of Plastics", as amended from time to time;



NOTE: PET-Polyethylene terephthalate, HDPE-High density polyethylene, V-Vinyl (PVC), LDPE- Low density polyethylene, PP-Polypropylene, PS-Polystyrene and Other means all other resins and multi-materials like ABS (Acrylonitrile butadiene styrene), PPO (Polyphenylene oxide), PC (Polycarbonate), PBT (Polybutylene terephthalate) etc.

Each carry bag made from compostable plastics shall bear a label “compostable” and shall conform to the Indian Standard : IS or ISO 17088:2008 titled as Specifications for “Compostable Plastics”.

12. Prescribed authority.- (1) The State Pollution Control Board and Pollution Control Committee in respect of a Union territory shall be 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.

(2) The concerned Secretary-in-charge of Urban Development of the State or a Union Territory shall be 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.

(3) The concerned Gram Panchayat shall be the authority for enforcement of the provisions of these rules relating to waste management by the waste generator, use of plastic carry bags, plastic sheets or like, covers made of plastic sheets and multilayered packaging in the rural area of the State or a Union Territory.

(4) The authorities referred to in sub-rules (1) to (3) shall take the assistance of the District Magistrate or the Deputy Commissioner within the territorial limits of the jurisdiction of the concerned district in the enforcement of the provisions of these rules.

13. Registration of producer, recyclers and manufacturer,- (1) No person shall manufacture carry bags or recycle plastic bags or multilayered packaging unless the person has obtained a registration from the State Pollution Control Board or the Pollution Control Committee of the Union Territory concerned, as the case may be, prior to the commencement of production;

(2) Every producer shall, for the purpose of registration or for renewal of registration, make an application to the State Pollution Control Board or the Pollution Control Committee of the Union territory concerned, in Form I

(3) Every person recycling or processing waste or proposing to recycle or process plastic waste shall make an application to the State Pollution Control Board or the Pollution Control Committee, for grant of registration or renewal of registration for the recycling unit, in Form II.

(4) Every manufacturer engaged in manufacture of plastic to be used as raw material by the producer shall make an application to the State Pollution Control Board or the Pollution Control Committee of the Union territory concerned, for the grant of registration or for the renewal of registration, in Form III.

(5) The State Pollution Control Board or the Pollution Control Committee shall not issue or renew registration to plastic waste recycling or processing units unless the unit possesses a valid consent under the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) and the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981) along with a certificate of registration issued by the District Industries Centre or any other Government agency authorised in this regard.

(6) The State Pollution Control Board or the Pollution Control Committee shall not renew registration of producer unless the producer possesses and action plan endorsed by the Secretary in charge of Urban Development of the concerned State or Union Territory for setting of plastic waste management system.

(7) On receipt of the application complete in all respects for the registration for recycling or processing of plastic waste under sub-rule (3), the State Pollution Control Board may, after such inquiry as it considers necessary and on being satisfied that the applicant possesses appropriate facilities, technical capabilities and equipment to handle plastic waste safely, may grant registration to the applicant on fulfilment of the conditions as may be laid down in terms of registration.

(8) Every State Pollution Control Board or Pollution Control Committee shall take a decision on the grant of registration within ninety days of receipt of an application which is complete in all respects.

(9) The registration granted under this rule shall initially be valid for a period of one year, unless revoked, suspended or cancelled and shall subsequently be granted for three years.

(10) State Pollution Control Board or the Pollution Control Committees shall not revoke, suspend or cancel registration without providing the opportunity of a hearing to the producer or person engaged in recycling or processing of plastic wastes.

(11) Every application for renewal of registration shall be made at least one hundred twenty days before the expiry of the validity of the registration certificate.

14. Responsibility of retailers and street vendors- (1) Retailers or street vendors shall not sell or provide commodities to consumer in carry bags or plastic sheet or multilayered packaging, which are not manufactured and labelled or marked, as per prescribed under these rules.

(2) Every retailers or street vendors selling or providing commodities in, plastic carry bags or multilayered packaging or plastic sheets or like or covers made of plastic sheets which are not manufactured or labelled or marked in accordance with these rules shall be liable to pay such fines as specified under the bye-laws of the local bodies.

15. Explicit pricing of carry bags.- (1) The shopkeepers and street vendors willing to provide plastic carry bags for dispensing any commodity shall register with local body. The local body shall, within a period of six months from the date of final publication of these rules in the Official Gazette of India notification of these rules, by notification or an order under their appropriate state statute or byelaws shall make provisions for such registration on payment of plastic waste management fee of minimum rupees forty eight thousand @ rupees four thousand per month. The concerned local body may prescribe higher plastic waste management fee, depending upon the sale capacity. The registered shop keepers shall display at prominent place that plastic carry bags are given on payment.

(2) Only the registered shopkeepers or street vendors shall be eligible to provide plastic carry bags for dispensing the commodities.

(3) The local body shall utilize the amount paid by the customers for the carry bags exclusively for the sustainability of the waste management system within their jurisdictions.

16. State Level Monitoring Committee.- (1) The State government or the union Territory shall, for the purpose of effective monitoring of implementation of these rules, constitute a State Level Advisory Committee consisting of the following persons, namely;-

- | | | |
|-----|---|------------|
| (a) | the Secretary, Department of Urban Development | - Chairman |
| (b) | Director from State Department of Environment | - Member |
| (c) | Member Secretary from State Pollution Control Board
or Pollution Control Committee | - Member |
| (d) | Municipal Commissioner | - Member |
| (e) | one expert from Local Body | - Member |
| (f) | one expert from Non-Governmental
involved in Waste Management | - Member |

- | | | |
|-----|---|--------------|
| (g) | Commissioner, Value Added Tax or his nominee, | - Member |
| (h) | Sales Tax Commissioner or Officer | - Member |
| (i) | representative of Plastic Association,
Drug Manufacturers Association,
Chemical Manufacturers Association | - Member |
| (j) | one expert from the field of Industry | - Member and |
| (k) | one expert from the field of academic institution | - Member |
| (l) | Director , Municipal Administration | - Convener |

The State Level Advisory Body shall meet at least once in Six Month and may invite experts, if it considers necessary.

17. Annual reports.- (1) Every person engaged in recycling or processing of plastic waste shall prepare and submit an annual report in Form-IV to the local body concerned under intimation to the concerned State Pollution Control Board or Pollution Control Committee by the 30th April, of every year.

(2) Every local body shall prepare and submit an annual report in Form –V to the concerned Secretary-in-charge of the Urban Development Department under intimation to the concerned State Pollution Control Board or Pollution Control Committee by the 30th June, every year.

(3) Each State Pollution Control Board or Pollution Control Committee shall prepare and submit an annual report in Form VI to the CPCB on the implementation of these rules by the 31st July, of every year.

(4) The CPCB shall prepare a consolidated annual report on the use and management of plastic waste and forward it to the Central Government along with its recommendations before the 31st August of every year.

SCHEDULE-I

[See rule 10]

1.	IS / ISO 14851: 1999 Determination of the ultimate aerobic biodegradability of plastic materials in an aqueous medium-Method by measuring the oxygen demand in a closed Respirometer
2.	IS / ISO 14852: 1999 Determination of the ultimate aerobic biodegradability of plastic materials in an aqueous medium-Method by analysis of evolved carbon dioxide
3.	IS / ISO 14853: 2005 Plastics- Determination of the ultimate anaerobic biodegradation of plastic materials in an aqueous system-Method by measurement of biogas production
4.	IS /ISO 14855-1: 2005 Determination of the ultimate aerobic biodegradability of plastic materials under controlled composting conditions-Method by analysis of evolved carbon dioxide (Part-1 General method)
5.	IS / ISO 14855-2: 2007 Determination of the ultimate aerobic biodegradability of plastic materials under controlled composting conditions-Method by analysis of evolved carbon dioxide (Part-2: Gravimetric measurement of carbon dioxide evolved in a laboratory- scale test)
6.	IS / ISO 15985: 2004 Plastics- Determination of the ultimate anaerobic biodegradation and disintegration under high-solids anaerobic digestion conditions- Methods by analysis of released biogas
7.	IS /ISO 16929: 2002 Plastics- Determination of degree of disintegration of plastic materials under defined composting conditions in a pilot - scale test
8.	IS / ISO 17556: 2003 Plastics- Determination of ultimate aerobic biodegradability in soil by measuring the oxygen demand in a Respirometer or the amount of carbon dioxide evolved
9.	IS / ISO 20200:2004 Plastics- Determination of degree of disintegration of plastic materials under simulated composting conditions in a laboratory - scale test

FORM - I

[See rules 13 (2)]

APPLICATION FOR REGISTRATION FOR PRODUCERS or Brand Owners

From:

.....

.....(Name and full address of the occupier)

To

The Member Secretary,

..... Pollution Control Board or Pollution Control Committee

.....

.....

Sir,

I/We hereby apply for registration under rule 9 of the Plastic Waste Management Rules, 2015

1. Producers

PART – A GENERAL		
1.(a)	Name and location of the unit	
(b)	Address of the unit	
(c)	Registration required for manufacturing of: (i) Carry bags; (a) petro- based, (b) Compostable (ii) Multilayered plastics	
(d)	Manufacturing capacity	
(e)	In case of renewal, previous registration number and date of registration	
2.	Is the unit registered with the District Industries Centre of the State Government or Union Territory? If yes, attach a copy.	
3.(a)	Total capital invested on the project	
(b)	Year of commencement of production	
4. (a)	List and quantum of products and by-products	
(b)	List and quantum of raw materials used	
5.	Furnish a flow diagram of manufacturing process showing input and output in terms of products and waste generated including for captive power generation and water.	
6.	Status of compliance with these rules- Thickness – fifty micron (Yes/No)	
PART – B PERTAINING TO LIQUID EFFLUENT AND GASEOUS EMISSIONS		
7.	(a) Does the unit have a valid consent under the Water (Prevention and control of Pollution) Act, 1974 (6 of 1974)? If yes, attach a copy	
	(b) Does the unit have a valid consent under the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981)? If yes, attach a copy	
PART – C PERTAINING TO WASTE		
8.	Solid Wastes or rejects: (a) Total quantum of waste generated (b) Mode of storage within the plant (c) Provision made for disposal of wastes	
9.	Attach or Provide list of person supplying plastic to be used as raw material to manufacture carry bags or plastic sheet of like or multilayered packaging	

10.	Attach or provide list of personnel or Brand Owners to whom the products will be supplied	
11.	Action plan on collecting back the plastic wastes	
		Name and Signature
		Designation
Date :		
Place :		

II Brand Owners:

PART – A GENERAL		
1.	Name, Address and Contact number	
2	In case of renewal, previous registration number and date of registration	
3	Is the unit registered with the District Industries Centre of the State Government or Union Territory? If yes, attach a copy.	
4.(a)	Total capital invested on the project	
(b)	Year of commencement of production	
5. (a)	List and quantum of products and by-products	
(b)	List and quantum of raw materials used	
PART – B PERTAINING TO LIQUID EFFLUENT AND GASEOUS EMISSIONS		
5	Does the unit have a valid consent under the Water (Prevention and control of Pollution) Act, 1974 (6 of 1974)? If yes, attach a copy	
6	Does the unit have a valid consent under the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981)? If yes, attach a copy	
PART – C PERTAINING TO WASTE		
7.	Solid Wastes or rejects: (c) Total quantum of waste generated (d) Mode of storage within the plant (d) Provision made for disposal of wastes	
8.	Attach or Provide list of person supplying plastic material	
9	Action plan on collecting back the plastic wastes	
		Name and Signature
		Designation
Date :		
Place :		

FORM - II

[see rule 13 (3)]

APPLICATION FORM FOR REGISTRATION OF UNITS ENGAGED IN PROCESSING OR RECYCLING OF PLASTIC WASTE

1.	Name and Address of the unit	
2.	Contact person with designation, Tel./Fax /email	

3.	Date of commencement				
4.	No. of workers (including contract labour)				
5.	Consents Validity	a. Water (Prevention & Control of Pollution) Act, 1974; Valid up to _____ b. Air (Prevention & Control of Pollution) Act, 1981; Valid up to _____ c. Authorization ; valid up to			
6.	Manufacturing Process	Please attach a flow diagram of the manufacturing process flow diagram for each product.			
7.	Products and installed capacity of production (MTA)	Products		Installed capacity	
8.	Waste Management:	S. No.	Type	Category	Qty.
	a. Waste generation in processing plastic-waste	(i)			
		(ii)			
		(iii)			
	b. Waste Collection and transportation (attach details)				
	c. Waste Disposal details	S. No.	Type	Category	Qty
		(i)			
		(ii)			
	d. Provide details of the disposal facility, whether the facility is authorized by SPCB or PCC				
	e. Please attach analysis report of characterization of waste generated (including leachate test if applicable)				
9.	Details of plastic waste proposed to be acquired through sale, auction, contract or import, as the case may be, for use as raw material	(i) Name (ii) Quantity required /year			
10.	Occupational safety and health aspects	Please provide details of facilities			
11.	Pollution Control Measures				
	Whether the unit has adequate pollution control systems or equipment to meet the standards of emission or effluent.	If Yes, please furnish details			
	Whether unit is in compliance with conditions laid down in the said rules.	Yes/No			
	Whether conditions exist or are likely to exist of the material being handled or processed posing adverse immediate or delayed impacts on the environment.	Yes/No			
	Whether conditions exist (or are likely to exist) of the material being handled or processed by any means capable of yielding another material (e.g. leachate) which may possess eco-toxicity.	Yes/No			
12.	Any other relevant information including fire or accident mitigative measures				
13.	List of enclosures as per rule				

Name and Signature

Designation

Date :

Place :

FORM - III

[See rules 13(4)]

APPLICATION FOR REGISTRATION FOR MANUFACTURERS OF PLASTIC RAW MATERIALS

From:

.....

.....(Name and full address of the occupier)

To

The Member Secretary,

..... Pollution Control Board or Pollution Control Committee

.....

.....

Sir,

I/We hereby apply for registration under the Plastic Waste Management Rules, 2011

PART – A GENERAL		
1.(a)	Name and location of the unit	
(b)	Address of the unit	
(c)	In case of renewal, previous registration number and date of registration	
2.	Is the unit registered with the DIC or DCSSI of the State Government or Union Territory? If yes, attach a copy.	
3.(a)	Total capital invested on the project	
(b)	Year of commencement of production	
(c)	List of producers and quantum of raw materials supplied to producers	
Date : Place :		Name and Signature Designation

Form - IV

[See rules 17 (1)]

FORMAT OF ANNUAL REPORT BY OPERATOR OF PLASTIC WASTE PROCESSING OR RECYCLING FACILITY TO THE LOCAL BODY

Period of Reporting:

(1)	Name and Address of operator of the facility	
(2)	Name of officer in-charge of the facility (Telephone/Fax/Mobile/ E-mail)	
(3)	Capacity:	
(4)	Technologies used for management of plastic waste:	
(5)	Quantity of plastic waste received during the year being reported upon along with the source	
(6)	Quantity of plastic waste processed (in tons): - Plastic waste recycled(in tons) - Plastic waste processed (in tons) - Used (in tons)	
(7)	Quantity of inert or rejects sent for final disposal to landfill sites:	
(8)	Details of land fill facility to which inert or rejects were sent	

	for final disposal: - Address -Telephone	
(9)	Attach status of compliance to environmental conditions, if any specified during grant of Consent or registration	

Signature of Operator

Dated :

Place:

Form - V

[See rules 17(2)]

**FORMAT FOR ANNUAL REPORT ON PLASTIC WASTE MANAGEMENT TO BE
SUBMITTED BY THE LOCAL BODY****Period of Reporting:**

(1)	Name of the City or Town and State:	
(2)	Population	
(3)	Area in sq. kilometers	
(4)	Name & Address of Local body Telephone No. Fax No. E-mail:	
(5)	Total Numbers of the wards in the area under jurisdiction	
(6)	Total Numbers of Households in the area under jurisdiction	
(7)	Number of households covered by door to door collection	
(8)	Total number of commercial establishments and Institutions in the area under jurisdiction -Commercial establishments - Institutions	
(9)	Number of commercial establishments and Institutions covered by door to door collection -Commercial establishments - Institutions	
(10)	Summary of the mechanisms put in place for management of plastic waste in the area under jurisdiction along with the details of agencies involved in door to door collection	
(11)	Attach details of infrastructure put in place for management of plastic waste generated in the area under jurisdiction	
(12)	Attach details of infrastructure required, if any along with justification	
(13)	Quantity of Plastic Waste generated during the year from area under jurisdiction (in tons)	
(14)	Quantity of Plastic Waste collected during the year from area under jurisdiction (in tons)	
(15)	Quantity of plastic waste channelized for recycling during the year (in tons)	
(16)	Quantity of plastic waste channelized for use during the year (in tons)	
(17)	Quantity of inert or rejects sent to landfill sites during the year (in tons)	
(18)	Details of each of facilities used for processing and disposal of plastic waste Facility-I i) Name of operator ii) Address with Telephone Number or Mobile iii) Capacity iv) Technology Used v) Registration Number vi) Validity of Registration (up to)	

Name of the SPCB or PCC	Estimated Plastic Waste generation Tons Per Annum (TPA)	No. of registered Plastic Manufacturing or Recycling (including multilayer, compostable) units. (Rule 9)			No. of Unregistered plastic manufacturing Recycling units. (in residential or unapproved areas)	Details of Plastic Waste Management (PWM) e.g. Collection, Segregation, Disposal (Co-processing road construction etc.) (Rules 6) (Attach separate	Partial or complete ban on usages of Plastic Carry Bags (through Executive Order) (Attach copy of notification or executive order)	Status of Marking Labelling on carry bags (Rule 8) [Specify the number of units or not complied]	Explicit Pricing of carry bags (Rule 10)	Details of the meeting of State Level Advisory Body (SLA) along with its recommendations on Implementation (Rule 11)	No. of violations and action taken on non-compliance of provisions of these Rules	Number of Municipal Authority or Gram Panchayat-under jurisdiction and Submission of Annual Report to CPCB (Rule 12)
		Plastic units	Compostable Plastic Units	Multilayer Plastic units								

	Facility-II i) Name of operator ii) Address with Telephone Number or Mobile iii) Capacity iv) Technology Used v) Registration Number Validity of Registration (up to)	
(19)	Give details of: Local body's own manpower deployed for collection including street sweeping, secondary storage, transportation, processing and disposal of waste.	
(20)	Give details of: Contractor or concessionaire's manpower deployed for collection including street sweeping, secondary storage, transportation, processing and disposal of waste.	
(21)	Mention briefly, the difficulties being experienced by the local body in complying with provisions of these rules including the financial constraints, if any	
(22)	Whether an Action Plan has been prepared for improving solid waste management practices in the city? If yes (attach copy) Date of revision:	

Signature of CEO or Municipal Commissioner or

Executive Officer or Chief Officer

Date:

Place:

Form-VI

STATE-WISE STATUS OF IMPLEMENTATION OF PLASTIC WASTE MANAGEMENT RULES, 2016 FOR THE YEAR ... ANNUAL REPORT Format

					sheet)							
(1)	(2)		(3)		(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)

[F. No. 17-2/2001-HSMD]

BISHWANATH SINHA, Jt. Secy.

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 27th March, 2018

G.S.R. 285(E).—In exercise of powers confirmed by sections 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), read with sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following rules to amend the Plastic Waste Management Rules, 2016, published in the Gazette of India, Extraordinary, vide number G.S.R. 320(E), dated the 18th March, 2016, after having dispensed with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the aforesaid rules in public interest, namely :-

1. (i) These rules may be called Plastic Waste Management (Amendment) Rules, 2018.
(2) They shall come into force on the date of their publication in the Official Gazette.
2. In the Plastic Waste Management Rules, 2016 (hereinafter referred to as the said rules), in rule 3,-
i. after clause (a), the following clause shall be inserted, namely:-
“(ab) ‘alternate use’ means use of a material for a purpose other than for which it was conceived, which is beneficial because it promotes resource efficiency;”;
ii. after clause (g), the following clause shall be inserted, namely:-
“(ga) ‘energy recovery’ means energy recovery from waste that is conversion of waste material into usable heat, electricity or fuel through a variety of processes including combustion, gasification, pyrolysis, anaerobic digestion and land fill gas recovery;”.
3. In the said rules, in rule 9, in sub-rule (3), for the words “non-recyclable multilayered plastic if any”, the words “multi-layered plastic which is non-recyclable or non-energy recoverable or with no alternate use” shall be substituted.
4. In the said rules, in rule 13, for the sub-rule (2) the following sub-rule shall be substituted, namely: -
“(2) Every producer or brand-owner shall, for the purpose of registration or renewal of registration, make an application, in Form 1 to,-
(i) the concerned State Pollution Control Board or Pollution Control Committee of the Union territory, if operating in one or two states or Union territories; or
(ii) the Central Pollution Control Board, if operating in more than two States or Union Territories.”.
5. In the said rules, the rule 15 shall be omitted.

[F. No. 17-2/2001-HSMD]

RITESH KUMAR SINGH, Jt. Secy.

Note : The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number GSR 320(E), dated the 18th March, 2016.

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भारत का राजपत्र The Gazette of India

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असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)
PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 459]

नई दिल्ली, बृहस्पतिवार, अगस्त 12, 2021/श्रावण 21, 1943

No. 459]

NEW DELHI, THURSDAY, AUGUST 12, 2021/SHRAVANA 21, 1943

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 12 अगस्त, 2021

सा.का.नि. 571(अ).—प्लास्टिक अपशिष्ट प्रबंधन नियम, 2016 को संशोधन करने के लिए भारत के राजपत्र, असाधारण में अधिसूचना संख्या सा.का.नि. 169 (अ) द्वारा तारीख 11 मार्च, 2021 में प्रारूप नियम प्रकाशित किए गए थे, जिसमें उन सभी लोगों से, जो उन नियमों से प्रभावित हो सकते हैं, उक्त प्रारूप नियम को अंतर्विष्ट करने वाले राजपत्र की प्रतियां जनता को उपलब्ध कराए जाने की तारीख से साठ दिन की अवधि के भीतर आक्षेप और सुझाव आमंत्रित किए गए थे;

और, उक्त प्रारूप नियमों को अंतर्विष्ट करने वाले राजपत्र की प्रतियां जनता को तारीख 11 मार्च, 2021 को उपलब्ध कराई गई थी;

और, उपर्युक्त अवधि के भीतर प्राप्त आक्षेपों और सुझावों पर केंद्रीय सरकार द्वारा सम्यक रूप से विचार किया गया है;

अतः, अब केन्द्रीय सरकार पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 6, धारा 8 और धारा 25 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एतद्वारा प्लास्टिक अपशिष्ट प्रबंधन नियम, 2016 में संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात्:-

- (1) इन नियमों का संक्षिप्त नाम प्लास्टिक अपशिष्ट प्रबंधन (संशोधन) नियम, 2021 कहा है।
- (2) वे राजपत्र में उनके प्रकाशन की तारीख को प्रवृत्त होंगे।

2. प्लास्टिक अपशिष्ट प्रबंधन नियम, 2016 (इसमें इसके पश्चात् उक्त नियमों को कहा गया है) में, नियम 2 में, उप-नियम (1) में, “आयातकों” शब्द के पश्चात् “ब्राण्ड स्वामी, प्लास्टिक अपशिष्ट प्रसंस्करणकर्ता (पुनर्चक्रक, सह-प्रसंस्करणकर्ता आदि)” शब्द अंतःस्थापित किया जाएगा।

उक्त नियमों में, नियम 3 में -

(i) खंड (ढ) के पश्चात्, निम्नलिखित खंड अंतःस्थापित किया जाएगा, अर्थात् -

‘(ढ क) “बिना बुने प्लास्टिक बैग” - से अभिप्रेत है जो यांत्रिक अथवा थर्मल अथवा रासायनिक साधनों द्वारा एक-साथ बंधे हुए जटिल प्लास्टिक फाइबरों या तंतुओं (और छिद्रित फिल्मों द्वारा) की प्लास्टिक की शीट अथवा वेब आकार के कपड़े से बने हुए बिना बुने प्लास्टिक के बैग और “बिना बुने कपड़े” से अभिप्रेत है जिसमें एक समतल अथवा गुच्छेदार छिद्रयुक्त शीट जो सीधे प्लास्टिक फाइबरों, पिघले हुए प्लास्टिक अथवा प्लास्टिक की फिल्मों से बनाया जाता है;

(ii) खंड (थ) के पश्चात्, निम्नलिखित खंड अंतःस्थापित किया जाएगा, अर्थात् -

‘(थ क) “प्लास्टिक अपशिष्ट प्रसंस्करण” - से अभिप्रेत है जिससे कोई ऐसी प्रक्रिया जिसके द्वारा प्लास्टिक अपशिष्ट को पुनःउपयोग, पुनर्चक्रण, सह-प्रसंस्करण अथवा नए उत्पादों में परिवर्तन के प्रयोजन के लिए प्रबंधित किया जाता है;’

(iii) खंड (फ) के पश्चात्, निम्नलिखित खंड अंतःस्थापित किया जाएगा, अर्थात् -

‘(फ क) “एकल प्रयोग प्लास्टिक से बनी वस्तु” का अर्थ है - जिससे प्लास्टिक की मद, जिसके निपटान अथवा पुनर्चक्रण से पहले उसे एक ही प्रयोजन के लिए एक बार ही उपयोग किया जाना है;

(फ ख) “थर्मोसेट प्लास्टिक” से अभिप्रेत है जिसमें ऐसा प्लास्टिक जो गर्म करने पर अपरिवर्तनीय रूप से कठोर हो जाता है और इसलिए इसे वांछित आकार में नहीं बदला जा सकता है;

(फ ग) “थर्मोप्लास्टिक” से अभिप्रेत है जिसमें ऐसा प्लास्टिक जो गर्म करने पर नरम हो जाता है और इसे वांछित आकार में ढाला जा सकता है;’

4. उक्त नियमों में, नियम 4 में -

(क) उप-नियम (1) में, - (i) “आयातक भंडारण” शब्दों के स्थान पर “आयात, भंडारण” शब्द रखे जाएंगे;

(ii) खंड (ग) में, “पचास माइक्रोन की मोटाई”, शब्दों के स्थान पर, शब्द आंकड़े, अक्षर और कोष्ठक “30 सितम्बर 2021 से पचहत्तर माइक्रोन की मोटाई और 31 दिसम्बर, 2022 से एक सौ बीस (120) माइक्रोन की मोटाई” शब्द रखे जाएंगे;

(iii) खंड (ज), “कैरी बैगों”, शब्दों के बाद, “और वस्तु” शब्द अंतर्विष्ट किए जाएंगे;

(iv) खंड (ज), “कंपोस्ट योग्य प्लास्टिक कैरी बैगों”, शब्दों के बाद, “या वस्तु या दोनों” शब्द अंतर्विष्ट किए जाएंगे;

(v) खंड (झ) के पश्चात्, निम्नलिखित खंड अंतःस्थापित किया जाएगा, अर्थात् -

“(ज) 30 सितम्बर, 2021 की तारीख से गैर-बुना हुआ प्लास्टिक कैरी बैग 60 ग्राम प्रति वर्ग मीटर (जीएसएम) से कम नहीं होगा।”;

(ख) उप-नियम (1) के पश्चात्, निम्नलिखित उप-नियम अंतःस्थापित किया जाएगा, अर्थात् -

“(2)” 1 जुलाई, 2022 की तारीख से पोलीस्टाइरीन और विस्तारित पोलीस्टाइरीन वस्तुओं सहित निम्नलिखित एकल-प्रयोग-प्लास्टिक वस्तुओं के विनिर्माण, आयात, भंडारण, वितरण, बिक्री और उपयोग का निषेध किया जाएगा:-

(क) प्लास्टिक स्टिक युक्त ईयर बड्स, गुब्बारों के लिए प्लास्टिक की डंडिया, प्लास्टिक के झंडे, कैंडी स्टिक, आइसक्रीम की डंडिया, पोलीस्टाइरीन (थर्मोकोल) की सजावटी सामग्री;

(ख) प्लेटें, कप, गिलास, कांटे, चम्मच, चाकू, स्ट्रॉ, ट्रे जैसे कटलरी, मिठाई के डिब्बों के इर्द-गिर्द लपेटने या पैक करने वाली फिल्में, निमंत्रण कार्ड और सिगरेट पैकेट, 100 माइक्रोन से कम मोटाई वाले प्लास्टिक या पीवीसी बैनर, स्ट्रिपर।

(3) उप-नियम (2) (ख) के उपाबंध, कंपोस्ट योग्य प्लास्टिक से बनी हुई वस्तुओं पर लागू नहीं होंगे।

(4) इस अधिसूचना के बाद कैरी बैग, प्लास्टिक शीट या समान प्रकार की सामग्री या प्लास्टिक शीट और बहु-परतीय पैकेजिंग से बने कवर और पोलिस्टाइरीन और विस्तारित पोलिस्टाइरीन, वस्तुओं सहित एकल प्रयोग के प्लास्टिक के विनिर्माण, आयात, भण्डारण, वितरण, विक्रय और उपयोग को निषिद्ध करने के संबंध में, जारी की गई कोई भी अधिसूचना, इस अधिसूचना के प्रकाशन की तारीख से दस वर्ष की अवधि समाप्त होने के पश्चात लागू होगी।

5. उक्त नियमों में, नियम 5 में, उप-नियम (1) में, खण्ड (घ) में “2000” अंकों के स्थान पर “2016” रखा जाएगा।

6. उक्त नियमों में, नियम 6 में, उप-नियम (2) में, खण्ड (क) के पश्चात निम्नलिखित खण्ड अंतःस्थापित किया जाएगा, अर्थात्:-

“(क क) सुनिश्चित करना कि इन यथा संशोधित नियमों के उपबंधों का अनुपालन किया जाए।

7. उक्त नियमों में नियम 7 में, उप-नियम (1) में, खण्ड (क) के पश्चात निम्नलिखित खण्ड अंतःस्थापित किया जाएगा, अर्थात्:-

“(क क) सुनिश्चित करना कि इन यथा संशोधित नियमों के उपबंधों का अनुपालन किया जाए।

8. उक्त नियमों में, नियम 9 में, उप-नियम (1) में, “संबंधित स्थानीय निकाय” शब्दों के पश्चात, “इन नियमों के अंतर्गत समय-समय पर जारी किए गए दिशानिर्देशों के अनुसार” शब्द अंतःस्थापित किए जाएंगे।

9. नियम 11 में, उप-नियम (1), -

(i) “प्लास्टिक कैरी बैग” शब्दों के पश्चात, “प्लास्टिक पैकिंग” शब्द अंतःस्थापित किए जाएंगे;

(ii) खंड (क) में “विनिर्माता” शब्द के पश्चात, “उत्पादक” या ब्रैंड स्वामी” शब्द जोड़े जाएंगे, और “कैरी बैग” शब्द के बाद, “और ब्रैंड के स्वामी द्वारा उपयोग प्लास्टिक पैकिंग” शब्द अंतःस्थापित किए जाएंगे;

(iii) खंड (ख), “बहु-परतीय पैकिंग” शब्दों के पश्चात, “आयातित सामग्री के लिए उपयोग बहु-परतीय पैकिंग को छोड़कर” अंतःस्थापित किया जाएगा।

(iv) खंड (ग) में, “नाम और प्रमाणपत्र सं.” शब्दों के पश्चात, “उत्पादक का” अंतःस्थापित किया जाएगा।

10. नियम 12 में, -

(i) उप-नियम (2) में, “अपशिष्ट जनक” शब्दों के पश्चात, “पर प्रतिबंध या निषेध” शब्द अंतःस्थापित किए जाएंगे;

(ii) उप-नियम (3) में, “अपशिष्ट जनक” शब्दों के पश्चात, “पर प्रतिबंध या निषेध” शब्द अंतःस्थापित किए जाएंगे।

11. नियम 13, में उप-नियम (1) में, “संबंधित संघ राज्यक्षेत्र” शब्दों के पश्चात, “या केंद्रीय प्रदूषण नियंत्रण बोर्ड” अंतःस्थापित किया जाएगा।

[फा. सं. 17-2/2001(पार्ट)पार्ट I-एचएसएमडी]

नरेश पाल गंगवार, संयुक्त सचिव

टिप्पण: मूल नियम, भारत के राजपत्र, असाधारण, भाग-II, खंड 3, उपखंड (i) में सा.का.नि. 320(अ) तारीख 18 मार्च, 2016 द्वारा प्रकाशित किए गए थे और तत्पश्चात इनमें अधिसूचना संख्या सा.का.नि. 285(अ) तारीख 27 मार्च, 2018 के द्वारा संशोधन किया गया था।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE**NOTIFICATION**

New Delhi, the 12th August, 2021

G.S.R. 571(E).—Whereas the draft rules to amend the Plastics Waste Management Rules, 2016, were published in the Gazette of India, Extraordinary, dated the 11th March, 2021 vide notification number GSR 169 (E), inviting objections and suggestions from all persons likely to be affected thereby within a period of sixty days from the date copies of the Gazette containing the said draft rules were made available to the public;

And whereas, copies of the Gazette containing the said draft rules were made available to the public on the 11th March, 2021;

And whereas, objections and suggestions received within the aforesaid period have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sections 6, 8 and 25 of Environment (Protection) Act 1986, (29 of 1986), the Central Government hereby makes the following rules to amend the Plastic Waste Management Rules, 2016, namely :-

1. (1) These rules may be called Plastic Waste Management (Amendment) Rules, 2021.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Plastic Waste Management Rules, 2016 (hereinafter referred to as the said rules), in rule 2, in sub-rule (1), after the word “Importers”, the words, “brand-owner, plastic waste processor (recycler, co-processor, etc.)” shall be inserted.

3. In the said rules, in rule 3,

(i) after clause (n), the following clause shall be inserted, namely :-

‘(na) “Non-woven plastic bag” means Non-woven plastic bag made up of plastic sheet or web structured fabric of entangled plastic fibers or filaments (and by perforating films) bonded together by mechanical or thermal or chemical means, and the “non-woven fabric” means a flat or tufted porous sheet that is made directly from plastic fibres, molten plastic or plastic films;’

(ii) after clause (q), the following clause shall be inserted, namely: -

‘(qa) “Plastic waste processing” means any process by which plastic waste is handled for the purpose of reuse, recycling, co-processing or transformation into new products;’

(iii) after clause (v), the following clauses shall be inserted, namely: -

‘(va) “Single-use plastic commodity” mean a plastic item intended to be used once for the same purpose before being disposed of or recycled;’

‘(vb) “Thermoset plastic” means a plastic which becomes irreversibly rigid when heated and hence cannot be remoulded into desired shape;’

‘(vc) “Thermoplastic” means a plastic which softens on heating and can be moulded into desired shape;’.

4. In the said rules, in rule 4, -

(a) in sub-rule (1),—

(i) for the words “importer stocking”, the words “import, stocking” shall be substituted;

(ii) in clause (c), for the words “fifty microns in thickness”, the words, figures, letters and brackets “seventy five microns in thickness with effect from the 30th September, 2021 and one hundred and twenty (120) microns in thickness with effect from the 31st December, 2022” shall be substituted;

(iii) in clause (h), after the words, “carry bags”, the words “and commodities” shall be inserted;

- (iv) in clause (h), after the words, “compostable plastic carry bags”, the words “or commodities or both” shall be inserted;
- (v) after clause (i), following clause shall be inserted, namely: -
- “(j) non-woven plastic carry bag shall not be less than 60 Gram Per Square Meter (GSM) with effect from the 30th September, 2021.”;
- (b) after sub-rule (1), the following sub-ules shall be inserted, namely:-
- “(2) The manufacture, import, stocking, distribution, sale and use of following single-use plastic, including polystyrene and expanded polystyrene, commodities shall be prohibited with effect from the 1st 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.
- (3) The provisions of sub-rule (2) (b) shall not apply to commodities made of compostable plastic.
- (4) Any notification prohibiting the manufacture, import, stocking, distribution, sale and use of carry bags, plastic sheets or like, or cover made of plastic sheets and multi-layered packaging and single-use plastic, including polystyrene and expanded polystyrene, commodities, issued after this notification, shall come into force after the expiry of ten years, from the date of its publication”.
5. In the said rules, in rule 5, in sub-rule (1), in clause (d), for the figures “2000”, the figures “2016” shall be substituted.
6. In the said rules, in rule 6, in sub-rule (2), after clause (a), following clause shall be inserted, namely: -
- “(aa) ensuring that the provisions of these rules, as amended, are adhered to;”.
7. In the said rules, in rule 7, in sub-rule (1), after clause (a), following clause shall be inserted, namely: -
- “(aa) ensuring that the provisions of these rules, as amended, are adhered to;”.
8. In the said rules, in rule 9, in sub-rule (1), after the words, “local body concerned”, the words “as per guidelines issued under these rules from time to time” shall be inserted.
9. In rule 11, sub-rule (1), -
- (i) after the words “plastic carry bag”, the words, “plastic packaging” shall be inserted;
- (ii) in clause (a), after the word “manufacturer”, the words “producer or brand-owner” shall be inserted, and after the words “carry bag”, the words “and plastic packaging used by the brand owner” shall be inserted;
- (iii) in clause (b), after the words “multilayered packaging”, the words “excluding multi-layered packaging used for imported goods” shall be inserted;
- (iv) in clause (c), after the words “name and certificate number”, the words “of producer” shall be inserted.
10. In rule 12, -
- (i) in sub-rule (2), after the words “waste generator,”, the words “restriction or prohibition on” shall be inserted;
- (ii) in sub-rule (3), after the words “waste generator,”, the words “restriction or prohibition on” shall be inserted.

11. In rule 13, in sub-rule (1), after the words “Union Territory concerned”, the words “or the Central Pollution Control Board” shall be inserted.

[F. No. 17-2-2001 (Pt)-Part I -HSMD]

NARESH PAL GANGAWAR, Jt. Secy.

Note : The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number GSR 320 (E), dated the 18th March, 2016 and subsequently amended vide notification number GSR 285 (E), dated the 27th March, 2018.



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EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)
PART II—Section 3—Sub-section (i)

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पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 18 जनवरी, 2022

सा.का.नि. 22(अ).—निम्नलिखित प्रारूप अधिसूचना, जिसे केंद्र सरकार, पर्यावरण (सुरक्षा) अधिनियम, 1986 (1986 का 29) की धारा 3, धारा 6, धारा 8 और धारा 25 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, तारीख 18 मार्च, 2006 के सा.का.नि. 320 (अ) द्वारा प्लास्टिक अपशिष्ट प्रबंधन नियम, 2016 में कुछ संशोधन करने के लिए जारी करने का प्रस्ताव करती है, एतद्वारा पर्यावरण (सुरक्षा) नियम, 1986 के नियम 5 के उप-नियम (3) के तहत यथापेक्षित ढंग से उससे संभावित तौर पर प्रभावित होने वाले लोगों और अन्य हितधारकों के सूचनार्थ प्रकाशित की जाती है और इसके द्वारा यह नोटिस दिया जाता है कि उक्त अधिसूचना पर केंद्र सरकार द्वारा भारत के राजपत्र में यथाप्रकाशित इस अधिसूचना की प्रतियां जनता को उपलब्ध कराए जाने की तारीख से साठ दिन की अवधि समाप्त होने पर या उसके पश्चात् विचार किया जाएगा;

प्रारूप अधिसूचना में निहित प्रस्तावों पर कोई आपत्ति या सुझाव प्रस्तुत करने का इच्छुक कोई व्यक्ति इस प्रकार विनिर्दिष्ट अवधि के भीतर लिखित रूप में डाक द्वारा सचिव, पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय, इंदिरा पर्यावरण भवन, जोर बाग रोड, अलीगंज, नई दिल्ली-110003 को या ई-मेल पते: satyendra.kumar07@nic.in या amit.love@nic.in पर इलैक्ट्रॉनिक तरीके से ऐसा कर सकता है।

प्रारूप अधिसूचना

प्लास्टिक अपशिष्ट प्रबंधन नियम, 2016 पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय द्वारा तारीख 18 मार्च, 2016 के सा.का.नि. 320 (अ) द्वारा अधिसूचित किए गए थे, जिनमें, अन्य बातों के साथ-साथ, प्लास्टिक अपशिष्ट पर्यावरण के अनुकूल तरीके से एकत्रीकरण, पृथक्करण, प्रसंस्करण, शोधन और निपटान, प्लास्टिक शीट और इस प्रकार की अन्य वस्तु की मोटाई के सीमा-निर्धारण, अभिज्ञात उपयोग के निषेध, विस्तारित उत्पादक उत्तरदायित्व, निशान लगाने और लेबल लगाने की अपेक्षा, प्लास्टिक अपशिष्ट के सृजन में कमी लाते हुए विनिर्माता, उत्पादक, आयातक, ब्राण्ड मालिक तथा प्लास्टिक अपशिष्ट प्रसंस्करणकर्ता के पंजीकरण का प्रावधान किया गया है;

प्लास्टिक अपशिष्ट संशोधन नियम, 2021 तारीख 12 अगस्त, 2021 के सा.का.नि. सं. 571(अ) द्वारा अधिसूचित किए गए थे, जिनमें, अन्य बातों के साथ-साथ, उत्पादक, आयातक और ब्राण्ड मालिक की जिम्मेदारी के संबंध में नियम 9(1) के अधीन दिशा-निर्देश जारी करने का प्रावधान किया गया है;

और, पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय ने तारीख 6 अक्टूबर, 2021 को सा.का.नि. सं. 722(अ) द्वारा, “समय-समय पर यथासंशोधित, प्लास्टिक अपशिष्ट प्रबंधन नियम, 2016 के तहत विस्तारित उत्पादक उत्तरदायित्व संबंधी विनियम” के लिए प्रारूप प्रावधान अधिसूचित किए थे;

और, संधारणीय विकास, पूर्वोपाय सिद्धांत, और प्रदूषण फैलाने वालों द्वारा क्षतिपूर्ति किए जाने के सिद्धांत को कानून में मान्यता प्रदान की गई है;

अतः अब, पर्यावरण (संरक्षण) नियम 1986 के नियम 5 के उप-नियम (3) के खंड (घ) के साथ पठित उक्त पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 6, धारा 8 और धारा 25 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केंद्रीय सरकार उक्त पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उप-नियम 3 के तहत यथापेक्षित इस प्रारूप अधिसूचना को प्रकाशित करती है, जो उक्त अधिसूचना में अपने अंतिम प्रकाशन होने पर और उस तारीख से निम्नलिखित संशोधन करेगी, अर्थात:-

1. (1) इन नियमों को प्लास्टिक अपशिष्ट प्रबंधन (तृतीय संशोधन) नियम, 2021 कहा जाएगा।

(2) वे राजपत्र में अपने प्रकाशन की तारीख से प्रवृत्त होंगे।

2. उक्त नियमों में, नियम 3 में,

i. खण्ड 3 (ख) को निम्नवत् पढ़ा जाएगा:-

“ब्राण्ड मालिक” का अर्थ वह व्यक्ति या कंपनी है जो किसी पंजीकृत ब्राण्ड लेबल/ट्रेडमार्क के तहत किसी सामग्री की बिक्री करता है;

“जैव-अवक्रमणीय प्लास्टिकों” का तात्पर्य उन प्लास्टिकों से है, कंपोस्टेबल प्लास्टिक के सिवाय, जो केंद्रीय प्रदूषण नियंत्रण बोर्ड द्वारा प्रमाणित भारतीय मानके व्यूरो के निर्धारित मानकों का अनुपालन करते हुए, किन्हीं माइक्रो प्लास्टिकों, या स्पष्ट रूप से दृश्य, अलग करने योग्य या विषाक्त अवशेष, जिनका पर्यावरण पर प्रतिकूल प्रभाव पड़ता है, छोड़े बिना, विनिर्दिष्ट समयावधियों में, परिवेशी पर्यावेशी पर्यावरणीय (स्थलीय या जलीय) दशाओं के तहत जैविक प्रक्रियाओं द्वारा पूर्ण रूप से अवक्रमित हो जाते हैं।

ii. खण्ड 3 (छ) के पश्चात्, निम्नलिखित खण्ड अंतःस्थापित किया जाएगा, अर्थात्:-

“उपयोग की अवधि समाप्त होने पर निपटान” का अर्थ है प्लास्टिक अपशिष्ट का ऊर्जा उत्पादन के लिए उपयोग, जिसमें सह-प्रसंस्करण (उदाहरण के लिए सीमेंट भट्टों में), अपशिष्ट से तेल उत्पादन या भारतीय सड़क कांग्रेस द्वारा जारी दिशा-निर्देशों और अन्य संगत दिशा-निर्देशों के अनुसार सड़क निर्माण के लिए उपयोग शामिल है।”

iii. खण्ड 3 (ट) निम्नवत् पढ़ा जाएगा:-

“आयातक” का तात्पर्य उस व्यक्ति से है जो प्लास्टिक पैकेजिंग उत्पादों या प्लास्टिक पैकेजिंग वाले उत्पादों या कैरी बैगों या बहु-परतीय पैकेजिंग या प्लास्टिक शीटों या इस प्रकार की अन्य सामग्रियों का आयात करता है;”

iv. खण्ड 3 (ण) को निम्नवत् पढ़ा जाएगा:-

“प्लास्टिक पैकेजिंग” का अर्थ उत्पादों के विभिन्न तरीकों से सुरक्षा, संरक्षण, भंडारण और परिवहन के लिए प्लास्टिकों का प्रयोग करके बनाई गई पैकेजिंग सामग्री है।

v. खण्ड 3 (थ) के पश्चात् निम्नलिखित खण्ड अंतःस्थापित किया जाएगा, अर्थात्:-

“प्लास्टिक अपशिष्ट प्रसंस्करणकर्ताओं” का अर्थ है, प्लास्टिक का उपयोग करके ऊर्जा बनाने में लगे पुनर्चक्रक और इकाइयां (अपशिष्ट से ऊर्जा उत्पादन) जिसमें सह-प्रसंस्करण या इसे तेल में परिवर्तित करना (अपशिष्ट से तेल उत्पादन), औद्योगिक खाद बनाना शामिल है;

vi. खंड 3 (थ) के पश्चात् निम्नलिखित खंड अंतःस्थापित किया जाएगा, अर्थात्:-

“उपयोग के बाद प्लास्टिक पैकेजिंग का अपशिष्ट” का अर्थ है, उत्पाद का अंतिम उपयोग करने वाले उपभोक्ता द्वारा, पैकेजिंग का इच्छित उपयोग पूर्ण होने के पश्चात् सृजित किया गया प्लास्टिक पैकेजिंग अपशिष्ट और अब इसका उपयोग अपने इच्छित उद्देश्य के लिए नहीं किया जा रहा है।

vii. खंड 3 (द) के पश्चात्, निम्नलिखित खंड अंतःस्थापित किया जाएगा, अर्थात्:-

“उपयोग से पूर्व प्लास्टिक पैकेजिंग अपशिष्ट” का अर्थ है, प्लास्टिक पैकेजिंग के निर्माण के चरण पर अस्वीकार या पृथक किए जाने के रूप में सृजित प्लास्टिक पैकेजिंग अपशिष्ट और उत्पाद का अंतिम उपयोग करने वाले उपभोक्ता तक प्लास्टिक पैकेजिंग पहुंचने से पहले, उत्पाद की पैकेजिंग के दौरान सृजित प्लास्टिक पैकेजिंग अपशिष्ट जिसमें अस्वीकृत, पृथक किए गए उत्पाद शामिल हैं;

viii. खंड 3 (ध) के पश्चात्, निम्नलिखित खंड अंतःस्थापित किया जाएगा, अर्थात्:-

“पुनर्चक्रक” के इकाइयां हैं जो प्लास्टिक अपशिष्ट के पुनर्चक्रण की प्रक्रिया में कार्यरत हैं;

ix. खंड 3 (ब) के पश्चात् निम्नलिखित खंड अंतःस्थापित किया जाएगा, अर्थात्:-

“पुनर्निर्मित प्लास्टिक का प्रयोग” का अर्थ है, वर्जिन प्लास्टिक के बजाय पुनर्निर्मित प्लास्टिक, जिसे विनिर्माण प्रक्रिया में कच्चे माल के रूप में प्रयोग किया जाता है;

x. खंड 3 (कक) के पश्चात् निम्नलिखित खंड अंतःस्थापित किया जाएगा, अर्थात्:-

“अपशिष्ट से ऊर्जा उत्पादन” का अर्थ है, ऊर्जा के उत्पादन के लिए प्लास्टिक अपशिष्ट का प्रयोग करना और इसमें सह-प्रसंस्करण (अर्थात् सीमेंट के भट्टों में) शामिल है।

3. उक्त नियमों में, नियम 4 में, -

i. उप-नियम (1) में, खंड (घ) में, “के सिवाय मोटाई” शब्दों के पश्चात् “सरकार द्वारा यथा अधिसूचित” शब्द अंतःस्थापित किए जाएंगे”

4. उक्त नियमों में, नियम 9 में, -

i. उप-नियम (1) के लिए, निम्नलिखित उप-नियम प्रतिस्थापित किया जाएगा, अर्थात्-

“उत्पादक, आयातक और ब्राण्ड मालिक प्लास्टिक पैकेजिंग के संबंध में इन नियमों के तहत समय-समय पर जारी विनियमों के अनुसार विस्तारित उत्पादक उत्तरदायित्व को पूरा करेंगे”

ii. उप-नियम (4) में, “प्रदूषण नियंत्रण बोर्ड” शब्दों से पहले “केंद्रीय प्रदूषण नियंत्रण बोर्ड और राज्य” शब्द अंतःस्थापित किए जाते हैं

iii. उप-नियम (5) में, “पंजीकरण फॉर्म के बिना” शब्दों के पश्चात् निम्नलिखित शब्द जोड़े जाते हैं “केंद्रीय प्रदूषण नियंत्रण बोर्ड यदि दो से अधिक राज्यों या संघ राज्य क्षेत्रों में कार्य कर रहा हो” और “प्रदूषण नियंत्रण समितियों” शब्दों के पश्चात् निम्नलिखित शब्द जोड़े जाते हैं “उप-नियम 13(2) के अनुसार।”

5. उक्त नियमों में, नियम 10 के लिए, निम्नलिखित उप-नियम प्रतिस्थापित किया जाएगा, अर्थात्:-

“10 कंपोस्टेबल और बायो-डिग्रेडेबल प्लास्टिक सामग्रियों के लिए नयाचार.- प्लास्टिक सामग्री की अवक्रमणीयता के परिमाण और अपघटन के परिमाण का निर्धारण इन नियमों की अनुसूची I में सूचीबद्ध भारतीय मानकों के नयाचारों के अनुसार होगा, जिनमें यह सुनिश्चित किया जाएगा कि मानक जैव-अवक्रमणीय प्लास्टिक, कंपोस्टेबल प्लास्टिक के सिवाय, केंद्रीय प्रदूषण बोर्ड द्वारा प्रमाणित भारतीय मानके ब्यूरो द्वारा तैयार किए गए उचित मानकों का अनुसरण करते हुए, किन्हीं माइक्रो-प्लास्टिकों, या स्पष्ट रूप से दृश्य, अलग करने योग्य या विषाक्त अवशेष, जिनका पर्यावरण पर प्रतिकूल प्रभाव पड़ता है, छोड़े बिना, विनिर्दिष्ट समयावधियों में परिवेशी पर्यावरणीय (स्थलीय या जलीय) दशाओं के तहत जैविक प्रक्रियाओं द्वारा पूर्ण रूप से अवक्रमित हो जाए।

कंपोस्टेबल प्लास्टिक सामग्रियों कंपोस्टेबल प्लास्टिकों के लिए विनिर्देश शीर्षक वाले भारतीय मानक : आईएस 17088:2008, समय-समय पर यथासंशोधित, के अनुरूप होंगी।”

6. उक्त नियमों में, नियम 11 में –

i. उप-नियम 11 में, “प्लास्टिक पैकेजिंग” शब्दों के स्थान पर “प्लास्टिक शीट या पैकेजिंग के लिए प्रयुक्त ऐसी सामग्री” शब्द रखे जाएंगे।

ii. उप-नियम (1) खंड (क) में, “विनिर्माता” और “ब्रांड मालिक द्वारा उपयोग किए गए” शब्दों का लोप किया जाएगा और “प्लास्टिक पैकेजिंग” शब्दों के स्थान पर “पैकेजिंग के लिए उपयोग की गई प्लास्टिक शीट या सदृश सामग्री” शब्द रखे जाएंगे और पैकेजिंग के लिए उपयोग की गई “प्लास्टिक शीट या सदृश सामग्री” शब्दों के बाद, निम्नलिखित शब्द, “दिनांक 1 जुलाई 2022 से प्रभावी और आयातित सामानों के लिए उपयोग की गई पैकेजिंग के लिए उपयोग की गई प्लास्टिक शीट या सदृश सामग्री को छोड़कर” जोड़े जाएंगे। इस परंतुक में निहित कुछ भी “विधिक माप विज्ञान पैकेज में रखी वस्तु नियम, 2011 के नियम 26 के तहत छूट प्रदान किए गए मामलों में “पैकेजिंग के लिए उपयोग की गई प्लास्टिक शीट या सदृश सामग्री” पर लागू नहीं होगा।”

iii. उप नियम (1) खंड (ख) में, “विनिर्माता” शब्द के स्थान पर “उत्पादक या ब्रांड मालिक” शब्द रखा जाएगा, “और” शब्द के स्थान पर “1 जुलाई, 2022 से लागू” शब्द रखे जाएंगे।

iv. उप-नियम (1) खंड (ग) के बाद, निम्नलिखित खंड अंत-स्थापित किया जाएगा

“(घ) आयातित कैरी बैगों या बहु-स्तरीय पैकेजिंग या पैकेजिंग के लिए उपयोग की जाने वाली प्लास्टिक शीट पैकेजिंग के लिए उपयोग की जाने वाली या सदृश सामग्री का आयातक या ब्रांड मालिक, अनन्य रूप से या उत्पादों सहित उप-नियम 11 (क) और 11 (ख) का अनुपालन करेगा।”

7. उक्त नियमों में, नियम 12 में, -

i. उप-नियम (1) में, “राज्य प्रदूषण नियंत्रण बोर्ड” शब्दों से पहले, “केंद्रीय प्रदूषण नियंत्रण बोर्ड” शब्द अंतःस्थापित किए जाएंगे।

8. उक्त नियमों में, नियम 13 में,-

i. उप-नियम (1) के लिए, निम्नलिखित उप-नियम प्रतिस्थापित किए जाएंगे, अर्थात्:-

“(1) कोई भी व्यक्ति तब तक कैरी बैगों या पुनर्चक्रित प्लास्टिक या बहुस्तरीय पैकेजिंग का विनिर्माण नहीं करेगा जब तक कि वह व्यक्ति निम्नलिखित से पंजीकरण प्राप्त न कर ले,-

i. संबंधित राज्य प्रदूषण नियंत्रण बोर्ड या संघ शासित प्रदेश की प्रदूषण नियंत्रण समिति, यदि एक या दो राज्यों या संघ शासित प्रदेशों में संचालित कर रहे हों; या

ii. केंद्रीय प्रदूषण नियंत्रण बोर्ड, यदि दो से अधिक राज्यों या संघ शासित प्रदेशों में संचालित कर रहे हों,”

ii. उप-नियम (2) में, “उत्पादक” शब्द के बाद, निम्नलिखित शब्द “आयातक” जोड़ा गया है और “को” के बाद, निम्नलिखित शब्द “नियम 9 (1) के तहत जारी किए गए उत्पादक के विस्तारित उत्तरदायित्व के लिए विनियमन के तहत निर्धारित की गई कार्यविधि के अनुसार।” जोड़े गए हैं।

iii. उप-नियम (3) में, “प्रपत्र II में” शब्दों के बाद, निम्नलिखित शब्द “नियम 9 (1) के तहत जारी किए गए उत्पादक के विस्तारित उत्तरदायित्व के लिए विनियमन के तहत निर्धारित की गई कार्यविधि के अनुसार।” जोड़े गए हैं।

iv. उप-नियम (6) का लोप किया जाएगा।

v. उप-नियम (7) में, “पंजीकरण की शर्तें” शब्दों के बाद, निम्नलिखित शब्द, “पंजीकरण, प्लास्टिक अपशिष्ट या पुनर्चक्रण या प्रसंसाधित करने पर विचार कर रहे हर व्यक्ति द्वारा यथा प्रयोज्य नियम 9(1) के तहत जारी किए गए उत्पादक के विस्तारित उत्तरदायित्व के लिए विनियमन का पालन करने की शर्त के अधधीन होगा।”

9. उक्त नियमों में, नियम 17 के बाद, एक नया नियम 18 निम्नवत जोड़ा गया है:

“18. पर्यावरणीय क्षतिपूर्ति को लागू करना.-

1.

1. पर्यावरणीय क्षतिपूर्ति उन व्यक्ति (व्यक्तियों) से इन नियमों के प्रावधानों का पालन नहीं करने पर, पर्यावरण की गुणवत्ता की सुरक्षा करने और उसमें सुधार करने और पर्यावरणीय प्रदूषण का निवारण, नियंत्रण और उपशमन करने के प्रयोजन के लिए प्रदूषक द्वारा भुगतान किए जाने के सिद्धांत के आधार पर वसूल की जाएगी।
2. केंद्रीय प्रदूषण नियंत्रण बोर्ड पर्यावरणीय क्षतिपूर्ति को लागू करने और उसके संग्रहण हेतु दिशा-निर्देश निर्धारित करेगा और उन्हें अधिसूचित किया जाएगा। आवश्यकतानुसार पर्यावरणीय क्षतिपूर्ति हेतु दिशानिर्देशों को अद्यतन किया जाएगा।

10. उक्त नियमों में, प्रपत्र I में

i भाग I में मद संख्या 11 पर, निम्नलिखित प्रतिस्थापित किया जाएगा, अर्थात्:-

“उत्पादक के विस्तारित उत्तरदायित्व के लिए अधिसूचित विनियमन के अनुसार कार्य योजना”

(ii) भाग II में मद संख्या 9 पर, निम्नलिखित प्रतिस्थापित किया जाएगा, अर्थात्:-

“उत्पादक के विस्तारित उत्तरदायित्व के लिए अधिसूचित विनियमन के अनुसार कार्य योजना”

(iii) भाग II के बाद, निम्नलिखित जोड़ा गया है:

III. आयातक :

भाग क, भाग ख, की मद संख्या 3, 4, 5 और भाग ग की मद संख्या 7 और 8 प्रयोज्यतानुसार भरी जानी है।

भाग-क सामान्य		
1.	नाम, पता और संपर्क करने के लिए नंबर	
2.	नवीकरण के मामले में पिछली पंजीकरण संख्या और पंजीकरण की तारीख	
3.	क्या इकाई राज्य सरकार या संघ राज्य क्षेत्र के जिला उद्योग केंद्र में पंजीकृत है? यदि हां, तो प्रति संलग्न करें।	
4. (क)	परियोजना में निवेश की कुल पूंजी	
(ख)	उत्पादन प्रारंभ करने का वर्ष	
5. (क)	उत्पादों और उप-उत्पादों की सूची और प्रमात्रा	
(ख)	प्रयुक्त कच्ची सामग्री की सूची और प्रमात्रा	
6 (क)	आयातित या आयात किए जाने वाले उत्पादों की पैकेजिंग के लिए प्रयुक्त प्लास्टिक शीट या समान सामग्री की मात्रा	
(ख)	और अधिक आपूर्ति या स्वयं के उपयोग के लिए पैकेजिंग हेतु प्रयुक्त आयातित या आयात की जाने वाली प्लास्टिक शीट या समान सामग्री की मात्रा	
(ग)	और अधिक आपूर्ति या स्वयं के उपयोग के लिए आयातित या आयात की जाने वाली बहु-परतीय पैकेजिंग की मात्रा	
भाग-ख द्रव बहिःस्राव और गैसीय उत्सर्जनों से संबंधित		
5	क्या इकाई के पास जल (प्रदूषण निवारण एवं नियंत्रण) अधिनियम, 1974 (1974 का 6) के तहत वैध सहमति है? यदि हां तो प्रति संलग्न करें	
6.	क्या इकाई के पास वायु (प्रदूषण निवारण एवं नियंत्रण) अधिनियम, 1981 (1981 का 14) के तहत वैध सहमति है? यदि हां तो प्रति संलग्न करें	

भाग-ग अपशिष्ट से संबंधित		
7.	ठोस अपशिष्ट या अवशिष्ट : ग. उत्सर्जित अपशिष्ट की कुल प्रमात्रा घ. संयंत्र के भीतर भण्डारण का तरीका (घ) अपशिष्टों के निपटान के लिए किया गया उपबंध	
8. (क)	(i) पैकेजिंग के लिए प्रयुक्त प्लास्टिक शीट या समान सामग्री और (ii) बहुपरतीय पैकेजिंग की आयातित आपूर्ति कराने वाले व्यक्ति की सूची संलग्न या उपलब्ध कराएं	
(ख)	(i) पैकेजिंग के लिए प्रयुक्त प्लास्टिक शीट या समान सामग्री और (ii) स्वयं के उपयोग के लिए प्रयुक्त बहुपरतीय पैकेजिंग की आयातित मात्रा	
9	विस्तारित उत्पादक उत्तरदायित्व के लिए अधिसूचित विनियम के अनुसार कार्य योजना	
नाम और हस्ताक्षर पदनाम तारीख : स्थान :		

11. उक्त नियमों में, प्रपत्र IV में, मद (9) के बाद निम्नलिखित जोड़ा गया है

“(10). नियम 9(1) के तहत जारी विस्तारित उत्पादक उत्तरदायित्व संबंधी विनियम के अनुसार, संबंधित राज्य प्रदूषण नियंत्रण बोर्ड और प्रदूषण नियंत्रण समिति को प्रत्येक वर्ष की 30 अप्रैल को आंकड़े उपलब्ध कराए जाएंगे”

12. उक्त नियमों में, प्रपत्र VI में, तालिका के बाद निम्नलिखित जोड़ा गया है

“ख. नियम 9(1) के तहत जारी विस्तारित उत्पादक उत्तरदायित्व के तहत विनियम के संबंध में यथाविनिर्दिष्ट सूचना निम्नलिखित के संबंध में केन्द्रीय प्रदूषण नियंत्रण बोर्ड को विनिर्दिष्ट प्ररूप में प्रत्येक वर्ष की 30 अप्रैल तक उपलब्ध कराई जाएगी :

क. कैरी बैग, पुनर्चक्रित प्लास्टिक बैग, बहुपरतीय पैकेजिंग का विनिर्माता (नियम 13(1)(i) के तहत पंजीकृत)

ख. उत्पादक, आयातक, ब्रैंड का मालिक (नियम 13(2)(i) के तहत पंजीकृत)

ग. पुनर्चक्रणकर्ता और प्लास्टिक अपशिष्ट का प्रसंस्करणकर्ता (नियम 13(3)(i) के तहत पंजीकृत)”

[फा. सं. 17/24/2021-एचएसएमडी]

नरेश पाल गंगवार, संयुक्त सचिव

टिप्पणी : मूल नियम भारत के राजपत्र में सा.का.नि. 320(अ) तारीख 18 मार्च, 2016 के द्वारा प्रकाशित किए गए थे और तदनंतर इनमें अधिसूचना संख्या सा.का.नि. 285(अ), तारीख 27 मार्च, 2018 और अधिसूचना संख्या सा.का.नि. 571(अ), तारीख 12 अगस्त, 2021 के द्वारा संशोधन और अधिसूचना संख्या सा.का.नि. 647(अ), तारीख 17 अगस्त, 2021 के द्वारा अंतिम संशोधन किया गया था।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 18th January, 2022

G.S.R. 22(E).—The following draft notification which the Central Government proposes to issue, in exercise of the powers conferred by sections 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), for making certain amendments in the Plastic Waste Management Rules, 2016, issued vide G.S.R. 320 (E), dated the 18th March, 2016, is hereby published as required under sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, for information of the public likely to be affected thereby and notice is hereby given that the said notification will be taken into consideration by the Central Government on or after the expiry of sixty days from the date on which copies of this notification as published in the Gazette of India are made available to the public;

Any person interested in making any objection or suggestion on the proposals contained in the draft notification may do so in writing within the period so specified through post to the Secretary, Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi-110003 or electronically at email address: satyendra.kumar07@nic.in, amit.love@nic.in.

Draft Notification

Whereas, the Plastic Waste Management Rules, 2016 were notified by Ministry of Environment, Forest and Climate Change vide G.S.R. 320 (E), dated the 18th March, 2016, inter alia, providing for collection, segregation, processing, treatment and disposal of the plastic waste in an environmentally sound manner, restriction on thickness of plastic sheet or like, prohibition on identified use, extended producer responsibility, marking and labelling requirement, registration of manufacturer, producer, importer, brand owner and plastic waste processor, reducing the plastic waste generation;

Whereas, the Plastic Waste Amendment Rules, 2021, were notified vide G.S.R. No. 571 (E) on 12th August, 2021, inter alia, providing for issuance of Guidelines under Rule 9 (1) on the responsibility of producer, importer and brand owner;

And whereas, the Ministry of Environment, Forest and Climate Change notified the draft provisions for the “Regulation on the Extended Producer Responsibility under Plastic Waste Management Rules, 2016, as amended from time to time” vide GSR No. 722 (E) on 6th October, 2021;

And whereas, the principle of sustainable development, precautionary principle, and polluter pays principle have been recognized in the law;

Now, therefore, in the exercise of the powers conferred by sections 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), read with clause (d) of sub-rule (3) of rule 5 of the said Environment (Protection) Rules, 1986 the Central Government hereby publishes this draft notification as required under sub-rule 3 of rule 5 of the said Environment (Protection) Rules, 1986, which shall on and from the date of its final publication make the following amendments in the said notification, namely:—

1. (1) These rules may be called Plastic Waste Management Rules, 2022.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the said rules, in rule 3,

i. After clause (ab), the following clause shall be inserted, namely:-

‘(ac) “Biodegradable plastics” means that plastics, other than compostable plastics, which undergoes complete degradation by biological processes under ambient environment (terrestrial or in water) conditions, in specified time periods, without leaving any micro plastics, or visible, distinguishable or toxic residue, which has adverse environment impacts, adhering to laid down standards of Bureau of Indian Standards and certified by Central Pollution Control Board.’

ii. Clause 3(b), may be read as given below:-

“Brand Owner” means a person or company who sells any commodity under a registered brand label/trademark;’

iii. after clause 3 (g), the following clause shall be inserted namely :-

‘(gb) “End of Life disposal” means using plastic waste for generation of energy which includes co-processing (e.g. in cement kilns) or waste to oil or for road construction as per Indian Road Congress guidelines and other relevant guidelines;’

iv. Clause 3(k), may be read as given below:-

‘“Importer” means a person who imports plastic packaging product or products with plastic packaging or carry bags or multilayered packaging or plastic sheets or like;’

v. after clause 3 (o), the following clause shall be inserted namely :-

““Plastic Packaging” means packaging material made by using plastics for protecting, preserving, storing and transporting of products in a variety of ways;’

vi. after Clause 3(qa), the following clause shall be inserted namely :-

‘(qb) “Plastic Waste Processors” means recyclers and entities engaged in using plastic for energy (waste to energy) including in coprocessing or converting it to oil (waste to oil), industrial composting;’

vii. after Clause 3(qb), the following clause shall be inserted namely:-

‘(qc) “Post-consumer plastic packaging waste” means plastic packaging waste generated by the end-use consumer after the intended use of packaging is completed and is no longer being used for its intended purpose;’

viii. after Clause 3(r), the following clause shall be inserted namely:-

‘(ra) “Pre-consumer plastic packaging waste” means plastic packaging waste generated in the form of reject or discard at the stage of manufacturing of plastic packaging and plastic packaging waste generated during the packaging of product including reject, discard, before the plastic packaging reaches the end-use consumer of the product;’

ix. after Clause 3(s), the following clause shall be inserted namely :-

‘(sa) “Recyclers” are entities who are engaged in the process of recycling of plastic waste;’

x. after Clause 3(w), the following clause shall be inserted namely :-

‘(wa) “Use of recycled plastic” means recycled plastic, instead of virgin plastic, is used as raw material in the manufacturing process;’

xi. after Clause 3(aa), the following clause shall be inserted namely :-

‘(aab) “Waste to Energy” means using plastic waste for generation of energy and includes co-processing (e.g. in cement kilns);’

3. In the said rules, in rule 4, -

i. in sub-rule (1), in clause (d), after the words “ thickness except”, the words shall be inserted “ as notified by Government”

4. In the said rules, in rule 9, -

i. for the sub-rule (1), the following sub-rule shall be substituted, namely.-

“The Producers, Importers and Brand Owners, shall fulfill Extended Producers Responsibility on plastic packaging waste as per regulations issued under these rules from time to time”

ii. in the sub-rule (4), before the words, “Pollution Control Board”, the words, “Central Pollution Control Board and State” is inserted

iii. in the sub-rule (5), after the words “without registration from” the following words are added “Central Pollution Control Board if operating in more than two states or union territories” and after the words “Pollution Control Committees” the following words are added “ as per sub-rule 13 (2).”

5. In the said rules, for rule 10, the following sub-rule shall be substituted, namely.-

“10. Protocols for compostable and biodegradable plastic materials.-Determination of the degree of degradability and degree of disintegration of plastic material shall be as per the protocols of the Indian Standards listed in Schedule I to these rules, wherein, it shall be ensured that standard biodegradable plastic, other than compostable plastics, undergoes complete degradation by biological processes under ambient environment (terrestrial or in water) conditions, in specified time periods, without leaving any micro plastics, or visible, distinguishable or toxic residue, which has adverse environment impacts, following appropriate standards developed by Bureau of Indian Standards and certified by Central Pollution Control Board. The compostable plastic materials shall conform to the Indian Standard: IS 17088:2008 titled as Specifications for Compostable Plastics, as amended from time to time.”

6. In the said rules, in rule 11-

- i. In sub rule 11, “plastic packaging” are substituted by the words “plastic sheet or like used for packaging”
- ii. In sub-rule (1) clause (a), words “manufacturer” and “used by the brand owner” shall be omitted and words “plastic packaging” are substituted by the words “plastic sheet or like used for packaging” and after words “plastic sheet or like used for packaging” the following words are added “with effect from 1st July, 2022 and excluding plastic sheet or like used for packaging used for imported goods. Nothing contained in this proviso shall apply to “plastic sheet or like used for packaging” in cases exempted under Rule 26 of Legal Metrology Packaged Commodities Rules, 2011.”
- iii. In sub rule (1) clause (b), the word “manufacturer” shall be substituted by the word “producer or brand owner”, the word “and” is substituted with the following words “with effect from 1st July, 2022”
- iv. After sub-rule (1) clause (c), the following clause is inserted
“(d) The importer or brand owner, of imported carry bags or multi-layered packaging or plastic sheets or like used for packaging, alone or along with products shall adhere to Sub-rule 11 (a) and 11 (b).”

7. In the said rules, in rule 12, -

- i. In Sub-rule (1), before the words, “State Pollution Control Board”, the words, “Central Pollution Control Board” is inserted.

8. In the said rules, in rule 13, -

- i. for the sub-rule (1), the following sub-rule shall be substituted, namely.-
“(1) No person shall manufacture carry bags or recycle plastic or multilayered packaging unless the person has obtained registration from,-
 - i. The concerned State Pollution Control Board or Pollution Control Committee of the Union Territory, if operating in one or two states or Union territories; or
 - ii. The Central Pollution Control Board, if operating in more than two States or Union Territories,”
 - ii. in sub-rule (2), after the word “producer” the following word is added “importer” and after the “to” the following words are added “as per the procedure prescribed under Regulation for Extended Producer Responsibility issued under Rule 9 (1).”
 - iii. in sub-rule (3), after the words “in Form II” the following words are added “as per the procedure prescribed under Regulation for Extended Producer Responsibility issued under Rule 9 (1).”
- iv. Sub-rule (6) shall be omitted.
- v. In the sub-rule (7), after the words “terms of registration.” the following words are added
“The registration shall be subject to every person recycling or processing plastic waste or

proposing to recycle or process plastic waste, adhering to the Regulation for Extended Producer Responsibility issued under Rules 9 (1), as applicable.”

9. In the said rules, after rule 17, a new rule 18 is added as given below:

“18. Imposition of Environmental Compensation.-

1. Environmental Compensation shall be levied based upon polluter pays principle, on person(s) not adhering to the provisions of these rules, for the purpose of protecting and improving the quality of the environment and preventing, controlling and abating environment pollution.
2. CPCB shall lay down guidelines for imposition and collection of environment compensation and the same shall be notified. The Guidelines for Environmental Compensation shall be updated, as required.”

10. In the said rules, in Form I

(i). in Part I at item 11, the following shall be substituted, namely.-

“Action plan as per Regulation notified for Extended Producer Responsibility”

(ii) in Part II at item 9, the following shall be substituted, namely.-

“Action plan as per Regulation notified for Extended Producer Responsibility”

(iii) After Part II, the following is added:

III. Importers:

Item 3, 4, 5 of Part A, Part B, and item 7 and 8 of Part C, to be filled as per applicability.

PART – A GENERAL		
1.	Name, Address and Contact number	
2	In case of renewal, previous registration number and date of registration	
3	Is the unit registered with the District Industries Centre of the State Government or Union Territory? If yes, attach a copy.	
4.(a)	Total capital invested on the project	
(b)	Year of commencement of production	
5. (a)	List and quantum of products and by-products	
(b)	List and quantum of raw materials used	
6 (a)	Quantity of plastic sheet or like used for packaging of imported or to be imported products	
(b)	Quantity of imported or to be imported plastic sheet or like used for packaging for further supply or self-use	
(c)	Quantity of imported or to be imported multilayered packaging for further supply or self-use	
PART – B PERTAINING TO LIQUID EFFLUENT AND GASEOUS EMISSIONS		
5	Does the unit have a valid consent under the Water (Prevention and control of Pollution) Act, 1974 (6 of 1974)? If yes, attach a copy	
6	Does the unit have a valid consent under the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981)? If yes, attach a copy	

PART – C PERTAINING TO WASTE		
7.	Solid Wastes or rejects: c. Total quantum of waste generated d. Mode of storage within the plant (d) Provision made for disposal of wastes	
8. (a)	Attach or Provide list of person supplying imported (i) plastic sheet or like used for packaging, (ii) multilayered packaging	
(b)	Quantity of imported (i) plastic sheet or like used for packaging, (ii) multilayered packaging used for self use	
9	Action plan as per Regulation notified for Extended Producer Responsibility	
Name and Signature Designation Date : Place :		

11. In the said rules, in Form IV, the following is added after item (9)

“(10). Data to be provided as per Regulation on Extended Producer Responsibility issued under Rule 9 (1) by the 30th April of every year to the concerned State Pollution Control Board and Pollution Control Committee”

12. In the said rules, in Form VI, the following is added after the table

“B. Information as prescribed with respect to Regulation under Extended Producer Responsibility issued under Rule 9 (1) to be provided by 30th April of every year in the prescribed pro forma to Central Pollution Control Board for the following:

- Manufacturer of carry bag, recycle plastic bag, multilayered packaging (Registered under Rule 13 (1) (i))
- Producer, Importer, Brand Owner (Registered under Rule 13 (2) (i))
- Recycler and plastic waste processor (Registered under Rule 13 (3) (i))”

[F. No. 17/24/2021-HSMD]

NARESH PAL GANGAWAR, Jt. Secy.

Note : The principal rules were published in the Gazette of India, vide number G.S.R 320 (E), dated the 18th March, 2016 and subsequently amended vide notification number G.S.R 285 (E), dated the 27th March, 2018 and subsequently amended vide notification number G.S.R. 571 (E), dated the 12th August, 2021 and last amended vide notification number G.S.R. 647(E), dated the 17th August, 2021.