



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT FOREST & CLIMATE CHANGE GOVT OF INDIA

F. No. CP-20/33/2021-UPC-II-HO-CPCB-HO

Date: 11.05.2023

Sub:-DIRECTION UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986 to PLASTIC WASTE PROCESSORS REGARDING GENERATION & TRANSFER OF EPR CERTIFICATES on CENTRALIZED EPR PORTAL AND FULFILLMENT OF EXTENDED PRODUCER RESPONSIBILITY AS PER PROVISIONS OF PWM RULES.

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

WHEREAS, the MoEF&CC amended PWM Rules 2016 vide Notification No. G.S.R 285 (E) dated March 27, 2018; and

WHEREAS, Guidelines on Extended Producer Responsibility (EPR) for Plastic Packaging were notified by MoEF&CC on 16 February, 2022 in Schedule – II of 4th amendment of Plastic Waste Management Rules, 2016; and

WHEREAS, as per section 6.1(a) of the above Guidelines, *“The following entities shall register on the centralized portal developed by Central Pollution Control Board namely: - (i) Producer (P); (ii) Importer (I); (iii) Brand owner (BO); (iv) Plastic Waste Processor engaged in (a) recycling, (b) waste to energy, (c) waste to oil, and (iv) industrial composting; and*

WHEREAS, as per section 11.1 of the EPR Guidelines, *“All plastic waste processors shall have to register with concerned State Pollution Control Board or Pollution Control Committee in accordance with provision 13(3) of Plastic Waste Management Rules, 2016 on the centralized portal developed by Central Pollution Control Board. Central Pollution Control Board shall lay down uniform procedure for registration within three months of the publication of these guidelines” and*

WHEREAS, as per section 11.2 EPR Guidelines, *“The Plastic waste processors shall submit annual returns after end of every financial year by 30th April of the next financial year on the quantity of plastic waste processed category-wise as per prescribed pro forma on the centralized portal developed by Central Pollution Control Board; and .*

WHEREAS, as per Section 11.5 of the EPR Guidelines, *“Only plastic waste processors registered under Plastic Waste Management Rules, 2016, as amended, shall provide certificates for plastic waste processing, which shall be considered for fulfilment of Extended Producer Responsibility obligations by Producers, Importers & Brand-Owners; and*

WHEREAS, as per Section 11.7 of the EPR Guidelines, "*The certificate for plastic packaging waste provided by registered plastic waste processors shall be in the name of registered Producers, Importers & Brand-Owners or Local authorities, as applicable, based upon agreed modalities. Central Pollution Control Board will develop mechanism for issuance of such certificate on the centralized portal*"; and

WHEREAS, as per the EPR Guidelines, CPCB has developed the Centralized portal for registration of Producers, Importer and Brand-owners (PIBOs) & Plastic Waste Processors (PWPs) that has been formally launched on April 05, 2022; and

WHEREAS, CPCB has launched the Module to facilitate provision of Generation & Transfer of EPR Certificates by PWPs on the EPR Portal on November 19, 2022

WHEREAS, CPCB has developed the Guidance manual for operating Centralized EPR Portal including generation & transfer of EPR certificates from PWPs to PIBOs

WHEREAS, training sessions for operating EPR have been conducted for all registered PIBOs /PWPs and other stakeholders since its launch; and

WHEREAS, the PWPs can generate EPR Certificates post approval of physical verification by the concerned SPCB/PCC; and

WHEREAS, vide Directions dated March 10, 2023, CPCB directed all SPCBs/PCCs to complete the physical verification of all registered PWPs in your jurisdiction by March 15, 2023, so that PWPs shall issue EPR certificates to Producers, Importers & Brand-owners (PIBOs) for fulfilment of their EPR targets within the stipulated time frame; and

WHEREAS, as per the information available on the portal, total Physical Verification has been completed for 891 PWPs till date and physical verification of your unit has been approved by the concerned SPCB and EPR Certificates are now to be generated by your unit . These Certificates are to be procured by registered PIBOs for fulfilment of their EPR obligations; and

WHEREAS, vide notice dated 03-04-2023, CPCB has extended the timeline for EPR Certificate generation by PWPs for Sales in current financial year to April 30, 2023; and

WHEREAS, vide Directions dated April 19, 2023, CPCB directed to all registered PWPs to generate & transfer EPR Certificates for sales made in the year 2022-23 on the Centralized Extended Producers Responsibility Portal for Plastic Packaging by April 30, 2023; and

WHEREAS, "Timeline for transfer of EPR Certificates" was inadvertently specified in the aforementioned Directions and is to be ignored. It is to be noted that the validity of the EPR Certificates generated on the EPR Portal is three years and the EPR Certificates can be transferred anytime during this period; and

WHEREAS, Vide Sixth Amendment of PWM Rules, 2016 issued by MoEFCC dated April 27, 2023 as follows:

*In paragraph 11, in clause (11.2), the following provision shall be inserted, namely :-
"Provided that the last date for filing of annual returns shall be the 31st July 2023 for the financial year 2022-2023".*

WHEREAS, it is observed that EPR Certificates generation of EPR Certificates through the EPR Portal for the year 2022-23 has not been completed by your unit which is in violation of Clause 11.6 of the EPR Guidelines which is obstructing fulfilment of EPR obligations by Registered PIBOs

NOW THEREFORE, in view of above and in exercise of the powers vested under Section 5 of EPA, following directions are being issued for compliance:

- a. You shall complete generation of EPR Certificates for sales made in the year 2022-23 on the Centralized Extended Producers Responsibility Portal for Plastic Packaging by June 30, 2023.

Necessary action for compliance of aforesaid Directions shall be taken by your unit failing which appropriate action including revocation of Consent/de-registration of the Unit shall be taken by the Competent Authority under the provisions of Environment (Protection) Act, 1986.

✓ (Naresh Pal Gangwar)
Chairman 2021

To,

All registered Plastic Waste Processors