



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

Date: 01-03-2023

To,

The Chairman
All SPCBs/PCCs

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

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

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

Whereas, MoEF&CC vide Notification dated August 12, 2021, banned identified SUP items and prescribed minimum thickness of carry bag with effect from July 01, 2022; and

Whereas, as per Rule 4(2) of PWM Rules, 2016 (as amended), "*The manufacture, import, **stocking, distribution, sale and use** of following single use plastic (SUP), including polystyrene and expanded polystyrene, commodities shall be prohibited with effect from the 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; and*

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

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

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

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Yours faithfully,


(Tanmay Kumar)
Chairman

R.P. Singh

Copy to:

1. Addl. Secretary, HSMD, MoEF&CC
2. Regional Director, All CPCB Regional Directorates
3. DH (IT)


(Prashant Gargava)
Member Secretary

o/c

Standard Operating Procedure for Special Inspection Drives for enforcement of Ban on Single Use Plastics



CENTRAL POLLUTION CONTROL BOARD

February, 2023

Table of Content

1. Introduction.....	3
----------------------	---

2.	Constitution of Team.....	3
3.	Frequency of Monitoring.....	4
4.	Coverage Areas and Entities.....	4
5.	Entities to be inspected.....	4
6.	Reporting of Inspection.....	5
7.	Action Against Violating Entities.....	6

SOP for Special Inspection Drives for enforcement of Ban on Single Use Plastics

1. Introduction

The Plastic Waste Management Rules were notified on March 18, 2016 to give thrust to plastic waste minimization, source segregation, recycling, involvement of waste pickers, recyclers and waste processors, as well as to adopt polluter's pay principle for the sustainability of the wastemanagement system. Hon'ble Prime Minister of India announced India's pledge to phase out Single Use Plastic by 2022 on World Environment Day June 05, 2022. Hon'ble PM had previously pitched for freedom from Single Use Plastic while delivering the Independence Day speech on August 15, 2019.

Subsequent to the announcement by the Hon'ble Prime Minister of India the PWM Rules was amended on August 12, 2021 wherein the manufacture, import, stocking, distribution, sale and use of various Single Use Plastic items were prohibited with effects from July 01, 2022.

Special inspection drives are to be conducted at State/ Central level for strict enforcement of the SUP ban. Emphasis of the enforcement drive has to be on restricting usage of banned SUP items by the informal sector- including the street vendors, flower sellers, vegetable/fish market , wholesalers etc.

The document lays out the protocols for conduction of special inspection drive with the objective of identifying entities that are violating the ban on Single Use Plastic.

2. Frequency of Monitoring

The inspections shall be carried out for at least four days a month for the next six months (February – July 2023). The dates for inspection shall be decided by the SPCB/ PCC / CPCB Regional Directorate / CPCB head office. Element of surprise has to be ensured while scheduling the inspections.

3. Constitution of Team

Inspections shall be carried out jointly by CPCB (Regional Directorates and Head Office) and SPCBs/ PCCs. Officials from State Urban Deptt as well as the Police Deptt. shall join the inspection. The SPCBs/ PCCs/ CPCB RD/HO (as applicable) shall be the nodal agency for coordination with all relevant agencies. The nodal agency shall nominate the nodal officer for conduction of the SUP inspections

The nodal officer shall ensure the following before conducting inspection:

- Nodal officer shall communicate the date of inspection to CPCB Head office. The inspections have to be completed by 25th of every month.

- All field officers from department of State UDD shall be registered on the SUP Compliance monitoring portal by the State UDD Nodal Officer.
- All field officers from SPCB/PCCs shall be registered on SUP Compliance monitoring by the SPCB/PCC Nodal Officer]
- The Nodal officer of SPCB/ CPCB Regional Directorate shall communicate the schedule of inspection to CPCB Head office by 10th of every month

4. Coverage Areas and Entities

For effective enforcement during the special drives, inspections shall be carried out in the following coverage areas:

1. Commercial Establishments (Sellers/ Users)

- Malls/Shopping Centers
- Market places/ Sabji Mandis
- Stockiest / distributor/ wholesaler
- Local shops
- Street Vendors/ Flower shops
- Cinema Houses
- Tourist Location
- Schools
- Colleges
- Office Complexes
- Hospitals
- Railway Station
- Hotel & Restaurants
- Airport
- Bus stand

2. Industries producing banned SUP items (Producers)

Emphasis of the enforcement drive has to be on restricting usage of banned SUP items by the informal sector- including the street vendors, flower sellers, vegetable/fish market , wholesalers etc

5. Reporting of Inspection

- The inspection reports have to be filed through the SUP Compliance Monitoring App
- Login credentials for State UDD field officers shall be created by State UDD nodal officer
- Login credentials for SPCB field officers shall be created by State Board Nodal officer.

- The field officers shall use the Field inspection app to file the inspection report on the SUP
- In case of inspections done by CPCB with State UDDs; the CPCB officials shall ensure that the inspection reports / ATR are filed by the State UDDs on the SUP Portal and submit the Registration no. of the inspection report. with Head Office.
- Alternatively, they can lodge a complaint for sellers/user/ producers on the Public Grievance App and ensure that the accompanying officer takes necessary action. For Sellers/Users – the complaint shall get forwarded to the State UDD and for industries – it shall get forwarded to the State Boards. The Complaint registration no. shall & action taken details shall be shared in such cases with CPCB Head office
- Inspection report shall contain the complete address of inspecting entity, category of entity, type of violation, details of supplier of banned SUP items/raw material (if found any)
- Contact details of suppliers (retailers/wholesalers/ producers)/ customers (in case of plastic recyclers) has to be included in each report. In case the entity refuses to provide the Supplier details – then penal action has to be initiated against the violator.
- The retailers/ wholesalers/ producers identified during inspections are to covered in subsequent inspections.

6. Action taken against violators of SUP ban

- (a) Action against violators (Sellers/Users enlisted in Section 2) shall be taken by the State UDD and may include the following
- Qty of SUP items seized
 - Challan issued
 - Amount of Fine imposed
 - Closure/cancellation of commercial license
- (b) Action against violators (Producers enlisted in Section 2) shall be taken by the SPCB/PCC and may include the following
- Seizure of banned SUP items
 - Levying of EC
 - Closure of Unit
- (c) The entities are required to provide the details of suppliers/ customers (in case of plastic recycling units) so as to identify the suppliers/ Manufactures of SUP items. Penal provision is to be imposed against those entities who fail to provide these details

7. Daily / Monthly Reports

Daily/ Monthly reports shall be auto-generated based on the inspections reports filed. The State Nodal officer can view the report before confirming the same. The inspection data may be updated, if required, prior to confirmation.