MINISTRY OF ENVIRONMENT AND FORESTS NOTIFICATION

New Delhi, the 2nd July, 2011

S.O. 1527(E).— Whereas the draft rules, namely, the Plastic Waste (Management and Handling) Amendment Rules, 2011 were published by the Government of India in the Ministry of Environment and Forests vide number S.O. 782(E), dated the 21st April, 2011 in the Gazette of India, Extraordinary dated the 25th April, 2011 inviting objections and suggestions from all persons likely to be affected thereby, before the expiry of a period of fifteen days from the date on which copies of the Gazette containing the said notification were made available to the public;

AND WHEREAS copies of the said Gazette were made available to the public on the 5th day of May, 2011;

AND WHEREAS the objections and suggestions received within the said period from the public in respect of the said draft rules have been duly considered by the Central Government.

Now, therefore, in excercise of the powers conferred by the sections 3, 6 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby make the following rules to amend the Plastic Waste (Management and Handling) Rules, 2011, namely:——

- (1) These rules may be called the Plastic Waste (Management and Handling) (Amendment) Rules, 2011.
 - (2) They shall come into force on the date of their publication in the Official Gazette.
- In the Plastic Waste (Management and Handling) Rules, 2011 (herein referred to as the said rules), for rule 2, the following rule shall be substituted, namely:
 - "2(1) The provisions of rules 5 and 8 shall not apply to the manufacture of carry bags exclusively for export purposes, against an order for export, received by the owner or occupier of the concerned manufacturing unit.

- (2) This exemption does not apply to any surplus or rejects, left over and the like.".
- 3. In the said rules, in rule 3,----
 - (a) for clause (b), the following clause shall be substituted, namely:-
 - '(b) "carry bags" mean bags made from any plastic material, used for the purpose of carrying or dispensing commodities but do not include bags that constitute or form an integral part of the packaging in which goods are sealed prior to use';
 - (b) for clause (g), the following clause shall be substituted, namely:--
 - '(g)"Extended producer's responsibility (EPR)" means the responsibility of a manufacturer of plastic carry bags, and multilayered plastic pouches and sachets and the brand owners using such carry bags and multilayered plastic pouches and sachets for the environmentally sound management of the product until the end of its life;';
 - (c) for clause (i), the following clause shall be substituted, namely:-
 - '(i) "manufacturer" means any person who manufactures plastic carry bags or multilayered plastic pouches or sachets or like;';
 - (d) for clause (k), the following clause shall be substituted, namely :-
 - '(k) "multilayered plastic pouch or sachet" means a pouch or sachet having at least one layer of plastic in combination with one or more layers of packaging material such as paper, paper board, metalised layers or aluminium foil, either in the form of a laminate or co-extruded structure;';
 - (e) in clause (m), for the words "multilayered packaging", the words "multilayered plastic pouch or sachet etc." shall be substituted;
 - (f) for clause (n), the following clause shall be substituted, namely :--
 - '(n) "registration" means registration with the State Pollution Control Board or Pollution Control Committee concerned, as the case may be, of units manufacturing plastic carry bags, multilayered plastic pouch or sachet or recycling of plastic waste.'.

- 4. In the said rules, for rule 4, the following rule shall be substituted, namely:—
 - "4(a) for enforcement of the provisions of these rules related to registration, manufacture and recycling shall be the State Pollution Control Board and in respect of a Union territory shall be the Pollution Control Committee:
 - (b) for enforcement of the provisions of these rules relating to the use, collection, segregation, transportation and disposal of plastic waste, the prescribed authority shall be the municipal authority concerned."
- 5. In the said rules, in rule 5, -
 - (a) for clause (a), for the word "white", the words "in natural shade (colourless) which is without any added pigments" shall be substituted.
 - (b) after sub-clause (f), the following sub-clause shall be inserted, namely:—
 - "(g) plastic material, in any form, shall not be used in any package for packing gutkha, pan masala and tobacco in all forms.".
- 6. In the said rules, in rule 6,
 - (a) for clause (d), the following clause shall be substituted, namely:—
 - '(d) (i) the responsibility for setting up collection systems for plastic waste shall be of the municipal authority concerned and the said municipal authority may, for this purpose, seek the assistance of manufacturers of plastic carry bags, multilayered plastic pouches or sachets or of brand owners using such products;
 - (ii) the municipal authority may work out the modalities of a mechanism based on Extended Producer's Responsibility involving such manufacturers, registered within it's jurisdiction and brand owners with registered offices within it's jurisdiction either individually or collectively, as feasible or set up such collection systems through its own agencies;";
 - (b) in clause (h), for the words "pollution norms" the words "pollution control norms" shall be substituted.

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- In the said rules, in the rule 8, for the words "multilayered packaging", wherever they occur, the words "multilayered plastic pouch or sachet" shall be substituted.
- In the said rules, in the rule 9, —
- (a) in clause (a), for the words "carry bags and multilayered plastics", the words "plastic carry bags, multilayered plastic pouch or sachet" shall be substituted;
- (b) for clause (b), for the words "multilayered plastics", the words "multilayered plastic pouch or sachet" shall be substituted;
- (c) for clause (c), the following clause shall be substituted, namely : ---
 - "(c) no person shall manufacture plastic carry bags, multilayered plastic pouch or sachet or recycle plastic carry bags or multilayered plastic pouch or sachet or any plastic waste without obtaining registration certificate from the State Pollution Control Board or Pollution Control Committee, as the case may be, prior to the commencement of its production";
- (d) for clause (e), the following clause shall be substituted, namely : ---
 - "(e) (i) every State Pollution Control Board or Pollution Control Committee, as the case may be, shall take a decision on the grant of registration within a period of ninety days of receipt of an application which shall complete in all respects:

Provided that the registration may be deemed to have been granted in case no final decision is communicated to the applicant by the State Pollution Control Board or Pollution Control Committee within a period of ninety days from the date of an application complete in all respects;

- (ii) the manufacturer who has already registered for manufacturing under the Recycled Plastics Manufacture and Usage (Amendment) Rules, 2003 shall not be required to register under these rules and whereas others shall have to register within the period of ninety days from the date of coming into force of these rules."
- (9) In the said rules, for the FORM-I and the entries relating thereto, the following Form and entries shall be substituted, namely: —

"FORM - I

[See rules 9]

APPLICATION FOR REGISTRATION OF A UNIT FOR THE MANUFACTURING OF PLASTIC CARRY BAGS, MULTILAYERED PLASTIC POUCH OR SACHET

From	r:		
То	(Name and full address of the occupier)		
	The Member Secretary,		
	Pollution Control Board/Pollution Control Committee		
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	Sir,	ζ,	
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I/We hereby apply for registration under rule 9 of the Plastic Waste (Management and Handling) Rules, 2011

	PART – A	
	GENERAL	77.
1.(a)	Name and location of the unit	
(b)	Address of the unit	
(c)	Registration required for manufacturing of: (i) Carry bags (ii) Multilayered plastic pouch or sachet	
(d)	Manufacturing capacity	
(e)	In case of renewal, previous registration number and date of registration	i q
2.	Is the unit registered with the District Industries Centre (DIC)/Development Commissioner, Small Scale Industries (DCSSI) of the State Government/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.	
3.	Thickness of carry bags to be manufactured	

7.	Status of compliance with these rules	
	PART - B	
Р	ERTAINING TO LIQUID EFFLUENT AND GASEO	IS EMISSIONS
8.	(a) Does the unit have a valid consent under the	DO EMISSIONS
	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)?	16
	If yes, attach a copy	
	PART – C	
	PERTAINING TO WASTE	
9.	Solid Wastes:	
	(a) Total quantum of waste generated	
	(b) Mode of storage within the plant	
	(c) Provision made for disposal of wastes	
. 10		Name and Signature
		Designation.".
Date:	,	
Place:		

Note:- The principal rules were published in the Gazette of India, Extraordinary vide notification no SO 249 (E), dated the 4th February, 2011.

[F. No.17-2/2001-HSMD] RAJIV GAUBA, Jt. Secy.