

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 17th June, 2003

S.O. 698(E).—Whereas certain draft rules to amend the Recycled Plastics Manufacture and Usage Rules, 1999 made by the Central Government in exercise of the powers conferred by clause (viii) of sub-section (2) of section 3 read section 25 of the Environment (Protection) Act, 1986 (29 of 1986) were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) vide S. O. 685 (E) dated the 1st July, 2002, inviting objections and suggestions from all persons likely to be affected thereby within a period of sixty days from the date of publication of the said draft,

And whereas copies of the Gazette containing the said draft rules were made available to the public 11th July, 2002;

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 section 6 read with clause (viii) of sub-section (2) of section 3 and section 25 of Environment (Protection) Act 1986, (29 of 1986) the Central Government hereby makes the following rules to amend the Recycled Plastics Manufacture and Usage Rules, 1999, namely :-

1 (1) These rules may be called the Recycled Plastics Manufacture and Usage (Amendment) Rules, 2003

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

2. In the Recycled Plastics Manufacture, and Usage Rules, 1999, (herein after referred to as the said rules), in rule 1, for sub-rule (1), the following sub-rule shall be substituted, namely :-

“(1) These rules may be called the Plastics Manufacture, Sale and Usage Rules, 1999”

3. For rule 2 of the said rules, the following rules shall be substituted, namely :-

“2. Application – The provisions of rules 4 and 8 shall not apply to the manufacture of carry bags exclusively for export purpose, against an order for export received by the owner or occupier of the concerned manufacturing unit;

3. Definitions – In these rules, unless the context otherwise requires, -

- (a) "Act" means the Environment (Protection) Act, 1986 (29 of 1986);
- (b) "carry bags" means plastic bags which have a self carrying feature commonly known as vest type bags or any other feature used to carry commodities such as "D" punched bags, as illustrated in the Annexure to these rules;
- (c) "commodities" includes articles such as vegetables, fruits, pharmaceuticals and the like;
- (d) "container" means flexible or rigid containers made of virgin plastics or recycled plastics with or without lid used to store, carry or dispense commodities;
- (e) "food-stuffs" means ready to eat food articles and food products, fast food, processed or cooked food in liquid, powder, solid or semi-solid form;
- (f) "registration" means registration of units manufacturing carry-bags and containers made of virgin or recycled plastics with the concerned State Pollution Control Board or Pollution Control Committee as the case may be;
- (g) "vendor" means a person who sells food stuffs packed or stored in plastic carry bags or containers."

4. For rule 4 of the said rules, the following rule shall be substituted, namely: -

" 4. Restriction on manufacture, sale, distribution and use of virgin and recycled plastic carry bags and recycled plastic containers. -

(1) No person shall manufacture, stock, distribute or sell carry bags made of virgin or recycled plastic bags which are less than 8 x 12 inches (20 x 30 cms) in size and which do not conform to the minimum thickness specified in rule 8.

(2) No vendor shall use carry bags made of recycled plastic for storing, carrying, dispensing or packaging of foodstuffs.

(3) No vendor shall use containers made of recycled plastics for storing, carrying, dispensing or packaging of foodstuffs"

Explanation. - For the purposes of this rule, the minimum weight of 50 carry bags made of virgin or recycled plastics shall be 105 gms. plus or minus 5% variation and the carry bags of larger sizes shall be of proportionate increase in weight"

5. In rule 7 of the said rules, for the opening words "Manufacturers of", the words and figures "Subject to the provision of rule 4 and 5, manufacturers of" shall be substituted.

6. After rule 9 of the said rules, the following rule, annexure and forms shall be added, namely:-

" 10. Grant of Registration for Manufactures - (1) Every occupier manufacturing carry bags or containers of virgin plastic or recycled plastic or both shall make an application in Form 1 appended to these rules to the State Pollution Control Board or Pollution Control Committee of the union territory concerned for grant of registration or renewal of registration for his unit

ACTION PLAN FOR MANAGEMENT OF PLASTICS WASTE

01. INTRODUCTION

In the present scenario, among the visible non-biodegradable waste, plastics waste is the predominant one. Quite often in cities/ towns, nuisance is being caused by plastics carry bags, water bottles, plastic plates, polystyrene glasses, etc.

02. THE PROBLEMS

The problems being posed by the plastics wastes are visible and they vary in nature whether established or not, but the deposition of plastics waste on biodegradable garbage dumps is likely to cause interference in operation of waste processing technologies.

03. INITIATIVES TAKEN

Initiatives have been taken at the level of Government (Central and States), Industries and Non-Government Organisation to create awareness for proper use and disposal of non-biodegradable wastes, particularly, plastics. The initiatives taken include :

- (i) Enforcement of Recycled Plastics Manufacturer and Usage (Amendment) Rules, 2003.
- (ii) Inventorization of plastics recycling industries through responsible for proper management of waste.
- (iii) Industrial Associations initiatives to come forward and share responsibility for proper management of waste.
- (iv) Creating awareness in the citizens through NGOs for discouraging littering of plastic carry bags.

04. ACTION PLAN

There is need to put concerted efforts to deal with issues relating to plastics waste management. To begin with, the efforts may be towards attending the most critical issues like discouraging use/prohibiting littering of plastics waste, particularly, plastic bags. The action points which could be considered may include the following:

4.1 At Government Level

- (i) Ensuring that the Recycled Plastics Manufacturer and Usage Rules, 2003 is implemented
- (ii) Setting up of National level and State level Steering and Monitoring Committees
- (iii) Ensuring that the Recycled Plastics Manufacturer and Usage Rules, 2003 is implemented
- (iv) Involve citizen forms, NGOs to monitor compliance of the Rule (non-statutory role)
- (v) Display of hoarding indicating 'prohibiting littering of Plastic bags, etc' in the city/town
- (vi) Involving Senior Citizen Groups, (at ward level) Educational institutions (School) for spreading messages for discouraging use of Plastic bags and prohibiting littering
- (vii) Initiation for phasing out of plastic bags in consultation with Industrial Associations, Citizen Groups NGOs/ or working out alternatives so prevent indiscriminate disposal of plastic bag

- (viii) Exploring possibilities on use of either bio-degradable bags or degradable bags consultation with Manufacturers.
- (ix) Regulation of plastic bag recycling industries. Operation of such units to comply with environmental regulations.
- (x) Possibility on making it mandatory that cable operators to show slides/ short film on disposal of plastic bags and garbage.
- (xi) Interaction with 'Doordarshan' to telecast 'quickies' of 15-15 seconds on plastic waste/ Garbage. Films could be produced in regional languages.
- (xii) Imposition of penalties on Stockist, Manufacturers (violating Rules)
- (xiii) Local bodies to set up mechanism for collection, storage and disposal of non-biodegradable wastes

4.2 At Industry Level

- 1 Industrial Manufacturer's Associations to give commitment (undertaking to comply with the existing Rules) for undertaking manufacturing of the products as per existing Rules
- 2 Industries owes responsibility for management of their own product (post consumer products)
- 3 Industries to set up Regional Centres for collection of post consumption products and channalized them for appropriate reuse/ recycling
- 4 Industries to create self-regulation mechanism for ensuring that their products are not littering after use and work out appropriate programmes with the concerned local bodies
5. Industries may work out some incentive schemes attached with the receiving back their post consumer products.

4.3 At Public/NGO Level

- 1 Formulation of local areas watching/ monitoring committee to monitor the disposal of wastes and reporting to the concerned authorities
- 2 Citizens/ NGOs to interact with concerned authorities including elected representatives at municipal/ assemble level for creating awareness in the public for prohibiting littering of plastic wastes.
- 3 Citizen women group for creating awareness
- 4 Involvement of marketing associations for creating awareness and also adopting in practice for not giving the plastic bag (to begin with) which are not meeting with specification

within four months from the date of publication of the Recycled Plastics Manufacture and Usage (Amendments) Rules 2003 in the official gazette.

- (2) On or after the commencement of the Recycled Plastics Manufacture and Usage (Amendments) Rules 2003, no person shall manufacture carry bags or containers irrespective of its size or weight unless the occupier of the unit has registered the unit with the State Pollution Control Board/ Pollution Control Committee prior to the commencement of production;
- (3) The State Pollution Control Board or Pollution Control Committee shall not issue and renew a registration certificate of a unit unless that unit meets the norms prescribed under rules 5,6,7 and 8 of these rules and also possess 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) as per the requirements laid down by the State Pollution Control Board or Pollution Control Committee.
- (4) Every State Pollution Control Board or State Pollution Control Committee shall grant registration within thirty days of receipt of application complete in all respects.
- (5) The registration granted under this rule shall, unless revoked suspended or cancelled earlier, be valid for a period of three years.
- (6) Every application for renewal of registration shall be made in the Form 1 appended to these rules at least sixty days before the expiry of the validity of registration

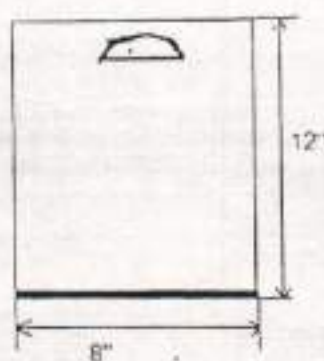
ANNEXURE

[See rule 2 (b)]

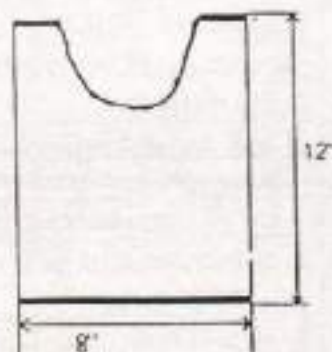
Shape of bags

Figure I

Figure II



"D" Punched Bag



Vest Type Bag

FORM - I
[See rules 10(1) and 10(4)]

APPLICATION FOR REGISTRATION OF A UNIT FOR MANUFACTURE OF
PLASTIC CARRY BAGS AND CONTAINERS

From:

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

To


The Member Secretary,
..... Pollution Control Board/Pollution Control Committee

Sir,

I/We hereby apply for registration under rule 10 of the Plastics Manufacture, Sale and Usage Rules, 1999.

PART - A GENERAL	
1.(a)	Name of the unit and location of activity
(b)	Address of the unit
(c)	Registration required for manufacturing of : (i) Carry bag virgin (ii) Carry bag recycled (iii) Containers virgin (iv) Container recycled
(d)	Manufacturing capacity
(e)	In case of renewal of Registration previous Registration number and date
2.(a)	Is the unit registered with DCSSI or Department of Industries of the State Government/Union Territory Administration?
(b)	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

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FORM II
[See rule 10(3)]
**CERTIFICATE OF REGISTRATION FOR THE MANUFACTURE OF PLASTIC
CARRY BAGS AND CONTAINERS**

File No.

Dated:

To

.....
.....
.....

Ref: Your application No..... dated..... seeking registration for
manufacturing of carry bags and containers

The State Pollution Control Board or Pollution Control Committee after
examining the application, hereby certifies that..... (Name & Address of the
Unit) has been registered as a unit manufacturing

This certificate of registration shall be valid for a period of three years unless revoked or
suspended.

The certificate is granted subject to the following conditions:

- (i)
- (ii)
- (iii)

Date:

Place:

(Member Secretary)
State Pollution Control Board/
Pollution Control Committee

[F. No. 17-2/2001-HSMD (Pt.-1)]

Dr. V. RAJAGOPALAN, Jt. Secy

Note :- The principal rules were published in the Gazette of India vide S.O. 705(E) dated, the
2nd September, 1999.

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 de-mineralized water	
6	Minimum sizes of carry bags to be manufactured. (in any case it should not be less than 8" x 12")	
7.	Status of compliance with rules 5,6,7 and 8	

PART - B
PERTAINING TO LIQUID EFFLUENT AND GASEOUS EMISSIONS

8.	(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

9.	Solid Wastes: (a) Total quantum of generation (b) Mode of storage within the plant (c) Provision made for disposal	
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Place :
Date :

Signature

Designation