

**File No. 17/6/2021-HSMD**  
**Government of India**  
**Ministry of Environment, Forest and Climate Change**  
**(HSM Division)**

Level-VI, Jal Block,  
Indira Paryavaran Bhawan  
Jor Bagh Road, Ali Ganj,  
New Delhi-110003

Dated: 6<sup>th</sup> January, 2023

**OFFICE MEMORANDUM**

**Subject: Guidelines on Extend Producer Responsibility for Plastic Packaging-Regarding.**

1. The Guidelines on Extended Producer Responsibility (EPR) for Plastic Packaging (hereinafter referred as “EPR Guidelines”) were notified in the Gazette of India vide Plastic Waste Management (Amendment) Rules, 2022, on 16<sup>th</sup> February, 2022. The Producers, Importers and Brand Owners are mandated to fulfill Extended Producer Responsibility for plastic packaging, under Rule 9 (1), of the Plastic Waste Management Rules, 2016, as amended, as per EPR Guidelines, given in Schedule II of the rules.

2. Accordingly, EPR Guidelines need to be followed for implementation of EPR obligations. Requests for clarifications have been received on the EPR Guidelines specifically with respect to clause 4 and clause 6 of the guidelines. The following clarifications are provided with respect EPR Guidelines:

Producer (P), Importer (I) and Brand Owners (BO) – PIBO

(i) The obligated entities covered under Extended Producer Responsibility obligations and provisions of EPR Guidelines given in clause 4 of the guidelines. The same is quoted below:

*“4. Obligated Entities:*

*The following entities shall be covered under the Extended Producer Responsibility obligations and provisions of these guidelines namely: -*

*(i) Producer (P) of plastic packaging;*

*(ii) Importer (I) of all imported plastic packaging and / or plastic packaging of imported products;*

*(iii) Brand Owners (BO) including online platforms/marketplaces and supermarkets/retail chains other than those, which are micro and small enterprises as per the criteria of Ministry of Micro, Small and Medium Enterprises, Government of India.;*

*(iv) Plastic Waste Processors.”*

It is to be noted from clause 4 of EPR Guidelines quoted above, Producer (P) is of plastic packaging. This is distinct from Brand Owners which are defined under the Rules 3 (b) as quoted below:

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

For reference, the terms “commodity” and “plastic packaging” are also defined under Rule 3, as quoted below:

*“(d) “commodity” means tangible item that may be bought or sold and includes all marketable goods or wares;*

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

(ii) The obligated entities mandated for registration on the centralized EPR portal developed by CPCB, as per clause 6 of EPR Guidelines, are defined in clause 4 of the EPR Guidelines quoted above. As such, any interpretation related to registration on centralized EPR portal need to be read in alignment with clause 4 of EPR guidelines only. For clarity, Micro and Small Brand Owners (BO) exempted under clause 4 of EPR Guidelines, and do not manufacture plastic packaging as defined under the rules, are not required to be registered on the Centralized EPR portal, as Producer (P) of plastic packaging, as per EPR Guidelines.

(iii) Clause 4(iii) of the EPR Guidelines exempts micro and small Brand Owners (quoted above), from EPR obligations and provisions of EPR guidelines. Therefore, clause 6.3 of EPR Guidelines is not applicable on micro and small brand owners.

#### Plastic Waste Processors (PWPs)

(iv) The restriction under clause 6.3 of EPR Guidelines relates to dealing with obligated entities under the Guidelines only and does not cover the value chain of other types of plastic waste. The general condition mentioned in their registration certificate, restricting PWPs to undertake business with only entities registered on centralized EPR portal, needs to be suitably amended to reflect the correct factual position. CPCB is requested to instruct all SPCBs/PCCs, accordingly.

(v) CPCB is requested to further disseminate the above clarifications given in paragraphs 2 (i) to 2 (iv) with all State Pollution Control Boards/Pollution Control Committees for immediate compliance.

3. The CPCB is also requested to incorporate the following changes on the Centralized EPR portal on most immediate priority

#### PIBOs

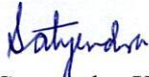
(i) In order to allow for maximum enterprises to register and come under ambit of EPR, self-declaration of enterprise based upon audited statement of accounts may be used as for determination of EPR target while registering on centralized EPR portal. Detailed invoices for last two years may be verified, wherever required, on need basis, as part of auditing exercise.

PWPs

(ii) An option is to be provided for filling information on the quantum of plastic packaging waste recycled and recycling of other plastics by PWPs on the centralized EPR portal.

(iii) An option of "Others" is to be provided to such PWPs who do not deal with plastic packaging waste. CPCB may also provide the option, to already registered PWPs / recyclers to edit their existing option in order to reflect correctly the kind of plastic waste or plastic packaging waste being recycled or processed by them.

This issues with the approval of Secretary, EFCC.

  
(Dr. Satyendra Kumar)  
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To,

The Chairman,  
Central Pollution Control Board,  
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Delhi- 110032  
Email - [ccb.cpcb@nic.in](mailto:ccb.cpcb@nic.in)

Copy to

Industry associations as per list

Copy for kind information:

1. PPS to Secretary (EF&CC)
2. PPS to AS(NPG)

## **List of Association**

- All India President, Laghu Udyog Bharati

### *Association from Uttarakhand*

- Sidcul Manufacturers Association Uttarakhand,
- Industries Association of Uttarakhand
- Kumaun Garhwal Chamber Of Commerce & Industry
- Bhagwanpur Industries Association
- Association of Pharmaceutical Manufacturers.
- Food Industries Association of Uttarakhand.
- Roorkee Small Scale Industries Association.
- Drugs Manufacturer Association of Uttarakhand.
- Indian Industries Association.