

MAHARASHTRA POLLUTION CONTROL BOARD

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Mumbai 400 022.

No. MPCB/ RO(HQ)/ Plastic/ AR- 2019-20/ 339

Date: 21/07/2020.

To,
Smt. Divya Sinha,
Scientist E & Divisional Head, UPC-II,
Central Pollution Control Board,
Parivesh Bhawan,
CBD Cum – Office Complex,
East Arjun Nagar, Shahadara,
Delhi – 110032.

Sub: Submission of Annual Report (2019-20) for Maharashtra state on Implementation of Plastic Waste Management Rules, 2016 and amendment thereto– reg.

Ref: Plastic Waste Management Rules, 2016 and amendment thereto.

Madam,

With reference to above subject, please find enclosed herewith the Annual Report (2019-20) in the prescribed format on Implementation of Plastic Waste Management, Rules, 2016 and amendment thereto for the Maharashtra state as per the clause 17 of Plastic Waste Management, Rules, 2016 and amendment thereto.

Yours faithfully,

Encl.: As above.

(E. Ravendiran, IAS)
Member Secretary, MPCB

Copy Submitted to:

- 1) The Director, Ministry of Environment & Forest, Paryavaran Bhawan, CGO Complex, Lodhi Road, New Delhi – 110 510.
- 2) The Zonal Officer, CPC Board, Parivesh Bhawan, Opp VMC Ward Office No. 10, Subhanpura, Vadodara – 390 023.
- 3) Secretary, Environment Department, Govt. of Maharashtra, Mantralaya, Mumbai.

STATE-WISE STATUS OF IMPLEMENTATION OF PLASTIC WASTE MANAGEMENT RULES, 2016, AS AMENDED 2018, FOR THE YEAR 2019-20

ANNUAL REPORT FORMAT

Name of the SPCB/PCC	Estimated Plastic Waste generation. Tons per annum (TPA)	Implementation of thickness of less than 50 microns carry bags (virgin/ recycled). (Rule 4c)	Details of Plastic Waste Management (PWM) e.g. Collection, Segregation, Disposal (Co-Processing, Road construction, etc.) Rules (5 & 6). (Attach Action Plan)	Partial/complete ban on usage of Plastic carry bags (through Executive Order) Attach copy of notification or Executive Order	No. of registered Manufacturing/Recycling Units (Rule 13)				No. of unregistered Manufacturing or Recycling Units (in residential or unapproved areas). (Rule 13)	Status of Marking, Labelling on carry bags (Rule 11) Specify No. of units not complied	No. of violations & action taken on non-compliance of provisions of PWM Rules, 2016, as amended, 2018 (Rule 12)	Explicitly pricing of carry bags from producers, brand owners and importers (Rule 15)	Status of submission of Annual Report by ULBs to SPCB/PCCs (Rule 16)	Submission of Annual Report to CPCB (Rule 17)
					Plastic Units	Compostable Plastic Units	Multi-layer Plastic Units	Recycling units						
1	2	3	4	5	6				7	8	9	10	11	12
Maharashtra Pollution Control Board	Plastic waste generation in the state of Maharashtra for the year 2019-20 is 4,43,724 tonnes. (Source: Annual report received from 375 ULBs out of 391 ULBs)	Not Applicable as the Government of Maharashtra has imposed complete ban on plastic carry bags irrespective of size and thickness in the State of Maharashtra. (pl refer column no. 5)	Plastic waste collection = 3,47,681 tonnes ; Collection efficiency= 78% Plastic waste recycling and processing= 2,73,589 tonnes (62% of plastic waste generated) Out of this, following are main modes of use- Plastic waste used for Refuse Derived Fuel (RDF) = 1,08,700 tonnes Plastic waste sent for co-processing= 15,857 tonnes Plastic waste used for granule making= 17,981 tonnes Plastic waste used for pyrolysis= 5,579 tonnes Plastic waste used for road construction= 5,515 tonnes Plastic waste sent to landfilling facility= 23,482 tonnes In compliance of order dated 04.12.2019 passed by Hon'ble NGT, in the matter of O.A. 247/2017 Central Pollution Control Board Vs Andaman Nicobar and other States, the action plan for Plastic Waste Management in Maharashtra based on the data gap analysis in the aforesaid order, is prepared by Urban Development Department, Government of Maharashtra. The copy of the same is enclosed as Annexure 1 for ready reference.	The state of Maharashtra has imposed complete ban on certain plastic products like i) plastic bags with or without handle irrespective of size and thickness, ii) single use disposable items like cups, plates, straws, spoons etc and iii) Non-woven Polypropylene bags through Maharashtra Plastic and Thermocol Products (Manufacture, Usage, Sale, Transport, Handling and Storage) Notification, 2018 dated 23.3.2018 and amendment dated 11.4.2018, 30.6.2018 & 14.06.2019 (copy of the notification is attached as Annexure-2).	Nil	6	Nil	62 Plastic recyclers with annual capacity of 2,92,053 tonnes.	42 unregistered plastic producing/ manufacturing units have been issued closure directions, while action initiation against the others is in process.	Before Maharashtra's notification all units mentioned Industry name, Registration no, thickness and size on carry bags and type of material used and recycling status. Now in compliance of the Maharashtra Notification some of the industries have started printing labels on allowable products as per the state notification.	In compliance of Maharashtra Plastic Notification 2018, MPCB has taken following action: 1. Issued closure directions to 103 plastic and thermocol manufacturing industries. 2. Collected fine of Rs. 2.44 Cr from shops/ establishments through joint survey with local bodies as well as independently. 3. Around 297 tonnes of banned plastic items have been seized.	As per Maharashtra notification 2018, plastic carry bags are not allowed in the state of maharashtra, hence not applicable.	Till 17.07.2020, 375 ULBs out of 391 ULBs have submitted their annual report 2019-20, in form V for plastic waste management under 2016 Rules.	The annual reports of previous years have been submitted to CPCB and also uploaded on e-Sanyojan.

Annexure 1

Plastic Waste Management Action Plan 2019-20: July 2020

(Submitted by Urban Development Department, Govt. of Maharashtra)

Sr. No.	Component	Status	Timeline
A. Reduction in Plastic Waste Generation			
1.	Notification of Plastic Ban in all ULBs	Done	-
2.	100% Effective Implementation of Plastic Ban in all ULBs through Vigilance squads	On-going Process	
B. Segregation and Transport of Plastic Waste			
3.	Ensure 100% collection of Plastic Waste in all ULBs	99% Achieved	On-going Process
C. Processing and Disposal of Plastic Waste			
4.	Ensure Channelization of recyclable plastic waste fraction to recyclers	On-going Process	
5.	Ensure use of non-recyclable plastic in Road Construction	On-going Process	
D. Stakeholder Involvement and Behavioural Change			
6.	Ensure Formalisation of Plastic Waste Pickers and engagement of Civil societies and groups in all ULBs	Done	On-going process
7.	IEC campaign & capacity building	Regularly Conducted	On-going process
E. Prevention of Damage caused to Environment due to plastic Waste			
8.	Ensure no plastic waste enters streams and water bodies in the ULBs	Directives have been given by the state. Rigorous monitoring is done by the ULBs.	On-going process
9.	Ensure open burning of Plastic waste does not take place	Directives have been given by the state. Rigorous monitoring is done by the ULBs.	On-going process

Gap Analysis & Proposed targets with timelines

Sr. No.	Component	Status as per Action Plan submitted last year	Timelines as per Action Plan submitted last year	Current Status	Revised Target with Revised Timeline
B) Segregation and Transport of Plastic Waste					
1.	Ensuring Segregation of Waste at the source of generation into wet, dry and Domestic Hazardous in all ULBs	60%	December 2019	79%	90% Segregation to be achieved till December 2020
2.	Setting up of Material Recovery Facilities in all ULBs and ensure Segregation and storage of Plastic waste at the Material Recovery Facility	Approved for all ULBs and are under process	April 2020	Partially complied	MRFs to be operational in all ULBs till December 2020
C) Processing and Disposal of Plastic Waste					
3.	Ensure availability of landfill facility for scientific disposal of Inert waste generated from plastic waste processing	Partially complied	April 2020	Partially complied	Landfill Facilities to be operational in all ULBs by December 2020
D) Stakeholder Involvement and Behavioural Change					
4.	Ensure Implementation of Extended Producers Responsibility (EPR)	Under consideration	December 2019	Directives issued by MoHUA have been adopted.	On-going process

ENVIRONMENT DEPARTMENT
15th Floor, New Administrative Building
Madam Cama Road, Mantralaya,
Mumbai 400 032, dated 23rd March, 2018

NOTIFICATION

No.Plastic-2018/C.R. No.24/TC-4.

WHEREAS, concerns about usage and disposal of plastic are diverse and include accumulation of waste in landfills, water bodies and in natural habitats, physical problems for wild animals resulting from ingestion or entanglement in plastic, the leaching of chemicals from plastic products and the potential for plastics to transfer chemicals to wildlife and humans are increasing.

AND WHEREAS, because of non-biodegradable plastic waste handling of municipal solid waste becomes difficult and incurs more financial burden and also due to burning such waste in open environment causes various diseases in humans and animals.

AND WHEREAS, it is observed that non-biodegradable garbage is responsible for clogging drains and nallas causing flood in urban settlement leading to loss of lives and damage to properties and infrastructure.

AND WHEREAS, plastic waste and micro plastic cause danger to marine and freshwater bio-diversity and also hamper ecosystem services due to spreading of such waste in and around ecosystems, on tourists places, beaches and on agriculture and forest areas.

AND WHEREAS, non-biodegradable plastic waste and micro plastic are having negative impacts on fish diversity and fisheries activity.

AND WHEREAS, non-biodegradable waste is posing problems in effective implementation of Clean India Mission.

AND WHEREAS, detailed stake-holders consultations and deliberations with the field level officials were undertaken, and public notices were also published in leading newspapers.

AND WHEREAS, despite the ban on plastic bags of less than 50 micron through Maharashtra Plastic Carry Bags (Manufacture and Usage) Rules, 2006, there is increase in the non-biodegradable plastic garbage waste causing damage to environment and health.

Therefore, in exercise of the powers conferred by Clause (1) & (2) of Section 4 of the Maharashtra Non-Biodegradable Garbage (Control) Act, 2006, the Government of Maharashtra hereby authorises regulations for manufacture, usage, sale, storage, transport of the products made from plastic & thermocol etc. which generates non-biodegradable waste.

1. Short Title and Commencement :-

1. This may be called the Maharashtra Plastic and Thermocol Products (Manufacture, Usage, Sale, Transport, Handling and Storage) Notification, 2018.
2. This Notification shall come into force with effect from the date of their publication in the Maharashtra Government Gazette.

2. Definitions:

- 1) “Act” means the Maharashtra Non-Biodegradable Garbage (Control) Act, 2006.
- 2) “Plastic” means material; which contains as an essential ingredient a high polymer such as polyethylene terephthalate, high density polyethylene, vinyl, low density polyethylene, polypropylene, polystyrene resins, poly styrene (thermacol), non-oven polypropylene, multi layered co extruder, poly propylene, poly terephthalate, poly amides, poly methyl methacrylate, plastic micro beads, etc.
- 3) “Compostable Plastic” means plastic that undergoes degradation by biological processes during composting to yield CO₂, water, inorganic compounds and biomass at a rate consistent with other known compostable materials, excluding environmental petro-based plastic, and does not leave visible, distinguishable or toxic residue, and which shall confirm to the Indian Standard: IS 17088:2008 titled as Specifications for Compostable Plastics, as amended from time to time.
- 4) “Plastic sheets” means sheet made of plastic.
- 5) “Plastic Waste” means any plastic discarded after use or after their intended use is over.
- 6) “Recycling” means the process of transforming segregated plastic waste into a new product or raw material for producing a new products.

- 7) “Producer / Manufacturer” means person engaged in manufacture or import of plastic bags or multilayered packaging or containers or plastic sheets or like, and includes industries or individuals using plastic sheets or like or covers made up of plastic sheets or sheets or also manufacture products made from plastic or used plastic for packaging or wrapping the commodity.
 - 8) “Commodity” means tangible items that may be brought or sold and includes all marketable goods or wares.
 - 9) “Plastic bags” means bags made from plastic material, used for the purpose of carrying or dispensing commodities which have handle or without handle and also includes bags made from non-woven polypropylene and constitute or form an integral part of the packaging at manufacturing stage or is an integral part of manufacturing.
 - 10) “PET and PETE bottles” means bottles made up of polyethylene terephthalate (PET) and polyethylene terephthalate esters (PETE) used for packaging or storing liquid or semi liquid food, including water.
 - 11) “Commodities made from Thermocol” means any commodity or product made from Thermocol.
 - 12) “Form” means form attached with these regulations.
 - 13) “Product” means anything or object or item made from plastic or Thermocol.
3. Following activities will be regulated in the whole State of Maharashtra in exercise of the powers conferred by section 2(h) , sub-section 1 and 2 of section 4 of the Maharashtra Non-Biodegradable Garbage (Control) Act, 2006.

- (1) 1) The ban in the whole State of Maharashtra for manufacture, usage, transport, distribution, wholesale & retail sale and storage, import of the plastic bags with handle and without handle, and the disposable products manufactured from plastic & thermocol (polystyrene) such as single use disposable dish, cups, plates, glasses, fork, bowl, container, disposable dish/ bowl used for packaging food in hotels, spoon, straw, non-woven polypropylene bags, cups/ pouches to store liquid, packaging with plastic to wrap or store the products, packaging of food items and food grain material etc.
 - 2) These regulations are applicable to every person, body of person, government and non-government organization, educational institution, sport complex, clubs, cinema halls and theaters, marriage/celebration halls, industrial units, commercial institutions, offices, pilgrimage organisers, pilgrimages and religious places, hotels, dhabas, shopkeepers, malls, vendors or sellers, traders, manufacturers, caterer, wholesalers, retailers, stockiest, businessmen, hawkers, salesmen, transporters, market, producers, stalls, tourist places, forest & reserved forest, eco-sensitive areas, all sea beaches, all public places, bus stands, railway stations in the State of Maharashtra.
 - 3) There will be ban in whole state for use of plastic and thermocol for decoration purpose.
- (2) Use, sale, storage and manufacture of PET or PETE bottles made up of high quality food grade virgin Bisphenol-A free material having liquid holding capacity not less than 0.5 liters and printed on it with predefined buy back price shall be allowed subject to compliance of the following.

PET or PETE bottle manufacturers, producers, sellers and traders under 'Extended Producers and Sellers/Traders Responsibility' will develop "Buy Back Depository Mechanism" with a predefined buy back price printed specifically on such PET or PETE bottles and also set up Collection and Recycling units of adequate capacity and number to collect and recycle such PET or PETE bottles within three months from the date of publication of this notification. Traders / sellers will buy back such used PET/ PETE bottles with predefined buy back price printed on such bottles.

PET / PETE bottles having liquid holding capacity 1 liter or more and of 0.5 liter will be printed on the body of the bottle with predefined buy back price of Rs. 1/- and Rs.2/- respectively. However, there will be ban on usage, purchase, sale, distribution and storage of PET / PETE bottles having liquid holding capacity less than 0.5 liters in the State.

(3) These regulations shall not be applicable to the following items:-

- i. Plastic bags or plastic used for packaging of medicines;
- ii. Only compostable plastic bags or material used for plant nurseries, horticulture, agriculture, handling of solid waste. However, bags / sheets utilized for this purpose shall be prominently printed on it with "Use exclusively for this specific purpose only". The manufacturers or seller of compostable plastic carry bags shall obtain a certificate from the Central Pollution Control Board before marketing or selling for this purpose.
- iii. To manufacture plastic and plastic bags for export purpose only, in the Special Economic Zone and export oriented units etc.

- iv. The plastic cover / plastic to wrap the material at the manufacturing stage or is an integral part of manufacturing. Guidelines to recycle or reuse such plastic should be printed prominently on the cover and material.
 - v. Food grade virgin plastic bags not less than 50 micron thickness used for packaging of milk. However, on such plastic bags used for this purpose, should be clearly printed with the price for buy back which should not be less than Rs.0.50 to develop buy back system for recycling. To develop collection mechanism and ensure proper recycling of such used bags, milk dairies, retail sellers and traders will buy back such used milk bags with predefined buy back price printed on it. Milk dairies, retail sellers and traders will ensure that such buy back mechanism and collection and recycling system shall establish within three months from the date of publication of this regulation. However, Milk Dairy and distributors shall make efforts to develop alternative system with glass bottles or any other environmental friendly material for distribution of milk.
4. The following officers are authorized and empowered for the implementation and to take necessary legal action under powers conferred u/s 12 of the provisions of the Maharashtra Non-biodegradable (Control) Act, 2006, as per their jurisdiction :-
- 1. 1) Municipal Commissioners, Deputy Municipal Commissioners, Shops & Establishment Officers and Inspectors, Sanitary Inspector, Health Inspector, Health Officer, Ward Officers or any other Officer nominated by the Municipal Commissioner as well as Chief Officers of all Municipal Councils and any other Officer nominated by the Chief Officer are

authorized to implement the provisions of the said Regulations in their respective jurisdiction.

- 2) District Collector, Deputy Collector, Sub-Divisional Officer, Tahasildar, Talathi and any other officer nominated by Collector, are authorized to implement the provisions of the said Regulations in their respective jurisdiction.
 - 3) Chief Executive Officer, Zilla Parishad; Block Development Officer, Health Officer, Development Officer, District Education Officer, Block Education Officer and Gram Sevak are authorized to implement the provisions of the said Regulations in their respective jurisdiction.
 - 4) Member Secretary, Regional Officer, Sub-Regional Officer and Field Officer of Maharashtra Pollution Control Board, Scientist-I & II and Director, Environment Department, Government of Maharashtra.
 - 5) Director, Health Services; Deputy Director, Health Services; Health Officers.
 - 6) Director, Primary & Secondary Education Board.
 - 7) All Tourism Police, Police Inspector, Police Sub-Inspector, Motor Vehicle Inspector, Traffic Police, Joint Managing Director, Maharashtra Tourism Development Corporation or any other officer authorized by Managing Director, Maharashtra Tourism Development Corporation.
 - 8) Deputy Commissioner (Supply), District Supply Officer
 - 9) Commissioner State Tax and all State Tax Officers.
 - 10) Range Forest Officer or any other officer authorized by Deputy Conservator of Forest.
2. 1) For implementation of these regulations, the person at village or city level, interested persons, group of people, welfare organizations, industrial association and members of all local bodies etc. shall register any offence with the concerned authorized officer, notified in these regulations for this purpose.

- 2) The said registered person, group of people, welfare organizations, industrial association shall help the officers authorized under the said regulations, for providing information of violation of these regulations and assist such officers to impose fine, to confiscate the material made from plastic & thermocol and assist in registering the offence.
5. Maharashtra Pollution Control Board shall impose the condition on manufacturers indicating that recycling price and buy back price should be prominently printed on PET / PETE bottles and plastic bags permissible under these regulations while issuing consent to establish, consent to operate/ renewal and also to initiate actions on non-complying units or industries under appropriate act.
6. Separate order for levying recycling fees from manufacturers at manufacturing stage and recycling fees at selling point at local body level will be issued in consultation with Directorate of Goods and Services Taxes and with approval of the Empowered committee .
7. Time frame for implementation of these regulation :-

Sr. No.	Stake Holder	Implementation Period	
		Activity	Time Frame
1.	Manufacturer / Producer	Manufacturing and sale of banned items.	From date of notification.
		Disposal of existing stock of banned items by 1) Sale outside the State. 2) Sale to authorized recycler or industry.	One month from the date of notification.

2.	Sellers, Retailers, Traders	Ban on Sale	From the date of Notification
		Disposal of Existing Stock by 1) Sale outside the State. 2) Sale to authorized recycler or industry. 3) Handed over to Local Body for Scientific disposal or recycling; and plastic waste generated under buy back scheme to be handed over to authorized recyclers or to the such mechanism developed for the same.	One month from the date of notification.
3.	Users	Use of banned items.	From the date of Notification.
		Disposal of existing plastic banned items with the individual users by 1) Handed over to Local Body for Scientific disposal or recycling; 2) Sale to authorized recycler or industry.	One month from the date of Notification.
4.	Local Body	To arrange the collection, transportation of banned plastic items or plastic waste of existing stock for recycling to authorized recyclers or industries or scientific disposal.	One month from the date of Notification.

8. Empowered Committee, constituted under the chairmanship of Minister (Environment) shall monitor the implementation of these regulations and will regularly review the incorporation of additional items which generate non-biodegradable garbage including use of PET or PETE bottles to be banned in the State. This committee will also help in resolving any difficulty faced by implementing authorities during implementation and if required also carry out any amendment in these regulations with an aim to reduce the volume of non-biodegradable garbage generation in the State
9. Expert Committee shall be constituted under these regulations which will suggest the recommendations including amendment required, if any in the regulations to the Empowered Committee for effective implementation of the regulations and solutions to reduce the non-biodegradable garbage.
10. Implementing Authorities, shall submit quarterly report in the Form-A to the State Government.

By order and in the name of the Governor of Maharashtra,

SATISH GAVAI,
Additional Chief Secretary (Environment)

FORM-A

- (1) Period of Report : From _____ to _____
- (2) Name & Address of Enforcing Agency :
- (3) Name of the Officers Incharge of enforcement of the aforesaid Rules:
- (4) Telephone/Cell No.(Office) :-
- (5) E-Mail ID :
- (6) No. of cases registered in the jurisdiction for violation:

Jurisdiction	Compounding		3 rd Offence	No. of Cases filed in the Court	No.of cases sub-judiced	Amount of fine collected	Remarks
	1 st Offence	2 nd Offence					0

1. _____

Sub-Total

2. _____

Sub-Total

Grand Total -----

- (7) Details of special drives undertaken for effective implementation of the Rules :-
- (8) List of first time offenders and second time offenders.
- (9) Details of public awareness programmes conducted by Enforcing Agency in their jurisdiction.
- (10) Any other relevant information.

(Signature of the Reporting
Authority)

ENVIRONMENT DEPARTMENT

15th floor, New Administrative Building, Madam Cama Road, Mantralaya, Mumbai 400 032
dated the 11th April 2018.

NOTIFICATION

No. Plastic-2018/C.R.No. 24/TC-4.—WHEREAS, under the Maharashtra Non-Biodegradable Garbage (Control) Act, 2006, for regulating manufacture, usage, sale, storage, transport of the products made from plastic and thermocol etc., the Government of Maharashtra on 23rd March 2018 published the Maharashtra Plastic and Thermocol Products (Manufacture, Usage, Sale, Transport, Handling and Storage) Notification, 2018 ;

AND WHEREAS, as per the para 8 of the said notification, for implementation of these regulations and help in resolving any difficulty faced by implementing authorities during implementation and if required also carry out any amendment in these regulations, the Government *vide* Government Resolution dated 22nd March 2018 constituted the Empowered Committee ;

AND WHEREAS, in consultation with plastic manufacturers associations and considering their representations, it was resolved in the meeting of Empowered Committee on 28th March 2018 to make amendments in the Maharashtra Plastic and Thermocol Products (Manufacture, Usage, Sale, Transport, Handling and Storage) Notification, 2018 ;

NOW THEREFORE, in exercise of the powers conferred by clause (1) and (2) of Section 4 of the Maharashtra Non-Biodegradable Garbage (Control) Act, 2006, the Government of Maharashtra hereby makes following amendments in Maharashtra Plastic and Thermocol Products (Manufacture, Usage, Sale, Transport, Handling and Storage) Notification, 2018 :—

1. Para 3 (2) shall be read as follows :—

"Use, purchase, sale, storage and manufacture of PET and PETE bottles made up of high quality food grade virgin Bisphenol-A free material and printed on it with predefined buy back price shall be allowed subject to compliance of the following :—

(a) PET or PETE bottle manufacturers, producers, sellers and traders under 'Extended Producers and Sellers/Traders Responsibility' will develop "Buy Back Depository Mechanism" with a predefined buy back price printed specially on such PET or PETE bottles and also set up collection centers, reverse vending machines, crushing machines with linkages established with recycling units, to collect and recycle such PET or PETE bottle, within three months from the date of publication of this notification, at strategic places including malls, multiplexes, hotels, shops, tourist places, beaches, forts, public places etc.

(b) Traders / sellers will buy back such used PET/PETE bottles with predefined buy back price.

(c) PET / PETE bottles having liquid holding capacity of 1 liter or more and of less than 1 liter will have printed on the body of the bottle, the buyback price of Rs. 1 and Rs. 2 respectively.

2. In Para 7 pertaining to time frame for implementation, the word, namely "one month from the date of Notification" shall be read as " three months from the date of Notification".

By order and in the name of the Governor of Maharashtra,

DR. B. N. PATIL,
Director (Environment).

ENVIRONMENT DEPARTMENT

15th floor, New Administrative Building, Madam Cama Road, Mantralaya,
Mumbai 400 032, dated the 30th June 2018.

NOTIFICATION

No. Plastic.2018/C.R.No. 24/TC-4. – WHEREAS, under the Maharashtra Non-Biodegradable Garbage (Control) Act, 2006, for regulating the manufacture, usage, sale, storage, transport of the products made from plastic and thermocol etc., the Government of Maharashtra published the Maharashtra Plastic and Thermocol Products(Manufacture, Usage, Sale, transport, handling and Storage), Notification, 2018 on 23rd March 2018, which was amended as per Notification, dated the 11th April, 2018;

AND WHEREAS, as per para 8 of the said notification, for implementation of these regulations and help in resolving any difficulty faced by implementing authorities during implementation and if required also carry-out any amendment in these regulations, the Government Resolution, dated the 22nd March 2018 constituted the Empowered Committee;

AND WHEREAS, the Empowered Committee in its meeting of the held on 30th June, 2018, resolved to make amendment in the Maharashtra Plastic and Thermocol Products(Manufacture, Usage, Sale, transport, handling and Storage), Notification, 2018 ;

NOW, THERFORE, in exercise of the power confirmed by clause (1) and (2) of Section 4 of the Maharashtra Non-biodegradable Garbage (Control) Act, 2006, the Government of Maharashtra hereby makes the following amendment in the Maharashtra Plastic and Thermocol Products(Manufacture, Usage, Sale, transport, handling and Storage), Notification, 2018 :-

1. In Notification, dated the 23rd March 2018, in Para. 2 at Serial No. 14 and 15 the following definitions are inserted :—

(14) “Multi-layered Packaging” means any material used or to be used for packaging and having at least one layer of plastic as the main ingredient in combination with one or more layers of material such as paper, paperboard, polymeric materials, metalized layers or aluminium foil either in the form of laminate or co-extruded structure.

(15) “Paper-Based Carton Packaging using one layer of plastic” means a container for liquid and solid food and beverages (e.g. milk, juice, etc.), where the primary constituent material is paper-board and which may have one or more layer of plastic, foil necessary to allow safe and hygienic consumption.

2. In the Notification, dated the 11th April, 2018 after Clause (c) of Para. 1 is substituted as follow and additional clauses (d), (e) & (f) are inserted :—

(c) PET / PETE Bottles of Drinking water, having liquid holding capacity of one litre or more, shall be printed on it, the Deposit and Refund Price of Re.1 or buyback price as decided by the Manufacturer. Drinking water PET / PETE Bottles, having liquid holding capacity of less than one litre but more than 200 ml. shall be printed on it, the Deposit and Refund Price of Rs. 2 or buyback price as decided by the Manufacturer.

(d) Use, sale, storage and manufacture of drinking water PET or PETE bottles of having liquid holding capacity less than 200 ml. is banned in the State.

(e) It is mandatory on the part of the bulk consumers of PET bottles such as hotels, marriage/ party halls, outdoor event locations, offices/institutions shall provide space for collection of plastic waste.

(f) It shall be the sole responsibility of the PET Bottle industries to ensure that these bottles are collected from retailers at depository and refund rate or buyback rate and are recycled.

3. In Notification dated 23rd March 2018, Clause 2A is inserted after Clause 2 of Para 3 as follows :—

(1) As per Plastic Waste Management Rules, 2016 issued *vide* 18th March 2016, by the Ministry of Environment, Forest and Climate Change, Government of India, manufacture and use of non-recyclable multi-layered plastic if any, should be phased out in two years' time. Since, the two years' time is over, the Manufacturers should stop use of non-recyclable multi-layered plastic immediately.

(2) The manufacturer/brand owner/producer of recyclable multi-layered and paper-based carton packaging material using one layer of plastic /Manufacturer's Association, shall diligently implement their Extended Producer's Responsibility (EPR) Plan which includes co-ordination / collaboration with existing Rag pickers / Scrap Traders, retailers for collection of plastic waste and its subsequent recycling and final disposal through their own established recycling plant or registered recyclers by establishing Producer's Responsible Organisations(PRO), which shall be responsible for 100% integral Plastic Waste Management right from collection to final disposal.

(3) Extended Producer's Responsibility (EPR) Plan of the manufacturer/brand owner/producer of multi-layered and paper-based carton packaging material using one layer of plastic shall be reviewed after three months from the date of issuance of this notification and on the basis of the outcome of review, further decision will be taken for regulation.

4. In Clause 3 of Para 3 regarding regulation not applicable to the items mentioned in the Notification dated the 23rd March, 2018, the following items are inserted :—

(1) In Sr. No. (i), Medical Equipment's and Medical Products are also added in addition to use of plastic for packaging of medicines.

(2) Sr. No. (ii) shall be read as it is.

(3) Sr. No. (iii) shall be read as it is.

(4) Sr. No. (iv) is substituted as follows :—

iv. Plastic material/ thermocol used for wrapping the material at the manufacturing stage or is an integral part of manufacturing shall comply the following conditions :—

a. The packaging material shall be more than 50 micron thickness ;

b. The packaging material shall be made up of minimum 20% recyclable plastic material (except for food packaging);

c. The packaging material (except for export purpose) shall be printed with manufacturer's details, type of plastic with code number and buy-back price ;

d. The manufacturers/ manufacturers' association using material for packaging shall work together and create a buy-back mechanism and diligently implement their Extended Producer's Responsibility (EPR) Plan which includes co-ordination/ collaboration with existing Rag pickers/ Scrap Traders, retailers for collection of plastic waste and its subsequent recycling and final disposal through their own established recycling plant or registered recyclers by establishing Producer's Responsible Organisations, which shall be responsible for 100% integral Plastic waste management from collection to final disposal.

(5) Sr. No. (v) shall be read as it is.

(6) At Sr. No. (vi) following clause is inserted :—

vi. Wholesalers and Retailers of groceries and grain products are allowed to sell groceries and grain products in sealed plastic packaging material subject to compliance of following conditions :—

a. The plastic packaging material shall be more than 50 micron thickness with a minimum weight of 2 grams. The packaging material shall be printed with manufacturer's details, type of plastic with code number and buy-back price ;

b. Manufacturing associations for retail packaging material and retailer's associations shall work to create a mechanism for the collection of the plastic through a buy-back mechanism and ensure the recycling and final disposal of the collected plastic materials ;

c. The conditions mentioned above in vi (a) and (b) shall be complied for use and sale of plastic packaging material within a period of three months from the date of issuance of this Notification ;

d. The Manufacturers shall comply with the conditions mentioned at Sr. No. vi (a) and vi (b) from the date of issuance of this Notification.

(7) At Sr. No. (vii), following clause is inserted :—

vii. Plastic Packaging material used for products intended for sale in the State of Maharashtra through E-Commerce shall be allowed only for three months, however, they shall develop Environmental-Friendly Alternative for packaging of materials within three months. They shall create a mechanism for the collection of the plastic packaging material used during three months and ensure the recycling and final disposal.

5. In para 4 of the Notification dated the 23rd March 2018, the officers are authorised and empowered for implementation and to take necessary legal action under the powers conferred u/s 12 of the provisions of the Maharashtra Plastic and Thermocol Products (Manufacture, Usage, Sale, Transport, Handling and Storage) Notification, 2018. In addition to this, after Sr.No.10 the following officers, are authorised.

(11) Any officers nominated by the Railway, Metro, Maharashtra Maritime Board and Airport Authorities.

By order and in the name of the Governor of Maharashtra,

ANIL DIGGIKAR,
Principal Secretary (Environment).

ENVIRONMENT DEPARTMENT

15th Floor, New Administrative Building, Madam Cama Marg,
Mantralaya, Mumbai 400 032, dated the 14th June 2019.

NOTIFICATION

No. Plastic-2019/C.R. No. 171/T.C.-1.—WHEREAS, under the Maharashtra Non-Biodegradable Garbage (Control) Act, 2006, for regulating Manufacture, Usage, Sale, Storage, Transport of the products made from plastic and thermocol etc., the Government of Maharashtra published the Maharashtra Plastic and Thermocol Products (Manufacture, Usage, Sale, Transport, Handling and Storage) Notification, 2018 on 23rd March 2018, which was amended as per Notification dated the 11th April 2018 and 30th June 2018.

AND WHEREAS, as per the para 8 of the said notification, for implementation of these regulations and help in resolving any difficulty faced by implementing authorities during implementation and if required also carry out any amendment in these regulations, the Government *vide* Government Resolution dated 22nd March 2018 constituted the Empowered Committee.

AND WHEREAS, the Empowered Committee in its meeting of the held on 28th May 2019 resolved to make amendments in the Maharashtra Plastic and Thermocol Products (Manufacture, Usage, Sale, Transport, Handling and Storage) Notification, 2018.

NOW THEREFORE, in exercise of the powers conferred by Clause (1) and (2) of Section 4 of the Maharashtra Non-Biodegradable Garbage (Control) Act, 2006, the Government of Maharashtra hereby makes following amendments in Maharashtra Plastic and Thermocol Products (Manufacture, Usage, Sale, Transport, Handling and Storage) Notification, 2018.

1. In the Notification dated 30th June 2018 in Clause 4 of Para 4 is deleted and the following items are inserted :—

- (1) Serial No. (1) shall be read as it is.
- (2) Serial No. (2) shall be read as it is.
- (3) Serial No. (3) shall be read as it is.
- (4) Serial No. (4) is substituted as follows.

Bubble Plastic material used for wrapping the material at the manufacturing stage or is an integral part of manufacturing shall comply the following conditions :—

- (a) Bubble plastic material shall be made up of minimum 20% recyclable plastic material.
- (b) The bubble packaging material shall be printed with manufacturer's details, type of plastic with code number and buyback price.
- (c) The manufacturers/manufacturer's association using bubble plastic material for packaging shall work together and create a buy-back mechanism and diligently implement their Extended Producer's Responsibility (EPR) Plan which includes co-ordination/collaboration with existing Rag Pickers/Scrap Traders, retailers for collection of bubble plastic waste and its subsequent recycling and final disposal

through their own established recycling plant or registered recyclers by establishing Producer's Responsible Organisations, which shall be responsible for 100% integral bubble plastic waste management from collection to final disposal.

(5) Serial No. (5) shall be read as it is.

(6) Serial No. (6) shall be read as it is.

(7) Serial No. (7) shall be read as it is.

By order and in the name of the Governor of Maharashtra,

ANIL DIGGIKAR,
Principal Secretary (Environment).