

**ENVIRONMENT DEPARTMENT**

15<sup>th</sup> floor, New Administrative Building, Madam Cama Road, Mantralaya,  
Mumbai 400 032, dated the 30<sup>th</sup> 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 23<sup>rd</sup> March 2018, which was amended as per Notification, dated the 11<sup>th</sup> 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 22<sup>nd</sup> March 2018 constituted the Empowered Committee;

AND WHEREAS, the Empowered Committee in its meeting of the held on 30<sup>th</sup> 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 23<sup>rd</sup> 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 11<sup>th</sup> 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* 18<sup>th</sup> 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).