

THE RECYCLED PLASTICS MANUFACTURE AND USAGE RULES, 1999

[Notified vide S.O.705(E),dated 2.9.1999]

THE RECYCLED PLASTICS MANUFACTURE AND USAGE RULES, 1999

(MINISTRY OF ENVIRONMENT & FORESTS) NOTIFICATION

New Delhi, the 2nd September, 1999

S.O.705(E)- Whereas draft rules in exercise of the powers conferred by clause (viii) of sub-section (2) of section 3 read with section 25 of the Environment (Protection) Act, 1986 (29 of 1986) was published in the Gazette vide S.O.980(E), dated 20th November, 1998 entitled Recycled Plastics Usage Rules, 1998 inviting objections from the public within 60 days from the date of the publication of the said notification and whereas all objections received were duly considered;

Now, therefore, in exercise of the powers conferred by clause (viii) of sub-section (2) of section 3 read with section 25 of the Environment (Protection) Act, 1986, the Central Government hereby notifies the rules for the manufacture and use of recycled plastics, carry bags and containers;

1. Short title and commencement:

(a) These rules may be called the Recycled Plastics Manufacture and Usage Rules, 1999.

(b) They shall come into force on the date of their publication in the official Gazette.

2. Definitions - In these rules unless the context requires,

(a) "Act" means the Environment (Protection) Act, 1986;

(b) "Foodstuffs" means ready-to-eat food and food products, fast food, Processed and cooked food in liquid, powder, solid or semi-solid form;

(c) "Vendor" means person who sells foodstuffs as defined above packaged and stored in plastic carry bags and containers.

3. Prescribed Authority:

(a) The prescribed authority for enforcement of the provisions of these rules related to manufacture and recycling shall be the State Pollution Control Boards

in respect of States and the Pollution Control Committees in respect of Union Territories;

(b) The prescribed authority for enforcement of the provisions of these rules related to the use, collection, segregation, transportation and disposal shall be the District Collector/Deputy Commissioner of the concerned district where no such Authority has been constituted by the State Government/Union Territory administration under any law' regarding non-biodegradable garbage.

4. Prohibition of usage of carry bags or containers made of recycled plastics: No vendor shall use carry bags or containers made of recycled plastics for storing, carrying, dispensing or packaging of foodstuffs.

5. Conditions of Manufacture of carry bags and containers made of plastics: Subject to the provisions of rule 4, any person may manufacture carry bags or containers made of plastics if the following conditions are satisfied, namely: -

(a) Carry bags and containers made of virgin plastic shall be in natural shade or white;

(b) Carry bags and containers made of recycled plastic and used for purposes other than storing and packaging foodstuffs shall be manufactured using Pigments and colorants as per IS:9833: 198-1 entitled "List of pigments and colorants for use in plastics in contact with foodstuffs, pharmaceuticals and drinking water".

6. Recycling: Recycling of plastics shall be undertaken strictly in accordance with the Bureau of Indian Standards specification: IS: 14534: 1998 entitled " The Guidelines for Recycling of Plastics".

7. Marking/codification: Manufacturers of recycled plastic carry bags having printing facilities shall code/mark carry bags and containers as per Bureau of Indian Standards Specification: IS 14534 : 1998 entitled" The Guidelines for Recycling of Plastics" and the end product made out of recycled plastics shall be marked as "recycled" along with the indication of the percentage of use of recycled material. Other manufactures, who do not have printing facilities, shall comply with the condition within one year of publication of these rules. Manufactures shall print on each packet of carry bags as to whether these are made of "recycled material". or of "virgin plastic".

8. Thickness of Carry bags: The minimum thickness of carry bags made of virgin plastics or recycled plastics shall not be less than 20 microns.

9. Self regulation by certain persons: Without prejudice to the provisions contained in rule 3, the Plastics Industry Association, through their member units, shall undertake self-regulatory measures.

**Gazette of India
Extraordinary
Part II, Section 3, Sub-section (ii) Published by Authority No. 540
New Delhi, Tuesday, June17, 2003**

**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:-

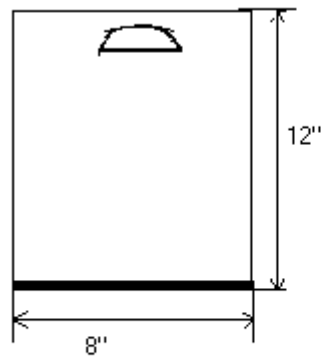
“ 10. Grant of Registration for Manufactures - (1) Every occupier manufacturing carry bags or containers of virgin plastic or recycled plastic or both shall make an application in Form 1 appended to these rules to the State Pollution Control Board or Pollution Control Committee of the union territory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

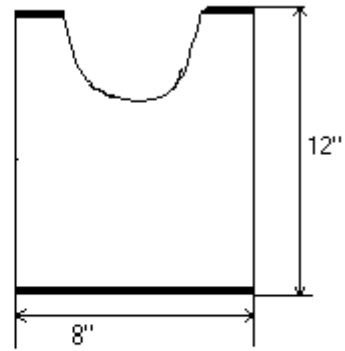
ANNEXURE
[See rule 2 (b)]

Shape of bags



"D" Punched Bag

Figure I



Vest Type Bag

Figure II

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 | |
| 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 | |

| | |
|---------------|--------------------|
| Place: | Signature |
| Date : | Designation |

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.

TheState 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

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

[F.No. 17-2/2001- HSMD (Pt-1)]
Dr. V. Rajagopalan, Jt. Secretary