



Pollution Control Board:: Assam Bamunimaidam; Guwahati-21

(Department of Environment & Forests :: Government of Assam)
Phone: 0361-2652774 & 2550258; Fax: 0361-2550259
Website: www.pcbassam.org



No. WB/T-298/21-22/112

Dated Guwahati the 26th of April, 2023

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Sub: Directions under section 5 of the Environment (Protection) Act, 1986 regarding implementation of the Plastic Waste Management Rules, 2016 as amended.

Whereas, the Plastic Waste Management Rules, 2016 was notified by the Govt. of India vide notification No. GSR 320 (E), dated the 18th March, 2016 and amended from time to time.

Whereas, certain Single Use Plastic commodities including items made of polystyrene such as glass, cup, plate, straw, spoon, fork and other cutlery items have been prohibited by the Govt. of India vide notification No. GSR 571 (E) dtd 12-08-22 with effect from 01-07-22.

Whereas, PCBA had already issued public notice to inform all producers, retailers, street vendors, commercial establishments and general public to stop production, stocking, distribution, sale and use of identified Single Use Plastic items and plastic for packaging and wrapping having thickness less than fifty microns as per the Plastic Waste Management Rules, 2016 as amended.

Whereas, large number of IEC activities and enforcement drives have been conducted by the Govt. of Assam to spread awareness and discourage use of prohibited single use plastic (SUP) commodities.

Whereas, it is observed that prohibited single use plastic items like single use plastic glass, cup, plates spoon, thermocol for decoration, etc are still in use in events held in various Banquet Halls/ Marriage Halls.

Whereas as per provision 18 of the Plastic Waste management rules, 2016 as amended, Environmental Compensation shall be levied based upon polluter pays principle, on persons who are not complying with the provisions of these rules, as per guidelines notified by the Central Pollution Control Board.

Whereas, Based on the report of the CPCB in-house committee on methodology for assessing Environmental Compensation as well as CPCB guidelines for assessment of Environmental compensation to be levied for violation of Plastic Waste Management Rules, 2016, the Board has decided to levy Environmental Compensation on Hotels, restaurants, banquet halls for violation of the said Act and rules.

Whereas, the Central Government vide notification S.O. 327 (E), dated 10/04/2001 has delegated the powers vested on it, under section 5 of the Environment (protection) Act, 1986, to the Chairman of all State Pollution Control Boards which includes Pollution Control Board Assam, to issue directions to any industry or any other local authority for violation of rules notified under the Environment (Protection) Act, 1986.

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Now, therefore, in exercise of the powers vested under section 5 of the Environment (Protection) Act, 1986, the following directions are issued to all Hotels, Restaurants, Banquet Halls, Marriage Halls for compliance:

1. Stop usage of prohibited Single Use Plastic (SUP) commodities within your premises immediately.
2. Ensure segregation of waste at source.
3. Ensure obtaining of Consent to operate from the Board.

Necessary action for compliance of the aforesaid directions shall be taken by your unit failing which appropriate action under the provision of the Environment (Protection) Act 1986 including revocation of Consent/ Closure of operations and/or levying of Environmental compensation shall be taken against your unit.

(Dr. Arup Kumar Misra)
Chairman

To,

All Hotels/Restaurants/Banquet Halls in the State of Assam

Memo. No. WB/T-298/21-22/112

Dated Guwahati the 26th of April, 2023

Copy to:

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1. The Director, Municipal Administration, Govt. of Assam – for kind information.
 2. The P.S to the Commissioner and Secretary to the Govt. of Assam, Environment and forest Department.

(Dr. Shantanu Kumar Dutta)
Member Secretary