

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

New Delhi, Tuesday, June 17, 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.

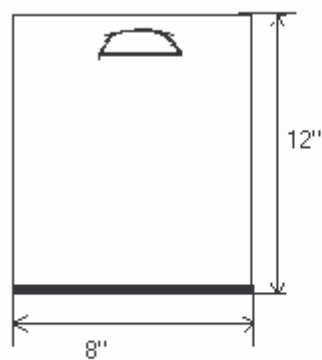
- (2) On or after the commencement of the Recycled Plastics Manufacture and Usage (Amendments) Rules 2003, no person shall manufacture carry bags or containers irrespective of its size or weight unless the occupier of the unit has registered the unit with the State Pollution Control Board/ Pollution 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

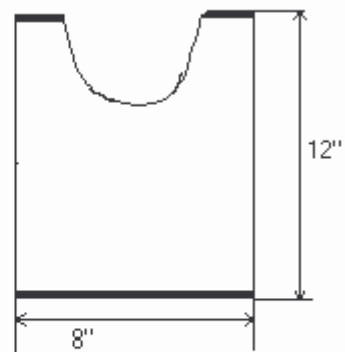
ANNEXURE

[See rule 2 (b)]

Shape of bags



"D" Punched Bag



Vest Type Bag

Figure I

Figure II