



# EXTENDED PRODUCER RESPONSIBILITY (EPR) – PLASTIC WASTE MANAGEMENT

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## Introduction[1]:

Plastic waste is everywhere — from the deepest oceans to the highest mountains— and it's no longer just an environmental issue, but a global crisis. As the world drowns in its own plastic, the question arises: **who should be held accountable?**

Building awareness and actions to mitigate the risk factors are actively carried out by various NGOs, Private agencies and Companies. As an example 'Ratnagreen Techno Services' based in Konkan, Maharashtra is having its Main object to collect, segregate, crush and process plastic further to recycle & reuse thus adhering to its mission of green environment as its name suggests. Alike 'Ratnagreen' there are multiple organizations working with local government authorities. Apart from such local government authorities, the government has induced Extended Producer Responsibility (EPR) for which every Producer, Importer and Brand owner is equally involved and should join hands to achieve one goal, which is to make this environment more sustainable.

EPR is a powerful policy tool that shifts the burden of plastic waste from consumers and municipalities back to the Producers themselves. In an era where sustainability is no longer optional, EPR is emerging as a game-changer in redefining how we produce, use, and dispose of plastic.

EPR is a vital concept aimed at promoting environmental sustainability by holding Producers responsible for the entire life cycle of their products in India.

EPR policy holds Producers accountable for managing post-consumer waste as well as the complete lifecycle of their products.

In India, numerous laws, norms, and regulations govern the EPR waste management compliance.

- **Plastic waste**
- Hazardous Waste
- E- Waste
- Municipal Solid waste
- Bio Medical waste

This article provides insights into EPR objectives, responsibilities, compliances related to Plastic Waste Management.

[1] The article reflects the general work of the author on the date of publication and the views expressed are personal. No reader should act on any statement contained herein without seeking detailed professional advice.

## Objective of EPR:

EPR is a policy strategy that charges Producers, Importers and Brand Owners (PIBO's) for controlling waste generated out of their activities. The Primary objective is to reduce the environmental footprint of products.

EPR model is based on the polluter-pays principle, which aims to include producers of material goods in the management and treatment of waste and keep raw materials and goods in the economic cycle.

EPR regime is defined in '**Plastic Waste Management Rules,2016**' (PWM) and the amendments thereto from time to time and as per the guidelines issued on EPR. These rules mandate the Generators of plastic waste to take steps to minimize generation of plastic waste.

As per the said Rules, Producers, Importers and Brand owners (PIBOs) shall have to register through the online centralised portal with '**Central Pollution Control Board**' (CPCB) and or '**State Pollution Control Board**' (SPCB) as may be applicable.

Accordingly, the portal has been developed to register '**PIBOs who are operating**' in '**more than Two States**' with '**CPCB**' and those operating in '**one or two States/Union Territories**' shall be registered with **the concerned 'SPCB'**.

These Boards are responsible for overseeing the implementation of the Plastic Waste Management Rules, developing guidelines, and consolidating reports on plastic waste management practices.

## Entities required to be registered under CPCB

- 1.Producer (P) including micro and small enterprises as defined under Micro, Small and Medium Enterprises Development Act 2006
- 2.Importer of all imported plastic packaging and/or plastic packaging of imported products (I)
- 3.Brand Owner
- 4.Plastic Waste processor engaged in a) recycling (b) waste to energy (c) waste to oil and (d) industrial composting.
- 5.Manufacturers and importers of plastic raw material;
- 6.Manufacturers of items made from compostable plastics or biodegradable plastics

The entities shall not carry any business without registration obtained through online centralized portal developed by Central Pollution Control Board.

The entities shall not deal with any entity not registered through on-line centralized portal developed by Central Pollution Control Board.

### **Packaging categories covered under EPR:**

Category I: Rigid plastic packaging

Category II: Flexible plastic packaging of single layer or multilayer (more than one layer with different types of plastic), plastic sheets or like and covers made of plastic sheet, carry bags, plastic sachet or pouches

Category III: Multilayered plastic packaging (at least one layer of plastic and at least one layer of material other than plastic)

Category IV: Plastic sheet or like used for packaging as well as carry bags made of compostable plastics.



## EPR targets:

PIBOs must ensure that a specific portion of collected plastic is actually recycled, not just collected.

### Minimum level of recycling (excluding end of life disposal) of plastic packaging waste

(% of EPR target)

Plastic Category	2024-2025	2025-2026	2026-2027	2027-2028
Category I	50	60	70	80
Category II	30	40	50	60
Category III	30	40	50	60
Category IV	50	60	70	80

## Imposition of Environmental Compensation:

As per guidelines issued on EPR, Environmental compensation shall be levied based on the polluter pays principle, with respect to non-fulfilment of EPR targets by PIBO's. The Environmental compensation shall be levied on PIBO's by CPCB and/or respective SPCB as the case may be.

Payment of environmental compensation shall not absolve the Producers, Importers & Brand-Owners from the obligations set out in PWM Rules and guidelines. The unfulfilled Extended Producer Responsibility obligations for a particular year will be carried forward to the next year for a period of three years. In case, the shortfall of Extended Producer Responsibility obligation is addressed within three years, the environmental compensation levied shall be returned to the Producers, Importers & Brand-Owners.

After completion of three years on environmental compensation getting due the entire environmental compensation amount shall be forfeited.

## **Responsibilities of PIBO –**

All PIBO operating in India that uses plastic packaging as part of operation, irrespective of the turnover or scale of operations fall under the obligation of EPR and are responsible to Register at EPR Portal and fulfil obligations as under –

1. Register at EPR portal of Government of India
2. Submit their Action plan
3. Fulfil obligations for :
  - Recycling
  - Use of Recycled content
  - Reuse
  - End of life disposal
  - Operational engagement in collection and recovery of the plastics
  - Submit annual returns
  - Provide proof of certificates (Plastic credits)
  - PIBO's can engage with Producer Responsibility Organisations (PRO's) or other agencies separately to fulfil their targets but reporting and responsibility to fulfil the obligations is completely of PIBO.

## **Compliances to EPR - Annual reports:**

The PIBO's required to submit the Annual Return as per '**Plastic Waste Management Rules**' with CPCB and/or SPCB as the case may be.

## **What is EPR certificate?**

An EPR Certificate (Extended Producer Responsibility Certificate) is a compliance document which certifies that obligated entity has fulfilled its obligation to manage the end-of-life disposal of its products.

EPR certificates are official documents issued to Producers, Importers, or Brand Owners (PIBOs) to show compliance with plastic waste management targets.

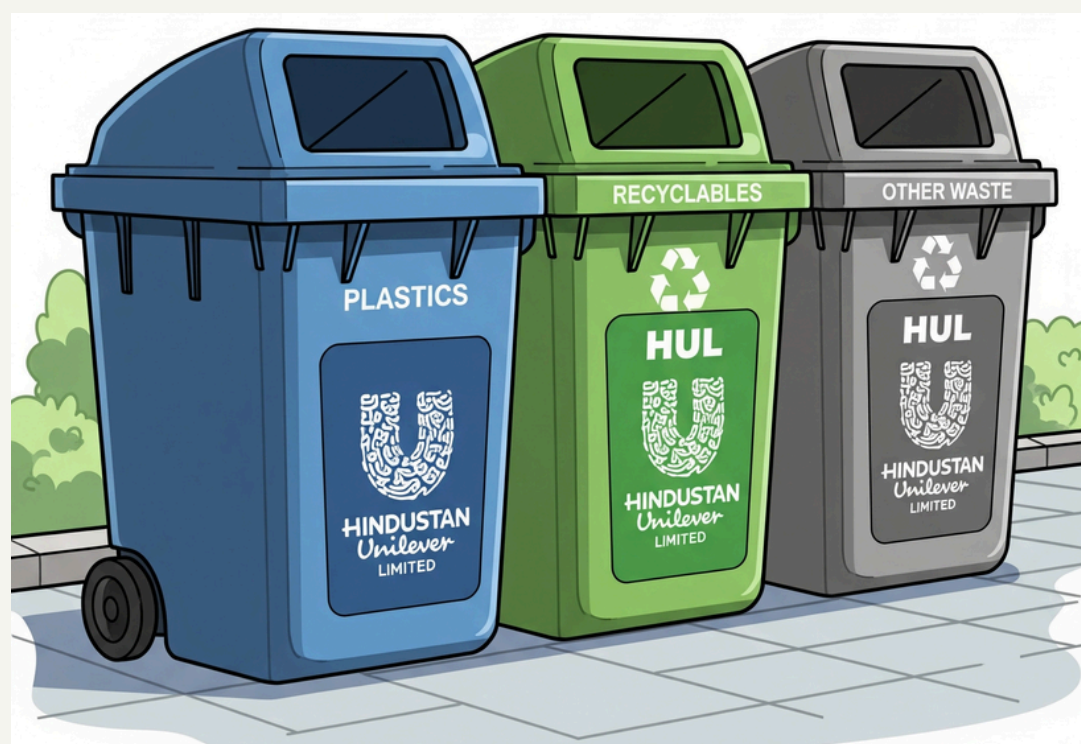
## Benefits of EPR for PIBO's:

1. A Brand Owner who has fulfilled their EPR targets, category-wise, can use the surplus for the following namely: -
  - Offsetting previous year shortfall subject to certain terms and conditions.
  - Carry forward for use in succeeding year;
  - Sell it to other Producers, Importers & Brand-Owners.
2. Surplus in one category can only be used for off-setting, carry forward and sale in the same category.
3. Surplus under reuse can be used for against reuse, recycling and also end of life disposal.
4. A surplus under recycling can be used for recycling and end of life disposal.
5. PIBO's can also meet their EPR obligations under a category by purchasing surplus EPR certificates from other PIBO's. These types of transactions shall be recorded while filing returns under EPR framework.

Further, EPR enhances brand image and consumer trust, economic advantages, cost savings, and environmental sustainability.

## Entities undertaking EPR activities –

**1. Hindustan Unilever Limited (HUL)** – HUL have been collecting Plastic Waste since 2018 and started formally recording data since then. They were one of the first Companies since 2021 to collect and responsibly process more plastic than they use for packaging of their finished products. They are following EPR framework notified by CPCB. The data given on plastic waste on the website of Company as follows:



### Plastic packaging footprint (approx. in tonnes)

2018	2019	2020	2021	2022	2023	2024
97,000	96,000	106,000	107,000	118,000	122,000	125,000

### Year on Year plastic EPR quantity (in tonnes)

2018	2019	2020	2021	2022	2023	2024
20,000	59,000 (cumulative)	1,17,000 (cumulative)	2,34,000 (cumulative)	3,52,000 (cumulative)	4,75,000 (cumulative)	6,56,000 (cumulative)

Footprint - <https://www.hul.co.in/sustainability/plastics/>

**2. TATA Consumer Products (TCP)** – TCP have recovered the equivalent of 100% of packaging used for their beverages, foods. TCP takes responsibility for the entire life cycle of their products including their post-consumer phase.

TCP has made significant strides in sustainability by implementing plastic reduction measures across various verticals. They have successfully downsized and downgauged laminates, leading to an annual reduction by 125 MT of plastic in their food and coffee segments. Overall TCP now utilises 72% recyclable packaging.

They have started the use of recycled plastic in their packaging for Himalayan bottles and tea packaging.

Footprint – <https://www.tataconsumer.com/iar-2024-25/sustainability/planet>

### Conclusion:

In essence, EPR encourages PIBO's to add more business values for the end product thus making it sustainable to the Eco system. Plastic being reuseable but non-degradable element and we being cognizant of the fact how hazardous it can be to the entire eco system, we need to contemplate and act wisely.

We shall join hands to actively participate not just for the sake of the compliance but to get rid of repercussions by managing plastic waste and making our environment more sustainable to live for coming generations.

For any feedback or response on this article, the authors can be reached on [anagha.vaidya@ynzgroup.co.in](mailto:anagha.vaidya@ynzgroup.co.in) and [kalyani.oak@ynzgroup.co.in](mailto:kalyani.oak@ynzgroup.co.in)

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