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## Introduction:

In India, the regulation of plastic packaging waste is governed by the principle of Extended Producer Responsibility (EPR), a policy approach that mandates producers, importers, and brand owners (collectively referred to as PIBOs) to ensure the environmentally sound management of plastic waste generated through their products. EPR compliance is not merely a voluntary commitment but a legal obligation under the Plastic Waste Management Rules, 2016, as amended from time to time.

Under this regulatory regime, any entity introducing plastic packaging into the Indian market—whether through manufacturing, import, or sale—is required to register with the designated pollution control authorities and ensure that equivalent amounts of plastic waste are either recycled, reused, disposed of, or reprocessed through authorized channels. To streamline this process, a centralized digital registration and compliance mechanism has been developed by the Central Pollution Control Board (CPCB), specifically for entities operating in more than two States or Union Territories.

## 1. Legal Basis: Plastic Waste Management Rules and Amendments

### Plastic Waste Management (PWM) Rules, 2016 - Foundation of EPR Mandate

The PWM Rules, 2016 issued by the Ministry of Environment, Forest and Climate Change (MoEF&CC) laid the groundwork for India's structured approach to plastic waste regulation. These rules delineated responsibilities for various stakeholders across the plastic value chain and imposed obligations on PIBOs for collection and safe disposal of post-consumer plastic packaging.

### 2018 Amendment - Establishment of Centralized Registration

The 2018 Amendment to the PWM Rules introduced a pivotal change by phasing out non-recyclable multi-layered plastics and mandating a centralized, automated registration system for all PIBOs. Entities operating in more than two states are required to register with CPCB,

while those confined to one or two states shall approach their respective State Pollution Control Boards (SPCBs) or Pollution Control Committees (PCCs).

### **Fourth Amendment (February 2022) - Legal Codification of EPR Guidelines**

The PWM (Amendment) Rules, 2022 formally incorporated the “Guidelines on Extended Producer Responsibility for Plastic Packaging” as Schedule II to the main Rules. These guidelines set out detailed compliance procedures, category-wise targets, and certificate trading mechanisms. The amendment also mandated the establishment of a centralized online portal (<https://eprplastic.cpcb.gov.in>) for PIBO registration and compliance reporting. Notably, EPR obligations were extended to include compostable plastic packaging alongside conventional materials.

### **PWM (Amendment) Rules, 2024 - Inclusion of Raw Material Manufacturers**

The March 2024 amendment significantly broadened the regulatory scope by including manufacturers and importers of plastic raw materials (such as resins, granules, and intermediate compounds) under the EPR framework. Even small-scale producers are now required to register on the CPCB’s EPR portal, ensuring upstream accountability for plastic waste management.

### **PWM (Amendment) Rules, 2025 - Enhanced Labelling Norms and Penalties**

The January 2025 amendment introduced stricter labelling requirements by mandating the use of QR codes or barcodes on all eligible plastic packaging to improve traceability. More importantly, it strengthened the enforcement framework by introducing a new penalty clause under Section 15 of the Environment (Protection) Act, 1986, making any violation of the PWM Rules a punishable offence. Fines may range from ₹10,000 to ₹1,00,000, with the possibility of daily penalties for continuing contraventions.

### **Additional Notifications and Regulatory Clarifications**

In addition to the Rules and Amendments, the Central Pollution Control Board (CPCB) and MoEF&CC regularly issue clarifications, operational guidelines, and updates to ensure

transparent enforcement. One such initiative is the Centralized EPR Portal, which enables PIBOs to apply for registration, track EPR targets, purchase and transfer plastic credit certificates, and file returns.

The Central Board of Indirect Taxes and Customs (CBIC) has also aligned with this framework. As per the latest customs directives effective July 2025, all importers of plastic raw materials shall present proof of EPR registration with CPCB at the time of customs clearance. This cross-agency coordination emphasizes that EPR compliance is not merely regulatory but a prerequisite for lawful business operations involving plastic in India.

## 2. Applicability of EPR: Entities Required to Register

The Plastic Waste Management (PWM) Rules, 2016 (as amended) clearly define the applicability of Extended Producer Responsibility (EPR) in India. The responsibility to register and comply with EPR obligations falls on a specific category of stakeholders collectively referred to as **PIBOs—Producers, Importers, and Brand Owners**.

### Entities Required to Register

- **Producers:** Any individual, company, or legal entity involved in the manufacture of plastic packaging or intermediate plastic products (such as films, laminates, or molded containers), including third-party or contract manufacturers acting on behalf of brand owners.
- **Importers:** Any person or organization importing plastic-packaged products, plastic packaging material, plastic sheets, bags, or raw plastic materials (such as resins, granules, or pellets) for commercial or industrial purposes. Notably, the Central Board of Indirect Taxes and Customs (CBIC) has mandated that importers of plastic raw materials shall provide proof of CPCB EPR registration at the time of customs clearance. This ensures that imported materials are accounted for under India's EPR regime.
- **Brand Owners:** Any entity or business that sells products under a registered or proprietary brand name, wherein plastic packaging is used in any form—primary, secondary, or tertiary. This includes FMCG brands, retailers, and e-commerce companies.

In addition to these, the rules also encompass **manufacturers of compostable/biodegradable plastics**, as well as **suppliers of plastic raw materials**, who are now explicitly required to register under the EPR portal if operating in the Indian market.

### Jurisdiction of Registration

- PIBOs operating in **more than two States/UTs** shall register with the **Central Pollution Control Board (CPCB)** via its **Centralized EPR Portal**.
- PIBOs operating in **only one or two States/UTs** are required to register with the respective **State Pollution Control Board (SPCB)** or **Pollution Control Committee (PCC)**.

### Exemptions and Threshold Criteria

While the PWM Rules aim for comprehensive coverage, **certain micro and small-scale entities**, particularly **brand owners classified under MSME guidelines**, are **exempt from EPR obligations**. However, this exemption does **not** apply to larger producers and importers, regardless of their volume. In essence, **there is no minimum plastic quantity threshold** for liability—**any amount** of plastic packaging introduced into the market triggers EPR obligations for large businesses.

## 3. Classification of Plastic Packaging under EPR

The CPCB's EPR framework categorizes plastic packaging into **four distinct types**, each governed by unique compliance obligations and environmental targets. These categories are declared by PIBOs at the time of registration and form the basis for tracking and fulfilling annual EPR responsibilities.

### Four Categories of Plastic Packaging:

- **Category I - Rigid Plastic Packaging**

Includes packaging that retains its shape and structure, such as **bottles, jars, caps, containers, tubs, and closures**.

- **Category II - Flexible Plastic Packaging**

Covers **single-layer or multilayer plastic packaging** without aluminum foil. This includes **wrappers, sachets, bags, cling films, and laminated pouches**.

- **Category III - Multi-Layered Plastic Packaging (MLP)**

Encompasses packaging made from a combination of **plastic and non-plastic materials** such as **aluminum foil or paper**, typically used in **snack packets, tetrapaks, or food-grade pouches**.

- **Category IV - Compostable Plastic Packaging**

Applies to **industrially compostable plastic materials** certified by CPCB in accordance with **IS/ISO 17088 standards**.

All PIBOs shall accurately declare the **quantum and type** of plastic packaging they place on the market under these categories. EPR targets for each category increase progressively and are enforced annually through the CPCB EPR portal, culminating in full-scale compliance by **FY 2028-29**.

#### 4.EPR Registration Fee Structure

To operationalize EPR compliance, PIBOs are required to pay an **application fee** during the initial registration process. The fee structure, as prescribed by the **Central Pollution Control Board (CPCB)**, is based on the **annual plastic waste generation** capacity of the applicant:

Annual Plastic Waste Generation (TPA)	One-Time Application Fee (INR)
Less than 1,000 TPA	₹10,000
1,000 - 10,000 TPA	₹20,000
Above 10,000 TPA	₹50,000



*Note: TPA refers to tonnes per annum of plastic packaging introduced into the market.*

For **Plastic Waste Processors (PWPs)**—including recyclers, co-processors, and composters—the fee varies according to operational capacity and may range from **₹5,000 to ₹50,000**.

### Annual Processing Fee

Once registered, PIBOs and PWPs are obligated to pay a recurring **Annual Processing Fee**, which amounts to **25% of the initial registration fee**. For instance, an entity that paid ₹20,000 at the time of registration shall remit ₹5,000 annually to maintain active registration status.

## 5. Types of EPR Certificates and Plastic Packaging Categories

To comply with Extended Producer Responsibility (EPR) mandates under the **Plastic Waste Management Rules**, PIBOs (Producers, Importers, and Brand Owners) shall fulfill annual waste management targets. This is primarily achieved by acquiring **EPR Certificates** from registered **Plastic Waste Processors (PWPs)** through the **Centralized EPR Portal**. These certificates represent proof that a certain quantity of plastic waste has been processed in an environmentally sound manner.

### Categories of EPR Certificates

The **Central Pollution Control Board (CPCB)** has defined five core certificate types, each corresponding to a specific method of plastic waste management:

- **Recycling Certificates:** Issued by CPCB-registered recyclers for processing **rigid, flexible, or multi-layered plastics** under **Categories I to III**. These are the most commonly acquired certificates and are crucial for meeting recycling obligations.
- **Composting Certificates:** Applicable to **Category IV** packaging (certified compostable plastic). These are issued for plastic waste processed through **authorized industrial composting facilities**, and are exclusive to compostable plastic packaging.
- **End-of-Life Disposal Certificates:** Cover non-recyclable plastic waste disposed of via approved methods such as **co-processing in cement kilns, waste-to-energy, waste-to-oil, or plastic**



road construction. These certificates are especially relevant for hard-to-recycle multilayer or contaminated plastics.

- **Reuse Certificates:** Exclusive to **rigid plastic packaging (Category I)**. These certificates are issued when brand owners reuse plastic containers or packaging (such as refillable bottles or tubs) beyond a specified threshold. They serve as an incentive to adopt circular-use models.
- **UReP Certificates (Use of Recycled Plastic):** Issued to entities that integrate **recycled plastic content** into their new packaging. These certificates support the fulfilment of **recycled-content targets** and promote the use of post-consumer plastic waste in manufacturing.

Each certificate corresponds to a specific **plastic packaging category (I-IV)** and indicates the exact quantity of plastic waste processed or reused. PIBOs are required to **purchase and consume these certificates** digitally through the **CPCB EPR Portal** in order to meet their annual compliance targets.

## 6. EPR Targets by Plastic Type (Effective FY 2024-25 Onwards)

The CPCB's EPR framework lays down **differentiated targets** for each category of plastic packaging, based on its recyclability and environmental impact. These targets are progressively enforced, culminating in full compliance by **FY 2028-29**.

### 1. Recycling Targets

- **Rigid and compostable plastics (Categories I & IV):** Minimum of **50%** by FY 2024-25, increasing to **80%** by FY 2027-28.
- **Flexible and multi-layered plastics (Categories II & III):** Minimum of **30%** by FY 2024-25, with a 10% annual increase to reach **60%** by FY 2027-28.

### 2. Recycled Content Targets (UReP)

- **Rigid plastics:** Start at **30%**, increasing to **60%** by FY 2028-29.
- **Flexible plastics:** Start at **10%**, increasing to **20%**.
- **Multi-layered plastics:** Start at **5%**, increasing to **10%**.
- **Note:** Compostable plastics are **exempt** from recycled content obligations.

### 3. Reuse Targets (Applicable to Category I Only)

- **Brand owners** using **refillable rigid containers** shall achieve **10% reuse** by **FY 2025-26**, with targets scaling in subsequent years.
- Compostable, flexible, and multilayer plastics are **excluded** from reuse obligations.

PIBOs are expected to hold an adequate quantity of certificates—**matched by plastic category**—to fulfill each year’s obligations. For example, a rigid plastic producer shall acquire certificates for **both recycling and reuse**, while a compostable packaging brand may only need composting certificates.

## 7. Registration Process: How to Register for EPR Compliance

To legally operate within the scope of the PWM Rules, all applicable PIBOs shall complete the registration process through the **CPCB’s Centralized EPR Portal**. The process is fully digital, streamlined, and designed to reduce administrative burden.

### Step-by-Step EPR Registration Process

1. **Portal Access and Account Creation:** Visit the official CPCB EPR Portal. Applicants shall create a user account by self-registering with basic credentials.
2. **Application Submission:** Once logged in, the applicant shall fill out the **appropriate application form**—separate forms exist for producers, importers, and brand owners. Supporting documents shall be uploaded in digital format, including:
  - PAN card of the business
  - GST registration certificate
  - Manufacturing/import details
  - Packaging specifications
  - Copy of environmental or sustainability audits (if available)
3. **Fee Payment:** The registration fee shall be paid online, based on annual plastic waste generation. Refer to the [EPR Fee Structure](#) section for detailed breakdown.
4. **Authority Review:** The application is auto-routed based on operational scope:
  - **1-2 States/UTs:** Routed to the respective **SPCB/PCC**.



- **3 or more States/UTs:** Routed to CPCB for central approval. The respective authority verifies the submission and, if complete, processes the application within approximately **15 working days**.
- 5. **Approval and Certification:** Upon approval, an **EPR Registration Certificate** is issued electronically, complete with a **unique registration ID**. The certificate grants the applicant access to the EPR compliance system and enables participation in the certificate trading mechanism.

The entire registration workflow—right from account creation to approval—is **100% paperless**, with real-time status tracking via the portal dashboard. For technical support, CPCB provides detailed user manuals, FAQs, and guidance documents directly on the portal.

## 8. Validity and Renewal of EPR Registration

Once obtained, the EPR Registration Certificate remains valid for a limited period and shall be renewed to maintain compliance under the Plastic Waste Management Rules.

### Key Validity Terms:

**Initial Validity:** The first EPR registration is valid for one year from the date of issuance.

**Renewal Process:** Registered entities shall apply for renewal at least four months before expiry to avoid lapse. The renewal application shall include:

- Updated business and compliance documents
- Details of EPR obligations fulfilled
- Applicable fee (same as the original application fee)

Upon approval, the renewed certificate is valid for a period of three years.

**Suspension or Cancellation:** The CPCB or respective SPCB/PCC holds the authority to suspend or cancel an EPR registration at any time in cases of:

- Material misrepresentation in application
- Non-compliance with filing or target obligations
- Repeated violations of EPR guidelines or PWM Rules

Entities shall ensure continuous registration to remain in legal operation. Failure to renew in time results in automatic lapse of EPR status, and the business cannot legally continue to import, manufacture, or market plastic-packaged products until a fresh registration is granted.

## 9. Annual Compliance and Reporting Obligations

PIBOs with active EPR registration are required to demonstrate ongoing compliance through annual submissions, audits, and proper documentation. Non-compliance triggers financial penalties and regulatory action.

### Mandatory Annual Compliance Requirements

**Annual Return Filing:** Every registered PIBO shall submit an annual return via the CPCB EPR Portal. The return shall include:

- Quantity of plastic packaging introduced into the market
- Type and volume of EPR certificates acquired
- Waste recycling, reuse, or disposal achieved

*Update: The CPCB has extended the filing deadline for FY 2024-25 to July 31, 2025, offering additional time for businesses to comply.*

**EPR Audit Report:** A third-party audit report, typically conducted by a chartered accountant or MoEF&CC-approved auditor, is required to verify fulfillment of EPR targets. This report shall be uploaded alongside the annual return.

**Environmental Compensation (EC):** PIBOs that fail to meet their prescribed targets shall pay Environmental Compensation, as outlined in the EPR Guidelines. The amount varies depending on the shortfall and plastic category involved.

**Annual Processing Fee:** In addition to the registration fee, a recurring annual processing fee—equivalent to 25% of the original fee—shall be paid each year.

**Record-Keeping:** PIBOs shall maintain complete records of:

- Plastic packaging introduced
- EPR certificates purchased or transferred

- Waste processing transactions

These records shall be produced upon request by CPCB or SPCB authorities.

### Penalties for Non-Compliance

Violation of EPR obligations is a punishable offence under Section 15 of the Environment (Protection) Act, 1986. Penalties include:

- Fines ranging from ₹10,000 to ₹1,00,000 per offence
- Daily penalties (e.g. ₹10,000 per day) for continued violations
- Registration cancellation or restrictions on trade activities for persistent non-compliance

In recent enforcement actions, CPCB and several SPCBs have imposed fines and suspended registrations of PIBOs operating without valid registration or failing to file mandatory returns.

## 10. Conclusion: Ensuring EPR Compliance in India

EPR Registration is now a legal prerequisite for any entity engaged in the production, import, or branding of plastic packaging materials in India. This includes importers of plastic raw materials and resin-based packaging products.

### Key Compliance Takeaways for Businesses:

- ✓ **Register Early:** Apply for EPR registration via the official CPCB portal before commencing any business involving plastic packaging.
- ✓ **Plan for Targets:** Understand your obligations by packaging type and meet the required targets through verified recyclers, composters, and waste processors.
- ✓ **Budget for Fees:** Account for both registration and annual fees in compliance planning. Timely payments help avoid registration lapses.
- ✓ **Monitor Updates:** Stay informed on changes to EPR guidelines, targets, and portal operations through official CPCB and MoEF&CC notifications.
- ✓ **Avoid Penalties:** Non-compliance can attract substantial financial penalties, operational restrictions, and reputational risk.



By adhering to the PWM Rules and CPCB's EPR Guidelines, businesses not only meet their statutory obligations but also contribute to India's sustainability and circular economy goals.

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