DRAFT RULES

MoEFCC publishes draft EPR rules for paper, glass and metal packaging and sanitary products

S.O. 5282(E) proposes EPR for paper, glass and metal packaging and sanitary products from April 1, 2026, with packaging targets reaching 100% in 2028-29.

S.O. 5282(E), DATED December 6, 2024, publishes draft rules of the Ministry of Environment, Forest and Climate Change to introduce extended producer responsibility for ensuring environmentally sound management of post-consumer paper including paper board, glass, metal (excluding non-ferrous metal based) packaging and sanitary products. The draft Environment Protection (Extended Producer Responsibility for Packaging made from paper, glass and metal as well as sanitary products) Rules, 2024 would come into force from April 1, 2026.

THE CHANGE

Proposed: extended producer responsibility for packaging made from paper, glass and metal and for sanitary products, with targets for recycling, use of recycled content and end of life disposal from 2026-27.

KEY FACTS

TYPE
Draft rules

S.O. NUMBER
S.O. 5282(E)

DATED
December 6, 2024

APPLIES FROM
Proposed: April 1, 2026 (rule 1(2) of the draft: "from 01 April, 2026")

REFERENCES

S.O. 5282(E)

CG-DL-E-09122024-259256

MoEFCC publishes draft EPR rules for paper, glass and metal packaging and sanitary products

S.O. 5282(E) · December 6, 2024

S.O. 5282(E), dated December 6, 2024, publishes draft rules of the Ministry of Environment, Forest and Climate Change to introduce extended producer responsibility for ensuring environmentally sound management of post-consumer paper including paper board, glass, metal (excluding non-ferrous metal based) packaging and sanitary products. The draft Environment Protection (Extended Producer Responsibility for Packaging made from paper, glass and metal as well as sanitary products) Rules, 2024 would come into force from April 1, 2026.

Producers, importers and brand owners (PIBOs) that place such packaging on the market would register on a centralized online portal and meet targets from 2026-27: for paper, metal and glass packaging, 70% of the eligible quantity in 2026-27, 85% in 2027-28 and 100% from 2028-29; a minimum share recycled rather than sent for end of life disposal, 50% in 2026-27 rising to 80% from 2029-30; and a minimum use of recycled content in packaging, from 40% to 70% for paper, 20% to 50% for metal and 50% to 80% for glass. Producers and brand owners that are micro and small enterprises are not covered; importers are covered from an annual turnover of Rs. 10 crore.

For sanitary products, the target is 60% of the total weight of sanitary waste in 2026-27, 70% in 2027-28, 80% in 2028-29 and 100% from 2029-30, met through EPR certificates from registered incinerators or common biomedical waste treatment facilities. Environmental compensation would apply to unmet targets, with 75%, 60% or 40% returned if the shortfall is addressed within one, two or three years.

The notice invites objections or suggestions within sixty days from the date on which copies of the Gazette are made available to the public.

The notification (F. No 18/8/2024-HSM) appears in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), No. 4887, dated December 6, 2024; the e-Gazette put it online on December 9, 2024.

S.O. number	S.O. 5282(E)
Dated	December 6, 2024
Put online	December 9, 2024
Gazette ID	CG-DL-E-09122024-259256
Rule	Packaging
Type	Draft rules

Products	• Packaging made of paper • Packaging made of glass • Metal packaging, excluding non-ferrous metal based packaging • Sanitary products
What it does	Proposed: extended producer responsibility for packaging made from paper, glass and metal and for sanitary products, with targets for recycling, use of recycled content and end of life disposal from 2026-27.
Applies from	Proposed: April 1, 2026 (rule 1(2) of the draft: "from 01 April, 2026")
Comments	• Closing date March 17, 2025, as MoEFCC states. MoEFCC's What's New lists it for comment from December 18, 2024 • Closing date February 4 or 7, 2025, worked out: 60 days from the Gazette of December 6, 2024, put online December 9, 2024
Conditions	• Objections or suggestions within sixty days from the date on which copies of this notification, as published in the gazette of India, are made available to public (the notice's words), to the Secretary, Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jor bagh Road, New Delhi- 110 003, or by email to sohsmd-mef@gov.in. • Closing date, worked out (not printed): February 4, 2025, counted from the issue date, December 6, 2024; February 7, 2025, counted from the publish date, December 9, 2024.
Applies to	Producers, importers and brand owners (PIBOs) that introduce packaging made from glass, metal and paper including paper board, or sanitary products, in the market, other than producers and brand owners that are micro and small enterprises and importers with an annual turnover below Rs. 10 crore; and waste processors of such packaging and sanitary waste.
Issued under	Sections 3, 6 and 25 of the Environment (Protection) Act, 1986 (29 of 1986)
Signed by	Naresh Pal Gangwar, Addl. Secy.

The notification, entry by entry

Entry	Text
Rule 1: Short title and commencement	These rules shall be called draft Environment Protection (Extended Producer Responsibility for Packaging made from paper, glass and metal as well as sanitary products) Rules, 2024. They shall come into force from 01 April, 2026.

Rule 2: Application	Producers, importers and brand owners who introduce any packaging made from glass, metal and paper including paper board as well as sanitary products in the market; waste processors of packaging made of paper including paper board or glass or metal and sanitary waste.
Rule 3: Definitions	“Brand Owner” and i. to xii. “Sanitary products” means products comprising of diapers, sanitary towels or napkins, incontinence sheets.
Rule 4: Obligated Entities	Producers other than micro and small enterprises; importers with an annual turnover of Rs. 10 crore and above; brand owners, including online platforms/marketplaces and supermarkets/retail chains, other than micro and small enterprises; and waste processors. An entity with obligations for more than one type of packaging has a single registration.
Rule 5: Coverage of EPR	Packaging made of paper; packaging made of glass; metal packaging, excluding non-ferrous metal based packaging covered under the Hazardous and Other Wastes rules; sanitary products. Plastic packaging waste stays under the Plastic Waste Management Rules, 2016. EPR covers recycling, use of recycled content and end of life disposal.
Rule 6: Registration	On the centralized online portal: by the SPCB/PCC for PIBOs operating in one or two states and for waste processors, by CPCB for PIBOs operating in more than two states. PIBOs starting business in a year have targets from the succeeding financial year. Registration would be revoked for a one-year period, after an opportunity to be heard, for false or concealed information, any irregularity or a deviation from the conditions of registration.
Rule 7: Targets for Extended Producer Responsibility and Obligations of PIBOs	Sub-rules (2) to (4), for producers (Q1), importers (Q2) and brand owners (Q3), as a percentage of the eligible quantity, for each of Paper, Metal and Glass: 70 in 2026-27, 85 in 2027-28, 100 in 2028-29, 100 in 2029-30 and onwards. Q1 and Q2 = (A + B) - C; Q3 = A + B, A being the average weight of packaging sold, imported or purchased in the last two financial years, B the average pre-consumer packaging waste, and C the quantity supplied to brand owners in the previous financial year.
Rule 7(5): Minimum recycling target	Minimum recycling of packaging waste (%), excluding end of life disposal, for each of Paper, Metal and Glass: 50 in 2026-27, 60 in 2027-28, 70 in 2028-29, 80 in 2029-30 and onwards.
Rule 7(7): Minimum use of recycled content in making of packaging product/material (%)	Paper: 40 in 2026-27, 50 in 2027-28, 60 in 2028-29, 70 in 2029-30 and onwards; Metal: 20 in 2026-27, 30 in 2027-28, 40 in 2028-29, 50 in 2029-30 and onwards; Glass: 50 in 2026-27, 60 in 2027-28, 70 in 2028-29, 80 in 2029-30 and onwards. Where statutory requirements prevent it, CPCB may grant exemption case-to-case, with the obligation met through certificates from other PIBOs.
Rule 7(12) to (15): Sanitary products	Extended Producer Responsibility target (% of Total Weight of Sanitary waste): 60 in 2026-27, 70 in 2027-28, 80 in 2028-29, 100 in 2029-30 and onwards. Sanitary waste is sent to a registered incinerator facility; the obligation is met through EPR certificates from registered incinerators or common biomedical waste treatment facilities. CPCB notifies the weight enhancement factor within six months.

Rule 7(10): Review	The obligations for recycling and use of recycled content are reviewed every five years.
Rule 8: Surplus EPR Certificates	A surplus may offset the previous year's shortfall, be carried forward, or be sold to other PIBOs, for the same packaging or sanitary products. The Central Pollution Control Board fixes the highest and the lowest price at 100 % and 30 % of the Environment Compensation.
Rule 9: Imposition of Environmental Compensation	Levied by CPCB on PIBOs operating in more than two states and by State Pollution Control Boards on others and on waste processors. Unfulfilled obligations carry forward for a period of three years, with 75%, 60% or 40% returned if the shortfall is addressed within one, two or three years; after 3 years the entire amount is forfeited.
Rule 10: Role of PIBOs	Register on the portal; give EPR targets; brand owners record packaging bought from producers and importers, which is deducted from those producers' and importers' obligations; may operate deposit refund or buy back schemes; file annual returns by the 30th June of the next financial year.
Rule 11: Role of Waste Processors	Register with the SPCB/PCC; file annual returns by 30th April of the next financial year; only registered processors provide EPR certificates, and the quantity processed may not exceed the installed capacity; debarred for one year for false information.
Rule 12: Role of CPCB	Registers PIBOs operating in more than two states, within two weeks of a complete application; verifies compliance; publishes by 30th September the list of PIBOs that failed to meet the previous year's EPR targets.
Rule 13: Role of SPCB / PCC	Registers PIBOs operating in one or two states and waste processors; publishes an Exception Report of entities that have not fulfilled their EPR responsibilities.
Rule 14: Packaging Waste and Sanitary waste collection system	PIBOs may set up collection points and Material Recovery Facilities with local bodies; packaging waste goes to registered recyclers, and sanitary waste to registered incineration facilities.
Rule 15: Fulfilment of EPR Obligations	PIBOs give details of EPR certificates from registered recyclers or processors by 30th June of next financial year; where PIBO and processor figures differ, the lower figure counts.
Rule 16: Centralized Online Portal	A different module on the centralized online EPR portal of plastic packaging; until it is developed, activities are done in an offline manner.
Rule 17: Monitoring	SPCB/PCC annual reports to CPCB, including on recyclers, processors and end of life disposal by 31st July of the next year.
Rule 18: Committee for EPR under SWM Rules	Constituted by CPCB under the chairpersonship of Chairman, Central Pollution Control Board, to recommend measures to MoEFCC and monitor implementation.

The notification (PDF, 1.9 MB)

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