

**What are the provisions of Environmental Compensation for noncompliance of Extended Producer Responsibility targets by PIBO's?**

The rules at para 9 provide that the CPCB shall prescribe guidelines for the collection and imposition of Environmental compensation and notify these.

The Environmental Compensation on entities operating in more than two states shall be levied by the CPCB and in case of entities not operating in more than 02 states by the State Pollution Control Board. (Here also as in para 9.4 there is a need to clearly specify the agency for Union Territories which is generally the respective Pollution Control Committee). It is also specified that in case the State Pollution Control Board/Pollution Control Committee does not take action in reasonable time, the CPCB shall issue directions to the SPCB/PCC.

Para 9.5 provides that the payment of compensation would not mean that the PIBO's will not meet the obligations. The rule says that the unfulfilled E.P.R. obligations can be carried forward to the next 03 years. In case the short fall is addressed in the first year, 75% of the E.C. levied shall be returned, if the obligations are met within 02 years, 60% shall be returned and if within 03 years, 40% shall be returned. After three years the entire amount shall be for forfeited. The funds collected shall be kept in a separate Escrow account by the CPCB or the SPCB or the Pollution Control Committee and utilised in collection, recycling and end of life disposal of uncollected and non-recycled or non-end of life disposal of plastic packaging