

Environmental Social
Justice
&
Governance Initiatives

1572, 36th Cross, 100 Feet Ring Road,
Banashankari II Stage,
Bangalore 560070. INDIA
Tel: 91-80-26713559-3561
Voice/ Fax: 91-80-26713316
Email: esg@esgindia.org
Web: www.esgindia.org

By Hand/Email/RPAD

To:

1. The Principal Secretary to Government
Finance Department
Vidhana Soudha
Bangalore 560001
2. The Karnataka State Excise Department
Government of Karnataka
2nd Floor, TTMC Building
A Block, BMTC, KH Road
Shanthinagar
Bangalore 5600027
3. Principal Secretary and Addl. Chief Secretary
Karnataka State Dept for Forests, Ecology and Environment
M. S. Building
Dr Ambedkar Veedhi
Bangalore 560001
4. Member Secretary
The Karnataka State Pollution Control Board
Parisara Bhavan
No. 49, 4th and 5th Floor,
Church Street
Bangalore 560001
5. Secretary
Ministry of Environment and Forests & Climate Change
Indira Paryavaran Bhavan
Jorbagh Road
New Delhi - 110 003
6. Additional Principal Chief Conservator of Forests (C),
Ministry of Environment, Forest and Climate Change,
Regional Office (SZ),
KendriyaSadan, 4th Floor,
E&F Wings, 17th Main Road,
Koramangala II Block,
Bangalore - 560034

23 January 2018

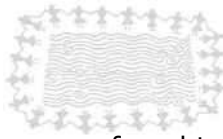
Reg.: Floating of Tender: Tender Document for the Production of Polyester Based Holographic Excise Adhesive Labels (HEAL)

Ref.: Tender No. ECD/01/HEAL/ TENDER/2017-18 dated 03.01.2018

Dear Sir/ Madam,

It has only recently been brought to our notice that the Government of Karnataka, in particular Karnataka State Excise Department, has floated a Tender Document for the production of Polyester based Holographic Excise Adhesive Labels (HEAL) *vide* Tender No. ECD/01/HEAL/TENDER 2017-18 dated 03.01.2018. We urge that the reasons put forth for floating the above mentioned tender may be reconsidered, and the tender withdrawn for reasons cited below.

1. In the *Report of the Technical Expert Committee on the Excise Adhesive Labels* dated 20.10.2014, it has been recommended at pg 32, to only manufacture Hybrid labels (paper



based label with hologram) as they were found to be of superior nature than the polyester based labels and also environmentally friendly. In Letter dated 18.4.2017 bearing No. AAE 63 EFAL 2013, the Under Secretary to the Government, Finance Department (Excise) had communicated that steps may be taken to float a Tender for Paper based EALs on the basis of the above mentioned Recommendations i.e., 2014 Recommendations.

2. Notwithstanding the above consistent stand and over several years, a fresh Technical Expert Committee was set up. This Committee too in their report entitled "*Report of the Technical Expert Committee on the Excise Adhesive Labels*" dated 16.10.2017 submitted to the Additional Chief Secretary to Government, Finance Department, Vidhana Soudha, Bangalore, recommended, at pg 40, to manufacture Hybrid labels (paper based label with Hologram) or in the alternate to manufacture bio-degradable polyester based holographic labels (HEAL).
3. Yet, by way of letter dated 7.11.2017, bearing No. 17 EFL 2017 addressed by the Under Secretary to the Government, Finance Department (Excise), the above mentioned tender was floated which did not comply with the recommendations put forth by the Expert Technical Committees, not one but two, and the tender is also not in compliance with applicable laws and norms.
4. The above tender has been called for manufacturing approximately 32 crore labels per month. This would result in the production of 1,152 crore labels over a period of three years (32 crores X 12 months X 3 years). Given that each label measures about 15 mm (width) X 70mm (length), the total amount of labels generated and consumed over this period, when discarded, could travel into our lake systems and cover a water spread over 12000 hectares (approximately 30,000 acres). In such circumstances, and against the recommendations of the Technical Committees, the Tender encourages production of Plastic labels. In the face of the unrelenting fire consuming Bellandur lake, which is an indication of the crisis we are facing today, the critical importance of avoiding introduction of plastics into the environment must be of great priority for the State. The plastic labels released into the environment over three years, as a consequence of the Tender, can cover an area equivalent to 50 Bellandur lakes.
5. In circumstances where effective and proper handling, collection, segregation and processing of plastics is absent, it is more than likely that substantial, and avoidable, environmental damage can be caused by such encouragement of needless use of plastics. Instead, the Tender Document works against all such environmentally conscious imperatives and initiatives.

Keeping the above in view, we feel that the above mentioned Tender is in clear violation of:

- α. Article 48-A and Article 51-g of the Constitution of India
- β. Section 5 and Section 23 of the Environment (Protection) Act, 1986
- χ. The Plastic Waste Management Rules, 2016
- δ. Notification issued by Government of Karnataka dated 11.3.2016
- ε. WP (C) No. 154/2012 dated 10.12.2014 (Supreme Court)
- φ. Appeal Nos. 117, 118, 119, 125, 128 to 130/2016 (SZ) before the National Green Tribunal, Southern Zone, Chennai
- γ. Directions of the Hon'ble High Court of Karnataka in WP 46523/2012 (Environment Support Group and ors. vs. BBMP and ors., c/w WP 24739/2012)
- η. Directions of the Hon'ble High Court of Karnataka in WP 817/2008 (Environment Support Group and ors. vs. State of Karnataka and ors.)

In light of the above, and in the best interest of protecting and conserving the environment, we urge and request you to intervene and withdraw this Tender.

Yours truly,

Leo F. Saldanha
Coordinator/Trustee
Environment Support Group

Encl.: Copy of the Tender Document cited above