



PHD House, 4th Floor, Ramakrishna Dalmia Wing  
4/2, Siri Institutional Area, August Kranti Marg, New Delhi – 110016, India  
Tel#: (+91-11) 2685 5487, 4287 8418 • Fax#: (+91-11) 2685 1321  
E-mail: contact@mait.com • Website: http://www.mait.com

---

Ref.No.MAIT/PY/1336

August 27, 2018

Shri Ritesh Kumar Singh  
Jt. Secretary  
Ministry of Environment, Forests & Climate Change

Respected Sir

***Greetings from MAIT!***

Over the past few months, state governments across India have taken a number of steps to manage plastic waste in their states. It is indeed a good idea to restrict the usage of plastic and derive value out of it. However, considering the federal structure of India, states are coming up with their own legislations to manage plastic waste. Some of the provisions in the notifications or directions issued by the states are not aligned to the provisions in the Plastic Waste Management Rules 2016.

We appreciate that the Ministry of Environment, Forest and Climate Change had taken a proactive action on the subject and issued an Office Memorandum on 17<sup>th</sup> January 2018 advising states, not to take any further action against, as a Committee at MOEFCC was preparing a report on the subject.

Recent notifications by the state governments to manage Plastic Waste Rules seem to diverge from the central rules and are imposing conditions which are causing serious disruptions in the entire value chain. We have compared some of the recent notifications issued by some states and have tried to map the divergence of such notifications from the state rules (**Annexure I**).

Considering above mentioned challenges, we request MOEFCC to

1. Remove the discrepancies in the PWM Rules 2016 regarding specifications of the plastic material used for packaging
2. Clarify the scope of applicability of PWM Rules (if IT Hardware Industry is covered or not, as our packaging forms an integral part of the manufacturing)
3. To issue directions to the states for aligning their legislations with the PWM Rules 2016

We thank you for going through our request and **seek an appointment with you on a day & time convenient to you** to discuss further. I would greatly appreciate your kind confirmation.

With warm regards,

Anwar Shirpurwala  
Chief Executive Officer

## ANNEXURE I

	<b>MOEF PWM Rule (Central Rule)</b>	<b>Tamil Nadu</b>	<b>Kerala</b>	<b>Maharashtra</b>
<b>Timeline</b>	Rules Notified - 18-03-2016 Amendment - 27-03-2018	Notification 1 - 25-06-2018	Circular 1 - 14-06-2018	Notification 1 - 23-03-2018 Notification 2 - 11-04-2018 Notification 3 - 30-06-2018
<b>Reference</b>		Plastic waste rules 2016	Plastic waste rules 2016	Plastic waste rules 2016
<b>Date Effective</b>	27-03-18	01-Jan-19	6 months from 15th June	In effect
<b>Industry Interpretation</b>	ICT industry inclusion is not clear	ICT industry is not in scope	ICT industry is not in scope	ICT industry is not in scope
<b>Scope &amp; Products under reference.</b>	Plastic carry bags, Plastic sheets or like and cover made up of plastic sheets, used for packing, wrapping the commodity, MLP.	Prohibit- "Use and throwaway plastics". Explanation 2 defines "Use & throwaway plastic" means items such as plastic carry bags or plastic flags, plastic sheets used for food wrapping, spreading on dining table etc. plastic plates, plastic coated tea cups and plastic tumbler, water pouches and packets, plastic straw irrespective of thickness.	Applicable on tourism & health care sector such as Star Hotels, Resorts, Hospitals with more than 500 beds & house boats. To regulate/ Ban the usage of plastic PET bottles & mandate to use glass bottles.	1. Point no 3(1) 1) & 2) explicitly states the intend of the Govt. to regulate/ ban the usage , transport, distribute, wholesale & retail sale, import of plastic bags with handle and without handle and the disposable products manufactured from plastic & thermocol such as single use disposable dish, cups, plates glasses ...../ pouches to store liquid, <u>packaging with plastic to wrap or store the products, packaging of food items and food grain material etc.</u>
<b>Exemption</b>	Under carry bag definition, it clarifies that Carry bags do not include bags that constitute or form an integral part of the packaging in which goods are sealed prior to use. Plastic sheet more than 50 micron allowed if it impares the functionality of the product.	Plastic bags that constitute or form an integral part of the packaging in which goods are sealed prior to use at manufacturing/ processing units.		Plastic cover/ plastic to wrap the material at material stage or is an integral part of manufacturing.

## ANNEXURE I

Challenges*	MOEF PWM Rule (Central Rule)	Tamil Nadu	Kerala	Maharashtra
>= 50 micron plastic	Yes	N/A	N/A	Yes
MLP	Yes	N/A	N/A	As per PWM rules
Paper based Carton Packaging using one layer of plastic	No reference			Means where primary constituent material is paper board and which may have one layer or more than one layer of plastic, foil necessary to allow safe and hygienic consumption.
Plastic Sheet	Yes	As mentioned in the scope and product under reference column	N/A	
Carry Bag /Plastic bag	Yes	As per PWM rules	N/A	
Plastic Covers	Yes	N/A	N/A	

## ANNEXURE I

	<i>MOEF PWM Rule (Central Rule)</i>	<i>Tamil Nadu</i>	<i>Kerala</i>	<i>Maharashtra</i>
<b>Marking on plastic Required</b>	On Carry bag, name & registration no of manufacturer & its thickness. For MLP, only name & registration no. of the manufacturer.	N/A	N/A	If, part of mfg process, plastic material should be $\geq$ to 50 microns. Packaging material should be printed with manufacturer's detail, type of plastic with code number and buy-back price. Packaging material should have minimum 20% recyclable material (except for food packaging)
<b>Buy Back</b>	not mentioned	N/A	N/A	yes
<b>Compostable plastic</b>	Allowed with no restriction on thickness. Should be as per IS 17088:2008	As per PWM rules	N/A	Not- Allowed except for agriculture/horticulture etc. Plastic Bags with or without handle which is deviation from PWM rules which is stating Carry bag with self carry feature.
<b>Definition of Carry-bag</b>	Bags with self carrying feature.	Bags with self carrying feature.	Bags with self carrying feature.	
<b>Bubble Wrap</b>	Since it measured in GSM & not in microns, so it should not be in the scope of PWM rules.			
<b>Stretch Wrap</b>	Rules are not clear about stretch wrap used by ICT industry in order to protect electronic goods from dust, moisture or humidity. There is no alternate material globally available & is widely acceptable packaging material across all countries. If in case we stop using stretch wrap, it will impair the functionality of the product. And If in case the micron are increased for stretch wraps than it will lose its core functionality & application of stretching.			
<b>Similar precautionary measure required while importing/ exporting any ICT product.</b>			N/A	

- In addition, UP and Karnataka Governments are following Plastic Waste Rules 2011