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Ref.No.MAIT/PY/2484

June 03, 2022

Shri Naresh Pal Gangwar  
Additional Secretary  
Ministry of Environment, Forests & Climate Change

**Subject:** Issues being faced by Electronics Industry w.r.t. PWM Rules

Respected Sir,

**Greetings from MAIT, India's apex industry body empowering IT, Telecom & Electronics Hardware Sector!**

We are approaching you with some concerns of the Electronic Manufacturing Industry. Subsequent to the MoEF&CC notifications on Plastic Waste & E-Waste (Management) Amendment Rules, released in 2022, the Industry is in a dilemma on certain interpretational issues and has sought clarity on them from MoEF&CC. Our representatives have in the past met officials at the Ministry and have tried to get these clarifications, however, the same has not been given in writing which is essential to avoid subjective interpretations which may lead to legal implications for businesses.

**Clarification on Rule 11:** We would like to specifically highlight the issues in the interpretation of Rule 11 of PWM rules that we had raised with MoEF&CC vide our representation, Ref.No. MAIT/PY/2406 dated 03 December 2021 addressed to you. Rule 11 lays down Marking and labelling requirements. The exact issue is elucidated in **Appendix** to this letter (point A).

**Issue of multiple registrations:** The present mechanism of Registration requires entities to register separately as Producers, Importers & Brand Owners while generating a single EPR target. The Industry is facing multiple issues w.r.t the online portal and we feel that multiple registrations are superfluous. We have represented on the issue earlier as well vide MAIT letter No.MAIT/PY/2452 dated 15<sup>th</sup> March 2022 addressed to the Hon'ble Secretary, MoEF&CC. Details of the point are given in Appendix (point B).

**Issues being faced by Industry w.r.t. Online Portal (<http://www.cpcbepiplastic.in/>):** The Industry has been struggling to register on the online portal and there are multiple issues in the same. Details of these issues are attached as **Appendix B**. We have approached Ms. Divya Sinha, CPCB on the same, however, the progress in rectification is slow and consuming vital time.

**Repeated registrations:** MAIT had raised the issue of repeated registrations every two years. The Industry requests that the Registration should be a one-time activity and renewals should not be required ordinarily (unless a registered entity has been suspended or their registration cancelled). This will reduce unnecessary burden on the Industry and the regulator as well.

**Lack of Clarity on process of fulfillment of EPR obligations:** There is lack of clarity on the process which needs to be undertaken to fulfill the EPR obligations by the Industry. We would request that these process guidelines should be issued by CPCB at the earliest.

We would request your urgent attention on the issues raised above in the interest of Ease of Doing Business in the country.

With regards,

George Paul  
CEO

## Appendix A

Concerned Clause	Industry Requests	Proposed Recommendations	Rationale for Suggestions
<p><b>Point A: As per PWM amendment rules released on 18th January 2022.</b> <b><u>Rule no.11 Marking &amp; labelling.</u></b></p>	<p><b>Request 1.</b> sub rule 1 &amp; sub rule 1 (b) Compliance by July 1, 2022</p>	<p>Extend the timeline for compliance by 12 months from notification of rules.</p>	<p>Timeline for implementation of the rule should be at a minimum of 12 months from the date rules are notified, as depletion of existing inventory (to reduce environmental impact of waste generation) manufacturing operations, sourcing and other aspects will be addressed by producers / brand owners.</p>
	<p><b>Request 2.</b> Marking &amp; Labelling on small-sized packaging used in domestically manufactured products</p>	<p>We request an exemption from Rule-11 for small-sized plastics used for packing spare parts and components.</p>	<p>Due to size constraints, it is technically difficult to adhere to the marking and labelling requirements on plastics used for packing spare parts and components parts in Electronics industry. Considering this, it is humbly requested to exempt small packaging <b>below 30 x 30 mm width</b> from labelling requirements.</p>
	<p><b>Request 3.</b> Marking or printing in sub rule 1 (a).</p>	<p>Industry recommends a provision of printing <b>QR Code</b> should be allowed. Scanning of QR code could then open a webpage where the required information i.e. name, registration number, thickness can be published. Additionally, a numerical identifier could be added to aid in determining the type of plastic for ease in recycling.</p>	<p>It will enable <b>ease in edition</b>, in case there is renewal in registration number. Moreover, with separate registration required for multiple entities or of state-level units, it will enable information of all registrations, as published on the webpage. It also solves the issue of space requirement in printing on packaging.</p>
<p><b>Point B: As per PWM amendment rules released on 16th February 2022.</b> <b><u>Rule No. 6. Registration:</u></b></p>	<p><b>Request 4: Registration under multiple categories (PIBOs)</b> As per the latest amendment (16 Feb 2022), clause 6.5, in cases, where the entity falls under different subcategories and has units in different states, then these units shall be registered separately under each particular</p>	<p><b>Request 4a:</b> Industry once again requests and recommends that there should be centralized system to issue only One registration for an entity. Multiple registrations are contrary to Ease of Doing Business.</p> <p><b>Request 4b:</b> The industry further</p>	<p>Registration under multiple sub-categories will duplicate the EPR obligation/ targets. This will also increase the administrative burden on the industry as well as on the regulators (CPCB/SPCB/PCC). We therefore request if any entity qualifies in more than one sub-category mentioned in clause 6.1 (Apart from qualifying as Brand owner), then the entity should be allowed to get</p>

	<p>sub-category (PBIO). Separate registrations are required for each state. And Industry requests for clarity required on what is the need of sharing the Aadhar &amp; PAN of authorised person along with digital signatures while registering.</p>	<p>recommends that personal details of authorized person such as Aadhar Number and PAN Number should not be asked during the registration process. We suggest that PAN no. of the PIBO/ EPR holder should be required instead of an individual/ authorised representative.</p>	<p>themselves registered to do the compliance under PWM rules, under Brand Owner which is also fulfilling the criteria of the PWM rules.</p>
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Issues and challenge faced by the Industry	Industry's Concern	Industry's requests/ Suggestions
<b>Operational issue related to the Web portal -</b>		
<p>1. State-wise data being sought during registration.</p>		<p>Industry suggests that such information should not be asked in the portal while registering and is superfluous.</p> <p>Since this information is still being asked as per the SOP document, it is confusing the industry and as the targets are not State-wise, therefore, asking for State-wise data in the portal should not be the requirement.</p>
<b>Policy Issues related to the SOP Document released on 15th March 2022 -</b>		
<p><b>2. Industry awaits the Annual report module/format:</b></p>	<p>As per clause 2.3 Part A point no 2, if renewal is done based on the information submitted in Annual Report, any delay in releasing the Annual report format will create a challenge in processing the application for renewal.</p> <p>While at one end, the renewal has been linked to submission of Annual report which needs to be submitted by 30th Jun, while on the other hand registration needs to be applied for four months in advance. These are contradictory requirements as entities whose registration is expiring before the generation of Annual Report will not be able to meet the 4 months lead requirement. Therefore, the clause for applying renewal 4 months before expiry of registration is not practical.</p>	<p>In this regard, industry requests for your kind attention and guidance on the issue that how such entities will get the timely renewal of EPR to continue their business operations smoothly.</p>