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February 22, 2023

Dr. Prashant Gargava
Member Secretary
Central Pollution Control Board

Subject: MAIT inputs on Module IA (advanced version of Module I for registration of PIBOs) & Module III of EPR Portal for Plastic Waste

Respected Sir,

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

At the outset, MAIT would like to thank CPCB for its prompt response vide letter no- CP-20/26/2022-UPC-II-HO-CPCB-HO-7981 to the inputs shared by MAIT on the development of the EPR portal under the updation of Module IA and Module III of EPR portal for plastic waste.

MAIT would like to raise a few concerns reg. the recent developments on the EPR portal for Plastic Waste in response to the letter received from CPCB:

CPCB requirement	Industry Concerns and Requests
Upload Plastic Packaging procurement invoices on CPCB EPR portal	<p>There are 3 major types of entities doing business in India:</p> <ol style="list-style-type: none"><li data-bbox="555 1160 1412 1702">1. Importers, who import pre-packaged finished products/goods in India.<ul style="list-style-type: none"><li data-bbox="603 1227 1412 1400">• These entities have manufacturing facilities located across the world, where the products are assembled and packed before shipping to different countries. At such common manufacturing facilities, the plastic packaging is procured in bulk for its global production.<li data-bbox="603 1400 1412 1702">• It is impossible for importers who are importing pre-packaged finished products from global manufacturing hubs to maintain separate invoices for the plastic packaging procured for one specific country like India. The plastic packaging procurement invoices available with such importers, would be of their product procurements and not plastic packaging procurement which will not help CPCB in validating the importer's sold products along with plastic packaging data. <p>Therefore, we request CPCB to accept self-declaration from such importers for their sold products along with plastic packaging information.</p> <ol style="list-style-type: none"><li data-bbox="555 1870 1412 1955">2. Importers of plastic packaging.<ul style="list-style-type: none"><li data-bbox="603 1904 1412 1955">• These entities import plastic packaging materials for use in India.

	<ul style="list-style-type: none"> • The imported plastic packaging could be for a single brand owner (Case 1), or it could be a bulk import for multiple brand owners (Case 2)- • Case 1: Importing plastic packaging for single BO: It is not possible to upload such huge invoice details on the portal and is against the spirit of Ease of Doing Business. Request: To accept self-declarations in such cases. CPCB may ask for such invoice details for audit purpose as and when required. • Case 2: Importing plastic packaging for multiple BOs: When an importer imports plastic packaging in bulk for multiple brand owners, the invoice for the total imported plastic packaging remains the same and it is impossible to segregate the invoices for different brand owners. Request: To accept self-declarations in such cases. <p>3. Brand Owners procuring plastic packaging from Indian plastic packaging manufacturers.</p> <ul style="list-style-type: none"> • Normally, for brand owners who procure plastic packaging locally, have huge volumes of purchases and their quantities of procurement invoices run into hundreds and thousands or even more. Having all invoices uploaded onto an online portal will be an onerous administrative burden and against the ease of doing business. <p>We request CPCB to accept self-declarations in such cases. CPCB may ask for such invoice details for audit purpose as and when required.</p>
<p>Transactions between Importers and Brand Owners who are the same entity</p>	<p>Transaction details between Importer and Brand Owner for cases where both types of entities are the same does not exist at all (for example- Brand Owner ABC Ltd. selling products with packaging in the market is also Importing products as ABC Ltd.). Therefore, it is not possible to create such dummy transactions just to upload the same on the CPCB portal and is also against the spirit of Ease of Doing Business.</p> <p>Request: There should not be any requirement to upload transactions between Importer and BO where both entities are operating with the same name. Importers should provide self-declarations in such cases for the qty. transferred to the Brand Owners.</p>
<p>Transactions between Registered and Non-Registered Entities</p>	<p>In cases where transactions of plastic packaging procurement and selling are happening between Producers and Traders or between Traders and Brand Owners, there is dual accounting of EPR targets for the same qty. of plastic packaging. For example, a Producer sells 100 MT of plastic packaging to a trader and that trader further sells such 100 MT packaging to the Brand Owner. In this case, as the Trader is a non-registered entity, this transaction chain is not recorded by the portal to transfer the liability. Hence, both Producer and Brand Owner are obligated to collect that 100 MT of plastic packaging.</p>

	<p>Industry request: There should be a mechanism in the portal to avoid such dual accounting.</p>
No option to edit the details entered	<p>While inputting the details for Plastic packaging sold to Brand owners there is no option in the portal to edit once we have entered the details even before the application is submitted. This will be a case of concern if a financial year, quantity sold, or any other details are to be edited if typed incorrectly.</p> <p>Industry request: There should be a mechanism in the portal to edit and verify the details entered.</p>
Entities importing sample electronic items with plastic packaging for testing & R&D also coming under definition	<p>The term 'Importer' was defined to include person who imports plastic packaging or products with plastic packaging or carry bags or multi-layered packaging or plastic sheets or like, resulting in all the categories of importers of plastic packaging and/or plastic packaging of imported products to be covered under the ambit of obligated entities and mandated to abide by the Extended Producer Responsibility. By way of this amendment, all categories of Importers will become obligated to register on the centralized portal developed by the Central Pollution Control Board.</p> <p>We request CPCB to issue a clarification on <u>whether the importers importing products for self-consumption for instance import of sample electronic equipment etc. for self-use and software testing require registration for Extended Producer Responsibility under the Rules.</u></p> <p>This query becomes imperative since the Plastic Waste Management Rules, 2022, as amended recently, does not clarify whether the category of importers who are importing products for self-consumption will also be required to obtain registration under the new Rules, as amended from time to time. We see hardships of our goods being stuck at Customs ports requesting clarification on the applicability.</p>
Re-using plastic packaging	<p>Brand owners who are re-using plastic packaging coming with their raw material and not procuring any plastic material from any source should be exempted from uploading the GST invoices.</p>

We are sanguine that our request will be considered in a positive manner by your good office.

Warm regards,



Col. AA Jafri, Retd.
Director General

CC: Shri Naresh Pal Gangwar, IAS, Additional Secretary, MoEF&CC
CC: Ms. Manmeet K Nanda, IAS, Jt. Secretary, DPIIT
CC: Ms. Asha Nangia, Sr. Director, MeitY
CC: Shri Satyendra Kumar, IPS, Director, MoEF&CC
CC: Shri Amit Love, Addl. Director, MoEF&CC
CC: Ms. Divya Sinha, Addl. Director & I/c, UPC-II, CPCB