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Ref.No.MAIT/PY/2385

August 27, 2021

Shri Rameshwar Prasad Gupta
Secretary
Ministry of Environment, Forests & Climate Change

Subject: Request for urgent relief on implementation of Rule 11 under Plastic Waste Management (Amendment) Rules, 2021

Respected Sir,

Greetings from MAIT!

MAIT is the industry apex body, representing the Electronic Hardware sector in the country. MAIT also represents major Information Technology, Data Communication, Networking products and Technology companies. We would like to acknowledge the fact that the collaboration of MAIT with MoEF&CC has been steadily increasing.

The members are deeply appreciative of the consultation process made your offices before the publication of the Plastics Waste Management (Amendment) Rules 2021 and the accommodation of certain concerns which are reflected in the recently published amended rules, however, it appears that there is a significant issue with the amendment of Rule 11 wherein the industry's concerns have not been addressed or missed due to oversight.

The members of MAIT had made extensive representations both written and verbal before your offices during the consultation process of the draft Plastics Waste Management Rules 2021 expressing significant concerns with the proposed amendment, specifically to that of marking and labelling requirements specified under Rule 11.

The amendment to Rule 11 (1) has with immediate effect expanded the scope of the plastics packaging to require marking and labelling of name and registration number of manufacturers, producers or brand owners on plastic packaging. The members while had expressed concerns on the significant compliance burden and unfeasibility of implementing such country unique requirements, the industry more importantly had also requested that transition period of at least 12-18 months be provided to accommodate country unique changes to labelling requirements. Changes to marking or labelling requirements require extensive testing of solutions, sourcing of appropriate raw material sources, addition of necessary capital equipment for etching/printing/labelling and updates to production lines processes including addition & training of manufacturing personnel.

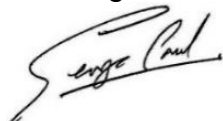
As you may reasonably foresee, these are time and resource consuming processes and are certainly not feasible to be implemented with immediate effect. And it is technically difficult to adhere to the labelling requirements on plastic sheets used for packing small components and parts due to the size constraints.

In addition to the timeline needed for implementation, the members had expressed several concerns with respect to unfeasibility of marking small plastics packaging, alignment of marking with globally harmonised requirements, limited exemption made available to multi-layered packaging on imported goods among others concerns which need due consideration and discussion.

We would like to draw your attention to the significant compliance issue with the said amendment which has now unfairly made the entire industry and users of plastics packaging non-compliant and open to enforcement actions on its notification on August 12, 2021.

We humbly request your kind offices to provide immediate relief by suspending or extending the timeline for implementation of the Rule 11 and hold consultations with industry members to evolve a more pragmatic implementation schedule/align ways of achieving the objective of the regulation on marking or labelling. A copy of our previous communication filed during the consultation process detailing the concerns on marking or labelling requirements is enclosed here for your ease of reference.

With regards,

A handwritten signature in black ink, appearing to read "George Paul". The signature is written in a cursive style with a large initial "G" and a long horizontal stroke extending to the right.

George Paul
Chief Executive Officer