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Ref.No.MAIT/PY/2275

July 12, 2023

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

**Subject: Industry Meeting with Plastics Division CPCB & Request to address concerns regarding PWMR 2016 (as amended)**

Respected Sir,

***Greetings from MAIT!***

MAIT would like to apprise you of the recent meeting held with Plastics Division CPCB and urge your support in addressing critical concerns.

MAIT is grateful to CPCB to grant us a meeting on 06<sup>th</sup> July 2023. Although the scheduled meeting was planned with Member Secretary CPCB, due to an urgent meeting the delegation was requested to meet Director, Plastics Division to present concerns and seek redressal.

We would like to highlight a few challenges the industry is facing with PWMR 2016, these have also been continuously highlighted in our previous meetings and representations and await a closure. MAIT has requested through several representations and in many industry consultations the ask of self-declaration of the plastic packaging against the need to upload GST e-invoices/bulk upload of procurement and sales data. The challenges associated with the ask has been brought up earlier as well which is due to the fact that sales and procurement invoices of Brand Owners and Importers do not carry information on plastic packaging as these entities procure finished goods that are placed on the market. Kindly refer to previous representations on this urgent matter (reference MAIT representation Ref.No.MAIT/PY/2729 dated 9<sup>th</sup> May 2023)

MAIT also sought clarification regarding the amendment of PWMR dated 27<sup>th</sup> 04 2023, where the clause for renewal of registration has been omitted by the Ministry.

We have also highlighted challenges being faced with the EPR portal with respect to targets appearing separately for BO and Importers even when the entity is the same.

Sir, the delegation had a very constructive meeting with Director, CPCB, please find the summary below with clarifications as offered and discussed. We request you to kindly expedite the actions on the same.

MAIT delegation met **Director Plastic Waste (PW) CPCB** on **06<sup>th</sup> July 2023** and apprised her of all the issues the industry is facing. The delegation presented the issues (ppt enclosed) and items were discussed in the same order. The summary is narrated below with key actions and timelines as committed by Director CPCB-

1. On the issue of renewal of registration for PIBOs under the PWMR, Director PWM acknowledge the concerns presented by MAIT and confirmed that Renewal applications no longer need to be filed on the portal. CPCB committed on a priority basis that CPCB will release a General notification ASAP for PIBOs & all authorities so that the amendment is honoured and unnecessary enforcement action is prevented by authorities. **MAIT requests MoEF&CC to kindly ensure the release of the said notification soonest as some of the members' renewal is becoming due in July.**

2. On the request of "Self-Declaration" of plastic packaging, CPCB informed MAIT that the mandatory clause for uploading the GST e-invoices has been removed and a notification will be released in this regard soon. This understanding was also presented by Director, MoEF&CC on July 7<sup>th</sup> in another meeting with MAIT. **The industry has been following up on this request for over 8 months and requests MoEF&CC and CPCB to release the necessary notification and provide EODB relief to Industry. Please refer Annexure capturing representations filed on the topic.**
3. On the issue of transactions between BO and Importer registered under the same entity reflected on the EPR portal, CPCB has informed us that they are aware of the issue, and in a month's time, this issue will be rectified. Industry has been raising this matter for a long time and appreciates the confirmation from CPCB on its redressal. **MAIT requested MoEF&CC and CPCB to ensure that the matter is solved within the 30-day timeline as communicated by Director CPCB during the meeting.**
4. CPCB has also requested MAIT to inform the members to be cognizant of unnecessary credit transfers on the EPR portal as the transaction is irreversible. During the meeting, CPCB also shared about some instances where Producers (of plastic packaging) were transferring EPR liability on BOs without any evidence of transaction between the 2 entities and called out the risks with such instances and therefore the recommendation of producing GST invoices as evidence. MAIT once again brought up the nuance of BO and Importers not having packaging info available on invoices and how this will not solve the stated risk. Upon request from Director CPCB, MAIT discussed this risk with the members and suggests the following to avoid indiscriminate transfer of procurement liability from Producer to BO without causing additional administrative burden on Industry or CPCB. We recommend that a function of notification be enabled in the portal wherein the Brand Owner & Importer receives an option to accept or reject the EPR transfer when a Producer initiates it. **This is a simple technological solution that will maintain transparency and accountability in the portal without adding administrative burden. Industry is open to the required verification as and when required as stated MoEF&CC letter dated 6th Jan 2023, and as stated in the OM by MoEF&CC dated March 13<sup>th</sup> 2023. We urge MoEF&CC and CPCB to accept this as an EODB solution for the concern and make the necessary changes in the portal**
5. As of now as per the rules the procurement vs sales data can vary up to 20% only. MAIT suggested that this will lead to problems in filing annual returns. CPCB asked the industry to suggest the %age then for which MAIT said that it would be discussed with members. MAIT also emphasized that even after refixing this new threshold there will be some specific cases wherein the threshold will not be met. She said that in such cases, BOs can write an email to CPCB and CPCB will allow it from the back end.
6. CPCB acknowledged portal issues (Importer Registration certificate showing target as Zero but some target appearing in the portal and not able to transfer Cat 3 credits to set off target). CPCB assured to resolve the same within 30 days.

MAIT delegation is very appreciative of the positive discussion that took place and requests CPCB to issue the necessary instructions called out under each item to allow the Industry to function with predictability and Ease of Doing Business.

We hope that immediate action will be taken on this matter and Industry is supported to remain compliant and not face unnecessary disruption in the business.

Warm regards,



Col Suhail Zaidi (Retd)  
Director General

CC: Dr Prashant Gargava, Member Secretary, CPCB  
CC: Shri Satyendra Kumar, IPS, Director, MoEF&CC  
CC: Shri Amit Love, Addl Director, MoEF&CC  
CC: Ms. Divya Sinha, Sc. E & DH - UPC-II, CPCB