



Dilip Chenoy
Secretary General

August 06, 2018

Shri C.K. Mishra
Secretary (EF&CC)
Ministry of Environment, Forest and Climate Change
Government of India
New Delhi

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Indian Chambers
of Commerce and Industry**

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Dear Shri Mishra,

Concerns regarding Plastic Waste Management Rules, 2016

Greetings from FICCI!!

As you know FICCI is the largest and oldest apex chamber in India, it provides a platform for policy advocacy and consensus building within and across sectors and is the first port of call for Indian industry, policy makers and the international business community.

Given below, is a summary of the issues and some suggestions for the consideration of the Government of India in the context of Plastic Waste Management Rules, 2016.

- **EPR Framework:** At the World Environment Day 2018, it was announced that the draft National EPR Guidelines framework is currently being formulated by the industry in collaboration with MoEF. It is our earnest request that MoEF clarify to the States that EPR scheme would be under a National framework for execution by the stakeholders. This will help the producers in implementation of the One EPR Plan (Neutrality – Brand & Geography) at a national level. The draft framework has been extensively discussed within our members and has already been shared for your perusal.
- **Consistency of Rules:** There is a need for consistency in the States notifications with MoEF Plastic Waste Management Rules, 2016 and its amendment of 27th March, 2018.
 1. In Maharashtra notification dated 30th June 2018 Clause 3.1 seems to completely ignore the **MoEF notification no G.S.R. 285(E) dated 27th March 2018**. The PWM Rules, 2016 were amended in 2018 to include energy recoverable plastics in the ambit of recycling. However, this equivalence of 'recyclable' and 'recoverable' is not expressly recognised in the notifications issued by the States. It is therefore requested that MoEFCC clarify to the states to include energy recoverable plastics their notifications relating to recyclable plastics.
 2. Maharashtra Plastic Notification dated 30 June'18, reads clause 4.(4) says all packaging material **shall be more than 50 micron thickness**. This is not consistent with the MoEF, PWM Rules 2016 which says all packaging which is not part of MLP will be ≥ 50 microns.

3. Also, in a recent notice (as attached) issued by the Maharashtra Pollution Control Board, dated 26th July 2018, wherein the directions issued by MPCB under section 5 of the Environment Protection Act read with the PWM Rules, 2016. **These directions require brand owners who are using MLP to create a fund and credit @ Rs 0.25 paise per sachet that is introduced in the market. The Fund has to be created on or before August 15th 2018.** We wish to state that our members are well known in the market and have always extended a welcome hand to share the responsibility of waste management and will continue to provide support to the Government. Our members are conscious of their Extended Producer Responsibility (EPR) and have already initiated several waste collection and disposal projects in different parts of the country. Having said this, we believe that the above-mentioned mandatory fee collection from, along with placing a retrospective responsibility for collection of plastic waste, is of great concern to our members.

FICCI believes that public-private partnerships is critical for meeting the objectives of the Swacha Bharat initiative and yet stay true to the spirit of Ease of Doing Business in India. We look forward to working with Ministry of Environment, Forest and Climate Change in implementations of the "Swacha Bharat Abhiyan" and addressing the concerns of our members.

To conclude, we once again thank you for your time and patiently listening to the industry's issues and hope the same would be given due merit and consideration.

Warm regards

Yours sincerely,



Dilip Chenoy

Copy to: 1 Shri Ritesh Kumar Singh, Joint Secretary, Ministry of Environment, Forest and Climate Change

Encl: Directions u/s 5 of the Environment (Protection) Act, 1986 read with Plastic Waste Management Rules, 2016