

- Secretary, M/o Consumer Affairs
- Secretary, D/o Science and Technology
- Secretary, M/o Earth Sciences
- Secretary, M/o Road Transport and Highway
- CPCB

2. The comments have been received from all ministries and CPCB. These comments may be seen at p [661](#) /c.

The tabulated summary of comments with remarks are given in table below

S. No.	Ministry	Comments	Remarks
1.	Secretary, D/o Chemicals and Petrochemicals	Comments received on 17.02.2021 <ul style="list-style-type: none"> • Department supports the proposal contained in the draft notification 	Supported the pre-final draft notification.
2.	Secretary, M/o Housing and Urban Affairs	Comments received on 16.02.2021 <ul style="list-style-type: none"> • Ministry accords its support to the proposed amendments as integrated in the pre-draft notification 	Supported the pre-final draft notification.
3.	Secretary, M/o Drinking Water and Sanitation	Comments received on 17.02.2021 <ul style="list-style-type: none"> • Department agrees with the pre final draft notification on amending Plastic Waste Management Rules, ,2016 for phase out of SUP items 	Supported the pre-final draft notification.
4.	Secretary, D/o Micro, Small & Medium Enterprises	Comments received on 23.02.2021 <ul style="list-style-type: none"> • In reference to the Rule 5 of sub rule 3 of the above pre-final draft notification and Rule 4 of Plastic Waste Management Rules-2016, Suitable timeline of at least one year from the date of notification for the implementation of phase out plan may be provided. • In reference to the Rule 5 of sub rule 2 of the above pre-final 	On the basis of the comments received, the items which were to be prohibited with immediate effect in the pre-final draft are now proposed to be prohibited by 1.1.2022. For those items which were to be

		draft notification and Rule 4 of Plastic Waste Management Rules-2016, Suitable timeline of at least one year from the date of notification for the implementation of phase out plan may be provided.	prohibited by 1.1.2022 in the pre-final draft, are proposed to be prohibited from 1.7.2022.
		<ul style="list-style-type: none"> In reference to the Rule 5 of sub rule 2(i) of the above pre-final draft notification and Rule 4 of Plastic Waste Management Rules-2016, The word Container may be removed from the above draft Notification, since it is normally used multiple times. 	Containers and container lids have been removed from the list of prohibited items.
		<ul style="list-style-type: none"> Re-use of single use plastic should be a focus area. Plastic waste is used in road construction, an example of re-using of plastic. Immediate complete ban can be disruptive. 	MoRTH, State Governments & UTs and ULBs have been requested in the presentation made during PRAGATI meeting
		<ul style="list-style-type: none"> Besides the above, following points may also be taken into consideration which has been requested by various associations, which are as given below: <ul style="list-style-type: none"> Plastic Packaging and food packaging should not be classified as single use plastics 	The definition of single use plastic items is made precise to remove ambiguity.
		In some specific items like thin films, it is very difficult for the manufacturers to mark or label, therefore such items may be exempted from mandatory marking or labeling.	The pre-final draft does not propose any provision with respect to marking and labelling

5.	Secretary, Department for Promotion of Industry, and Internal Trade	<p>Comments uploaded on Pragati portal on 18.02.2021</p> <ul style="list-style-type: none"> DPIIT may extend support to the proposed amendment. The timelines may be finalized in consultation with the industry and other stakeholders. As these prohibitions may affect large number of MSMEs, the technical and financial assistance programs may be considered and planned for supporting them to switch over to alternate materials/ products. Also, instead of immediate ban, MoEF&CC may consider to give some months' time after issuance of the final rules. 	<p>The timeline has been increased on the basis of comments from MSME.</p> <p>The technical and financial assistance programmes need to be implemented by MSME.</p>
6.	Secretary, D/o Commerce	<p>Comments received on 01.03.2021</p> <p>In this matter, it is for consideration that while there are environmental concerns, the export potential of single use plastics is significant, especially due to its increased usage in the recent pandemic period, particularly in the form of disposable personal protective equipment and similar products. The plastic industry in India is estimated to provide 13lakh jobs domestically with annual export figure being more than USD 10 Billion. Further, while export per se is not prohibited in the proposed amendment, once manufacturing is prohibited export will also suffer.</p> <p>Ministry of Environment, Forest and Climate Change may consider having wider consultation with industry associations to get their feedback in examining whether export of single use plastic could be allowed / facilitated and associated processing units</p>	<p>The comments from all stakeholders including industry would be sought after the publication of the draft notification.</p>

		allowed to remain functional in the interest protecting the employment associated with this industry	
7.	Secretary, M/o Consumer Affairs	Comments received on 23.02.2021 Department supports this proposal	Supported the pre-final draft notification.
8.	Secretary, D/o Science and Technology	Comments received on 10.02.2021 <ul style="list-style-type: none"> DST support the initiative of MOEFCC to phase out/prohibit manufacture, import, stocking, distribution, sale and use of identified single use plastic commodities considering its importance to add value towards clean & greener environment, and in the interest of the society. In this regard, it is suggested that MOEFCC should ensure effective implementation of regulatory mechanisms/provisions with proper institutional arrangements for abatement of single use plastic products on PAN India basis. 	With regard to effective implementation, state governments & UTs have been requested to enforce the provisions of PWM Rules in PRAGATI meeting. Separate follow up on the issue will be done with the State Governments & UTs on enforcement of PWM Rules. Further, a separate monitoring programme on a state –wise basis is proposed to be taken up.
9.	Secretary, M/o Road, Transport and Highways	<ul style="list-style-type: none"> Indian Roads Congress has published "Guidelines for the use of waste Plastic in Hot Bituminous Mixes (Dry Process) in Wearing Courses" IRCSP:98-2013 to allow use of waste plastic in wearing courses of flexible pavement. Ministry has 	Supported the pre-final draft notification.

		<p>also issued latest guidelines vide No.RW/NH-33044/24/2015-S&R(R) dated 26.11.2019 to promote use of waste plastic in wearing courses. Waste plastic has already been used in National Highways in 625 km length successfully in 90 projects. NHAI has also issued policy guidelines to streamline collection, cleaning, shredding and supply of waste plastic to the hot mixing plant of contractor/concessionaire.</p> <ul style="list-style-type: none"> Local bodies should continue facilitating use of waste plastic in road construction as mandated in Rule 5 (1) (b) of Plastic Waste Management Rules, 2011 	
10.	Secretary, M/o Earth Sciences	<p>Comments received on 10.02.2021</p> <ul style="list-style-type: none"> In rule (4) sub rule (2), water pouches/ packets and plastic sheets (say cling film) or like, may be included in the list of single-use plastic items. <p>Plastic twines (Sutli-Rassi-Dori) which are primarily used for the packaging and of single use value can be considered for inclusion with due attention on the economic impact.</p> <ul style="list-style-type: none"> (2) In rule (4) <p>Though the thickness of carry bags were increased from fifty to one hundred and twenty (clause c), the provision for the thickness of plastic sheets in clause (d) remains the same.</p>	<p>In the pre-final draft -</p> <p>Plastic twines and water pouches have not been covered in the DCPC Report.</p> <p>The thickness of the plastic sheet has not been increased due to practical limitations on use of such sheets.</p>

		<ul style="list-style-type: none"> • (3) Packaging waste due to digital revolution (e- commerce) makes plastic pollution more intense. Special attention can be given by adding e-commerce as a waste generator in clause (x) of rule (3). Thereby in further amendments, e-commerce could be assigned "Extended Producer Responsibility" 	At present the E-Commerce enterprises are not covered under EPR.
11.	CPCB	<ul style="list-style-type: none"> • Rule 2(1): Plastic Waste Processor (Recycler, co-processor, etc.) to be included 	<p>These have been included.</p> <p>A separate definition of plastic waste processing has been added as under</p> <p><i>Plastic Waste Processing - means any process by which plastic waste is handled for the purpose of reuse, recycling, co-processing or transformation into new products.</i></p>
12.		<ul style="list-style-type: none"> • Rule 3 (1) (na) : Non-woven bag is made from non-woven fabric which is manufactured by drawing filaments from fibre-grade homopolymer, forming a web of such filaments and bonding them together by chemical, mechanical or thermal means 	The definition in pre-final draft has been retained.

13.		<ul style="list-style-type: none"> Rule 3(v)(a) : “Plastic packaging <u>sheets/bottles</u>” instead of “Plastic food packaging”, Plastic Straw/<u>stirrers</u>, plastic cutlery, plastic cups etc. 	The definition of single use plastic is made precise to remove ambiguity.
14.		<ul style="list-style-type: none"> Rule 3(v)(b): Thermoset plastic is a plastic which becomes irreversibly rigid when heated, and hence cannot be remoulded into desired shape. It includes plastics such as Sheet Molding Compounds (SMC), Fiber Reinforced Plastic (FRP), Bakelite etc.. 	Included except for examples.
15.		<ul style="list-style-type: none"> Rule 3(v)(c): Thermoplastic is a plastic which softens on heating and can be moulded into desired shape. It includes plastics such as PET, HDPE, LDPE, PP, PVC, PS, etc 	Included except for examples.
16.		<ul style="list-style-type: none"> Rule 5(2)(i) : The manufacture, import, stocking, distribution, sale and use of following single-use plastic commodities shall be prohibited after 1st January 2022: <ul style="list-style-type: none"> ○ Wrapping/ packing films (Example wrappings around sweet boxes, invitation cards, cigarette packets etc.) ○ Cutlery, Cups, bowls, plates, glasses (Foamed , extended polystyrene, PET, Laminated) ○ Plastic/MLP pouches (Shampoos, detergents, chips, biscuits etc.) ○ Straw, Stirrers ○ Plastic banners 	<p>Wrapping films for sweet boxes, invitation cards, cigarette packets has been included. The term etc. has been removed. Packing films have also been evaluated by DCPC.</p> <p>Plastic/MLP pouches (Shampoos, detergents, chips, biscuits etc.) have not been included in the present notification are covered under</p>

			EPR.
17.		<ul style="list-style-type: none"> Rule 5(3): The manufacture, import, stocking, distribution, sale and use of following single-use plastic commodities shall be prohibited with immediate effect <ul style="list-style-type: none"> ○ Ear buds with plastic sticks, ○ Plastic sticks for balloons, candy & ice cream ○ Plastic flags, ○ Polystyrene [Thermocol] for decoration 	Same as pre-final draft.
18.		<ul style="list-style-type: none"> Rule 11(a) and (b) : “manufacturer” to be replaced by “producer” Rule 11(c) : Name & Certificate No. of “manufacturer” to be included 	As suggested “manufacturer” has been replaced by “producer” for consistency

3. Based upon the comments received and the analysis given in table above the following changes have been made in the proposed draft notification :

S No.	Item	Amendments
1	Application of PWM Rules	Point 2 in pre-final draft “Plastic Waste processor (recycler , co-processor, etc.)” – Suggestion of CPCB
2	Definition of Plastic Waste Processing	Point 3 in pre-final draft Definition has been added to provide preciseness to term plastic waste processor. <i>Plastic Waste Processing - means any process by which plastic waste is handled for the purpose of reuse, recycling, co-processing or transformation into new products.</i>
3	Definition of Single Use Plastic	The Definition of SUP has been modified from Single-use plastic product – is a plastic commodity intended to be used once for the same purpose before being discarded or recycled. These include packaging, carrying or dispensing commodities, such as, plastic carry bags, plastic food packaging items, plastic straws/stirrers, plastic cups,

		<p>plastic cutlery etc.</p> <p>To</p> <p><i>Single-use plastic item – is a plastic commodity intended to be used once for the same purpose before being disposed of or recycled.</i></p> <p>To allow for consistency based upon comments from MSME and CPCB</p>
4	Definition of Thermoset	<p>The definition has been modified from</p> <p>is a plastic which becomes irreversibly rigid when heated and cannot be remoulded into desired shape.</p> <p>To</p> <p>Thermoset plastic- is a plastic which becomes irreversibly rigid when heated, and hence cannot be remoulded into desired shape.</p> <p>On suggestion of CPCB</p>
	Definition of Thermoplastic	<p>The definition has been modified from</p> <p>Thermoplastic – is a plastic that becomes pliable or mouldable at a certain elevated temperature and solidifies upon cooling.</p> <p>To</p> <p>Thermoplastic – is a plastic which softens on heating and can be moulded into desired shape.</p>
5	Phasing out plastic items	<p>The following items to be phased out with immediate effect will now be phased out from 1.1.2022</p> <p>Ear buds with plastic sticks, plastic sticks for balloons, plastic flags, candy sticks, ice-cream sticks, polystyrene [Thermocol] for decoration</p> <p>The following items to be phased out from 1.1.2021 will now be phased out from 1.7.2022</p> <p>plates, cups, glasses, cutlery such as forks, spoons, knives, straw, trays, wrapping/packing films around sweet boxes, invitation cards, cigarette packets, plastic/PVC banners less than 100 micron, stirrers</p> <p>On suggestions of CPCB and MSME</p>

4. The Hon'ble PM reviewed the [elimination of single use plastic](#) in PRAGATI meeting held on 24.2.2021. The following timeline was presented to Hon'ble PM for bringing out the notification amending PWM Rules for phase out of SUP:

S. No.	Action	Target date/time
1	Circulation for preliminary consultation	1.2.2021
2	Publication of draft notification	1 st Week of March, 2021
3	Public consultation on draft notification	March - June 2021
4	Final publication of notification	1 st week of July 2021

5. Based upon the suggestions received from 10 central ministries and CPCB and keeping the above in view, a draft notification amending the Plastic Waste Management Rules, 2016, for phase out of identified single use items is placed at DFA/49572 for kind consideration and approval please. Keeping in view the timelines it is proposed to send the draft notification for Hindi translation so as to save time. Any changes during the approval process will be incorporated in the Hindi version.

Submitted please.

02/03/2021 5:16 PM

AMIT LOVE
(SCIENTIST E)

Note No. #93

Kindly refer notes above. A presentation on elimination of Single Use Plastics pursuant to Hon'ble Prime Minister's announcement of phasing out of SUP by 2022, was made during Pragati meeting on 24.2.2021. The time line presented is available at para 4 of N/92. A draft of notification for phasing out of selected SUP items (based on Report of Expert Committee set up by DCPC) was circulated to CPCB & other stakeholder Ministries (Refer para 1 of N/92). Based on the comments received draft for publication for public consultation has been prepared which is attached at **DFA/49572**.

2. The proposed draft (DFA/49572) seeks to achieve following:

(i) Ban of Ear buds with plastic sticks, plastic sticks for balloons, plastic flags, candy sticks, ice-cream sticks, polystyrene [Thermocol] for decoration with effect from 1st January, 2022. **(In the Pragati presentation the proposed date was 30.9.2021. 1st January, 2022 has been proposed on the comments of MSME)**

(ii) Ban of Plates, cups, glasses, cutlery such as forks, spoons, knives, straw, trays, wrapping/packing films around sweet boxes, invitation cards, cigarette packets,