

THE ALL INDIA PLASTICS MANUFACTURERS' ASSOCIATION

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To

07th September 2022

Shri Rameshwar P.Gupta
Secretary, Ministry of Environment, Forest and Climate Change
Government of India
Indira Paryavaran Bhawan
Jor Bagh, New Delhi- 110014

Subject: Input received from the industries/ producers in respect to the implementation of Plastic Waste Management Rules, 2021

Dear Sir,

Greetings from AIPMA.

This is regarding implementation of Plastic Waste Management Rules 2021 (amendment). Based on the inputs received from the ground i.e. industries/producers, please find enclosed the major issues/challenges faced by the industry and suggested solutions: -.

1. The rules clearly define minimum thickness required for carry bags. However, there is a major confusion and misinterpretation by local authorities with respect to minimum thickness of packing bags other than the carry bags. We would like to bring to your attention that these are the packing bags used by small brands/shopkeepers to pack items. Local pollution Control Board officials in many states are insisting on 75 micros thickness for all packing bags leading to harassment and problems to plastic packing bag manufacturers.

Taking above in to consideration, we would kindly request you to issue the clarifications as follows: -

Non-carry bags may be defined as packing bags wherein thickness of 50 microns in applicable.

2. Stretch film commonly used for packaging, is stretchable plastic films that is used to wrap a product to keep them in place securely. Stretch film is used for packing and protection of products, ranging from loads bundled on pallets to individual items of large overall dimensions. Globally, this product is not banned for relevant applications. It provides much-needed functionality and there are no alternatives to match at this point of time. There is a technical limitation in making a higher gauge. The functionality of the Stretch file would get impaired/compromised if the thickness has to be 50 micros. Stretch film adheres to the product when wrapped as protective packaging

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that can only be opened after it has served the purpose by cutting. Normally upon removal it ends up as a thick lump that is more than 100 micros thick. Being monolayer in nature, it can be easily collected and recycled into reusable recycle.

Kindly refer to Rule 4, Sub Clause D of PWM Rules. It states the Following: -

d) plastic sheet or like, which is not an integral part of multi-layered packaging and cover made of plastic sheet used for packaging, wrapping the commodity shall not be less than fifty microns in thickness except where the thickness of such plastic sheets impair the functionality of the product;

Taking the above into consideration and under the purview the Rule 4, clause D of the PWM Rules, you are kindly requested to include Stretch Film in the list of items that may be allowed to be manufactured below the thickness of 50 micros when necessitated for functionality,

3. CPCB and SPCB's are issuing closure notices to MSME units for non-compliance of Plastic Waste Management Rules. The units are being asked to shut operations abruptly for non-compliance based on interpretation by implementing authorities without according opportunity for redressal.

Given the huge size and broad landscape of plastic industry across the country, it is evident that the plastic industry (90% MSME) would take some time to clearly understand the provision of the Rules and implement it on the ground level. Please be assured that the industry is fully committed to effective implementation of PWM rules.

Kindly refer to the judgement of the Hon'ble Supreme Court of India on 22nd March 2022 in case of Pahwa Plastics Pvt Ltd. and Electrosteel. The Supreme Court bench, headed by Justice Indira Banerjee, concluded that the manufacturing units of the Appellants appoint about 8,000 employees and have a large annual turnover. An establishment contributing to the economy of the country and providing livelihood ought not to be closed down only on the ground of the technical irregularity of not obtaining prior Environmental Clearance irrespective of whether or not the unit actually causes pollution.

The above judgement holds true for Plastic industry as well. Plastic processing sector includes 50,000 units of which 95% are MSME's

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employing more than 50 Lakhs people. It contributes Rs. 3 Lakhs crore to our country's GDP per annum.

Taking in to the challenges and irreversible problems faced by the processing industry due to sudden closure of units, **we would kindly request you to instruct CPCB and SPCB's to give sufficient time and opportunity to the units to provide justification and or corrective action towards compliance before issuing closure notices.**

Yours sincerely,

For The All India Plastics Manufacturers' Association



Kishore P. Sampat
President
AIPMA



Hiten Bheda
Chairman – Environment Committee
AIPMA