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Ref.No.MAIT/PY/2679

April 06, 2023

Shri Bhupender Yadav  
Hon'ble Minister for  
Environment, Forests & Climate Change and Labour & Employment  
Govt. of India

**Subject: Issues raised by the ICT Industry related to Business Continuity and Ease of Doing Business**

Reference:

1. MAIT letter No. - Ref.No.MAIT/PY/2659 dated March 10<sup>th</sup> 2023
2. MAIT Letter No.- Ref.No.MAIT/PY/2656 dated March 03<sup>rd</sup> 2023
3. MAIT Letter No.- Ref.No.MAIT/PY/2673 dated March 23<sup>rd</sup> 2023
4. MAIT Letter No.- Ref.No.MAIT/PY/2654 dated February 28<sup>th</sup> 2023
5. MAIT Letter No.- Ref.No.MAIT/PY/2604 dated December 06<sup>th</sup> 2023

Hon'ble Sir,

***Greetings from MAIT, India's apex Industry body empowering IT, Telecom & Electronics Hardware sectors!***

At the outset, **MAIT** would like to thank you for your consistent efforts and initiatives, which have been instrumental in creating a favourable business environment for the ICT sector, which has enabled the industry to make significant contributions to the Indian economy. The various policies and schemes launched by the Ministry of Environment, Forest and Climate Change (MoEF&CC) under your leadership have been crucial in promoting sustainable development practices in the industry.

We reach out to you with a request of the ICT industry, the challenges, and risks to business continuity & Ease of doing business that has emanated because of the E-Waste Management Rules, Battery Waste Management Rules & Plastic Waste Management, and their SOPs issued by CPCB. The recent development in the EPR framework of these rules is creating a major risk for the industry, where the business will suffer creating a bigger impact on the Indian economy.

We have listed below the major challenges being faced by the ICT industry and would also like to bring to your kind attention that the ask of the industry has been discussed in person with the Hon'ble Directors of the Rules and several communications have been shared in this regard with Hon'ble Secretary, MoEF&CC and Additional Secretary, MoEF&CC for their perusal and approvals, but the requests still have been unaddressed.

- **E-Waste Management Rules 2022 (EWMR 22)**, which are to be applicable from 1<sup>st</sup> of April 2023. The EWMR has added 85 new categories of EEE products under Schedule-I, for which **authorization is not yet granted by CPCB**. Due to non-authorized status, the imports of the products will be halted by Customs for these 85 newly added EEE product categories. This is a major risk to business continuity & sectoral health. We need to therefore request for **communication to customs from MoEF&CC extending the time window to allow** authorisation for the added 85 new categories in EWMR 2022.

- **Battery Waste Management Rules 2022:** The industry's contention is that Battery waste recycling infrastructure and technology are almost non-existent in the country as per the requirements of this regulation. It is going to take time to put this infrastructure in place. SPCBs are still in the process of authorizing recyclers under BWMR 2022. There have not been enough battery waste recyclers authorized under BWMR as of now and the infrastructure for the collection of batteries is at a very nascent stage.
- They have also contended that no executive time is balanced in FY22-23 to identify, evaluate, select, make agreements, and start/complete collection/disposal. All these activities at an industrial scale require some lead time and it is practically not possible for the industry to manage all this in FY 2022-23.
- Another issue in SOP issued by CPCB for BWMR 2022 compliance is that as per Clause 2.4.2, **Producers need to submit daily sales entries along with sales invoices on the CPCB EPR portal.** Submission of daily sales data places an unnecessary compliance burden and does not in any way contribute to information that is needed for the calculation of EPR obligations under BWMR 2022. It is therefore recommended that in the true spirit of Ease of Doing Business, a Self-declaration methodology to declare details of batteries brought into the market on a six-monthly or quarterly basis be permitted.
- Basis on the above rationale, we are of the opinion that BWMR 2022 should be made applicable from FY 2023-24 onwards. This will allow the industry to be ready and provides for the eco-system to be in place too.
- **Plastic Waste Management Issues:** The issue of uploading of Sales invoices in bulk on a quarterly basis has been mandated by CPCB. The invoices in no way incorporate the details of plastic packaging and uploading all sales invoices is going to add a compliance burden on the industry. It is therefore requested by the industry that the details of plastic packaging be allowed to be calculated and uploaded on a 'Self Declaration Basis' by the industry.

In the light of above issues, as MAIT, we would like to gather your support and turn your focus to the threat that looms for the ICT industry as well as the auxiliary industries and the encounters it may create for the economy overall.

MAIT would like to reiterate that ICT Industry is fully committed to compliance with the regulations. MAIT members have been diligently complying with the E-Waste rules since its genesis and have been deeply involved with the Ministry over the past decade to help shape sustainable and functional regulation.

We are hopeful that our request on the subject matter would be addressed in a positive manner by your good office.

We would also request a suitable time for a meeting to discuss our submission in detail.

Warm regards,



Col. AA Jafri, Retd.  
Director General