

What are the Responsibilities of Producer, importers and brand owners?

Rule 9 of the Plastic Waste Management Rules provide that:

- I. The producers, importers or brand owners who introduce any plastic packaging in the market shall be responsible for collection of such plastic packaging (2024).
- II. Where any producer, importer or brand owner fulfils his extended producer responsibility, he is deemed to have complied with his responsibility of collecting plastic wastes introduced by him.
- III. The producers, importers, brand owners, manufactures and manufactures of commodities made from compostable plastics or biodegradable plastics, shall fulfil extended producer Responsibility as per guidelines specified in Schedule II. (As amended through GSR 133E dated 16-02-2022)
- IV. Manufacture and use of multilayered plastic which is non-recyclable or non-energy recoverable or with no alternate use of plastic if any should be phased out. (The deadline of 02 years has already expired).
- V. The producer will apply to the Central Pollution Control Board or the State Pollution Control Board or the Pollution Control Committees as the case may be for the grant of registration.
- VI. No Producer shall manufacture or use any plastic or use any multi layered packaging for packing of commodities without registration from Central Pollution Control Board if operating in more than 02 states or Union Territories or from the Concerned Pollution Control Board or Committees if operating in one or two states or Union Territories. With use of plastics or multilayered plastics for packaging, out of the definition of a “producer”, this may need clarification.
- VII. Every Producer will have to maintain a record of details of the Persons engaged in supply of plastic used as raw material to manufacture carry bags or plastic sheets or like or covers made of plastic sheet or multi layered packaging.

Note: The regulatory authorities may need to clarify if the provisions specifically relating to producers in rule 9 as above would also apply to manufactures, importers and brand owners. The proviso makes only the producer responsible. Further the amendment to the definition of the term ‘Producer’ in 2024 and deleting the provisions of use of packing commodities in multi layered packaging may also need a clarification on whether ‘use of multi layered packaging in packing commodities now attracts the provision for ‘Producers’.