



## The ban on plastic is here!

Will it be effective?

*As promised the State Govt of Maharashtra has declared a ban on plastic carry bags and several other single use disposable items made of non biodegradable materials such as plastic, polystyrene and multi layered materials.*

*This is a very welcome initiative and we hope that the government is able to successfully implement the ban in the state so as to significantly reduce the plastic waste generated by the city.*

*However for the ban to be truly effective it has to be refined further and elaborated to enable the expansive vision of the ban to be brought down into practical reality.*

*For the past six months a citizens group formed of individual Pune-kars as well as several environmental NGOs has been studying the effectiveness of bans in different parts of the country as well as in other countries too. This press release has been signed by eCoexist , Oikos, Ecological Society, Jeevit Nadi, Aarohana, Poornam Eco Vision, Eco Ad and Swach. All these groups have been working on different aspects of waste management and recycling for several years.*

*The studies done by these groups reveal that a ban is simply the FIRST STEP to making Pune totally free of plastic. Whether the ban is implementable or not will decide how effective it really turns out to be.*

*In this light, we have studied the ban and have come up with recommendations on how it could be made more effective. These have been enlisted below.*

## DEFINITIONS

As the ban is applicable to the lay person, the retailer as well as the manufacturers it needs to be clear in its definitions. Scientific names of plastic need to be accompanied by common names ( or examples of application ) so as to be understood by lay people.

This will also clarify which kinds of plastic are not covered by the ban – for eg hard plastic used in construction etc.

The word BAG needs to be defined more specifically too as plastic carry bags are the first and easiest target of the ban. In California, bans specify exact range of dimensions, microns, amount of weight the bag can carry as well as for how long one can walk with the bag before it tears. This level of specificity in definition does not leave room for confusion.

The terms ‘Biodegradable’ vs ‘Compostable’ need to be differentiated by the ban as well. We are now seeing materials made of vegetal sources which are claimed to be biodegradable but are not necessarily compostable. The loose use of these terms by manufacturers needs to be warned against.

In the case of compostable plastic the ban only mentions ‘visible’ or distinguishable residue. However there may be invisible residues such as toxic gases that may be emitted during the process of degradation that are not considered.

Woven plastic such as that used for cement and gunny sacks are not mentioned in the ban. On disposal these have a tendency to break down into the long strands of plastic thread that can also cause havoc in soil and water. Similarly thinner plastics such as Cling film or Seran wrap – that is used to wrap foods in also need to be specifically defined.

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## SCOPE

The scope of the ban in its current form is way too wide in its scope, and yet excludes extremely environmentally damaging, non-recyclable items like multi-layered plastic packaging by large manufacturers (e.g. chips packets). This will evoke resistance from various lobbies and may defeat the purpose of the ban itself. The scope needs to be reduced to make it more practicable and actionable and perhaps the government can address each disposable item step by step.

The scope of its application also needs to be defined by category of users – the current description is narrative and sweeping and misses certain sectors completely such as airlines and airports.

**SINGLE USE IN ANY PRODUCT SHOULD NOT BE ALLOWED UNDER ANY CIRCUMSTANCE** - this means that we need to move into habits of reuse and create materials and products that can be reused again and again for a long time.

## TIMELINES FOR IMPLEMENTATION

The timelines mentioned by the ban are unrealistic and bound to fail, Within the first week of its release already the authorities are being appealed to change the first one months deadline to a more realistic three months.

The implementation of the ban needs to be advised to be done phasewise – targeting the easiest items to replace first and giving time for alternatives to be developed for the harder items. For eg

Phase 1: Easiest to implement - plastic and non woven carry bags

Phase 2: All items related to ready food and water - cutlery, trays straws and bottles

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Also non food packaging

Phase 3: Food packaging

This phase wise implementation will also give time for the laws governing those industries – such as food industry – packaging industry - to be refined to incorporate the ban on plastic.

## REGULATION

Similarly, the application of the ban to various stakeholders could also be phase wise acknowledging that the change may be easier in the organized sectors and may take more time in the non formal markets and supply chains.

For eg. Phase wise regulation of stake holders

Phase 1: Large retail chains that have authority to make sweeping change / organised institutions

Phase 2: small retailers / informal sector

If, however, a sweeping change is recommended by the government, since it has been alerting the public about the upcoming ban, it still needs to provide hand holding to small retailers and the informal sector in making the shift.

## EXEMPTIONS

The exemption of manufacturing for export to other states and other countries is problematic.

Inter state movement of plastic disposables needs to be clearly regulated and mentioned in the ban – checks at borders need to be instated to ensure that there is no

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smuggling of plastic disposables into Maharashtra.

There is unclarity about plastic that is an 'integral part of manufacturing process' which is exempt from the ban. Does the word 'integral' apply to the product for eg grains or is it integral to the process of packaging? This covers an entire range of packaging that has not been specified clearly enough. This point also excludes multi layered packaging for foods – a material that has no resale nor recycling value and ends up in landfill.

In the case of the medical industry, only primary and essential plastic packaging needs to be exempt. Non essential plastic disposables such as plastic carry bags for pharmacies etc need not be exempt.

## DIMENSION

The smaller the size of the disposable plastic item the more harmful its impact - therefore the size of plastic products also needs to be limited to a certain minimum handleable size for eg microbeads are impossible to collect and clean. Sachets such as those used for shampoos are also problematic because of their small size. The ban should strictly be imposed on smaller size disposable products.

## CLAIMS AND DISCLAIMERS

The ban demands that manufacturers mention clearly what the product should be used for and for consumers to strictly follow this in their usage.

The expectation that a product - should be 'used for this purpose only ' is unreal and

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impossible to monitor - if garbage bin liners are used to package fruit it will be very hard to check on such interchangeable functionality.

Instructions for recycling of product need to be mentioned on the product itself - where do I throw it ? How do I recycle it? How do I compost it?

Colour coding could be a simple yet powerful way of helping consumers identify the different types of bags and what they need to be used for – yellow bags are already being given out for medical waste collection. Similarly, specific colours of bags could be assigned to specific usage – this would make it much easier to identify cross usage as well.

## PENALTIES

Is the use and sale of plastic bags now considered a criminal offence? In this case who is authorized to take legal action beyond fines and penalties? Can consumer groups help to implement such penalties?

## COMMUNITY PARTICIPATION

This ban for the first time, puts the onus of responsibility on the consumers too. How is this going to be implemented? Will there be a task force of officers stopping people on the streets carrying plastic bags – just as they do with helmets?

To encourage self enforcement of this regulation among consumers and citizens , there need to be ways in which the community can engage with the implementing authorities. Tools and forums need to be developed for this community participation and rewards instated for ideal behavior.

Citizens can be involved in reporting offenses, collection of old stocks of plastic and

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possibly in collection of fines too. Similar to the concept of traffic wardens that enabled citizens to help with regulating traffic, there could be concept of 'Plastic Wardens' as well.

A widespread awareness raising campaign will be required to inform people what the ban covers and what it does not. Citizens groups need to be supported by the government to help with such awareness raising activities.

Citizens participation in the expert and empowered committees established by this ban will allow information from the ground to come back to the authorities.

## DISPOSAL

A system is required to collect all unused stocks of plastic bags currently in hand with retailers – they are continuing to use existing stocks to exhaust the stocks until the end of the first month as there is no specific instruction on where they can dispose of this stock.

We need an authorised list of recyclers where people can deposit the plastic disposables.

The timelines for disposal of current stocks should be more realistic such as

1. For manufacturers: 3 months
  2. For sellers and retailers : 3 months
  3. For users: 6 months
  4. For local bodies to arrange systems of collection: 3 months
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# RECYCLING

The ban clearly mentions the need for manufacturers to take responsibility of the disposable items that they are allowed to use such as the milk bags as well as PET bottles, asking that they create systems of buy back. This is a welcome move however it is only temporary.

Do recyclers get regulated as stringently as manufacturers of plastic disposables? The significant loss of quality and quantity in recycling does not make it a viable financial activity for the manufacturers themselves to invest in necessarily.

Eventually, all plastic disposables need to be replaced by more sustainable alternatives and the long term vision needs to be kept in mind and sight by such a ban.

In the short term, the government needs to publish a list of authorized recyclers that current stocks of plastics can be deposited with.

The ban also does not acknowledge the existing informal system of recycling. By excluding existing recycling chains the ban threatens to derail recycling overall which can only succeed if it integrates existing systems. ( The introduction of deposit refund schemes for some high value materials will adversely impact the informal recycling trade, taking away these high value materials from the stream, making it nonviable to recycle low grade items. It will transfer the revenues generated through recycling out of the pockets of waste-pickers and into the hands of larger corporations threatening the foundation of recycling in our urban centers. More than 90% PET is already recycled by the informal sector). Amongst the authorized recyclers, the government needs to ensure the inclusion of small scale informal recyclers as well.

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## MONITORING

A public and transparent system of reporting and monitoring should be put into place for citizens to be able to follow the progress being made by the government on implementation. A website or social media page that shares success stories and also tracks changes statistically would help keep the implementation on track . Challenges that are bound to arise in the process can be discussed and refinements made accordingly.

Monitoring of retail stores needs special attention and citizens participation in such monitoring can be very useful.

## PROMOTION / COMMUNICATION ABOUT BAN

All retailers associations need to be given a clear document of what the ban specifies – what is banned and what is exempted. Currently there is confusion about materials such as non woven etc as retailers seem to think it is a cloth fabric.

In states like Sikkim the ban on plastic simply led to a replacement of plastic bags with non woven bags, as many people feel this is a fabric and hence a biodegradable material. The term non woven – though mentioned in the ban – does not currently make sense to the common man or the retailers as they are unfamiliar with the term. Awareness needs to be raised about this material specifically.

Retail shops, restaurants , chain stores need can be rated publicly by their level of commitment to the ban.

Similarly licenses can be revoked depending on the use or avoidance of plastic disposables.

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## ALTERNATIVES

The ban document does not offer much in terms of solutions or alternatives. It leaves the development of the alternative material, product or system to the industry and market at large. This is resulting in newer materials with claims that cannot be verified and impacts that are unknown.

## SYSTEMS OF USE

A lot of systems around plastic disposables will also have to be redesigned. For eg, the use of personal bags at cashier and check out systems in malls, the systems of food deliveries, the entire online marketing and packaging systems .

Simply changing or prohibiting an item without thinking through the impact it has on the entire system is an invitation to failure.

*These are some of the critiques and recommendations that have arisen from our study of the current ban document and we would be happy to discuss in further detail. Solutions will evolve as the ban takes effect and if the government stands firm in its commitment to make Maharashtra free of single use disposables.*

Signed by:

1. Manisha Gutman, eCoexist
  2. Manasi Karandikar, Oikos
  3. Ketaki Ghate, Ecological Society
  4. Amita Deshpande, Aarohana
  5. Dr Rajesh Manerikar, Poornam Eco vision
  6. Suchismita Pai, SWaCH
  7. Rohit Nayak , EcoAd
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**ECOEXIST FOUNDATION is incorporated under the Companies Act, 2013 (18 of 2013) on 10<sup>th</sup> Nov 2017, and the incorporation Id is U74999PN2017NPL173344.**

**Our Registered Address:** ECOEXIST FOUNDATION, c/ o Lolita Gupta, Brahma Suncity, Wadgaon Sheri, Building No Cl-2, S 7/1-5 & 8/1/1, Pune, Maharashtra, India, 411014