

E-Waste (Management) Amendment Rules, 2018

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Source: *Yojana Magazine & Ministry of Environment, Forest and Climate Change*

In March 2018 the Ministry of Environment, Forest and Climate Change (MoEF&CC) amended the E-Waste Management Rules, 2016.

Key highlights of the new rules

- **Responsibility of producer:** As per the amendment, the provisions of rule 5 shall apply to producers who have placed any goods in the market in the current financial year and the targets for the extended producer responsibility plan shall be as per clause (ii) of sub-rule (1) of rule 13 and Schedule III
- **Procedure for years of sales operations is less than average life of their seeking and grant of authorization- (EPR):** In case the producer has started sale recently i.e. number of years of sales operations is less than average life of their product, the Extended Producer Responsibility target shall be applicable as per Schedule- III (A) and these targets applicable from financial year 2018-2019 and once the product achieves its average life as fixed by the Central Pollution Control Board, the collection target shall be revised as per Schedule III.
- **13(1) xiii Procedure for seeking and grant of authorization:** The e-waste already collected by producers as per Schedule III(A) in earlier years will be accounted for and the eligible set-offs shall be provided for the corresponding years at the time of fixation of targets as per Schedule-III.
- It mentions that the revised Extended Producer

Responsibility targets shall be applicable from the 1st October 2017

- The quantity of e-waste collected by producers under Extended Producer Responsibility from the 1st October 2016 to 30th September 2017 shall be accounted for in the revised Extended Producer Responsibility targets as per Schedule Schedule III until March 2018 only
- In case of transfer or sale of assets by the producers the liability under Extended Producer Responsibility shall also be transferred to the buyer
- **A Producer Responsibility Organisation shall apply to the Central Pollution Control Board for registration to undertake the activities prescribed for Producer Responsibility Organisations under these Rules**
- Procedure for seeking and grant of authorization- Authorization to manufacturer: the concerned State Pollution Control Board after giving reasonable opportunity of being heard to the applicant may refuse to grant or renewal authorization
- Reduction of Hazardous Substances: If the product does not comply with the Reduction of Hazardous Substances provisions, then the cost of the Reduction of Hazardous Substances test will be borne by the Producer and in addition, the Producer shall take corrective measures to bring the product into compliance and withdraw or recall the product from the market within a reasonable period as per the guidelines of the CPCB
- Liabilities: The manufacturer, producer, importer, transporter, refurbisher, dismantler, and recycler shall be liable to pay financial penalties as levied under the provisions of the Environment (Protection) Act, 1986 and rules made thereunder for any violation of the provisions under these rules by the State Pollution Control Boards with the prior approval of the Central Pollution Control Board in accordance with the

guidelines published by the CPCB

▪ **Appeal:**

1. Any person aggrieved by an order of suspension or cancellation or refusal of authorization or its renewal passed by the Central Pollution Control Board may, within a period of thirty days from the date on which the order is communicated to him, prefer an appeal in Form 7 to the Appellate Authority i.e. the Secretary or nominee of Secretary, Ministry of Environment, Forest and Climate against the order of CPCB
 2. Any person aggrieved by an order of suspension or cancellation or refusal of authorization or its renewal passed by the State Pollution Control Boards or Committees may, within a period of thirty days from the date on which the order is communicated to him, prefer an appeal in Form 7 to the Appellate Authority i.e. the Secretary (Environment) of the State Government /Union Territory administration against the order
- **Collection, transportation:** The collection, storage, transportation, segregation, refurbishment, dismantling, recycling and disposal of e-waste shall be **in accordance with the guidelines published by the Central Pollution Control Board**

SCHEDULE III



Schedule III (A)

Extended Producer Responsibility targets for producers, who have started sales operations recently, i.e. the number of years of sales operations is less than the average life of their products mentioned in the guidelines issued by Central Pollution Control Board from time to time.

SL NO.	Year	E-Waste Collection Target (Weight)
1	2018-2019	5% of the sales figure of the financial year 2016-17.
2	2019-2020	5% of the sales figure of the financial year 2017-18.
3	2020-2021	10% of the sales figure of the financial year 2018-19.
4	2021-2022	10% of the sales figure of the financial year 2019-20.
5	2022-2023	15% of the sales figure of the financial year 2020-21.
6	2023-2024	15% of the sales figure of the financial year 2021-22.
7	2024-2025	20% of the sales figure of the financial year 2022-23.
8	2025 onwards	20% of the sales figure of the year preceding the previous year