

GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT AND FORESTS
NOTIFICATION

New Delhi, the2009

S.O. (E) The Central Government, in accordance with the objectives of the National Environment Policy, 2006 and to address the sustainable development concerns considers it necessary to regulate environmentally sound management of waste electrical and electronic equipments, hereinafter referred to as e-waste, which are generated from the manufacture and use of electrical and electronic equipments. In order to protect the environment and human health from potentially harmful effects of e-waste and to facilitate reuse, refurbishment and recovery of useful materials by environmentally sound recycling, thereby, reducing the waste destined for final disposal, and to provide incentives for reduction in the use of hazardous substances by adopting green design, the Central Government hereby proposes to make the following draft rules.

Draft Rules

Whereas, the following draft rules, which the Central Government proposes to make in exercise of the powers conferred in clause (c) and (d) of sub-section (2) of sections 6 and sections 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), the E-waste (Management and Handling) Rules, 2008, is hereby published for information of the public likely to be affected thereby; and notice is hereby given that the said draft rules shall be taken into consideration by the Central Government after expiry of a period of sixty days from the date of publication of this notification in the Official Gazette;

The objections or suggestions which may be received from any person in respect of the said draft rules before the period specified will be taken into consideration by the Central Government.

Any person desirous of making any objection or suggestion with respect to the said draft rules may do so in writing for consideration of the Central Government within the period so specified through post to the Secretary, Ministry of Environment and Forests, Paryavaran Bhawan, Central Government Offices Complex, Lodhi Road, New Delhi-110003 or electronically at e-mail address: envisect@nic.in.

Chapter I

GENERAL

1. **Short Title and Commencement.** - (1) These rules may be called the E-waste (Management and Handling) Rules, 2008.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Application. – (1) These rules shall apply to every manufacturer, importer, dealer, collection centre, refurbisher, dismantler, recycler, auctioneer, consumer or bulk consumer involved in the manufacture, processing, sale, purchase of electrical and electronic equipments or components thereof excluding the fluorescent lamps and sodium lamps.

(2) Further these rules shall not apply to the following:-

- (a) waste water and exhaust gases as covered under the provisions of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) and the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981) respectively and rules made there under;
- (b) waste arising out of the normal operations from ships beyond five kilometers of the relevant baseline as covered under the provisions of the Merchant Shipping Act, 1958 (44 of 1958) and the rules made there under;
- (c) radio-active wastes as covered under the provisions of the Atomic Energy Act, 1962 (33 of 1962) and rules made there under,
- (d) hazardous wastes as covered under the Hazardous Wastes (Management and Handling) Rules, 1989 made under the Act;
- (e) ozone depleting substances (ODS) as covered under the Ozone Depleting Substances (Regulation and Control) Rules 2000 made under the Act; and
- (f) batteries as covered under the Batteries (Management and Handling) Rules, 2001 made under the Act.

3. Definitions. - In these rules, unless the context otherwise requires, -

- (a) 'Act' means the Environment (Protection) Act, 1986 (29 of 1986);
- (b) 'applicant' means any person or organization that applies in Form 1, for obtaining authorization to perform specific activities connected with the handling of e-waste;
- (c) 'auction' means bulk sale of used electrical electronic equipment or component(s) thereof by invitation of tenders or auction, contract or negotiation by individual(s), companies or Government Departments;
- (d) 'authorization' means permission for collection, storage, transportation, dismantling, recycling, treatment and disposal of e-waste granted by the agency designated by the government;
- (e) 'bulk consumer' means bulk users of electrical and electronic equipments such as Central or State Government Departments, public sector undertakings, banks, private companies, multinational organizations and others that are registered under Factories Act, Companies Act or Societies Act, including the international agencies;

- (f) 'Central Pollution Control Board' means the Central Pollution Control Board constituted under sub-section (1) of section 3 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);
- (g) 'collection centre' means a centre established, individually or jointly by one or more producer(s), importer(s), refurbisher(s) and recycler(s) in pursuance of their responsibilities to collect e-waste and to channelize the same for reuse or refurbishment or recycling;
- (h) 'consumer' means any person using electrical and electronic equipments primarily for personal or home business use excluding the bulk consumers;
- (i) 'dealer' means any person who sells and receives electrical or electronic equipments or components thereof to and from the consumers or other dealers or retailers on behalf of the producers or otherwise;
- (j) 'dismantler' means any person authorized to dismantle used electrical and electronic equipments into their components and to channelize these to registered recyclers without processing any of these components;
- (k) 'dismantle' means to disassemble any used electrical and electronic equipment into its components;
- (l) 'disposal' means treatment and deposition of any residue generated after recycling and recovery of useful constituents or substances from e-waste;
- (m) 'end-of-life management' means all the activities involved in the management of post consumer or discarded electrical and electronic equipment, including collection, reuse, refurbishment, recycling, treatment and disposal;
- (n) 'environmentally sound management of e-waste' means taking all steps required to ensure that e-waste are managed in a manner which shall protect health and environment against any adverse effects which may result from such wastes;
- (o) 'electrical and electronic equipment (EEE)' means equipment which are dependent on electric currents or electro-magnetic fields to be fully functional including those used for the generation, transfer and measurement of such currents and fields;
- (p) 'e-waste' means waste electrical and electronic equipments, whole or in part, , that are not fit for their intended use and are destined for refurbishment, dismantling, recycling or disposal, it also includes scrap or rejects from the manufacturing process of electrical and electronic equipments and shall include but not be confined to the wastes listed in the Schedule-1 annexed to these rules;
- (q) 'extended producer responsibility' (EPR) means responsibility of any producer of electrical or electronic equipments, for their products beyond the place of manufacture to other phases of its life cycle, in particular, the collection and 'end of life management' of such products in an environmentally sound manner
- (r) 'export' with grammatical variations and cognate expressions, means taking out of India to a place outside India;

- (s) 'facility' means any location wherein the process incidental to the collection, reception, storage, dismantling, recycling, treatment and disposal of e-waste are carried out;
- (t) 'Form' means forms appended to these rules;
- (u) 'historical waste' means all available e-waste on the date these rules come into force.
- (v) 'import' with its grammatical variations and cognate expressions, means bringing into India from a place outside India;
- (w) 'individual producer responsibility' (IPR) means the responsibility of producer for its own products through the products' entire life cycle including the collection and 'end-of-life management' for its own branded electrical or electronic equipments and its own branded historical waste
- (x) 'manufacturer' in relation to any factory manufacturing/assembling electrical and electronic equipments (EEE) thereof means any person of the company who has control over the affairs of the factory or the premises for sale and collection of electrical and electronic equipments;
- (y) 'orphaned products' means non branded or assembled products as well as those produced by companies that have since closed the operations or stopped the product support;
- (z) 'producer' means any person who, irrespective of the selling technique used;
 - (i) manufactures and sells electrical and electronic equipments under his own brand; or
 - (ii) resells under his own brand, the electrical and electronic equipments produced by other suppliers; or
 - (iii) resells imported electrical and electronic equipments;
- (za) 'recycler' - means any person who is engaged in processing e-waste or components thereof for recovering various components and constituents and is registered with the Central Pollution Control Board for recycling e-waste;
- (zb) 'recycling' means reclamation and reprocessing of e-waste from the production processes as well as end of use equipments in an environmentally sound manner to recover the useful materials;
- (zc) 'refurbishment' means repairing of used electrical and electronic equipment to be put back to its original use and selling the same in the market;
- (zd) 'refurbisher' means any person who is engaged in refurbishment of used electrical and electronic equipment;
- (ze) 'reselling' of electronic and electrical equipments means an activity by a person who provides electronic or electrical equipments in conditions of business to another person or entity who is the final consumer of the product;
- (zf) 'Schedule' means the Schedules appended to these rules;
- (zg) 'State Board'- means the concerned State Pollution Control Board or the Pollution Control Committee of the Union Territories constituted under sub-section (1) of section 4 of the Water (Prevention and Control of Pollution) Act, 1974;

- (zh) 'transport' means off-site movement of e-waste by air, rail, road or water;
- (zi) the words not defined in these rules will have the same meaning as defined in the Environment (Protection) Act, 1986 and the rules framed thereunder.

Chapter II

RESPONSIBILITIES

4. **Responsibilities of the producer** – (1) In line with the principle of 'Extended Producer Responsibility' (EPR), the producer of electrical or electronic equipments shall be responsible for the e-waste generated from the 'end of life' of their products and ensure that such e-wastes are handled without any adverse effects to human health and the environment.

(2) In accordance with the principle of 'Individual Producer Responsibility' (IPR), the producer of electrical or electronic equipment shall be responsible for its own branded product, its own branded historical waste from the date these rules come into force. The producer shall be responsible to finance, and organize a system to meet the costs involved in the management of e-waste generated from the 'end of life' of its own products. Such financing system shall be transparent.

(3) In case of historical wastes, the management of such wastes shall be a collective responsibility of the producers through a consortium or an association of producers and other concerned stakeholders. Every producer shall be responsible to finance the recycling cost proportionate to their market share assessed annually. Such financing system shall be transparent.

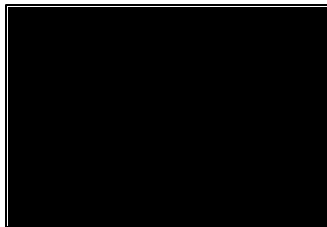
(4) The producer shall be responsible for:

- (i) any waste generated during the manufacture of electrical and electronic equipment;
- (ii) organizing an effective take back system for all used electrical and electronic equipments which are no longer fit for its intended use.
- (iii) authorizing dealers of electrical and electronic equipments to collect used electrical and electronic equipments (e-waste).
- (iv) facilitating to set up collection centres either individually or collectively for the collection of e-wastes;
- (v) meeting the targets as per the guidelines published from time to time.
- (vi) ensuring that all products are provided with a specific serial number or individual identification code for tracking their product in the e-waste management system.

(5) In order to fulfill the responsibilities mentioned in (1), (2) & (3) above the producer or consortium of producers shall designate, individually or collectively, dealers, collection centres, recyclers as deemed necessary.

(6) The producer shall create awareness through publications, information booklets accompanying the equipment, advertisements, posters or by any other means with regard to the following:

- (i) information on hazardous constituents in e-waste;
- (ii) information on hazards of improper handling, accidental breakage, damage and/or improper recycling of e-waste;
- (iii) instructions for handling the equipment after its use, along with the Do's and Don'ts;
- (iv) affix the symbol given below on the products to prevent e-waste from being dropped in garbage bins containing waste destined for disposal;



- (v) information to consumers to return their used electrical and electronic equipments only to the dealers or authorized collection centres; and
- (vi) provide contact details such as address, telephone numbers/helpline number and e-mail of dealers and authorized collection centres for the deposition of the equipments after use;

(7) The producer shall submit an application for authorization in Form-1, electronically to the Member Secretary, State Pollution Control Board or Committee of UT as the case may be and in accordance with the procedures prescribed under rule-11 of these rules;

(8) The producer shall maintain records of the e-waste handled in Form 2. These may be maintained in electronic format and should be available for scrutiny by the appropriate authority.

(9) The annual returns shall be filed in Form 3, electronically, to the State Pollution Control Board/Committee of UT as the case may be, on or before 30th June of every year for the financial year ending on 31st March of the same year.

(10) The producer shall provide the following information to Ministry of Environment and Forests annually by 30th June for the financial year ending on 31st March of the same year:

- (a) sale of electronic and electrical equipments for the past five years;
- (b) sale of used/refurbished electrical and electronic equipments; and
- (c) collection of e-waste.

The information on (b) & (c) above shall also be made available on their respective websites.

5. Responsibilities of dealers - (1) The dealers authorized by the producers shall be responsible to collect the used electrical and electronic equipments (e-waste) by providing the consumer(s) a box, bin or a demarcated area to deposit e-waste.

(2) The dealers shall ensure that the e-waste thus collected are safely transported back to the producer or to authorized collection centre as the case may be.

(3) The dealers may give appropriate discount or levy appropriate cost for every used electrical and electronic equipment (e-waste) returned by the consumer.

6. Responsibilities of authorized collection centres – (1) Any person(s) setting up such collection centre(s) shall submit an application for authorization in Form-1, to the Member Secretary, State Pollution Control Board or Committee of UT as the case may be and in accordance with the procedures prescribed under Rule -11 of these rules. The contact details such as address, telephone numbers/helpline number and e-mail of the collection centre shall be provided to the general public.

(2) The person(s) operating collection centre(s), individually or collectively shall ensure:

(i) that the e-waste collected by them are stored in a secured manner till these are sent to the producer, authorized dismantlers or registered recyclers;

(ii) the e-waste thus collected are sent to the producer, authorized dismantlers or registered recyclers as the case may be;

(iii) safe transportation of the e-waste; and

(iv) that no damage is caused to the environment during storage and transportation of e-waste; and

(3) The person(s) operating the authorized collection centre shall maintain records of the e-waste handled in Form 2. These may be maintained in electronic format and should be available for scrutiny by the appropriate authority.

7. Responsibilities of consumer or bulk consumer. – (1) Consumers or bulk consumers using electrical and electronic equipments shall ensure that used electrical and electronic equipments (e-waste) which are not fit for the intended use are deposited with the dealer or authorized collection in order to be sent to the authorized dismantler or registered recycler.

(2) The bulk consumers are permitted to auction e-waste only to authorized collection centres or authorized dismantler or registered recyclers or avail the pick-up/take back services provided by the producers; and

(3) The bulk consumers shall maintain records in Form 2. These may be maintained in electronic format and should be available for scrutiny by the appropriate authority.

8. Responsibilities of dismantler - (1) Every dismantler shall submit an application for authorization in Form-1, electronically to the Member Secretary, State Pollution Control Board or Committee of the UT as the case may be and in accordance with the procedures prescribed under rule-11 of these rules.

(2) Every person engaged in dismantling e-waste shall ensure that:-

- (i) no damage is caused to the environment during storage and transportation and dismantling of e-waste;
- (ii) the dismantling processes do not have any adverse effect on health and environment;
- (iii) the facility and dismantling processes are in accordance with the standards laid down in the guidelines published by the Central Pollution Control Board from time to time; and
- (iv) the dismantled ewaste are segregated and sent to the registered recycling facilities for recovery of materials;

(3) The dismantler shall not process any e-waste for recovery and/or refining of materials.

(4) Every dismantler shall maintain records of the e-waste handled in Form 2. These may be maintained in electronic format and should be available for scrutiny by the appropriate authority.

(5) The annual returns shall be filed in Form 3, electronically, to the State Pollution Control Board/Committee of UT as the case may be, on or before 30th June of every year for the financial year ending on 31st March of the same year.

9. Responsibilities of recycler – (1) Every person desirous of recycling e-waste shall submit an application for registration as a recycler in Form-4 to the Member Secretary, Central Pollution Control Board in accordance with the procedures prescribed under rule-12 of these rules;

(2) The registered recycler shall:-

- (i) ensure strict compliance of the terms and conditions of registration;
- (ii) ensure that the facility and recycling processes are in accordance with the standards laid down in the guidelines published by the Central Pollution Control Board from time to time;
- (iii) make available all records to the Central or State Pollution Control Board/Committee of UT for inspection;
- (iv) ensure that residue generated thereof is disposed of in a hazardous waste Treatment Storage Disposal Facility (TSDF); and
- (v) conduct a Third Party Audit of the facility once every two years by auditors empanelled by the Ministry of Environment and Forests and make the report public.

(3) The registered recycler shall maintain records in Form 2. These may be maintained in electronic format and should be available for scrutiny by the appropriate authority.

(4) The annual returns shall be filed in Form 3, electronically, to the State Pollution Control Board or Committee of the UT as the case may be, on or before 30th June of every year for the financial year ending on 31st March of the same year.

(5) The registered recyclers shall facilitate creation of public awareness through advertisements, publications, posters or others on:

- (i) the obligation of all consumers to return used electrical and electronic equipments only to the authorized dealers or authorized collection centres;
- (ii) the environmentally sound recycling of e-waste including the benefits of such recycling; and
- (iii) the environmental and health hazards of improper recycling of e-waste.

10. Responsibilities of the Designated Authorities - (1) Nodal Authority – A nodal authority shall be constituted under the Ministry of Environment & Forests that shall be responsible for the enforcement of these rules. This authority shall periodically review the enforcement of these rules at the national level.

(2) Regional Authority – (i) Regional authorities shall be constituted under each of the Regional Offices of the Ministry of Environment & Forests to oversee the e-waste management in the region and resolve any issues relating to smooth functioning of the collection, storage, dismantling and recycling of e-waste.

(ii) The regional authority shall be constituted under the chairmanship of an officer of the level of Director or above in the Environment Division of the Regional Office. The committee shall include representatives from other concerned state government departments, State Pollution Control Board or Committee of UT, industry associations, technical experts, NGOs with experience in the area of e-waste and others as deemed fit.

(3) Responsibilities of various Authorities - The responsibilities of the various authorities are given in Schedule 2 of these rules.

Chapter III

PROCEDURE FOR SEEKING AUTHORIZATION FOR HANDLING E-WASTES

11. Procedure for authorization for handling e-waste – (1) Every producer, collection centre, dismantler and recycler of e-waste shall submit an application for authorization in Form-1 either electronically or on paper to the Member Secretary, State Pollution Control Board or Committee of UT as the case may be.

(2) On receipt of the authorization application complete in all respects, the State Pollution Control Board or Committee of UT may, after such enquiry as it considers

necessary and on being satisfied that the applicant possesses appropriate facilities, technical capabilities and equipment to handle e-waste safely, shall grant authorization in Form-1(a) within ninety days of the receipt of such application. In case of collection centres and dismantlers it shall be deemed authorized if there is no response within the stipulated time period. The authorization shall be subject to conditions laid down therein.

(3) Authorization granted under sub-rule (2) above shall be valid for a maximum period of five years from the date of issue or the date of renewal, as the case may be, unless otherwise suspended or cancelled during the period of its validity.

(4) The State Pollution Control Board or Committee of the UT after giving reasonable opportunity of being heard to the applicant shall refuse to grant authorization if it considers that the applicant does not possess appropriate technical capabilities and equipment to handle ewastes safely. The same shall be communicated to the applicant giving reasons for refusal of authorization.

(5) Every person authorized shall maintain the record of e-waste handled by them in Form-2. They shall file annual returns in Form 3 to the State Pollution Control Board/ Committee of the UT as the case may be, on or before 30th June of every year for the financial year ending on 31st March of the same year. Such records shall be maintained and the returns filed in electronic format.

(6) An application for the renewal of an authorization shall be made in Form-1 at least two months (sixty days) prior to the expiry of the earlier authorization. The State Pollution Control Board or Committee of the UT shall renew the authorization after examining each case on merit and subject to the condition that there is no violation of the provisions of the Act and the rules made there under or the conditions specified in the authorization granted earlier.

(7) The State Pollution Control Board or Committee of the UT shall maintain the following information in their website to be available for examination by any person interested or affected or a person authorized on behalf:

- (i) status of application submitted for authorization;
- (ii) conditions stipulated for grant of authorization under these rules for handling e-waste; and
- (iii) reasons for refusal/suspension/cancellation of authorization.

(8) **Power to suspend or cancel an authorization:-** (i) The State Pollution Control Board or Committee of the UT may, if in its opinion, the holders of the authorization has failed to comply with any of the conditions of the authorization or with any provisions of the Act or these rules and after giving a reasonable opportunity of being heard and after recording reasons thereof in writing cancel or suspend the authorization issued under these rules for such period as it considers necessary in the public interest.

(ii) Upon suspension or cancellation of the authorization, the State Pollution Control

Board or Committee of the UT may give directions to the persons whose authorization has been suspended or cancelled for the safe storage of the e-waste and such person shall comply with such directions.

Chapter IV

PROCEDURE FOR REGISTRATION OF RECYCLING E-WASTE

12. Procedure for registration/renewal of registration of recyclers. – (1) Every person desirous of recycling e-waste shall make an application in Form-4 to the Member Secretary of the Central Pollution Control Board enclosing a copy of the following documents, for grant or renewal of registration:-

(i) consent to establish granted by the State Pollution Control Board under Water (Prevention and Control of Pollution) Act, 1974, (25 of 1974) and Air (Prevention and Control of Pollution) Act, 1981(21 of 1981);

(ii) certificate of registration issued by the District Industries Centre or any other government agency authorized in this regard;

(iii) proof of installed capacity of plant and machinery issued by the District Industries Centre or any other government agency authorized in this behalf

(iv) in case of renewal, a certificate of compliance of effluent and emission standards, treatment and disposal of hazardous wastes as applicable from the State Pollution Control Board or Committee of the UT or any other agency designated for this purpose; and

(v) in case of renewal, Third Party Audit Report.

(2) The Central Pollution Control Board, on being satisfied that the application is complete in all respect and that the applicant is utilizing environmentally sound technologies and possess adequate technical capabilities, requisite facilities and equipment to recycle and process e-waste, shall grant registration to such applicants stipulating therein necessary conditions as deemed necessary for carrying out safe operations in the authorized place only. The application for registration shall be disposed of within ninety days from the date of receipt of the application with complete details.

(3) The registration granted under sub-rule (2) above shall be valid for a maximum period of five years from the date of issue or from the date of renewal as the case may be unless the operation is discontinued by the unit or the registration suspended or cancelled during the period of its validity.

(4) The Central Pollution Control Board after giving reasonable opportunity of being heard to the applicant shall refuse to grant registration if it considers that the applicant does not possess appropriate technical capabilities and equipment to

handle e-wastes safely. The same shall be communicated to the applicant giving reasons for refusal of registration.

(5) The Central Pollution Control Board or an agency designated by it shall monitor the compliance of conditions stipulated for granting registration.

(6) The Central Pollution Control Board may cancel or suspend a registration granted under these rules, if it has reasons to believe that the registered recycler has failed to comply with any of the conditions of registration, or with any provisions of the Act or rules made there under, after giving an opportunity to the recycler to be heard and after recording the reasons there for.

(7) An application for the renewal of registration shall be made in Form-4 at least two months (sixty days) prior to its date of expiry of the earlier registration. The Central Pollution Control Board shall renew the registration after examining each case on merit and subject to the condition that there is no violation of the provisions of the Act and the rules made there under or the conditions specified in the registration granted earlier.

(8) The recycler shall maintain records of the e-waste purchased and processed in Form-2. They shall file annual returns in Form 3 to the State Pollution Control Board/Committee of UT as the case may be, on or before 30th June of every year for the financial year ending on 31st March of the same year. Such records shall be maintained and returns submitted in electronic format.

(9) The Central Pollution Control Board shall maintain the following information in their website to be available for examination by any person interested or affected or a person authorized on behalf:

- (i) status of application submitted for registration;
- (ii) conditions stipulated for grant of registration under these rules for handling e-waste; and
- (iii) reasons for refusal/suspension/cancellation of registration.
- (iv) list of registered recyclers.

Chapter V

PROCEDURE FOR IMPORT & EXPORT OF E-WASTE

13. **Import and export of e-waste** – (1) No import of used electrical and electronic equipments shall be allowed for recycling or disposal. However, such import for refurbishment or repair shall be allowed subject to the same being exported back.

(2) Any export of e-waste shall be in accordance with the procedures specified in the Basel Convention on the Control of Transboundary Movement of Hazardous Wastes.

Chapter VI

REDUCTION IN THE USE OF HAZARDOUS SUBSTANCES (RoHS) IN THE MANUFACTURE OF ELECTRICAL AND ELECTRONIC EQUIPMENTS

14. Reduction in the use of hazardous materials in the manufacture of electrical and electronic equipments – (1) The producer of electrical and electronic equipments shall comply with the European Union (EU) Directive 2002/95/EC dated 27 January 2003 on restriction of the use of certain hazardous substances in electrical and electronic equipment (RoHS), so long as no national legislation or binding product standard exists.

(2) The targets for such reduction in use of hazardous substances in electrical and electronic equipment shall be set by the Ministry of Communications & Information Technology, Government of India as deemed necessary.

(3) In the event of such reduction in the hazardous materials used in the electrical and electronic equipments, the detailed information on the constituents of the equipment shall be provided in the product information.

(4) Imports or placement in the market for electrical and electronic equipment shall be permitted only for those which are compliant with the European Union (EU) Directive 2002/95/EC dated 27 January 2003 on restriction of the use of certain hazardous substances in electrical and electronic equipment (RoHS), so long as no national legislation or binding standards exist.

Chapter VII

MISCELLANEOUS

15. Transportation of e-waste – (1) The transportation of e-waste, when these are intact, shall be like any other electrical and electronic equipment.

(2) The transportation of dismantled e-waste for recycling in a state other than the State where the e-waste is generated, the recycler shall obtain a 'No Objection certificate' (NOC) from the State Pollution Control Board or Committee of the UT of the State in which the e-waste is destined for recycling and shall inform the State of origin and the States of transit of such wastes. Such 'NOC' shall be valid for the fiscal year in which it has been issued.

16. Liability of the producer, collection centre, transporter, dismantler and recycler of e-waste – (1) The producer, collection centre, transporter, dismantler

and recycler, as the case may be, based on their respective responsibilities defined earlier shall be liable for any damages caused to the environment or the human health including third parties due to improper handling and disposal of e-waste.

(2) The producer, collection centre, transporter, dismantler and recycler as identified to be liable in (1) above shall reinstate or restore damaged or destroyed elements of the environment at his cost, failing which they shall be liable to pay the entire cost of remediation or restoration of the environment.

(3) The producer, collection centre, transporter, dismantler or recycler as the case may be shall be liable to pay a penalty levied by the Central/State Pollution Control Board or Committee of the UT for any violation of the provisions under these rules.

(4) The consumer shall be liable to deposit the e-waste with the authorized dealers, or collection centre failing which they shall be liable to pay a fine as levied by the Central or State Pollution Controls Board or Committee of the UT.

17. Information Management – (1) The Ministry of Environment and Forests or an agency designated by it shall maintain a system for computerized information and tracking of e-waste to provide the following details:-

- (i) list of authorized collection centres and dismantlers of ewaste along with contact details;
- (ii) list of registered recyclers of e-waste along with contact details;
- (iii) aggregate annual sale of electronic and electrical equipments by all the producers taken together;
- (iv) annual sale of used/refurbished electrical and electronic equipments by the producers;
- (v) annual collection, auction, transportation, storage, dismantling and recycling of e-waste; and
- (vi) type and quantity of materials recovered from recycled e-waste annually.

The above information shall be made available to the public through Central or State Pollution Control Board or Committee of the UT and their respective websites.

(2) The State Pollution Control Board or Committee of the UT shall maintain a system for computerized information and tracking of the authorization applications for handing e-waste. The information shall provide the status of the application for authorization and authorizations granted to various agencies.

(3) The Central Pollution Control Board shall maintain a system for computerized information and tracking of application for registration of the recyclers of e-waste. The information shall provide the status of the application for registration and registrations granted to recyclers.

18. The handling, recycling and disposal of e-waste shall be in accordance with the procedures prescribed in the guidelines published by the Central Pollution Control Board from time to time.

19. **Penalties & punishments** - Penalties and punishments shall be applicable as under the Environment (Protection) Act, 1986.

20. **Appeal** – (1) An appeal shall lie against any order of suspension or cancellation or refusal of authorization or registration by the State Pollution Control Board or Committee of the UT or registration by Central Pollution Control Board with the Joint Secretary to the Ministry of Environment and Forests or any officer or an agency designated by the Ministry.

(2) Every appeal shall be in writing and shall be accompanied with a copy of the order appealed against and shall be presented within 30 days of passing of the order.

(3) Every appeal filed under this rule shall be disposed of within a period of sixty days from the date of such filing.

SCHEDULE 1

A: CATEGORIES OF E-WASTE GENERATED FROM USED ELECTRICAL AND ELECTRONIC EQUIPMENT

CATEGORY	USED ELECTRICAL & ELECTRONIC EQUIPMENT	E-WASTE
CAT- A1	Large household appliances	Refrigerators and Freezers Other appliances used for refrigeration, conservation and storage of food Washing machines Clothes dryers Dish washing machines Cooking ranges/stoves Electric hot plates Microwaves Other appliances used for cooking and other processing of food Electric heating appliances Electric radiators Other fanning, exhaust ventilation and conditioning equipment
CAT- A2	Small household appliances	Vacuum cleaners Carpet sweepers Other appliances used for cleaning Appliances used for sewing, knitting, weaving and other processing for textiles Iron and other appliances used for ironing and other care of clothing Toasters Fryers Grinders, coffee machines and equipment for opening or sealing containers or packages Electric knives Appliances for hair-cutting, hair drying, tooth brushing, shaving, massage and other body care appliances Digital clocks, watches and equipment for the purpose of measuring indicating or registering time Scales
CAT- A3	Toys, leisure and sports equipment	Electric trains or car racing sets Hand-held video game consoles Video games Computers for biking, diving, running, rowing, etc. Sports equipment with electric or electronic components Coin slot machines

CATEGORY	USED ELECTRICAL & ELECTRONIC EQUIPMENTS	E-WASTE
CAT- A4	Electrical and electronic tools (except large-scale stationary industrial tools)	Drills Saws Sewing machines Equipment for turning, milling, sanding, grinding, sawing, cutting, shearing, drilling, making holes, punching, folding, bending or similar processing of wood, metal and other materials Tools for riveting, nailing or screwing or removing rivets, nails, screws or similar uses Tools for welding, soldering or similar use Equipment for spraying, spreading, dispersing or other treatment of liquid or gaseous substances by other means Tools for mowing or other gardening activities
CAT- A5	Medical devices (except implanted and infected products)	Radiotherapy equipment Cardiology Dialysis Pulmonary ventilators Nuclear medicine Laboratory equipment for in -vitro diagnosis Analysers Freezers Fertilization tests Other appliances for detecting, preventing, monitoring, treating, alleviating illness, injury or disability
CAT- A6	Monitoring and control instruments	Smoke detector Heating regulators Thermostats Measuring, weighing or adjusting appliances for household or as laboratory equipment Other monitoring and control instruments used in industrial installations (e.g. in control panels)
CAT- A7	Automatic dispensers	Automatic dispensers for beverages Automatic dispensers for hot or cold bottles or cans Automatic dispensers for solid products Automatic dispensers for money All appliances which deliver automatically all kind of products

B: CATEGORIES OF E-WASTE GENERATED FROM USED ELECTRONIC EQUIPMENT

CATEGORY	USED ELECTRONIC EQUIPMENTS	E-WASTE
CAT - B1	IT and telecommunication equipments	<p>Centralised data processing: Mainframes, Minicomputers</p> <p>Personal computing: Personal Computers (CPU with input and output devices) Laptop (CPU with input and output devices) Notebook, Notepad etc., Printers Copying equipment Electrical and electronic typewriters Pocket and desk calculators And other products and equipment for the collection, storage, processing, presentation or communication of information by electronic means User terminals and systems Facsimile Telex Telephones Pay telephones Cordless telephones Cellular telephones Answering systems And other products or equipment of transmitting sound, images or other information by telecommunications</p>
CAT - B2	Consumer electronics	<p>Radio sets Television sets Video cameras Video recorders Digital cameras Hi-fi recorders Audio amplifiers Musical instruments And other products or equipment for the purpose of recording or reproducing sound or image, including signals or other technologies for the distribution of sound and image than by telecommunications</p>

Note: The above Categories have been adopted from the WEEE Directive (EU, 2002a) Annex IA & IB

SCHEDULE 2

[See rule 10(3)]

LIST AUTHORITIES AND CORRESPONDING DUTIES

SNo	AUTHORITY	CORRESPONDING DUTIES
1	Ministry of Environment & Forests,(MoE&F) New Delhi	<ul style="list-style-type: none"> (i) Identification of e -waste streams (ii) Regulating export of e-waste (iii) Permission for transit applicable only in case of transboundary movement (iv) Sponsoring training & awareness programmes (v) Delegating responsibilities to identified agencies/organizations.
2	Central Pollution Control Board (CPCB) Delhi	<ul style="list-style-type: none"> (i) Coordination with State Pollution Control Boards/ Committees of UT (ii) Registration of recyclers of e -waste (iii) Preparation of Guidelines for Environmentally Sound Management of e-waste (iv) Conduct assessment of e-waste generation and processing (v) Recommend standards and specifications for processing and recycling e -waste (vi) Documentation, compilation of data on e-waste and uploading on websites of CPCB (vii) Conducting training & awareness programmes (viii) Any other function delegated by the Ministry under these rules
3	State Pollution Control Boards/Committees of UT	<ul style="list-style-type: none"> (i) Inventorization of e -waste. (ii) Grant & renewal of Authorization (iii) Monitoring compliance of authorization and registration conditions (iv) Examination of application for imports/exports and recommendation to MoE&F (v) Maintain information on the conditions imposed for authorization etc. (vi) Implementation of programmes to encourage environmentally sound recycling (vii) Action against violations of these rules (viii) Any other function delegated by the Ministry or CPCB under these rules
4	Ministry of Information & Technology, Department of Information Technology	<ul style="list-style-type: none"> (i) Enforcement of reduction in use of hazardous substances(RoHS) (ii) Initiatives for IT industry for reducing hazardous substances, RoHS compliance (iii) Set targets for RoHS compliance (iv) Incentives and certification for green design/products

SNo	AUTHORITY	CORRESPONDING DUTIES
5	Ministry of Commerce & Industry (DGFT)	(i) Import and export of e-waste
6	National Authority	(i) Responsible for enforcement of these rules (ii) Co-ordination with Regional Authority and implementing agencies
7	Designated Regional Authority	(i) Facilitate coordination between various agencies involved in e-waste management (ii) Ensure effective functioning of the systems envisaged for the environmentally sound management of e -waste; (iii) Establish a system to review periodically the functioning of the mechanisms of end-of-life management including recycling. (iv) Provide incentives for design improvements, reduction in hazardous substances and a fair allocation of financial responsibilities the methodology shall reflect the real quantities and impacts of the e-waste taking into account aspects such as durability, recyclability, presence of hazardous substances and others. (v) Resolve authorization and registration cases in the event of any delays or disputes. (vi) Provide guidance for audit and participate in inspection of facilities along with State Pollution Control Boards and Committee of UT. (vii) Provide necessary guidance and suitable financing mechanism to deal with the e-waste generated from 'orphaned' products.

FORM – 1

[See rule 4(7), 6(1),8(1), and 11(1)]

**APPLICATION FOR OBTAINING AUTHORIZATION FOR GENERATION/
COLLECTION/ TRANSPORT/STORAGE/DISMANTLING/RECYCLING/ DISPOSAL
OF E-WASTE***

From:

.....

To

The Member Secretary,
..... Pollution Control Board,

.....

.....

Sir,

I / We hereby apply for authorization/renewal of authorization under rule 4(vi) and 6(ii) of the E-wastes (Management and Handling) Rules, 2008 for collection/ storage/ transport/treatment/disposal of e-wastes.

For Office Use Only

Code No. :

Whether the unit is situated in a critically polluted area as identified by Ministry of Environment and Forests (yes/no);

To be filled in by Applicant

Part - A: General

1. (a) Name and full address, telephone nos. e-mail and other contact details of the unit :

(b) Authorization required for (Please tick mark appropriate activity/ies*)

(i) Generation*

(ii) Collection*

(iii) Dismantling*

(iv) Recycling*

(c) In case of renewal of authorization previous authorization no. and date

2. (a) Whether the unit is generating or processing e-waste as defined in the E-wastes (Management and Handling) Rules, 2009:

(i) generating*

(ii) processing*

*delete whichever is not applicable

3. (a) Total capital invested on the project :
- (b) Year of commencement of production:
- (c) Date of grant of the Consent to Establish:
- (d) Date of grant of the Consent to Operate:

Part - B: E-waste

4. E-waste details :

(a)	Type of e-wastes generated as defined under the E-wastes (M&H)Rules, 2008:	
(b)	Total Quantity e-waste handled generated/collected/dismantled/ recycled :	
(c)	Mode of storage within the plant :	
(d)	Method of treatment and disposal :	
(e)	Installed capacity of the plant :	

Part - C : Dismantling and Recycling Facility**

5. Detailed proposal of the facility (to be attached) to include:
 - (i) Location of site (provide map).
 - (ii) Details of processing technology
 - (iii) Type and Quantity of waste to be processed per day
 - (iv) Site clearance (from local authority, if any)
 - (v) Utilization of the e-waste processed
 - (vi) Method of disposal of residues (details to be given)
 - (vii) Quantity of waste to be processed or disposed per day
 - (viii) Details of categories of e -waste to be dismantled/processed
 - (ix) Methodology and operational details
 - (x) Measures to be taken for prevention and control of environmental pollution including treatment of leachates
 - (xii) Investment on Project and expected returns
 - (xiii) Measures to be taken for safety of workers working in the plant

Place : _____

Signature _____

(Name _____)

Date : _____

Designation : _____

FORM 1(a)

[See rule 11(2)]

**FORM FOR GRANTING AUTHORIZATION FOR GENERATION/COLLECTION/
TRANSPORTATION/STORAGE/REFURBISHMENT/DISMANTLING/
RECYCLING/DISPOSAL OF E-WASTE***

1. (a) Authorization and (b) date of issue
2.of.....is hereby granted an authorization for generation, collection, storage, transport, refurbishment, dismantling, recycling and disposal of e-waste on the premises situated at.....
3. The authorization granted for generation, collection, storage, transport, dismantling, recycling and disposal of e-wastes.
4. The authorization shall be in force for a period fromto
5. The authorization is subject to the conditions stated below and the such conditions as may be specified in the rules for the time being in force under the Environment (Protection) Act, 1986.

Signature-----

Designation -----

Date: -----

Terms and conditions of authorization

1. The authorization shall comply with the provisions of the Environment (Protection) Act, 1986, and the rules made there under.
2. The authorization or its renewal shall be produced for inspection at the request of an officer authorized by the State Pollution Control Board or Committee of UT.
3. The person authorized shall not rent, lend, sell, transfer or otherwise transport the e-wastes without obtaining prior permission of the State Pollution Control Board or Committee of UT.
4. Any unauthorized change in personnel, equipment as working conditions as mentioned in the application by the person authorized shall constitute a breach of his authorization.
5. It is the duty of the authorized person to take prior permission of the State Pollution Control Board or Committee of UT to close down the operations.
6. An application for the renewal of an authorization shall be made as laid down in rule 4 (6) (ii).

FORM – 2

RECORDS

[See rule 4(8), 6(3), 7(3), 8(4), 9(3) 11(5) and 12(8)]

Quantity in Metric Tonnes (MT) or Kilograms (Kg) annually

1.	Name & Address: Producer /Collection Centre/Dismantler/ Recycler *		
2.	Date of Issue of Authorization* Registration *		
3.	Validity of Authorization* /Registration*		
4.	Types & Quantity of e- waste handled	Category	Quantity
5.	Types & Quantity of e-waste stored	Item Description	
		Category	Quantity
		Item Description	
7.	Types & Quantity of e-waste transported*	Category	Quantity
		Quantity	
	Name, address and contact details of the destination		
8.	Types & Quantity of e-waste refurbished*	Category	Quantity
		Item Description	
	Name, address and contact details of the destination of refurbished materials		
9.	Types & Quantity of e-waste dismantled*	Category	Quantity
		Item Description	
	Name, address and contact details of the destination		
10.	Types & Quantity of e-waste recycled*	Category	Quantity
	Types & Quantity of materials recovered	Item Description	
		Quantity	
	Name, address and contact details of the destination		
11.	Types & Quantity of waste treated & disposed	Cat	Quantity
		Item Description	

* Delete whichever is not applicable

FORM – 3

RETURNS

[See rule 4(9), 8(5), 9(4), 11(5) and 12(8)]

FORM FOR FILING RETURNS OF SALE, COLLECTION, DISMANTLING & RECYCLING OF E-WASTE (USED ELECTRICAL AND ELECTRONIC EQUIPMENTS)

[To be submitted by producer/collection centre/dealer/refurbisher/dismantler/recycler by 30th June with respect to the financial year ending in March of the same year] Such records shall be maintained and submitted in electronic format.

Quantity in Metric Tonnes (MT) or Kilograms (Kg) annually

1	Name and address of the producer/dealer/ collection centre/ refurbisher/ dismantler/ recycler		
2	Name of the authorized person and complete address with telephone and fax numbers and e-mail address		
3?	Total quantity e-waste sold/purchased/ sent for processing during the year for each category of e-waste listed in the Schedule (Attach list)		
	Details of the above	TYPE	QUANTITY
3(A)?	DEALERS: Quantity of e-waste sold/purchased/sent to:		
3(B)?	BULK CONSUMERS: Quantity of e-waste sold/sent to:		
3(C)?	REFURBISHERS: Quantity of e-waste purchased/sent to:		
3(D)?	DISMANTLERS: Quantity of e-waste in MT purchased & processed and sent to:		
3(E)?	RECYCLERS: Quantity of e-waste in MT purchased/processed:		
4	Name and full address of the destination with respect to 3 (A-E) above		
5	Type and quantity of materials segregated/ recovered from e-waste of different categories as applicable to 3(D) & 3(E)	Type	Quantity

Note: The applicant shall provide details of funds received (if any) from producers and its utility with an audited certificate

? enclose the list of recyclers to whom e-waste have been sent for recycling.

? delete whichever is not applicable

Place _____

Date _____

Signature of the authorized person

FORM - 4

[see rule 9(1),12(1) and 12(7)]

APPLICATION FORM FOR REGISTRATION OF FACILITIES POSSESSING ENVIRONMENTALLY SOUND MANAGEMENT PRACTICE FOR RECYCLING E-WASTE (USED ELECTRICAL & ELECTRONIC EQUIPMENTS)

(To be submitted in triplicate)

1.	Name and Address of the unit			
2.	Contact person with designation, Tel./Fax			
3.	Date of Commissioning			
4.	No. of workers (including contract labour)			
5.	Consents Validity	a. Water (Prevention & Control of Pollution) Act, 1974; Valid up to _____ b. Air (Prevention & Control of Pollution) Act, 1981; Valid up to _____		
6.	Authorization validity	E-wastes (Management and Handling) Rules, 2008; Valid up to _____		
7.	Manufacturing Process	Please attach manufacturing process flow diagram for each product(s)		
8.	Products and Installed capacity of production in (MTA)	Products	Installed capacity (mta)	
9.	Products manufactured during the last three years (as applicable)	Year	Product	Quantity
10.	Raw material consumption during the last three years (as applicable)	Year	Product	Quantity
11.	Water consumption	Industrial _____ m3/day Domestic _____ m3 / day		
	Water Cess paid up to (if applicable)			
	Waste water generation as per consent _____ m3/day	Actual (a vg., of last 3 months) Industrial _____ m3 /day Domestic _____ m3 /day		
	Waste water treatment (provide flow diagram of the treatment scheme)	Industrial _____ Domestic _____		
11.	Waste water discharge	Quantity _____ m3/day Location _____		
		Analysis of treated waste water for pH, BOD,COD, SS, O&G, any other parameter stipulated by SPCB/SPCC (attach details)		

12.	Air Pollution Control					
	a. Provide flow diagram for emission control system(s) installed for each process unit, utilities etc. b. Details for facilities provided for control of fugitive emission due to material handling, process, utilities etc					
	c. Fuel consumption	Fuel	Qty per day/month			
		(i)				
	d. Stack emission monitoring	Stack attached to	Emission (SPM, SO ₂ , NO _x , Pb etc.) mg/Nm ³			
		(i)				
	e. Ambient air quality	Location Results ug/m ³	Parameters SPM, SO ₂ , NO _x , Pb etc.) µg/m ³			
		(i)				
	11.	Waste Management:				
		a. Waste generation in processing e-waste	SNo	Type	Category	Qty
b. Waste Collection and transportation (attach details)						
c. Waste Disposal details		SNo	Type	Category	Qty	
d. Provide details of the disposal facility or TSDF, whether the facility is authorized by SPCB/SPCC						
e. Please attach analysis report of characterization of hazardous waste generated (including leachate test if applicable)						
14.	Details of e-waste proposed to be taken in procured through sale, auction, contract or import, as the case may be, for use as raw material	(i) Name				
		(ii) Quantity required /year				
		(iii) Basel Convention (BC) List A/B				
		(iv) Nature as per Annexure III of BC				
15.	Occupational safety and health aspects	Please provide details of facilities				

16.	Remarks:	
	Whether industry has provided adequate pollution control system / equipment to meet the standards of emission / effluent.	Yes/No If Yes, please furnish details
	Whether industry is in compliance with conditions laid down in the Hazardous Waste Authorization	Yes / No
	Whether Hazardous Waste collection and Treatment, Storage and Disposal Facility (TSDF) are operating satisfactorily.	Yes / No
	Whether conditions exist or likely to exist of the material being handled / processed of posing immediate or delayed adverse impacts on the environment.	Yes / No
	Whether conditions exist or is likely to exist of the material being handled / processed by any means capable of yielding another material e.g., leachate which may possess ecotoxicity.	Yes / No
17.	Any Other Information of relevance: i) ii)	

I hereby declare that the above statements /information are true and correct to the best of my knowledge and belief.

Signature

Date: _____

Name: _____

Place: _____

Designation: _____

Joint Secretary to Government of India

(F No. _____)
