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India: E-Waste Management in India

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There is an ever-escalating demand for electrical and electronic equipment (EEE) due to the rise in consumerism, urbanization, economic growth, and a higher rate of obsolescence. This has resulted in India finding a place for itself amongst the highest producers and generators of e-waste in the world.

E-waste denotes waste electrical and electronic equipment, whole or in part or rejects from their manufacturing and repair process which are intended to be discarded and broadly comprises of discarded computer monitors, motherboards, mobile phones and chargers, compact discs, headphones, Cathode Ray Tubes (CRT), Printed Circuit Boards (PCB), televisions and so on.

It is highly imperative that e-waste gets recycled in a safe, appropriate, and efficient manner. However, due to poor infrastructure and ineffective implementation of legislation, a very small percentage of the total e-waste generated gets recycled. Currently, a majority of e-waste in India is being managed by the informal sector which does not have the adequate means or awareness to deal with E-Waste appropriately. This in turn leads to ineffective e-waste management which causes huge damage to the environment. It also poses great health risks to the e-waste workers as various components of EEES contain toxic substances like cadmium, lead, arsenic, mercury, etc., which if not dealt with properly, are detrimental to human health.

E-Waste Legislation in India:

Prior to the enactment of the E-Waste (Management and Handling) Rules, 2011; e-waste was covered under the Hazardous Waste Management (HWM) Rules. Under the Environmental Protection Act 1986, the E-waste (Management and Handling) Rules, 2011 were enacted and became effective from 1st May 2012. These Rules were brought into force to enable recovery and/or reuse of useful material from e-waste, thereby reducing the hazardous wastes destined for disposal, to ensure the environmentally sound management of all types of e-waste and to address the safe and environment friendly handling, transporting, storing, and recycling of e-waste. For the first time, the concept of Extended Producer Responsibility (EPR) was introduced which made manufacturers liable for safe disposal of electronic goods.

Thereafter, the E-Waste (Management) Rules, 2016 were enacted in supersession of the 2011 Rules and came into effect from 1st October 2016. A manufacturer, dealer, refurbisher and Producer Responsibility Organization (PRO) were also brought under the ambit of these Rules. PRO is a professional organization authorized or financed collectively or individually by producers, which can take the responsibility for collection and channelization of e-waste generated from their products to ensure environmentally sound management. An option was given for setting up of a PRO as an additional channel for implementation of EPR by Producers. Further, collection mechanism-based approach was adopted for collection of e-waste by Producers under EPR. Furthermore, the applicability of the Rules was expanded to cover components, consumables, parts, and spares of EEE in addition to the equipment covered under the Rules.

2018 Amendment to the E-Waste Management Rules and its impact:

The E-Waste Management Rules, 2016 have recently been amended by the Centre; vide notification G. S. R. 261 (E), dated 22nd March 2018 to facilitate and effectively implement the environmentally sound management of e-waste in India. These amendments have been made with the objective of channelizing the e-waste generated in the country towards authorized dismantlers and recyclers in order to further formalize the e-waste recycling sector.

The amended Rules revise the collection targets under the provision of EPR with effect from 1st October 2017. By way of revised targets and monitoring under the Central Pollution Control Board (CPCB), effective and improved management of e-waste would be ensured. As per the revised targets of e-waste collection, 10% of the quantity of waste generated shall be collected during 2017-2018. Further, there shall be a 10% increase every year until the year 2023. After 2023, the E-Waste collection target has been fixed at 70% of the quantity of waste generation.

Separate collection targets have been introduced for new producers who have recently begun their sales operations. These would be producers whose sales operations are lesser than the average life of their product.

To undertake the activities prescribed for PROs under these Rules, the PROs shall apply to CPCB for registration. This is a significant and noteworthy amendment as

the requirement of PROs to register with CPCB would ensure that CPCB can constantly supervise and keep a check on the activities of PROs.

The CPCB may conduct random sampling of electrical and electronic equipment placed in the market to monitor and verify the compliance of reduction of hazardous substances provisions and the cost of sampling and testing shall be borne by the Government. However, 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.

For effective implementation of the E-Waste Rules, the producers have to take responsibility for their products. A synchronized endeavour by the industries and the pollution control boards and local authorities is crucial to cope up with the problem of e-waste in India. The relaxation in the EPR Plan by reduction in the e-waste collection targets and overture of realistic collection targets will result in increased observance of the E-Waste Rules by organizations. Also, the requirement of PROs to register with CPCB would aid in the creation of an organized and legitimate industry and would pave way for effective and improved e-waste management in India.

The content of this article is intended to provide a general guide to the subject matter. Specialist advice should be sought about your specific circumstances.

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