

## LAW CAPSULE

(OFFICIAL NEWSLETTER OF  
TRANS-INDIA LAW ASSOCIATES ,  
ADVOCATES & LEGAL  
CONSULTANTS)

## VOLUME XV, PART-XVIII

5<sup>TH</sup> JUNE 2015

### THE ELECTRONIC WASTE DISPOSAL GUIDELINES

The Electronic Waste (Handling and Disposal) Bill, 2015 has been introduced in the Lok Sabha. This seeks to provide proper handling and disposal of electronic waste being generated by discarded electronic devices by prescribing norms and fixing responsibilities and duties on manufacturers, re-cyclers and consumers with regard to disposal of electronic waste. Currently, it is the E-waste (Management & Handling) Rules, 2011, that were notified in May 2011 and are effective from 01-05-2012, govern liability of those who do not comply with these rules. Following are the highlights of the said Rules:-

#### **Responsibilities of producer:**

- Every producer of the electronic equipment is responsible for collection of e-waste generated during manufacture of the product; to ensure that e-wastes generated from the end of life of their products are channelized to registered dismantler or recycler and such channelization shall be made by authorizing collection agencies.
- Responsibility of setting up collection centers, financing and organizing a system to meet the costs involved in the management of e-waste generated from the 'end of life' of its own products and historical waste.
- Responsibility of providing address, telephone numbers of authorized collection centers to consumers.
- Responsibility of providing information regarding hazardous constituents, on hazards of improper handling, accidental breakage, damage and/or improper recycling of e-waste.
- Responsibility of providing information for handling the equipment after its use, along with Do's and Don'ts.
- Every producer has to obtain an authorization from the concerned State Pollution Control Board or Pollution Control Committee according to the rule mentioned therein

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- They shall maintain record of e-waste in a prescribed form
- They shall file annual returns to State Pollution Control Board or Pollution Control Committee concerned, on or before the 30<sup>th</sup> day of June.
- Producer of electrical equipments listed in schedule I shall ensure that electronic components does not contain Lead, Mercury, Cadmium, Hexavalent Chromium, polybrominated bipheyls or polybrominated diphenyl ethers. A maximum concentration value of 0.1% by weight in homogenous materials for lead, mercury, hexavalent chromium, polybrominated biphenyls and polybrominated diphenyl ethers and of 0.01% by weight in homogenous materials for cadmium is permitted.

#### **Responsibilities of collection centers-**

- Collection center shall obtain an authorization in accordance with the said rules from State Pollution Control Board or Pollution Control Committee and should also provide address, telephone numbers etc to the general public.
- They shall ensure that the e-waste collected by them is stored in a secured manner and so damage is caused to the environment during such storage or transportation till it is sent to registered dismantler or recycler.
- They shall file annual returns to State Pollution Control Board or Pollution Control Committee concerned, on or before the 30<sup>th</sup> day of June
- They shall maintain record of e-waste in a prescribed form

#### **Responsibilities of dismantler-**

- Every dismantler must obtain an authorization in accordance with the said rules from State Pollution Control Board or Pollution Control Committee.
- They should ensure that no damage is caused to the environment during anytime of the handling of such waste.

- Guidelines published from time to time by the Central Pollution Control Board must be complied with in dismantling processes.
- They should ensure that dismantled e-waste are segregated and sent to the registered recycling facilities for recovery of materials and in case of non-recyclable/ non-recoverable components they should be sent to authorized treatment storage and disposal facilities.
- They shall file annual returns to State Pollution Control Board or Pollution Control Committee concerned, on or before the 30<sup>th</sup> day of June.

#### **Responsibilities of recycler-**

- Every recycler must obtain an authorization in accordance with the said rules from State Pollution Control Board or Pollution Control Committee.
- Guidelines published from time to time by the Central Pollution Control Board must be complied with in recycling processes.
- They should make available all records to the Central or State Pollution Control Board or Pollution Control Committee of Union territories for inspection.
- They should ensure that residue generated thereof is disposed of in a hazardous waste treatment storage disposal facility.
- They shall file annual returns to State Pollution Control Board or Pollution Control Committee concerned, on or before the 30<sup>th</sup> day of June.

#### **Procedure for storage of e-waste:**

- Every producer, collection center, dismantler or recycler may store the e-waste for a period not extending 182 days and shall maintain a record of collection, sale, transfer, storage and segregation of wastes and make these records available for inspection. The period can be extended by the State Pollution Control Board up to period of one year in certain situations as provided in the said rules.

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### **Transportation of e-waste-**

- In case of transportation of e-waste for final disposal to a facility in a State other than the State where the waste is generated/collected, the transporter shall obtain NOC from State Pollution Control Board of State(s) concerned.
- In case of transportation of e-waste for dismantling or for recycling in a State other than the State where the waste is generated/collected, the transporter shall give prior intimation to the State Pollution Control Board of State(s) of transit.

### **Accident reporting and follow-up-**

- In case of any accident occur regarding e-waste, the producer, transporter, dismantler, or recycler, as the case may be, shall report immediately to the State Pollution Control Board of State or Committees of Union territories about the accident.

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