

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 512/2018**

IN THE MATTER OF:-

SHAILESH SINGH

APPLICANT(S)

VS.

STATE OF UTTAR PRADESH & ORS.

RESPONDENT(S)

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11/02/2020

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**PLACE: DELHI
DATED: 11.02.2020**

**REVIEW AND ACTION TAKEN REPORT
ON
STATUS OF IMPLEMENTATION OF ACTION PLAN FOR ENFORCEMENT OF
E-WASTE (MANAGEMENT) RULES, 2016 AND AMENDMENTS THEREOF**

**IN COMPLIANCE WITH THE HON'BLE NGT PRINCIPAL BENCH, NEW DELHI ORDER
DATED 02.09. 2019 IN THE MATTER OF O.A No. 512 of 2018
(Sh. SHAILESH SINGH VS. GOVERNMENT OF U.P & OTHERS)**

**BY
CENTRAL POLLUTION CONTROL BOARD
FEBRUARY 2020**

Praveen Kumar

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Summary of the Review & Action taken Report and Actions to be taken:

- i. Two review meetings with SPCBs/PCCs were carried out on 19-12-2019 and 27-01-2020 respectively.
- ii. SPCBs/PCCs have started implementing the action plan. Twenty-nine (29) SPCBs/PCCs namely A.P., Assam, Bihar, Chandigarh, Chhattisgarh, Daman Diu & Dadra Nagar Haveli, Delhi, Goa, Gujarat, Haryana, Himachal, J & K, Jharkhand, Karnataka, Kerala, M.P., Maharashtra, Manipur, Meghalaya, Nagaland, Odisha, Punjab, Puducherry, Rajasthan, T.N., Telangana, Tripura, UP and West Bengal have initiated actions for implementation of the Action Plan.
- iii. Two (02) SPCBs/PCCs namely Uttarakhand Environment Protection & Pollution Control Board and Mizoram SPCB have not initiated any action for the implementation of the Action Plan.
- iv. Four (04) SPCBs/PCCs namely Arunachal Pradesh, Andaman & Nicobar, Lakshadweep & Sikkim have not provided any information on the details of actions carried out for implementation of Action Plan.
- v. Preparation of national level inventory on generation of e-waste has been completed the financial year 2017-18 and 2018-19.
- vi. A draft mechanism for levying environmental compensation (EC) charges for the violation of e-waste rules has been worked out which will be finalised in one week.
- vii. Some of the SPCBs/PCCs have informed that manpower constrained is an issue. During the two review meetings held through Video Conference on 19-12-2019 and 27-01-2020 SPCBs of Gujarat and Maharashtra suggested that third party should be used for verification owing to lack of manpower.
- viii. Software based portal has been upgraded to resolve technical issues.
- ix. More than four hundred verification reports have been received from SPCBs/PCCs. Examination of the same is under process.

Actions to be Taken:

1. CPCB to take actions including levying of environmental compensation (EC) charges after examination of the reports as submitted by SPCBs/PCCs.
2. CPCB proposes to conduct hands on training on using software based E-Waste Management Review Portal in the last week of February 2020.
3. SPCBs/PCCs to adhere to the timeline for uploading the report on the portal
4. Next review meeting is proposed to be taken by March 2020.
5. SPCBs/PCCs to regularly carry out continuous activities of the action plan and to complete the activity other than the continuous in the time line of the action plan.
6. SPCBs/PCCs to submit report with clear observations and recommendations
7. SPCBs/PCCs to strengthen the e-waste management cell in their respective State/UT.

1.0 BACKGROUND:

In the matter of OA no. 512 of 2018, the Hon'ble NGT directed CPCB to prepare action plan along with parameter of compliance and methodology for enforcement of e-waste rules. The Hon'ble NGT further directed that for review of actual working of the action plan an appropriate software may be developed by CPCB.

1.1 Action Plan Activities as approved by Hon'ble NGT for enforcement of E-Waste (Management) Rules, 2016 is reproduced below:

S.No.	Challenges/Activities
a.	Inventorization of e-waste generation
b.	Identification of Producers who have not obtained EPR Authorisation
c.	Verification of quantity of e-waste collected by producers
d.	Verification of systems provided by producers for collection and channelisation of e-waste
e.	Verification of facilities of dismantlers and recyclers for their infrastructure and records
f.	Checking of informal trading, dismantling, and recycling of e-waste
g.	Facilitate collection and disposal of e-waste
h.	Governance frame work for monitoring compliance
i.	Capacity building at district/State/CPCB level
j.	IEC plan be firmed up and executed
k.	Strengthening system of monitoring

1.2 Actions taken by CPCB in compliance with Hon'ble NGT orders dated 12-02-2019 and 23-05-2019 in the matter of OA No. 512 of 2018

- CPCB prepared an action plan for enforcement of E-Waste (Management) Rules, 2016 along with parameters and methodology for implementation of action plan. CPCB circulated the action plan, parameters and methodology to all the SPCBs/PCCs for its execution;
- CPCB developed software based portal for reviewing the progress made for implementation of action plan for enforcement of e-waste rules.
- CPCB vide its communication dated 30-08-2019 directed all SPCBs/PCCs to use software based review portal, developed in compliance with Hon'ble NGT orders, for submission of quarterly reports on the status of progress made with respect to implementation of the Action Pan for enforcement of E-waste (M) Rules, 2016. For this I.P. address, User IDs and Passwords specific to each of the SPCBs/PCCs for using the software based Review Portal were provided.

2.0 COMPLIANCE of HON'BLE NGT ORDER dated 02-09-2019 for the REVIEW and ACTION TAKEN REPORT

2.1 Order of Hon'ble NGT dated 02-09-2019

In the matter of OA No. 512 of 2018 (Shailesh Singh Vs. State of Uttar Pradesh & Ors.) the Hon'ble NGT, Principal Bench, New Delhi, vide its order dated 02-

09-2019 at para no (9) directed the following:

“Since the software is to be operationalized and implementation of the action plan is to be further observed, it will be appropriate that the next review and action taken report is placed before this Tribunal by 31.01.2020. The CPCB may workout mechanism for recovering compensation for delay in compliance as well as the violations”

2.2 Actions taken in compliance with Hon'ble NGT orders dated 02-09-2019 in the matter of OA No. 512 of 2018

- CPCB imparted one-day training on 30.09.2019 to all the SPCBs/PCCs on how to use the software based review portal through Video Conference. The training covered basic steps of the software based review portal. In December 2019, the problems of SPCBs/PCCs in using software portal were reviewed and resolved. During Video conference in January 2020, the issues were discussed & resolved with individual Boards.
- The software based Review Portal was made operational since 01-10-2019.
- CPCB convened a review meeting through video conference with all SPCBs/PCCs on 19.12.2019 for reviewing status of implementation of Action Plan in the respective states. 20 SPCBs/PCCs namely A.P, Odisha, West Bengal, Haryana, H.P, J&K, Punjab, U.P, Assam, Uttarakhand, Bihar, Chhattisgarh, M.P, Rajasthan, Karnataka, Gujarat, Maharashtra, Telangana, Kerala and Tamil Nadu participated in the video conference. Other SPCBs/PCCs could not participated mainly due to internet connectivity issue. During the review meeting some of the SPCBs/PCCs conveyed constraints/problems while using the Review Portal. CPCB took note of the issues raised by SPCBs/PCCs w.r.t use of Review Portal.
- The issues / constrained raised by SPCBs/PCCs w.r.t functioning of Review Portal has been addressed by upgrading the software. However, there are still some teething troubles being encountered by the SPCBs in using the software portal for uploading and downloading of the reports for which training is being contemplated.
- CPCB convened another review meeting with all SPCBs/PCCs on 27.01.2020 to review the progress and status of submission of quarterly review report. 28 SPCBs/PCCs namely Assam, Manipur, Meghalaya, Mizoram, Tripura, Bihar, Jharkhand, Odisha, West Bengal, Chandigarh, Delhi, Haryana, H.P, J&K, Punjab, Uttarakhand, U.P, Chhattisgarh, M.P, Rajasthan, Gujarat, Maharashtra, A.P., Goa, Karnataka, T.N, Telangana, and Puducherry participated in the review meeting. Kerala SPCB could not participate due to holiday in the State. Other SPCBs/PCCs could not participated mainly due to internet connectivity issue.

- CPCB E-Waste Management Review Portal was earlier running on IP address 25.19.52.219/ewaste-review/. The Review Portal can be now accessed from CPCB's website under the heading E-Governance and E-Waste menu.
- Review and Action taken report has been compiled based on the quarterly reports/information received till 7th February 2020 from thirty-one (31) SPCBs/PCCs namely A.P., Assam, Bihar, Chandigarh, Chhattisgarh, Daman Diu & Dadra Nagar Haveli, Delhi, Goa, Gujarat, Haryana, Himachal, J & K, Jharkhand, Karnataka, Kerala, M.P., Maharashtra, Manipur, Mizoram, Meghalaya, Nagaland, Odisha, Punjab, Puducherry, Rajasthan, T.N., Telangana, Tripura, UP, Uttarakhand and West Bengal.
- Four (04) SPCBs/PCCs namely Arunachal Pradesh, Andaman & Nicobar, Lakshadweep & Sikkim have not provided any information on the details of actions carried out for implementation of Action Plan.

2.3 National Inventory on generation of e-waste in the country

MoEF & CC requested Ministry of Electronics and Information Technology (MeitY) to suggest a uniform method for inventorization of generation of e-waste in the states as well as for the entire country. MeitY after consideration of all the factors conveyed that based on the availability of the data, only national level inventory of generation of e-waste can be prepared and suggested that the method identified by CPCB may be used for generation of national level inventory of generation of e-waste.

Accordingly, CPCB has estimated the generation of e-waste at national level.

- i. For financial year **2017-18**, the estimated generation of e-waste is **708445 tonnes** for **21 types of EEE**. This is based on the **sales data of 244** producers as on March 2018.
- ii. For financial year **2018-2019**, the estimated generation of e-waste is **771215 tonnes** for **21 type of EEE**. This is based on the **sales data of 1168** producers as on March 2019.

2.4 A draft mechanism for levying environmental compensation (EC) for the violation of e-waste rules has been worked out which will be finalised in one week.

3.0 STATE POLLUTION CONTROL BOARD/POLLUTION CONTROL COMMITTEE WISE REVIEW REPORT:

Information/reports from 31 SPCBs/PCCs have been received with regard to actions taken for implementation of action plan on E- Waste (Management) Rules, 2016 in the country. Four (04) States/UTs, namely, Arunachal Pradesh, Andaman & Nicobar, Lakshadweep, & Sikkim have not submitted their Quarterly Reports or any information. SPCBs/PCCs have submitted their information/reports both through Review Portal & E-mail as some teething troubles are still being encountered and

also simultaneously being addressed in the software based Review Portal. State wise reports on status of implementation of the action plan are as follows:

- 1. Andhra Pradesh Pollution Control Board (APPCB):** From review of the report, it appears that APPCB has initiated actions for the action points (b), (c), & (e) of the action plan which includes identification of Non- EPR producers in the state through market surveys, coordination with GST Council. APPCB has verified three dismantlers and the same were found complying. APPCB has provided information on the Action Point (d) where it has informed that APPCB officials have inspected two hundred and ten (210) collection centres/points of EPR Authorised Producers. Out of two hundred and ten (210) collection centres/points one hundred and sixty-eight (168) collection centres/points are found non-complying.

Actions have been initiated with respect to Action Points (f) to (i) but details have not been provided. Action for Action Point (j) has not been initiated yet. Action for Action Point (k) has been initiated but details have not been provided.

CPCB's observations on APPCB Report: *APPCB has initiated actions for the Action Points (b), (c), (d), (e), (f), (g), (h), (i) & (k). APPCB has to provide details of the actions for the Action points (f), (g), (h), (i) & (k). APPCB has to start action for the Action Point (j). APPCB has carried out inspection of two hundred and ten (210) collection centres/points collection which is encouraging.*

- 2. Pollution Control Board, Assam (PCB, Assam):** From review of the report, it appears that PCB Assam is yet to initiate actions on the action point (b), (f), (g) and (i) to (k). The reason reported is lack of adequate manpower. As of now, action point (c) & (e) is not applicable to PCB, Assam as there is no authorised dismantling and recycling facility in the State of Assam. PCB, Assam has initiated actions for carrying out the action point (d) regarding verification of systems provided by Producers for collection and channelization of e-waste. PCB Assam reported that some of the collection point is not traceable. However, details have not been provided. Request from CPCB has been made during Video conference for submission of details which are awaited.

CPCB's observations on PCB Assam report: *As per the report very limited steps have been taken by the PCB Assam for implementation of the action plan. PCB, Assam is required to initiate actions on the Action Points (b), (c), (f), (g) and (i) to (k) of the action plan for its implementation and have to regularly upload the reports on the Review Portal. PCB, Assam has to provide details of untraceable collection centre for initiating actions against defaulting producers.*

- 3. Bihar State Pollution Control Board (BSPCB):** From review of the report, it appears that BSPCB is yet to initiate actions with regard to Action Points (b) and for Action Point (d) it has to carry out actions regularly. BSPCB has informed that actionable points will be implemented in the timeline as mentioned in the action plan including inspection of collection system established by the Producers under EPR. As of now, action points (c) & (e) are not applicable to BSPCB as there are no authorised dismantlers and recyclers in the state of Bihar.

Actions have been initiated with respect to Action Points (f) to (k) of the action plan which includes quarterly drive against informal trading and illegal recycling

of e-waste in association with district administration, constitution of district level monitoring committee under the chairmanship of District Collector. State Government has earmarked plots in Industrial areas for activities related to collection and disposal of E-waste. Pamphlets and handouts have also been brought out under IEC (Information Education & Communication) Plan. A meeting has also been convened with producers in the State.

CPCB's observations on BSPCB report: *BSPCB is required to initiate actions on the action points (b) and regularly carry out actions on Action Point (d). Action Point (c) & (e) is not applicable to BSPCB. The BSPCB is required to gear-up the implementation of Action Plan in the up-coming quarters.*

4. **Chandigarh Pollution Control Committee (CPCC):** From review of the report, it appears that CPCC is yet to initiate action for Action Point (b). The reason reported is lack of adequate manpower. Action Points (c) & (e) are not applicable to CPCC as there are no authorised dismantlers and recyclers in the UT of Chandigarh. CPCC has initiated action in compliance of Action Point (d) and inspected two collection centres of producers in each quarter and both were found to be complying. CPCC in its report also mentioned that some of the collection centres mentioned in the EPR Plan are marketing and sales office of the Producers.

CPCC has initiated action for compliance of action point (f) to (k) which includes checking of informal trading, dismantling, and recycling of waste. It has reported that work has already been started for collecting e-waste. However, CPCC stated that setting up of recycling facility, is not feasible in case of Chandigarh because of high cost of land. Workshops are already being conducted. IEC Plan is being setup by PCC for educating public at large.

CPCB's observations on CPCC report: *CPCC required to gear-up its action on the action points (b) & (d) of the action plan. Action points (c) & (e) are not applicable to CPCC. CPCC in coordination with State Government should also take up actions for facilitating in setting up of E-Waste collection and disposal of E-waste in the UT of Chandigarh. CPCC has to provide details of untraceable collection points.*

5. **Chhattisgarh Environment Conservation Board (CECB):** From review of the report, it appears that CECB has initiated actions for the action points (b), (c), (d) & (e) of the action plan which includes identification of Non- EPRA producers in the state through market surveys and by issuing public notices in newspapers. CECB has also verified one dismantler/ recycler during both quarters and the same was found to be complying. CECB has also inspected one collection centre in each quarter and found it complying.

CECB has reported that it will complete the actions due for the Action Points (f) to (h) of the action plan by 30th April 2020 which includes checking of informal trading, dismantling and recycling, facilitating the collection and dismantling/recycling of e-waste, & governance framework for monitoring compliance. Actions for the Action Point (i) to (k) has been initiated which includes capacity building, IEC Plan and strengthen system of enforcement.

CPCB's observations on CECB Report: CECB has initiated actions for the Action Points (b), (c), (d), (e), (i), (j) & (k). For Action Point (f) to (h) of the action plan, CECB has informed that it will complete these actions by 30-04-2020. CECB needs to complete the action points (f) to (h) in the assured time frame. All the activities of the action points need to be taken up on regular basis.

- 6. Daman & Diu and Dadra & Nagar Havili pollution Control Committee (DD & DNH):** DD & DNH PCC has conveyed that collection centres, dismantling and recycling facilities for management of e-waste are not existing in both the UTs.

CPCB's observations on DD & DNH PCC letter: DD & DNH PCC has to initiate actions for the Action Points (b), (f) to (k) of the action plan which involves activities like identification producer who have not obtained EPR authorization, checking of informal trading, dismantling and recycling of e-waste, facilitating the collection and dismantling/recycling of e-waste, governance framework for monitoring compliance, capacity building, IEC Plan and strengthen system of enforcement.

- 7. Delhi Pollution Control Committee (DPCC):** From review of the report it has been observed that DPCC is yet to initiate actions for the Action Point (b) and for Action Point (d) it has to carry out actions regularly. As of now, action points (c) & (e) are not applicable to DPCC as there are no authorised dismantlers and recyclers in the state of Delhi.

DPCC has initiated actions for the Action Points (f) to (k) of the action plan. DPCC has carried out checking of informal trading, dismantling, and recycling of e-waste in Delhi, 09 teams were constituted with representation from Revenue, MCD, Delhi Police and DPCC. The said teams have identified 31 occupiers engaged in illegal e-waste storage/ handling in eastern & northern zones of Delhi. Nodal officers at state & district levels have been designated for monitoring compliance. Capacity building at district/State level is under implementation, IEC Plan is under process and strengthening of systems of enforcement is under implementation.

CPCB's observations on DPCC Report: DPCC is required to initiate actions for the action points (b) and has to regularly carry out actions on Action Point (d). Action Point (c) & (e) is not applicable to DPCC. DPCC has taken actions for the Action Points (f) to (k). The DPCC is required to gear-up the implementation of Action Plan in the up-coming quarters.

- 8. Goa State Pollution Control Board (GSPCB):** From the review of the report it appears that GPCB is yet to start actions for the Action Point (b), (f) to (k) and for Action Point (d) it has to carry out actions regularly. GSPCB has initiated action for Action Point (c) & (e). Verification of one dismantler/ Recycler has been done by the GSPCB, but status of compliance on the same is not clear in the report submitted by the Board. Status regarding other Action Points of the action plan is not provided by the Board in its report.

CPCB's observations on GSPCB Report: GSPCB is required to initiate actions for the Action Points (b), (f) to (k) and has to regularly carry out actions for the Action Point (d). GSPCB has taken action only for Action Points (c) & (e) of the action plan during this period. GSPCB need to gear up its action w.r.t to all the action points for implementation of the action plan in the State of Goa.

9. **Gujarat Pollution Control Board (GPCB):** From review of the report it appears that GPCB has initiated actions for the Action Points (b), (c) & (e) which includes issue of Public Notice for identification of Non-EPRA producers, verification of 16 dismantlers/ Recyclers where it was found that 10 units were operational and 06 units were non –operational. However, the status of compliance has not been revealed in the report. GPCB has initiated actions for the Action Point (d) and so far carried out inspection of 33 collection centres. Out of these 21 inspections has been performed in 1st quarter. However, in case of 12 inspection date of inspection has not been mentioned.

GPCB has to start actions for the Action Point (f), (g), (i), (j) & (k). GPCB has started action for Action Point (h) in which scope of monitoring compliance related to e-waste has been integrated into the scope of work of the State Level Environmental Management Committee and District Level Environment Management Committee constituted in the matter of OA No. 606/2018. During the review meeting held on 19-12-2019 and 27-12-2019, GPCB has informed that manpower constrained is there and suggested for third party verification.

CPCB's observations on GPCB Report: *GPCB has to start actions for the Action Points (f), (g), (i), (j) & (k). GPCB has to gear up action for implementation of Action Plan and also has to specify the compliance status.*

10. **Haryana State Pollution Control Board (HSPCB):** From review of the report, it appears that HSPCB has initiated actions for Action Points (b), (c), (d) & (e) of the action plan. These actions include issuance of public notice for identification of Non-EPRA producers, verification of 24 dismantler/recycler and verification of collection system of producers. Out of 24 verified dismantlers/recyclers units, 14 units were found complying, 06 units were found non-complying and 04 units were inspected in 1st quarter and found complying. HSPCB has done inspection of 06 collection centres and all of them were found complying. Out of these 06 collection centres, one was verified in 4th quarter.

HSPCB has initiated actions for Action Points (f), (g), (h), (i), (j) & (k) of the action plan. These actions include issuance of directions to all Regional Officers, formation of state level and district level committee & issuance of request letter to the Federation of India Chamber of Commerce Industry (FICCI) to organize the workshop on e-waste management in the state. In case of Action Point, (f) draft policy including the mechanism for collection and for incentivizing setting up the recycling facilities has been sent to Government for their approval. In case of IEC plan, a draft e-waste policy including IEC Plan has been sent to Government for approval.

CPCB's observations on HSPCB Report: *HSPCB has to gear up action for implementation of Action Plan.*

11. **Himachal Pradesh State Pollution Control Board (HPSPCB):** From review of the report it appears that HPSPCB has initiated actions for the Action Point (b), (c), (d) & (e) of the Action Plan. The actions include preliminary survey for the identification of non EPRA Producers, verification of dismantler and recycler, verification of the collection system of producers. One dismantlers facility was verified and found to be complying and seven (7) EPR Authorised Producers were inspected. Compliance Status of Producer has not been mentioned.

HPSPCB has carried out actions for the Action Point (f) to (k) which includes issue of public notice, constitution of committee for monitoring compliance, organization of workshops, preparation of IEC Plan etc.

CPCB's observations on HPSPCB Report: *HPSPCB has initiated actions for implementation of the Action Plan but needs to gear up.*

- 12. Jammu & Kashmir Pollution Control Board (J & K PCB):** From review of the report it appears that J & K PCB has initiated actions for the Action Point (b) of the action plan i.e. identification of Non-EPRA Producers in the State of J&K. For Action Point (c) & (e) of the action plan actions have been initiated, there is only one authorized dismantler/ Recycler of the E-Waste in the State and upon verification the same was found complying. J & K PCB has also initiated action for Action Point (d) and verified 05 collection points/centre centres. Out of 5 collection points/centres four were non-complying and one was complying.

J & K PCB has initiated action for Action Points (f) which includes checking of informal trading, dismantling and recycling of e-waste where J & K PCB is proposing to issue legal notice to 31 informal scrappers. For compliance of Action Point (h) a committee has been constituted on E-Waste Management action plan. For Action Point (g), (i) & (j) action has been initiated which includes issuing of three public notices, installation of e-waste collection bins at five government departments, conducting three workshops/awareness programmes among 106 bulk consumers and all District Magistrates in the State

CPCB's observations on J & K PCB Report: *J&K Pollution Control Board has initiated actions for implementation of the Action Plan. J & K PCB has to take up action for the Action Point (k) of the Action Plan.*

- 13. Jharkhand State Pollution Control Board (JSPCB):** From review of the report it appears that no action has been taken by JSPCB for Action Point (b) of the action plan i.e. identification of Non-EPRA Producers. For Action Point (c) & (e) i.e. for the verification of quantity of E-Waste collected by Producers and inspection of facilities of Authorized dismantlers/ Recyclers, Board inspected two E-waste authorized dismantlers/ recyclers during the quarter and both the units were found to be complying. W.r.t Action Point (d), no actions have been taken during the 2nd and 3rd quarters. W.r.t implementation of Action Points (f) to (k) of the action plan no information has been provided in the reports.

CPCB's observations on JSPCB Report: *JSPCB is required to take actions w.r.t implementation of Action Point (d), (f) to (k) of the action plan.*

- 14. Karnataka State Pollution Control Board (KSPCB):** From review of the Report, it appears that KSPCB is yet to initiate action for Action Point (b) of the action plan i.e. identification of Non-EPRA Producers in the State. Actions have been initiated for the Action Points (c) to (e). which includes inspection of the facilities of dismantler/ recyclers, however, details on the name, number & status of compliance of these facilities is not provided in the report. W.r.t Action Point (d), no actions have been taken during the 2nd and 3rd quarters.

KSPCB has informed that for Action Point (f), KSPCB in coordination with District Administration will carry out quarterly drive. Regarding Action Point (g), KSPCB

states that Karnataka has adequate number of Dismantlers/ Recyclers and there is no need for facilitating/ incentivizing actions in this regard. Regarding Action Point (h) KSPCB has constituted State Level Monitoring Committee for reviewing implementation of E-Waste Rules at the District level. KSPCB is also carrying out regular workshops on E-Waste Awareness & Management, however numbers have not been given. KSPCB has yet to initiate actions for the Action Point (j) & (k).

CPCB's observations on KSPCB Report: *KSPCB has to regularly carry out actions for the Action Point (d) and has to initiate actions for Action Point (j) & (k).*

- 15. Kerala State Pollution Control Board (Kerala SPCB):** From review of the report it appears that Kerala SPCB has initiated action for the Action Point (b) i.e. identification of Non-EPRA Producers. As of now, action points (c) & (e) are not applicable to Kerala SPCB as there are no authorised dismantlers and recyclers in the state of Kerala. Kerala SPCB Board has not carried any action for the Action Point (d) during 2nd and 3rd quarter.

Kerala SPCB has initiated actions for the Action Point (f), where Kerala SPCB disposes 199532.2 Kg of e-waste from informal sector to registered recyclers. Regarding Action Point (g), Directorate of Industries and Commerce has identified land at two places for setting up E-Waste collection and disposal facilities. Also, in absence of dismantler/ recyclers in the State, Government has formed a company for collection of e-waste & plastic waste from different institutions & household and the same is transported to registered recycler. Regarding Action Point (h), Kerala SPCB has informed that District Level Monitoring Committee constituted as per OA No. 606/2018 has also been entrusted to look into the matter of E-Waste. Regarding Action Point (i) actions have been initiated and awareness programme on the responsible handling of E-waste have been conducted at the level of Secretaries. No action has been initiated for Action Point (j). For Action Point (k), Kerala SPCB has reported that based on its inspection CPCB had suspended EPR Authorisation of ten Producers.

CPCB's observations on Kerala SPCB Report: *Kerala SPCB has to regularly carry out actions for the Action Point (d) and has to initiate actions for the Action Point (j).*

- 16. Madhya Pradesh Pollution Control Board (MPPCB):** MPPCB has taken action w.r.t. Action Point (b), (c) & (e). MPPCB has not carried out actions for the Action Point (d) during 2nd and 3rd Quarter. MPPCB has not provided information on the actions related to Action Point (f) to (k).

CPCB's observations on MPPCB Report: *MPPCB has to regularly carry out actions for the Action Point (d) and also has to initiate actions w.r.t. Action Point (f) to (k) of the Action Plan.*

- 17. Maharashtra Pollution Control Board (MPCB):** From the review of reports, it appears that Board has taken action on Action Point (b) of the action plan i.e.

identification of Non-EPRA Producer. W.r.t Action Point (c), (d) & (e) of the action plan, MPCB has inspected one and same collection centre and Dismantler/ Recycler in 2nd and 3rd quarter and their facilities were found complying.

W.r.t points (f) to (k) of the action plan, MPCB has mentioned that actions have been initiated and they are complying with all the action points but the details have not been provided in the reports. MPCB during the review meeting has reported about inadequate manpower.

CPCB's observations on MPCB Report: *MPCB has to provide details of the actions for the Action Point (f) to (k). MPCB has to gear-up its actions with respect to all the Action Points of the action plan.*

- 18. Manipur State Pollution Control Board (Manipur SPCB):** From review of the report, it appears that Manipur SPCB has initiated action for Action Point (b) and has carried out surveys for identification of Non-EPRA Producers in the state. As of now, Action Points (c) & (e) are not applicable to Manipur SPCB as there are no authorised dismantlers and recyclers in the state of Manipur. Regarding Action Point (d) Manipur SPCB has carried out inspection of one collection centre in the second quarter and the same was found complying. However, during the inspection of 3 collection centres in the 3rd Quarter, out of three, two collection centres were not found at the address mentioned in the EPR Plan, while one collection centre inspected was found non-complying.

W.r.t to Action Point (f) no information on action taken has been provided. Regarding Action Point (g), a proposal has been submitted to the State Government for developing dismantling and recycling facility in the state. Regarding Action Point (h) Manipur SPCB has not provided any information. Regarding Action Point (i) action has been initiated and a meeting was held at Chief Secretary level. Regarding Action Point (j) action has been initiated and awareness programme have been organized. Regarding Action Point (k), Manipur SPCB has reported that there is no such violation.

CPCB's observations on Manipur SPCB Report: *Manipur SPCB is required to initiate actions w.r.t. Action Points (f) & (h) of the Action Plan.*

- 19. Mizoram State Pollution Control Board (Mizoram SPCB):** Mizoram SPCB is yet to start actions for the implementation of the Action Plan. The Mizoram SPCB has submitted verification report of collection centres of five (05) EPR Authorised producers for confirmation of the corrective actions taken by these producers in view of suspension of their EPR Authorisation.

CPCB's observations on Mizoram SPCB Report: *Mizoram SPCB has to start actions for implementation of Action Plan.*

- 20. Meghalaya State Pollution Control Board (Meghalaya SPCB):** From review of the report, it appears that Meghalaya SPCB has initiated actions for the Action Point (b) & (d) where public notices were issued for identification of Non-EPRA Producers and carried out inspections of 05 collection centres during 2nd and 3rd Quarter and found that out of 05 only one (01) collection centre is complying while

four (04) are non-complying. As of now, action points (c) & (e) are not applicable to Meghalaya SPCB as there are no authorised dismantlers and recyclers in the state of Meghalaya.

Meghalaya SPCB has initiated actions for the Action Point (f) to (h) and has given a time line of 31-03-2020 for its completion. Meghalaya SPCB has constituted district level committee for all the districts and has also advised state Government for facilitating in setting up of collection and disposal units for e-waste for which response from the government is awaited. Regarding Action Point (i), Meghalaya SPCB has conducted awareness programmes in collaboration with PROs. Regarding Action Point (j), the IEC Plan is under finalization with a time line of 31-03-2020. Regarding Action Point (k) time line of 31-03-2020 has been given.

CPCB's observations on Meghalaya SPCB Report: *Meghalaya SPCB has initiated actions for implementation of all the Action Points of the action plan in the State. Meghalaya SPCB has to adhere to the time line provided as proposed by them.*

- 21. Nagaland State Pollution Control Board (Nagaland SPCB):** Nagaland SPCB, stated that government of Nagaland has notified the "Nagaland Integrated Waste Management Policy 2019" which also includes E-Waste Management and the state is in the process of preparing policy and action plan on E-waste Management. Further State Level Advisory Board, State Level Executive Committee and District Level Monitoring Committee have been constituted under "Nagaland Integrated Waste Management Policy 2019". For Action Point (b) to (e) Nagaland SPCB has informed that there are no Producers and e-waste dismantlers/recyclers in the state and no action has been initiated. Nagaland Board also informed that the Board has notified all Material Recovery Facility/ Centres (MRF) metal scrap, paper waste, glass waste, e-waste, plastic waste battery waste & other waste traders to register and submit yearly reports to Board.

CPCB's observations on Nagaland SPCB Report: *Report submitted by Nagaland Board reveals that its taking action for management of E-waste in their State through "Nagaland Integrated Waste Management Policy 2019" where they are formulating action plan for management of e-waste. However, the action taken are not in concurrence with the action plan in the matter of OA No. 512/ 2018. Nagaland SPCB has to adhere to the action plan formulated in the matter of OA No. 512/ 2018.*

- 22. Odisha State Pollution Control Board (OSPCB):** From review of the report, it appears that OSPCB is yet to start action on Activity Point (b) i.e. identification of Non-EPRA Producers in the State. OSPCB has started actions for the action point (c) & (e) and inspected two (02) authorized dismantlers of e-waste and both units were found complying. OSPCB has not taken actions on the action point (d) during this period.

W.r.t Action Point (f) to (k), OSPCB has reported actions are under process but no details have been given.

CPCB's observations on OSPCB Report: *OSPCB has to initiate actions for Action Point (b) and (f) to (k) and has to carry out actions on Action Point (d) on a regular basis.*

- 23. Punjab Pollution Control Board (PPCB):** From review of the report, it appears that PPCB has initiated actions for Action Points (b), (c), (d) & (e). PPCB has issued public notice and approached State GST council for identification of non-EPRAs producers. Information from GST council is awaited. PPCB has conducted verification of 2 Dismantlers/ Recyclers in the second quarter and both were found non-complying, Board carried out verification of three Dismantlers/ Recyclers in the third quarter, one of the Dismantler/Recyclers was found complying, while remaining two (also inspected in the 2nd quarter) were again found non-complying. Further the Board has inspected 27 collection points during the 2nd quarter and during the inspection, 25 units were found non-complying, while 02 were found complying. Board has also inspected 05 collection points in the third Quarter and the 5 were found non-complying.

PPCB/State Government has initiated actions for the Action Point (f) to (k). PPCB has taken up the Action Point (f) with Department of Science, Technology & Environment for issuing instruction to district administration for carrying out quarterly drive in coordination with PPCB against informal trading, dismantling and recycling of e-waste. A reminder to the department has also been given. Regarding Action Point (g), action plan for waste management has been prepared which includes e-waste management, where concerned departments have been entrusted to allocate and earmark the plots and space for dismantling and recycling of e-waste. PPCB has also published an invitation in the newspaper for entrepreneurs for setting up facilities of dismantling and recycling in the State. Regarding Action Point (h), Government has constituted State Level Monitoring Committee, District Level Task Force and District Environment Committee for monitoring compliance. For Action Point (i), each of the Regional Offices (RO) has been instructed to organise two workshops for stakeholders and one such workshop has been organised. Regarding Action Point (j) public notice has been given for all stakeholders. Regarding Action Point (k), regular monitoring and reviews are being done and enforcement is being done through Regional Offices of PPCB as well as from Head Office of PPCB. PPCB has indicated that shortage of staff is a constrained.

CPCB's observations on PPCB Report: *PPCB has initiated actions for all the Action Point of the action plan. Shortage of staff is an issue.*

- 24. Puducherry Pollution Control Committee (PPCC):** From the review of the report, it appears that PPCC has taken actions for the Action Point (b) & (d), which includes market survey, issuing of public notice in newspaper and interaction with GST Council. As of now, action points (c) & (e) are not applicable to PPCC as there are no authorised dismantlers and recyclers in the UT of Puducherry. Regarding Action Point (d), action has been initiated and two (02) collection centres were inspected in second quarter and one (01) in third quarter, all the three collection centres were found non-complying.

W.r.t to Action Point (f) to (k) PPCC has initiated actions like periodical checking of informal trading and recycling of e-waste, interaction with municipal bodies and also publication of public notice that unauthorised trading, recycling of e-waste is violation of the E-Waste (Management) Rules, 2016, opening of three collection centre, letters to local bodies for setting up of collection centres, nomination of nodal officers at State, District and Municipal level, organization of awareness programmes. Distribution of Pamphlets for IEC has been proposed and violations reported to CPCB for action.

CPCB's observations on PPCC Report: *PPCC has initiated actions for all the Action Points of the action plan.*

- 25. Rajasthan State Pollution Control Board (RSPCB):** From review of the report, it appears that RSPCB has not initiated actions against all the Action Points except Action Points (c) & (e). RSPCB has not submitted report in the format w.r.t status of implementation of the action plan. The Board has however submitted report of verification of four (04) Authorized dismantlers/ Recyclers of the e-waste in the State. As per the report, all the four units were found complying

CPCB's observations on RSPCB Report: *RSPCB has initiated actions for the Action Point (c) & (e) only. RSPCB is required to implement all the Action Points of the action plan in the state and submit its quarterly progress/ implementation reports to CPCB through E-waste Management Portal regularly.*

- 26. Tamil Nadu Pollution Control Board (TNPCB):** From review of the reports, it appears that TNPCB has not initiated actions against all the Action Points except Action Points (c) & (e). TNPCB has not submitted the reports in the format w.r.t status of implementation of the action plan. The Board has however submitted report of verification of twenty-nine (29) Dismantlers/ Recyclers carried out during 2nd & 3rd Quarter and provided their operational status and compliance status. As per the report, out of twenty-nine (29) units, four (04) units are non-operational and one unit is closed, twenty-four (24) units are operational. Out of twenty-four (24) operational units ten (10) units are complying, nine (09) are non-complying and compliance status of five (05) is not known. TNPCB has not provided any information on the other Action Points of the action Plan.

CPCB's observations on TNPCB Report: *TNPCB has initiated actions for the Action Point (c) & (e) only. TNPCB is required to implement all the Action Points of the Action Plan in the State and submit its quarterly progress/ implementation reports to CPCB through E-waste Management Portal regularly.*

- 27. Telangana State Pollution Control Board (TSPCB):** From review of the reports, it appears that TSPCB has initiated actions for the Action Point (b) to (e), which includes interaction with commercial tax department, publication of public notice in the newspaper, verification of dismantlers and recyclers and producer's system. TSPCB has carried out ten (10) inspections and the units were found to be complying. TSPCB has also inspected twenty (20) collection centres of Producers in the State, out of twenty (20) collection centres, fifteen (15) collection centre were found non-complying and five (05) collection centre were found complying.

Regarding Action Point (f) to (k), TSPCB has initiated actions which included coordination with district administration for checking of informal trading, dismantling & recycling of e-waste, introduction of E-Waste Management Policy 2017 where incentives have been given for collection and setting up of dismantling/ recycling facilities in the state. TSPCB is co-ordinating with district administration for monitoring compliance and has also organised workshop at the head office and also directed dismantlers to carry out awareness programme.

CPCB's observations on TSPCB Report: *TSPCB has initiated actions for implementation of the Action Points of the action plan. However, it needs to designate nodal officers at district & state level for monitoring compliance of E-Waste Management rules in the State with regard to compliance of Action Point (h) of the action plan.*

- 28. Tripura State Pollution Control Board (Tripura SPCB):** From review of the reports, it appears that Tripura SPCB has initiated actions for implementation of the action plan. As of now, Action Points (c) & (e) are not applicable to Tripura SPCB as there are no authorised dismantlers and recyclers in the state of Tripura. Tripura SPCB has carried out market survey and inspection of system of collection mechanism of producers in compliance of Action Points (b) & (d). Inspections of five (05) collection centres in each quarter has been carried out and two (02) collection centres were found complying and 03 collection centres were found non-complying.

W.r.t to Action Points (f) to (k) of the action plan, Tripura SPCB has reported that no informal activities have been reported and assured that in coordination with district administration it will conduct quarterly drive against informal activities. A committee under the chairmanship of Secretary has been formed. Workshop has been carried out and IEC activities have been carried out. Enforcement monitoring is being done by the Tripura SPCB officials.

CPCB's observations on Tripura SPCB Report: *Tripura SPCB has initiated actions for implementation of the Action Plan. Further in the absence of authorized dismantlers/ Recyclers in the State, Board is required to make special efforts in checking informal trading, dismantling & recycling of E-Waste in the State.*

- 29. Uttar Pradesh Pollution Control Board (UPPCB):** UPPCB has not provided details of actions taken by it for implementation of action plan. A report has been received where it has been informed that a state level Waste Management & Monitoring Committee has been constituted under the Chairmanship of Principal Secretary, Urban Development, U.P. It has been further informed that regular drives are being conducted against illegal processing and dumping of e-waste. Action has been taken by UPPCB against illegal e-waste processing units. Eighty (80) such illegal melting furnace units were dismantled in Loni District of Ghaziabad in Nov, 2019 and FIR has been lodged against 16 persons. Further, E-Waste weighing 6.850 ton was seized and 05 illegal godown were sealed by district administration in district Moradabad. Environmental compensation of 60 Lakhs is imposed and closure orders have been issued against 04 illegal E-waste processing units.

CPCB's observations on UPPCB Report: *In the absence of quarterly progress report from UPPCB, CPCB is unable to comment on status of implementation of the action plan in the State of UP. UPPCB is required to implement Action Plan in the State and submit its quarterly progress/ implementation reports to CPCB through E-waste Management Portal regularly. UPPCB has taken action against the unauthorised dismantlers/recyclers which is encouraging.*

30. Uttarakhand Environment Protection & Pollution Control Board (UEPPCB): **UEPPCB** vide its email dated 29.01.2020 has informed that no action has been taken by them towards implementation of the action plan in the state of Uttarakhand.

CPCB's observations on the Report: *In the absence of quarterly progress report from UEPPCB, CPCB is unable to comment on status of implementation of the action plan in the State of Uttarakhand. UEPPCB is required to implement Action Plan in the State and submit its quarterly progress/ implementation reports to CPCB through E-waste Management Portal regularly.*

31. West Bengal Pollution Control Board (WBPCB): From review of the reports, it appears that WBPCB has initiated actions for the Action Point (b) to (e) of the action plan. WBPCB informed that they were in the process of identifying suitable institutions/agencies for continuing the compliance monitoring process at field level on regular basis due to which they could not undertake the verification at field level during the 2nd Quarter i.e July to September 2019. In the 3rd Quarter, WBPCB has taken actions for Action Point (b) i.e. by issuing public notice in the newspaper, interacting with GST council and carrying out market survey which is ongoing. WBPCB has carried out inspections of 25 collection points in the State in compliance of Action Point (d). Out of 25 collection points, 17 were found to be complying, 07 were found to be non-complying and regarding one (01) collection centre it has reported that its producer has surrendered EPRA. WBPCB has inspected one dismantler/ recycler in compliance of the Action Point (c) & (e) and the same was found non-complying.

W.r.t Action Points (f) to k of the action plan, no information has been provided.

CPCB's observations on the Report: *WBPCB is required to provide information on the Action Point (f) to (k) and also has to be consistent in submission of quarterly reports for all the Action Points and has to carry out activities related to action plan regularly.*

4.0 COMMENTS of the CPCB:

4.1 General Comments:

- i. Twenty-nine (29) SPCBs/PCCs namely A.P., Assam, Bihar, Chandigarh, Chhattisgarh, Daman Diu & Dadra Nagar Haveli, Delhi, Goa, Gujarat, Haryana, Himachal, J & K, Jharkhand, Karnataka, Kerala, M.P., Maharashtra, Manipur, Meghalaya, Nagaland, Odisha, Punjab, Puducherry, Rajasthan, T.N., Telangana, Tripura, UP and West Bengal have initiated actions for implementation of the Action Plan.

- ii. Two (02) SPCBs namely Uttarakhand Environment Protection & Pollution Control Board and Mizoram SPCB have not initiated any action for the implementation of the Action Plan.
- iii. Four (04) SPCBs/PCCs namely Arunachal Pradesh, Andaman & Nicobar, Lakshadweep & Sikkim have not provided any information on the details of actions carried out for implementation of Action Plan.
- iv. Some of the SPCBs/PCCs have informed that manpower constrained is an issue. During the two review meetings held through Video Conference on 19-12-2019 and 27-01-2020 respectively suggested that third party should be used for verification owing to lack of manpower.
- v. Software based portal has been upgraded to resolve technical issues.
- vi. Seventeen (17) SPCB/PCCs namely A.P., Bihar, Chandigarh, Chhattisgarh, Delhi, Haryana, Himachal Pradesh, J & K, Kerala, Maharashtra, Manipur, Meghalaya, Odisha, Punjab, Puducherry, Tamilnadu & Tripura have submitted reports for both the quarters.
- vii. Seven (07), SPCBs/PCCs namely Assam, Goa, Gujarat, Jharkhand, Karnataka, Telangana, & West Bengal have submitted reports for only one quarter.
- viii. Seven (07) SPCBs/PCCs namely DD&DNH, M.P, Mizoram, Nagaland, Rajasthan, U.P & Uttarakhand have not submitted their reports/information in the prescribed format.
- ix. Some of the reports are not clear on the compliance status of the inspected units.

4.2 Specific Comments:

S.No.	Name of the SPCBs/PCCs	Specific Comments
1.	Andhra Pradesh Pollution Control Board (APPCB)	<i>APPCB has initiated actions for the Action Points (b), (c), (d), (e), (f), (g), (h), (i) & (k). APPCB has to provide details of the actions for the Action points (f), (g), (h), (i) & (k). APPCB has to start action for the Action Point (j). APPCB has carried out inspection of two hundred and ten (210) collection centres/points collection which is encouraging.</i>
2.	Pollution Control Board, Assam (PCB, Assam)	<i>As per the report very limited steps have been taken by the PCB Assam for implementation of the action plan. PCB, Assam is required to initiate actions on the action points (b), (c), (f), (g) and (i) to (k) of</i>

S.No.	Name of the SPCBs/PCCs	Specific Comments
		<i>the Action Plan for its implementation and have to regularly upload the reports on the Review Portal. PCB, Assam has to provide details such collection centre for initiating actions against defaulting producers.</i>
3.	Bihar State Pollution Control Board (BSPCB)	<i>BSPCB is required to initiate actions on the action points (b) and regularly carry out actions on Action Point (d). Action Point (c) & (e) is not applicable to BSPCB. The BSPCB is required to gear-up the implementation of Action Plan in the up-coming quarters.</i>
4.	Chandigarh Pollution Control Committee (CPCC)	<i>CPCC required to gear-up its action on the action points (b) & (d) of the action plan. Action points (c) & (e) are not applicable to CPCC. CPCC in coordination with State Government should also take up actions for facilitating in setting up of E-Waste collection and disposal of E-waste in the UT of Chandigarh.</i>
5.	Chhattisgarh Environment Conservation Board (CECB)	<i>CECB has initiated actions for the Action Points (b), (c), (d), (e), (i), (j) & (k). For Action Point (f) to (h) of the action plan, CECB has informed that it will complete these actions by 30-04-2020. CECB needs to complete the action points (f) to (h) in the assured time frame. However, all the activities of the action points need to be taken up on regular basis.</i>
6.	Daman & Diu and Dadra & Nagar Haveli pollution Control Committee (DD & DNH)	<i>DD & DNH PCC has to initiate actions for the Action Points (b), (f) to (k) of the action plan which involves activities like identification producer who have not obtained EPR authorization, checking of informal trading, dismantling and recycling of e-waste, facilitating the collection and dismantling/recycling of e-waste, governance framework for monitoring compliance, capacity building, IEC Plan and strengthen system of enforcement.</i>
7.	Delhi Pollution Control Committee (DPCC)	<i>DPCC is required to initiate actions for the action points (b) and has to regularly carry out actions on Action Point (d). Action Point (c) & (e) is not applicable to DPCC. DPCC has taken actions for the Action Points (f) to (k). The DPCC is required to gear-up the implementation of Action Plan in the up-coming quarters.</i>

S.No.	Name of the SPCBs/PCCs	Specific Comments
8.	Goa State Pollution Control Board (GSPCB)	<i>GSPCB has taken action only for Action Points (c) & (d) of the action plan. GSPCB has to start actions for the action points (b), (d), (f) to (k). GSPCB need to gear up its action w.r.t to all the action points for implementation of the action plan in the State of Goa</i>
9.	Gujarat Pollution Control Board (GPCB)	<i>GPCB has to start actions for the Action Points (f), (g), (i), (j) & (k). GPCB has to be gear up action for implementation of Action Plan and also has to specify the compliance status</i>
10.	Haryana State Pollution Control Board (HSPCB)	<i>HSPCB has initiated actions for implementation of the Action Plan but needs to gear up</i>
11.	Himachal Pradesh State Pollution Control Board (HPSPCB)	<i>HPSPCB has initiated actions for implementation of the Action Plan but needs to gear up.</i>
12.	Jammu & Kashmir Pollution Control Board (J & K PCB)	<i>J&K Pollution Control Board has initiated actions for implementation of the Action Plan. J & K PCB has to take up action for the Action Point (k) of the Action Plan.</i>
13.	Jharkhand State Pollution Control Board (JSPCB)	<i>JSPCB is required to take actions w.r.t implementation of Action Point (d), (f) to (k) of the action plan.</i>
14.	Karnataka State Pollution Control Board (KSPCB)	<i>KSPCB has to regularly carry out actions for the Action Point (d) and has to initiate actions for Action Point (j) & (k).</i>
15.	Kerala State Pollution Control Board (Kerala SPCB)	<i>Kerala SPCB has to regularly carry out actions for the Action Point (d) and has to initiate actions for the Action Point (j).</i>
16.	Madhya Pradesh Pollution Control Board (MPPCB)	<i>MPPCB has to regularly carry out actions for the Action Point (d) and also has to initiate actions w.r.t. Action Point (f) to (k) of the action plan.</i>
17.	Maharashtra Pollution Control Board (MPCB)	<i>MPCB has to provide details of the actions for the Action Point (f) to (k). MPCB has to gear-up its actions with respect to all the Action Points of the action plan.</i>
18.	Manipur State Pollution Control Board (Manipur SPCB)	<i>Manipur SPCB is required to initiate actions w.r.t. Action Points (f) & (h) of the action plan.</i>
19.	Mizoram State Pollution Control Board (Mizoram SPCB)	<i>Mizoram SPCB has to start actions for implementation of action plan.</i>

S.No.	Name of the SPCBs/PCCs	Specific Comments
20.	Meghalaya State Pollution Control Board (Meghalaya SPCB)	<i>Meghalaya SPCB has initiated actions for implementation of all the Action Points of the action plan in the State. Meghalaya SPCB has to adhere to the time line provided as proposed by them.</i>
21.	Nagaland State Pollution Control Board (Nagaland SPCB)	<i>Report submitted by Nagaland Board reveals that its taking action for management of E-waste in their State through "Nagaland Integrated Waste Management Policy 2019" where they are formulating action plan for management of e-waste. However, the action taken are not in concurrence with the action plan in the matter of OA No. 512/2018. Nagaland SPCB has to adhere to the action plan formulated in the matter of OA No. 512/2018.</i>
22.	Odisha State Pollution Control Board (OSPCB)	<i>OSPCB has to initiate actions for Action Point (b) and (f) to (k) and has to carry out actions on Action Point (d) on a regular basis.</i>
23.	Punjab Pollution Control Board (PPCB)	<i>PPCB has initiated actions for all the Action Point of the action plan. Shortage of staff is an issue.</i>
24.	Puducherry Pollution Control Committee (PPCC)	<i>PPCC has initiated actions for all the Action Points of the action plan.</i>
25.	Rajasthan State Pollution Control Board (RSPCB)	<i>RSPCB has initiated actions for the Action Point (c) & (e) only. RSPCB is required to implement all the Action Points of the Action Plan in the State and submit its quarterly progress/ implementation reports to CPCB through E-waste Management Portal regularly.</i>
26.	Tamil Nadu Pollution Control Board (TNPCB)	<i>TNPCB has initiated actions for the Action Point (c) & (e) only. TNPCB is required to implement all the Action Points of the Action Plan in the State and submit its quarterly progress/ implementation reports to CPCB through E-waste Management Portal regularly.</i>
27.	Telangana State Pollution Control Board (TSPCB)	<i>TSPCB has initiated actions for implementation of the action points of the Action Plan. However, it needs to designate nodal officers at district & state level for monitoring compliance of E-Waste Management rules in the State with regard to compliance of Action Point (h) of the action plan.</i>

S.No.	Name of the SPCBs/PCCs	Specific Comments
28.	Tripura State Pollution Control Board (Tripura SPCB)	<i>Tripura SPCB has initiated actions for implementation of the Action Plan. Further in the absence of authorized dismantlers/ Recyclers in the State, Board is required to make special efforts in checking informal trading, dismantling & recycling of E-Waste in the State.</i>
29.	Uttar Pradesh Pollution Control Board (UPPCB)	<i>In the absence of quarterly progress report from UPPCB, CPCB is unable to comment on status of implementation of the action plan in the State of UP. UPPCB is required to implement Action Plan in the State and submit its quarterly progress/ implementation reports to CPCB through E-waste Management Portal regularly. UPPCB has taken action against the unauthorised dismantlers/recyclers which is encouraging.</i>
30.	Uttarakhand Environment Protection & Pollution Control Board (UEPPCB)	<i>In the absence of quarterly progress report from UEPPCB, CPCB is unable to comment on status of implementation of the action plan in the State of Uttarakhand. UEPPCB is required to implement Action Plan in the State and submit its quarterly progress/ implementation reports to CPCB through E-waste Management Portal regularly.</i>
31.	West Bengal Pollution Control Board (WBPCB)	<i>WBPCB is required to provide information on the Action Point (f) to (k) and also has to be consistent in submission of quarterly reports for all the Action Points.</i>

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Anand Kumar

Item No. 01

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 512/2018
(With report dated 28.08.2019)

Shailesh Singh

Applicant(s)

Versus

State of UP & Ors.

Respondent(s)

Date of hearing: 02.09.2019

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

For Applicant: None

For Respondent(s): Mr. Pradeep Misra, Advocate for UPPCB
Mr. Krishna Kumar Singh, Advocate for MoEF&CC
Mr. Raj Kumar, Advocate for CPCB

ORDER

1. Question for consideration is the remedial action against unscientific disposal of e-waste resulting in contamination of ground water and soil acidification.
2. This Tribunal considered the matter on 10.08.2018 with reference to the grievance of unauthorized recycling/collection/dismantling units, burning, selling of E-waste and other solid waste on the road side/bank of rivers in violation of E-Waste (Management) Rules, 2016 and Environment (Protection) Act, 1986 (EW Rules) resulting in groundwater contamination, air pollution and soil acidification.

According to the applicant, the EW is responsible for 40% of lead and 70% of heavy metals found in landfills.

3. After considering the report in "Gadget 360" dated 04.06.2018, news item dated 02nd November, 2017, published in Hindustan Times under the title "What happens to e-waste: Your junked gadgets come back to you as toxic fumes" and report of the Comptroller and Auditor General of India. This Tribunal directed the MoEF&CC, UPPCB and the CPCB to prepare an action plan to ensure enforcement of EW Rules and file compliance report.
4. Accordingly, compliance report dated 14.12.2018 was filed before this Tribunal which was considered on 12.02.2019 as follows:

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5. A compliance report dated 14.12.2018 has been filed by the MoEF&CC. The report is to the effect that the India is fifth largest producer of e-waste. India produces two million tonnes of e-waste in 2016. The largest e-waste generating cities are Mumbai, Delhi, Bangalore, Chennai and Kolkata. 95% of e-waste is recycled by the informal sector and only 5% is recycled by the formal sector. Scrap dealers collect the e-waste and dispose of the same in unscientific manner such as burning, dissolving in acids and leaching. There is lack of awareness among the consumers. E-waste (Management and Handling) Rules were framed which came into force on 01.05.2012 requiring the producers of electrical and electronic equipment listed in Schedule-I of the rules to seek authorisation from the State Pollution Control Boards (SPCBs). The Rules required producers to obtain authorisation from SPCB/Pollution Control Committees (PCCs) for implementing their EPR for effective channelization of ewaste to registered dismantlers/recyclers. E-waste (Management) Rules, 2016 were notified on 23.03.2016 and came into force from 01.10.2016. The said rules apply to all producers, manufacturers, consumers or bulk consumers, dealers, refurbishers, and e-retailers

involved in the manufacture, sale, purchase and processing of electrical and electronic equipment namely (i) IT and Telecommunication equipment and (ii) Consumer electrical and electronics such as TVs, washing machines, refrigerators, and air conditioners (as per Schedule I of the Rules). Extended producers liability require EPR plan for collection and meeting his responsibility in which EPR authorisation is given. Status under ewaste (Management) Rules, 2016 is indicated as follows:

“Status under E-waste (Management) Rules, 2016

Estimated Generation in 2016 (projected)	20 lakh tonnes (as per UN Study)
Authorized EPR Producers	880
Registered dismantler/recycler	275
Dismantling/recycling capacity	5,10,290 MT

7. The CPCB in a sanctioned plan has identified following challenges:

- a. Inventorization of e-waste generation;
- b. Identification of Producers who have not obtained EPR Authorisation;
- c. Verification of quantity of e-waste collected by producers;
- d. Verification of systems provided by producers for collection and channelisation of e-waste;
- e. Verification of facilities of dismantlers and recyclers for their infrastructure and records; and
- f. Checking of informal trading, dismantling, and recycling of e-waste.

8. The action plan proposed is as follows:

Sl. No.	Challenges/Activities	Stakeholder responsible for implementation	Action
a.	Inventorization of e-waste generation	SPCBs/PCCs	SPCBs /PCCs to complete this activity within one year.
b.	Identification of Producers who have not obtained, EPR Authorisation	CPCB, Custom department, Ministry of commerce and Ministry of electronics	This is a continuous activity for which support of SPCBs/PCCs/Custom department/ Ministry of commerce, Ministry

		telecommunication	of electronics and telecommunication is required.
c.	Verification of quantity of e-waste collected by producers	CPCB/SPCBs/PCCs	This is a continuous activity. All the EPR Authorised Producers will be verified per year.
d.	Verification of systems provided by producers for collection and provided by producers channelisation of e-waste	CPCB/SPCBs/PCCs	This is a continuous activity. All the EPR Authorised Producers will be verified per year.
e.	Verification of facilities of dismantlers and recyclers for their infrastructure and records	SPCBs/PCCs/CP	This is a continuous activity. All the dismantlers/recyclers will be verified per year.
f.	Checking of informal trading, dismantling, and recycling of waste	SPCBs/PCCs/ District Administration	SPCBs/PCCs in coordination with District Administration has to carry out quarterly drive for checking of this activity.
g.	Facilitate collection and disposal of e- waste	SPCBs/PCCs/ District Administration/ CPCB	State Government to formulate mechanism for collection and for incentivising setting up of recycling facilities.
h.	Governance frame work for monitoring compliance	SPCBs/PCCs/ District Administration/ CPCB	Monitoring to be ensured at city/district and state levels for which nodal officers (state environmental secretary, district collector, CMD/Commissioners) to be designated. Time Frame — Three (3) months.
i.	Capacity building at district/State/CPCB level	SPCBs/PCCs/ District Administration /CPCB	Special workshops to educate functionaries in government / NGOs be run over one year.
j.	IEC plan be firmed up and executed	SPCBs/PCCs/ District Administration /CPCB	State Government to firm up IEC plan for educating public at large about the system of collection, incentive structure and facilities for recycling.

			<i>Time Frame — Three (3) months. The IEC Plan to be executed over one year.</i>
<i>k.</i>	<i>Strengthen system of enforcement</i>	<i>SPCBs/PCCs/ District Administration/ CPCB</i>	<i>Quarterly review of violations and enforcement actions at city/district/state level and quarterly reports to be filed with CPCB.</i>

5. After consideration of the above, the Tribunal directed the CPCB to clearly spell out parameters of compliance and methodology to review by developing appropriate software. The Tribunal further directed that performance review be conducted by the CPCB on or before 30.04.2019 and report furnished before this Tribunal.
6. Report of review on the performance & working of Parameters and Methodology developed for the compliance of continuous activities of Action Plan for enforcement of E-Waste (Management) Rule, 2016 and Amendments thereof, in compliance of the order of this Tribunal dated 23.05.2019, has been filed on 28.08.2019 stating that the draft parameters and methodologies were circulated to the State PCBs/PCCs. Review was conducted in respect of identification of Producers who have not obtained EPR Authorisation, verification of quantity of e-waste collected by producers, verification of systems provided by Producers for collection and channelisation of e-waste, and verification of facilities of dismantlers and recyclers for their infrastructure and records. The SPCBs/PCCs were required to furnish implementation status in respect of checking of informal trading, dismantling, and recycling of e-waste, collection and disposal of e-waste, governance frame work for monitoring compliance,

capacity building at district/State/CPCB level, IEC plan and system of enforcement.

7. Software has been made live. The SPCBs/PCCs are given user ID for providing progress. The same will be upgraded, if required. Status of compliance by the SPCBs/PCCs has been given. Checklist has been prepared to comprehensively collect the entire relevant information in respect of the compliance of the units.

8. We are informed that inventorisation of e-waste generation will be completed by December, 2019 as against September, 2019, required under the Rules. From next year, the compliance will be as per the timelines prescribed under the Rules. The CPCB has developed mechanism to identify producers who operate without EPR Authorization, for verification of quantity of e-waste collected by the producers, verification of systems provided by the producers, for collection and channelization, verification of facilities of dismantlers and recyclers for their infrastructure and records. With regard to items (f) to (k) of the action plan reproduced above, the SPCBs/PCCs are to take necessary action which is to be reviewed by the CPCB. The CPCB has carried out a review on 13.08.2019 and will continue to conduct such reviews quarterly.

9. Since the software is to be operationalized and implementation of the action plan is to be further observed, it will be appropriate that the next review and action taken report is placed before this Tribunal by 31.01.2020. The CPCB may workout mechanism for recovering compensation for delay in compliance as well as the violations.

List for further consideration on 12.02.2020.

Adarsh Kumar Goel, CP

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Dr. Nagin Nanda, EM

September 02, 2019
Original Application No. 512/2018
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