

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
Principal Bench, New Delhi  
Original Application No. 512 of 2018**

**In the Matter of: -**

**Shailesh Singh**

**Applicant(s)**

**Versus**

**State of UP & Ors.**

**Respondent(s)**

**And**

**Original Application No. 1001 of 2019**

**In the Matter of: -**

**In Re: News items -The Indian Express - 5,000 illegal e-waste units being run in capital: Study**

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*Anand Kumar*

**(ANAND KUMAR)**  
Scientist 'E'  
Central Pollution Control Board  
Parivesh Bhawan, East Arjun Nagar  
Delhi-110032

**Place:** Delhi

**Dated:** 18.12.2020

**Supplementary Review and Action Taken Report  
in the matter of OA No. 512 of 2018**

**And**

**Submission of CPCB in Compliance of Hon'ble NGT,  
Principal Bench order in the matter of OA No. 1001  
of 2019**

**Supplementary Submission in the matter of OA No. 512 of 2018  
(Sh. Shailesh Singh Vs. State of U.P & Others)**

**And**

**Submission of CPCB in the matter of OA No. 1001 of 2019  
(In Re. News item- The Indian Express – 5000 illegal E-Waste unit being run in  
Capital)**

**BY  
CENTRAL POLLUTION CONTROL BOARD  
December, 2020**

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**SUMMARY OF THE REVIEW & ACTION TAKEN REPORT AND ACTION TO BE TAKEN (4th Quarter FY2019-20, 1<sup>st</sup> & 2<sup>nd</sup> Quarter FY 2020-21) In Compliance of the Directions of Hon'ble NGT (PB) in the Matter of OA No 512 Of 2018:**

1. **Twenty-five (25) SPCBs/PCCs** namely A.P, Bihar, Chandigarh, Chhattisgarh, Delhi, Gujarat, Haryana, Himachal, J & K, Jharkhand, Kerala, M.P, Maharashtra, Manipur, Meghalaya, Mizoram, Odisha, Punjab, Puducherry, T.N., Telangana, Tripura, Uttarakhand, UP and West Bengal have submitted their 4th Quarter(FY2019-20) report w.r.t implementation of the Action Plan in their respective States/UT.
2. **Twenty-Seven (27) SPCBs/PCCs** namely A.P, Assam, A&N Islands Bihar, Chattisgarh, Delhi, Goa, Gujarat, Haryana, H.P, J&K, Jharkhand, Karnataka, Kerala, Maharashtra, Meghalaya, Mizoram Odisha, Punjab, Puducherry, Sikkim, Tamil Nadu, Telangana, Tripura, Uttarakhand, U.P, & West Bengal have submitted their 1<sup>st</sup> Quarter (FY 2020-21) Reports w.r.t implementation of the Action Plan in their respective States/UT.
3. **Twenty-Nine (29) SPCBs/PCCs** namely A.P, Arunachal Pradesh, Assam, A&N Islands, Bihar, Chandigarh, Delhi, DD&DNH Goa, Gujarat, Haryana, H.P, J&K, Jharkhand, Karnataka M.P, Maharashtra, Meghalaya, Mizoram, Odisha, Punjab, Puducherry, Rajasthan, Sikkim, Tamil Nadu, Telangana Tripura, UP & West Bengal have submitted their 2<sup>nd</sup> Quarter (FY 2020-21) Reports w.r.t implementation of the Action Plan in their respective States/UT.
4. **Two (02) SPCBs/PCCs** namely Lakshadweep & Nagaland have not submitted their quarter reports for any of the three quarters.i.e. 4<sup>th</sup> Quarter (FY2019-20), 1<sup>st</sup> & 2<sup>nd</sup> Quarter(FY2020-21)
5. Some of the SPCBs/PCCs have informed that manpower constrained and COVID Crisis for delay in progress and submission of progress reports.
6. Due to COVID-19 pandemic fewer verifications/inspections were carried out during 1<sup>st</sup> & second quarter (FY2020-2021).
7. During verification of systems provided by Producers for collection & channelization of E-Waste, collection centres of 292 producers were found either non-complying with respect to the guidelines of CPCB or non-traceable. Accordingly, CPCB has issued notices to these producers show causing them why not their EPR Plan/EPR Authorisation be suspended and action as per e-waste rules be initiated.

**1.0 MANAGEMENT STATUS OF E-WASTE (MANAGEMENT) RULES, 2016 DURING FY 2017-18 AND FY 2018-19.** (Note: for FY 2019 - 20 the last date for receiving information from SPCBs/PCCs is 30<sup>th</sup> November 2020)

- (i) Number of Producers having Extended Producer Responsibility Authorisation (EPRA) under E-Waste (Management) Rules, 2016 as on 26-11-2020 is **1630**.
- (ii) Number of Registered Producer Responsibility Organisation (PRO) as on 26-11-2020 is 44
- (iii) Number of authorised dismantlers/recyclers based on information received from SPCBs/PCCs are 312 having authorised capacity of 7,82,080. 62 tonne per annum
- (iv) Quantity of e-waste dismantled and recycled during FY 2017-18 and FY 2018-19 based on information from SPCBs/PCCs is 69413.619 tonnes and 164663 tonnes respectively.

- (v) Under the E-Waste (Management) Rules, 2016 the collection target for the FY 2017-18 & FY 2018-19 was 10% (effective 5% on pro rata basis) & 20% of total generation. Accordingly the collection target given was 35,422.25 tonnes and 1,54,242.74 tonnes respectively. E-Waste collected against the collection target during FY 2017 – 18 and FY 2018-19 was 25,325.28 tonnes and 78280.995 tonnes respectively. For shortfall in collection target, CPCB has issued show cause notices to producers and the reply is under compilation.

## 2.0 ACTION TAKEN BY CPCB:

- (i) CPCB estimated the quantum of e-waste generated during the last three financial year and the estimated quantities for the FY 17-18, FY 18-19 & FY19-20 are given below:
- For financial year **2017-18**, the estimated generation of e-waste is **708445 tonnes** for **21 types of EEE**.
  - For financial year **2018-2019**, the estimated generation of e-waste is **771215 tonnes** for **21 type of EEE**.
  - For the financial year 2019-2020, the estimated generation of e-waste is **1014961.2 tonne** for **21 types of EEE**.
- (ii) CPCB in compliance with Hon'ble NGT order dated 02-09-2019 submitted review report on 11.02.2020.
- (iii) CPCB issued direction under section 18 (1) (b) of the Water Act 1974 and under the Air Act 1982 to UPPCB on 05-05-2020 for taking action against three dismantlers and recyclers for violation of e-waste rules and guidelines of CPCB. Accordingly, UPPCB ordered for closure of these units.
- (iv) CPCB recommended to MoEF & CC for inclusion of 75 numbers electrical and electronic equipment in addition to the existing 21 number of electrical and electronic equipment in the schedule – 1 of the E-Waste (Management) Rules, 2016
- (v) CPCB has prepared the guidelines for **Environmental Compensation Charges (ECC)** under E-Waste Rules in compliance of the Hon'ble NGT order dated 02-09-2019 and the same has been enclosed at **Enclosure - A**.
- (vi) A review meeting for reviewing the progress made with regard to implementation of action plan through video conference was organised by CPCB on June 17<sup>th</sup>, 2020. In the review meeting the progress made during the 4<sup>th</sup> Quarter of the FY 2019-20 by the SPCBs/PCCs was reviewed.
- (vii) CPCB also organised two-day training programme on "E-waste Management Portal" for official of all SPCBs/PCCs engaged in activity related to uploading of quarterly reports at E-Waste Review portal on 06.08.2020 and 07.08.2020 respectively.
- (viii) CPCB issued show cause notices to 186 producers on 16.09.2020 for not meeting the collection targets for the FY 2018-19. The reply of producers are under compilation.
- (ix) CPCB issued show cause notice to 523 producers on 06.10.2020 for not submitting their annual returns for the FY 2018-19. The reply of producers are under compilation.
- (x) A review meeting with all SPCBs/PCCs via video conference was organised on 09.10.2020 to review status of implementation of action plan during 1st & 2nd quarter of FY 2020-21.

- (xi) CPCB has issued show cause notices to 292 producers on 26-11-2020 whose collection centres were found non-complying or non-traceable and show cause them why not their EPR Plan/EPR Authorisation be suspended and action as per e-waste rules be initiated.

### **3.0 ACTION TO BE TAKEN BY CPCB & SPCBs/PCCs:**

1. CPCB to compile all the reply of show cause notices and to give opportunity for presenting their cases to defaulting producers as required in the rule 14 (2) of the E-Waste (Management) Rules, 2016 and then take again against defaulting producers.
2. SPCBs/PCCs to reassess the authorised capacity of dismantlers/ Recyclers in their states/UTs in accordance with the area criteria mentioned in CPCB's guidelines.
3. SPCBs/PCCs to submit report with clear observations and recommendations.
4. SPCBs/PCCs to strengthen the e-waste management cell in their respective State/UT.

### **4.0 HON'BLE NGT (PB) DIRECTION IN THE MATTER OF OA NO. 1001 of 2019 (News Item – The Indian Express – 5000 illegal e-waste units being run in capital; Study)**

In the matter of OA, no 1001/2019 (News Item at Indian Express dated 18.10.2019 titled "5000 Illegal E-Waste Units Being run in and around Delhi"), the issue for consideration is the remedial action against unscientific disposal of e-waste causing damage to the environment, with potential threat to public life. In the said matter taking note of reports submitted by UPPCB & DPCC, the Hon'ble NGT vide its order dated 30.09.2020 has issued following directions for CPCB.

"The CPCB may consider the suggestion of the State PCB with regard to the EPR clause and regarding PROs and give its response thereto in OA 512/2018, Shailesh Singh v. State of UP & Ors".

And

"The CPCB may also consider incorporating requirement with regard to all the States/UTs to locate such units in identified industrial areas where such units can operate in environment friendly manner in terms of conditions of authorization/registration"

### **5.0 CPCB'S SUBMISSION IN THE MATTER OF OA NO. 1001/2019 – IN COMPLIANCE WITH HON'BLE NGT (PB) ORDER DATED 30-09-2020**

- (i) Under the E-Waste (Management) Rules, 2016, Producers of notified electrical and electronic equipment (21 equipment as listed in schedule – I of the above said rules) have been given collection target for collection of e-waste under the policy instrument namely Extended Producer Responsibility (**EPR**). The producer have to collect e-waste as per the specified target and get it dismantled and recycled in an environmentally sound manner through an authorised dismantlers and recyclers.
- (ii) For managing its EPR, Producers have to obtain EPR Authorisation (**EPRA**) from CPCB. For obtaining **EPRA**, the producers have to submit their **EPR Plan**. EPR

- Plan details out producer's awareness plan, system of collection, storage, transportation, dismantling, recycling, its service providers/channel partners (logistic partners, PROs, dismantlers and recyclers) and budget for EPR.
- (iii) CPCB approves the EPR Plan of the producers and grant them EPRA. EPRA contains information on yearly collection target. So far 1630 producers have been granted EPRA.
  - (iv) Under the EPR regime, the producers are required to fulfil its annual collection target. Based on the evaluation of EPR Plan of the producers it submitted that producers are mostly engaging authorised dismantlers, recyclers or registered PROs for collection of e-waste and the collected e-waste is being dismantled at dismantlers and recyclers premises. Based on the certification from the authorised dismantlers & recyclers the producers submits their annual returns specifying the amount of e-waste collected and recycled.
  - (v) UPPCB in its report submitted that process of unauthorised dismantling and recycling has not been found in the area. Unauthorised units are small establishment engaged in burning, etching or smelting only. From the report of UPPCB it appears that only populated waste printed circuit boards (WPCB) are coming to the Loni region and after removing of all the useful and valuable materials from the WPCB the bare waste printed circuit boards are dumped in the area.
  - (vi) Absence of dismantling activities and presence of populated waste printed circuit board in Loni area establish the fact that these material are coming from dismantlers and recyclers of e-waste having their dismantling and recycling facilities elsewhere. This establishes the fact that materials are leaking from dismantlers and recyclers as Producers are getting their collected e-waste dismantled and recycled through the authorised dismantlers and recyclers and do not dismantled and recycled the collected e-waste themselves.
  - (vii) The leakage of e-waste from dismantlers and recyclers is the reason for e-waste reaching to these areas. It has been observed that dismantlers and recyclers have been given processing capacity beyond their actual processing capacity by the SPCBs/PCCs.
  - (viii) CPCB has observed that SPCBs/PCCs are not observing the guidelines of CPCB on capacity of the dismantlers and recyclers. The capacity has been linked with shed area available with the dismantlers & recyclers. For dismantlers it is 300 square meter for capacity of 1 tonne per day and for recyclers it is 500 square meter for capacity of 1 tonne per day.
  - (ix) In one instance, CPCB has noted that capacity of one dismantlers increased to eight (8) times of its original capacity without any increase in corresponding shed the area. This increase in the capacity in excess of its actual processing capacity results in such leakage. In this regard, CPCB through review meetings regularly asking the SPCBs/PCCs for revising the capacity of dismantlers and recyclers in accordance with CPCB guidelines.
  - (x) Under the E-waste (M) Rules, dismantlers/ Recyclers are authorized by SPCBs/PCCs. Hence, SPCBs/PCCs while issuing authorizations to the dismantlers/recyclers should strictly follow CPCB's guidelines w.r.t to required facilities, pollution control equipment and availability of areas with the dismantlers & recyclers and on the basis of same should grant authorization and authorized capacity.
  - (xi) EPR regime is in place and most of the producers have engaged the authorised

dismantlers/recyclers/PROs for collection of e-waste for meeting their collection targets. So we need to prevent leakage from dismantlers/recyclers.

- (xii) Leakage of e-waste from authorised dismantlers/recyclers can be prevented by monitoring the authorised dismantlers/recyclers regularly & continuously for material balance, material movement and for tracing the destination of dismantled materials.
- (xiii) Bulk consumers (MNC, Govt. Departments, Ministry companies, etc.) generate large quantity of e-waste. They auction the waste to highest bidder who in turn is an authorised dismantlers/recyclers. The auctioned waste reaches to informal processors for recovery operations from these authorised dismantlers/recyclers. Bulk Consumers should be directed for auctioning their e-waste only to Producers system of collection.
- (xiv) For disposal of bare board dumped in the Loni Region after removal/recovery of useful and valuable material, we need to first assess the quantity of bare boards and to identify recyclers/processors who are willing to convert this bare board into some useful material. The cost of collection, storage and processing may be thought off from Producers EPR budget if we consider the quantity of collected board as part of their collection target for which CPCB will have interaction meeting with Producers.
- (xv) Under Rule 12 of the E-waste(M) Rules Department of Industry in State or any other government agency authorised in this regard by the State Government, are to ensure earmarking or allocation of industrial space or shed for e-waste dismantling and recycling in the existing and upcoming industrial park, estate and industrial clusters.
- (xvi) In view of the above, the authorised government agency may provide space within the existing and upcoming industrial park, estate and industrial clusters for carrying out dismantling operations.
- (xvii) In the above space, shed and other hand held tools be made available for carrying out manual dismantling operation. This space will be a common space where different groups can carry out dismantling of their equipment.
- (xviii) Once equipment dismantled, it should be given to different recycler for recovery operation through sale & purchase.
- (xix) Any gap in the price expected & paid to dismantlers may be met from Producers and he in turn can claim the quantity of waste for which he made payment as part of his collection target

## 6.0 SPCBS/PCCS WISE REVIEW REPORT FOR THE 4<sup>TH</sup> QUARTER (2019-20) AND 1<sup>ST</sup> & 2<sup>ND</sup> QUARTER (2020-21) AND CPCB'S OBSERVATIONS

S.No.	Name of the SPCBs/PCCs	Status of Report Submission	Work reported by SPCB/PCC	CPCB's Observations
1.	Andhra Pradesh Pollution Control Board (APPCB)	4 <sup>th</sup> Quarter (FY:2019-20). 1 <sup>st</sup> & 2 <sup>nd</sup> Quarter (FY:2020-21)	<ul style="list-style-type: none"> <li>➤ Board has carried out E-Waste Inventory for the State through Environment Protection Training and Research Institute(EPRTI).</li> <li>➤ Actions have been taken for identification of non-EPRA Producers in the State, however, no such producer has been identified so far.</li> <li>➤ Board inspected facilities of three (03) dismantlers/ Recyclers and all were reported to be complying.</li> <li>➤ Board has verified 210 e-waste collection centers in the state, where 168 collection centers were not found to be working and in most of the cases these collection centers where either closed or not traceable at the locations given by producers in their EPR Plan.</li> <li>➤ Drives proposed for checking informal units in collaboration with Municipal Administration.</li> <li>➤ Nodal officers have been appointed at district and state level for monitoring compliance of the rules.</li> <li>➤ Carried out workshops on awareness with various stakeholders. IEC Plan has been firmed</li> <li>➤ Board has also informed that it is in process to design and develop application /platform for connecting consumers with authorized recyclers/ dismantlers</li> </ul>	<ul style="list-style-type: none"> <li>✓ From the reports it appears that Board has initiated actions on all components of the action plan.</li> <li>✓ Verification of 210 e-waste collection centers is a big action taken by the Board.</li> <li>✓ Board further needs to intensify it actions on action points related to strengthening of e-waste management system and carry out regular check against informal units and also work on capacity building part.</li> </ul>
2.	State Pollution Control Board Assam	1 <sup>st</sup> & 2 <sup>nd</sup> Quarter (FY:2020-21)	<ul style="list-style-type: none"> <li>➤ Carried out inventory exercise in the State.</li> <li>➤ Board has reported difficulties for identification of Non-EPRA, in conducting Market Surveys due to manpower constraints.</li> <li>➤ Verification of 14 E-Waste Collection centres was done, where 5 collection centers could not be found, 01 was closed and remaining 8 were found to be complying.</li> </ul>	<ul style="list-style-type: none"> <li>✓ As per the quarterly reports, Board has initiated actions on all the action points of the action plan. However, in the inventory exercise, Board has been using reports received from Bulk consumers. Board is advised to follow CPCB's methodology of using</li> </ul>

S.No.	Name of the SPCBs/PCCs	Status of Report Submission	Work reported by SPCB/PCC	CPCB's Observations
			<ul style="list-style-type: none"> <li>➤ Board has recently granted authorization to one dismantler/ Recycler and the same was found to be complying</li> <li>➤ Board has constituted a task force for checking informal units of E-Waste. Board has asked district administration for constitution of committees at District as well as State Level. So far only one District Level Committee has been constituted.</li> <li>➤ Board organized some workshops and training programs on E-waste Management Awareness. No IEC Plan has been firmed so far.</li> </ul>	<p>producer's sales data while inventorying e-waste in the state</p> <ul style="list-style-type: none"> <li>✓ Board is suggested to issue general notice thereby directing all the producers of EEE operating in state to obtain EPRA from CPCB.</li> <li>✓ Further Board needs to gear up its actions and submit specific progress made in all the action points.</li> </ul>
3.	Arunachal Pradesh Pollution Control Board	2 <sup>nd</sup> Quarter (FY:2020-21)	<ul style="list-style-type: none"> <li>➤ No actions have been reported for identification of Non-EPRA Producers in the State.</li> <li>➤ So far, there are no authorized Recyclers/ Dismantlers in the State.</li> <li>➤ Board has informed that there is only one e-waste collection centre of a PRO in the state and same was also found to be non-complying.</li> <li>➤ State Government has notified state specific E-Waste policy, where incentives have been proposed for recyclers and refurbishers.</li> <li>➤ A district Level Force constituted in OA 606/2018 will also look into the issues related to e-Waste Management.</li> <li>➤ No workshops/ seminar have been carried out so far. No IEC Plan formulated so far. Board has also shared results of inventory exercises.</li> </ul>	<ul style="list-style-type: none"> <li>✓ As per the submitted report, Board is required to initiate actions for identification of Non-EPRA Producers</li> <li>✓ Board needs to gear-up action w.r.t action points (f) to (k) and ensure drives for illegal units, regularly conduct awareness programmes and firm-up IEC Plan. As there are no authorized dismantlers/ Recyclers in the State, hence Board needs to facilitate setting up of authorized dismantlers/ Recyclers in the State and also ensure no illegal units are running in the state.</li> <li>✓ Board to be consistent in submission of reports for all the quarters.</li> </ul>
4.	A & N Island PCC	1 <sup>st</sup> & 2 <sup>nds</sup> Quarter (FY:2020-21)	<ul style="list-style-type: none"> <li>➤ Inventory of e-waste based on e-waste generation data of bulk consumers has been carried</li> </ul>	<ul style="list-style-type: none"> <li>✓ As per the report actions have been initiated on only few action points of the action plan, however work is</li> </ul>

S.No.	Name of the SPCBs/PCCs	Status of Report Submission	Work reported by SPCB/PCC	CPCB's Observations
			<ul style="list-style-type: none"> <li>➤ No actions have been reported towards identification of non-EPRA Producers.</li> <li>➤ So far, there are no authorized dismantlers/ Recyclers of e-waste in the UT of A&amp;N Islands. Verification of e-waste collection centres is also not carried out so far.</li> <li>➤ To facilitate collection and disposal of e-waste, PCC has authorized M/s Penquin Marine Services for collection, storage and transportation of the e-waste to mainland for recycling. No specific committee has been formulated for management of e-waste, however, as per the report monitoring of all environmental issues including waste management is regularly held during the meeting of SLAC under the chairmanship of Chief Secretary.</li> <li>➤ No capacity building exercise has been reported. No IEC Plan has been framed so far</li> </ul>	<p>required to be geared up on remaining action points of the action plan such as identification of non-EPRA producers, verification of e-waste collection centres in the UT, check drives for identification of informal activities, nomination of nodal officers for e-waste compliance monitoring, Capacity building &amp; formulation of IEC Plan. PCC should also facilitate in setting up of authorized recyclers/ Dismantlers in the UT. PCC to refer CPCB methodology for carrying out e-waste inventory exercise.</p> <p>✓ PCC also needs to be consistent in submission of all the quarterly reports</p>
5.	Bihar State Pollution Control Board (BSPCB)	4 <sup>th</sup> Quarter (FY :2019-20) 1 <sup>st</sup> & 2 <sup>nds</sup> Quarter (FY:2020-21)	<ul style="list-style-type: none"> <li>➤ Actions on identification on non-EPRA Producers are yet to be initiated in the State.</li> <li>➤ So far, there are no authorized dismantlers and recyclers in the state of Bihar.</li> <li>➤ Board has verified eight (08) collection centers, out of which five (05) centers were found to be operational and complying, while three (03) collection centers could not be traced at the locations provided in the EPR plan.</li> <li>➤ A district level monitoring has been constituted under the chairmanship of district collector to monitor implementation of the action plan.</li> </ul>	<p>✓ Bihar Board to initiate actions for identification of Non-EPRA Producers, needs to gear up its drives for checking informal trading, dismantling &amp; recycling of the e-waste in the state.</p> <p>✓ Bihar Board also to facilitate in setting up of authorized e-waste recyclers/ dismantler in the state.</p> <p>✓ To ensure capacity building and also organize regular awareness programmes amongst stakeholders.</p>

S.No.	Name of the SPCBs/PCCs	Status of Report Submission	Work reported by SPCB/PCC	CPCB's Observations
			<ul style="list-style-type: none"> <li>➤ Urban Development &amp; Housing Govt. of Bihar has been asked to issue EoI for setting up of recycling units for E-Waste. Public Notice have been issued to sensitize bulk consumer.</li> <li>➤ As per Board there are waste deposition centers in every municipal body.</li> </ul>	
6.	Chandigarh Pollution Control Committee (CPCC)	4 <sup>th</sup> Quarter (FY :2019-20) 2 <sup>nd</sup> Quarter (FY:2020-21)	<ul style="list-style-type: none"> <li>➤ Actions reported for identification of Non-EPRA producers, however no non-EPRA producer has been identified so far.</li> <li>➤ So far, there are no authorized dismantlers and recyclers in the UT of Chandigarh.</li> <li>➤ In the 2<sup>nd</sup> Quarter, verification of 03 E-waste collection centres were reported and all were found to be complying.</li> <li>➤ CPCC mentioned that setting up of recycling facility is not feasible in case of Chandigarh because of high cost of land. However, there are provision for collection of e-waste through 4 agencies and subsequent channelization of that waste to their authorized dismantlers/ Recyclers in other states.</li> <li>➤ A state level committee has been constituted in the matter of OA 606/2018 and the same committee will also monitor progress in e-waste management action plan.</li> <li>➤ CPCC has mentioned that workshops have been conducted and IEC Plan has also been firmed up.</li> </ul>	<ul style="list-style-type: none"> <li>✓ CPCC needs to gear-up actions towards implementation of the action plan in Chandigarh. Verification of Producers facilities for collection &amp; channelization of e-waste is continuous activity to be carried out on regular basis in all the quarters.</li> <li>✓ CPCC also to provide details of actions reported in action points (f) to (k). And also facilitate setting of authorized recyclers/dismantlers in the state with the help of State government .</li> </ul>
7.	Chhattisgarh Environment Conservation Board (CECB)	4 <sup>th</sup> Quarter (FY :2019-20) 1 <sup>st</sup> Quarter (FY:2020-21)	<ul style="list-style-type: none"> <li>➤ Actions taken for identification of Non-EPRA producers, however no non-EPRA producer has been identified.</li> <li>➤ Inspected facilities of two (02) Dismantlers/ Recyclers in the State and both were reported to be complying.</li> </ul>	<ul style="list-style-type: none"> <li>✓ CECB to gear-up its actions w.r.t to all the action points of the action plan.</li> <li>✓ CECB also to increase number of verifications of collection centers done in a given quarter as only one</li> </ul>

S.No.	Name of the SPCBs/PCCs	Status of Report Submission	Work reported by SPCB/PCC	CPCB's Observations
			<ul style="list-style-type: none"> <li>➤ Verification of one (01) collection center was done. The said collection center was associated with 5 EPRA Producers and was found to be complying.</li> <li>➤ W.r.t action points for strengthening E-Waste Management System, no actions have been taken so far, it has been mentioned that actions could not be taken up/ delayed due to prevailing COVID conditions</li> </ul>	collection center was verified in 4 <sup>th</sup> quarter.
8.	Daman & Diu and Dadra & Nagar Havili Pollution Control Committee (DD & DNH)	2 <sup>nd</sup> Quarter (FY:2020-21)	<ul style="list-style-type: none"> <li>➤ No substantial work towards implementation of action plan has been reported.</li> <li>➤ There are no authorized dismantlers/ Recyclers/ E-Waste collection centres in the UT</li> <li>➤ For all the action points PCC has proposed action in future with time frame, however no action has been taken so far.</li> </ul>	<ul style="list-style-type: none"> <li>✓ As per the report no actions have been initiated so far. Board to gear its actions towards implementation of all the applicable action points of the action plan in the UT of DD&amp;DNH.</li> <li>✓ Board to adhere to the timeline proposed by it for all the action points.</li> </ul>
9.	Delhi Pollution Control Committee (DPCC)	4 <sup>th</sup> Quarter (FY :2019-20)  1 <sup>st</sup> & 2 <sup>nds</sup> Quarter (FY:2020-21)	<ul style="list-style-type: none"> <li>➤ DPCC inspected 9 E-waste Collection centers associated with 56 producers and all these collection centers were found to be non-complying. Further verification of 2 Collection centers was done in 2<sup>nd</sup> quarter, where one was found to be complying and one was non-complying.</li> <li>➤ No actions have been taken for identification of Non-EPRA Producers as proposed in action point (b) of the action plan.</li> <li>➤ For checking informal e-waste units, directions have been issued u/s 5 of EPA all the local bodies/ DDA regarding stoppage of illegal activity of informal trading, dismantling and recycling of e-waste in their respective areas of jurisdiction.</li> <li>➤ Nine (09) teams have been constituted specifically for trans-Yamuna area of Delhi under District Administration. Said teams headed by respective SDMs have inspected 130</li> </ul>	<ul style="list-style-type: none"> <li>✓ DPCC is putting substantial efforts towards checking informal trading, dismantling &amp; recycling units and same is appreciated. However, it needs to accelerate its actions towards implementation other components of the action plan as well.</li> <li>✓ Continuous activities are to be done on regular basis. Verification drives needs to be intensified on regular basis.</li> <li>✓ DPCC to convey about proceedings/progress of District Plan</li> </ul>

S.No.	Name of the SPCBs/PCCs	Status of Report Submission	Work reported by SPCB/PCC	CPCB's Observations
			<p>premises and 31 premises which were found to be storing/handling of E-waste have been closed effectively and Environmental Compensation (EC) was imposed. 14 people have deposited the requisite EC and undertook to close down the illegal activities and so the closure directions have been revoked.</p> <ul style="list-style-type: none"> <li>➤ A District Plan Committees has been formed under the Chairmanship of concerned District Magistrate comprising of officials from different organizations. An Action Plan has also been prepared by the Department of Environment, GNCTD in this regard.</li> <li>➤ For other action points, no major progress has been reported in 1st &amp; 2nd quarters (Fy2020-21) due to prevailing COVID condition.</li> <li>➤ DPCC has submitted that 2 teams have been constituted on 25 August 2020 consisting of officials from Revenue, Concerned MCD, Delhi Police and DPCC. The said teams have identified 124 units engaged in illegal e-waste storage /handling in eastern and north eastern zones of Delhi and survey is still going on.</li> </ul>	<p>Committee towards action Plan prepared by GNCTD.</p> <ul style="list-style-type: none"> <li>✓ Also efforts regarding Capacity building &amp; IEC Plan needs to be geared up.</li> </ul>
10.	Goa State Pollution Control Board (GSPCB)	1 <sup>st</sup> & 2 <sup>nd</sup> Quarter (FY:2020-21)	<ul style="list-style-type: none"> <li>➤ No actions have been taken for identification of Non-EPRA Producers in the State.</li> <li>➤ Inspections of Dismantling/Recycling units have not been carried out by Board. Also, no E-waste collection Centres have been verified by the State.</li> <li>➤ W.r.t activities on (f) to(k), Board mentioned that activities are under process and a time line up to November 30, 2020 has been given for the same.</li> </ul>	<ul style="list-style-type: none"> <li>✓ No substantial work towards implementation of action plan has been reported by GSPCB.</li> <li>✓ Board needs to gear-up its action on all the action points of the action plan. Board to adhere to its timeline and submit progress made thereafter in the upcoming report of 3<sup>rd</sup> Quarter.</li> </ul>

S.No.	Name of the SPCBs/PCCs	Status of Report Submission	Work reported by SPCB/PCC	CPCB's Observations
11.	Gujarat Pollution Control Board (GPCB)	4 <sup>th</sup> Quarter (FY :2019-20) 1 <sup>st</sup> & 2 <sup>nd</sup> Quarter (FY:2020-21)	<ul style="list-style-type: none"> <li>➤ E-Waste Inventorization carried in the state through Gujarat Environment Management Institute(GEMI).</li> <li>➤ Actions have been reported for identification of non-EPRA producers.</li> <li>➤ Inspections of dismantlers/ Recyclers in total 07 units were done during 1<sup>st</sup> &amp; 2<sup>nd</sup> Quarters and all were found to be complying.</li> <li>➤ Verification of e-waste Collection Centres could not be done in either of the quarters due to prevailing COVID conditions.</li> <li>➤ A district level Environment Management committee has been constituted for enforcement of E-Waste(M) Rules.</li> <li>➤ There are 19 authorized E-Waste Collection Centres in the State. GPCB has issued notices to these dismantlers/ recyclers to tie-up either with PRO or set up their collection centres in the state.</li> <li>➤ GPCB has carried out 27 district wise awareness programme on e-waste in the State and has also written to FICCI and industrial associations to conduct training programmes/ workshops on e-waste awareness. Board is in contact with GIL for channelization of e-waste from Government sector to authorized dismantler/recycler</li> <li>➤ Board also conducted some awareness programmes.</li> </ul>	<ul style="list-style-type: none"> <li>✓ Gujarat Board has taken actions w.r.t most of the action points of the action plan. However, GPCB to ensure regular verification/Inspections of collection centres, Recycling/Dismantling units across all the quarters.</li> <li>✓ It has been observed that GPCB has verified collection centers of 40 Producers located in Gujarat only. The collection centers of producers are on PAN India basis, hence the producers who are not located in Gujarat also have their collection centers in the state of Gujarat and the same is to be verified as per EPR Plan submitted by the EPR Authorized Producers.</li> <li>✓ GPCB need to gear-up in terms of checking informal trading of E-Waste, IEC Plans, etc. Board also convey compliance status in inspection reports.</li> </ul>
12.	Haryana State Pollution Control Board (HSPCB)	4 <sup>th</sup> Quarter (FY :2019-20) 1 <sup>st</sup> & 2 <sup>nd</sup> Quarter (FY:2020-21)	<ul style="list-style-type: none"> <li>➤ E-Waste inventorization has not been carried out so far and is proposed to outsourced.</li> <li>➤ Actions reported for identification of non-EPRA Producers, but no such producers have been identified so far.</li> </ul>	<ul style="list-style-type: none"> <li>✓ As per the report, Board has initiated actions on all the action points of the action plan. Board needs to gear-up action w.r.t action point (i) i.e.</li> </ul>

S.No.	Name of the SPCBs/PCCs	Status of Report Submission	Work reported by SPCB/PCC	CPCB's Observations
			<ul style="list-style-type: none"> <li>➤ In the 4<sup>th</sup> Quarter, 37 units of dismantlers/ Recyclers were inspected and out of which 23 Nos. of units are in operation and 14 units are lying closed and show cause notice under E-waste rules were issued by Regional Officer in view of non-compliance of units. In 2<sup>nd</sup> quarter inspections were made at 39 units, where 27 units were found to be complying while remaining 12 were either temporarily or permanently closed.</li> <li>➤ Board has carried out verification of 11 E-Waste collection centers, and all were reported to be complying.</li> <li>➤ Haryana State Electronics Development Cooperation Ltd.(HARTRON) has been requested by Board to formulate mechanism for collection and for incentivizing for setting up of recycling facilities.</li> <li>➤ The state level and district level committees have been constituted by Government of Haryana (Environment Department) to monitor compliance.</li> <li>➤ No awareness programmes have been reported.</li> <li>➤ HSPCB formulated a draft E-Waste Management Policy and sent to State Government for approval. Further action will be initiated after finalization of the draft policy</li> </ul>	<p>capacity building and conduct awareness programmes in the State.</p>
13.	Himachal Pradesh State Pollution Control Board (HPSPCB)	<p>4<sup>th</sup> Quarter (FY :2019-20)</p> <p>1<sup>st</sup> &amp; 2<sup>nd</sup> Quarter (FY:2020-21)</p>	<ul style="list-style-type: none"> <li>➤ Exercise for inventory of E-Waste in the State is under progress.</li> <li>➤ Action taken for identification of Non-EPRA Producers, however no non-EPRA has been identified so far.</li> <li>➤ Two dismantling/ recycling units were inspected in all the quarters (total 05 inspections) and these units were found to be complying.</li> <li>➤ Board inspected facilities of 7 EPRA Producers situated in the state of HP, however none of them have their collection centers in HP.</li> <li>➤ For checking of informal trading, dismantling &amp; recycling of E-Waste, regular drives have been carried out at local kabadiwalas and directions have also been issued to ULBs to</li> </ul>	<ul style="list-style-type: none"> <li>✓ HPSPCB has initiated actions on most of the action points of the action plan. HPSPCB has so far inspected facilities of producers those are located in Himachal Pradesh only. As all the EPRA producers have their collection centers on PAN India basis, hence collection centers of other EPRA producers are also to be verified on continuous basis.</li> <li>✓ W.r.t action points (f) to(k), Board to ensure progress in all the quarters and</li> </ul>

S.No.	Name of the SPCBs/PCCs	Status of Report Submission	Work reported by SPCB/PCC	CPCB's Observations
			<p>ensure segregation of E-waste from MS Waste. In the 2<sup>nd</sup> Quarter (Fy2020-21) approx. 41 drives were carried out to check informal e-waste units in the state.</p> <ul style="list-style-type: none"> <li>➤ Public notice has been issued to bulk consumers for handing over their e-waste only to registered dismantlers/ Recyclers.</li> <li>➤ Government of Himachal has constituted both State level as well as district level committee to monitor enforcement of E-waste rules.</li> <li>➤ Board has also conducted workshops with ULBs but details on the same are not provided in the report. Board also reported that its IEC plan is under preparation by DoST, HP</li> </ul>	<p>provide clear timelines for completion of various activities proposed as per the action plan. Details and dates of workshops carried out in each quarter also to be specified. Minutes/progress made by district level committee also to be conveyed in every quarterly report.</p>
14.	Jammu & Kashmir Pollution Control Board (J & K PCB)	4 <sup>th</sup> Quarter (FY :2019-20)  1 <sup>st</sup> & 2 <sup>nd</sup> Quarter (FY:2020-21)	<ul style="list-style-type: none"> <li>➤ Actions reported for identification of Non EPRA Producers in the state. However, no Non-EPRA producer has been identified so far.</li> <li>➤ Facilities of two dismantlers/ recyclers were inspected in three quarters (total 04 inspections were made in these two units) and these units were found to be complying.</li> <li>➤ Board also verified in total 13 collection centers in the state. As per the reports, 08 collection centers were not found at designated address, one was found to be closed, 02 centers were complying and 02 collections was observed to be non-complying.</li> <li>➤ For checking informal trading, dismantling &amp; recycling of e-waste, Board has issued notices to 30 scrap dealers in total during three quarter. Further Board has issued e-waste awareness pamphlets and also conducted two workshops in 4<sup>th</sup> Quarter. In the reports of 1<sup>st</sup> &amp; 2<sup>nd</sup> quarter,</li> </ul>	<ul style="list-style-type: none"> <li>✓ J&amp;K Board has been observed to be consistent in its progress towards implementation of action plan and regular submission of quarterly reports.</li> <li>✓ Board to submit status of Action Taken Report (ATR) against 30 scrap dealers.</li> <li>✓ Further Nodal officers/ Committees are yet to be constituted at district &amp; Sate level to monitor compliance of the action plan.</li> <li>✓ During drives for checking informal units, many scrap dealers have been found in the state, hence Board needs to gear actions towards action point (g) and facilitate in setting-up of more</li> </ul>

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			<ul style="list-style-type: none"> <li>➤ One webinar was conducted by Board in collaboration with Directorate of School Education for creation of awareness among teachers and students.</li> <li>➤ Also draft IEC Plan has been prepared and is under finalization</li> </ul>	authorized dismantlers/ Recyclers in the state.
15.	Jharkhand State Pollution Control Board (JSPCB)	4 <sup>th</sup> Quarter (FY :2019-20) 1 <sup>st</sup> & 2 <sup>nd</sup> Quarter (FY:2020-21)	<ul style="list-style-type: none"> <li>➤ As per the reports of JSPCB there is only one producer of EEE in the State and the same has obtained EPRA from CPCB.</li> <li>➤ During 4<sup>th</sup> Quarter State Board has verified 88 e-waste collection centers and out of these 66 were found either non-traceable, closed or no collection center exists in the given address. In 1<sup>st</sup> &amp; 2<sup>nd</sup> Quarter 38 Collection Centers were verified, where 12 centres were not traceable/not found, while 24 were found to be non-complying. W.r.t Action point(c) and (e), facilities of 2 dismantlers/recyclers were visited. One unit was found to be complying, while other was not complying.</li> <li>➤ <i>For checking informal trading, dismantling &amp; recycling of E-Waste, Board has directed all its RO to coordinate with district administration for checking drives.</i></li> <li>➤ <i>District Level Committees have been constituted for all the 24 districts of the state.</i></li> <li>➤ <i>Board has also reported awareness programmes &amp; IEC Plans, but their details are not provided in the report</i></li> </ul>	<ul style="list-style-type: none"> <li>✓ JSPCB to take action against recycler M/s Simran Infotech, Dhanbad and it is reported of not holding valid Authorization. JSPCB may submit a summary list of all the collection centers verified and also to convey their status</li> <li>✓ Board needs to gear-up on activities related to strengthening of E-waste Management in the state i.e Action points (f) to (k).</li> </ul>
16.	Karnataka State Pollution Control Board (KSPCB)	1 <sup>st</sup> & 2 <sup>nd</sup> Quarter (FY:2020-21)	<ul style="list-style-type: none"> <li>➤ Board has initiated inventory exercise through Environmental Management &amp; Policy Research Institute (EMPRI) and work is proposed to be completed in six months.</li> <li>➤ No actions have been reported for identification of non-EPRA Producers in the State.</li> <li>➤ Inspection have been carried out at dismantling/ recycling units. However, details on the same are not provided in the report</li> <li>➤ Karnataka SPCB has introduce Pass Book to all E-Waste Recyclers &amp; Refurbishers and monitoring the same for e-waste collection by Producers.</li> </ul>	<ul style="list-style-type: none"> <li>✓ As per the submitted reports, Board has initiated actions on some of the action points of the action plan. However, Board needs to gear up its action towards implementation of holistic action plan in the state.</li> <li>✓ Board is required to identify non-EPRA producers as per the methodology provided by CPCB. Inspections of</li> </ul>

S.No.	Name of the SPCBs/PCCs	Status of Report Submission	Work reported by SPCB/PCC	CPCB's Observations
			<ul style="list-style-type: none"> <li>➤ Quarterly check drives are proposed for checking informal activities. No actions have been reported for action point(g) as there are already 102 e-waste procuring facilities existing in the state. Board informed that the committee constituted by NGT in the matter of 606/218 will also look into issues of E-Waste Management.</li> <li>➤ Two trainings programme have been conducted by EMPRI. KSPCB RO have also carried out 04 training programs for various stakeholders.</li> </ul>	<p>Recyclers/Dismantlers are to be carried out on continuous basis.</p> <ul style="list-style-type: none"> <li>✓ Introduction of pass book is a good approach for assessing e-waste collection by producers. However, Verification of E-waste collection centres is also required to be done on regular basis to verify functionality of EPR Plan provided by producers.</li> <li>✓ Board to formulated and share its IEC Plan</li> </ul>
17.	Kerala State Pollution Control Board (Kerala SPCB)	4 <sup>th</sup> Quarter (FY :2019-20)  1 <sup>st</sup> Quarter (FY:2020-21)	<ul style="list-style-type: none"> <li>➤ Actions have been taken for identification of Non-EPRA Producers, however no Non-EPRA producers have been identified so far.</li> <li>➤ So far there are no authorized dismantlers and recyclers in the state of Kerala.</li> <li>➤ Verifications of e-waste collection centres not carried out in any of the quarter</li> <li>➤ The District Level Monitoring Committee constituted as per OA 606/2018, has been entrusted to look the matter on E-waste Rule implementation.</li> <li>➤ Board has taken actions for checking informal trading of E-Waste. From the informal sector, 185 tonne of e-waste has been disposed to registered recyclers by Eco Friendly Solutions, Erattupetta, Kottayam during fourth quarter. Also about 44 tons of e-waste has been transferred by clean Kerala company to authorized recycler during this quarter.</li> <li>➤ A project proposal for e-waste dismantling unit has been submitted by Eco Friendly Solutions, Erattupetta, Kottayam before the state government for consideration</li> </ul>	<ul style="list-style-type: none"> <li>✓ Kerala SPCB has taken efforts towards implementation of the action plan in the state, however, the Board is required to regularly carry out verification of e-waste collection centres in the state as proposed in Action Point (d) and has to initiate actions for the Action Point (j).</li> <li>✓ As the issues of informal trading, dismantling &amp; recycling of e-waste have been identified, the Board needs to gear its action towards facilitating authorized dismantler/ recyclers in the State.</li> </ul>

S.No.	Name of the SPCBs/PCCs	Status of Report Submission	Work reported by SPCB/PCC	CPCB's Observations
			<ul style="list-style-type: none"> <li>➤ Governance frame work for monitoring compliance, DLMC was constituted as per OA 606/2018, has been entrusted to look the matter on E-waste Rule implementation.</li> <li>➤ Actions have been initiated and awareness programme on the responsible handling of E-waste have been conducted for various stakeholders through MAIT, State Level Programmes conducted with secretaries of local bodies.</li> </ul>	
18.	Lakshadweep Pollution Control Committee	None	-	-
19.	Madhya Pradesh Pollution Control Board (MPPCB)	4 <sup>th</sup> Quarter (FY :2019-20)  2 <sup>nd</sup> Quarter (FY:2020-21)	<ul style="list-style-type: none"> <li>➤ In the 4<sup>th</sup> quarter report, MPPCB has submitted inspection reports of two (02) dismantlers/Recyclers of e-waste in the state and both were found to be complying. Further in 2<sup>nd</sup> Quarter Report, Board has submitted inspection report of one Dismantler/Recycler and three E-Waste collection centers and all have been reported as complying.</li> <li>➤ Progress with respect to other action points of the action plan has not been submitted in either quarter.</li> </ul>	<ul style="list-style-type: none"> <li>✓ MPPCB to submit progress status w.r.t to all the action points of the action plan i.e Inventorization of e-waste in the state, identification of non-EPRA Producers, verification of e-waste collection centers located in the state of MP and also to carry out activities listed for strengthening of E-waste management in the state i.e action points (f) to (k) of the action plan.</li> <li>✓ Board to conduct regular drives to check any informal units operating in the state. Also coordinate in nomination of nodal persons at district as well as state level to ensure compliance monitoring. Board to take actions for capacity building of officials and also</li> </ul>

S.No.	Name of the SPCBs/PCCs	Status of Report Submission	Work reported by SPCB/PCC	CPCB's Observations
				<p>development of IEC Plans for awareness on e-waste management.</p> <p>✓ Board in it future reports to mention progress on all the component of the action plan and ensure submission of reports for every quarter.</p>
20.	Maharashtra Pollution Control Board(MPCB)	4 <sup>th</sup> Quarter (FY :2019-20) 1 <sup>st</sup> and 2 <sup>nd</sup> Quarter (FY:2020-21)	<ul style="list-style-type: none"> <li>➤ MPCB has completed its E-waste Inventory Exercise and its report is available at its website.</li> <li>➤ Actions taken for identification of non-EPRA producers, however no non-EPRA has been identified so far.</li> <li>➤ MPCB has carried out inspection of five (05) dismantlers/ Recyclers and all were found to be complying during 4<sup>th</sup> Quarter.</li> <li>➤ One e-waste collection center was verified and was found to be complying during 4<sup>th</sup> Quarter. However, in 1<sup>st</sup> &amp; 2<sup>nd</sup> Quarter, no inspections/ verifications could be carried out as a safety measure for COVID -19.</li> <li>➤ For strengthening of e-waste management system in the State, MPCB has informed on constitution of special task force at district level for waste management including e-waste and till now 14 meetings have been conducted.</li> <li>➤ MPCB issued letters to Urban Development Department directing ULBs in the state to set-up collection centres. MPCB also informed on setting up of some E-waste collection centers by Urban Local Bodies(ULBs).</li> <li>➤ 5 workshops carried in the state at divisional level during 4<sup>th</sup> quarter. Some awareness events on e-waste have also been reported in the 4<sup>th</sup> quarter. MPCB has also given show cause notice to 35 dismantlers/ recyclers who have violated the space criteria as per CPCB's guidelines.</li> </ul>	<p>✓ Action is required from MPCB for verification of systems provided by producers for collection and channelization of e-waste. In the 4th quarter, Board has verified one collection center only and the same needs to be increased to at least 25% of all collection centers in the state in a given quarter</p> <p>✓ Actions are required to be initiated for checking informal trading of e-waste. Also IEC plan needs to be firmed up.</p> <p>✓ MPCB to share status report w.r.t Show Cause Notices issued to 35 dismantlers/ recyclers those were found to be violating space criteria and also to reassess the capacity of these dismantlers/ Recyclers based on available area with them.</p>

S.No.	Name of the SPCBs/PCCs	Status of Report Submission	Work reported by SPCB/PCC	CPCB's Observations
			<ul style="list-style-type: none"> <li>➤ No major activities have been reported in 1<sup>st</sup> &amp; 2<sup>nd</sup> quarter due to Pandemic conditions</li> </ul>	
21.	Manipur State Pollution Control Board (Manipur SPCB)	4 <sup>th</sup> Quarter (FY :2019-20)	<ul style="list-style-type: none"> <li>➤ Reported actions for identifying non-EPRA producers in the state, however no such producer has been identified so far.</li> <li>➤ There are no authorized dismantlers/ Recyclers of e-waste in the state.</li> <li>➤ Board has verified one collection center and it was reported to be complying.</li> <li>➤ For strengthening of e-waste management system, Board has reported that actions have been taken, however details on same are not provided in the report.</li> </ul>	<ul style="list-style-type: none"> <li>✓ As per the report, actions have been initiated towards implementation of the action plan. However, all the action points need to be geared –up. Board needs to increase the number of inspections done in a given quarter.</li> <li>✓ Also in the absence of authorized dismantler/recyclers in the state, special efforts are to be done to ensure that there is no informal trading, dismantling, and recycling of the e-waste in the state.</li> <li>✓ Board also to provide details w.r.t action points (f) to (k).</li> <li>✓ Board has to be consistent in submission of reports for all the quarters</li> </ul>
22.	Mizoram State Pollution Control Board (Mizoram SPCB)	4 <sup>th</sup> Quarter (FY :2019-20) 1 <sup>st</sup> & 2 <sup>nd</sup> Quarter (FY:2020-21)	<ul style="list-style-type: none"> <li>➤ Reported that Inventory of e-Waste could not be carried out due to shortage of funds. However, Board has carried out inventory of bulk consumers in the Aizawal district only.</li> <li>➤ No actions have been reported for identification of the Non-EPRA producers.</li> </ul>	<ul style="list-style-type: none"> <li>✓ As per the reports, Board has initiated actions for most of the action points. However, action needs to be geared up.</li> <li>✓ Board to identify non-EPRA Producers in the state, Verify E-</li> </ul>

S.No.	Name of the SPCBs/PCCs	Status of Report Submission	Work reported by SPCB/PCC	CPCB's Observations
			<ul style="list-style-type: none"> <li>➤ There are no authorized dismantlers/ recyclers of e-waste in the state</li> <li>➤ Verification of collection centers has not been carried out in any of the quarters.</li> <li>➤ For checking informal trading dismantling and a collection center has been setup in the state through two PROs. Further ULBs are also in process of setting collection centers. As per report, 2 collection centres have been set-up in the state.</li> <li>➤ The ICT (Information Communication &amp; technology), Department, Govt of Mizoram has been appointed as nodal department to implement the E-Waste Management in the state.</li> <li>➤ Board has also drafted a state specific E-waste Management plan and same is under finalization Few awareness workshops have been carried out by the Board and pamphlets on E-Waste Management have also been published in co-ordination with ENVIS Hub for creating awareness of E-waste Management</li> </ul>	<p>waste collection centres of various EPRA producers in the State, Board to facilitate in setting up of authorized dismantling/Recycling facilities in the State instead of sending its waste to others states.</p> <p>✓ Check drives needs to be done for checking informal e-waste units in the state</p>
23.	Meghalaya State Pollution Control Board (Meghalaya SPCB)	4 <sup>th</sup> Quarter (FY :2019-20)  1 <sup>st</sup> and 2 <sup>nd</sup> Quarter (FY:2020-21)	<ul style="list-style-type: none"> <li>➤ The work of E-Waste Inventory has been allotted to M/s IIWM Bangalore.</li> <li>➤ Actions have been initiated for non-EPRA producers, however, no Non –EPRA Producers have been identified so far.</li> <li>➤ There are no authorized dismantlers/ Recyclers of E-Waste in the State. During last three quarters, verification of six (06) Collection Centres were done, where 03 collections were found to be non-complying and remaining 03 were found to be complying.</li> <li>➤ Board reported that it has carried out inspection of informal sector along with Shilong Municipal Board in March 2020, two informal units were identified.</li> <li>➤ A district level committees have been constituted for implementation of E-Waste Action Plan</li> </ul>	<p>✓ From the report, it appears that Board has taken actions on all the action points of the action plan. The Board however need to gear-up its actions on verification of E-waste Collection Centers and also to take necessary action against Informal units as per the rules.</p> <p>✓ Board in coordination with State Government to facilitate setting up of an authorized e-waste dismantlers/Recyclers in the State</p>

S.No.	Name of the SPCBs/PCCs	Status of Report Submission	Work reported by SPCB/PCC	CPCB's Observations
			➤ Board in collaboration with PRO Karo Sambhav has been continuously conducting awareness programme in various institutions across the state of Meghalaya. IEP Plan has also been developed.	
24.	Nagaland State Pollution Control Board (Nagaland SPCB)	None	-	-
25.	Odisha State Pollution Control Board (OSPCB)	4 <sup>th</sup> Quarter (FY :2019-20) 1 <sup>st</sup> & 2 <sup>nd</sup> Quarter (FY:2020-21)	<p>➤ Submitted 4<sup>th</sup> quarter (2019-20) and 1<sup>st</sup> &amp; 2<sup>nd</sup> quarter(2020-21) reports. In the progress report submitted by SPCB Odisha, it has reported inspection of 06 dismantlers/recyclers and 01 E-Waste collection center. During 4<sup>th</sup> quarter inspection of 06 dismantling/ Recycling unit, 05 have been reported as complying, while status of compliance of 01 unit is not clear from the report. During verification of one e-waste collection center, it was found to be non-complying. Further 7 units were inspected in 1<sup>st</sup> Quarter, however the status of compliance is not clear from the submitted report. In second quarters also Board has collectively inspected 07 units (06 collection centres and 01 Recyclers/Dismantler). Three unit recyclers/Dismantlers has been reported to be complying, while status of compliance is not clear in case of collection centres</p> <p>➤ Progress w.r.t other action points of the action plan was not reported by Odisha Board.</p>	<p>✓ Although SPCB is submitting their quarterly progress reports regularly, but the same are confined only to verification of collection centres, recyclers/ Dismantlers. Board has not informed on status of implementation of the action plan.</p> <p>✓ The quarterly report has mentioned about inspection of dismantler, recycler &amp; E-waste collection center. Odisha Board has to take actions w.r.t to all the action points of the action plan.</p> <p>✓ Also Board needs to ensure that E-Waste should not be stored in the facilities of dismantlers/ Recyclers for more than 180days as per CPCB's guidelines.</p> <p>✓ Also all the Regional offices of Board to provide inspection reports in uniform format as prescribed by CPCB. Board</p>

S.No.	Name of the SPCBs/PCCs	Status of Report Submission	Work reported by SPCB/PCC	CPCB's Observations
				to submit quarterly reports as per CPCB's format.
26.	Punjab Pollution Control Board (PPCB)	4 <sup>th</sup> Quarter (FY :2019-20)  1 <sup>st</sup> and 2 <sup>nd</sup> Quarter (FY:2020-21)	<ul style="list-style-type: none"> <li>➤ PPCB has reported actions for identification of non-EPRA Producers. in the state of Punjab.</li> <li>➤ PPCB has inspected facilities of four (04) dismantlers/recyclers during 4<sup>th</sup> quarter. Out of four units, two (02) units were reported to be complying, while two (02) are non-complying. Facilities of 4 dismantler/recycler were inspected during 1<sup>st</sup> and 2<sup>nd</sup> quarter, where one unit was found to be complying, 02 units were non-complying and one unit is yet to commission.</li> <li>➤ Verification of collection centers was not reported in any of the quarters.</li> <li>➤ For checking informal trading, dismantling &amp; recycling of E-Waste, the matter was taken up with Deptt. of Science, Technology &amp; Environment, Punjab for issuance of necessary instructions to district administration for carrying out quarterly drive for checking of informal trading, dismantling and recycling of E-Waste in co-ordination with the State Board</li> <li>➤ The Board has requested Deptt. of Housing &amp; Urban Development and Industries &amp; Commerce to identify at least 10 cities where space or shed for e-waste dismantling and recycling</li> <li>➤ Also Board issued public notices in leading papers for the entrepreneurs to setup refurbishing /dismantling /recycling facilities in the State of Punjab and assured that Board shall facilitate them to obtain requisite statutory clearances from pollution angle.</li> <li>➤ Directorate of Environment and Climate Change, Punjab has prepared action plan for monitoring of waste management</li> </ul>	<ul style="list-style-type: none"> <li>✓ PPCB has initiated actions on all the action points of the action plan. However, verification of e-waste collection centers is a continuous activity to be carried out on regular basis in all the quarter.</li> <li>✓ From the inspection reports of dismantlers/ Recyclers, it appears that they have a lot of unprocessed e-waste stored in their facility, PPCB to ensure that e-Waste should not be stored in the facility of dismantler/ Recyclers for more than 180 days as per CPCB guidelines.</li> </ul>

S.No.	Name of the SPCBs/PCCs	Status of Report Submission	Work reported by SPCB/PCC	CPCB's Observations
			including E-waste in the State. State level as well district level committees have been constituted	
27.	Puducherry Pollution Control Committee (PPCC)	4 <sup>th</sup> Quarter (FY :2019-20) 1 <sup>st</sup> & 2 <sup>nd</sup> Quarter (FY:2020-21)	<ul style="list-style-type: none"> <li>➤ Actions have been taken for identification of non-EPRA producers, but no Non-EPRA Producers have been identified so far.</li> <li>➤ There are no authorized dismantlers/ Recyclers of E-Waste in the Puducherry,</li> <li>➤ During Verification exercise of E-waste Collection Centres, the collection centres were not found at locations mentioned in the EPR Plan</li> <li>➤ In the 4<sup>th</sup> Quarter, during checking informal trading dismantling &amp; recycling of e-waste, one defaulter was identified and the unit was closed.</li> <li>➤ PPCC has also authorized 2 collection centres in order to collect e-waste and dispose to authorized recyclers/dismantlers. Local bodies have also set up collection center for collecting domestic hazardous waste through which e-waste arising from the consumer will be collected.</li> <li>➤ Nodal officers have been nominated in State, District and Municipality level.</li> <li>➤ PPCC also organized e-waste awareness programmer for various government departments, NGOs and Industries in the UT of Puducherry. PPCC is continuously organizing E-waste awareness programmes in schools. IEC Plan firmed</li> </ul>	✓ PPCC to facilitate in setting of authorized e-waste recyclers/ Dismantlers in the UT.
28.	Rajasthan State Pollution Control Board (RSPCB)	2 <sup>nd</sup> Quarter (FY:2020-21)	<ul style="list-style-type: none"> <li>➤ Board has issued public notice for identification of Non-EPRA Producers, however no such producer has been identified so far.</li> <li>➤ Board has inspected 04 units of dismantlers/ Recyclers and all were found to be complying.</li> </ul>	✓ From report it appears that few actions have been initiated by Board, but no substantial work has been reported. Board to initiate its actions for strengthening E-Waste Management

S.No.	Name of the SPCBs/PCCs	Status of Report Submission	Work reported by SPCB/PCC	CPCB's Observations
			<ul style="list-style-type: none"> <li>➤ One E-waste Collection Centre has been verified and same was found to be complying.</li> <li>➤ No progress has been reported for other points of the action plan</li> </ul>	<p>System in the State. Board needs to gear-up its actions on all the action points of the action plan and report progress made in every quarter.</p> <p>✓ Board has to be consistent in submission of reports for all the quarters</p>
29.	Sikkim State Pollution Control Board	Consolidated report( Quarters not specified)	<ul style="list-style-type: none"> <li>➤ E-Waste Inventory has been carried out by State using data provided by ULBs, collection Centers &amp; Bulk consumers.</li> <li>➤ No Actions have been reported for identification of Producers who have not obtained EPRA from CPCB.</li> <li>➤ There are no authorized dismantlers/ Recyclers of E-Waste in the State. E-waste generated in the State is presently going to a west Bengal Based Dismantler/Recycler.</li> <li>➤ Board has informed that presently none of the producers have set up collection centres in the State. PROs who have set up collection centres in the state have been inspected by SPCB and were found to be non-functional. However further details on the same are not provided in the report.</li> <li>➤ Board has informed that no informal units exists in the state.</li> <li>➤ Board has authorized ULBs for setting collection facilities for collection of e-waste generated in the State which is further channelized to a West Bengal based authorized Dismantler/ Recycler. Capacity Building is conducted by Board through NIELIT.</li> <li>➤ 38 Public awareness campaigns have been reported by the Board.</li> <li>➤ Information on IEC Plan not provided in the report</li> </ul>	<ul style="list-style-type: none"> <li>✓ Board needs to carry out inventory exercise as per CPCB's methodology for uniform assessment procedures across the country.</li> <li>✓ SPCB needs to initiate actions for identification of Non-EPRA Producers in the State</li> <li>✓ Also Board to provide details of PRO collection centres those were found to be non-functional during verification.</li> <li>✓ As there are no authorized dismantlers/ Recyclers of E-Waste in the state, hence Board need to facilitate for setting up of authorized e-waste dismantlers/ recyclers in the state instead of sending its e-waste to dismantler/ recycler in West Bengal. Also Board needs to gear up drives to ensure no informal units exists in the state. Nodal officers at district and State level need to be appointed to monitor compliance of the rules. Board to firm up its IEC Plan.</li> </ul>

S.No.	Name of the SPCBs/PCCs	Status of Report Submission	Work reported by SPCB/PCC	CPCB's Observations
				<ul style="list-style-type: none"> <li>✓ Board has to be consistent in submission of reports for all the quarters</li> </ul>
30.	Tamil Nadu Pollution Control Board (TNPCB)	<p>4<sup>th</sup> Quarter (FY :2019-20)</p> <p>1<sup>st</sup> &amp; 2<sup>nd</sup> Quarter (FY:2020-21)</p>	<ul style="list-style-type: none"> <li>➤ E waste inventorization exercise for the state of TN has been initiated through National Productivity Council</li> <li>➤ Board carried out inspections of facilities of 30 Dismantlers, 02 Recyclers and 01 Refurbishers in both the quarters, where one dismantling unit was non-complying and seven dismantling unit were not in operation, while remaining 24 units were found to be complying.</li> <li>➤ Board carried out verification exercise at 72 e-waste collection centers, where 42 Collections were not in operation since April 2020, 4 collections were not found at designated location, one was closed, 04 are yet to start e-waste collection, 01 center was non-complying and 18 Collection centers were found to be complying.</li> <li>➤ It has been mentioned that activities for checking informal trading will commence after e-waste inventorization activity.</li> <li>➤ TNPCB has addressed the Industries Department and Housing and Urban Development Department, to encourage the establishment of recyclers / dismantlers for e-waste in the State of Tamil Nadu and to allocate land in the notified industrial area / park so as to ensure environmentally sound management of E-waste in the entire State.</li> <li>➤ Also Nodal Officers have been appointed at State as well as district level for monitoring compliance of E-Waste rules in the State.</li> <li>➤ W.r.t awareness &amp; IEC Plan, various activities have been reported. Board has addressed the Director of School</li> </ul>	<ul style="list-style-type: none"> <li>✓ Board has taken actions towards most of the action points of the action plan. Board to forward list of Non-EPRA Producers for necessary action from CPCB's side.</li> <li>✓ TNPCB to reassess and ensure the allocated capacity to the dismantlers/ Recyclers in the state is in accordance with availability of area with them as per CPCB's guidelines.</li> <li>✓ Board to conduct drives to ensure no informal e-waste units exists in the state.</li> </ul>

S.No.	Name of the SPCBs/PCCs	Status of Report Submission	Work reported by SPCB/PCC	CPCB's Observations
			Education, Director of Collegiate Education, Director of Technical Education to issue circulars to all schools, colleges to create awareness to the students.	
31.	Telangana State Pollution Control Board (TSPCB)	4 <sup>th</sup> Quarter (FY :2019-20)  1 <sup>st</sup> & 2 <sup>nd</sup> Quarter (FY:2020-21)	<ul style="list-style-type: none"> <li>➤ Actions have been taken for identification of non-EPRA Producers in all the three quarters.</li> <li>➤ Facilities of 09 Dismantler/ Recyclers have been inspected in the 4th quarter and all were found to be complying. During 1st &amp; 2nd Quarter, board inspected facilities of four (04) Dismantlers/ Recycler each in both the quarters. All the 08 units inspected in both the quarters were found to be complying. W.r.t action point.</li> <li>➤ Verification of E-waste collection centers was not carried out in the fourth quarter. Board has carried out verification of two (02) E-Waste Collection Centers during 1st Quarter and both the collection centers have been reported as non-Complying. In 2nd quarter verifications of five (05) Collection centers were done. Out of 05 collection centers, 04 centers were found to be closed, while one (01) collection center was found to be non-Complying.</li> <li>➤ For checking informal trading, dismantling &amp; recycling of e-waste, TSPCB has written to District collectors for checking the same.</li> <li>➤ Government of Telangana has introduced E-Waste Management Policy, 2017 for incentives on collections &amp; setting of dismantling/ recycling units.</li> <li>➤ Awareness on e-waste management are given to district officers during review meetings at district collectorate.</li> <li>➤ Under IEC Plan, a seminar on E-waste management was conducted on 27.02.2020 at FICCI, Hyderabad.</li> </ul>	<ul style="list-style-type: none"> <li>✓ As per the reports, TSPCB has initiated actions on all the action points of the action plan. The Board is however required to increase the number of verification of E-waste collection centers.</li> <li>✓ Also drives for checking informal trading, dismantling &amp; Recycling of E-Waste needs to be increased.</li> <li>✓ Board also to enclose minutes of meetings held at District and State level committee.</li> </ul>

S.No.	Name of the SPCBs/PCCs	Status of Report Submission	Work reported by SPCB/PCC	CPCB's Observations
32.	Tripura State Pollution Control Board (Tripura SPCB)	4 <sup>th</sup> Quarter (FY :2019-20)  1 <sup>st</sup> & 2 <sup>nd</sup> Quarter (FY:2020-21)	<ul style="list-style-type: none"> <li>➤ TSPCB in its report has submitted that Inventory of e-waste has not been carried out, however Board is regularly carrying out inventory of bulk consumers in the state.</li> <li>➤ There are no authorized dismantlers/ Recyclers of E-Waste in the State.</li> <li>➤ Regarding action point (d) i.e verification of system, board has verified collection centers of four (04) Producers and they all were found to be complying.</li> <li>➤ Board along with district administration are regularly carrying out drives to check informal units. However, no such unit has been identified so far.</li> <li>➤ Both state level as well national level Committees have been constituted to monitor compliance of the rules.</li> <li>➤ An awareness programme was organized by Ministry of Electronic &amp; Information Technology and State itself also carried out awareness programme. IEC Plan has been framed.</li> </ul>	<ul style="list-style-type: none"> <li>✓ Tripura SPCB has initiated actions for implementation of the Action Plan. It needs to gear-up its activities.</li> <li>✓ In the absence of authorized dismantler/recyclers in the state, special efforts are to be done to ensure that there is no informal trading, dismantling, recycling of the e-waste in the state.</li> <li>✓ Board has conveyed same progress status in all the quarters, hence it needs to be precise while reporting progress made in each quarter.</li> </ul>
33.	Uttar Pradesh Pollution Control Board (UPPCB)	4 <sup>th</sup> Quarter (FY :2019-20)  1 <sup>st</sup> & 2 <sup>nd</sup> quarter (FY2020-21) (consolidated Report)	<ul style="list-style-type: none"> <li>➤ Actions have been initiated for identification of non-EPRA Producers, however no non-EPRA producer has been identified so far.</li> <li>➤ Facilities of four dismantlers/ Recyclers were inspected. Out of four units three units were reported to be non-complying on adequacy of available area, while one unit has been found to be closed. During 1<sup>st</sup> quarter, Board inspected facilities of 07 dismantlers/ Recyclers in the state, where 02 units were not having adequate area as per their authorized capacity, two units were not operational at the time of inspection, while 03 units were complying.</li> <li>➤ Board also verified one collection center during 4<sup>th</sup> quarter as per EPR Plan submitted by Producer, however the same was found to be non-complying. Board informed that based on CPCB's directions it issued closure notice to three dismantlers/</li> </ul>	<ul style="list-style-type: none"> <li>✓ As per the reports, Board has put lots of efforts towards checking informal e-waste units in the state. However, UPPCB to gear up its action towards all the action points of the action plan.</li> <li>✓ Also to increase the number of inspections of dismantlers, Recyclers, e-Waste collection centers in the State.</li> <li>✓ Progress made towards strengthening E-waste Management system needs to be submitted on regular basis and as per formats prescribed by CPCB.</li> </ul>

S.No.	Name of the SPCBs/PCCs	Status of Report Submission	Work reported by SPCB/PCC	CPCB's Observations
			<p>Recyclers in the state. Further upon reassessment of authorized capacity of two dismantlers/Recyclers their closure has been revoked, while one dismantler/ Recycler is still lying closed.</p> <ul style="list-style-type: none"> <li>➤ A state Level Waste Management &amp; Monitoring Committee has been constituted.</li> <li>➤ Board informed on steps taken by Board for checking informal trading, Dismantling &amp; Recycling of E-waste in the State. As per the report Board has dismantled furnaces of 120 informal units in Loni area of Ghaziabad and also done FIR against 12 units and 16 persons. District Administration Ghaziabad has seized 6.86 ton of e-waste and sealed 05 illegal godowns. Board also issued closure notice to 04 illegal units</li> </ul>	
34.	Uttarakhand Environment Protection & Pollution Control Board (UEPPCB)	4 <sup>th</sup> Quarter (FY :2019-20) 1 <sup>st</sup> Quarter (FY:2020-21)	<ul style="list-style-type: none"> <li>➤ Actions have been reported towards identification of Non-EPRA Producers in the State, however no such producer has been identified so far.</li> <li>➤ Board has inspected all the six authorized Recyclers/ Dismantlers in the state. During inspection out of 6 units, 05 units were found to be complying, however one unit has been closed.</li> <li>➤ Verification of E-waste Collection Centres not carried out by Board.</li> <li>➤ Some work related to e-waste inventory has been reported but the same is not adequate as per CPCB methodology</li> <li>➤ Further for strengthening of E-Waste Management System, no substantiate actions have been report in the quarterly report.</li> </ul>	<ul style="list-style-type: none"> <li>✓ As per the reports no substantial work has been done so far towards implementation of the action plan in the state of Uttarakhand.</li> <li>✓ UEPPCB needs to gear-up on all the action points of the action plan. Further CPCB methodologies to be referred while carrying out inventory exercise in the state.</li> </ul>

S.No.	Name of the SPCBs/PCCs	Status of Report Submission	Work reported by SPCB/PCC	CPCB's Observations
35.	West Bengal Pollution Control Board (WBPCB)	4 <sup>th</sup> Quarter (FY :2019-20)  1 <sup>st</sup> & 2 <sup>nd</sup> Quarter (FY:2020-21)	<ul style="list-style-type: none"> <li>➤ Board has been regularly verifying E-Waste Collection centres in the State. In the 4<sup>th</sup> Quarter, Board made verification at 32 collection centers for verifying EPR Compliance. Out of 32 collection centers, 10 Collection centers were found to be non-complying, 06 complying, 09 closed and in 07 collection centers, the concerned persons were not found at the time of verification. During 1<sup>st</sup> quarter 10 Collection centers were verified where 06 were found to be complying, 03 were non-complying, while compliance status is not clear in case of 01 collection center. Further 16 collections were verified during 2<sup>nd</sup> quarter where 05 centers were found to be closed, 01 center was not found at designated location, 08 collections were non-complying and 02 centers were found to be complying.</li> <li>➤ Facilities of one dismantler/ Recycler was inspected during 4<sup>th</sup> Quarter (FY 2019-20) and the same was although found to be complying, but the area available was not at par with allocated capacity as per CPCB's guidelines.</li> </ul>	<ul style="list-style-type: none"> <li>✓WBPCB has done substantial work on verification of system provided by producers for channelization of E-Waste and has also inspected facilities of one dismantler/ recycler. However, WBPCB is required to work on all the action points of the Action Plan</li> <li>✓WBPCB also to reassess the capacity of dismantler/ Recycler in accordance with its available area as per CPCB's guidelines.</li> <li>✓To gear-up implementation of all the action points of the action plan</li> </ul>

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**CPCB Guidelines for imposition of Environmental Compensation Charges (ECC) against non-compliance/violation of E-Waste (Management) Rules, 2016 and guidelines for financial penalty as per rule 21(2) of the E-Waste (Management) Rules, 2016**



**Central Pollution Control Board**  
Parivesh Bhawan, East Arjun Nagar, Delhi – 110032  
December, 2020

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## **1.0 Background:**

Hon'ble NGT in the matter of OA No. 512 of 2018 (Shailesh Singh Vs. State of UP & Ors) vide its order dated 02.09.2019 directed that CPCB may workout mechanism for recovering compensation for delay in compliance as well as the violations.

In view of the above, Environmental Compensation guidelines have been prepared envisaging non-compliance & violations under the E-Waste (M) Rules, 2016.

Also CPCB has to prepare guidelines for financial penalties as levied for any violation of the provisions of the above said rules enacted under E(P) Act 1986

## **2.0 E-Waste (M) Rules, 2016:**

The management of E-Waste in India is regulated through E-Waste (M) Rules, 2016. Further the rules have been amended in 2018. The overall objective of E-Waste(M) Rules, 2016 is to take all steps required to ensure that e-waste is managed in a manner which shall protect health and environment against any adverse effects, which may result from such e-waste.

The salient features of the E-Waste (Management) Rules, 2016 are as follows:

- Extended Responsibility to producers to manage a system of E-waste collection and channelisation through EPR Authorisation.
- To promote and encourage establishment of an efficient e-waste collection mechanism
- Promote Environmentally Safe & Sound Recycling by channelizing E-waste to authorized dismantlers and recyclers of e-waste
- To minimize illegal recycling / recovery operations
- Reduce Hazardous substances in Electrical and Electronic components.

The E-Waste(M) Rules are applicable to manufacturer, producer, consumer, bulk consumer, collection centres, dealers, e-retailer, refurbisher, dismantler and recycler involved in manufacture, sale, transfer, purchase, collection, storage and processing of e-waste or electrical and electronic equipment (EEE) listed in Schedule I, including their components, consumables, parts and spares which make the product operational.

Rule 21 of the E- Waste (M) rules, 2016 specifies liability of manufacturer, producer, importer, transporter, refurbisher, dismantler and recycler and states that the manufacturer, producer, importer, transporter, refurbisher, dismantler and recycler shall be liable for all damages caused to the environment or third party due to improper handling and management of the e-waste. Rule further states that the manufacturer, producer, importer, transporter, refurbisher, dismantler and recycler shall be liable to pay financial penalties as levied for any violation of the provisions under these rules by the State Pollution Control Board with the prior approval of the Central Pollution Control Board.

Further the amendments made in the rules in 2018 states that the manufacturer, producer, importer, transporter, refurbisher, dismantler and recycler shall be liable to pay financial penalties as levied under the Provisions of the Environment (Protection) Act, 1986 and rules made thereunder for any violation of the provisions

under these rules by the State Pollution Control Boards with the prior approval of the Central Pollution Control Board in accordance with the guidelines published by the Central Pollution Control Board.

### **3.0 List of Stakeholders on whom ECC may be imposed under E-Waste (M) Rules, 2016**

Following Stakeholders for ECC

- Manufacturers
- Producers
- Refurbishers
- Bulk Consumers
- Dismantlers
- Recyclers
- PROs

### **4.0 Responsibilities and non-compliance / violations associated with stakeholders**

Under the E-waste Rules, 2016, following are the responsibilities of Stakeholders and based on the responsibilities given to the various Stakeholders, non-compliance and violation issues have been identified

#### **(i) Responsibilities of Manufacturers:**

1. To collect e-waste generated during the manufacture of any electrical and electronic equipment and channelize it for recycling or disposal;
2. To obtain authorisation for generating e-waste;
3. To ensure no damage is caused to the environment during storage and transportation of e-waste;
4. To maintain records of the e-waste generated, handled and disposed;
5. To file annual returns to the concerned State Pollution Control Board on or before the due date as per rules which is 30<sup>th</sup> June, following the financial year to which the return relates

#### **List of non-compliance or violations of manufactures**

1. Operating without valid authorization.
2. Failure in renewing authorization in time as prescribed under the rules.
3. Not having designated area for storage of e-waste in the premise.
4. Storing e-waste in a non-designated area
5. Selling of e-waste to non-authorised persons/entity;
6. Non-compliance to ROHS provisions
7. Non-channelization of e-waste
8. Storing e-waste in open area
9. Storing e-waste in non-designated area
10. Not Complying with implementation guidelines for E-Waste (Management) Rules 2016
11. Not operating Pollution Control system;
12. Not maintaining record of its e-waste generated;
13. Not maintaining manifest records of e-waste generated
14. Not submitting its annual return.
15. Submission of wrong information in returns
16. Any other violation of the e-waste (management) rules, 2016 and amendments thereof and not listed above

**(ii) Responsibilities of Producers:**

1. To obtain Extended Producer Responsibility – Authorisation
2. To implement Extended Producer Responsibility (EPR) as per approved EPR Plan and meet the collection targets and other conditions of their EPR Authorisation.
3. To ensure collection and channelization of e-waste to their authorised dismantlers or recyclers;
4. To establish collection centres/points
5. To provide contact details such as address, e-mail address, toll free telephone number or help line number through their web site and product user documentation to consumer (s) or bulk consumer (s)
6. To create awareness through media, publications, advertisements, posters or by any other means of communication and product user documentation accompanying the equipment.
7. To maintain records of the e-waste handled;
8. To file annual returns to the Central Pollution Control Board on or before the due date as per rules which is 30<sup>th</sup> June, following the financial year to which the return relates;

**List of non-compliance or violations of Producers**

1. Operating without EPR Authorization.
2. Failure in renewing authorization in time as prescribed under the rules.
3. Submission of wrong annual sales data of EEE being sold by it
4. Hiding of information with regards to annual sales of EEE items
5. Submission of false & forged or wrong information while seeking EPR Authorization.
6. Non-Implementation of EPR Plan.
7. Non-channelization of e-waste
8. Changing EPR Plan without prior information and without subsequent approval.
9. Change of service providers or associates without prior information and without subsequent approval
10. Non-compliance to ROHS provisions
11. Failure in meeting e-waste Collection targets given at the time of authorization.
12. Submission of false & forged or wrong information towards implementation of EPR Plan
13. Submission of false & forged or wrong information towards fulfilment of e-waste collection target
14. Submission of false & forged or wrong information with regards to awareness creation among consumer (s) and bulk consumers (s)
15. Non-compliance of service providers or associates as specified in EPR Plan.
16. Not Complying with implementation guidelines for E-Waste (Management) Rules 2016,
17. Non-submission of quarterly and annual returns
18. Submission of wrong information in returns
19. Not maintaining manifest records of e-waste
20. Any other violation of the E-Waste (Management) rules, 2016 and amendments thereof and not listed above

**(iii) Responsibilities of Dismantlers:**

1. To obtain authorisation for dismantling of e-waste;
2. To ensure that the facility and dismantling processes are in accordance with the guidelines of CPCB;
3. To have designated area for storage of e-waste and for storage of dismantled products
4. To ensure that no damage is caused to the environment during storage and transportation of e-waste;
5. To ensure that dismantling process do not have any adverse effect on health and environment
6. To comply with the guidelines of CPCB for dismantling of e-waste
7. To ensure that dismantled e-waste are segregated and sent to the authorised recycling facilities for recovery of materials;
8. To ensure that non-recyclable or non-recoverable components are sent to authorised treatment storage and disposal facilities;
9. To maintain record of e-waste collected, dismantled and sent to authorised recycler;
10. To file annual return to the concerned State Pollution Control Board on or before due date as per rules which is 30<sup>th</sup> June, following the financial year to which the return relates;
11. Not to process any e-waste for recovery or refining of materials, unless authorised with concerned State Pollution Control Board as a recycler for refining and recovery of materials
12. Not to accept waste electrical and electronic equipment or components not listed in Schedule – I for dismantling

**List of non-compliance or violations of Dismantlers**

1. Operating without valid Authorization.
2. Failure in renewing authorization in time as prescribed under the rules.
3. Not having designated area for storing of e-waste and dismantled products
4. Not Complying with implementation guidelines for E-Waste (Management) Rules 2016
5. Not having dismantling facilities as per CPCB guidelines
6. Not having shed area for dismantling as per CPCB guidelines
7. Processing any e-waste dismantled or otherwise for recovery or refining of materials, without having authorisation as a recycler for refining and recovery of materials
8. Accepting e-waste not listed in schedule – I of the rules for dismantling
9. Not operating pollution control equipment.
10. Not sending dismantled e-waste to an authorised recycler
11. Not sending non-recyclable or non-recoverable components to authorised treatment storage and disposal facilities
12. Selling of e-waste to non-authorised persons/entity
13. Non-channelization of e-waste
14. Sale of collected e-waste without dismantling.
15. Refurbishing of e-waste collected against collection target.
16. Refurbishing of e-waste in the same premises where authorisation for dismantling has been obtained
17. Accepting waste electrical and electronic equipment or component not listed in schedule – I for dismantling

18. Dismantling of waste electrical and electronic equipment or component not listed in schedule - I
19. Not maintaining records of e-waste received, dismantled and transported to recyclers.
20. Storing of e-waste for a period more than the specified time limit in the rules.
21. Storing e-waste in open area
22. Storing e-waste in non-designated area
23. Not submitting annual returns.
24. Not maintaining manifest records
25. Submission of wrong information in returns
26. Any other violation of the E-Waste (Management) rules, 2016 and amendments thereof and not listed above

**(iv) Responsibilities of Recyclers:**

1. To obtain authorisation for recycling e-waste;
2. To ensure that the facility and recycling processes are in accordance with the guidelines of CPCB
3. To have designated area for storage of e-waste and product of dismantling and product of recycling
4. To ensure that no damage is caused to the environment during storage and transportation of e-waste;
5. To ensure that recycling process do not have any adverse effect on health and environment
6. To ensure that the fractions or material not recycled in its facility is sent to the respective authorised recyclers;
7. To ensure that residue generated during recycling process is disposed of in an authorised treatment storage disposal facility;
8. To comply with the guidelines of CPCB for recycling of e-waste;
9. To accept waste electrical and electronic equipment or component not listed in schedule – I for recycling provided that they do not contain any radioactive material with prior information and approval of the concerned SPCB while taking authorisation
10. To maintain record of e-waste collected, dismantled, recycled and sent to authorised recycler;
11. To file annual returns to the concerned State Pollution Control Board on or before the due date as per rules which is 30<sup>th</sup> June, following the financial year to which the return relates;

**List of non-compliance or violations of Recyclers**

1. Operation without valid Authorization.
2. Failure in renewing authorization in time as prescribed under the rules.
3. Not having designated area for storing of e-waste, dismantled products and product of recycling
4. Not Complying with implementation guidelines for E-Waste (Management) Rules 2016
5. Not having dismantling and recycling facilities as per CPCB guidelines
6. Not having shed area for dismantling and recycling as per CPCB guidelines
7. Not sending fractions/ material not recycled in its facility to respective authorized recyclers of e-waste
8. Not operating Pollution Control Equipment

9. Selling of e-waste to non-authorized persons/entity
10. Non-channelisation of e-waste
11. Selling of E-waste without dismantling and recycling
12. Accepting waste electrical and electronic equipment or component not listed in schedule 1 for recycling without having mentioning in authorisation in this regard
13. Recycling of waste electrical and electronic equipment or component not listed in schedule 1 for recycling without prior permission from SPCB
14. Recycling and processing of fraction generated from e-waste for which facility as per guidelines not installed
15. Refurbishing of e-waste collected against collection target.
16. Refurbishing of e-waste in the same premises where authorisation for dismantling and recycling has been obtained
17. Not sending non-recyclable or non-recoverable components to authorized TSDF
18. Not maintaining records of E-Waste received, dismantled, recycled and transported.
19. Storing of e-waste for a period more than the specified time limit.
20. Storing e-waste in open area
21. Storing e-waste in non-designated area
22. Not filing annual return
23. Not maintaining manifest record
24. Submission of wrong information in returns
25. Any other violation of the E-Waste (Management) Rules, 2016 and amendments thereof and not listed above

**(v) Responsibilities of Refurbishers:**

1. To collect e-waste generated during the process of refurbishing and channelising the e-waste to authorized dismantler or recycler;
2. To have designated area for storing of e-waste generated during refurbishing
3. To obtain one time authorisation for refurbishing of e-waste;
4. To ensure no damage is caused to the environment during storage and transportation of e-waste;
5. To ensure that refurbishing process do not have adverse effect on health and environment
6. To ensure that the e-waste thus generated is safely transported to authorized collection centres or dismantlers or recyclers;
7. To maintain record of manifest
8. To file annual returns on or before the due date as per rules which is 30<sup>th</sup> June, following the financial year to which the return relates;
9. To maintain records of the e-waste handled.

**List of non-compliance or violations of Refurbishers**

1. Operation without valid authorization.
2. Not having designated area for storage of e-waste generated from refurbishing operation
3. Not channelizing its e-waste to authorized recycler
4. Non-compliance of CPCB guidelines for refurbishing.

5. Not maintaining records of e-waste handled, received, refurbished and transported to recyclers.
6. Selling of e-waste to non-authorized persons/entity
7. Non-channelisation of e-waste
8. Refurbishing of EEE collected for fulfilment of collection Target
9. Storing e-waste in open area
10. Storing e-waste in non-designated area
11. Not maintaining manifest record
12. Not submission of annual return.
13. Submission of wrong information in returns
14. Selling refurbished products into market without taking EPR Authorization.
15. Any other violation of the E-Waste (Management) Rules, 2016 and amendments thereof and not listed above of e-waste

**(vi) Responsibilities of Bulk Consumers:**

1. To ensure that e-waste generated by them is channelized only to Producers system of collection for fulfilling its EPR through collection centre or dealer of authorised producer or dismantler or recycler of Producers or through the designated take back service provider of the producer to authorised dismantler or recycler of Producers;
2. To maintain records of e-waste generated;
3. To ensure that e-waste generated are not admixed with e-waste containing radioactive material as covered under the provisions of the Atomic Energy Act, 1962 (33 of 1962) and rules made there under;
4. To file annual returns on or before the due date as per rules which is 30<sup>th</sup> June following the financial year for which return relates.

**List of non-compliance or violations of Bulk Consumers**

1. Not channelizing e-waste generated by them to Producers collection system
2. Not having designated area for storage of e-waste generated
3. Selling of used EEE imported for self-use having residual life for further use without accounting under EPR Authorisation
4. Selling of e-waste to non-authorized persons/entity
5. Non-channelisation of e-waste
6. Not maintaining records for e-waste generated and transported.
7. Not compliance with guidelines for bulk consumers
8. Storing e-waste in open area
9. Storing e-waste in non-designated area
10. Not submitting annual return.
11. Submission of wrong information in returns
12. Not maintaining manifest Record
13. Any other violation of the E-Waste (Management) Rules, 2016 and amendments thereof and not listed above of e-waste

**(vii) Responsibilities of Producer Responsibility Organisation (PROs)**

1. To collect and channelize e-waste on behalf of authorized producers.
2. To fulfil the responsibilities as agreed between producer and PRO

3. To establish a system of collection for collection of e-waste on behalf of Producer which may include setting up of collection godown or operating through warehouse.
4. To Implement take back schemes on behalf of Producers for Producers.
5. To ensure environmentally sound dismantling and recycling of e-waste through authorised dismantlers and recyclers as approved in the EPR Plan of concern Producer.
6. To conduct awareness programme among consumer's/bulk consumers/producers for collection and channelization of e-waste

#### **List of non-compliance or violations of PROs**

1. Operating without valid registration.
2. Submitting false & forged information while seeking PRO registration.
3. Allocating same lot of collected e-waste to many producers for meeting their collection targets.
4. Non-compliance of conditions of PRO Registration.
5. Non-compliance of guidelines for collection, storage and transportation.
6. Submission of wrong information in annual returns.
7. Replacement/removal/addition of any collection point, service provider (dismantler, recycler & reverse logistic provider) without prior information and subsequent approval
8. Selling of e-waste to non-authorized persons/entity
9. Non-channelisation of e-waste
10. Collection points closed without prior information
11. Collection Point /centre not working
12. Non-maintenance of records for e-waste collected, stored, transported, dismantled and recycled.
13. Not maintaining manifest records of e-waste sent from its collection centers
14. Non-submission of annual return.
15. Submission of wrong information in returns
16. Any other violation of the E-Waste (Management) Rules, 2016 and amendments thereof and not listed above of e-waste.

#### **5.0 Environmental Compensation Charges (ECC) for non-compliance or violations under E-Waste (M) Rules, 2016 and amendments thereof.**

Under the E-Waste Rules, there are number of stakeholders such as Manufactures, Producers, Bulk consumers, Refurbishers, PROs, and Dismantlers & Recyclers. The procedure for calculation of EC for different stakeholders in case of non-compliance or violation shall be specific to stakeholder. The list of non-compliance and violation has been listed in section 4.0 above

The basic concepts applied for calculation of EC is the damage to environment or adverse impact on the environment due to violation or non-compliance of e-waste rules. The damage to the environment is measured through Environmental Concern Factor (ECF). The ECF quantifies the violation or non-compliance in a scale of 1 to 100. Increasing value of ECF denotes increase in severity of damage to environment or increased adverse impacts.

The e-waste rules provides for management of e-waste in the country by establishing a system of collection as a part of Extended Producer Responsibility

(EPR) regime whereby producers of notified electrical and electronic equipment (EEE) have been made responsible for meeting collection targets for e-waste generated from their equipment or from equipment of similar EEE code and also made responsible for channelization of e-waste, which includes collection, transportation & storage of e-waste and its environmentally sound dismantling and recycling.

For management of e-waste in the country, the producers and other stakeholders have to follow the E-Waste (Management) Rules 2016 and Implementation Guidelines for E-Waste (Management) Rules, 2016. Any non-compliance of the responsibilities as detailed in the rules and also elaborated in this document at section 4.0 above or non-compliance of the above said implementation guidelines and commitment of any violation as listed in section 4.0 above shall result in damage to environment or adverse impact on the environment. Each of the non-compliance or violation has been assigned a number in the scale of 1 to 100. The number quantify the damage or adverse impact and becomes factors for levying environmental compensation charges (ECC) from manufacturers, producers, dismantlers, recyclers, refurbishers, bulk consumers & PROs.

For Producers not meeting e-waste collection target has been termed as a non-compliance or violation causing damage to environment or causing adverse impact on environment and calculated on the basis of quantum of shortfall in collection target in terms of weight. The ECC to producers for not meeting the collection target is 1.5 times the average expense on e-waste collection plus expenses on e-waste channelization (transportation, storage, dismantling and recycling) per kg of e-waste.

The ECFs for stakeholders such as manufacturers, producers, dismantlers, recyclers, refurbishers, bulk consumers & PROs are listed below:

### Environmental Concern Factors (ECFs) and corresponding weightage

S.No.	Non-compliances or Violations	ECF weightage	Stakeholders under the e-waste rules
1.	i. Operating without obtaining valid authorization/EPR authorisation	45	Applicable only for manufacturers, producers, dismantlers, recyclers, refurbishers, & PROs and not for Bulk Consumer
	ii. Failure in renewing authorization/EPR authorisation in time as prescribed under the rules		
	iii. Operating without registration		
2.	i. Not maintaining record of its e-waste	25	Applicable for manufacturers, producers, dismantlers, recyclers, refurbishers, & PROs and bulk consumers
	ii. Not submitting annual returns		
	iii. Not submitting quarterly returns		
	iv. Not maintaining manifest records of e-waste transported		
3.	Submission of wrong information:	65	Applicable for manufacturers, producers, dismantlers,
	i. While seeking Authorisation/ EPR Authorisation		

	ii. PRO Registration		recyclers, refurbishers, & PROs and bulk consumers
	iii. Filling of Quarterly Returns or Annual Returns		
	iv. Annual Sales Data to CPCB		
	v. Self - Declarations		
4.	i. Not having designated area for storage of e-waste in the premise.	45	For Manufacturers, dismantlers, recyclers, refurbishers, collection centres / points and bulk consumers
	ii. Storing e-waste in a non-designated area		
	iii. Storing of e-waste in open area		
	iv. Storing of e-waste for a period more than the specified time limit		
5.	Selling of e-waste to non-authorized persons/entity	75	For Manufacturers, dismantlers, recyclers, refurbishers, PROs and bulk consumers
6.	Non-compliance to ROHS provisions	75	For Manufacturer and Producer only
7.	Not having adequate facilities as per CPCB's Guidelines	75	For Dismantlers and Recyclers only
8.	Not operating Pollution Control Devices as per CPCB's guidelines	75	For Dismantlers and Recyclers only
9.	Not having adequate land area as per CPCB's guidelines	75	For Dismantlers, Recyclers and Refurbishers only
10.	Refurbishing of e-waste in the same premises where authorisation for only dismantling or recycling has been obtained	25	For Dismantlers, Recyclers and Refurbishers only
11.	Non-channelization of e-waste	75	For Manufacturers, Producers, Dismantlers, Recyclers, Refurbishers, Bulk Consumers & PROs
12.	i. Changes in EPR Plan without prior information and subsequent approval	45	For Producers
	ii. Change of service providers or associates without prior information and without subsequent approval		
13.	i. Non-implementation of EPR Plan**	75	
	ii. Non-compliance of service providers or associates as specified in EPR Plan.		
	iii. Submission of false & forged or wrong information towards implementation of EPR Plan		
	iv. Submission of false & forged or wrong information towards fulfilment of e-waste collection target		

	v. Submission of false & forged or wrong information with regards to awareness creation among consumer (s) and bulk consumers (s)		
14.	i. Selling of E-waste without dismantling	75	For Dismantlers
15.	i. Accepting & dismantling of e-waste (electrical and electronic equipment or component) not listed in schedule – I	25	
16.	i. Not sending dismantled e-waste to an authorised recycler ii. Not sending non-recyclable or non-recoverable components to authorised treatment storage and disposal facilities (TSDFs)	75	
17.	Selling of E-waste without dismantling and recycling	75	For Recyclers
18.	i. Not sending fractions / material not recycled in its facility to respective authorized recyclers of e-waste ii. Not sending non-recyclable or non-recoverable parts/component to authorized TSDF	75	
19.	Not channelizing its e-waste to authorized recycler	75	For Refurbishers
20.	Not channelizing e-waste generated by them through EPR regime of any producers	75	For Bulk Consumers
21.	Selling of used EEE having residual life for further use without accounting for EPR Authorisation	75	
22.	Replacement/removal/addition of any collection point, service provider (dismantler, recycler & reverse logistic provider) without prior information and subsequent approval (documentation violations)	45	For PROs
23.	i. Allocating same lot of collected e-waste to many producers for meeting their collection targets ii. Non-compliance of conditions of PRO Registration iii. Collection Points/centres closed without prior information and subsequent permission iv. Collection Points/Centres Not working	75	For PROs
24.	For any other violation other than above	25	All the stake holders

**\*\* not meeting collection target has been dealt separately.**

**Note: In case of multiple Violation, the maximum ECF will not exceed 100**

## 6.0 General formula for Calculation of Environmental Compensations for Non-Compliance or violations under E-Waste (M) Rules, 2016

$$\text{ECC} = \text{ECC1} + \text{ECC2}$$

$$\text{ECC1} = \text{ECF} \times \text{N} \times \text{R} \times \text{S}$$

Applicable for all types of violations by all stakeholders except collection target violation by producers

$$\text{ECC2} = \text{EWCC} \times \text{SCT} \times (1 + 2 \times \% \text{ of short fall of collection target (SCT)/100})$$

-Applicable only for Producers for non-complying EPR collection target only

Where,

**ECC** = Environmental Compensation Charges in Rupees

**ECF** = Environmental Concern Factor

**R** = Factor in Rupees (Varies between 20 for Bulk Consumers to 300 for Producers)

**N** = Number of days for which violation took place (period between the day on which violation observed and informed in writing and day on which letter of claim of compliance received)

**Note - 1:** During verification of compliance claim if claim found to be false actions as per the rules and continuation of ECC charges till the compliance achieved

**Note - 2:** For multiple violation the N value will continue till all the violation complied.

**S** = Scale of Operation. The scale of varies from 1.0 to 4.0. For example, in case of manufacturers the value of scale of operation is 1.0 for small units, 2.0 for medium units and 4.0 for large units.

**EWCC** = E-Waste collection charges is a minimal expense in collection of e-waste

= Rs. 30 per Kg and Rs. 15 per Kg for ITEW and CEEW category respectively (it is the average of cost incurred by producers on collection)

**EWCC** = Rs. 30,000/-per tonne for ITEW and

= Rs. 15,000/-per tonne for CEEW

**SCT = Short fall of Collection Target. It refers to extent of shortfall of a producer in meeting annual e-waste. Collection Targets in terms of tonne. In case of Producer who have not submitted their Annual Reports, the value of shortfall will be considered as total E-Waste Collection Targets given to the Producer**

**6.1 Calculation of Environmental Compensations for Non-Complying or violating Manufactures under E-Waste (M) Rules, 2016**

<b><math>ECC1 = ECF \times N \times R \times S</math></b>
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**Where,**

**ECF = Environmental Concern Factor (as per below table)**

**R = Factor in Rupees and is taken as 50**

**S = Scale of Operation and is based on scale of industry as per MSME rules. In case of manufacturers the value of scale of operation is 1.0 for small units, 2.0 for medium units and 4.0 for large units.**

**Environmental Concern Factor (ECF) for Manufacturer**

<b>S.No.</b>	<b>Non-compliances or Violations</b>	<b>ECF weightage</b>
1.	i. Operating without obtaining valid authorization	45
	ii. Failure in renewing authorization	
	iii. Operating without registration	
2.	i. Not maintaining record of its e-waste	25
	ii. Not submitting annual returns	
	iii. Not submitting quarterly returns	
	iv. Not maintaining manifest records of e-waste transported	
3.	Submission of wrong information:	65
	i. While seeking Authorisation	
	ii. PRO Registration	
	iii. Filling of Quarterly Returns or Annual Returns	
	iv. Annual Sales Data to CPCB	
	v. Self - Declarations	
4.	i. Not having designated area for storage of e-waste in the premise.	45
	ii. Storing e-waste in a non-designated area	
	iii. Storing of e-waste in open area	
	iv. Storing of e-waste for a period more than the specified time limit	
5.	Selling of e-waste to non-authorized persons/entity	75
6.	Non-compliance to ROHS provisions	75
7.	Non-channelization of e-waste	75
8.	For any other violation other than above	25

Final ECF= Sum of (1) +(2) +(3) +(4) +(5) +(6) ----- to (8) with the sum of ECF limited to 100

In any case the Minimum EC Charges shall not be less than:

Small scale manufacturer = 1,250/-  
Medium scale manufacturer = 2,500/-  
Large scale manufacturer = 5,000/-

Further, in any case the Maximum EC Charges shall not be more than:

Small scale manufacturer = 9,00,000/-  
Medium scale manufacturer = 18,00,000/-  
Large scale manufacturer = 36,00,000/-

The Maximum EC charges has been capped to a continuous violation of six months (rounded off)

## 6.2 Calculation of Environmental Compensations for Non-Complying or violating Producers under E-Waste (M) Rules, 2016

$$\text{ECC} = \text{ECC1} + \text{ECC2}$$

$$\text{ECC1} = \text{ECF} \times \text{N} \times \text{R} \times \text{S}$$

Applicable for all types of violations by all stakeholders except collection target violation by producers

$$\text{ECC2} = \text{EWCC} \times \text{SCT} \times (1 + 2 \times \% \text{ of short fall of collection target (SCT)/100})$$

Applicable only for Producers for non-complying EPR collection target only

Where,

ECF = Environmental Concern Factor (as per table below)

R = Factor in Rupees, taken as 500.

S = Scale of operation and is based on the range of e-waste Collection

Targets given to Producer along with EPRA under E-Waste (M) Rules, 2016.

EWCC = E-Waste collection charges is a minimal expense in collection of e-waste

= Rs. 30 per Kg and Rs. 15 per Kg for ITEW and CEEW category respectively

(it is the average of cost incurred by producers on collection)

EWCC = Rs. 30,000/-per tonne for ITEW and

= Rs. 15,000/-per tonne for CEEW

SCT = Short fall of Collection Target. It refers to extent of shortfall of a producer in meeting annual e-waste. Collection Targets in terms of tonne. In case of Producer who have not submitted their Annual Reports, the value of shortfall will be considered as total E-Waste Collection Targets given to the Producer

**S Factor shall be considered as follows:**

<b>E-Waste collection targets given in authorization*</b>	<b>S Factor</b>
Total Annual Collection Target up to 1 MT	1.0
Total Annual Collection Target from above 1 MT to 5 MT	1.15
Total annual collection target from above 5 MT to 10 MT	1.25
Total annual collection target from above 10 MT to 100 MT	1.5
Total annual collection target from above 100 MT to 1000 MT	2.0
Total annual collection target from above 1000 MT to 5000 MT	3.0
Total annual collection target above 5000MT	4.0

\*To sum up annual collection targets w.r.t to all the EEE items for which authorization has been granted.

**Environmental Concern Factor (ECF) for Producers**

<b>S.No.</b>	<b>Non-compliances or Violations</b>	<b>ECF weightage</b>
1.	i. Operating without obtaining valid authorization/EPR authorisation	45
	ii. Failure in renewing authorization/EPR authorisation in time as prescribed under the rules	
	iii. Operating without registration	
2.	i. Not maintaining record of its e-waste	25
	ii. Not submitting annual returns	
	iii. Not submitting quarterly returns	
	iv. Not maintaining manifest records of e-waste transported	
3.	Submission of wrong information:	65
	i. While seeking Authorisation/ EPR Authorisation	
	ii. PRO Registration	
	iii. Filling of Quarterly Returns or Annual Returns	
	iv. Annual Sales Data to CPCB	
	v. Self - Declarations	
4.	Non-channelization of e-waste	75
5.	i. Changes in EPR Plan without prior information and subsequent approval	45
	ii. Change of service providers or associates without prior information and without subsequent approval	
6.	i. Non-implementation of EPR Plan**	75
	ii. Non-compliance of service providers or associates as specified in EPR Plan.	
	iii. Submission of false & forged or wrong information towards implementation of EPR Plan	
	iv. Submission of false & forged or wrong information towards fulfilment of e-waste collection target	
	v. Submission of false & forged or wrong information with regards to awareness creation among consumer (s) and bulk consumers (s)	
7.	For any other violation other than above	25

\*\* not meeting collection target has been dealt separately.

ECF= Sum of (1) + (2) + (3) + (4) + (5) ----- to (7) with the sum of ECF limited to 100

In any case the Minimum EC Charges shall not be more than:

- Rs. 9,500/- for collection target up to 10 MT
- Rs. 11,500/- for collection target above 10 to 100 MT
- Rs. 15,000/- for collection target above 100 to 1000 MT
- Rs. 22,500/- for collection target between 1000 to 5000 MT
- Rs. 30,000/- for capacity above 5000 MT

Further, in any case the Maximum EC Charges shall not be more than:

- Rs. 75,00,000/- for collection target up to 10 MT
- Rs. 1,20,00,000/- for collection target above 10 to 100 MT
- Rs. 5,00,00,000/- for collection target above 100 to 1000 MT
- Rs. 25,00,00,000/- for collection target between 1000 to 5000 MT
- Rs. 100,00,00,000/- for capacity above 5000 MT

The Maximum EC charges has been capped to a continuous violation of six months (rounded off)

### 6.3 Calculation of Environmental Compensations for Non-Complying or violating dismantlers under E-Waste (M) Rules, 2016

$$ECC1 = ECF \times N \times R \times S$$

Where,

ECF = Environmental Concern Factor (as per table below)

R = Factor in Rupees and is taken as 50

S = Scale of Operation and is based on consented capacity of the dismantlers.

S shall be considered as follows:

Consented capacity of dismantler	S factor
Capacity upto 300 tonnes per annum	1.0
Capacity from 301 tonnes to 500 tonnes per annum	1.25
Capacity from 501 tonnes to 1000 tonnes per annum	1.5
Capacity from 1001 tonnes to 3000 tonnes per annum	2.0
Capacity from 3001 tonnes to 10000 tonnes per annum	3.0
Capacity from 10000 tonnes and above	4.0

### Environmental Concern Factor (ECF) for Dismantlers

S.No	Non-compliances or Violations	ECF weightage
1.	i. Operating without obtaining valid authorization/epr authorisation o	45
	ii. Failure in renewing authorization/epr authorisation in time as prescribed under the rules	
	iii. Operating without registration	
2.	iv. Not maintaining record of its e-waste	25
	v. Not submitting annual returns	
	vi. Not submitting quarterly returns	
	vii. Not maintaining manifest records of e-waste transported	
3.	Submission of wrong information:	65
	viii. While seeking Authorisation/ EPR Authorisation	
	ix. PRO Registration	
	x. Filling of Quarterly Returns or Annual Returns	
	xi. Annual Sales Data to CPCB	
	xii. Self - Declarations	
4.	xiii. Not having designated area for storage of e-waste in the premise.	45
	xiv. Storing e-waste in a non-designated area	
	xv. Storing of e-waste in open area	
	xvi. Storing of e-waste for a period more than the specified time limit	
6.	xvii. Selling of e-waste to non-authorized persons/entity	75
7.	xviii. Not having adequate facilities as per CPCB's Guidelines	75
8.	xix. Not operating Pollution Control Devices as per CPCB's guidelines	75
9.	xx. Not having adequate land area as per CPCB's guidelines	75
10	xxi. Refurbishing of e-waste in the same premises where authorisation for only dismantling or recycling has been obtained	25
11.	Non-channelisation of e-waste	75
12.	xxii. Selling of E-waste without dismantling	75
13.	xxiii. Accepting & dismantling of e-waste (electrical and electronic equipment or component) not listed in schedule – I	25
14.	xxiv. Not sending dismantled e-waste to an authorized recycler	75
	xxv. Not sending non-recyclable or non-recoverable components to authorized treatment storage and disposal facilities (TSDFs)	
15.	xxvi. For any other violation other than above	25

ECF= Sum of (1) + (2) + (3) + (4) + (5) + (6) + (7) -----to (14) with the sum of ECF limited to 100

**In any case the Minimum EC Charges shall not be less than :**

**Rs. 1,500/- for capacity up to 500 MT**

**Rs. 2,500/- for capacity between 501 to 3000 MT**

**Rs. 3,750/- for capacity between 3001 to 10000 MT**

**Rs. 5,000/- for capacity above 10000 MT**

**Further, in any case the Maximum EC shall not be more than :**

Rs. 12,00,000/- for capacity up to 500 MT  
 Rs. 20,00,000/- for capacity between 501 to 3000 MT  
 Rs. 30,00,000/- for capacity between 3001 to 10000 MT  
 Rs. 40,00,000/- for capacity above 10000 MT

The Maximum EC charges has been capped to a continuous violation of six months (rounded off)

#### 6.4 Calculation of Environmental Compensations for Non-Complying or Violating Recyclers under E-Waste (M) Rules, 2016

$$ECC1 = ECF \times N \times R \times S$$

Where,

**ECF** = Environmental Concern Factor (as per table below)  
**R** = Factor in Rupees and is taken as 100  
**S** = Scale of Operation and is based on consented capacity of the recyclers.

**S** shall be considered as follows:

Consented capacity of Recycler	S factor
Capacity upto 300 tonnes per annum	1.0
Capacity from 301 tonnes to 500 tonnes per annum	1.25
Capacity from 501 tonnes to 1000 tonnes per annum	1.5
Capacity from 1001 tonnes to 3000 tonnes per annum	2.0
Capacity from 3001 tonnes to 10000 tonnes per annum	3.0
Capacity from 10000 tonnes and above	4.0

#### Environmental Concern Factor (ECF) for Recyclers

S.No.	Non-compliances or Violations	ECF weightage
1.	i. Operating without obtaining valid authorization	45
	ii. Failure in renewing authorization	
	iii. Operating without registration	
2.	i. Not maintaining record of its e-waste	25
	ii. Not submitting annual returns	
	iii. Not submitting quarterly returns	
	iv. Not maintaining manifest records of e-waste transported	
3.	Submission of wrong information:	65
	i. While seeking Authorisation/ EPR Authorisation	

	ii. PRO Registration	
	iii. Filling of Quarterly Returns or Annual Returns	
	iv. Annual Sales Data to CPCB	
	v. Self - Declarations	
4.	i. Not having designated area for storage of e-waste in the premise.	45
	ii. Storing e-waste in a non-designated area	
	iii. Storing of e-waste in open area	
	iv. Storing of e-waste for a period more than the specified time limit	
5.	Selling of e-waste to non-authorized persons/entity	75
6.	Not having adequate facilities as per CPCB's Guidelines	75
7.	Not operating Pollution Control Devices as per CPCB's guidelines	75
8.	Not having adequate land area as per CPCB's guidelines	75
9.	Refurbishing of e-waste in the same premises where authorisation for only dismantling or recycling has been obtained	25
10.	Non-channelization of e-waste	75
11.	Selling of E-waste without dismantling and recycling	75
12.	iii. Not sending fractions / material not recycled in its facility to respective authorized recyclers of e-waste	75
	iv. Not sending non-recyclable or non-recoverable parts/component to authorized TSDF	
13.	For any other violation other than above	25

ECF= Sum of (1) + (2) + (3) + (4) + (5) + (6) ----- to (13) with the sum of ECF limited to 100

**In any case the Minimum EC Charges shall not be less than:**

- Rs. 3,500/- for capacity up to 500 MT**
- Rs. 5,000/- for capacity between 501 to 3000 MT**
- Rs. 7,500/- for capacity between 3001 to 10000 MT**
- Rs. 10,000/- for capacity above 10000 MT**

**Further, in any case the Maximum EC Charges shall not be more than:**

- Rs. 23,00,000/- for capacity up to 500 MT**
- Rs. 40,00,000/- for capacity between 501 to 3000 MT**
- Rs. 60,00,000/- for capacity between 3001 to 10000 MT**
- Rs. 75,00,000/- for capacity above 10000 MT**

**The Maximum EC charges has been capped to a continuous violation of six months (rounded off )**

## 6.5 Calculation of Environmental Compensations for Non-Complying or Violating Refurbisher under E-Waste (M) Rules, 2016

$$\text{ECC1} = \text{ECF} \times \text{N} \times \text{R} \times \text{S}$$

Where,

**ECF** = Environmental Concern Factor (as per table below)

**R** = Factor in Rupees and is taken as 50

**S** = Scale of Operation and is based on consented capacity of the recyclers.

**S shall be considered as follows:**

Consented capacity of Refurbisher	S factor
Capacity up to 300 tonnes per annum	1.0
Capacity from 301 tonnes to 500 tonnes per annum	1.25
Capacity from 501 tonnes to 1000 tonnes per annum	1.5
Capacity from 1001 tonnes to 3000 tonnes per annum	2.0
Capacity from 3001 tonnes to 10000 tonnes per annum	3.0
Capacity from 10000 tonnes and above	4.0

### Environmental Concern Factor (ECF) for Refurbisher

S.No.	Non-compliances or Violations	ECF weightage
1.	i. Operating without obtaining valid authorization	45
	ii. Failure in renewing authorization	
	iii. Operating without registration	
2.	i. Not maintaining record of its e-waste	25
	ii. Not submitting annual returns	
	iii. Not submitting quarterly returns	
	iv. Not maintaining manifest records of e-waste transported	
3.	Submission of wrong information:	65
	i. While seeking Authorisation/ EPR Authorisation	
	ii. PRO Registration	
	iii. Filling of Quarterly Returns or Annual Returns	
	iv. Annual Sales Data to CPCB	
	v. Self - Declarations	
4.	i. Not having designated area for storage of e-waste in the premise.	45
	ii. Storing e-waste in a non-designated area	
	iii. Storing of e-waste in open area	
	iv. Storing of e-waste for a period more than the specified time limit	

5.	Selling of e-waste to non-authorized persons/entity	75
6.	Non-channelization of e-waste	75
7.	Not channelizing its e-waste to authorized recycler	75
8.	For any other violation other than above	25

ECF= Sum of (1) + (2) + (3) + (4) + (5) ----- to (8) with the sum of ECF limited to 100

**In any case the Minimum EC Charges shall not be less than:**

- Rs. 1,500/- for capacity up to 500 MT
- Rs. 2,500/- for capacity between 501 to 3000 MT
- Rs. 3,750/- for capacity between 3001 to 10000 MT
- Rs. 5,000/- for capacity above 10000 MT

**Further, in any case the Maximum EC shall not be more than:**

- Rs. 12,00,000/- for capacity up to 500 MT
- Rs. 20,00,000/- for capacity between 501 to 3000 MT
- Rs. 30,00,000/- for capacity between 3001 to 10000 MT
- Rs. 40,00,000/- for capacity above 10000 MT

The Maximum EC charges has been capped to a continuous violation of six months (rounded off)

#### 6.6 Calculation of Environmental Compensations for Non-Complying or Violating Bulk Consumers under E-Waste (M) Rules, 2016

$$ECC1 = ECF \times N \times R \times S$$

Where,

- ECF** = Environmental Concern Factor (as per table below)
- R** = Factor in Rupees and is taken as 20
- S** = Scale of Operation of bulk consumer (turnover of more than one crore or having more than 20 employees)

**S shall be considered as follows:**

Bulk Consumers	S factor
Employee in the range of 20 to 50 or Annual Turnover in the range of 1 to 50 Crores	1.0
Employee in the range of 51 to 100 or Annual Turnover in the range of 51 to 100 Crores	1.25
Employee in the range of 101 to 200 or Annual Turnover in the range of 101 to 500 Crores	2.0

<b>Bulk Consumers</b>	<b>S factor</b>
Employees in the range of 201 to 500 or Annual Turnover in the range of 501 to 1000 Crores	3.0
Employees above 501 or Annual Turnover more than 1001 Crores	4.0

**Environmental Concern Factor (ECF) for Bulk Consumers**

<b>S.No.</b>	<b>Non-compliances or Violations</b>	<b>ECF weightage</b>
1.	i. Not maintaining record of its e-waste	25
	ii. Not submitting annual returns	
	iii. Not submitting quarterly returns	
	iv. Not maintaining manifest records of e-waste transported	
2.	Submission of wrong information:	65
	i. While seeking Authorisation/ EPR Authorisation	
	ii. PRO Registration	
	iii. Filling of Quarterly Returns or Annual Returns	
	iv. Annual Sales Data to CPCB	
	v. Self - Declarations	
3.	i. Not having designated area for storage of e-waste in the premise.	45
	ii. Storing e-waste in a non-designated area	
	iii. Storing of e-waste in open area	
	iv. Storing of e-waste for a period more than the specified time limit	
4.	Selling of e-waste to non-authorized persons/entity	75
5.	Non-channelization of e-waste	75
6.	Not channelizing e-waste generated by them through EPR regime of any producers	75
7.	For any other violation other than above	25

ECF= Sum of (1) + (2) + (3) + (4) ----- to (7) with the sum of ECF limited to 100

**In any case the Minimum EC Charges shall not be less than:**

- Rs. 700/- for Employee up to 100 or Annual Turnover up to 100 Crores**
- Rs. 1,000/- for Employee in the range of 101 to 500 or Annual Turnover in the range of 101-1000 Crores**
- Rs. 2,000/- for Employee more than 1001 or Annual Turnover more than 1001 Crores**

**Further, in any case the Maximum EC Charges shall not be more than:**

- Rs. 5,00,000/- for Employee up to 100 or Annual Turnover up to 100 Crores**
- Rs. 9,00,000/- for Employee in the range of 101 to 500 or Annual Turnover in the range of 101-1000 Crores**
- Rs. 15,00,000/- for Employee more than 1001 or Annual Turnover more than 1001 Crores**

The Maximum EC charges has been capped to a continuous violation of six months (rounded off)

### 6.7 Calculation of Environmental Compensation Charges for Producer Responsibility Organisation (PRO) for non-compliance or Violation of E-Waste (Management) Rules, 2016

$$\text{ECC1} = \text{ECF} \times \text{N} \times \text{R} \times \text{S}$$

Where,

**ECF** = Environmental Concern Factor

**R** = Factor in Rupees and is taken as 200

**S** = Scale of Operation is based on PROs capacity. S shall be considered

as

below:

**S shall be considered as follows:**

Capacity of PRO	S factor
Capacity up to 300 tonnes per annum	1.0
Capacity from 301 tonnes to 500 tonnes per annum	1.25
Capacity from 501 tonnes to 1000 tonnes per annum	1.5
Capacity from 1001 tonnes to 3000 tonnes per annum	2.0
Capacity from 3001 tonnes to 10000 tonnes per annum	3.0
Capacity from 10000 tonnes and above	4.0

### Environmental Concern Factor (ECF) for Producer Responsibility Organisation (PRO)

S.No.	Non-compliances or Violations	ECF weightage
1.	i. Operating without obtaining valid authorization/registration	45
	ii. Failure in renewing authorization/registration in time as prescribed under the rules	
	iii. Operating without registration	
2.	i. Not maintaining record of its e-waste	25
	ii. Not submitting annual returns	
	iii. Not submitting quarterly returns	
	iv. Not maintaining manifest records of e-waste transported	
3.	Submission of wrong information:	65
	i. While seeking Authorisation/ EPR Authorisation	
	ii. PRO Registration	
	iii. Filling of Quarterly Returns or Annual Returns	

	iv. Annual Sales Data to CPCB	
	v. Self - Declarations	
4.	Selling of e-waste to non-authorized persons/entity	75
5.	Non-channelisation of e-waste	75
6.	Replacement/removal/addition of any collection point, service provider (dismantler, recycler & reverse logistic provider) without prior information and subsequent approval (documentation violations)	45
7.	i. Allocating same lot of collected e-waste to many producers for meeting their collection targets	75
	ii. Non-compliance of conditions of PRO Registration	
	iii. Collection Points/centres closed without prior information and subsequent permission	
	iv. Collection Points/Centres Not working	
8.	For any other violation other than above	25

ECF= Sum of (1) + (2) + (3) + (4) + (5) ----- (8) with the sum of ECF limited to 100

**In any case the Minimum EC Charges shall not be less than:**

**Rs. 6,500/- for capacity up to 500 MT**  
**Rs. 10,000/- for capacity between 501 to 3000 MT**  
**Rs. 15,000/- for capacity between 3001 to 10000 MT**  
**Rs. 20,000/- for capacity above 10000 MT**

**Further, in any case the Maximum EC Charges shall not be more than :**

**Rs. 50,00,000/- for capacity up to 500 MT**  
**Rs. 75,00,000/- for capacity between 501 to 3000 MT**  
**Rs. 1,00,00,000/- for capacity between 3001 to 10000 MT**  
**Rs. 1,50,00,000/- for capacity above 10000 MT**

**The Maximum EC charges has been capped to a continuous violation of six months (rounded off)**

#### **7.0 Calculation of Value of R for different stakeholder:**

While calculating EC, the value of R has been kept varying for different stakeholder. Maximum value of R has been kept as 300 for Producers, 200 for PRO and 100 for Recyclers as under the E-Waste Rules, 2016, the management of E-Waste has been based on the principle of EPR Plan which means Producers, PROs & Recyclers play the key role in the management of E-Waste. The value of R has been kept as 50 in case of Manufacturers, Dismantler and Refurbishers of E-Waste by keeping into consideration their role in Environmentally Sound Management of E-Waste. Further in case of Bulk consumers which are mere users of the EEE and hold the responsibility to get their E-Waste managed through authorized agencies only, the value of R has been kept minimum to 20.

## 8.0 Deterrent Factor for Non-compliance/ Violations under E-Waste(M) Rules, 2016:

In order to make scale of environmental compensation deterrent in rendering violation of Rules to be non-profitable, a deterrent factor has been introduced in case of recurrent violations. ECC charges may increase by multiple times when;

Stakeholders fails to comply with action points within stipulated time or as may be directed by CPCB/SPCB/PCC; or - Fails to comply during re-inspections

Incremental effect on Environmental Compensation charges are given below:

Scenario	Applicable ECC
<b>Directions in case of documentation violations</b>	
Compliance within the target date ( as specified in direction by CPCB/SPCBs)	ECC as per actual number of days of non-compliance
Non-Compliance after target date till 180 days	2 times of actual ECC
Non-Compliance beyond 180 days from target date	Closure of Unit
<b>Inspections</b>	
Compliance within target date( as specified in direction by CPCB/SPCBs)	ECC as per actual number of days of non-compliance
Fails to comply in 2 <sup>nd</sup> inspections (till 180 days of target date) (By CPCB/SPCBs)	2 times the original ECC
Fails to comply in 3 <sup>rd</sup> consecutive inspection (beyond 180 days if required)	Closure of unit
In case of any fresh violations observed during 2 <sup>nd</sup> or 3 <sup>rd</sup> inspection	To charge original ECC for the said violation in addition to above ECC
<b>Failure to meet Collection Targets</b>	
Failure to meet collection target for any two consecutive year	1.5 times the original ECC for second year violation and in addition to the ECC charged for first year failure in meeting the targets
Failure to meet collection target for three consecutive years	2.5 times the original ECC for third year violation and in addition to the ECC charged for first & second year failure in meeting the targets
Failure to meet collection target for four consecutive years	Suspension/ Withdrawal of EPR Authorisation
For revocation w.r.t closure of units or Re-issue of EPR Authorization	5 times original ECC and also to meet the prescribed standards as per CPCB's guidelines and meet collection targets given by CPCB for all the violating years

**Note: Maximum capping limit will not applicable in case of repeated violations.**

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:

“

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

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

			<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

S.P. Wangdi, JM

Dr. Nagin Nanda, EM

September 02, 2019  
Original Application No. 512/2018  
AK



Item No. 07

Court No. 1

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

(By Video Conferencing)

Original Application No. 1001/2019

(With reports dated 28.09.2020 & 29.09.2020)

**In Re: News items -The Indian Express - 5,000 illegal e-waste  
units being run in capital : Study**

Date of hearing: 30.09.2020

**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 Respondent(s): Mr. Pradeep Misra and Mr. Daleep Dhyani, Advocates for UPPCB  
Mr. Narender Pal Singh, Advocate for DPCC

**ORDER**

1. The issue for consideration is the remedial action against unscientific disposal of e-waste causing damage to the environment, with potential threat to public life. The matter was earlier dealt with in O.A. No. 512/2018 and in pursuance of order of this Tribunal, the CPCB has prepared an action plan which was circulated to all the State PCBs/PCCs. The Tribunal directed monitoring of further action and matter is now listed for hearing on 20.10.2020.

2. In the present matter, a report was sought from the DPCC in coordination with the District Magistrates of East and North East Delhi with regard to the area in Delhi and the Uttar Pradesh State PCB and District Magistrate, Ghaziabad with reference to the area in UP to the allegation that five thousand illegal e-waste processing units were operating in and around Delhi as per study undertaken by 'Toxic Link'.

3. The matter was thereafter considered on 20.02.2020 in the light of report of the DPCC dated 19.12.2019 and report of the UP State PCB dated 18.02.2020 wherein violation were acknowledged and further action was directed to be taken. The extract from the order dated 20.02.2020 is as follows:-

*“2. Accordingly, a report has been filed by the DPCC on 19.12.2019 as follows:*

*“5. That, the teams headed by the respective SDMs have inspected 130 premises till 16.12.2019 and 104 premises were found to be storing/handling E-Waste. 31 number of premises were closed effectively. The area in which these activities were being carried out ranges from 30 to 100 Square meters and are of a very tiny scale. In most of the premises, it was observed that the owner(s) themselves are carrying out the labour work. Environmental Compensation of Rs. 7.30 lakhs has been imposed on these 31 tiny handlers. The said drive is continuing till the entire area is covered.*

*6. That, apart from the above actions, Delhi Pollution Control Committee took suo-moto action against illegal e-waste handling units in Old Seelampur area and closed 57 premises effectively in the month of July 2019. It has been decided to levy EDC on these 57 tiny illegal e-waste handlers. The list of the said 57 units is enclosed as Annexure-2.*

*7. That, it is relevant to mention here that in compliance of the orders passed by this Hon'ble Tribunal regarding initiating action on e-waste handling units, in the matter of OA No. 20/2019 (Resident of Gali No. 11, Bhagirathi Vihar Vs NCT of Delhi), Delhi Pollution Control Committee had effectively closed 36 illegal E-waste storage/handling units in the area of Bhagirathi Vihar in the months of May and June 2019 and an Environmental Compensation (EC) of Rs. 7.20 lakhs was imposed on them as these were a very tiny entities. Till date 21 occupiers have deposited the EC imposed on them. Recovery Certificate has been issued to the Recovery Officer ie SDM (Yamuna Vihar) for recovery of EC as an arrears of land revenue. Recovery Officer has once again been requested to recover the EC.”*

3. The UPPCB has also filed its report on 18.02.2020 inter alia as follows:

### **“3. Action Taken Against Illegal Industries**

*A joint team of District Administration, Ghaziabad, Nagar Palika Parishad, Loni, Ghaziabad Development Authority, Electricity Department, Police and Uttar Pradesh Pollution Control Board has been taking action against industries in confirming as well as non-confirming areas in Tehsil Loni of District Ghaziabad. Since August, 2019 the joint team has identified and closed/dismantled 315 illegal industries in the said area.*

### **3.1 Action Taken against Illegal units Engaged in Handling and Processing of E-waste and other Related Items.**

*Sub-Divisional Magistrate, Loni, Tehsildar, Loni, officers of Nagar Palika Parishad Loni, Regional Office, UPPCB, Ghaziabad, Electricity Department and Police carried out survey of the area from 09.09.2019 to 11.09.2019. During the survey, it was observed that a number of illegal industrial activities majorly comprising of small furnaces for melting aluminum, iron, lead etc. for producing sheets, foils, ingots and electronic waste processing units are set up in a residential cluster of Amit Vihar, Sewa Dham, Loni, Ghaziabad.*

*During the survey, the joint team demolished 42 industries in Ghaziabad region of Amit Vihar area. The electrical connections of the industries were also disconnected by the officers of electricity department.*

*Action Taken against Illegal E- Waste Processing units in Behta Hazipur and Tila Shahbajpur, Loni*

*Similarly, regular survey of areas of Behta Hajipur, and Loni Border area is being carried out. During inspections between 17.08.2019 to 22.08.2019 by the joint committee 17 illegal units carrying out operations of wire drawing were found operating in the residential areas. All the 17 units were sealed during inspection. Further, Action under section*

*151/107/116 of CRPC was taken against 12 persons found responsible for carrying out the illegal operations in the residential areas.*

*Further, drive was carried out from 19.11.2019 to 21.11.2019 in the area and electrical wires and e-waste was seized and FIRs were registered against 15 individuals. During the said period public announcements were also made to sensitize the public about harm of burning wires and processing e-waste in open and warning was issued to deposit such items voluntarily with representatives from Nagar Palika's office. Another drive has been carried out on 6.2.2020 and 7.2.2020 in the said area and material has been seized.*

### **Action Taken against Illegal E- Waste Processing units in Sewa Dham, Loni.**

*During regular survey, it was found by the joint committee that number of illegal e-waste processing units are operational in open area of Sewa Dham area of Loni. The common practice obtained by these illegal units was to recover the metals from the PCBs using acids like Hcl and H2SO4. After recovering the metals like copper, the waste PCBs were burnt in open causing air pollution. During inspection between 29.10.2019 till 31.10.2019, almost 80 illegal units were demolished by the joint committee. FIRs against 16 individuals carrying out the illegal activities were also lodged. The illegal materials like PCBs, Chips were seized and stored at Nagar Palika, Loni road, New Delhi on 02.11.2019 to ascertain the status of closure of units. The seized material is proposed to be disposed off as per rules.*

#### **4. Major Findings**

- i) Illegal units engaged in handling/processing of e-waste, primarily wires and PCBs have been identified in Behta Hajipur, Tila Shahbajpur, Krishna Vihar, Amit Vihar and Sewa Dham areas of Tehsil Loni which is adjoining North-East Delhi*
- ii) The said area is notified region of Ghaziabad Development Authority's Master Plan — 2021*
- iii) The activities with regards to e-waste handling/processing are primarily restricted to burning of wires, etching of PCBs and smelting.*
- iv) No electronic or electrical equipment's were found to be dismantled in the area, from which it is evident that dismantling of e-waste is being done outside Ghaziabad and only PCBs and wires are being brought for burning and processing.*

#### **Recommendations**

*In view of above findings and observations, following recommendations are made:*

- Ghaziabad Development Authority should demarcate the areas where units are operating against the land use as per Master Plan and take necessary action against these units as per law/demolition of illegal units against the master plan.*
- Ghaziabad Development Authority and District Administration should take action against owners of plots/land on which such illegal activities are being carried out under provisions of law.*
- To stop the illegal clustering of industries in residential areas of Loni, it is mandatory that no industrial electricity connection to any industry in residential areas.*

- *It should be ensured that the illegal industries which are being closed down by the joint committee should not be allowed to operate again in the residential areas.*
- *Police should install a checking post and boom barrier at Loni-Delhi border and do mandatory checking of vehicles to stop transboundary movement of wires, PCBs and smelted ingots.*
- *All Dharam Kantas (weighing bridges) in the abovementioned areas of Loni should be stringently monitored by Weights and Measures Department and Police. They should be directed to report vehicles suspected to be carrying prohibited items like PCBs, wires etc.”*

4. *In view of the above, let further action be taken in the matter after making inventory of all such units and a further report be filed before the next date of hearing by email at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in). It may also be ascertained as to what is the destination of the e-waste involved so that remedial action is taken. The DPCC and the State PCB may also involve any other authority/agency found concerned with the matter.”*

4. In pursuance to the above, the DPCC has filed its action taken report on 25.09.2020 *inter-alia* as follows:-

**“4. That pursuant to the above office order, 218 premises were surveyed by two teams till 23.9.2020 and 120 premises were found to be carrying out illegal e-waste storage/handling activity. Since the inspecting teams are required to follow social distancing norms, area being highly congested with narrow lanes, people's tendency to crowd the inspecting teams; the survey is progressing at a slow pace. While carrying out the survey, the teams have observed that the people engaged in the illegal handling of e-waste are operating from very tiny premises with an area ranging from 20 to 50 Sqm, carrying out manual work without any machinery. Many of people have closed down the illegal operations due to lockdown & very dull economic activity. In most of the cases, it was observed that the owner(s) themselves are carrying out the labour work. Further action for effective closure of these illegal activities has been planned once the survey is completed. Delhi Police have been requested to provide sufficient police force for carrying out the task of effective closure to avoid any adverse law & order situation, as the areas are sensitive in this aspect.”**

5. The State PCB has filed its report dated 28.09.2020 mentioning as follows:-

“2. Chief Engineer (Distribution) Ghaziabad Zone, PVVNL, Ghaziabad has been submitted a report vide letter dated 25.06.2020. As per the report total 704 connections in Loni area have been verified in which 506 connections were not found, **64 connections could not be verified due to incomplete address, 23 connections have been permanent disconnected, 85 connections were found disconnected, 26 connections were found connected.** Copy of compliance submitted by PVVNL is annexed as Annexure IV.

3. Senior Inspector, Legal Metrology (Weight and Measures), Ghaziabad has submitted report on dated 25.06.2020 & 04.07.2020. As per report received total 12 Dharam Kantas (Weighing bridges) have been inspected, in which challan has been issued against defaulting 09 Dharam Kantas.

4. Further, in view of directions of District Magistrate, Ghaziabad, Sub-Divisional Magistrate, Tehsil, Loni vide order dated 09.09.2020 has constituted a Joint Team of officers from District Administration, UPPCB, District Industries Centre, Nagar Palika Parishad, Loni, Ghaziabad Development Authority, Labour, Electricity and Police to carry out regular survey in Loni area, not only for purpose of identifying and taking action against electronic waste units but all pollution causing activities.

5. The joint team has also surveyed the areas of Seva Dhaam, Behta Hajipur and Amit Vihar in Loni region and it has been found that unit which were closed/ demolished have not started any unauthorized activity again.

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Also, considering the amount of waste not only in Loni region but elsewhere as well, Central Pollution Control Board may consider to tap the Producers under Extended Producer Responsibility (EPR) clause as dumping and channelization of electronic waste from different parts of the country is a result of the failure of the Producers to bring back the e-waste into the formal collection channels as per E-Waste Management Rules, 2016. As stated earlier, the disposal and recycling of non-metallic fractions and thereby the bare and de-populated boards is not an economically attractive process. However, it is precisely to incentivize the proper and environmentally safe disposal of such 'low value' components or parts of e-waste that the producers pay their respective PROs and e-waste recyclers a 'Recycling Fee'.”

6. It is thus clear that as per report of the DPCC, the problem is continuing and time is sought for further action. As regards report of the UPPCB, necessary action has been taken but we are of the view that this needs to be reverified. UPSIDC and DSIIDC may identify industrial areas

where such unit can be allowed to operate in environment friendly manner and granting authorizations/registrations in accordance with relevant rules. Let further action be taken by the DPCC and the UPPCB and compliance status as on 15.10.2020 be filed before the next date by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF. The CPCB may consider the suggestion of the State PCB with regard to the EPR clause and regarding PROs and give its response thereto in OA 512/2018, *Shailesh Singh v. State of UP & Ors.* The CPCB may also consider incorporating requirement with regard to all the States/UTs to locate such units in identified industrial areas where such units can operate in environment friendly manner in terms of conditions of authorization/registration.

List again on 20.10.2020.

Adarsh Kumar Goel, CP

S. P. Wangdi, JM

Dr. Nagin Nanda, EM

September 30, 2020  
Original Application No. 1001/2019  
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