



UTTARAKHAND E-WASTE MANAGEMENT RULES-2023

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[Abstract](#)

The Uttarakhand E-Waste Management Rules is to bring together the triad of public, government and industry to adopt responsible measures for Sustainable electronics that is responsive to environmental needs. This needs proactive policy formation and mass deployment that would be the focus area.

“Reduce, Reuse and Recycle”

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1. Preamble

The Central Ministry of Environment and Forests has notified the e-Waste (Management) Rules, 2016 in March 2016. Extensive focus has been on Extended Producer Responsibility with clear responsibilities outlined for manufacturers, producers, consumers, bulk consumers, refurbishers, collection centres, dismantlers, recyclers, State Government, and urban local bodies. The Government aims to complement these rules by playing an active role in promoting refurbishing and recycling of electronic products through the right channels. Until recently, the battle against e-Waste was fought single handedly by the CPCB and the SPCBs. Only in the e-Waste (Management) Rules, 2016 did the role of State Government in e-Waste Management be clearly outlined.

The Information Technology Department, being an important stakeholder in this area with ties to both sell-side and buy-side, shall act as the nodal agency to fulfil the responsibilities mentioned in these rules. In line with the responsibilities mentioned in these rules, the State Government shall undertake the following activities:

1. The State shall earmark industrial space or shed for e-Waste dismantling and recycling in the existing and upcoming industrial parks, estates and industrial clusters.
2. A mandatory registration process shall be notified for workers involved in dismantling and recycling after consultation with the Department of Labour, Employment Training and Factories.
3. Under the State Skills Development Mission, skills involved in dismantling and recycling shall be taken up as a priority area to ensure safety & health of the workers. TASK shall collaborate with the Skill Council for Green Jobs to develop and drive programs for these workers.
4. The Government shall prepare an integrated plan for effective implementation of these provisions.

2. Definition

(a) '**Uttarakhand e-Waste Rules 2023**' means the "Uttarakhand E-Waste Management Rules 2023;

(b) '**Authorisation**' means permission for generation, handling, collection, reception, storage, transportation, refurbishing, dismantling, recycling, treatment and disposal of e-waste, granted to manufacturer, dismantler, refurbisher and recycler;

(c) '**Bulk Consumer**' means bulk users of electrical and electronic equipment such as Central Government or State Government Departments, public sector undertakings, banks, educational institutions, multinational organisations, international agencies, partnership and public or private companies that are registered under the Factories Act, 1948 (63 of 1948) and the Companies Act, 2013 (18 of 2013) and health care facilities which have turnover of more than one crore or have more than twenty employees;

(d) '**State Pollution Control Board**' means the State Pollution Control Board constituted by Uttarakhand State Government

(e) '**Collection Centre**' means a centre or a collection point or both established by producer individually or as association jointly to collect e-waste for channelising the e-waste to recycler and play such role as indicated in the authorisation for Extended Producer Responsibility

granted to the producer and having facilities as per the guidelines of Central Pollution Control Board, including the collection centre established by the dismantler or refurbisher or recycler which should be a part of their authorisation issued by the State Pollution Control Board where the facility exists;

(f) '**Component**' means one of the parts of a sub-assembly or assembly of which a manufactured product is made up and into which it may be resolved and includes an accessory or attachment to another component;

(g) '**Consumables**' means an item, which participates in or is required for a manufacturing process or for functioning of the electrical and electronic equipment and may or may not form part of end-product. Items, which are substantially or totally consumed during a manufacturing process, shall be deemed to be consumables;

(h) '**Consumer**' means any person using electrical and electronic equipment excluding the bulk consumers;

(i) '**Channelisation**' means to direct the path for movement of e-wastes from collection onwards to authorised dismantler or recycler. In case of fluorescent and other mercury containing lamps, where recyclers are not available, this means path for movement from collection centre to Treatment, Storage and Disposal Facility;

(j) '**Dealer**' means any individual or firm that buys or receives electrical and electronic equipment as listed in Schedule I of these rules and their components or consumables or parts or spares from producers for sale;

(k) '**Deposit Refund Scheme**' means a scheme whereby the producer charges an additional amount as a deposit at the time of sale of the electrical and electronic equipment and returns it to the consumer along with interest when the end-of-life electrical and electronic equipment is returned;

(l) '**Dismantler**' means any person or organisation engaged in dismantling of used electrical and electronic equipment into their components and having facilities as per the guidelines of Central Pollution Control Board and having authorisation from concerned State Pollution Control Board;

(m) '**Disposal**' means any operation which does not lead to recycling, recovery or reuse and includes physico- chemical or biological treatment, incineration and deposition in secured landfill;

(n) '**end-of-life**' of the product means the time when the product is intended to be discarded by the user;

(o) '**Environmentally sound management of e-waste**' means taking 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;

(p) '**Electrical and electronic equipment**' means equipment which are dependent on electric current or electro- magnetic field in order to become functional;

(q) '**e-retailer**' means an individual or company or business entity that uses an electronic network such as internet, telephone, to sell its goods;

(r) '**e-waste**' means electrical and electronic equipment, whole or in part discarded as waste by the consumer or bulk consumer as well as rejects from manufacturing, refurbishment and repair processes;

(s) '**e-waste exchange**' means an independent market instrument offering assistance or independent electronic systems offering services for sale and purchase of e-waste generated

from end-of-life electrical and electronic equipment between agencies or organisations authorised under these rules;

(t) '**Extended Producer Responsibility**' means responsibility of any producer of electrical or electronic equipment, for channelisation of e-waste to ensure environmentally sound management of such waste. Extended Producer Responsibility may comprise of implementing take back system or setting up of collection centres or both and having agreed arrangements with authorised dismantler or recycler either individually or collectively through a Producer Responsibility Organisation recognised by producer or producers in their Extended Producer Responsibility - Authorisation;

(u) '**Extended Producer Responsibility - Authorisation**' means a permission given by Central Pollution Control Board to a producer, for managing Extended Producer Responsibility with implementation plans and targets outlined in such authorisation including detail of Producer Responsibility Organisation and e-waste exchange, if applicable;

(v) '**Extended Producer Responsibility Plan**' means a plan submitted by a producer to Central Pollution Control Board, at the time of applying for Extended Producer Responsibility - Authorisation in which a producer shall provide details of e-waste channelisation system for targeted collection including detail of Producer Responsibility Organisation and e-waste exchange, if applicable;

(w) '**facility**' means any location wherein the process incidental to the collection, reception, storage, segregation, refurbishing, dismantling, recycling, treatment and disposal of e-waste are carried out;

(x) '**Form**' means a form appended to these rules;

(y) '**historical e-waste**' means e-waste generated from electrical and electronic equipment as specified in Schedule I, which was available on the date from which these rules come into force;

(z) '**manufacturer**' means a person or an entity or a company as defined in the Companies Act, 2013 (18 of 2013) or a factory as defined in the Factories Act, 1948 (63 of 1948) or Small and Medium Enterprises as defined in Micro, Small and Medium Enterprises Development Act, 2006 (27 of 2006), which has facilities for manufacture of electrical and electronic equipment;

(aa) '**orphaned products**' means non-branded or assembled electrical and electronic equipment as specified in Schedule I or those produced by a company, which has closed its operations;

(bb) '**part**' means an element of a sub-assembly or assembly not normally useful by itself, and not amenable to further disassembly for maintenance purposes. A part may be a component, spare or an accessory;

(cc) '**producer**' means any person who, irrespective of the selling technique used such as dealer, retailer, e-retailer, etc.;

(i) manufactures and offers to sell electrical and electronic equipment and their components or consumables or parts or spares under its own brand; or

(ii) offers to sell under its own brand, assembled electrical and electronic equipment and their components or consumables or parts or spares produced by other manufacturers or suppliers; or

(iii) offers to sell imported electrical and electronic equipment and their components or consumables or parts or spares;

- (dd) '**Producer Responsibility Organisation**' means a professional organisation authorised or financed collectively or individually by producers, which can take the responsibility for collection and channelisation of e-waste generated from the 'end-of-life' of their products to ensure environmentally sound management of such e-waste;
- (ee) '**recycler**' - means any person who is engaged in recycling and reprocessing of waste electrical and electronic equipment or assemblies or their components and having facilities as elaborated in the guidelines of Central Pollution Control Board;
- (ff) '**refurbishment**' means repairing of used electrical and electronic equipment as listed in Schedule I for extending its working life for its originally intended use and selling the same in the market or returning to owner;
- (gg) '**refurbisher**' for the purpose of these rules, means any company or undertaking registered under the Factories Act, 1948 or the Companies Act, 1956 or both or district industries centre engaged in refurbishment of used electrical and electronic equipment;
- (hh) '**Schedule**' means the Schedule appended to these rules;
- (ii) "**spares**" means a part or a sub-assembly or assembly for substitution which is ready to replace an identical or similar part or sub-assembly or assembly including a component or an accessory;
- (jj) '**State Government in relation to an Union territory means**, the Administrator thereof appointed under article 239 of the Constitution;
- (kk) '**State Pollution Control Board**' means the concerned State Pollution Control Board or the Pollution Control Committee of the Union Territories constituted under sub-section (1) of section 4 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);
- (ll) '**target**' means the quantity of e-waste to be collected by the producer in fulfilment of Extended Producer Responsibility;
- (mm) '**transporter**' means a person or company or entity engaged in the off-site transportation of ewaste by air, rail, road or water carrying a manifest system issued by the person or company or entity who has handed over the e-waste to the transporter, giving the origin, destination and quantity of the e-waste being transported;

3. Our Vision

Today, most e-waste is being discarded in the general waste stream through aggregators / Kabadiwalas / Door to Door Kabad Collector / ULB's Door to Door Collection. It is clear that the future of e-waste management depends not only on the effectiveness of local government authorities working with the operators of recycling services but also on community participation and citizen's awareness.

The effective implementation of E-waste (Management) Rules, 2022 must be combined with incentives for authorized recyclers and players working in the informal sector. More generally, solutions to the global e-waste problem involve raising awareness among both consumers and e-waste recyclers and informal sector, integration of the informal sector with the formal, creating green jobs, enforcing legislation and labour standards, and eliminating practices which are harmful to human health and the environment. It is also imperative to encourage producers/brand owners/Producer Responsibility Organisations (PROs) for achieving the targets mentioned under Extended Producer Responsibility (EPR).

For considering solutions to the e-waste problem in Uttarakhand, this policy focuses on boost-up the authorized channel, establishment of collection centers, mainstreaming the informal sector and providing proper safety to the e-waste workers.

1. To create an aware society which plays an active role in managing e-Waste by segregating and channelizing end-of-life products to the right avenues.
2. To assist the highly unsafe unorganized sector transition into the organized sector through various initiatives
3. To create a vibrant e-Waste refurbishing and recycling ecosystem in the State

4. Objective

The Government of Uttarakhand envisions to effectively address the growing e-waste problem with contribution from and co-operation of all stakeholders. This is policy to be achieved in a structured manner by-

1. Adopting the e-waste Policy 2022 issued by GoI.
2. Detailing the Action Programme for implementing the Policy with definite timelines.
3. Setting up of a Monitoring Committee to monitor the implementation of the Policy.
4. Promoting E-waste recycling as a socially good and viable industry in Uttarakhand.
5. Creating awareness and involving all stakeholders to be responsible in fulfilling their role in environmentally sound management of e-waste.
6. Involving the Small & Medium Enterprises (SMEs) in Uttarakhand with respect to e-waste management.

5. State's Role in Implementing E-Waste (Management) Rules 2023

The elements identified in the Policy are realized through strategic interventions based on the legislative framework and concrete actions involving the State and local level authorities and other stakeholders.

1. Adaptation of E-Waste (Management) Rules, 2022
2. It will be the duty of all those, who generate e-waste to adhere to the Policy and dispose of their e-waste in Collection Centres authorized by Uttarakhand PCB and/or Recycling Facilities registered with Central Pollution Control Board (CPCB).
3. Uttarakhand Pollution Control Board would be responsible for the implementation and monitoring of the Policy.
4. The Government of Uttarakhand will encourage and promote necessary infrastructure for collection, storage, utilization, recycling and disposal of e-waste.
5. All stakeholders in the value chain of e-waste management are responsible to ensure environmentally sound management of e-waste.
6. Public-Private-Partnership (PPP) model may be encouraged for setting up facilities for the collection, storage and recycling of e-waste under the guidance of Uttarakhand PCB
7. Urban / Rural Authorities shall work closely with Uttarakhand PCB for collection, disposal and segregation of e-waste
8. **Bulk Consumer -shall store all e-waste in their premises**

9. ITDA shall provide portal for Bulk consumer and technical assistant, support to Uttarakhand Pollution control board for same.
10. Bulk Consumer shall provide Items Name, Category and End of Life yearly basis
11. UKPCB shall monitor all bulk consumer details regularly basis.

5.1 Uttarakhand e-Waste Governance - E- Waste (Management) Rules, 2022 were notified in 2011 and had come into force on 1st May, 2012. In order to ensure effective implementation of E-Waste Rules and to clearly delineate the role of producers in EPR, MoEF& CC, Government of India in supersession of E-Waste (Management and Handling) Rules, 2011 has notified the E-Waste (Management) Rules, 2016 vide G.S.R. 338(E) dated 23.03.2016 which is effective from October, 2016, E- Waste (Management) Amendment Rules, 2018 and **E-Waste (Management) Rules 2022 which shall come into force from 1st day of April 2023**. These rules are applicable to every producer, consumer or bulk consumer, collection centre, dismantler, manufacturer, refurbisher and recycler of e-waste involved in the manufacture, sale, purchase and processing of electrical and electronic equipment or components specified in schedule - I of these Rules.

The main feature, of these rules, is Extended Producer Responsibility (EPR) The basic aim of the Rules is collection and channelization of e-waste generated from the 'End-of-Life' Products (electrical and electronic equipment) to authorized recyclers. Categories of electrical and electronic equipment are as under: -

1. Information Technology and Telecommunication Equipment (ITEW)
2. Consumer Electricals and Electronics Equipment's (CEEE)

5.2 Stakeholder

1. Producers/Brand Owners/ Importers
2. Producer Responsibility Organisation (PRO)
3. Collection Centres
4. Dealers
5. Bulk Consumers or Consumers
6. Dismantlers
7. Recycler
8. Manufacturers
9. Re-furbisher
10. ULB's
11. Nodal Agency – State Pollution Control Board, Uttarakhand
12. Technology Agency – ITDA, Uttarakhand

5.3 Inventorisation of E-waste

As per the Rule 17 of E-waste (Management) Rules, 2016, it is duty of every State Pollution Control Board to inventorise the e-waste. Inventorization of e-waste will give fair estimation about the e-waste generation from the households and bulk consumers. One of the challenges is related to lack of scientific inventory of e-waste generated, collected through formal and informal sectors and processes. There is a need to have proper inventory of the e-waste generation. UKPCB is getting a detailed and scientific inventory of e-waste prepared for the State of Uttarakhand. The State Government will ensure sharing of information by all Government departments / Boards/ Corporations regarding EEE procurement (item /

quantity/ year) with Uttarakhand PCB to make inventorisation data more authentic. This will also ensure updation of inventory of bulk consumers in the State

5.4 Incentive schemes

As per the Rule 17 of E-waste (Management) Rules, 2016, it is duty of every State Pollution Control Board to inventorise the e-waste. Inventorization of e-waste will give fair estimation about the e-waste generation from the households and bulk consumers. One of the challenges is related to lack of scientific inventory of e-waste generated, collected through formal and informal sectors and processes. There is a need to have proper inventory of the e-waste generation. Uttarakhand PCB is getting a detailed and scientific inventory of e-waste prepared for the State of Uttarakhand. The State Government will ensure sharing of information by all Government departments/Boards/Corporations regarding EEE procurement (item / quantity/ year) with Uttarakhand PCB to make inventorisation data more authentic. This will also ensure updation of inventory of bulk consumers in the State.

- Green Warriors - As technology enabled solutions continue to become more and more intertwined with the day-to-day processes, the consumption and disposal of hardware is rising incessantly. It is, hence, imperative to not only ensure the collection of unused hardware, but also ascertain that every step in the value chain, from dismantling to recycling or refurbishing, follows the prescribed standards. The Government recognizes the efforts of every Green Warrior who has been a part of the recycling / refurbishing chain, and has contributed towards the successful implementation of measures to control e-pollution. Moving forward, the Government assures extensive support to Green Warriors to recognize their contributions and, also, encourage others to become a part of these joint efforts
- Collection, Dismantling and Recycling Units - **The Government shall provide performance based financial incentives to the e-Waste processing units, subject to submission of audited records. Detailed guidelines on eligibility and application procedure for these incentives can be found in the Operational Guidelines document**
- Drive the Shift Towards Refurbishing- **The Government shall actively encourage every large corporate and academic institution in the state to prefer local refurbishing establishments. To boost this area, the Government shall also consider bilaterally procuring electronic hardware for government schools and colleges from eligible refurbishing enterprises and organizations. Additionally, refurbished goods shall be given a higher preference over newer equipment in public tendering processes concerning light duty applications**
- Conversion of Unorganized Sector to Organized Sector -**Statistics pertaining to electrical and electronic waste processing point towards the largely unorganized recycling sector that, in many cases, also engages in hazardous activities such as metal extraction. About 95% of the recycling happens in the unorganized sector. This is a matter of concern primarily because of the life-threatening risks individuals in the sector are exposed to. To curtail the rampant growth of the unorganized sector, and to provide formal, safer and better opportunities to the unorganized sector employees, the Government shall focus on the following-**
 1. **Awareness drives - The Government, through collaborations with NGOs, Non-Profits and Industry Associations shall initiate an awareness drive to educate every employee in**

the unorganized sector about the adverse effects on their health due to unsafe practices

2. Absorption into Organized Sector - The Government shall introduce vocational training programs to rightly skill the current unorganized sector employees to ensure their smoother transition to working with organized sector recycling and refurbishing units that shall benefit from this policy. Moreover, the Government shall aim to create strong SHGs and conduct pilot programs such as providing workers in the unorganized sector with health cards etc. to absorb them into the organized sector.

- Incentives to Boost Refurbishing and Recycling - Incentives for Recyclers, Refurbishers, Dismantlers, and Collection Centre

5.5 End of Life – All Information Technology and Telecommunication Equipment (ITEW), Consumer Electricals and Electronics Equipment's (CEEE) item shall be consider End of Life as OEM Warranty Period + 05 Years .

5.6 Mechanism for Implementation of the Policy

The Government of Uttarakhand, IT department and the Uttarakhand Pollution Control Board are responsible for formulation and implementation of the policy respectively. The policy identifies the following stakeholders with roles and responsibilities in the e-waste value chain

1. Government /Government Departments/Agencies
2. Uttarakhand Pollution Control Board
3. Corporations / Municipalities / Town Panchayats / Panchayats
4. Manufacturer / Producer
5. Dealers / Retailers
6. Bulk Consumers
7. Consumers
8. Collection Centers/Collection Agencies
9. Dismantlers
10. Recyclers - Informal Sector
11. Recyclers – Formal Sector
12. Industry Associations
13. Research & Development Organizations
14. NGOs

6 General Guidelines

The total quantity of e-waste generated from consumers/households is much more than that generated from Government Departments/Bodies and organized-sector. It is easier to channelize e-waste generated from organized sector to the authorized collection centres, recyclers, PROs etc. However, the e-waste generated from common households either remains with the consumers or lands in unauthorized sector. There is a need to educate general public about ill effects of processing of e-waste by informal sector: There is also need to integrate informal sector with authorized e-waste recyclers, PROs.

To achieve above goals, intensive IEC activities shall be taken up in association with Producers/PROs/authorized recyclers to educate the people and motivate them to give their e-waste to authorized recyclers. Following actions shall be initiated by Stakeholders for ensuring effective e-waste management in the State: -

1. Segregation of e-Waste
2. Door to Door awareness through Repairing/Maintenance Agents
3. Sharing of information in public domain
4. E-Waste Collection through Online App
5. Support to ensure adequate E-Waste supply to Recyclers
6. Capacity building of Municipal Bodies
7. Regular E-waste Collection Drives
8. Inter-State movement of E-Waste
9. Promotion of buy-back schemes
10. Third Party Period Audits