AMENDMENT

MoEFCC adds EPR certificate exchange platforms, price limits and return relaxations to the e-waste rules

G.S.R. 164(E) provides for EPR certificate exchange platforms under the e-waste rules, with prices from 30% to 100% of environmental compensation.

G.S.R. 164(E), A NOTIFICATION OF the Ministry of Environment, Forest and Climate Change dated March 8, 2024, makes the E-Waste (Management) Amendment Rules, 2024 under sections 6, 8 and 25 of the Environment (Protection) Act, 1986 read with sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986. They amend the E-Waste (Management) Rules, 2022 and come into force on the date of their publication in the Official Gazette. The notification refers to no earlier draft.

THE CHANGE

Amends the E-Waste (Management) Rules, 2022: a new definition of dismantler; a new rule 9A letting the Central Government relax return deadlines by up to nine months; and new sub-rules (7) to (10) of rule 15 for platforms to exchange EPR certificates, with prices between thirty and hundred percent of the environmental compensation.

KEY FACTS

TYPE
Amendment

G.S.R. NUMBER
G.S.R. 164(E)

DATED
March 8, 2024

APPLIES FROM
On the date of their publication in the Official Gazette (rule 1(2)); the Gazette is dated March 8, 2024

REFERENCES

G.S.R. 164(E)

CG-DL-E-09032024-252788

MoEFCC adds EPR certificate exchange platforms, price limits and return relaxations to the e-waste rules

G.S.R. 164(E) · March 8, 2024

G.S.R. 164(E), a notification of the Ministry of Environment, Forest and Climate Change dated March 8, 2024, makes the E-Waste (Management) Amendment Rules, 2024 under sections 6, 8 and 25 of the Environment (Protection) Act, 1986 read with sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986. They amend the E-Waste (Management) Rules, 2022 and come into force on the date of their publication in the Official Gazette. The notification refers to no earlier draft.

A 'dismantler' is now any person or entity engaged in dismantling of used electrical and electronic equipment and components thereof in accordance with the guidelines of the Central Pollution Control Board. A new rule 9A lets the Central Government, if satisfied that it is necessary in the public interest or for effective implementation of the rules, by order relax any period within which a return or report is to be filed by a 'manufacture, producer, refurbisher or recycler' for a further period not exceeding nine months.

Rule 15 gains four sub-rules. The Central Government may by order establish one or more platform for exchange or transfer of EPR certificates under guidelines issued by the Central Pollution Control Board with its approval, and the platform is operated and regulated under guidelines made by the Central Government on the Board's recommendation. The Board fixes the highest and lowest price for exchange of EPR certificates at hundred percent and thirty percent, respectively, of the environmental compensation for non-fulfillment of EPR obligation under rule 22, and the exchange price between registered entities through the portal must lie between the two.

The notification (F. No. 12/136/2021-HSMD) appears in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), No. 152, dated March 8, 2024. Its Note records that the principal rules were published by G.S.R. 801(E), dated November 2, 2022, and last amended by G.S.R. 534(E), dated July 24, 2023.

G.S.R. number	G.S.R. 164(E)
Dated	March 8, 2024
Put online	March 9, 2024
Gazette ID	CG-DL-E-09032024-252788
Rule	E-waste
Type	Amendment

Amends	E-Waste (Management) Rules, 2022
Products	Electrical and electronic equipment
What it does	Amends the E-Waste (Management) Rules, 2022: a new definition of dismantler; a new rule 9A letting the Central Government relax return deadlines by up to nine months; and new sub-rules (7) to (10) of rule 15 for platforms to exchange EPR certificates, with prices between thirty and hundred percent of the environmental compensation.
Applies from	On the date of their publication in the Official Gazette (rule 1(2)); the Gazette is dated March 8, 2024
Conditions	• The highest and lowest price for exchange of EPR certificates equal hundred percent and thirty percent, respectively, of the environmental compensation for non-fulfillment of EPR obligation under rule 22; the exchange price between registered entities through the portal must lie between them (rule 15(9) and (10)). • Return and report deadlines may be relaxed by order 'for a further period not exceeding nine months' (rule 9A).
Applies to	Manufacturers, producers, refurbishers, recyclers and dismantlers of electrical and electronic equipment under the E-Waste (Management) Rules, 2022, and registered entities exchanging EPR certificates.
Issued under	Sections 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986
Signed by	NARESH PAL GANGWAR, Addl. Secy.

The notification, entry by entry

Entry	Text
Rule 3, clause (f), 'dismantler' (substituted)	'dismantler' means any person or entity engaged in dismantling of used electrical and electronic equipment and components thereof in accordance with the guidelines of the Central Pollution Control Board made in this regard.
Rule 9A (inserted): Relaxation of timelines for filing of returns	The Central Government may, if it is satisfied that it is necessary so to do in the public interest or for effective implementation of these rules, by order, relax any period within which any return or report is to be filed under these rules by a manufacture, producer, refurbisher or recycler of electrical and electronic equipment and components or consumables or parts or spares thereof, for a further period not exceeding nine months.
Rule 15, sub-rule (7) (inserted)	The Central Government may by, order, establish one or more platform for exchange or transfer of extended producer responsibility certificates in accordance with the guidelines issued by the Central Pollution Control Board with the approval of the Central Government.

Rule 15, sub-rule (8) (inserted)	The operation of the platform, established under sub-rule (7) shall be operated and regulated in accordance with guidelines made by the Central Government on the recommendation of the Central Pollution Control Board.
Rule 15, sub-rule (9) (inserted)	The Central Pollution Control Board shall fix the highest and lowest price for exchange of extended producer responsibility certificates which shall be equal to hundred per cent and thirty per cent, respectively of the environmental compensation for non-fulfilment of extended producer responsibility obligation under rule 22.
Rule 15, sub-rule (10) (inserted)	The exchange price of extended producer responsibility certificate between registered entities through the portal shall be between the highest and lowest prices referred to in sub-rule (9).

The notification (PDF, 734 KB)

Gazette of India, CG-DL-E-09032024-252788, published March 8, 2024.

Checked against the official copy on October 27, 2026.

IndusDesk

hello@indusdesk.com · +91 11 4141 3939

9th Floor, Hemkunt House, Rajendra Place, New Delhi, Delhi 110008, India

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