AMENDMENT

MoEFCC adds extended producer responsibility for scrap of non-ferrous metals to the hazardous waste rules

G.S.R. 438(E) inserts Chapter VIII, extended producer responsibility for scrap of non-ferrous metals, into the hazardous waste rules from April 1, 2026.

G.S.R. 438(E), A NOTIFICATION OF the Ministry of Environment, Forest and Climate Change dated July 1, 2025, makes the Hazardous and Other Wastes (Management and Transboundary Movement) Amendment Rules, 2025. They insert a new Chapter VIII, Extended Producer Responsibility for Scrap of Non-Ferrous Metals (rules 44 to 64), after Chapter VII of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016, and Schedules X to XIII after Schedule-IX. The rules come into force on April 1, 2026.

THE CHANGE

Inserts Chapter VIII, Extended Producer Responsibility for Scrap of Non-Ferrous Metals (rules 44 to 64), after Chapter VII, and Schedules X to XIII after Schedule-IX, in the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016.

KEY FACTS

TYPE
Amendment

G.S.R. NUMBER
G.S.R. 438(E)

DATED
July 1, 2025

APPLIES FROM
April 1, 2026 (rule 1(2))

REFERENCES

G.S.R. 438(E)

CG-DL-E-02072025-264308

MoEFCC adds extended producer responsibility for scrap of non-ferrous metals to the hazardous waste rules

G.S.R. 438(E) · July 1, 2025

G.S.R. 438(E), a notification of the Ministry of Environment, Forest and Climate Change dated July 1, 2025, makes the Hazardous and Other Wastes (Management and Transboundary Movement) Amendment Rules, 2025. They insert a new Chapter VIII, Extended Producer Responsibility for Scrap of Non-Ferrous Metals (rules 44 to 64), after Chapter VII of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016, and Schedules X to XIII after Schedule-IX. The rules come into force on April 1, 2026.

The notification records that the draft, the Hazardous and Other Wastes (Management and Transboundary Movement) Second Amendment Rules, 2024, was published vide G.S.R. 499(E) dated August 14, 2024, that copies of the Gazette were made available to the public on August 14, 2024, and that objections and suggestions received were duly considered.

For the chapter, non-ferrous metals means "aluminium or copper or zinc or their alloys". A producer includes anyone who manufactures and offers to sell products made of non-ferrous metals under its own brand, offers to sell under its brand such products made by others, or offers to sell imported such products under its own or the original brand, and anyone who imports used devices or products or scrap of non-ferrous metals. Schedule-X lists 18 products, among them cans for beverages, packaging foils, doors and windows, utensils, conductor cables and wires, sanitary ware, transformers, toys and apparel products such as belt buckles.

Schedule-XI sets the producer's recycling target by weight as a share of the quantity of products made of non-ferrous metals in year Y-X, where X is the average life of the product: 10% in 2026-27 and 2027-28, 30% in 2028-29 and 2029-30, 50% in 2030-31 and 2031-32, and 75% from 2032-33. Units established after April 1, 2026 start two years later, and importers of used devices or products or scrap carry 100 percent of the non-ferrous metals imported in the previous year.

The Central Pollution Control Board generates certificates for registered recyclers as QEPR = Qp x Cf, valid for two years from the end of the financial year of generation, and fixes the highest and lowest exchange prices at one hundred percent and thirty percent of the environmental compensation. Products in Schedule-XII may be refurbished, which defers the producer's target; seventy-five percent of the deferred quantity is added back later. Schedule-XIII sets minimum use of recycled materials in new products for 2028-29 to 2031-32: Aluminium 5, 10, 10 and 10 percent; Copper 5, 10, 15 and 20 percent; Zinc 5, 10, 15 and 25 percent.

Manufacturers, producers, collection agents, refurbishers and recyclers register on the portal and file half-yearly returns by October 31 and annual returns by June 30. The portal is to be functional within six months from the commencement of the amendment rules, and the Bureau of Indian Standards is to revise and issue standards within the same six months. A Steering

Committee chaired by the chairperson of the Central Pollution Control Board oversees the chapter. The notification (F.No. 12/84/2024-HSMD) appears in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), No. 395, dated July 1, 2025.

G.S.R. number	G.S.R. 438(E)
Dated	July 1, 2025
Put online	July 2, 2025
Gazette ID	CG-DL-E-02072025-264308
Rule	Hazardous wastes
Type	Amendment
Amends	Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016
Products	Scrap of non-ferrous metals
What it does	Inserts Chapter VIII, Extended Producer Responsibility for Scrap of Non-Ferrous Metals (rules 44 to 64), after Chapter VII, and Schedules X to XIII after Schedule-IX, in the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016.
Applies from	April 1, 2026 (rule 1(2))
Completes the draft	G.S.R. 499(E) of August 14, 2024; objections and suggestions received were considered
Conditions	• Manufacturers, producers, collection agents, refurbishers and recyclers are registered by the Central Pollution Control Board on the portal; no entity carries out business without registration or deals with an unregistered entity (rule 45). • Each producer meets the recycling target in Schedule-XI for the products in Schedule-X, and may fulfill it by purchasing extended producer responsibility certificates from registered recyclers (rules 46 and 49). • Manufacturers use domestically recycled materials as per Schedule-XIII, bought from registered recyclers only (rule 51). • Half-yearly returns on or before October 31 of every year and annual returns on or before June 30 following the financial year, for manufacturers, producers, collection agents, refurbishers and recyclers (rules 51 to 55). • Environmental compensation for non-compliance; unfulfilled targets carry forward up to three years (rule 60).

Applies to	Manufacturers, producers, collection agents, refurbishers and recyclers of the products made of non-ferrous metals listed in Schedule-X, and bulk consumers using at least one thousand tons of those products in a financial year.
Issued under	Sections 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986)
Signed by	NEELESH KUMAR SAH, Jt. Secy.

The notification, entry by entry

Entry	Text
Rule 44: Definitions	Includes "non-ferrous metals" (aluminium or copper or zinc or their alloys), "bulk consumer" (any entity using at least one thousand tons of non-ferrous metal products listed in Schedule-X in a financial year, including e-retailers) and "producer" (anyone who manufactures and offers to sell products made of non-ferrous metals under its own brand, offers to sell under its brand such products made by other manufacturers or suppliers, or offers to sell imported such products under its own or the original brand, or who imports used devices or products or scrap of non-ferrous metals).
Rule 45: Registration	Manufacturers, producers, collection agents, refurbishers and recyclers are registered by the Central Pollution Control Board on the portal, separately in each category that applies. No entity carries out business without registration or deals with an unregistered entity. Registration may be revoked for up to five years for false information, and the Board may charge registration fees and annual maintenance charges.
Rule 46: Responsibility of producer for recycling of scrap of non-ferrous metal	Every producer meets the target in Schedule-XI for the products in Schedule-X; the responsibility lies entirely on the producer. The target may be reduced by a factor for operational loss, and may be fulfilled by purchasing certificates from registered recyclers; where producer and recycler figures differ, the lower is counted.
Rule 47: Generation of extended producer responsibility certificate	The Central Pollution Control Board generates certificates for registered recyclers as QEPR = Qp x Cf, with the conversion factor set by the Board. A certificate is valid for two years from the end of the financial year of generation, in denominations of 100, 200, 500, 1000 and 10,000 kilograms or as fixed with the Steering Committee's approval.
Rule 48: Refurbishing of non-ferrous metals product	Products in Schedule-XII may be refurbished by registered refurbishers. Refurbishing certificates defer the producer's target for the corresponding quantity; only seventy-five percent of the deferred quantity is added back later.
Rule 49: Transaction of extended producer responsibility certificate	A producer may buy certificates up to its current-year liability plus leftover liability of preceding years plus ten percent of the current year liability, buying proportionately every half year. The Central Government may establish trading platforms. The highest and lowest exchange prices are one hundred percent and thirty percent of the environmental compensation under rule 60.

Rule 50: Online portal	The Central Pollution Control Board establishes the portal for registration, half-yearly and annual returns and certificate transactions, functional within six months from the commencement of the amendment rules. The Central Government may relax a period for filing a return or report by up to nine months.
Rule 51: Responsibilities of the manufacturer	Registers; collects scrap and waste generated during manufacture and ensures its recycling or disposal; uses domestically recycled materials as per Schedule-XIII, bought from registered recyclers only (exemption case by case on statutory or technical grounds); files a half-yearly return on or before October 31 of every year and an annual return on or before June 30 following the financial year.
Rule 52: Responsibility of producers	Registers; files half-yearly returns on or before October 31 of every year and annual returns on or before June 30 following the financial year; creates awareness; ensures environmentally sound management, collection and transport of scrap.
Rule 53: Responsibility of collection agent	Registers; collects end-of-life scrap from manufacturers, producers and bulk consumers and supplies it to registered recyclers; files the same half-yearly and annual returns.
Rule 54: Responsibilities of refurbisher	Registers; refurbishes products listed in Schedule-XII in an environmentally sound manner; hands over waste to a registered recycler or disposal facility; files the same returns.
Rule 55: Responsibilities of the recycler	Registers; keeps its facility and processes in accordance with the rules; disposes of residue under prevalent rules; keeps and uploads records of scrap received, recycled, not recycled or disposed of; sends fractions it cannot recycle to other registered recyclers; files the same returns.
Rule 56: Responsibilities of the bulk consumers	Set up collection points and hand over scrap only to registered recyclers, refurbishers, producers or collection agents.
Rule 57: Responsibilities of the Central Pollution Control Board	Operates the portal, monitors compliance, issues guidelines, standard operating procedures and forms, conducts random checks, training and awareness programs, and submits an annual report to the Central Government.
Rule 58: Responsibilities of the State Governments or Union territories or Municipalities or local bodies or the State Pollution Control Board	State industry departments earmark industrial space for collection and recycling units and register and train recycling workers; municipalities and local bodies facilitate collection points and channel scrap mixed with municipal solid waste and from orphan products to registered entities; State Pollution Control Boards and Pollution Control Committees monitor compliance and conduct random inspections.
Rule 59: Responsibilities of the Bureau of Indian Standards (BIS)	Revises existing standards and issues necessary standards within six months from the commencement of the amendment rules.

Rule 60: Environmental compensation	Payable by any manufacturer, producer, collection agent, refurbisher or recycler, registered or not, who fails to comply, as per guidelines of the Central Pollution Control Board, after an opportunity of being heard. Unfulfilled targets carry forward up to three years; 85%, 60% or 30% may be returned if the obligation is met within one, two or three years. Over-generation of certificates above five percent through false information may lead to temporary revocation of registration and environmental compensation that is not returned; three or more violations to permanent revocation.
Rule 61: Action for contravention	Liability to action under section 15 of the Environment (Protection) Act, 1986.
Rule 62: Verification and audit	The Central Pollution Control Board, by itself or through a designated agency, audits registered entities and may charge an audit fee.
Rule 63: Steering Committee	Constituted by the Central Government and chaired by the chairperson of the Central Pollution Control Board, with representatives of the ministries dealing with environment, mines and steel, of manufacturer and producer associations and of recycler associations, and the Jawaharlal Nehru Aluminium Research Development and Design Centre, Nagpur; it oversees implementation, decides disputes and reviews the recycling targets.
Rule 64: Application of other provisions of these rules	The provisions relating to hazardous wastes "shall also apply to utilisation and management of scrap of non-ferrous metals".
Schedule-X: The list of products made of non-ferrous metals	Eighteen entries: cans for beverages, aerosols and other such product; packaging foils for food, pharma and other such product; doors, windows, shutters; Aluminium Composite Panel; Aluminium partitioning, grills and other such product; utensils; furniture and hardware; roofing and ceiling sheets; motors, pumps, alternators (other than automobile grade); conductor cables and wires, strips (other than automobile grade); sanitary ware and fittings; electrical fittings (other than automobile grade); Aluminium Alloy Bicycle; transformer (other than automobile grade); electric generator sets; centralized air conditioning plants; apparel products such as belt buckles, zip, shoes; toys.
Schedule-XI: Extended Producer Responsibility obligation of Producer	Recycling target by weight, as a share of the quantity of products made of non-ferrous metals in year Y-X, where X is the average life of the product: 2026-27 and 2027-28, 10%; 2028-29 and 2029-30, 30%; 2030-31 and 2031-32, 50%; 2032-33 onwards, 75%. Units established after April 1, 2026 start after two years. Importers of used devices or products or scrap carry 100 percent of the non-ferrous metals imported in year Y-1. Targets may be reviewed after the end of 2033-34.
Schedule-XII: List of products made of non-ferrous metals allowed for refurbishing	Eleven entries: doors, windows, shutters; Aluminium Composite Panel; Aluminium partitioning, grills; furniture and hardware; motors, pumps, alternators; sanitary ware and fittings; electrical fittings; Aluminium Alloy Bicycle; transformer; electric generator sets; centralized air conditioning plants.

Schedule-XIII: Minimum use of recycled materials in new product made of non-ferrous metals	Percent of the total quantity of the metal used in the product, for 2028-29, 2029-30, 2030-31 and 2031-32: Aluminium 5, 10, 10, 10; Copper 5, 10, 15, 20; Zinc 5, 10, 15, 25.

The notification (PDF, 969 KB)

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