DRAFT AMENDMENT

MoEFCC drafts extended producer responsibility for scrap of aluminum, copper and zinc

G.S.R. 499(E) proposes EPR for scrap of non-ferrous metals (aluminum, copper, zinc) from April 1, 2025, with recycling targets from 10% to 75%.

G.S.R. 499(E), DATED August 14, 2024, is a draft notification of the Ministry of Environment, Forest and Climate Change for bringing out regulations for extended producer responsibility (EPR) for scrap of Non-Ferrous metals. It would make the Hazardous and Other Wastes (Management and Transboundary Movement) Second Amendment Rules, 2024, inserting a Chapter VIII after Chapter VII of the 2016 rules, to come into force on April 1, 2025. Its preamble cites the National Non-Ferrous Metal Scrap Recycling Framework, 2020 of the Ministry of Mines.

THE CHANGE

Proposed: a new Chapter VIII, Extended Producer Responsibility for Scrap of Non-Ferrous metals (rules 44 to 63 and Schedules I to IV), inserted after Chapter VII of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016.

KEY FACTS

TYPE
Draft amendment

G.S.R. NUMBER
G.S.R. 499(E)

DATED
August 14, 2024

APPLIES FROM
Proposed: April 1, 2025 (rule 1(2) of the draft: "on the 1st Day of April, 2025")

REFERENCES

G.S.R. 499(E)

CG-DL-E-20082024-256481

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G.S.R. 499(E) · August 14, 2024

G.S.R. 499(E), dated August 14, 2024, is a draft notification of the Ministry of Environment, Forest and Climate Change for bringing out regulations for extended producer responsibility (EPR) for scrap of Non-Ferrous metals. It would make the Hazardous and Other Wastes (Management and Transboundary Movement) Second Amendment Rules, 2024, inserting a Chapter VIII after Chapter VII of the 2016 rules, to come into force on April 1, 2025. Its preamble cites the National Non-Ferrous Metal Scrap Recycling Framework, 2020 of the Ministry of Mines.

“Non-ferrous metals” means Aluminium or Copper or Zinc or their alloys (the draft's words). Producers of the 18 products in Schedule-I, from beverage cans and packaging foils to cables, transformers and toys, would meet recycling targets by weight of 10% of the quantity of products made of non-ferrous metals in year Y-X (X being the average life of the product) in 2025-2026 and 2026-2027, 30% in 2027-2028 and 2028-2029, 50% in 2029-2030 and 2030-2031, and 75% from 2031-2032 onwards. Importers of used devices or products or scrap would carry 100 per cent of the non-ferrous metals imported in the year before. Producers would meet the targets only by buying EPR certificates from registered recyclers on the Central Pollution Control Board's portal.

Manufacturers would also have to meet a minimum use of domestically recycled materials in new products (Schedule-IV): for aluminum, 5% in 2027-28 and 10% in each of 2028-29, 2029-30 and 2030-31; for copper, 5, 10, 15 and 20%; for zinc, 5, 10, 15 and 25%, over 2027-28 to 2030-31. Refurbishing of the 11 products in Schedule-III would defer a producer's obligation. Environmental compensation would apply for non-fulfillment, with eighty five, sixty or thirty per cent returned if a shortfall is addressed after one, two or three years.

The notice invites objections or suggestions within sixty days from the date on which copies of the Gazette are made available to the public. G.S.R. 438(E) of July 1, 2025, the Hazardous and Other Wastes (Management and Transboundary Movement) Amendment Rules, 2025, cites this draft and records that its copies were made available on August 14, 2024.

The notification (F.No. 12/84/2024-HSMD) appears in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), No. 460, dated August 14, 2024; the e-Gazette put it online on August 20, 2024.

G.S.R. number	G.S.R. 499(E)
Dated	August 14, 2024
Put online	August 20, 2024

Gazette ID	CG-DL-E-20082024-256481
Rule	Hazardous wastes
Type	Draft amendment
Would amend	Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016
Products	• Cans for Beverages, aerosols and other such product • Packaging Foils for food, pharma and other such product • Doors, windows, shutters • Aluminium composite panel (ACP) • Aluminium partitioning, grills and other such product • Utensils (Cookware, canisters, storage and other such product) • Furniture tables, chairs, benches, ladders etc. including doorknobs, handles, hardwares • Roofing & Ceiling sheets • Motors, pumps, alternators and other such product • Conductor cables & Wires, strips • Sanitary ware & fittings • Electrical fittings • Aluminium Alloy Bicycle • Transformer • Electric Generator sets • Centralized air conditioning plants • Apparel products e.g. Belt Buckles, Zip, Shoes • Toys
What it does	Proposed: a new Chapter VIII, Extended Producer Responsibility for Scrap of Non-Ferrous metals (rules 44 to 63 and Schedules I to IV), inserted after Chapter VII of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016.
Applies from	Proposed: April 1, 2025 (rule 1(2) of the draft: “on the 1st Day of April, 2025”)
Comments	• Closing date December 17, 2024, as MoEFCC states. MoEFCC's What's New lists it for comment from September 18, 2024 • Closing date October 13, 2024, worked out: 60 days from August 14, 2024, the day G.S.R. 438(E) says copies were made public
Made final by	G.S.R. 438(E) of July 1, 2025
Conditions	• Any objection or suggestion in writing within sixty days from the date on which copies of this notification as published in the Gazette of India are made available to the public (the notice's

words), by post to the Secretary, Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi-110003, or by email to mishra.vp@gov.in or vinodsingh.77@gov.in.

- Closing date, worked out (not printed): October 13, 2024, counted from the issue date, August 14, 2024; October 19, 2024, counted from the publish date, August 20, 2024.
- G.S.R. 438(E) of July 1, 2025, the Hazardous and Other Wastes (Management and Transboundary Movement) Amendment Rules, 2025, cites this draft and records that its copies were made available to the public on August 14, 2024; sixty days from that day, worked out: October 13, 2024.
- The short title is the same as that of G.S.R. 698(E) of November 12, 2024, a different notice on penalties.

Applies to	Manufacturers, producers, collection agents, refurbishers, recyclers and bulk consumers of the products made of non-ferrous metals (aluminum, copper, zinc or their alloys) listed in Schedule-I.
Issued under	Sections 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986
Signed by	NARESH PAL GANGWAR, Addl Secy.

The notification, entry by entry

Entry	Text
Rule 1: short title and commencement	Hazardous and Other Wastes (Management and Transboundary Movement) Second Amendment Rules, 2024. They shall come into force on the 1st Day of April, 2025.
Rule 2: Chapter VIII inserted after Chapter VII	Chapter VIII, Extended Producer Responsibility for Scrap of Non-Ferrous metals: rules 44 to 63 and Schedules I to IV.
Rule 44: Definitions	(a) to (s). “Non-ferrous metals” means Aluminium or Copper or Zinc or their alloys. A “bulk consumer” uses at least one thousand tons of non-ferrous metals products listed in Schedule-I in the particular Financial Year and includes e-retailer. A “producer” manufactures and sells, sells under its brand, or sells imported products made up of non-ferrous metals, or imports used devices or products or scrap of non-ferrous metals.

Rule 45: Registration	Manufacturers, producers, collection agents, refurbishers and recyclers register with the Central Pollution Control Board on the portal; no business without registration and no dealing with unregistered entities. Registration may be revoked for a period up to five years for false or concealed information or any irregularity, and environmental compensation charges may also be levied as per rule 59.
Rule 46: Modalities of extended producer responsibility and its target	Producers fulfill the Schedule-II obligation for the products in Schedule-I; the responsibility lies entirely on the producer. They do so through online purchase of extended producer responsibility certificates from registered recyclers; where the producer's and recycler's figures differ, the lower figure counts.
Rule 47: Extended producer responsibility certificate generation	QEPR = Qp x Cf. A certificate is valid for two years from the end of the financial year in which it was generated, in denominations of 100, 200, 500, 1000 and 10,000 kilograms. Refurbishing certificates for Schedule-III products defer a producer's obligation; only 75 per cent of the deferred quantity is added back when the extended life expires.
Rule 48: Transaction of extended producer responsibility certificate	Purchases are limited to the current year (Year Y) liability, plus leftover liability of preceding years, plus Ten per cent of the current year liability, and are made proportionately every quarter. The Central Pollution Control Board fixes the highest and lowest prices at hundred per cent and thirty per cent of the environmental compensation under rule 59.
Rule 49: Portal for registration, filing of annual returns, extended producer responsibility Certificate and tracing of Materials	The Central Pollution Control Board makes the portal functional within six months from the date of commencement of these rules. The Central Government may relax a period for filing a return by not more than nine months.
Rule 50: Responsibilities of the Manufacturer	Register; collect and recycle or dispose of scrap and waste from manufacture; meet the minimum use of domestically recycled materials in new product in Schedule-IV; file quarterly returns by the end of the month after each quarter and annual returns on or before 30th June.
Rule 51: Responsibility of Producers	Register; fulfill the Schedule-II targets; give consumers contact details; file quarterly returns and annual returns (on or before 30th June); create awareness.
Rule 52: Responsibility of Collection agent	Register; collect scrap from manufacturers, producers and bulk consumers and supply it to registered recyclers; file quarterly and annual returns.
Rule 53: Responsibilities of the Refurbisher	Register; collect and ensure recycling or disposal of scrap and waste; file quarterly and annual returns.
Rule 54: Responsibilities of the Recycler	Register; procure scrap only from registered manufacturers, producers and collection agents; dispose of residue in an authorized treatment storage disposal facility; file quarterly and annual returns; account for any quantity not recycled.

Rule 55: Responsibilities of the bulk consumers	Set up collection points and hand scrap only to registered recyclers, producers or collection agents.
Rule 56: Responsibilities of the Central Pollution Control Board	Operate the portal and monitor compliance; issue Guidelines and Standard Operating Procedures; conduct random checks, with the help of Customs or the State Government or any other agency; submit an annual report to the Central Government.
Rule 57: Responsibilities of the State Governments or Union territories or Municipalities or local bodies or the State Pollution Control Board	State Departments of Industry earmark industrial space for scrap collection and recycling units and register recycling workers; municipalities and local bodies facilitate collection points and channel scrap found mixed with Municipal Solid Waste to registered entities; State Pollution Control Boards and Pollution Control Committees monitor compliance and inspect.
Rule 58: Responsibilities of the Bureau of Indian Standards (BIS)	Revise existing standards and issue necessary standards within six months from the date of commencement of these rules.
Rule 59: Environmental Compensation	The Central Pollution Control Board lays down guidelines; compensation is levied on producers, recyclers, unregistered entities and anyone who aids or abets a violation. Unfulfilled obligations carry forward up to three years, with eighty five, sixty or thirty per cent returned if the shortfall is addressed after one, two or three years. Over generation of certificates above five per cent of the actual recycled scrap leads to revocation of registration.
Rule 60: Action for violation	Action under Sections 15, 15A, 15B, 15F of the Environment (Protection) Act, 1986, in addition to environmental compensation under rule 59.
Rule 61: Verification and audit	By the Central Pollution Control Board or a designated agency, through inspection and periodic audit, with any fee charged to the entity.
Rule 62: Steering Committee	Headed by the Chairman, Central Pollution Control Board, with representatives of the Ministry of Environment, Forest and Climate Change, the Ministry of Mines, the Ministry of Steel, manufacturer, producer and recycler associations and the Jawaharlal Nehru Aluminium Research Development & Design Centre; it reviews and revises the recycling targets.
Rule 63: Application of other provisions of these rules	The provisions relating to hazardous wastes also apply to utilization and management of scrap of non-ferrous metals under this Chapter.
Schedule-I: The list of products made of non-ferrous metals	18 entries, from S. No. 1, Cans for Beverages, aerosols and other such product, to S. No. 18, Toys (listed above under Products).
Schedule-II: 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: 10% in 2025-2026 and 2026-2027; 30% in 2027-2028 and 2028-2029; 50% in 2029-2030 and 2030-2031; 75% in 2031-2032 onwards. Units established after 1st April, 2025 start after two years. Importers of used devices or products or scrap: 100 per cent of the non-ferrous metals imported in the year (Y-1).

Schedule-III: List of products made of non-ferrous metals allowed for refurbishing	11 entries: Doors, windows, shutters; Aluminium composite panel (ACP); Aluminium partitioning, grills and other such product; Furniture tables, chairs, benches, ladders etc. including doorknobs, handles, hardwares; Motors, pumps, alternators and other such product; Sanitary ware & fittings; Electrical fittings; Aluminium Alloy Bicycle; Transformer; Electric Generator sets; Centralized air conditioning plants.
Schedule-IV: Minimum use of recycled materials in new product made of non-ferous metals	Out of the total weight of the new product, in per cent, for 2027-28, 2028-29, 2029-30 and 2030-31: Aluminium 5, 10, 10, 10; Copper 5, 10, 15, 20; Zinc 5, 10, 15, 25.

The notification (PDF, 2.7 MB)

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