AMENDMENT

MoEFCC exempts cadmium and lead in solar panels and lead in medical devices from the e-waste substance limits

G.S.R. 61(E) exempts cadmium and lead in solar panels and lead in medical devices from e-waste substance limits from April 1, 2023.

G.S.R. 61(E), DATED January 30, 2023, is the E-Waste (Management) Amendment Rules, 2023 of the Ministry of Environment, Forest and Climate Change, amending the E-Waste (Management) Rules, 2022 (G.S.R. 801(E), November 2, 2022). It came into force from April 1, 2023, the day the 2022 rules came into force.

THE CHANGE

Amends the E-Waste (Management) Rules, 2022: producers give the information on constituents and the declaration of conformance to the reduction of hazardous substances provisions as and when the Central Pollution Control Board requires, in place of in the product user documentation, and Schedule II gains two applications exempted from rule 16(1).

KEY FACTS

TYPE
Amendment

G.S.R. NUMBER
G.S.R. 61(E)

DATED
January 30, 2023

APPLIES FROM
April 1, 2023 (rule 1(2): "from the 1st day of April, 2023"), the day the E-Waste (Management) Rules, 2022 came into force.

REFERENCES

G.S.R. 61(E)

CG-DL-E-30012023-243285

MoEFCC exempts cadmium and lead in solar panels and lead in medical devices from the e-waste substance limits

G.S.R. 61(E) · January 30, 2023

G.S.R. 61(E), dated January 30, 2023, is the E-Waste (Management) Amendment Rules, 2023 of the Ministry of Environment, Forest and Climate Change, amending the E-Waste (Management) Rules, 2022 (G.S.R. 801(E), November 2, 2022). It came into force from April 1, 2023, the day the 2022 rules came into force.

Rule 16(5) required every producer to give the detailed information on the constituents of its equipment and their components, consumables, parts or spares, with a declaration of conformance to the reduction of hazardous substances provisions, in the product user documentation. It now requires this as and when required by the Central Pollution Control Board.

It adds two entries to Schedule II, the applications exempted from the limits in rule 16(1) on lead, mercury, cadmium, hexavalent chromium, polybrominated biphenyls and polybrominated diphenyl ethers: Sl. No. 36, cadmium and lead in solar panels/cells and solar photovoltaic panels/cells/modules as listed in Schedule I, and Sl. No. 37, lead in medical devices (with the exception of all implanted and infected products) as listed in Schedule I.

The notification (F. No. 12/136/2021-HSMD) appears in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), No. 56, dated January 30, 2023, and the e-Gazette put it online the same day.

G.S.R. number	G.S.R. 61(E)
Dated	January 30, 2023
Gazette ID	CG-DL-E-30012023-243285
Rule	E-waste
Type	Amendment
Amends	E-Waste (Management) Rules, 2022
Products	• Solar panels/cells, solar Photovoltaic panels/cells/modules • Medical Devices
What it does	Amends the E-Waste (Management) Rules, 2022: producers give the information on constituents and the declaration of conformance to the reduction of hazardous substances provisions as and when the Central Pollution Control Board requires, in place of in the product user documentation, and Schedule II gains two applications exempted from rule 16(1).

Applies from	April 1, 2023 (rule 1(2): "from the 1st day of April, 2023"), the day the E-Waste (Management) Rules, 2022 came into force.
Conditions	• Every producer provides the detailed information on the constituents of the equipment and their components, consumables, parts or spares, with a declaration of conformance to the reduction of hazardous substances provisions, as and when required by the Central Pollution Control Board (rule 16(5) as amended). • Cadmium and lead in solar panels/cells and solar photovoltaic panels/cells/modules, and lead in medical devices other than implanted and infected products, both as listed in Schedule I, join Schedule II, the applications exempted from the limits in rule 16(1) (Schedule II, Sl. Nos. 36 and 37).
Applies to	Producers of the electrical and electronic equipment in Schedule I of the E-Waste (Management) Rules, 2022, in particular of solar photovoltaic panels, cells and modules and of medical devices.
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	Before	After
Rule 16(5)	in the product user documentation	as and when required by the Central Pollution Control Board
Schedule II, Sl. No. 36, inserted		Cadmium and lead in Solar panels/cells, solar Photovoltaic panels/cells/modules as listed in Schedule - I
Schedule II, Sl. No. 37, inserted		Lead in Medical Devices (with the exception of all implanted and infected products) as listed in Schedule - I.

The notification (PDF, 1.5 MB)

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