DRAFT RULES

MoEFCC proposes new E-Waste (Management) Rules with recycling targets met through EPR certificates

Draft S.O. 360(E) proposes new E-Waste (Management) Rules: registration on a CPCB portal and yearly recycling targets met through EPR certificates.

S.O. 360(E), A DRAFT NOTIFICATION of the Ministry of Environment, Forest and Climate Change dated May 19, 2022, proposes new E-Waste (Management) Rules in supersession of the E-Waste (Management) Rules, 2016 (G.S.R. 338(E), March 23, 2016) and the E-Waste (Management) Amendment Rules, 2018 (G.S.R. 261(E), March 22, 2018). The draft leaves the year in the short title and the date of coming into force blank.

THE CHANGE

Proposes E-Waste (Management) Rules in supersession of the E-Waste (Management) Rules, 2016 and the E-Waste (Management) Amendment Rules, 2018: manufacturers, producers, recyclers and refurbishers would register on a portal of the Central Pollution Control Board (CPCB), and producers would meet yearly recycling targets by buying EPR certificates from registered recyclers.

KEY FACTS

TYPE

Draft rules

S.O. NUMBER

S.O. 360(E)

DATED

May 19, 2022

APPLIES FROM

Proposed: no date is printed; the draft leaves the date of coming into force blank, and the year in its short title (rule 1 of the draft)

REFERENCES

S.O. 360(E)

CG-DL-E-20052022-235903

MoEFCC proposes new E-Waste (Management) Rules with recycling targets met through EPR certificates

S.O. 360(E) · May 19, 2022

S.O. 360(E), a draft notification of the Ministry of Environment, Forest and Climate Change dated May 19, 2022, proposes new E-Waste (Management) Rules in supersession of the E-Waste (Management) Rules, 2016 (G.S.R. 338(E), March 23, 2016) and the E-Waste (Management) Amendment Rules, 2018 (G.S.R. 261(E), March 22, 2018). The draft leaves the year in the short title and the date of coming into force blank.

The rules would apply to manufacturers, producers, refurbishers and recyclers of the electrical and electronic equipment in Schedule I, in six categories from information technology and telecommunication equipment to medical devices, and would count solar photovoltaic modules, panels and cells as e-waste. They would not apply to used batteries, packaging plastics, micro enterprises (service sector) or radio-active wastes. Each would register on the centralized portal of the Central Pollution Control Board (CPCB), and bulk consumers would hand their e-waste only to registered refurbishers or recyclers.

Producers would meet Extended Producer Responsibility (EPR) targets in Schedule III by buying EPR certificates from registered recyclers: 60% of the quantity of waste generation indicated in the EPR plan for 2022-2023, 70% for 2023-2024 and 80% from 2024-2025. Producers who started sales recently would follow Schedule III(A): 15% of the sales of 2020-21 for 2022-2023, rising to 20% of the sales of two years back from 2025-2026. Importers of used equipment would carry a 100% obligation for the imported material after end of life, if not re-exported. New equipment could not contain lead, mercury, hexavalent chromium, polybrominated biphenyls or polybrominated diphenyl ethers above 0.1% by weight in homogenous materials, or cadmium above 0.01%, except for the applications in Schedule II.

The draft invited objections and suggestions in writing, by post to the Secretary of the Ministry or by email to the two addresses printed in the notice, within sixty days from the date on which copies of the Gazette were made available to the public. Counted from the Gazette's issue date (May 19, 2022), the period ended on July 18, 2022; counted from the day it was put online (May 20, 2022), on July 19, 2022. These closing dates are worked out, not printed. G.S.R. 801(E) of November 2, 2022, which made the E-Waste (Management) Rules, 2022, records that copies were made available to the public on May 19, 2022.

The notification (F. No. 12/136/2021-HSMD) appears in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), No. 344, dated May 19, 2022; the e-Gazette put it online on May 20, 2022.

S.O. number	S.O. 360(E)

Dated	May 19, 2022
Put online	May 20, 2022
Gazette ID	CG-DL-E-20052022-235903
Rule	E-waste
Type	Draft rules
Would supersede	E-Waste (Management) Rules, 2016
Products	• Information technology and telecommunication equipment • Consumer electrical and electronics and photovoltaic panels • Large and small electrical and electronic equipment • Electrical and electronic tools • Toys, leisure and sports equipment • Medical devices
What it does	Proposes E-Waste (Management) Rules in supersession of the E-Waste (Management) Rules, 2016 and the E-Waste (Management) Amendment Rules, 2018: manufacturers, producers, recyclers and refurbishers would register on a portal of the Central Pollution Control Board (CPCB), and producers would meet yearly recycling targets by buying EPR certificates from registered recyclers.
Applies from	Proposed: no date is printed; the draft leaves the date of coming into force blank, and the year in its short title (rule 1 of the draft)
Comments	Closing date July 18, 2022, worked out: 60 days from May 19, 2022, the day G.S.R. 801(E) says copies were made public
Made final by	G.S.R. 801(E) of November 2, 2022
Conditions	• The rules would apply to every manufacturer, producer, refurbisher and recycler of e-waste or of the electrical and electronic equipment in Schedule I, but not to used batteries, packaging plastics, micro enterprises (service sector) or radio-active wastes (rule 2). • Manufacturers, producers, recyclers and refurbishers would register on CPCB's centralized portal and deal only with registered entities; registration could be revoked for up to three years for false information (rule 5). • Bulk consumers, entities that used at least 1000 items of the listed equipment in a financial year, including e-retailers, would hand their e-waste only to registered refurbishers or recyclers (rules 3(b) and 9).

- EPR certificates (QEPR = Qp x Cf) would be valid for 2 years from the end of the financial year of generation, in denominations of 100, 200, 500 and 1000 kg; a producer could buy up to its current-year liability, plus leftover liability of preceding years, plus 10% of the current-year liability (rules 19 and 20).
- Refurbishing certificates would defer a producer's obligation for a duration CPCB prescribes; the obligation would end only after end of life disposal through a registered recycler (rule 19B).
- E-waste could be stored for up to one hundred and eighty days, which CPCB could extend to three hundred and sixty-five days (rule 17).
- An unfulfilled obligation would be carried forward up to 3 years, with 85%, 60% or 30% of the environmental compensation returned if the shortfall is addressed after 1, 2 or 3 years (rule 28).

Applies to	Manufacturers, producers (including sellers under their own brand, sellers of imported equipment and importers of used equipment), refurbishers, recyclers and bulk consumers of the electrical and electronic equipment in Schedule I.
Issued under	Sections 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986); published as required under 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
Schedule III: 2022-2023	60% of the quantity of waste generation as indicated in Extended Producer Responsibility Plan
Schedule III: 2023-2024	70% of the quantity of waste generation as indicated in Extended Producer Responsibility Plan
Schedule III: 2024-2025 onwards	80% of the quantity of waste generation as indicated in Extended Producer Responsibility Plan
Schedule III: Note	The importers of used electrical and electronic equipment will have 100% EPR obligation for the imported material after end of life, if not re-exported.
Schedule III(A), producers who have started sales operations recently: 2022-2023	15% of the sales figure of financial year 2020-21
Schedule III(A): 2023-2024	15% of the sales figure of financial year 2021-22

Schedule III(A): 2024-2025	20% of the sales figure of financial year 2022-23
Schedule III(A): 2025-2026 onwards	20% of the sales figure of the financial year two years back
Rule 21(1): hazardous substances in new equipment	Lead, Mercury, Cadmium, Hexavalent Chromium, polybrominated biphenyls and polybrominated diphenyl ethers not beyond a maximum concentration value of 0.1% by weight in homogenous materials, and of 0.01% by weight in homogenous materials for cadmium

The notification (PDF, 2.1 MB)

Gazette of India, CG-DL-E-20052022-235903, published May 19, 2022.

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

Read online: indusdesk.com/moefcc/tracker/proposes-new-e-waste-management-rules-with-recycling-235903/