DRAFT RULES

MoEFCC publishes draft End-of-Life Vehicles (Management) Rules, 2024, with steel targets from 2025-26

S.O. 367(E), a draft of January 30, 2024, proposes EPR for end-of-life vehicles, met with steel scrap certificates from registered scrapping facilities.

S.O. 367(E), A NOTIFICATION OF THE Ministry of Environment, Forest and Climate Change dated January 30, 2024, publishes a draft which the Central Government proposes to issue 'for bringing out regulations for Extended Producer Responsibility (EPR) for End-of-Life Vehicles'. Rule 1 calls them the Draft End-of-Life Vehicles (Management) Rules, 2024, to come into force on the date of their publication in the Official Gazette. They would apply to all types of vehicles under clause (28) of section 2 of the Motor Vehicles Act, 1988, including electric and battery operated vehicles, but not to waste batteries, packaging plastics, waste tires, used oil or e-waste as covered under their own rules.

THE CHANGE

Proposed: new End-of-Life Vehicles (Management) Rules, under which producers of vehicles meet extended producer responsibility targets for recycling steel from End-of-Life Vehicles by buying EPR certificates generated by Registered Vehicle Scrapping Facilities.

KEY FACTS

TYPE
Draft rules

S.O. NUMBER
S.O. 367(E)

DATED
January 30, 2024

APPLIES FROM
Proposed: on the date of their publication in the Official Gazette (rule 1(2) of the draft)

REFERENCES

S.O. 367(E)

CG-DL-E-31012024-251663

MoEFCC publishes draft End-of-Life Vehicles (Management) Rules, 2024, with steel targets from 2025-26

S.O. 367(E) · January 30, 2024

S.O. 367(E), a notification of the Ministry of Environment, Forest and Climate Change dated January 30, 2024, publishes a draft which the Central Government proposes to issue 'for bringing out regulations for Extended Producer Responsibility (EPR) for End-of-Life Vehicles'. Rule 1 calls them the Draft End-of-Life Vehicles (Management) Rules, 2024, to come into force on the date of their publication in the Official Gazette. They would apply to all types of vehicles under clause (28) of section 2 of the Motor Vehicles Act, 1988, including electric and battery operated vehicles, but not to waste batteries, packaging plastics, waste tires, used oil or e-waste as covered under their own rules.

The draft is to be taken into consideration on or after the expiry of sixty days from the date on which copies of the notification as published in the Gazette of India are made available to the public, and objections and suggestions may be sent in writing within that period. Worked out, not printed: counting sixty days from the issue date, January 30, 2024, the period closes on March 30, 2024; counting from the e-Gazette's publish date, January 31, 2024, on March 31, 2024. The final rules, S.O. 98(E), record that copies were made available to the public on January 30, 2024, which gives March 30, 2024.

A vehicle would be an End-of-Life Vehicle when it is no longer validly registered, is declared unfit by an Automated Testing Station, has its registration cancelled, is so declared by a court, or is self-declared by its registered owner as a waste vehicle after fire, damage, natural disaster, riots or accidents, or otherwise. Producers, including importers of vehicles, would fulfill EPR for the vehicles they introduce in the domestic market, including those put to self-use, by buying EPR certificates generated by Registered Vehicle Scrapping Facilities; register once with the Central Pollution Control Board; file annual returns by June 30 on the number, type and weight of steel in vehicles placed in the market; and declare each year's obligation by April 30. Registered owners and bulk consumers would not hold an End-of-Life Vehicle for more than six months.

Certificates would equal the weight of steel scrap generated at the facility, be valid for fifteen years and not be transferable to another producer; a producer could buy up to its current-year liability, any leftover liability and twenty percent more. Schedule I sets targets as a share of the steel used in vehicles placed in the market twenty years earlier for private vehicles and twelve years earlier for commercial vehicles: at least 10% in each year from 2025-26 to 2029-30, 20% from 2030-31 to 2034-35 and 30% from 2035-36, with a further minimum of 3% of the same steel each year from the second to the fifteenth year.

Environmental compensation would be levied for missed targets, work without registration, false information, forged documents and handling that is not environmentally sound; 75, 60 or 40 percent would be returned if a shortfall is made up within one, two or three years, and the whole amount forfeited after three years. The Central Pollution Control Board would set up a centralized

portal within six months of commencement, register producers within two weeks and fix the highest and lowest price for certificates every six months or as required, and an Implementation Committee chaired by its Chairman would monitor the rules.

The notification (F. No. 23/55/2021-HSM) appears in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), No. 346, dated January 30, 2024. The final rules that cite it are S.O. 98(E) of January 6, 2025, the Environment Protection (End-of-Life Vehicles) Rules, 2025.

S.O. number	S.O. 367(E)
Dated	January 30, 2024
Put online	January 31, 2024
Gazette ID	CG-DL-E-31012024-251663
Rule	End-of-life vehicles
Type	Draft rules
Products	End-of-Life Vehicles, Vehicles
What it does	Proposed: new End-of-Life Vehicles (Management) Rules, under which producers of vehicles meet extended producer responsibility targets for recycling steel from End-of-Life Vehicles by buying EPR certificates generated by Registered Vehicle Scrapping Facilities.
Applies from	Proposed: on the date of their publication in the Official Gazette (rule 1(2) of the draft)
Comments	• No closing date stated. MoEFCC's What's New lists it for comment from January 31, 2024 • Closing date March 30, 2024, worked out: 60 days from January 30, 2024, the day S.O. 98(E) says copies were made public
Made final by	S.O. 98(E) of January 6, 2025
Conditions	• Objections or suggestions 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 sohsmd-mef@gov.in. • Closing dates, worked out and not printed in the notice: March 30, 2024, counting sixty days from the issue date, January 30, 2024; March 31, 2024, counting from the e-Gazette's publish date, January 31, 2024; the day itself not counted. The final rules, S.O.

	98(E), record that copies were made available to the public on January 30, 2024, which gives March 30, 2024. • The final rules S.O. 98(E), dated January 6, 2025, the Environment Protection (End-of-Life Vehicles) Rules, 2025, cite this draft.
Applies to	As proposed: producers of vehicles, including importers; registered owners and bulk consumers (more than 100 vehicles); Collection Centres; Automated Testing Stations; and Registered Vehicle Scrapping Facilities.
Issued under	Sections 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), as the opening paragraph states; the rules cite sub-section (1), clause (v) and clause (vii) of sub-section (2) of section 3, sub-section (1), clause (c) and clause (d) of sub-section (2) of section 6, section 8, clause (b) of sub-section 2 of section 25 of the Act; 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
Rule 1: short title and commencement	(1) These rules may be called the Draft End-of-Life Vehicles (Management) Rules, 2024. (2) They shall come into force on the date of their publication in the Official Gazette.
Rule 2: application	The rules would apply to producer, consumer, entities involved testing of vehicles, handling, processing and recycling of End-of life Vehicles, and to all types of vehicles as per clause (28) of section 2 of the Motor Vehicles Act, 1988, but not to waste batteries, packaging plastics, waste tires, used oil or E-waste as covered under the Battery Waste Management Rules, 2022, the Plastic Waste Management Rules, 2016, the Hazardous and Other Wastes (Management and Transboundary Movement) Amendment Rules, 2022 and 2023, and the E-Waste (Management) Rules, 2022.
Rule 3(1)(j): 'End-of-Life Vehicle'	A vehicle (i) which is no longer validly registered; or (ii) which has been declared unfit by Automated Testing Station after undergoing test or re-test; or (iii) of which registration has been cancelled under Chapter IV of the Central Motor Vehicles Act, 1988 (59 of 1988); or (iv) declared as End-of-Life due to an order of a Court of Law; or (v) which is self-declared by the legitimate registered owner as a waste vehicle due to any circumstances that may arise from fire, damage, natural disaster, riots or accidents, or otherwise.

Rule 3(1)(r) and (za): 'producer' and 'vehicle'	'producer' means an entity who engages in domestic market for (i) manufacture/assembly and sale of vehicles under its own brand; or (ii) sale of vehicles under its own brand produced by other manufacturers or suppliers; or (iii) import of vehicles; (iv) manufacture/assembly and sale of vehicles to producer defined in 3 (r) (ii), not under its own brand. 'vehicle' includes electric vehicles or battery operated vehicles including e-rikshaw and e-carts.
Rule 4: responsibilities of producer	Fulfill EPR for the vehicles introduced in the domestic market, including vehicles put to self-use, to ensure the recycling targets in Schedule I, through purchase of EPR certificates generated by its own or any Registered Vehicle Scrapping Facility; obtain one-time registration from the Central Pollution Control Board in Form 1(A), the certificate issued in Form 1(B); furnish annual returns in Form 1(C) by 30th June on the number, type and weight of steel used in vehicles placed in the market; declare EPR obligations for the current year by 30th April; take measures to comply with AIS-219. 'However, the obligations of meeting the Extended Producer Responsibility targets shall remain with the producer.'
Rules 5 and 6: registered owners and bulk consumers	Registered owners and bulk consumers (consumers having ownership of more than 100 vehicles) deposit End-of-Life Vehicles at a Registered Vehicle Scrapping Facility or designated Collection Centre and 'shall not hold the vehicle for more than six months' after its declaration as End-of-Life Vehicle, producing the Certificate of Deposit; bulk consumers also register on the portal and file annual returns.
Rules 7 to 9: Collection Centres, Automated Testing Stations and Registered Vehicle Scrapping Facilities	Collection Centres send End-of-Life Vehicles to Registered Vehicle Scrapping Facilities. Automated Testing Stations declare a vehicle End-of-Life if it fails the automated fitness test and link their data to the portal. Registered Vehicle Scrapping Facilities obtain one-time registration from the State Pollution Control Board in Form 2(A), the certificate issued in Form 2(B); generate EPR certificates based on the quantity of steel from End-of-Life Vehicles; send recovered materials to registered recyclers/refurbishers and hazardous and non-recyclable materials to Common Hazardous Waste Treatment, Storage and Disposal Facility; and file quarterly returns in Form 3 by 30th of the next month of the previous quarter.
Rule 10: EPR certificates	'Extended Producer Responsibility certificates (in kg) = Weight of the steel scrap generated (in kg) at RVSF', subject to the accounting of recycling/refurbishing of all other End-of-Life Vehicles materials and environmentally sound disposal of hazardous materials. A producer can purchase certificates limited to its liability of the current year plus any leftover liability of preceding years plus twenty percent of the current year liability. Certificates used are not exchanged again and are not transferrable to any other producer; they are valid for a period of fifteen years.
Rule 11: the Central Pollution Control Board	Registers producers through the centralized online portal within two weeks of a completed application, registration being deemed if not objected within two weeks; develops the portal and the mechanism for exchange of certificates; may suspend or cancel registration or impose Environmental Compensation; appeals against its orders lie with the Ministry of Environment, Forest and Climate Change, made within thirty days and disposed off within forty-five days; fixes the highest and lowest price for EPR certificates every six month or as required.

Rule 12: State Governments and State Pollution Control Boards	The State board registers Registered Vehicle Scrapping Facilities once, online; may suspend or cancel a registration up to a period of five years for false information; submits an annual report to the Central Pollution Control Board by 30th June. State Governments ensure adequate Registered Vehicle Scrapping Facilities and Automated Testing Stations in an even manner.
Rule 13: Environmental Compensation	Levied for not meeting EPR targets, carrying out activities without registration, false information, forged or manipulated documents, and handling that is not environmentally sound. Unfulfilled obligation is carried forward for a period of three years; 75 percent of the compensation is returned if the shortfall is addressed within one year of levying, 60 percent within two years and 40 percent within three years; after three years the entire amount is forfeited.
Rules 14 and 15: portal and Implementation Committee	The Central Pollution Control Board establishes a centralised online portal within six months of commencement of these rules. A Committee under the chairpersonship of the Chairman, Central Pollution Control Board monitors implementation and recommends measures to the Ministry of Environment, Forest and Climate Change.
Schedule I, (ix): targets for private vehicles	Compliance cycle 2025-26 till 2039-40 (15 years). EPR target in the Xth year: minimum 10% of the steel used in vehicles placed in market in the (X-20)th year for 2025-26 to 2029-30 (2005-06 to 2009-10), 20% for 2030-31 to 2034-35, and 30% for 2035-36 to 2039-40; annual EPR target from the (X+1)th year (2nd year) to the (X+14)th year (15th year): minimum 3% of the same steel. 2040-41 till 2054-55 and onwards: minimum 30% of the steel used in vehicles placed in market in 2020-21 (X-20)th year, and onwards.
Schedule I, (x): targets for commercial vehicles	Compliance cycle 2025-26 till 2039-40 (15 years). EPR target in the Xth year: minimum 10% of the steel used in vehicles placed in market in the (X-12)th year for 2025-26 to 2029-30 (2013-14 to 2017-18), 20% for 2030-31 to 2034-35, and 30% for 2035-36 to 2039-40; annual EPR target from the (X+1)th year (2nd year) to the (X+14)th year (15th year): minimum of 3% of the same steel. 2040-41 till 2054-55 and onwards: minimum 30% of the steel used in vehicles placed in market in 2028-29 (X-12)th year, and onwards.
Schedule I, (i) to (viii): how the targets work	The recycling of End-of-Life Vehicles means recycling of steel from End-of-Life Vehicles. EPR targets for batteries, tires and used oil remain under their own rules. Targets are specific to the category of vehicle (private vehicle and commercial vehicle). Producers meet their obligations through certificates made available by Registered Vehicle Scrapping Facilities; 'In case of non-availability of Extended Producer Responsibility certificates with Registered Vehicle Scrapping Facilities, the producer shall have the responsibility of collection as well.'
Forms 1(A), 1(B), 1(C), 2(A), 2(B) and 3	Application for and grant of one-time registration as a producer; annual returns by the producer on vehicles (2W, 3W, 4W; private and commercial) with the weight of steel in them; application for and grant of one-time registration of a Registered Vehicle Scrapping Facility; and its returns on vehicles received and scrapped, steel scrap generated, EPR certificates and materials sent on.

The notification (PDF, 1.0 MB)

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IndusDesk

hello@indusdesk.com · +91 11 4141 3939

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

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