AMENDMENT

MoEFCC substitutes rule 40 of the Hazardous and Other Wastes Rules, 2016 with a penalty under section 15

G.S.R. 698(E) substitutes rule 40 and Schedule IX paragraph 11 of the Hazardous and Other Wastes Rules, 2016: a penalty under section 15 of the Act.

G.S.R. 698(E), A NOTIFICATION OF the Ministry of Environment, Forest and Climate Change dated November 12, 2024, makes the Hazardous and Other Wastes (Management and Transboundary Movement) Second Amendment Rules, 2024, further amending the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016. It recites that the Jan Vishwas (Amendment of Provisions) Act, 2023 (18 of 2023) inter alia amends the Environment (Protection) Act, 1986 for decriminalizing the offences under that Act.

THE CHANGE

Rule 40 of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016, and paragraph 11 of their Schedule IX, are substituted: any person who fails to comply or contravenes the provisions of these rules shall be liable to a penalty in accordance with the provisions of section 15 of the Act.

KEY FACTS

TYPE
Amendment

G.S.R. NUMBER
G.S.R. 698(E)

DATED
November 12, 2024

APPLIES FROM
On the date of their publication in the Official Gazette (rule 1(2)); no calendar date is printed

REFERENCES

G.S.R. 698(E)

CG-DL-E-12112024-258602

MoEFCC substitutes rule 40 of the Hazardous and Other Wastes Rules, 2016 with a penalty under section 15

G.S.R. 698(E) · November 12, 2024

G.S.R. 698(E), a notification of the Ministry of Environment, Forest and Climate Change dated November 12, 2024, makes the Hazardous and Other Wastes (Management and Transboundary Movement) Second Amendment Rules, 2024, further amending the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016. It recites that the Jan Vishwas (Amendment of Provisions) Act, 2023 (18 of 2023) inter alia amends the Environment (Protection) Act, 1986 for decriminalizing the offences under that Act.

It substitutes rule 40, and paragraph 11 of Schedule IX, each headed Action for contravention: any person who fails to comply or contravenes the provisions of these rules shall be liable to a penalty in accordance with the provisions of section 15 of the Act. The rules come into force on the date of their publication in the Official Gazette.

The Central Government made the amendment without first publishing a draft, stating that it is in the public interest to dispense with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986. The draft G.S.R. 499(E) of August 14, 2024, on extended producer responsibility for scrap of non-ferrous metals, carries the same short title.

The notification (F. No. 23/151/2022-HSM) appears in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), No. 639, dated November 12, 2024. Its Note records that the principal rules were published by G.S.R. 395(E) dated April 4, 2016 and last amended by G.S.R. 177(E) dated March 12, 2024.

G.S.R. number	G.S.R. 698(E)
Dated	November 12, 2024
Gazette ID	CG-DL-E-12112024-258602
Rule	Hazardous wastes
Type	Amendment
Amends	Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016
What it does	Rule 40 of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016, and paragraph 11 of their Schedule IX, are substituted: any person who fails to comply or contravenes the provisions of these rules shall be liable to a penalty in accordance with the provisions of section 15 of the Act.

Applies from	On the date of their publication in the Official Gazette (rule 1(2)); no calendar date is printed
Conditions	• Made without a draft for comment: the Central Government states that it is in the public interest to dispense with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986. • The notification does not reprint the rule 40 or the paragraph 11 it replaces. • Its short title, Hazardous and Other Wastes (Management and Transboundary Movement) Second Amendment Rules, 2024, is also the title of the draft G.S.R. 499(E) of August 14, 2024, a different notice.
Applies to	Any person who fails to comply with or contravenes the provisions of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016.
Issued under	Sections 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986
Signed by	VED PRAKASH MISHRA, Jt. Secy.

The notification, entry by entry

Entry	Text
Rule 40 of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016, substituted	40. Action for contravention. - Any person who fails to comply or contravenes the provisions of these rules shall be liable to a penalty in accordance with the provisions of section 15 of the Act.
Schedule IX, paragraph 11, substituted	11. Action for contravention. - Any person who fails to comply or contravenes the provisions of these rules shall be liable to a penalty in accordance with the provisions of section 15 of the Act.

The notification (PDF, 2.1 MB)

Gazette of India, CG-DL-E-12112024-258602, published November 12, 2024.

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/substitutes-rule-40-of-hazardous-and-other-wastes-258602/