

## **Jaipur Municipal Corporation E -Waste Management Bye-Laws, 2018**

E-Waste (Management) Rules, 2016 have come into force from the 1st day of October, 2016. JMC has issued this Bye laws for enforcement and implementation of of E Waste Management within Jaipur Municipal Corporation Area.

These Bye laws for Jaipur Municipal Corporation shall apply to every citizens, manufacturer, producer, consumer, bulk consumer, collection centres, dealers, e-retailer, refurbisher, dismantler and recycler involved in manufacture, sale, transfer, purchase, collection, storage and processing of e-waste or electrical and electronic equipment including their components, consumables, parts and spares.

### **CHAPTER 1**

#### **Definitions**

(1) In these rules, unless the context otherwise requires-

- a. Act' means the Environment (Protection) Act, 1986 (29 of 1985);
- b. 'Authorization' means permission for generation, handling, collection, reception, storage, transportation, refurbishing, dismantling, recycling, treatment and disposal of e-waste, granted to manufacturer, dismantler, refurbisher and recycler;
- c. 'bulk consumer' means bulk users of electrical and electronic equipment such as Central Government or State Government Departments, public sector undertakings, banks, educational institutions, multinational organizations, international agencies, partnership and public or private companies that are registered under the Factories Act, 1948 (63 of 1948) and the Companies Act, 2013 (18 of 2013) and health care facilities which have turnover of more than one crore or have more than twenty employees;
- d. 'Central Pollution Control Board' means the Central Pollution Control Board constituted under sub-section (l) of sections of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);
- e. 'collection centre' means a centre or a collection point or both established by producer individually or as association jointly to collect e-waste for channelizing the e-waste to recycler and play such role as indicated in the authorization for Extended Producer Responsibility granted to the producer and having facilities as per the guidelines of Central Pollution Control Board, including the collection centre established by the dismantler or refurbisher or recycler which should be a part of their authorization issued by the State Pollution Control Board where the facility exists;

- f. 'component' means one of the parts of sub-assembly or assembly of which a manufactured product is made up and in to which it may be resolved and includes an accessory or attachment to another component;
- g. 'Consumables' means an item, which participates in or is required for a manufacturing processor for functioning of the electrical and electronic equipment and may or may not form part of end-product. Items, which are substantially or totally consumed during - manufacturing process, shall be deemed to be consumables;
- h. consumer means any person using electrical and electronic equipment excluding the bulk consumers;
- i. 'Channelization' means to direct the path for movement of e-wastes from collection onwards to authorized dismantler or recycler. In case of fluorescent and other mercury containing lamps, where recyclers are not available, this means path for movement from collection centre to Treatment, Storage and Disposal Facility;
- j. 'Dealer' means any individual or firm that buys or receives electrical and electronic equipment as listed in Schedule I of these rules and their components or consumables or parts or spares from producers for sale;
- k. 'Deposit refund scheme' means a scheme whereby the producer charges an additional amount as a deposit at the time of sale of the electrical and electronic equipment and returns it to the consumer along with interest when the end-of- life electrical and electronic equipment is returned;
- l. 'Dismantler' means any person or organization engaged in dismantling of used electrical and electronic equipment in to their components and having facilities as per the guidelines of Central Pollution Control Board and having authorization from concerned State Pollution Control Board;
- m. 'disposal' means any operation which does not lead to recycling, recovery or reuse and includes physico-chemical or biological treatment, incineration and deposition in secured landfill;
- n. 'end-of-life' of the product means the time when the product is intended to be discarded by the user;
- o. 'environmentally sound management of e-waste' means taking all steps required to ensure that e-waste is managed in a manner which shall protect health and environment against any adverse effects, which may result from such e-waste;
- p. 'electrical and electronic equipment' means equipment which are dependent on electric current or electro-magnetic field in order to become functional;
- q. 'e-retailer' means an individual or company or business entity that uses an electronic network such as internet, telephone, to sell its goods;
- r. e waste -waste means electrical and electronic equipment, whole or in part discarded waste by the consumer or bulk consumer as well as rejects from manufacturing, refurbishment and repair processes;

- s. 'Extended Producer Responsibility' means responsibility of any producer of electrical or electronic equipment, for channelization of e-waste to ensure environmentally sound management of such waste. Extended Producer Responsibility may comprise of implementing take back system or setting up of collection centres or both and having agreed arrangements with authorized dismantler or recycler either individually or collectively through a Producer Responsibility Organization recognized by producer or producers in their Extended Producer Responsibility - Authorization;
- t. 'facility' means any location wherein the process incidental to the collection, reception, storage, segregation, refurbishing, dismantling, recycling, treatment and disposal of e-waste are carried out;

## **CHAPTER 2 RESPONSIBILITIES**

### **Responsibilities of the manufactures within JMC area-**

- fl) Collect e-waste generated during the manufacture of any electrical and electronic equipment and channelize it for recycling or disposal;
- (2) ensure that no damage is caused to the environment during storage and transportation of e-waste;
- (3) maintain records of the e-waste generated, handled and disposed in Form-2 and make such records available for scrutiny by the concerned State Pollution Control Board;

### **Responsibilities of the producer within JMC area-**

Extended Producer Responsibility (EPR) is the responsibility of every producer of electrical and electronic equipment (EEE) for channelization of e-waste to an authorized dismantler / recycler to ensure environmentally sound management of such waste. EPR authorization mandatory and has to be obtained by all the producers including importers, e-retailers/online sellers/e-bay etc. of EEE covered in E-Waste (Management) Rules, 2016. A producer can implement its EPR either through take-back system or by setting up collection centres or both for channelization of e-waste/end of life products to authorized dismantlers/recyclers. The producers are required to have arrangements with authorized dismantlers/recyclers either individually or collectively or through a Producer Responsibility Organization (PRO) or E Waste Exchange system as spelt in their EPR Plan which is approved/ authorized by Central Pollution Control Board (CPCB). Selling or placing of EEE in the market by any producer without EPR Authorization shall be considered as violation of the Rules and causing damage to the environment, which shall attract provisions under E (P) Act, 1986.

The producer of electrical and electronic equipment listed in Schedule I shall be responsible for-

- 1. Implementing the Extended Producers Responsibility with the following frameworks, namely:-
  - a. Collection and channelization of e-waste generated from the 'end-of-life' of their products or 'end-of-life' products with same electrical and electronic equipment

code and historical waste available on the date from which these rules come into force

- b. The mechanism used for channelization of e-waste from 'end-of-life' products including those from their service centres to authorized dismantler or recycler shall be in accordance with the Extended Producer Responsibility-Authorization.
- c. For disposal in Treatment, Storage and Disposal Facility, a pre-treatment is necessary to immobilize the mercury and reduce the volume of waste to be disposed off;
- d. Extended Producer Responsibility- Authorization should comprise of general scheme for collection of waste Electrical and Electronic Equipment from the Electrical and Electronic Equipment placed on the market earlier, such as through dealer, collection centres. Producer Responsibility Organization, through buy-back arrangement, exchange scheme. Deposit Refund System etc. whether directly or through any authorized agency and channelizing the items so collected to authorized recyclers;
- e. Providing contact details such as address, e-mail address, toll-free telephone numbers or helpline numbers to consumer(s) or bulk consumer(s) through their website and product user documentation so as to facilitate return of end-of-life electrical and electronic equipment;
- f. Creating awareness through media, publications, advertisements, posters, or by any other means of communication and product user documentation accompanying the equipment.

#### **Responsibilities of collection centres within JMC area-**

1. Collect e-waste on behalf of producer or dismantler or recycler or refurbisher including those arising from orphaned products; Provided the collection centres established by producer can also collect e-waste on behalf of dismantler, refurbisher and recycler including those arising from orphaned products
2. ensure that the facilities are in accordance with the standards or guidelines issued by Central Pollution Control Board from time to time;
3. ensure that the e-waste collected by them is stored in a secured manner till it is sent to authorized dismantler or recycler as the case may be;
4. ensure that no damage is caused to the environment during storage and transportation of e-waste;

#### **Responsibilities of dealers within JMC area-**

1. In the case the dealer has been given the responsibility of collection on behalf of the producer, the dealer shall collect the e-waste by providing the consumer a box, bin or a demarcated area to deposit e-waste, or through take back system and send the e-waste so collected to collection centre or dismantler or recycler as designated by producer;
2. the dealer or retailer or e-retailer shall refund the amount as per take back system or deposit refund scheme of the producer or of the e-waste;

3. Every dealer shall ensure that the e-waste thus generated is safely transported authorized dismantlers or recyclers;
4. Ensure that no damage is caused to the environment during storage and transportation of e-waste.

**Responsibilities of consumer or bulk consumer-**

1. consumers or bulk consumers of electrical and electronic equipment listed in Schedule I shall ensure that e-waste generated by them is channelized through collection centre or dealer of authorized producer or dismantler or recycler or through the designated take back service provider of the producer to authorized dismantler or recycler;
2. consumers or bulk consumers of electrical and electronic equipment shall ensure that such end-of-life electrical and electronic equipment are not admixed with e-waste containing radioactive material as covered under the provisions of the Atomic Energy Act, 1962 (33 of 1962) and rules made there under;

**Responsibilities of the dismantler-**

1. Ensure that the facility and dismantling processes are in accordance with the standards or guidelines prescribed by Central Pollution Control Board from time to time;
2. ensure that no damage is caused to the environment during storage and transportation of e-waste;
3. ensure that the dismantling processes do not have any adverse effect on the health and the environment;
4. ensure that dismantled E-waste are segregated and sent to the authorized recycling facilities for recovery of materials;
5. ensure that non-recyclable or non-recoverable components are sent to authorized treatment storage and disposal facilities;
6. maintain record of e-waste collected, dismantled and sent to authorized recycler
7. Not process any e-waste for recovery or refining of materials, unless he is authorized with concerned State Pollution Control Board as a recycler for refining and recovery of materials;
8. Operation without Authorization by any dismantler, as defined in this rule, shall be considered as causing damage to the environment.

**Responsibilities of the recycler-**

1. Shall ensure that the facility and recycling processes are in accordance with the standards or guidelines prescribed by the Central Pollution Control Board from time to time;
2. ensure that no damage is caused to the environment during storage and transportation of e-waste;
3. ensure that the recycling processes do not have any adverse effect on the health and the environment;

- 4 make available all records to the Central Pollution Control Board or the concerned State Pollution Control Board for inspection;
- 5 ensure that the fractions or material not recycled in its facility is sent to the respective authorized recyclers;
- 6 ensure that residue generated during recycling process is disposed of in an authorized treatment storage disposal facility;
- 7 maintain record of e-waste collected, dismantled, recycled and sent to authorized recycler
- 8 may accept waste electrical and electronic equipment or components not listed in Schedule I for recycling provided that they do not contain any radioactive material
9. Operation without Authorization by any recycler, as defined in this rule, shall be considered as causing damage to the environment.

### CHAPTER 3

#### STORAGE

Every Producer, collection centre, dealer, dismantler recycler and refurbisher may store the e-waste for a period not exceeding one hundred and eighty (180) days and shall maintain a record of collection, sale, transfer and storage of wastes and make these records available for inspection.

The period of storage of one hundred and eighty (180) days may be extended by the concerned SPCBs/PCCs up to three hundred and sixty-five (365) days in case the E waste needs to be specifically stored for research development of a process for its recycling or reuse.

Storage of end of life products may be done in a manner which does not lead to breakage of these products and safe to workers handling such products.

During storage of e-waste care may be taken:

- a. To avoid damage to refrigerators and air-conditioner so as to prevent release of refrigerant gases such as CFC, HFS, HCFC etc. and to prevent spillage of oils (mineral or synthetic oil) and other emissions.
- b. To avoid damage to Cathode Ray Tube
- c. To avoid damage to fluorescent and other mercury containing lamps
- d. To avoid damage to equipment containing asbestos or ceramic fibers to avoid release of asbestos or ceramic fibers in the environment.

Loading, transportation, unloading and storage of E-Waste / end of life products should be carried out in such a way that its end use such as re-use after refurbishing or recycling or recovery is unaffected.

The storage area should have fire protection system in place.

#### **CHAPTER 4**

#### **GUIDELINES FOR COLLECTION CENTERS AND TRANSPORTATION**

Guidelines for Collection Centre that can be operated in JMC area

Collection centre or collection points are part of E-waste channelization, and can be established by producers, refurbishers, dismantlers and recyclers.

Collection Centre may collect and store e-waste, on behalf of producer / dismantler / recycler / refurbisher and transfer the same to authorized dismantlers / recyclers.

Only those collection centres may operate which are specified in EPR-Authorization of the producers including the collection centres established by dismantlers / recyclers / refurbishers and having agreement with Producers.

If the collection centres are operating on behalf of many producers, then all such producers should provide this information in their EPR application.

Collection centres have to collect e-waste on behalf of producers including those arising from orphaned products. Collection centres established by producers can be managed by their PRO or dismantler and recycler having agreement with producers.

The collection points/bins can be at designated places where e-waste can be collected from residential areas, office complexes, commercial complexes, retail outlets, customer care stores, educational and research institutions, resident welfare associations (RWAs). These collection points have to be part of producer's collection and channelization plan.

Mobile collection vans can be used for door to door collection of e-waste from institutions/ individuals/small enterprises and such vans shall be linked to collection centres, and if provided by producers, shall be part of their EPR Plan.

Material from collection centres should be sent only to the authorized dismantlers and Recyclers except in case of used Fluorescent and other mercury containing lamps, which can be sent to TSDF in case recyclers are not available

### **Guidelines for Transportation of E-Waste**

The sender of E-Waste, that may be a producer, manufacturer, recyclers, dismantler, bulk consumer, refurbisher and collection centre should identify transporter or make arrangements for transporting e-waste in such a manner that environmental consequences of hazards associated with its transport could be kept at minimum.

Transport of E-Waste should be carried out as per the manifest system as per the provisions made in rule 19 of the E-Waste (M) Rules, 2016 and the transporter will be required to carry document (three copies) as perform 6 of the rules provided by the sender. The responsibility of safe transportation of E-waste shall be with the sender of E-Waste.

Fluorescent and other mercury containing lamps may be transported to TSDF in the cases where no recyclers of CFL are available

The manufacturers and recyclers while transporting waste generated from manufacturing or recycling destined for final disposal to a treatment, storage and disposal facility will follow the provisions under Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016

## **CHAPTER 5**

### **Responsibilities of the Jaipur Municipal Corporation**

1. The Jaipur Municipal Corporation shall be responsible for implementation of E Waste rules in JMC area and for performing the associated functions, namely:-
  - a. ensuring that no damage is caused to the environment by e waste;
  - b. ensuring channelization of re waste fraction to recyclers/dismantlers;
  - c. ensuring processing and disposal one waste in accordance with the guidelines issued by the Central Pollution Control Board;
  - d. creating awareness among all stakeholders about their responsibilities;
  - e. engaging civil societies or groups working with waste pickers; and
  - f. Ensuring that open burning of e waste does not take place.
2. Setting up of system for E waste management by seeking assistance of producers.



3. Surprise checks: The Commissioner, Project Engineer/ City engineer/ municipal engineer/Health officer/sanitary officer/ sanitary inspectors or any other officer authorized by the Commissioner will conduct surprise checks in various parts of the wards in the Corporation limits at any time (day or night) with a view to encourage compliance. Any contravention will attract a fine and any litter found during these checks will be cleared by the Corporation.

**Enforcement Squads in each ward;** Appoint Nuisance Detectors and form Enforcement Squad.

**Publicity:** Citizen Information services of the Corporation shall publicize the provision of the Byelaws through the media of Signs, advertisement, leaflets, announcement on radio and televisions, news papers articles and through any other appropriate means, so that all citizens will have the opportunity to become informed about their legal duties and fine.

**Co-ordination with Government Bodies:** The Corporation shall co-ordinate with other government agencies and authorities, to ensure compliance of these bye-laws within are as under the jurisdiction or control of such bodies.

E waste collection drives will be conducted by the Corporation in association with Ward Councillors, Citizens organizations. Government bodies. Corporates, NGO's for the cleanliness of areas.

## CHAPTER 6

### Penalties

#### Penalties for contravention of these Bye-laws

On and after the date of commencement of these Bye-laws, there will be familiarization/warning period of 30days, after which, any contravention of these Bye-laws shall be punishable with fines for every instance of breach of these byelaws. In case the generator of waste is found contravening any of these Bye-laws next time, the fine amount will be doubled.

In case of a person or any polluter is not able to pay the fine which will be decided by JMC, while contravening any of these Bye-laws he/she will be prosecuted under the provisions of Indian Penal Code.

Provisions for spot fines would be implemented as per the decision given by the Central Govt./State Govt./council/JMC Commissioner.

*Signature*