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EXTRAORDINARY

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GOVERNMENT OF ARUNACHAL PRADESH
DEPARTMENT OF IT & COMMUNICATION
ROOM.NO.107, BLOCK NO.1, 1ST FLOOR
A.P.CIVIL SECRETARIAT : ITANAGAR

NOTIFICATION

The 29th April, 2019

No. DIT/246-2019.— In compliance of the Hon'ble Green Tribunal order dated 12/2/2019 passed in OA No.512/21 to implement the provision of the E-Waste Management Rules-2016, the Governor of Arunachal Pradesh is pleased to make the following policy for implementation of the E-Waste Management in the State of Arunachal Pradesh.

1. Short title and commencement:

- (1) These Policy may be called Arunachal Pradesh E-Waste Management Policy 2019.
- (2) They shall come into force on the date of publication in the Official Gazette.

2. Application:

These rules shall apply to every 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 listed in Schedule I, including their components, consumables, parts and spares which make the product operational but shall not apply to - (a) used lead acid batteries as covered under the Batteries (Management and Handling) Rules, 2001 made under the Act; (b) micro enterprises as defined in the Micro, Small and Medium Enterprises Development Act, 2006 (27 of 2006); and 2 (c) radio-active wastes as covered under the provisions of the Atomic Energy Act, 1962 (33 of 1962) and rules made thereunder.

3. Definitions:

- (1) In these policy, unless the contexts otherwise requires :-
 - (a) 'Act' means the Environment (Protection) Act, 1986 (29 of 1986);
 - (b) 'authorisation' 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 organisations, 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 (1) of section 3 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 channelising the e-waste to recycler and play such role as indicated in the authorisation 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 authorisation issued by the State Pollution Control Board where the facility exists;
- (f) 'component' means one of the parts of a sub-assembly or assembly of which a manufactured product is made up and into 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 process or 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 a manufacturing process, shall be deemed to be consumables;
- (h) 'consumer' means any person using electrical and electronic equipment excluding the bulk consumers;
- (i) 'channelisation' means to direct the path for movement of e-wastes from collection onwards to authorised 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 organisation engaged in dismantling of used electrical and electronic equipment into their components and having facilities 3 as per the guidelines of Central Pollution Control Board and having authorisation 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' means electrical and electronic equipment, whole or in part discarded as waste by the consumer or bulk consumer as well as rejects from manufacturing, refurbishment and repair processes;
- (s) 'e-waste exchange' means an independent market instrument offering assistance or independent electronic systems offering services for sale and purchase of e-waste generated from end-of-life electrical and electronic equipment between agencies or organisations authorised under these rules;

- (t) 'Extended Producer Responsibility' means responsibility of any producer of electrical or electronic equipment, for channelisation 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 authorised dismantler or recycler either individually or collectively through a Producer Responsibility Organisation recognised by producer or producers in their Extended Producer Responsibility - Authorisation;
- (u) 'Extended Producer Responsibility - Authorisation' means a permission given by Central Pollution Control Board to a producer, for managing Extended Producer Responsibility with implementation plans and targets outlined in such authorisation including detail of Producer Responsibility Organisation and e-waste exchange, if applicable;
- (v) 'Extended Producer Responsibility Plan' means a plan submitted by a producer to Central Pollution Control Board, at the time of applying for Extended Producer Responsibility - Authorisation in which a producer shall provide details of e-waste channelisation system for targeted collection including detail of Producer Responsibility Organisation and e-waste exchange, if applicable;
- (w) '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;
- (x) 'Form' means a form appended to these rules;
- (y) 'historical e-waste' means e-waste generated from electrical and electronic equipment as specified in Schedule I, which was available on the date from which these rules come into force;
- (z) 'manufacturer' means a person or an entity or a company as defined in the Companies Act, 2013 (18 of 2013) or a factory as defined in the Factories Act, 1948 (63 of 1948) or Small and Medium Enterprises as defined in Micro, Small and Medium Enterprises Development Act, 2006 (27 of 2006), which has facilities for manufacture of electrical and electronic equipment;
- (aa) 'orphaned products' means non-branded or assembled electrical and electronic equipment as specified in Schedule-I or those produced by a company, which has closed its operations;
- (bb) 'part' means an element of a sub-assembly or assembly not normally useful by itself, and not amenable to further disassembly for maintenance purposes. A part may be a component, spare or an accessory;
- (cc) 'producer' means any person who, irrespective of the selling technique used such as dealer, retailer, e-retailer, etc.; (i) manufactures and offers to sell electrical and electronic equipment and their components or consumables or parts or spares under its own brand; or (ii) offers to sell under its own brand, assembled electrical and electronic equipment and their components or consumables or parts or spares produced by other manufacturers or suppliers; or (iii) offers to sell imported electrical and electronic equipment and their components or consumables or parts or spares;
- (dd) 'Producer Responsibility Organisation' means a professional organisation authorised or financed collectively or individually by producers, which can take the responsibility for collection and channelisation of e-waste generated from the 'end-of-life' of their products to ensure environmentally sound management of such e-waste;
- (ee) 'recycler' - means any person who is engaged in recycling and reprocessing of waste electrical and electronic equipment or assemblies or their components and having facilities as elaborated in the guidelines of Central Pollution Control Board;
- (ff) 'refurbishment' means repairing of used electrical and electronic equipment as listed in Schedule I for extending its working life for its originally intended use and selling the same in the market or returning to owner;
- (gg) 'refurbisher' for the purpose of these rules, means any company or undertaking registered under the Factories Act, 1948 or the Companies Act, 1956 or both or district industries centre engaged in refurbishment of used electrical and electronic equipment;
- (hh) 'Schedule' means the Schedule appended to these rules;

- (ii) "spares" means a part or a sub-assembly or assembly for substitution which is ready to replace an identical or similar part or sub-assembly or assembly including a component or an accessory;
- (jj) 'State Government in relation to an Union territory' means, the Administrator thereof appointed under article 239 of the Constitution;
- (kk) 'State Pollution Control Board' means the concerned State Pollution Control Board or the Pollution Control Committee of the Union Territories constituted under sub-section (1) of section 4 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);
- (ll) 'target' means the quantity of e-waste to be collected by the producer in fulfilment of Extended Producer Responsibility;
- (mm) 'transporter' means a person or company or entity engaged in the off-site transportation of e-waste by air, rail, road or water carrying a manifest system issued by the person or company or entity who has handed over the e-waste to the transporter, giving the origin, destination and quantity of the e-waste being transported; (2) Words and expressions used in these rules and not defined but defined in the Act shall have the meanings respectively assigned to them in the Act.

4. Responsibilities :

The Central Ministry of Environment and Forests has notified the e-Waste (Management) Rules, 2016 in March 2016. Extensive focus has been on Extended Producer Responsibility with clear responsibilities outlined for manufacturers, producers, consumers, bulk consumers, refurbishers, collection centres, dismantlers, recyclers, State Government, and urban local bodies. The Government aims to complement these rules by playing an active role in promoting refurbishing and recycling of electronic products through the right channels.

In line with the responsibilities mentioned in these rules, the State Government shall undertake the following activities:

The State shall earmark industrial space or shed for e-Waste dismantling and recycling in the existing and upcoming industrial parks, estates and industrial clusters.

A mandatory registration process shall be notified for workers involved in dismantling and recycling after consultation with the Department of Labour, Employment Training and Factories.

Under the State Skills Development Mission, skills involved in dismantling and recycling shall be taken up as a priority area to ensure safety & health of the workers. TASK shall collaborate with the Skill Council for Green Jobs to develop and drive programs for these workers.

The Government shall prepare an integrated plan for effective implementation of these provisions.

5. FOR BULK CONSUMERS :

FOR THE CONSUMERS OF ELECTRONIC PRODUCTS :

The consumers of electronic products are the producers of e-Waste. The Government of Arunachal Pradesh understands that initiatives targeting just the producers of electronic products will not suffice and shall take a slew of initiatives to raise awareness and incentivize consumers to channelize End-of-Life products through the intended chain.

6. Collaboration with Major Industry Organizations :

The Government shall collaborate with major industry organizations to further identify challenges in handling of e-Waste. Moreover, collective programs to refurbish and resell products will be launched.

7. Promotion of Refurbished Goods :

All organizations, especially NGOs and other non-profit organizations, shall be promoted to procure refurbished goods. A subsidy shall be extended to all organization procuring refurbished goods, subject to proper handling of disposal.

8. Standard Operating Procedures :

The State shall come up with a sample Standard Operating Procedure for handling of e-Waste which can be then be used by any company with minor modifications. This document shall take into account best practices from across the globe and the rules and regulations set by the e-Waste (Management) Rules, 2016.

9. Government Handling of e-Waste :

Maintaining a Standard Operating Procedure shall be mandated to all Government Departments and Offices. Moreover, a mandatory take-back clause shall be included in all Government procurement wherever plausible.

10. Records of e-Waste Generated :

Bulk Consumers shall maintain records of e-Waste generated by them in Form-2 and shall submit annual returns to the State Pollution Control Board before 30 June following the financial year to which that returns relates.

11. FOR RETAIL CONSUMERS :**Awareness Campaigns :**

A portion of the ITE&C Budget shall be set aside for running an awareness campaign to educate citizens of the effects of irregular disposal and handling of e-Waste.

12. Mobile and Web Application :

The Government shall set up an application to help citizens dispose e-Waste through the right channels and raise any other issue with respect to disposal and handling of e-Waste.

13. Collection Centres :

In coordination with the State PCB, collection centres shall be established in an appropriate number in residential areas, commercial complexes, retail outlets, customer care stores, educational and research institutes etc. These collection centres shall be a part of producers' collection and channelization plan under EPR. The hazardous waste collected by these centres shall be either sent for recycling, wherever possible, or transported to the Hazardous Waste Disposal Facility.

14. Extended Consumer Responsibility :

It takes two hands to clap. The State recognizes the roles played by both producers and consumers to ensure the effective handling of e-Waste. In this regard, every consumer of electronics products is expected to fulfil the following duties to ensure products are recycled in an appropriate manner:

- (i) Participate in take-back programs launched by the producers.
- (ii) Channelize EOL products to authorized collection centres if there is no take-back program.
- (iii) Ensure e-Waste isn't dumped with regular waste.
- (iv) Educate fellow consumers on the harmful effects caused by irregular handling of EOL products.

15. FOR THE PRODUCERS OF ELECTRONIC PRODUCTS :

Although the State of Arunachal Pradesh is a late starter or nil in terms of electronic manufacturing the Government of Arunachal Pradesh shall encourage the setting up of collection and disposal channels, the Government of Arunachal Pradesh shall enter into partnerships with OEMs in the state by providing financial and regulatory assistance.

While establishing a well laid system at source for collection of e-Waste is a defining step, it is also equally critical to reduce the usage of harmful chemicals and substances used for manufacturing equipment. Manufacturers with focused efforts on reducing usage of toxic material shall receive additional benefits apart from those already mentioned in the Electronics Policy 2016. Further, the manufacturer with the best efforts in this direction shall be recognized by the government on the following State Formation Day.

16. FOR THE GREEN WARRIORS :**Green Warriors :**

As technology enabled solutions continue to become more and more intertwined with the day to day processes, the consumption and disposal of hardware is rising incessantly. It is, hence, imperative to not only ensure the collection of unused hardware, but also ascertain that every step in the value chain, from dismantling to recycling or refurbishing, follows the prescribed standards. The Government recognizes the efforts of every Green Warrior who has been a part of the recycling / refurbishing chain, and has contributed towards the successful implementation of measures to control e-pollution. Moving forward, the Government assures extensive support to Green Warriors to recognize their contributions and, also, encourage others to become a part of these joint efforts.

Collection, Dismantling and Recycling Units :

Working at the processing end of electronic waste inadvertently exposes the Green Warriors to hazardous substances, which could, in a few cases, be life threatening. The Government of Arunachal Pradesh, in coordination with the State Pollution Control Board and Department of Industries, shall ensure strict adherence to provision of safety equipment by the processing unit to their staff. Moreover, to encourage establishment of more e-Waste processing units, the Government shall provide financial assistance to such units for procuring safety equipment and ensure a healthy set of working conditions. Moving forward, the Government shall explore the prospects of setting up an SPV to set up e-Waste Parks and a comprehensive material recycling complex.

- (i) Moreover, dismantlers/recyclers/manufacturers shall be required to obtain authorization from the SPCB and shall ensure that dismantling/recycling/manufacturing processes do not have any adverse effect on the health of workers or environment. Refurbishers shall be required to obtain one time authorization from SPCB.
- (ii) Additionally, the Government shall provide performance based financial incentives to the e-Waste processing units, subject to submission of audited records.

Drive the Shift Towards Refurbishing :

While the focus has predominantly been on recycling of unused electrical and electronic equipment, the Government intends to boost the idea of refurbishing activities in the state. Sale and use of refurbished goods is the proper way to truly realize the Reduce - Reuse - Recycle motto. In order to drive this shift towards refurbishing, the Government shall itself come forward as the anchor client by promising a minimum of 20% of the business to startups and SMEs in electrical and electronic equipment refurbishing.

Further, the Government shall actively encourage every large corporate and academic institution in the state to prefer local refurbishing establishments. To boost this area, the Government shall also consider bilaterally procuring electronic hardware for government schools and colleges from eligible refurbishing enterprises and organizations. Additionally, refurbished goods shall be given a higher preference over newer equipment in public tendering processes concerning light duty applications. Moreover, the Government shall channelize second-grade recycled/refurbished products/components to State/Centre funded Research Institutes for performing research.

17. Conversion of Unorganized Sector to Organized Sector :

Statistics pertaining to electrical and electronic waste processing point towards the largely unorganized recycling sector that, in many cases, also engages in hazardous activities such as metal extraction. About 95% of the recycling happens in the unorganized sector. This is a matter of concern primarily because of the life threatening risks individuals in the sector are exposed to. To curtail the rampant growth of the unorganized sector, and to provide formal, safer and better opportunities to the unorganized sector employees, the Government shall focus on the following:

Awareness drives - The Government, through collaborations with NGOs, Non-Profits and Industry Associations shall initiate an awareness drive to educate every employee in the unorganized sector about the adverse effects on their health due to unsafe practices.

Absorption into Organized Sector - The Government shall introduce vocational training programs to rightly skill the current unorganized sector employees to ensure their smoother transition to working with organized sector recycling and refurbishing units that shall benefit from this policy. Moreover, the Government shall aim to create strong SHGs and conduct pilot programs such as providing workers in the unorganized sector with health cards etc. to absorb them into the organized sector.

18. INCENTIVES TO BOOST REFURBISHING AND RECYCLING :

Incentives for Recyclers, Refurbishers, Dismantlers, and Collection Centres Capital Investment Subsidy : A subsidy of ₹ 25 lakhs shall be provided for a minimum capital investment of ₹ 2 Crores for the first 5 recyclers and refurbishers. For dismantlers and collection centres, ₹ 10 Lakhs shall be provided as subsidy for a minimum capital investment of ₹ 50 lakhs, for the first 5 collection centres and 5 dismantlers.

Subsidy on Lease Rentals: 25% subsidy on lease rentals shall be applicable for each company for the first three years of operation. The maximum subsidy applicable shall be ₹ 5,00,000.

Training Subsidy : Training subsidy of ₹ 1,000/month/person for 3 months shall be provided for a maximum of 1000 people.

Reimbursement of Municipal/Panchayat Taxes : Reimbursement of municipal taxes for first three years of operation for first 5 units in each town.

Incentives for Bulk Consumers :

Subsidy on purchase of refurbished products: The Government of Arunachal Pradesh shall provide a subsidy of 10% of the total expenditure incurred on purchase of refurbished goods subject to a minimum of 100 units procured and maximum subsidy of ₹ 2,00,000.

For projects of strategic importance, a tailor-made package of incentives shall be designed.

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