

പതിനാലാം കേരള നിയമസഭ

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നം.5269

23.05.2017-ൽ മറുപടി നൽകേണ്ടിയിരുന്നത്

ഇ-മാലിന്യം നിർമ്മാർജ്ജനം ചെയ്യുന്നതിന് പദ്ധതികൾ

<u>ചോദ്യം</u>		<u>മറുപടി</u>	
ശ്രീ.മോൻസ് ജോസഫ്		ഡോ.കെ.ടി.ജലീൽ	
		തദ്ദേശസ്വയംഭരണവും ന്യൂനപക്ഷക്ഷേമവും വഖഫ് ഹജ്ജ് തീർത്ഥാടനവും വകുപ്പ് മന്ത്രി	
(എ)	ഇ-മാലിന്യം നിർമ്മാർജ്ജനം ചെയ്യുന്നതിന് നഗരസഭകൾ കൈക്കൊണ്ടിരിക്കുന്ന പദ്ധതികൾ വ്യക്തമാക്കാമോ;	(എ)	സംസ്ഥാനത്ത് പ്ലാസ്റ്റിക് മാലിന്യങ്ങളും ഇലക്ട്രോണിക് മാലിന്യങ്ങളും പരിസ്ഥിതിക്ക് കോട്ടം വരാത്ത നിലയിൽ സംസ്കരിക്കുക എന്ന ലക്ഷ്യത്തോടെ സർക്കാർ 2013-ൽ ക്ലീൻ കേരള കമ്പനി രൂപീകരിച്ചിട്ടുണ്ട്. ക്ലീൻ കേരള കമ്പനി മുഖേന സംസ്ഥാനത്തെ നഗരസഭകളിൽ നിന്നും പ്ലാസ്റ്റിക് മാലിന്യങ്ങളും ഇ-മാലിന്യങ്ങളും ശേഖരിക്കുകയും പുനഃചംക്രമണത്തിന് വിധേയമാക്കുകയും ചെയ്യുന്നുണ്ട്. ഇ-മാലിന്യ സംസ്കരണം നവകേരള മിഷന്റെ ഭാഗമായുള്ള ഹരിതകേരളം പദ്ധതിയിൽ ഉൾപ്പെടുത്തിയിട്ടുണ്ട്.
(ബി)	ഇ-മാലിന്യ ഉല്പാദകരും പുനഃചംക്രമണ വിതരണക്കാരും പാലിക്കേണ്ടതായ എന്തൊക്കെയാണെന്ന് വിശദമാക്കാമോ;	(ബി)	കേന്ദ്ര പരിസ്ഥിതി വനം കാലാവസ്ഥ വ്യതിയാന വകുപ്പ് പുറപ്പെടുവിച്ച 2016-ലെ ഇ-വേസ്റ്റ് മാനേജ്മെന്റ് ചട്ടങ്ങൾ പ്രകാരം ഇലക്ട്രോണിക്സ് സാധനങ്ങളുടെ ബ്രാൻഡ് ഓണർമാർ, നിർമാതാക്കൾ, ഉൽപാദകർ, വിതരണക്കാർ എന്നിവർ Extended Producers Responsibility (EPR) വ്യവസ്ഥയ്ക്ക് അധിഷ്ഠിതമായി സ്വമേധയായോ, സർക്കാർ സംവിധാനവുമായി ചേർന്നുകൊണ്ടോ ഇവ ശേഖരിക്കുന്നതിനും പുനഃചംക്രമണം/സുരക്ഷിത സംസ്കരണം ഉറപ്പാക്കുന്നതിനുമുള്ള സംവിധാനം രൂപപ്പെടുത്തേണ്ടതാണെന്ന് നിഷ്കർഷിച്ചിട്ടുള്ളതാണ്. വിശദാംശമടങ്ങുന്ന ടി ചട്ടത്തിന്റെ പ്രസക്ത ഭാഗം അനുബന്ധമായി ചേർക്കുന്നു.
(സി)	ഇ-മാലിന്യത്തിന്റെ കുറയ്ക്കുന്നതിന് നഗരസഭകൾ സ്വീകരിച്ചു വരുന്ന മുൻകരുതലും, ബോധവൽക്കരണവും വിശദമാക്കാമോ?	(സി)	ഇ-മാലിന്യങ്ങളുടെ അളവ് കുറയ്ക്കുന്നതിന് ജനങ്ങളെ ബോധവൽക്കരിക്കുന്നതിനായി നഗരസഭാ തലത്തിലും ശുചിത്വമിഷൻ മുഖേനയും ബോധവൽക്കരണ പരിപാടികൾ സംഘടിപ്പിക്കുന്നുണ്ട്.


 സെക്ഷൻ ഓഫീസർ

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E-WASTE (MANAGEMENT) RULES, 2016

CHAPTER II

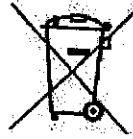
RESPONSIBILITIES

- 4. Responsibilities of the manufacturer.** - (1) collect e-waste generated during the manufacture of any electrical and electronic equipment and channelise it for recycling or disposal;
- (2) apply for an authorisation in Form 1 (a) in accordance with the procedure prescribed under sub-rule (2) of rule 13 from the concerned State Pollution Control Board, which shall give the authorisation in accordance with Form 1 (bb);
- (3) ensure that no damage is caused to the environment during storage and transportation of e-waste;
- (4) 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;
- (5) file annual returns in Form-3, to the concerned State Pollution Control Board on or before the 30th day of June following the financial year to which that return relates.

5. Responsibilities of the producer. - 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 channelisation 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 as per Schedule I in line with the targets prescribed in Schedule III in Extended Producer Responsibility - Authorisation;
- (b) the mechanism used for channelisation of e-waste from 'end-of-life' products including those from their service centres to authorised dismantler or recycler shall be in accordance with the Extended Producer Responsibility - Authorisation. In cases of fluorescent and other mercury containing lamps, where recyclers are not available, channelisation may be from collection centre to Treatment, Storage and Disposal Facility;
- (c) for disposal in Treatment, Storage and Disposal Facility, a pre-treatment is necessary to immobilise the mercury and reduce the volume of waste to be disposed off;
- (d) Extended Producer Responsibility - Authorisation 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 Organisation, through buy-back arrangement, exchange scheme, Deposit Refund System, etc. whether directly or through any authorised agency and channelising the items so collected to authorised 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, with regard to -

- (i) information on address, e-mail address, toll-free telephone numbers or helpline numbers and web site;
- (ii) information on hazardous constituents as specified in sub-rule 1 of rule 16 in electrical and electronic equipment;
- (iii) information on hazards of improper handling, disposal, accidental breakage, damage or improper recycling of e-waste;
- (iv) instructions for handling and disposal of the equipment after its use, along with the Do's and Don'ts;
- (v) affixing a visible, legible and indelible symbol given below on the products or product user documentation to prevent e-waste from being dropped in garbage bins containing waste destined for disposal;



- (vi) means and mechanism available for their consumers to return e-waste for recycling including the details of Deposit Refund Scheme, if applicable;
 - (g) the producer shall opt to implement Extended Producer Responsibility individually or collectively. In individual producer responsibility, producer may set up his own collection centre or implement take back system or both to meet Extended Producer Responsibility. In collective system, producers may tie-up as a member with a Producer Responsibility Organisation or with e-waste exchange or both. It shall be mandatory upon on the individual producer in every case to seek Extended Producer Responsibility - Authorisation from Central Pollution Control Board in accordance with the Form-1 and the procedure laid down in sub-rule (1) of rule 13;
- (2) to provide information on the implementation of Deposit Refund Scheme to ensure collection of end-of-life products and their channelisation to authorised dismantlers or recyclers, if such scheme is included in the Extended Producer Responsibility Plan.
Provided that the producer shall refund the deposit amount that has been taken from the consumer or bulk consumer at the time of sale, along with interest at the prevalent rate for the period of the deposit at the time of take back of the end-of-life product;
 - (3) the import of electrical and electronic equipment shall be allowed only to producers having Extended Producer Responsibility authorisation;
 - (4) maintaining records in Form-2 of the e-waste handled and make such records available for scrutiny by the Central Pollution Control Board or the concerned State Pollution Control Board;
 - (5) filing annual returns in Form-3, to the Central Pollution Control Board on or before the 30th day of June following the financial year to which that return relates. In case of the Producer with multiple offices in a State, one annual return combining information from all the offices shall be filed;

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(6) the Producer shall apply to the Central Pollution Control Board for authorisation in Form 1, which shall thereafter grant the Extended Producer Responsibility - Authorisation in Form 1(aa).

(7) Operation without Extended Producer Responsibility-Authorisation by any producer, as defined in this rule, shall be considered as causing damage to the environment.

6. Responsibilities of collection centres. - (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 authorised 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;

(5) maintain records in Form-2 of the e-waste handled as per the guidelines of Central Pollution Control Board and make such records available for scrutiny by the Central Pollution Control Board or the concerned State Pollution Control Board as and when asked for.

7. Responsibilities of dealers. - (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 to the depositor of e-waste;

(3) every dealer shall ensure that the e-waste thus generated is safely transported to authorised dismantlers or recyclers;

(4) ensure that no damage is caused to the environment during storage and transportation of e-waste.

8. Responsibilities of the refurbisher. - (1) collect e-waste generated during the process of refurbishing and channelise the waste to authorised dismantler or recycler through its collection centre;

(2) make an application in Form 1(a) in accordance with the procedure laid down in sub-rule (4) of rule 13 to the concerned State Pollution Control Board for grant of one time authorisation;

(a) the concerned State Pollution Control Board shall authorise the Refurbisher on one time basis as per Form 1 (bb) and authorisation would be deemed as considered if not objected to within a period of thirty days;

(b) the authorised Refurbisher shall be required to submit details of e-waste generated to the concerned State Pollution Control Board on yearly basis;

(3) ensure that no damage is caused to the environment during storage and transportation of e-waste;

(4) ensure that the refurbishing process do not have any adverse effect on the health and the environment;

- (5) ensure that the e-waste thus generated is safely transported to authorised collection centres or dismantlers or recyclers;
- (6) file annual returns in Form-3 to the concerned State Pollution Control Board, on or before the 30th day of June following the financial year to which that return relates;
- (7) maintain records of the e-waste handled in Form-2 and such records should be available for scrutiny by the appropriate authority.

9. 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 channelised through collection centre or dealer of authorised producer or dismantler or recycler or through the designated take back service provider of the producer to authorised dismantler or recycler;

- (2) bulk consumers of electrical and electronic equipment listed in Schedule I shall maintain records of e-waste generated by them in Form-2 and make such records available for scrutiny by the concerned State Pollution Control Board;
- (3) consumers or bulk consumers of electrical and electronic equipment listed in Schedule I 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;
- (4) bulk consumers of electrical and electronic equipment listed in Schedule I shall file annual returns in Form-3, to the concerned State Pollution Control Board on or before the 30th day of June following the financial year to which that return relates. In case of the bulk consumer with multiple offices in a State, one annual return combining information from all the offices shall be filed to the concerned State Pollution Control Board on or before the 30th day of June following the financial year to which that return relates

- 10. 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) obtain authorisation from the concerned State Pollution Control Board in accordance with the procedure under sub-rule (3) of rule 13;
 - (3) ensure that no damage is caused to the environment during storage and transportation of e-waste;
 - (4) ensure that the dismantling processes do not have any adverse effect on the health and the environment;
 - (5) ensure that dismantled e-waste are segregated and sent to the authorised recycling facilities for recovery of materials;
 - (6) ensure that non-recyclable or non-recoverable components are sent to authorised treatment storage and disposal facilities;
 - (7) maintain record of e-waste collected, dismantled and sent to authorised recycler in Form-2 and make such record available for scrutiny by the Central Pollution Control Board or the concerned State Pollution Control Board;
 - (8) file a return in Form-3, to the concerned State Pollution Control Board as the case may be, on or before 30th day of June following the financial year to which that return relates;
 - (9) not process any e-waste for recovery or refining of materials, unless he is authorised with concerned State Pollution Control Board as a recycler for refining and recovery of materials;
 - (10) operation without Authorisation by any dismantler, as defined in this rule, shall be considered as causing damage to the environment.

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- 11. 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) obtain authorisation from concerned State Pollution Control Board in accordance with the procedure under the sub-rule (3) of rule 13;
 - (3) ensure that no damage is caused to the environment during storage and transportation of e-waste;
 - (4) ensure that the recycling processes do not have any adverse effect on the health and the environment;
 - (5) make available all records to the Central Pollution Control Board or the concerned State Pollution Control Board for inspection;
 - (6) ensure that the fractions or material not recycled in its facility is sent to the respective authorised recyclers;
 - (7) ensure that residue generated during recycling process is disposed of in an authorised treatment storage disposal facility;
 - (8) maintain record of e-waste collected, dismantled, recycled and sent to authorised recycler in Form-2 and make such record available for scrutiny by the Central Pollution Control Board or the concerned State Pollution Control Board;
 - (9) file annual returns in Form-3, to the concerned State Pollution Control Board as the case may be, on or before 30th day of June following the financial year to which that return relates;
 - (10) 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 and same shall be indicated while taking the authorisation from concerned State Pollution Control Board;
 - (11) operation without Authorisation by any recycler, as defined in this rule, shall be considered as causing damage to the environment.

12. Responsibilities of State Government for environmentally sound management of E-waste. – (1) Department of Industry in State or any other government agency authorised in this regard by the State Government, to ensure earmarking or allocation of industrial space or shed for e-waste dismantling and recycling in the existing and upcoming industrial park, estate and industrial clusters;

(2) Department of Labour in the State or any other government agency authorised in this regard by the State Government shall:

- a. ensure recognition and registration of workers involved in dismantling and recycling;
- b. assist formation of groups of such workers to facilitate setting up dismantling facilities;
- c. undertake industrial skill development activities for the workers involved in dismantling and recycling;
- d. undertake annual monitoring and to ensure safety & health of workers involved in dismantling and recycling;

(3) State Government to prepare integrated plan for effective implementation of these provisions, and to submit annual report to Ministry of Environment, Forest and Climate Change.