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Extraordinary

EXTRAORDINARY

Part II—section 3—sub-section (i)

PART II—Section 3—Sub-section

(i)

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NEW DELHI, MONDAY, SEPTEMBER 18, 2023/BHADRA 27, 1945

Ministry of Environment, Forest and Climate Change

Unannounced

New Delhi, 18 September 2023

S.A.Jan. 677(E).—Draft Notification containing extended producer responsibility for crude oil
India OF THE GOVERNMENT IN THE MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE
CHANGE GAZETTE OF INDIA, EXTRAORDINARY, PART II, SECTION 3, SUB-SECTION
(i) Notification no. dated May 2, 2023. S.A.Jan. 338(A), in which all those persons who are likely to be
affected thereby, from the date on which copies of the Gazette contained in the said notification Sixty days
before the draft were made available to the public, objections and suggestions were sought from the
society.

And whereas copies of the Gazette containing the said notification were made available to the
public on the 2nd day of May, 2023;

And within the said period, the Center will consider the objections and suggestions received from
the public in relation to the said draft notification. has been duly considered by the Government;

Therefore, now the Central Government, read with sub-section (3) of Section 5 of the
Environment (Protection) Rules, 1986, In exercise of the powers conferred by sections 6, 8 and 25 of the
(Protection) Act, 1986 (29 of 1986),

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[PART II—SEC. 3(i)]

Further to amend the Waste and Other Wastes (Management and Transboundary Movement) Rules, 2016
as follows:

Makes, namely:-

1. (1) Origin of these rules Environment and other wastes (management and transboundary movement)
Second Amendment

The birth date is 2023.

(2) they I Will come into force from April, 2024.

2. Crisis and Other Waste (Management and Cross-Border Movement) January, 2016 (hereinafter
referred to as January

referred to as), after Chapter VI, the following chapter shall be inserted, namely: -

'Half VII

Extended Producer Responsibility for Crude Oil

25. Definitions. – For the purposes of this Chapter, –

(a) 'base oil' means the oil used for the production of refined lube oil;

(b) 'bulk manufacturer' includes automobile industry or railway or defense establishment or transport company or industrial unit or

Means any unit like power transmission company or hotel and restaurant etc. which produces more than 100 metric tons per year.

Producing more crude oil;

(c) business of production or manufacture or sale of base oil or lucine oil, import of base oil, crude oil means any recycling activity;

(d) 'collection point' means those areas and the center where the Central Pollution Control Board for the promotion of this Chapter

The authorized collection agent shall collect the crude oil as per the standard operating procedure or guidelines issued by;

(e) 'Collection Agent' means any person or institution which collects crude oil and supplies it to the recycler;

supplies;

(f) 'Energy recovery' means the process of using crude oil as fuel which

Recycling cannot be done according to these rules.

(g) Guidelines issued by the Central Pollution Control Board on 'Environmentally Sound Management of Crude Oil'

It is intended to take all such steps as may be necessary to ensure that the management of crude oil This is done in such a way that health and the environment are protected from any adverse effects that the crude oil may have.

Can occur during collection, transportation and recycling;

(b) 'Extended Producer Responsibility' means a producer of base oil or lucidane oil or an importer of crude oil;

Recycling means that it is only for the purpose of obtaining the recycling price through a registered recycler

So that overall management of crude oil can be ensured from environmental point of view;

(i) 'Guiding Principles', a document prepared and issued by the Central Pollution Control Board means the environmental impact of crude oil, including its handling, collection, transportation, storage and recycling;

For optimal management, minimum requirements are detailed;

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(j) 'portal' developed by the Central Pollution Control Board to manage and enforce compliance with this Chapter;

The online system is strange;

(k) Any person or entity other than a dealer, retailer, e-retailer etc. of the purchase technology referred to as 'producer'

means-

(i)Proposes to manufacture and sell base oil or lucidane oil domestically under its own brand.

Is; or

(ii)Using base oils manufactured by other manufacturers or suppliers, under their own brand

Proposes to sell lucine oil domestically; or

(iii)Offers to sell imported base oil or lucidane oil domestically;

(l) Standard Operating Procedure specified by the Central Pollution Control Board for promotion of this chapter by 'Recycling'

(SOP) or in an environment friendly manner through the established center as per the guidelines Any process of refining crude oil to produce lucidane oil or recovering energy from crude oil Some process is intended.

(m) 'Re-treatment as per the Standard Operating Procedure (SOP) or guidelines specified by the Central Pollution Control Board.

The process of removing unwanted extracts from raw oil and producing base oil or lucidane oil as final product. Any process is intended.

(n) 'recycler' means any person or institution engaged in the process of recycling crude oil;

(o) 'recycled oil' means used oil recycled in accordance with the provisions of sub-rule (2) of section 27;

The quantity is strange;

(p) Minimum requirements for equipment and procedures issued by the Central Pollution Control Board under 'Standard Operating Procedure'

means a specific document setting out in detail;

(q) 'crude oil' shall have the same meaning assigned to it in sub-rule (36) of rule 3 of the said rule; And

(b) 'Importer of crude oil' means any person or entity which imports crude oil.

26. Registration. - (1) The following units will register themselves with the Central Pollution Control Board on this portal.

Can get it done, or;-

- (a) producer
- (b) collection agent
- (c) 'Recycler'
- (d) crude oil importer

(2) If a unit falls in more than one category under sub-rule (1), it shall select its Registration will have to be done separately.

(3) No institution specified in sub-rule (1) shall carry on business without registration.

(4) Entities registered under sub-rule (1) shall not transact business with any entity which fails to comply with the provisions of sub-rule (1)

Not registered under.

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(5) िहां कोई रजिस्ट्रीकृत संस्था ऐसा जववरण र्ा ररपोटा र्ा िानकारी जिसे इस अध्र्ा के अधीन burns or is required to provide or furnish, or knowingly gives false information in respect of conceals or in case of any irregularity, registration of such unit by the Central Pollution Control Board may be canceled for a period up to five years after giving an opportunity of being heard and further, According to Rule 39, environmental compensation fee can also be imposed.

(6) Central Pollution Control Board Registration from a unit seeking registration under this Chapter may charge fees and annual maintenance fees for waste produced, recycled or handled by them May depend on the quantity of oil produced.

27. Methods of extended productive excellence and its consequences. -

(1) Following are the methods in order of priority for management of crude oil in extended production liability: Are :

- (i) पुनः िोजधत बेस तेल र्ा लुजिके िन तेल का उत्पा िन
- (ii) िा की पुनः प्राजि

(2) All producers and crude oil exporters shall be required to register their extended production units as specified in the table below. उत्तरिा जर्त् पूरा करेगे और ऐसा करते हुए वे एकीकृत प्ररुक् त तेल प्रबंधन प्रणाजलर्, संग्रह कें, डीलर िैसे तीसरे पक्ष के संगठन की सहा र्ता ले सकते हैं:

परंतु जवस्ट ताररत उत् पािक उत् तरिजर्त् व समग्र रूप से उत् पािक पर ही जनजहत ह गे।

सारणी

भाग-क

बेस ऑर्ल् र्ा लुजिकेिन तेल के उत्पािक के जलए लू को जनम्र सारणी में जवजनषिष्ट दकर्ा गर्ा है:-

क्र.सं.	वषा	प्ररुक्त तेल पुनः चक्रीकरण लू
(1)	(2)	(3)
(i)	वषा 2024-2025 के जवस्ट ताररत उत् पािकउत् तरिजर्त् व (वह वषा जिसमें ई अध्र्ाप्रवृत् त होती है)	वषा 2022-2023 में बेचे र्ा आर्ात दकए गए बेसऑर्ल् र्ा लुजिकेिन तेल का 5%
(ii)	वषा 2025-2026 के जवस्ट ताररत उत् पािकउत् तरिजर्त् व	वषा 2023-2024 में बेचे र्ा आर्ात दकए गए बेसऑर्ल् र्ा लुजिकेिन तेल का 10%
(iii)	वषा 2026-2027 का जवस्ट ताररत उत् पािकउत् तरिजर्त् व	वषा 2024-2025 में बेचे र्ा आर्ात दकए गए बेसऑर्ल् र्ा लुजिकेिन तेल का 20%
(iv)	वषा 2027-2028 का जवस्ट ताररत उत् पािकउत् तरिजर्त् व	वषा 2025-2026 में बेचे र्ा आर्ात दकए गए बेसऑर्ल् र्ा लुजिकेिन तेल का 20%
(v)	वषा 2028-2029 का जवस्ट ताररत उत् पािकउत् तरिजर्त् व	वषा 2026-2027 में बेचे र्ा आर्ात दकए गए बेसऑर्ल् र्ा लुजिकेिन तेल का 40%
(vi)	वषा 2029-2030 का जवस्ट ताररत उत् पािकउत् तरिजर्त् व	वषा 2027-2028 में बेचे र्ा आर्ात दकए गए बेसऑर्ल् र्ा लुजिकेिन तेल का 40%
(vii)	वषा 2030-2031 (वषा) के पश्चात् के संग्रह और पुनः चक्रीकरण लू का जवस्ट ताररत उत् पािक	

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	उत् तरिजर्त् व वषा (वषा-2) में बेचे र्ा आर्ात दकए गए बेस ऑर्ल् र्ा लुजिकेिन तेल का 5%
(viii)	1 अप्रैल 2024 के पश्चात् स्ट् थाजपत ईकाइर् के जलए जवस्ट ताररत उत् पािक उत् तरिजर्त् व वषा,जिसमें ईकाई स्ट् थाजपत की गई थी, के अंत से िो वर्षों की समाजि पर िुरु और उपरुक् त जनधाररतलू के अनुसार होगा।

भाग-ख

प्ररुक्त तेल आर्ातक के जलए

- (i) वषा (व) में प्ररुक्त तेल आर्ातक के जलए जवस्टताररत उत्पािक उत्तरिजर्त् संबंधी बाध्ता वषा (व-1) में
आर्ाजतत प्ररुक्त तेल का 100 प्रजतित होगा।
- (ii) केवल पुनः िोधन उद्देश्र के जलए प्ररुक् त तेल के आर्ात की अनुमजत है ।
- (3) उत्पािक के जवस्टताररत उत्पािक उत्तरिजर्त् में दकसी ऐसे कारक के द्वारा कमी की िा सकेगी िो दक बेस ऑर्ल्
Due to operational losses as determined by the Central Pollution Control Board.
- (4) (i) Online of Product Postability Certificate issued from registered recycler only
Meet our extended production response through procurement;
(ii) Re-checking of details provided by the manufacturer and registered recycler on the portal will come; And
(iii) To meet the extended producer responsibility obligation of the producer in case of difference. Lower marks will be considered.

(iv) Certificate issued by the Central Pollution Control Board or any other agency authorized by them in this behalf.

Will be subject to environmental audit.

28. Creation of Extended Product Responsibility Certificate. -

(1) Extended production through portal in favor of Central Pollution Control Board registered recycler.

Will generate liability certificate, which will be calculated as per the table given below-

table

क्र.सं.	क्र.सं.पुनः चक्रण का अंजतम उत्पाि	अंजतम उत् पाि को आवंरटत अजधमान(Wp)
1.	पुनः िोजधत बेस ऑल र्ा लुजिकेिन तेल का उत्पािन to do	1.0
2.	पुनःचक्रण के जलए अनुपरुक्त प्ररुक् त तेल के जलए सह-प्रसंस्करण/उपरोग/जिा पुनप्राजि, अजधकतम अनुमेप्रजतित केर्ीर् प्रिषण जनरंरण बोडा द्वारा जनधाररत दकर्ािाएगा।	0.25

(2) For the purpose of promotion of the table specified in sub-rule (1),-

(i) The quantity eligible for generation of Extended Product Responsibility Certificate will be calculated as per the following formula:

will be i.e.:

$$Q_{EPR} = Q_p \times C_F \times W_p;$$

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* Q_{EPR} जवस्ट ताररत उत् पािक उत् तरिजर्त व प्रमाण पत्र के सृिन के जलए पात्र मात्रा है, Q_p अंजतम उत्पाि की मात्रा है

और C_F रूपांतरण कारक (एक रूजनट आउटपुट के उत्पािन के जलए आवश्क इनपुट की मात्रा) है और W_p जविष

अंजतम उत्पाि के जलए अजधमान है

जिहरण: दि एक पुनःचक्रणकता अंततः 100 टन पुनः िोजधत (रर-ररफाईड) तेल का उत्पािन करता है, और

रूपांतरण कारक 1.5 है, तो उस वषा में उस पुनःचक्रणकता के जलए पात्र ईपीआर (EPR) प्रमाणपत्र जनमनानुसार

होगा:

$$Q_{EPR} = 100 \times 1.5 \times 1 \text{ (अजधमान)} = 150.0 \text{ टन}$$

(ii) केर्ीर् प्रिषण जनरंरण बोडा द्वारा पुनःचक्रणकताओं द्वारा प्ररुक् त प्रौ द्योजगदकर् और उत् पादित पुनः िोजधत बेस

ऑल की गुणवत् ता के आधार पर प्रर्ेक अंजतम उत्पाि रूपांतरण कारक C_F जनधाररत दकर्ािाएगा;

(iii) तकनीकी प्रगजत, सामग्री की उपलब्धता का और अत्र कारक को धर्ान में रखते हुए केर्ीर् प्रिषण जनरंरण

बोडा द्वारा अजधमान W_p की समर्-समर् पर समीक्षा की िाएगी;

(3) जवस्टाररत उत् पािक उत्तरिजर्तव प्रमाणपत्र की वैधता उस जवत्तीर् वषा की समाजि से िो वषा होगी

जिसमें वह सृजित हुआ था और समाजि प्रमाण पत्र स्टतः समाि हो िाएगा अर्था इन जनर्म के अनुसार इसकी अवजध पहले समाि न हो िाए।

(4) प्रत्येक जवस्त्ताररत उत् पाकि उत्तरिजर्त प्रमाणपत्र का अपना एक अजद्वतीर् क्रमांक होगा जिसमें सूचि

का वषा, अंजतम उत्पादि का कोड, पुनचाक्रणकता का कोड और अजद्वतीर् कोड दिर्ा हुआ होगा और ई

100, 200, 500, 1000 और 10,000 दकलोग्राम के जडनोजमनेनि में होगा र्ा उस जडनोजमनेनि में

होगा िो दक जनर्म 42 के अधीन गरठत संचालन सजमजत के अनुमोनि से कें्रीर् प्रूषण जनर्त्रण बोडा

द्वारा जनधाररत दकर्ा गर्ा हो।

29. जवस्त् ताररत उत् पाकि उत्तरिजर्त व प्रमाण-पत्र का संवर् वहार -

(1) एक उत् पाकि अपनी वतामान वषा (वषा व) की जवस्त् ताररत उत् पाकि उत्तरिजर्त व िेर्ता के साथ-साथ जपछले

वषा की िेष िेर्ता तथा वतामान वषा की िेर्ता के 10 प्रजतित की सीमा तक जवस्त् ताररत उत् पाकि

उत्तरिजर्त व प्रमाणपत्र खरीि सकता है।

(2) उत् पाकि और प्ररुक् त तेल आर्ातक द्वारा जवस्त् ताररत उत् पाकि उत्तरिजर्त व बाधर्ता को जतमाही आधार

पर जवस्त् ताररत उत् पाकि उत्तरिजर्त व प्रमाणपत्र को उजचत अनुपात में खरीि कर पूरा दकर्ा िाना होगा।

(3) िैसे ही उत् पाकि और प्ररुक् त तेल के आर्ातक जवस्त् ताररत उत् पाकि उत्तरिजर्त व प्रमाणपत्र खरीिता है, ई

स्ट वतः ही उसकी िेर्ता के जवरूद् समार्ोजित हो िाएगा, पूवा िेर्ता को प्राथजमकता िी िाएगी और इस

प्रकार समार्ोजित दकर्ा गर्ा जवस्त् ताररत उत् पाकि उत्तरिजर्त व प्रमाणपत्र स्ट वर् समर् त और रद्द हो िाएगा।

(4) प्रर् रेक उत् पाकि र्ा प्ररुक् त तेल के आर्ातक र्ा पुनचाक्रणकता के जलए जवस्त् ताररत उत् पाकि उत्तरिजर्त व

प्रमाणपत्र की उपलब्धता, अपेक्षा और अन् र् ब् र्ोरे पोटाल पर उपलब्ध कराए िाएंगे।

(5) उत् पाकि र्ा प्ररुक् त तेल के आर्ातक र्ा पुनचाक्रणकताओं द्वारा इस अनुसूची के अधीन सभी लेने-िेन का

ररकाडा रखा िाएगा और इसे पोटाल पर प्रस्ट तुत दकर्ा िाएगा।

(6) कें्रीर् प्रूषण जनर्त्रण बोडा द्वारा कें्रीर् सरकार के अनुमोनि से ििरी दकए गए दििाजनिि के अनुसार

कें्रीर् प्रूषण जनर्त्रण बोडा द्वारा संबद् की गई अजभकरण के माध् र्म से जवस्त् ताररत उत् पाकि उत्तरिजर्त व

प्रमाणपत्र की जबक्री र्ा खरीि के जलए एक र्ा एक से अजधक मंच को स्थाजपत दकर्ा िा सकेगा।

[PartII—section3(i)]

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30. रजिस्ट्रीकरण, वार्षिक जववरणी फ़ाइल करने, जवस्त् ताररत उत् पाकि उत्तरिजर्त व प्रमाणपत्र और सामग्री का पता

लगाने के जलए पोटाल-

(1) कें्रीर प्रिषण जनरंरण बोडा रजिस्ट्रीकरण के साथ-साथ जतमाही और वार्षिक ररटना को फ़ाइल करने,

जवस्ट ताररत उत् पािक उत् तरिशजर्त व प्रमाणपत्र और दकसी जनकार् र्ा व्यजक्त द्वारा उत् पादित र्ा उत् पन् न तेल

का पता लगाने के जलए एक ऑनलाइन प्रणाली स्ट् थाजपत करेगा िो एक ऐसे तंत्र को सुजनजश्चत करेगी

जिसमें दकसी जवत् तीर् वषा में दकसी उत्पािक द्वारा बािार में लाए गए ल् रुजिकेिन ऑल का वास्ट तजवक

संतुलन पररलजक्षत होता हो;

(2) र्ह पोडाल प्ररुक् त तेल से संबंजधत जवस्टताररत उत्पािक उत्तरिशजर्त के प्रबंधन और कार्ाान् वर्न से

संबंजधत एकल बबंिु डेटा भंडार के रूप में कार्ा करेगा।

(3) र्ह ऑनलाइन पोडाल पररसंकटमर् और अत्र अपजिष्ट (प्रबंधन एवं सीमापार संचलन) जद्वतीर् संिोधन

जनर्मावली, 2023 के लागू होने की तारीख से छह माह के भीतर कें्रीर प्रिषण जनरंरण बोडा के द्वारा

चालू कर दिर्ा िाएगा और जवस्टताररत उत्पािक उत्तरिशजर्त से संबंजधत सभी दक्र्ाकलाप ऑनलाइन रीजत से ही दकए िाएंगे।

(4) इन अनुसूची के अधीन प्ररुक् त तेल के पररवहन के जलए मालसूची प्रणाली, उन इकाइर् के जलए लागू

होगी जिनके जलए उक्त जनर्मावली के अधीन अजधप्रमाणन दकर्ा िाना अपेजक्षत है।

31. उत् पािक का उत्तरिशजर्त. - बेस ऑल र्ा ल् रुजिकेिन ऑल के उत् पािक जनम् नजलजखत के जलए उत्तरिर्ी ह गे -

(क) पोडाल पर रजिस्ट्रीकरण।

) जनर्म 27 के उप-जनर्म(2) के अनुसार जवस्ट ताररत उत् पािक उत् तरिशजर्त व के लर् को पूरा करना।

(ख) अपनी वेबसाइट र्ा जवज्ञापन र्ा प्रलेखन के माध् र्म से उपभोक् ता (ओं) को संपका जववरण िैसे पता, टोल-फ्री टेलीफोन नंबर र्ा हेल् पलाइन नंबर प्रिन करना जिससे प्रदक्र्ा को सुजवधािनक बनार्ा िा सके।

(घ) दकसी जवत् तीर् वषा से संबंजधत वार्षिक ररटना उस जवत् तीर् वषा की समाजि के पश्चात् 30 िून को र्ा

(ङ) उससे पहलेपोडाल पर उपलब्ध प्रारूप में फ़ाइल करना।

मीजडर्ा, प्रकािन , जवज्ञापन , पोस्ट टर र्ा संचार के दकसी अन् र् माध् र्म से िागरूकता सृजित

32. प्ररुक् त तेल के आर्ातक का उत् तरिशजर्त व - प्ररुक् त तेल के आर्ातक जनम् नजलखत के जलए उत् तरिर्ी ह गे-

(क) पोडाल पर रजिस्ट्रीकरण।

(ख) पोडाल के माध् र्म से जनर्म 27 के उप-जनर्म (2) के अनुसार जवस्ट ताररत उत् पाि क उत् तरिशजर्त व के लर् को पूरा

to do.

(c) दकसी जवत् तीर् वषा से संबंजधत वार्षिक ररटना उस जवत् तीर् वषा की समाजि के पश्चात् 30 िून को र्ा उससे पहले

पोडाल पर उपलब्ध प्रारूप में फ़ाइल करना।

33. संग्रह अजभकता का उत्तरिजर्त व. - सभी संग्रह अजभकताओं को -

(क) पोताल पर रजिस्ट्रीकरण करना है।

(ख) इन जनर्म के अनुसार उत्पत्तिक से प्ररुक् त तेल का संग्रह करके रजिस्ट्रीकृत पुनचाक्रणकता र्ा उत्पािक

को आपूर्त करना एवं पोताल पर िानकारी अपलोड करनी है।

(ग) दकसी जतमाही से संबंधित ररटना को उसके पश्चात् के महीने के अंत में र्ा उससे पहले पोताल पर जनधाररत

प्रारूप में फ़ाइल करना है।

(घ) दकसी जवत् तीर् वषा से संबंधित वार्षिक ररटना उस जवत् तीर् वषा की समाजि के पश्चात् 30 िून को र्ा उससे

पहले पोताल पर उपलब्ध प्रारूप में फ़ाइल करना है।

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34. पुनचाक्रणकता के उत्तरिजर्त व - प्ररुक् त तेल के सभी पुनचाक्रणकताओं को -

(क) पोताल पर रजिस्ट्रीकरण करना है;

(ख) ह सुजनजश्त करना है दक सुजवधाएं तथा पुनः चक्रीकरण प्रदकर्ाएं इन जनर्म के अनुसार हैं;

(ग) ह सुजनजश्त करना है दक प्ररुक् त तेल के भंडारण, पररवहन और पुनः चक्रीकरण के िौरान पर्ाावरण कोई हाजन न पहुंचे;

(घ) ह सुजनजश्त करना है दक पुनः चक्रीकरण की प्रदकर्ा के िौरान उत्पन् अवजिष्ट का उक्त जनर्मावली के अनुसार ही जनपटान दकर्ा िाता है;

(ङ) दकसी जतमाही से संबंधित ररटना को उसके पश्चात् के महीने के अंत में र्ा उससे पहले पोताल पर जवजहत प्रारूप में फ़ाइल करना है।

(च) दकसी जवत् तीर् वषा से संबंधित वार्षिक ररटना उस जवत् तीर् वषा की समाजि के बाि 30 िून को र्ा उससे पहले पोताल पर जवजहत प्रपत्र में ििा करना है।

35. थोक उत्पािक के उत्तरिजर्त व. - थोक उत्पािक-

(क) संग्रह अजभकता की सुजवधा के जलए अपने पररसर से प्ररुक् त तेल के संग्रहण और पररवहन हेतु संग्रह स्थल स्थाजपत करेंगे; और

(ख) ह सुजनजश्त करेंगे दक उनके द्वारा उत्पन्न प्ररुक् त तेल को केवल पंिीकृत पुनचाक्रणकताओं र्ा उत्पािक र्ा संग्रह अजभकता को ही सौपा िाए;

36. केन्ीर् प्रिषण जनर्त्रण बोडा के उत्तरिजर्त. -(1) केन्ीर् प्रिषण जनर्त्रण बोडा के जनम्रजलजखत उत्तरिजर्तव हे:-

(क) पोताल का संचालन और रखरखाव तथा जवस्ताररत उत्पािक उत्तरिजर्त के अनुपालन की जनगरानी; (ख) राष्ट्र प्रिषण जनर्त्रण बोडों के साथ समन्वर्;

(ग) समर्-समर् पर इस अध्रार् के अधीन पोताल पर रजिस्ट्रीकरण, जवस्ताररत उत्पािक उत्तरिजर्त प्रमाणपत्र के सृिन, िाजर्त के जनवाहन, ररटना हेतु तथा प्ररुक् त तेल के संग्रह, भंडारण, पररवहन, पुनः चक्रीकरण और इन जनर्म के सुगम कार्ाान्वर्न के जलए अत्र मुद् के संबंध में भी दिािजनिि एवं मानक संचालन प्रदकर्ाएं तैरार करना और िारी करना ;

(घ) इस अध्रार् के कार्ाान्वर्न के जलए पोताल पर आवश्क प्रारूप र्ा ररटना र्ा दिािजनिि तैरार करना और िारी करना;

(ङ) जवस्ताररत उत्पािक उत्तरिजर्त के अनुपालन का पता लगाने के जलए र्ािृजछछक िांच करना और इस प्रोिन जलए बोडा सीमा िुल्क र्ा राष्ट्र सरकार र्ा दकसी अत्र अजभकरण (अजभकरण) की मिि ले सकता है;

(च) प्ररुक् त तेल संबंधी डेटा का प्रलेखन, संकलन और इस पोताल पर अपलोड करना;

(छ) इस अध्रार् के उल्लंघन के जवरुद् कारावाई करना;

(ि) राष्ट्र प्रिषण जनर्त्रण बोडा और राष्ट्र सरकार के िहरी स्थानीर् जनकार् अजधकाररर् सजहत

- क्षमता जनमाण के जवकास के जलए प्रजिक्षण काराक्रम आर्ोजित करना;
 (झ) िागरूकता काराक्रम आर्ोजित करना;
 (ञ) सभी जहतधारक को कें्रीकृत जडजिटल प्रणाली से िोड़ना;
 (ट) वार्षिक ररपोटा तैरार करना और उसे कें्रीर सरकार को सौंपना; और
 (ठ) अत्र कोई कारा िो दक समर्-समर् पर कें्रीर सरकार के द्वारा इस अध्रार के अधीन सौंपा िाए।

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37. राज्र सरकार र्ा संघ राज्र-क्षेत्र र्ा नगर पाजलकाओं र्ा स्थानीर जनकार र्ा राज्र प्रिषण जनरंरण बोडा के उत्तरिजर्त्व - (1) राज्र और संघ राज्र-क्षेत्र के उद्योग जवभाग र्ा राज्र सरकार अथवा संघ राज्र-क्षेत्र द्वारा इस संबंध में र्थाजस्थजत अजधकृत कोई अत्र सरकारी अजभकरण, िैसा भी मामला हो -

- (क) पुनः िोधन और पुनः चक्रीकरण में सजम्मजलत श्रजमक की पहचान और रजिस्ट्रीकरण सुजनजश्चत करेंगे; (ख) प्ररुक् त तेल के पुनः चक्रीकरण में सजम्मजलत श्रजमक के जलए औद्योजगक कौिल जवकास दकराकलाप का संचालन करेंगे;
 (ग) प्ररुक् त तेल के पुनः चक्रीकरण में सजम्मजलत श्रजमक की सुरक्षा और स्ट्टास्ट्र सुजनजश्चत करने के जलए वार्षिक जनगरानी करेंगे

(2) नगरपाजलकाएं और स्थानीर जनकार अपने अजधकार क्षेत्र में प्ररुक् त तेल के संग्रह के जलए बड़ी संर्ा में संग्रह स्थल स्थाजपत करने के जलए उत्पािक और थोक उत्पािक र्ा संग्रह अजभकता को सहार्ता प्रिन करेंगे। इस प्रकार संग्रहीत दकए गए प्ररुक् त तेल को अजधकृत पुनचाक्रक को नीलाम दकरा िा सकता है र्ा बेचा िा सकता है।

- (3) राज्र प्रिषण जनरंरण बोडा र्ा संघ राज्र-क्षेत्र की प्रिषण जनरंरण सजमजतरां, -
 (i) कें्रीर प्रिषण जनरंरण बोडा के समन्वर से इस अध्रार का उजचत काराान्वर्न सुजनजश्चत करेंगी;
 (ii) संग्रह अजभकता द्वारा संग्रह कें् स्थाजपत करने में सुजवधा प्रिन करेंगी;
 (iii) कें्रीर प्रिषण जनरंरण बोडा द्वारा जनिजित दकए अनुसार, जवस्ताररत उत्पािक उत्तरिजर्त्व की जनगरानी और अनुपालन करेंगी;
 (iv) उत् पािक र्ा संग्रहकता अजभकरण र्ा पुनचाक्रणकताओं का औचक जनरीक्षण करेंगी;
 (v) इस अध्रार के अधीन कें्रीर सरकार द्वारा जनषिष्ट कोई अत्र कारा का जनष् पािन करेंगी।
38. भारतीर मानक ब्रूरो (बीआईएस) के उत्तरिजर्त्व - भारतीर मानक ब्रूरो पररसंकटमर् और अत्र अपजिष्ट (प्रबंधन और सीमापारीर संचलन) जद्वतीर संिोधन जनर्म, 2023 के आरंभ की तारीख से 9 महीने के भीतर ल्रूजिकेिन तेल के उत्पािक के जलए बेस ऑल्ल के रूप में इस्टतेमाल दकए िा सकने वाले पुनः िोजधत तेल हेतु आवश्क मानक िारी करेगा।

39. पर्ाावरणीर क्षजतपूर्ता. - (1)दि इस अध्रार में जनधाररत िाजर्त्व को पूरा नहीं दकरा िाता है र्ा जवस्ताररत उत्पािक उत्तरिजर्त्व प्रमाणपत्र का संव्यवहार र्ा उपर्ोग दकरा िाता है तो उत्पािक पर र्ा इस अध्रार केदकन्हीं उपबंध र्ा इसके अधीन िारी दकए गए दिािजनिि का उल्लंघन दकए िाने पर दकसी इकाई पर पर्ाावरणीरक्षजतपूर्ता अजधरोजपत करने और उसकी वसूली करने के जलए केन््रीर प्रिषण जनरंरण बोडा दिाि-जनिि तैरार करेगा। (2) जम्ा जवस्ताररत उत्पािक उत्तरिजर्त्व प्रमाणपत्र िारी करने और जम्ा िानकारी िेने के जलए पुनचाक्रणकताओं से भी पर्ाावरणीर क्षजतपूर्ता भी वसूली िाएगी।
 (3) र्ह दकसी अरजिस्ट्रीकृत उत्पािक, पुनचाक्रणकताओं और दकसी भी ऐसी संस्था से वसूली िाएगी िो इस अध्रार के उल्लंघन में सहार्ता करते हैं इसके जलए प्रेररत करते हैं।

- (4) (i) पर्ाावरणीर क्षजतपूर्ता का भुगतान इस अध्रार में जवजनषिष्ट जवस्ताररत उत्पािक उत्तरिजर्त्व से उत्पािक को मुक्त नहीं करेगा और दकसी जवजिष्ट वषा के जलए अपूणा जवस्ताररत उत्पािक उत्तरिजर्त्व को अगले वषा के जलए बढार िाएगा और इसी प्रकार इसे तीन वषा तक आगे बढार िाएगा;

- (ii) दि एक वषा के पश्चात् जवस्टाररत उत्पािक उत्तरिजर्त् व बाधर् ता की कमी को पूरा दकरा िता है, तो वसूली गई पर्ावरणीर् क्षजतपूर्ता का पचासी प्रजतित उत्पािक को वापस कर दिर्ा िाएगा;
- (iii) दि जवस्ट ताररत उत् पािक उत् तरिजर्त् व बाधर् ता की कमी को िो वर्षों के पश्चात् पूरा दकरा िता है,

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[PART II—SEC. 3(i)]

तो वसूली गई पर्ावरणीर् क्षजतपूर्ता का साठ प्रजतित उत्पािक को वापस कर दिर्ा िाएगा, दिजवस्ट ताररत उत् पािक उत् तरिजर्त् व बाधर् ता की कमी को तीन वर्षों के पश्चात् पूरा दकरा िता है, तो वसूली गई पर्ावरणीर् क्षजतपूर्ता का तीस प्रजतित उत्पािक को वापस कर दिर्ा िाएगा, इसके पश्चात् उत् पािक को कोई भी पर्ावरण क्षजतपूर्ता वापस नहीं की िाएगी।

(5) ऐसी जम्ा सूचना, जिसके पररणामस्ट वरूप पुनचाक्रणकता द्वारा वास्ट तजवक रूप से पुनचादकृत अपजिष् ट कीमात्रा से पाँच प्रजतित से अजधक जवस्ट ताररत उत् पािक उत् तरिजर्त् व प्रमाण-पत्र का सृि होता है, िेने केफलस्ट वरूप रजिस्ट्रीकरण रद्द हो िाएगा और पर्ावरणीर् क्षजतपूर्ता लगाई िाएगी, िो वापसी र्ोग्र नहीं होगी और इस अपराध को िोहराने पर इस अनुसूची का तीन बार र्ा उससे अजधक उल्लंघन करने के पररणामस्ट रूप पर्ावरण क्षजतपूर्ता प्रभार को लगाने के अलावा रजिस्ट्रीकरण भी स्टथार्ी रूप से रद्द कर दिर्ा िाएगा।

- (6) (i) पर्ावरण क्षजतपूर्ता के अधीन एकत्र की गई जनजध को केन्ीर् प्रूषण जनरंत्रण बोडा द्वारा एक अलग तीसरे व्यजक्त के खाते में रखा िाएगा। एकत्र की गई जनजध का उपर्ोग पर्ावरणीर् क्षजतपूर्ता वसूले गए गैर-एकजत्रत प्ररुक् त तेल के संग्रहण और पुनः चक्रीकरण अथवा अंजतम जनपटान और गैर-पुनचादकृत अथवा अनंजतम जनपटान नहीं दकए गए प्ररुक् त तेल के अंजतम जनपटान हेतु तथा सजमजत द्वारा जलए गए जनणार् के अनुसार अन् र् िीषों पर दकरा िाएगा।
- (ii) केन्ीर् सरकार के अनुमोि के साथ संचालन सजमजत द्वारा जनजध के उपर्ोग और िीषों के संबंध में जवजनश्चर् दकरा िाएगा।

40. अजभर्ोि. – कोई भी व्यजक्त, िो जवस्टाररत उत् पािक उत्तरिजर्त् व प्रमाण पत्र प्राि करने के जलए इस अध्रार् के अधीन अपेजक्षत जम्ा िानकारी प्रािन करता है, दकसी भी तरीके से झूठे र्ा िाली जवस्टाररत उत् पािक उत्तरिजर्त् व प्रमाणपत्र का उपर्ोग करता है र्ा ऐसे उपर्ोग का कारण बनता है, िानबूझकर इस अध्रार् के दकसी भी उपबंध का उल्लंघन करता है र्ा सत्रापन और लेखा परीक्षा कार्ावाही में सहर्ोग करने में जवफल रहता है, उस पर इस अजधजनर्म कीधारा 15 के अधीन अजभर्ोजित दकरा िाएगा। र् अजभर्ोि इस अध्रार् के जनर्म 39 के अधीन वसूली गई पर्ावरणीर् क्षजतपूर्ता के अजतररक् त होगा।

41. सत्रापन एवं लेखा परीक्षा – (1) केन्ीर् प्रूषण जनरंत्रण बोडा स्ट वर् अथवा दकसी नामोदद्ष्ट अजभकरण के माध् र् से जनरीक्षण तथा आवजधक लेखा परीक्षा, िैसादक उजचत समझा र्ा है, के माध् र् से उत् पािक , प्ररुक् त तेल के आर्ातक , थोक उत् पािक , एकत्रण अजभकरण और पुनचाक्रणकताओं द्वारा इस अध्रार् के अनुपालन का सत्रापन करेगा जिससे इस अध्रार् के जनर्म 39 के उपबंध के उल्लंघन के जवरूद् कारावाई की िा सके।

(2) केन्ीर् प्रूषण जनरंत्रण बोडा द्वारा सत्रापन और लेखा परीक्षा के िुल् क संबंधित रजिस्ट्रीकृत इकाई पर प्रभाररत दकिएंगे।

42. संचालन सजमजत. – (1) इस अध्रार् के अधीन जवस्ट तारर त उत् पािक उत् तरिजर्त् व के कार्ान् वर्न का अधीक्षण करने के जलए अध् र्क्ष, केन्ीर् प्रूषण जनरंत्रण बोडा की अध् र्क्षता में एक संचालन सजमजत होगी, जिसमें जनम् नजलजखत अत्र सिस्टर् र् हे, र्था:-

- (i) पर्ावरण, वन और िलवारु पररवतान मंत्रालर् का एक प्रजतजनजध; (ii) पेरोजलर् एवं प्राकृतक गैस मंत्रालर् का एक प्रजत जनजध;
- (iii) उत् पािक के अजधकतम िो प्रजतजनजध;

(iv) ऑटो मोबाइल जवजनमाण संघ के अजधकतम िो प्रजत जनजध.

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- (v) पुनचाक्रणकता संघ के अजधकतम िो प्रजतजनजध;
- (vi) राज् र् प्रिषण जनर्त्रण बोडा र्ा प्रिषण जनर्त्रण सजमजत का एक प्रजतजनजध िैसादक संचालन अध् क्ष द्वारा सहर्ोजित दकर्ा िाए;
- (vii)कैर्ीर् प्रिषण जनर्त्रण बोडा का सिस्ट र् सजचव; और
- (viii)कैर्ीर् प्रिषण जनर्त्रण बोडा के संबंजधत प्रभाग का अध् क्ष – सिस्ट र् संर्ोिक
- (2) संचालन सजमजत आवश् कता के अनुसार दकसी अन् र् सिस्ट र् को सहर्ोजित कर सकती है।
- (3) संचालन सजमजत इस अध्ार् के समग्र कार्ान् वर्न, जनगरानी और अधीक्षण के जलए उत् तरिर्ी होगी।
- (4) हँ इस संबंध में प्रा् त अभ्ावेिन पर समर्-समर् पर उठने वाले जववाि के संबंध में जवजनश्चर् भी करेगी उठाए
- गए दकसी ऐसे महत् वपूणा मुद्द को पर्ाावरण, वन और िलवारु पररवतान मंत्रालर् संिर्भात करेगी िो इस अध्ार् से संबंजधत ह ।
- (5) हँ संचालन सजमजत तकनीकी प्रगजत और अन् र् कारक को ध् र्ान में रखते हुए पुनचाक्रण के रीजतर् के ल् र्,
- अजधभार और अनुमेर्ता की समीक्षा और संिोधन करेगी और केन्र्ीर् सरकार को अपनी जसफ़ारिं िेगी।
- (6) संचालन सजमजत इस अध्ार् के उपबंध के उजचत कार्ान् वर्न के जलए उसके द्वारा आवश् क समझे िाने वाले सभी उपार् करेगी।
43. इस जनर्म के अत्र् उपबंध का अनुप्रर्ोग.- जनर्म के अधीन जनधाररत दकए गए अनुसार पररसंकटमर् और अपजिष्ट से संबंजधत प्रावधान इस अध्ार् के अधीन आने वाले प्रर्ुक्त तेल के उपर्ोग और प्रबंधन पर भी लागू ह गे।'

[फा. सं. 23/75/2021-एचएसएमडी]

नरेि पाल गंगवार, अपर सजचव

रट्पण : मूल जनर्म को भारत के रािपत्र, असाधारण, भाग II, खंड 3, उप खंड (i) में सा.का.जन. सं् र्ा 395(अ) तारीख

04 अप्रैल, 2016 को प्रकाजित दकर्ा गर्ा था और इसके पश्चात् सा.का.जन. सं् र्ा 670(अ) तारीख 06 िुलाई,

2016; सा.का.जन. सं् र्ा 177(अ) तारीख 28 फरवरी, 2017; सा.का.जन. सं् र्ा 544(अ) तारीख 11 िून,

2018; सा.का.जन. सं् र्ा 178(अ) तारीख 01 माचा, 2019; सा.का.जन. सं् र्ा 641(अ) तारीख 09 अक् तूबर,

2020; सा.का.जन. सं् र्ा 47(अ) तारीख 27 िनवरी, 2021; सा.का.जन. सं् र्ा 798(अ) तारीख 12 नवम् बर,

2021; सा.का.जन. सं् र्ा 593(अ) तारीख 21 िुलाई, 2022, सा.का.जन. सं् र्ा 900(अ) तारीख 23 दिसम् बर, 2022 और सा.का.जन. सं् र्ा 500(अ) तारीख 12 िुलाई, 2023 के द्वारा संिोजधत दकर्ा गर्ा था।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 18th September, 2023

G.S.R.677(E).—Whereas the draft notification containing the draft extended producer responsibility for Used Oil were published by the Government of India in the Ministry of Environment, Forest and Climate Change, *vide* notification number G.S.R. 338(E), dated the 2nd May, 2023 in the Gazette of India, Extraordinary Part II, Section 3, Sub-section (i) inviting objections and suggestions from all persons likely to be affected thereby, before the expiry of the period of sixty days from the date on which copies of the Gazette containing the said notification were made available to the public;

AND WHEREAS, the copies of the Gazette containing the said notification were made available to the public on the 2nd day of May, 2023;

AND WHEREAS, the objections and suggestions received from the public in respect of the said draft notification within the said period have been duly considered by the Central Government;

NOW, THEREFORE, in exercise of the powers conferred by sections 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following rules further to amend the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016, namely: -

1. (1) These rules may be called the Hazardous and Other Wastes (Management and Transboundary Movement) Second Amendment Rules, 2023.
(2) They shall come into force from the 1st day of April, 2024.
2. In the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 (hereinafter referred to as the said rules), after Chapter VI, the following Chapter shall be inserted, namely: -

‘Chapter VII

Extended Producer Responsibility for Used Oil

25. Définitions. – For the purposes of this Chapter, -

- (a) **“base oil”** means any oil used for production of finished lubrication oil;
- (b) **“bulk generator”** includes any entity like automobile industry or railways or defence establishments or a transport company or industrial units or power transmission company or hotels or restaurants and other such entity which is generating more than 100 metric tonnes of used oil per annum;
- (c) **“business”** means any activity of production or manufacturing or sale of base oil or lubrication oil, import of base oil, recycling used oil;
- (d) **“collection point”** means the facility where the authorised collection agent would collect and store used oil as per the standard operating procedure or guidelines issued by the Central Pollution Control Board for the purposes of this Chapter;
- (e) **“collection agent”** means any person or entity who collects used oil and supplies it to the recycler;
- (f) **“energy recovery”** means any process of utilizing used oil as a fuel, which is not suitable for recycling in accordance with these rules;
- (g) **“environmentally sound management of usedoil”** means taking all steps required to ensure that used oil is managed in a manner so as to protect health and environment against any adverse effects which may result during collection, transportation and recycling of used oil;
- (h) **“extended producer responsibility”** means responsibility of producer of base oil or lubrication oil or importer of used oil under this chapter for meeting recycling targets only through registered recyclers to ensure environmentally sound management of used oil;
- (i) **“guidelines”** means any document prepared and issued by the Central Pollution Control Board elaborating minimum requirements for achieving environmentally sound management of used oil including its handling, collection, transportation, storage and recycling;
- (j) **“portal”** means the online system developed by the Central Pollution Control Board for management and implementation of compliance of this Chapter;

(k)“**producer**” means any person or entity, irrespective of the selling technique used such as dealer, retailer, e-
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retailer, who, -

- (i)manufactures and offers to sell base oil or lubrication oil domestically under its own brand; or
- (ii)offers to sell lubrication oil domestically under its own brand, using the base oil manufactured by other manufacturers or suppliers; or
- (iii)offers to sell imported base oil or lubrication oil domestically;
- (l) “**recycling**” means any process of re-refining of used oil to produce base oil or lubrication oil or any process of energy recovery from used oil in an environmentally sound manner with facilities as elaborated in the standard operating procedure or guidelines issued by the Central Pollution Control Board for the purposes of this Chapter;
- (m)“**re-refining**” means any process of removing undesirable impurities from used oil and making base oil or lubrication oil as end product in accordance with the standard operating procedure or guidelines issued by the Central Pollution Control Board;
- (n)“**recycler**” means any person or entity engaged in the process of recycling of used oil;
- (o)“**recycling target**” means the quantity of used oil to be recycled as per the provisions of rule (2) of rule 27;
- (p)“**standard operating procedure**” means the document issued by the Central Pollution Control Board elaborating minimum requirement of equipment and processes;
- (q)“**used oil**” shall have the meaning assigned to it in clause (36) of rule 3 the said rules; and
- (r) “**used oil importers**” means any person or entity who imports used oil.

26. Registration. - (1)The following entities shall get them registered by the Central Pollution Control Board on the portal, namely:-

- (a)producers;
- (b) collection agents ;
- (c) recyclers;
- (d) used oil importers.

(2) In case any entity falls in more than one categories under sub- rule (1), then the said entity shall register themselves under each of those categories separately.

(3) No entity referred in sub-rule (1) shall carry out business without registration.

(4) The entities registered under sub-rule (1) shall not deal with any entity not registered under sub- rule (1).

(5) Where any registered entity furnishes false information or willfully conceals information for registration or return or report or information required to be provided or furnished under this Chapter or in case of any irregularity, the registration of such entity may be revoked by the Central Pollution Control Board for a period up to five-years after giving an opportunity to be heard and in addition, environmental compensation charges may also be levied as per rule 39.

(6) The Central Pollution Control Board may charge registration fees and annual maintenance charges from the entities seeking registration under this Chapter based on volume of used oil generated, recycled, or handled by them.

27. Modalities of extended producer responsibility and its target. – (1)The extended producer responsibility covers the following modes for managing the used oil in order of priority, namely: -

- (i) producing re-refined base oil or lubrication oil; and
- (ii) energy recovery.

(2) All producers and used oil importers shall fulfil their extended producer responsibility obligation specified in Table given below and in doing so they may take help of third party organisations, such as integrated used oil management systems, collection centres or dealers:

Provided that the extended producer responsibility shall lie entirely on the producer only.

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[PART II—SEC. 3(i)]

TABLE

PART - A

For producers of base oil or lubrication oil, the target prescribed in the following Table,

Sl. No.	Year.	Used oil Recycling Target.
(1)	(2)	(3)

(i)	Extended Producer Responsibility obligation of the Year 2024-2025 (the year in which this Chapter comes into force)	5% of the base oil or lubrication oil sold or imported in the Year 2022-2023.
(ii)	Extended Producer Responsibility obligation of the Year 2025-2026.	10% of the base oil or lubrication oil sold or imported in the year 2023-2024.
(iii)	Extended Producer Responsibility obligation of the Year 2026-2027.	20% of the base oil or lubrication oil sold or imported in the year 2024-2025.
(iv)	Extended Producer Responsibility obligation of the Year 2027-2028.	20% of the base oil or lubrication oil sold or imported in the year 2025-2026.
(v)	Extended Producer Responsibility obligation of the Year 2028-2029.	40% of the base oil or lubrication oil sold or imported in the year 2026-2027.
(vi)	Extended Producer Responsibility obligation of the Year 2029-2030.	40% of the base oil or lubrication oil sold or imported in the year 2027-2028.
(vii)	Extended Producer Responsibility obligation for the year 2030-2031 (Y) onwards shall be 50% of the base oil or lubrication oil sold or imported in the year (Y-2)	
(viii)	For units established after 1 st April, 2024, the extended producer responsibility obligation will start after two years from the end of the financial year in which the unit was established and will be as per the target prescribed above.	

PART - B

For used oil importers,-

- (i) the extended producer responsibility obligation for used oil importers in year (Y) shall be 100 per cent of the used oil imported in year (Y-1); and
- (ii) the import of used oil is permitted for the purpose of re-refining only.
- (3) The extended producer responsibility target of the producers shall be reduced by a factor laid down by the Central Pollution Control Board on account of operational loss of base oil.
- (4) (i) The producers may fulfil their extended producer responsibility through online purchase of extended producer responsibility certificates from registered recyclers only;
- (ii) the details provided by producers and registered recyclers shall be cross-checked through the portal;
- (iii) in case of any difference, the lower figure shall be considered towards fulfillment of the extended producer responsibility obligation of the producer; and
- (iv) the certificates shall be subject to audit by the Central Pollution Control Board or any other agencies authorised by them in this regard.

28. Extended producer responsibility certificate generation. – (1) The Central Pollution Control Board shall generate extended producer responsibility certificate through the portal in favour of a registered recycler, which shall be calculated as per the Table given here under –

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TABLE

S. No.	S. No. End Product of recycling.	Weightage allocated to the end product (W _P).
(1)	(2)	(3)
1.	Producing re-refined base oil or lubrication oil	1.0
2.	Co-processing/ utilisation/ energy recovery for used oil not suitable for recycling, maximum permissible percentage to be prescribed by the Central Pollution Control Board.	0.25

- (2) (i) For the purpose of the Table referred to in sub-rule(1),-
the quantity eligible for generation of extended producer responsibility certificate shall be calculated as per the following formula, namely: -

$$Q_{EPR} = Q_P \times C_F \times W_P;$$

**the Q_{EPR} is the quantity eligible for generation of the extended producer responsibility certificate, Q_p is the quantity of the end product and C_f is the conversion factor (quantity of inputs required for production of one unit of output) and W_p is the weightage for particular end product*

Example: If a recycler finally produces 100 Tonnes of re-refined oil, and conversion factor is 1.5 then, the eligible EPR certificate for that recycler in that year shall be as follows:

$$Q_{EPR} = 100 \times 1.5 \times 1 \text{ (weightage)} = 150.0 \text{ Tonnes};$$

- (ii) Conversion factor C_f for each end product shall be determined by the Central Pollution Control Board based on the technologies used by recyclers and quality of re-refined base oil produced;
 - (iii) The weightage W_p shall be reviewed by the Central Pollution Control Board from time to time in view of the technological advancements, availability of material and other factors;
 - (3) The validity of the extended producer responsibility certificate shall be two years from the end of the financial year in which it was generated and the expired certificate shall automatically extinguish after the period unless extinguished earlier as per these rules.
 - (4) Each extended producer responsibility certificate shall have a unique number containing year of generation, code of end product, recycler code and a unique code and shall be in the denominations of 100, 200, 500, 1000 and 10,000 kilograms or as may be laid down by the Central Pollution Control Board with the approval of the Steering Committee constituted under rule 42.
- 29. Transaction of extended producer responsibility certificate.** – (1) A producer may purchase extended producer responsibility certificates limited to its extended producer responsibility liability of current year (Year Y) plus any leftover liability of preceding years plus 10 per cent of the current year liability.
- (2) The extended producer responsibility obligation shall have to be fulfilled by the producers and used oil importers by proportionately purchasing extended producer responsibility certificates on a quarterly basis.
 - (3) As soon as the producer and used oil importer purchases the extended producer responsibility certificate, it will be automatically adjusted against its liability, priority in adjustment shall be given to earlier liability and the extended producer responsibility certificate so adjusted shall be automatically extinguished and cancelled.
 - (4) The availability, requirement and other details of the extended producer responsibility certificate for every producer or used oil importer or recycler shall be made available on the portal.
 - (5) All the transactions under this Chapter shall be recorded and submitted by the producers or used oil importers or recyclers on the portal.
 - (6) One or more trading platform for sale and purchase of extended producer responsibility certificates may be established through agency accredited by the Central Pollution Control Board in accordance with the guidelines issued by Central Pollution Control Board with the approval of the Central Government.

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- 30. Portal for registration, filing of annual returns, Extended Producer Responsibility certificate and tracing of materials.** – (1) The Central Pollution Control Board shall establish an online system for the registration and as for filing of quarterly and annual returns, extended producer responsibility certificate and tracing of oil produced or generated by any entity or person, which shall ensure a mechanism wherein the material balance of the lubrication oil introduced in the market by any producer in a financial year is reflected.
- (2) The portal shall act as the single point data repository with respect to management and implementation of extended producer responsibility for used oil.
 - (3) The online portal shall be functional by the Central Pollution Control Board within six months from the date of commencement of the Hazardous and Other Wastes (Management and Transboundary Movement) Second Amendment Rules, 2023 and all activities related to the implementation of the extended producer responsibility shall be done in online manner.
 - (4) The manifest system for transport of used oil shall be applicable to those entities under this Chapter who are required to take authorisation under the said rules.
- 31. Responsibility of producers.** - The producers of base oil or lubrication oil shall be responsible for, -
- (a) registration on the portal;
 - (b) fulfilling extended producer responsibility targets as per sub- rule (2) of rule 27;

- (c) provide the contact details such as address, email address, toll free telephone numbers or helpline numbers to consumers through their website or through advertisements or documentation so as to facilitate the process;
- (d) filing annual returns in the form provided on the portal on or before 30th June following the financial year to which that return relates;
- (e) creating awareness through media, publications, advertisements, posters, or by any other means of communication.

32. Responsibility of used oil importer. - The used oil importers shall be responsible for, -

- (a) registration on the portal;
- (b) fulfilling extended producer responsibility targets as per sub- rule (2) of rule 27 through the portal;
- (c) filing annual returns in the form provided on the portal on or before 30th June following the financial year to which that return relates.

33. Responsibility of collection agent. - All used oil collection agents shall have to, -

- (a) register on the portal;
- (b) collect used oil from the generators and supply to the registered recycler or producer in accordance with these rules and upload information on the portal;
- (c) filing quarterly returns in the laid down form on the portal on or before the end of the month succeeding the quarter to which the returns relate;
- (d) filing annual returns in the form provided on the portal on or before 30th June following the financial year to which that return relates.

34. Responsibilities of the recycler. - All used oil recycler shall have to, -

- (a) register on the portal;
- (b) ensure that the facility and recycling processes are in accordance with these rules;
- (c) ensure that no damage is caused to the environment during storage, transportation and recycling of used oil;
- (d) ensure that the residue generated during the recycling process is disposed of in accordance the said rules;
- (e) filing quarterly returns in the prescribed form on the portal on or before the end of the month succeeding the quarter to which the returns relate;

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- (f) filing annual returns in the prescribed form provided on the portal on or before 30th June following the financial year to which that return relates.

35. Responsibilities of the bulk generators. - Bulk generators shall,-

- (a) set up collection points to facilitate collection agents for collection and transportation of used oil from their premises; and
- (b) ensure that used oil generated by them be handed over only to the registered recyclers or producer or collection agents.

36. Responsibilities of the Central Pollution Control Board. - (1)The Central Pollution Control Board shall be

responsible for-

- (a) operation and maintenance of the portal and monitoring of extended producer responsibility compliance;
- (b) coordination with the State Pollution Control Boards;
- (c) prepare and issue Guidelines and Standard Operating Procedures for registration on the portal, extended producer responsibility certificate generation, fulfillment of obligation, returns, and for collection, storage, transportation, recycling and disposal of used oil under this Chapter and also on any other issue for smooth implementationof these rulesfrom time to time;
- (d) prepare and issue necessary forms or returns on portal for implementation of this Chapter;
- (e) conduct of random checks for ascertaining compliance of the extended producer responsibility and for

- that purpose the Board may take help of Customs or the State Government or any other agency;
- (f) documentation, compilation of data on used oil and uploading on the portal;
 - (g) taking action against violation of this Chapter;
 - (h) conducting training programmes to develop capacity building including the State Pollution Control Board and Urban Local Bodies officials of State Governments;
 - (i) conducting awareness programmes;
 - (j) integration of all stakeholders with the centralised digital system;
 - (k) prepare and submit an annual report to the Central Government; and
 - (l) any other function delegated by the Central Government under this Chapter from time to time.

37. Responsibilities of the State Governments or Union territories or Municipalities or local bodies or the State Pollution Control Board. - (1)The Department of Industry in the State and Union territory or any other Government agency authorised in this regard by the State Government or the Union territory Administration, as the case may be, shall –

- (a) ensure earmarking or allocation of industrial space or shed for collection of used oil and for re-refining units in the existing and upcoming industrial parks, estates and industrial clusters;
 - (b) ensure recognition and registration of workers involved in re-refining and recycling;
 - (c) undertake industrial skill development activities for the workers involved in re-cycling of used oil; and
 - (d) undertake annual monitoring and to ensure safety and health of workers involved in recycling of used oil.
- (1) Municipalities and Local Bodies shall facilitate producers and bulk generators or collection agents to set up large number of collection points for collection of used oils in their jurisdictional areas and the used oils so collected can be auctioned or sold to the authorised recyclers.
- (2) The State Pollution Control Boards or Pollution Control Committees of Union territories, shall, -
- (i) ensure proper implementation of this Chapter in coordination with the Central Pollution Control Board;
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- (ii) facilitate setting up of collection points by the collection agents;
 - (iii) monitor the compliance of extended producer responsibility as directed by the Central Pollution Control Board;
 - (iv) conduct random inspection of producers or collection agents or recycler or used oil importers; and
 - (v) perform any other function as directed by the Central Government under this Chapter.

38. Responsibilities of the Bureau of Indian Standards, - The Bureau of Indian Standards shall issue necessary standards for re-refined oil, which could be used as base oil for producers of lubrication oil within nine months from the date of commencement of the Hazardous and Other Wastes (Management and Transboundary Movement) Second Amendment Rules, 2023.

39. Environmental Compensation. - (1)The Central Pollution Control Board shall lay down guidelines for imposition and collection of environmental compensation on the producers in case of non-fulfilment of obligations set out in this Chapter and transaction or use of false extended producer responsibility certificates or on any entity on violation of any provisions of this Chapter and guidelines issued hereunder.

- (2) The environmental compensation shall also be levied on the recyclers for issue of false extended producer responsibility certificates and providing false information.
- (3) It shall also be levied on unregistered producers, recyclers and any entity, which aids or abets the violation of this Chapter.
- (4) (i) payment of environmental compensation shall not absolve the producer from the extended producer responsibility as specified in this Chapter and the unfulfilled extended producer responsibility for a particular year shall be carried forward to the next year and so on and up to three years;
- (ii) in case, the shortfall of extended producer responsibility obligation is addressed after one year, eighty- five per cent. of the environmental compensation levied shall be returned to the producer; and

- (iii) in case, the shortfall of extended producer responsibility obligation is addressed after two year, sixty per cent. of the environmental compensation levied shall be returned to the producer, and in case, the shortfall of extended producer responsibility obligation is addressed after three year, thirty per cent. of the environmental compensation levied shall be returned to the producer, thereafter no environmental compensation will be returned to the producer.
- (5) False information resulting in over generation of extended producer responsibility certificates by recycler above five per cent. of the actual recycled waste shall result in revocation of registration and imposition of environmental compensation which shall not be returnable and subsequent offence, violation of this Chapter for three times or more shall also result in permanent revocation of registration over and above the environmental compensation charges.
- (6) (i) the funds collected under environmental compensation shall be kept in a separate escrow account by the Central Pollution Control Board and the funds collected shall be utilised in collection and recycling or end of life disposal of uncollected and non-recycled or non-end of life disposal of used oil on which the environmental compensation is levied, and on other heads as decided by the committee; and
- (ii) modalities and head for utilisation of the funds shall be decided by the Steering Committee with the approval of the Central Government.
- 40. Prosecution.** - Any person, who provides incorrect information required under this Chapter for obtaining extended producer responsibility certificates, uses or causes to be used false or forged extended producer responsibility certificates in any manner, wilfully violates any provision of this Chapter or fails to cooperate in the verification and audit proceedings, shall be prosecuted under section 15 of the Act. This prosecution shall be in addition to the environmental compensation levied under rule 39 of this Chapter.
- 41. Verification and audit.** - (1) The Central Pollution Control Board by itself or through a designated agency shall verify compliance of this Chapter by the producers, used oil importer, bulk generators, collection agents and recyclers through inspection and periodic audit, as deemed appropriate and take actions against violations under rule 39 of this Chapter.

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- (2) Any fee for the verification and audit shall be charged by the Central Pollution Control Board from the concerned registered entity.
- 42. Steering Committee.** - (1) There shall be a Steering Committee headed by the Chairperson, Central Pollution Control Board to oversee the implementation of extended producer responsibility under this Chapter, which shall consist of following other members, namely:-
- (i) one representative of the Ministry of Environment, Forest and Climate Change;
 - (ii) one representative of the Ministry of Petroleum and Natural Gas;
 - (iii) a maximum of two representative of producers;
 - (iv) a maximum of two representative of Automobile Manufacturer Associations.
 - (v) a maximum of two representative of recycler associations;
 - (vi) one representative of the State Pollution Control Board or Pollution Control Committee as co-opted by the Chairman of the Steering Committee;
 - (vii) Member Secretary of the Central Pollution Control Board; and
 - (viii) Head of the Division concerned of the Central Pollution Control Board as Member Convener.
- (2) The Steering Committee may co-opt any other member if it considers necessary.
- (3) The Steering Committee shall be responsible for overall monitoring and supervision of implementation of this Chapter.
- (4) It shall also decide upon the disputes arising from time to time on the representations received in this regard, and shall refer to the Central Government any substantial issue arising or pertaining to this Chapter.
- (5) The Steering Committee shall review and revise the targets, weightage and permissibility of modes of recycling in view of the technological advancements and other factors and make recommendations to the Central Government.
- (6) The Steering Committee shall take all such measures, as it deems necessary for proper implementation of the provisions of this Chapter.
- 43. Application of other provisions of these rules.** - The provisions relating to hazardous wastes under these rules shall also apply to utilisation and management of used oil under this Chapter.’.

[F. No. 23/75/2021-HSMD]

NARESH PAL GANGWAR, Addl. Secy.

Note : The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R. 395(E), dated the 4th April, 2016 and subsequently amended *vide* number G.S.R. 670(E), dated the 6th July, 2016; number G.S.R. 177(E), dated the 28th February, 2017; number G.S.R. 544(E), dated the 11th June, 2018; number G.S.R. 178(E), dated the 1st March, 2019; number G.S.R. 641(E), dated the 9th October, 2020; number G.S.R. 47(E), dated the 27th January, 2021; number G.S.R. 798(E), dated the 12th November, 2021; number G.S.R. 593(E), dated the 21st July, 2022; number G.S.R. 900(E) dated the 23rd December, 2022 and number G.S.R. 500(E) dated the 12th July, 2023.

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