JMC Japan Machinery Center for Trade and Investment

12th July, 2022

Ministry of Environment, Forest and Climate Change (MoEF & CC),
Government of India

Our Comments on Notification regarding E-Waste(Management) Draft Rules dated 19th May, 2022

Dear Sirs,

The Japan Machinery Center for Trade and Investment ("**JMC**") is a non-profit organization. It was established in December 1952 in accordance with the Japanese Export and Import Trade Law under the authorization of the Minister of Economy, Trade and Industry of Japan. The objective of the JMC is to engage in activities that enhance the common benefit of member companies and promote the sound development of international trade and investment by the machinery industry. JMC comprises member companies engaged in machinery and systems-related exports and foreign investments such as machinery manufacturers, trading houses and engineering companies. At present, the total number of JMC member companies is about 240.

Our committee handles environmental and product safety issues regarding products for trade and is strongly concerned with overseas environment- and product safety-related regulations on products. From this standpoint, we would like to comment on Notification regarding E-Waste(Management) Draft Rules dated 19th May, 2022.

If you have any questions, please feel free to contact our secretariat (Mr. Chiaki Morikawa, E-mail: morikawa@jmcti.or.jp)).

Sincerely yours,

Chairman
Environment Law Committee

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We very much appreciate your (MoEFCC) contribution by means of rules in 2016, the amendments in 2018, and the draft rules on this occasion.
However, we believe that there are a number of issues that need to be resolved in the recycling schemes related to these rules.
Therefore, we would be grateful if you could review the following comments on the Notification regarding the draft E-Waste (Management) Rule dated 19th May, 2022.

1. Regarding Responsibilities and Targets of E-waste collection/recycling (Chapter III in general, SCHEDULE III)

The India E-waste Management Rules have made all E-waste collection and recycling obligations mandatory for producers since 2016. As a result, we have heard that the collection rate is nowhere near reaching the Recycling Target of the rules.

The HINDU Business Line (12TH May 2022)
https://www.thehindubusinessline.com/data-stories/data-focus/around-78-of-indias-e-waste-is-not-being-collected-or-disposed-by-the-government/article65406820.ece

Looking back on the recycling systems of various countries, including the EU WEEE system, we feel confident that the collection and recycling of end-of-life products requires an integrated approach from producers, distributors/retailers, recyclers and even consumers. Therefore, in order to make it possible to operate collection and recycling at a higher rate, it is essential to reflect on the various recycling systems implemented by countries earlier that have not functioned well and build a mechanism to realise unified efforts by the public and private sectors, so we would like you to give this consideration.

Therefore, the recycling rate target of 60% specified in the first year of the proposed revisions to the India E-Waste Management Rules is not feasible at the present stage, and we would like you to re-set it to a workable target based on the results acquired thus far.

2. Regarding categories of EEE covered under the rules (SCHEDULE I)

The expansion of the categories of EEE covered under the rules is premature, and the targets of the current rules should be achieved before that. Producers, distributors/retailers, recyclers and consumers should work together and make efforts to ensure that the collection rate under the existing rules reaches the target through concrete measures such as consumer awareness campaigns and the expansion of certified recyclers.

3. Regarding product recyclability and component/part compatibility (Rule 21 (9), (10))

With regard to point 21(9) and (10), producers have already started to work on certain areas of the recyclability of products and the compatibility of component(s)/part(s) in order to comply with the various demands in the EU and other countries, but some specific requirements and technical standards are still under discussion in those countries. Therefore, technical standards for design especially should not be set, but be left to the initiatives of producers.

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