



B-29016/1 (E-Waste)16/ HWMD

19731

November 22, 2016

To

The District Magistrate
Camp office, Civil Lines
Bijnor - Moradabad Road,
Moradabad,
Uttar Pradesh - 244001

Directions under Section 5 of the Environment (Protection) Act, 1986 in case of illegal processing of e-waste in Moradabad District

WHEREAS, the Central Government has notified the Hazardous and other Wastes (Management and Transboundary Movement) Rules, 2016 under the Environment (Protection) Act, 1986, for proper management and handling of Hazardous wastes; and

WHEREAS, the Central Government has notified the E-Waste (Management) Rules, 2016, under the Environment (Protection) Act, 1986, for proper management of e-waste; and

WHEREAS, the Central Government vide Notifications No. S.O. 157(E) of February 27, 1996 and S.O. 730 (E) dated July 10, 2002, has delegated the powers under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, Central Pollution Control Board (herein after referred to as CPCB), to issue directions to any industry or any local or any other authority for the violation of the standards and rules, notified under the Environment (Protection) Act, 1986 and amendments thereof; and

WHEREAS, as per Rule 4(2), of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 the occupier shall be responsible for safe and environmentally sound management of hazardous and other wastes and as per the rule 4(6) (a) the occupier shall take all the steps while managing hazardous and other wastes to contain contamination and prevent accidents and limit their consequences on human beings and the environment; and

WHEREAS, as per Rule (10) & (11) of E-Waste (Management) Rules, 2016 and as per Rule (6) of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 dismantler/recycler of e-waste has to obtain authorization from the concerned State Pollution Control Boards for dismantling and recycling of e-waste and generation of hazardous and other wastes; and

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WHEREAS, the State Pollution Control Boards and Pollution Control Committees (SPCBs/PCCs) are empowered to stipulate standards for discharge of environmental pollutants for various categories of industries including grant of authorization to e-waste dismantling/recycling units and hazardous waste recycling units, under the Environmental (Protection) Act, 1986 and rules framed there under; and

WHEREAS, CPCB had issued Directions under section 5 of Environment (Protection) Act, 1986 vide letter No. B- 29016/1 (E- Waste) 16/HWMD dated 26.04.2016 for immediate closure of all illegal e-waste recycling activities in the residential areas such as Daswa Ghat, Barbalan, Karaula, Nagfani and Nawabpura; and

WHEREAS, a joint team of CPCB and Uttar Pradesh Pollution Control Board (UPPCB) official visited Daswa Ghat and Barbalan for verification of action to be taken by the Moradabad Administration for the compliance of Directions on 02.06.2016 and observed that no action had been initiated for closure of illegal E-waste recycling activities in these areas as a result these activities are still continuing; and

WHEREAS, CPCB vide its letter dated 24.06.2016 forwarded the observation of the visit to the District Magistrate, Moradabad and requested for submission of the action taken report by 4th July, 2016; and

WHEREAS, CPCB sent a reminder letter on 04.08.2016 to District Magistrate, Moradabad to forward Action taken Report by 09.08.2016; and

WHEREAS, Action Taken Report (ATR) along with the photograph and video recording was submitted by District Magistrate, Moradabad vide his letter No. 1904/ E-8/CPCB/ General dated 07.08.2016 which was received on 10.08.2016 after three and the half months of issuance of CPCB's Directions; and

WHEREAS, as per ATR following actions have been taken:

- i) Section 144 of CrPC was issued on 08-07-2016 for prohibition of entry of any vehicle carrying e-waste into Moradabad and storage of e-waste without permission of Regional Officer, Moradabad, UPPCB
- ii) Instructions were given on 06-08-2016 to Superintendent of Police (Traffic), Joint Commissioner, Sales Tax and Regional Transport Officer for preventing entry of vehicles carrying e-waste material into Moradabad from all entry points and some vehicles carrying e-waste have been seized
- iii) Office order for carrying out inventory of illegal e-waste recycling units in Moradabad was issued on 06-08-2016
- iv) Drive for closure of illegal e-waste recycling unit was carried out in part of Karula and Nagfani area. Thirteen illegal units in Karula and one illegal unit in Nagfani area were closed on 06-08-2016

WHEREAS, in the ATR no proof for seizure of vehicles has been given; and

WHEREAS, after evaluating ATR at CPCB, it was observed that actions were taken only in part of Karula and Nagfani area; and

WHEREAS, no action has been initiated to close illegal e-waste recycling units located on the banks of river Ramganga near Daswa Ghat, Barbalan and in Nawabpura; and

WHEREAS, the District Magistrate has requested for an additional time of three months to comply with the directions; and

Now, THEREFORE, in exercise of the powers vested under the Section 5 of the Environment (Protection) Act, 1986, directions are hereby issued to you with last/final opportunity to ensure immediate closure of all illegal and unauthorized recycling units operating on the banks of river Ramganga near Daswa Ghat, Barbalan and in Nawabpura, Karula and Nagfani areas before 30.11.2016

The action taken report (ATR) shall be submitted to the Central Pollution Control Board by 05.12.2016. Failing to comply with these directions, shall attract appropriate action under the Law


(S. P. Singh Parihar)
Chairman

1. The Joint Secretary
HSM Division, 2nd Floor, Agni Wing
Indira Paryavaran Bhawan
Ministry of Environment, Forest and Climate Change
Jor Bagh Road, Aliganj, New Delhi -03

For Information please

2. The Chairman
Uttar Pradesh Pollution Control Board
Building No.TC-12V, Vibhuti Khand
Gomati Nagar, Lucknow- 226020

For follow up and providing
assistance to
the District Administration

3. In charge,
Central Pollution Control Board, Zonal Officer (North),
Ground Floor, PICUP Bhawan
Vibhuti Khand, Gomti Nagar, Lucknow – 226020

For follow up please

4. Incharge, I.T. Division, CPCB, Delhi

For uploading on the web site
of CPCB


(A.B. Akolkar)
Member Secretary