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September 15, 2023

Shri Bharat Kumar Sharma  
Member Secretary  
CPCB

**Subject: MAIT Concerns reg. Interim Portal on E-Waste under EWMR 2022**

Respected Sir,

***Greetings from MAIT!***

At the outset, we thank you for the demo session conducted on the interim arrangement under EWMR 2022. The session conducted was comprehensive and covered all the sections of the portal. However, MAIT has a few observations for your kind consideration and we would request you to take the necessary actions to incorporate our feedback:

1. The industry wants to make sure that CPCB keeps enough checks and balances on the interim portal to ensure the producers who have diligently put efforts to meet the EPR compliance obligations and do not suffer the risk of non-compliance due to any kind of processes miss or malpractices of third-party stakeholders (like recyclers) so that in case of a default from any stakeholder, the counterpart should not suffer from the consequences of the same.
2. It has been observed that during the initial stakeholder consultations, it was informed to the industry that the regulator will make sure of the authenticity of authorized recyclers and the EPR certificates uploaded on the CPCB online portal. However, in the recent meetings, there is a variation in the stance by CPCB that producers have to ensure the authenticity of EPR certificates uploaded on the CPCB portal during an interim period. The industry is of the view that even during an interim arrangement the authenticity of the EPR credits shall be taken care of by CPCB.
3. Industry would also like to understand the need for the interim arrangement at this juncture if the final version is going to be launched in mid of Oct'23.
4. As communicated by CPCB in its Stakeholder meeting held on September 12, 2023, industry wishes to reconfirm that CPCB would take care of the entire data migration from the interim portal to the final version.
5. The industry would also like to understand the final face of the EPR certificate as to how the specimen copy of the EPR certificate will look like. As per the internal auditing process, the Purchase Order (PO) placed by a producer to Recycler/PRO should match the EPR certificate, or else any mismatch between the PO and the EPR certificate will lead to serious audit issues at a later date. Hence, the industry needs clarity on whether the PO should be released against the weight of the E-Waste category-wise along with mentioning the conversion factor, or should it be released as per the conversion factor only, as the recycling will take place according to the key elements.

6. If a recycler engages in the recycling process and generates EPR credits on the interim portal and later during the auditing process the recycler fails to get the registration from CPCB, it will be a huge loss for all the stakeholders involved. Therefore, producers request that the transfer of online certificates should start only after the CPCB-validated EPR certificates are available on the portal.
7. The recycling industry would like to request that the input for the recycling should also be considered while generating the EPR certificates to furnish proof to the producers.
8. This is to apprise CPCB that gold extraction is an extremely cost-intensive process that can be carried out twice per year. It cannot be processed batch/lot-wise. Hence, the credits for the same will be generated in the later part of the year. We request CPCB to allow reconciliation for the overall recycling and EPR obligation towards the end of Financial Year. In the above scenario, the implementation guidelines from CPCB should provide a provision for yearly EPR obligation fulfilment w,r,t. gold extraction.

We also request CPCB to kindly exempt gold extraction liability for the first two quarters, as there is very limited infrastructure for gold extraction. CPCB has informed the industry that there are only 11 recyclers with such facilities and that too have not started the extraction process yet.

9. Industry requests CPCB to kindly release SOPs for inland recovery of gold and SOPs for gold recovery on foreign land as well.
10. The industry also requests if there aren't enough EPR credits generated as per the agreed cost by the recyclers then the targets should be revised.
11. Industry requests CPCB should allow the real-time data for key materials extracted shall be captured on the EPR portal by recyclers while transferring EPR credits based on the conversion factors.
12. CPCB should release an SOP for producers to verify credits transferred by recyclers.
13. The industry also requests to release of the final framework/SOP of the EPR credit system and conversion factors considered in the generation of EPR certificates.
14. Technical glitches are found in the interim portal, as a few recyclers are not able to find the list of item codes to choose from while entering Procurement Details. Again, we have noticed that a few recyclers are not able to input precious metal volumes in the Production details section, as the corresponding tab is not visible. Hence, the recyclers are not able to generate EPR certificates.

We request to clarify all the above-stated concerns at the earliest for the smooth processing of the EPR regime. We request CPCB to share the final draft with the industry and the timeline for compliance to be defined as well.

We are sanguine that our request will be taken care of by your good office in a positive manner.

Warm regards,



Col Suhail Zaidi (Retd)  
Director General

CC: Shri Ved Prakash Mishra, IRS, Director, MoEF&CC  
CC: Shri Anand Kumar, Director, CPCB  
CC: Shri Tarun Darbari, Scientist 'E', CPCB