

Decisions of Ministry of Environment, Forest & Climate Change with respect to import and export of hazardous waste under the Hazardous and other Waste (Management, Handling & Trans-boundary Movement) Rules, 2016 as approved by the Competent Authority on the basis of Decision of the 68th meeting of Expert Committee held on 26th -27th April 2016 for appraisal of such applications

AGENDA ITEM 2.1: IMPORT OF ELECTRICAL AND ELECTRONIC ASSEMBLIES (EEAs), ETC.

2.1.1 M/s Samsung India Electronics Pvt. Ltd., Noida (F. No. 23-86/2011-HSMD):

Decision: The application pertains to 15 nos. of four different types of production and testing machine. All these machines are integral to the applicant's mobile phone production line as per the appraiser in Korea, the residual life of these machines is between 7-15 years and YOM of all these machines is 2014. The applicant has given a written undertaking that they will be re-exporting these machines within 5 years. The Ministry therefore recommended the import.

2.1.2 M/s Philips India Ltd., Gurgaon (F. No. 23-207/2014-HSMD):

Decision: The Committee noted that the two medical equipment (CTs) proposed to be imported happen to be of 2007 and 2015 make. While the residual life of 2015 refurbished equipment is 15 years whereas of the 2007 equipment the residual life as per the CEC is only 10 years despite refurbishment by the OEM. The Committee therefore did not recommend the import of 2007 make being too old and of older technology and recommended the import of only 2015 make

equipment which is also refurbished at the Original Equipment Manufacturer.

2.1.3 M/s Molex (India) Pvt. Ltd., Bangalore (F. No. 23-65/2016-HSMD):

Decision: The proposed four nos. of used EE (multi channel back reflection meter and polishing machines) are of 2000 and 2006 make. Considering their older vintage, the Ministry did not recommend the import.

2.1.4 M/s Maxlinear Technologies Pvt. Ltd., Bangalore (F. No. 23-70/2014-HSMD):

Decision: In view of HW Rules, 2016 and based on the fact that the application pertains to import of 21 nos. of used equipment for R&D purpose which as per the application would be re-exported within a period of two years. The Committee therefore recommended that the applicant should withdraw the application on the grounds that the matter relates to Schedule III D wherein such applications do not require the permission of this Ministry.

2.1.5 M/s Oracle India Pvt. Ltd., New Delhi (F. No. 23-27/2013-HSMD):

Decision: The Committee noted that the CEC pertaining to functionality was merely a sample and that too from Chennai, whereas the refurbished spare parts are proposed to be imported from Singapore. In the absence of a documentary evidence of the functionality of these spare parts, the Committee deferred the matter. The Committee also noted that the applicant hasn't yet even identified the refurbished spare parts physically which will be imported. The Committee advised the applicant to reapply based on the nos. of spare parts identified and evidence of their functionality if is available from the exporting country and ensure presence for technical presentation.

2.1.6 M/s Qualcomm India Pvt. Ltd., Bangalore (F. No. 23-40/2016-HSMD):

Decision: The Ministry recommended the import of 152 no. of refurbished electronic goods for testing and development purpose subject to the declaration from the applicant that the aforesaid goods would be re-exported back within a period of three years.

2.1.7 M/s VXL Instruments Limited, Bangalore(F. No. 23-202/2015-HSMD):

Decision: The applicant during discussion pointed out that about 32 nos. of used electrical equipment after repair will be re-exported back within a period of less than one year. The Committee on the basis of new HW Rules, 2016 advised the applicant that no permission from this Ministry in this regard is required.

2.1.8 M/s TRS-Ren Telco India Pvt. Ltd., Bangalore (F. No. 23-153/2015-HSMD):

Decision: Since their remained an ambiguity with respect to re-export time period in the matter, the Committee deferred the case till it is clarified. However, it was also observed that if the applicant is re-exporting within one year; he may import without Ministry's permission as per the provision of the new Hazardous and other Wastes (Management, Handling and Trans-boundary Movement), 2016 (Schedule III D, Schedule VIII).

2.1.9 M/s Harman Connected Services Corporation India Pvt. Ltd., Gurgaon (F. No. 23-44/2016-HSMD):

Decision: There are two applications:

(i) The Committee noted that the proposed import is for testing analysis and validation purpose and the applicant has submitted an undertaking for re-exporting the EEAs within 60 months and as per the new rule this falls in

Schedule III D and therefore can be imported without Ministry's permission. Accordingly, the applicant was informed during the meeting who agreed to withdraw the application pertaining to import of 296 nos. of used EEEs.

(ii) The Committee noted that the used EEE (one no. of used laptop) has already been imported without Ministry's permission. The applicant was informed about the provision within the new Hazardous and other waste (Management, Handling and Trans-boundary Movement), Rules, 2016, with respect to which "in case of illegal import of the hazardous or other waste, the importer shall re-export the waste in question at his cost within a period of ninety days from the date of its arrival into India and its implementation will be ensured by the concerned Port and the Custom authority", the applicant informed that the process of re-export as per the HW Rules prevailing then has already been initiated.

2.1.10 M/s Korde Chemicals Pvt. Ltd., Navi Mumbai (F. No. 23-7/2016-HSMD):

Decision: The Committee noted that the applicant intends to import 200 MT/month of e-waste of IP equipment (switches, device and components) for dismantling into India and for re-export of PCBs and other components only. It appears therefore that material like plastics, metals, glass etc. may not get exported in order to get clarity especially on the coverage of Schedule VI of HW Rules, 2016. The Committee recommended that the applicant may be called for presentation and technical discussion.

2.1.11 M/s Applied Materials India Pvt. Ltd., Bangalore (F. No. 23-116/2014-HSMD):

Decision: The applicant informed that the R&D project with 810 nos. of parts of wafer manufacturing equipment shall continue for

another two years and all the aforesaid parts are functional. The Committee therefore recommended the extension of two years period from the date of issuance of permission from this Ministry.

**2.1.12 M/s Alcatel-Lucent India Ltd.,
Bangalore (F. No. 23-68/2011-HSMD):**

Decision: There are three applications:

- i. The first application pertains to extension of the validity of this Ministry's OM dated 4th March 2013 concerning import of 6 nos. of telecom equipment for software development and testing and the validity of which has expired on 4th March 2016. Considering the argument of the applicant regarding undue delay of 20 months in deployment of these equipment, the Ministry recommended the extension of the validity by another 24 months.
- ii. The second application pertains to extension of the validity of this Ministry's OM dated 5th March 2013 concerning import of 55 nos. of telecom equipment for software development and testing and the validity of which has expired on 5th March 2016. Considering the argument of the applicant regarding undue delay of 20 months in deployment of these equipment. The Ministry recommended the extension of the validity by another 24 months.
- iii. With regard to the third application, considering hazardous waste Rules, 2016, the applicant requested for withdrawal of

the application and the Ministry recommended the acceptance.

2.1.13 M/s Robert Bosch Engineering and Business Solutions, Bangalore (F. No. 23-84/2014-HSMD):

Decision: In view of HW Rules, 2016 and based on the fact that the application pertains to import of 1 no. of used EEA (test bench) for testing purpose which as per the application would be re-exported within a period of three years. The Committee therefore recommended that the applicant should withdraw the application on the grounds that the matter relates to Schedule III D wherein such applications do not require the permission of this Ministry.

2.1.14 M/s Abbott Medical Optics Pvt. Ltd., Gurgaon (F. No. 23-54/2012-HSMD):

Decision: The Ministry recommended the import of 190 nos. of Refurbished parts for the medical equipment based on the undertaking given by the applicant that all the defective equivalent no. of parts shall be exported within a period of one year.

2.1.15 M/s Access Devices, Bangalore (F. No. 23-59/2016-HSMD):

Decision: The application pertains to import of one no. of refurbished medical equipment (SULIS PMTA GENERATOR PG) from Netherlands for reuse purpose as a replacement for Tata Memorial Hospital Mumbai because the principals in Netherlands stated that a similar model of the equipment was imported by Tata Memorial in 2015 which has now become non-functional and due to high technology involved cannot be repaired and needs to be replaced. In order to clarify whether the earlier equipment was

exported for repair or not and also to seek clarification regarding refurbishment and repair of the replacement, the Committee therefore recommended calling the applicant for presentation and technical discussion.

2.1.16 M/s Span Healthcare Pvt. Ltd., New Delhi (F. No. 23-229/2012-HSMD):

Decision: The Committee deferred the matter for the want of a valid CEC indicating year of manufacture, serial no and residual life along with the functionality.

2.1.17 M/s Nokia Solutions & Networks India Pvt. Ltd., Gurgaon:

Decision: The Committee recommended calling the applicant for technical discussion specially as to why the faulty spares/ parts should be exported in three years time and why not earlier e.g. 1 year.

2.1.18 M/s Greenscape Eco management Pvt. Ltd(F.no. 23-3/2016):

Decision: In view of the HW Rules, 2016 wherein some of the EEAs have been placed in Schedule VI prohibiting their import and the fact that the applicant is also a registered dismantler/repair-refurbisher on the basis of 100 % EOU, the Committee recommended the site visit essentially to ascertain the kind of EEEs proposed to be imported for which this Ministry has granted the permission vide O.M. dated 4th April 2016 so as to avoid any conflicting situation between Schedule IIIB/III D and Schedule VI in respect of the entries therein concerning used EEEs versus what is allowed by this Ministry vide OM of 4th April 2016.

2.1.19 M/s Hollister Medical India Pvt. Ltd. Pvt. Ltd (F.no. 23-231/2012-HSMD):

Decision: The Committee noted that the item proposed to be imported is of aluminium having a tubular electric heater. Considering the nature of these items the Committee is of the view that such items fall under the purview of this Ministry's OM 23-89/2015-HSMD dated 1st June 2015 and as such no permission of this Ministry is required.

2.1.20 M/s Federal Express Transportation, Mumbai (F.No. 23-191/2015-HSMD):

Decision: The Committee considered the case of import of 17 nos. of handheld mobile computers-barcode scanning equipment. In view of the fact that all these 17 items would be re-exported within a period of 1 year, therefore the Ministry recommended the import.

AGENDA ITEM NO. 2.2.: IMPORT OF BATTERY/LEAD SCRAP/TITANIUM SCRAP, ETC.

2.2.1 M/s Sivam Metal, West Bengal (F. No. 23-32/2016-HSMD):

Decision: Prima facie the Committee noted that the applicant's unit has the requisite air pollution control systems, however from their photographs the unit appeared to be based on primitive 'mandir bhatti' technology, which is not recommended to be used now and also the housekeeping appeared not so good. The Committee also noted that the unit does not have equivalent refining capacity. The Ministry therefore recommended the site visit by CPCB.

AGENDA NO.2.3: IMPORT OF RUBBER SCRAP ETC.

2.3.1 M/s Nikhil Petrochem Pvt. Ltd., Ahmedabad (F. No. 23-69/2016-HSMD):

Decision: Being first application by the applicant for import and noting that the unit has not been inspected, the Ministry recommended site inspection by CPCB.

2.3.2 M/s India Eco-Venture Tyre Recycling (P) Ltd., Alwar, Rajasthan (F. No. 23-200/2015-HSMD):

Decision: While the unit has put up requisite safety guards on different equipment, however they are yet to establish Effluent Treatment Plant and obtain fire clearance; the case therefore is deferred in the want of aforesaid.

2.3.3 M/s Shree Ganesh Rubber Products, Navi Mumbai (F. No. 23-230/2014-HSMD):

Decision: The Committee noted that the improvements as suggested by CPCB during the site visit have not yet been implemented by the applicant. The matter is therefore deferred.

2.3.4 M/s Sunflex Recycling Pvt. Ltd., Ahmedabad (F. No. 23-235/2014-HSMD):

Decision: The applicant was granted import permission earlier based on the site visit report of CPCB. The Ministry recommended import of 24,000 MT of rubber tyres scrap with multiple cuts.

2.3.5 M/s A One rubber Industries, Sonapat, Haryana (F.No.23-67/2016-HSMD):

Decision: Being first application by the applicant for import and noting that the unit has not been inspected, the Ministry recommended site inspection by CPCB.

2.3.6 M/s S.P. Rubbers, Chittoor, A.P (F. No. 23-234/2014-HSMD):

Decision: The Committee noted that the applicant was given permission earlier and the

unit has been visited by CPCB as well. The Ministry recommended import of 3500 rubber tubes & tyres scrap.

2.3.7 M/s Mangal Radhika industries, Sonapat (F. No. 23-55/2015-HSMD):

Decision: The Committee noted that the site visit reports are satisfactory and the unit has all the requisite pollution control system. The unit was also given permission for import earlier. The Committee could have recommended 3200 MT of rubber tyre scrap and tube scrap but for the fact that the applicant does not possess the requisite authorization as per HW Rules, 2016. Subsequent to the submission of authorization from the concerned SPCB by the applicant, the case need not be brought to the Committee again.

2.3.8 M/s Sundaram Industries Madurai (F.No. 5-5/2010-HSMD):

Decision: During the discussions with the applicant it was noted that the application pertains to the import of the tyre rubber buffing powder and tyre chips. During the discussion the applicant requested that the unit is no longer interested in importing tyre chips and wants to import the tyre buffing powder. As per HW Rules, 2016 the tyre buffing powder does not figure in any of the Schedules to the HW Rules, 2016, hence the applicant does not require prior permission of this Ministry for importing the aforesaid buffing powder.

2.3.9 M/s S&J Granulate Solutions(P) Ltd., Mumbai (F. No. 5-19/2011-HSMD(pt.):

Decision: The Committee considered the case based on the Decision of this Committee in the last meeting. Since the new financial year has commenced and that the unit has the requisite authorization from the concerned SPCB as required HW Rules, 2016, the Ministry therefore

recommended the import of 4000 MT of rubber tyre scrap.

2.3.10 M/s Green Rubber Industries, Sonapat (F. No. 23-229/2014-HSMD):

Decision: Subsequent to the submission of site visit report by CPCB, the applicant has to implement all the Decision/improvements suggested by CPCB. The next application would only be considered after receipt of evidence pertaining to implementation of aforesaid Decision/ improvements.

2.3.11 M/s Horizon Reclaim (F.no. 23-112/2013-HSMD):

Decision: Subsequent to the submission of site visit report by CPCB, the applicant has to implement all the Decision/improvements suggested by CPCB. The next application would only be considered after receipt of evidence pertaining to implementation of aforesaid Decision/ improvements.

2.3.12M/s SBJ Rubber Products (F.no. 23-125/2014-HSMD):

Decision: The Committee recommended that the applicant has to implement all the Decision/improvements as suggested by CPCB. The next application would only be considered after receipt of evidence pertaining to implementation the Decision/ improvements.

2.3.13 M/s Sohanlal and Shantilal Jain (23-116/2015-HSMD):

Decision: Subsequent to the submission of site visit report by CPCB, the Committee noted that the applicant has carried out the suggested

improvements/modifications as suggested during inspection and submitted the proof of implementation (which is a part of the report) to zonal office CPCB. The Ministry therefore recommended the import of balance quantity of 5000 MT of rubber tyre scrap with multi-cut.

AGENDA NO.2.4: IMPORT OF GLASS CULLET

2.4.1 M/s Triveni Glass limited , A.P. (F.No.23-64/2016-HSMD):

Decision: The Committee noted that the quantity has already been imported without prior permission of this Ministry. Under the Hazardous and other Waste Rules, 2016 it may be termed illegal so the Ministry recommended the re-export of the 154.91 MT of non-activated glass cullet.

2.4.2 M/s Adarsh Kanch Udyog(P) Ltd., Firozabad, U.P.(F. No. 23-85/2009-HSMD):

Decision: The Committee noted that it was a case of change of ICD Moradabad to ICD Agra as the applicant is facing problem in clearance from customs and transportation from Moradabad to Firozabad, due to the distance of 275 kilometers between them. The Ministry therefore agreed to the request of the applicant.

AGENDA NO.2.5: IMPORT OF USED OIL

2.5.1 APJ Refineries Pvt. Ltd, Palkkad, Kerala (F.No. 23-112/2015-HSMD):

Decision: Subsequent to the submission of site visit report by CPCB, the Committee noted that the unit is having adequate pollution control systems and is adhering to the guidelines by CPCB. But, the Committee noted that the applicant has not mentioned the quantity to be imported neither in the covering letter nor in Form 7 and 8. The Ministry therefore

recommended that the applicant may resubmit duly filled form 5 under the new HW Rules, 2016 with the quantity of used oil to be imported.

2.5.2 Allen Oil Corporation: (F.no. 23-78/2015- HSMD):

Decision: Subsequent to the submission of site visit report by CPCB, the Committee noted that the applicant is not adhering to the guidelines of CPCB, therefore the matter is deferred and would be considered after the submission of evidence of implementing the Decision of CPCB.

AGENDA NO.2.6: IMPORT OF PET SCRAP

2.6.1 Ms/s Ecopet Polyplast Industries (F.no. 23-177/2015-HSMD):

Decision: Since PET scrap has been banned as per the HW Rules, 2016, hence the balance quantity cannot be imported now. Subsequent to the submission of site visit report by CPCB, the applicant needs to improve on fire fighting, providing enclosures to bag filters and also installing air pollution control devices in their plant.

AGENDA NO.3: EXPORT OF E-WASTE (PRINTED CIRCUIT BOARDS AND COMPONENTS)

3.1.1 M/s Green World Recycling, Thane (F. No. 23-70/2016-HSMD):

Decision: Based on the presentation and technical discussion by the applicant, the Ministry recommended the export of 360 MT of Printed circuit boards and components.

3.1.2 M/s EcoCentric Management Pvt. Ltd, Mumbai (F. No. 23-158/2015-HSMD):

Decision: The applicant intends to export PCBs, transformers and capacitors containing PCBs and discarded equipment containing or contaminated

by PCB each upto 600 MT. the Committee would like to understand the nature of the last two aforesaid items and the need of exporting such items including which country would be willing to import them. Therefore, the Committee recommended that the applicant may be called for technical presentation before the committee in the next meeting.

3.1.3 M/s SEZ Recycling ,Chengalpet, Tamilnadu (F. No. 23-253/2012-HSMD):

Decision: the Committee noted that the applicant is seeking renewal of the earlier permission. Since, there is no such provision in the Rule to renew the earlier permission; the applicant may be advised to file a fresh application to this Ministry.