

**Decision of the 62nd meeting of the Technical Review Committee
(TRC) held on 25th May 2017**

***AGENDA 1: Clarifications/Amendment with Regard To Hazardous and other Wastes
(Management, Handling & Trans-Boundary Movement) Rules, 2016***

1.1 Review of List of Critical Care Medical Equipment submitted By Directorate General of Health Services (DGHS), M/o Health and Family Welfare for notifying under the ambit of Hazardous and other Wastes (Management, Handling and Trans-Boundary Movement) Rules, 2016 (F. No. 23-4/2009-HSMD)

The Schedule VI of HW Rules, 2016 which provide the list of ‘Hazardous and Other wastes prohibited for import’, “used critical care medical equipment for re-use” has been banned for import. Critical care medical equipment has been defined in the Rules as “lifesaving equipment and includes such equipment as specified by the Ministry of Health and Family Welfare from time to time.

Directorate General of Health Services, Ministry of Health and Family Welfare had submitted Minutes of working group on draft Hazardous and other wastes (Management, Handling & Trans-boundary movement) Rules, 2015 along with a list of equipment for the critical/ intensive care unit as per the guidelines issued by Indian society of Critical Medicines supplied by All India Institute of Medical Sciences, New Delhi.

On the basis of recommendation of the meeting following has been forwarded for consideration with respect to provision on import of second hand medical equipment under the HW Rules, 2016:

- i.** The Committee in DGHS also deliberated on blanket ban on second hand medical equipment and reached a consensus that the refurbished high value and high end medical equipment’s import may be permitted subject to following conditions:
 - a) Such equipment has not been phased out from the importing country and is not considered obsolete in that country;
 - b) Such equipment does not contain any hazardous material/ substances listed under any international regulation/ law and or by government of India;
 - c) The equipment must have a residual life of 5 to 7 years for which supplier or manufacturer must provide hardware and software

support including warranty (under IPC MoHFW follow 2 year warranty and 5 year CMC);

- d) The Original Equipment Manufacturer (OEM) of such equipment will take back the equipment if required for purpose of disposal as per international norms.

- ii. The list of equipment for the critical/ intensive care unit as per the Guidelines issued by the Indian Society of Critical Care Medicine comprised of:

S.No.	Name of the Equipment
High End and High cost Equipment	
	Bedside Monitors (for ICU)
1.	Monitors for HDU(High Dependency Unit)
2.	Ventilators
3.	Non-invasive ventilators
4.	Fiberoptic Bronchoscope
5.	Head End Panel
6.	Defibrillator
7.	ABG (arterial Blood Gas) Machine
8.	Crash/Resuscitation trolley
9.	Pulse Oxymeter (small units)
10.	Freeze(medical grade refrigerator)
11.	Haemodialysis Machine
12.	Continuous renal replacement therapy
13.	CO, SVR, ScvO ₂ monitor Continuous central venous oxygen saturation (ScvO ₂) systemic vascular resistance (SVR)
14.	Intermittent Leg compressing Machine
15.	Intubating Video Scope
16.	ICU dedicated ultrasound and echo machine
17.	Bedside X ray
Other Equipment	
18.	Rigid Cervical Spine collars
19.	Ambu Mask Different sizes
20.	I A(intra aortic) Balloon Pump
21.	Infusion Pumps
22.	Syringe Pumps
23.	ICU Beds (Shock Proof)
24.	Over Bed Tables
25.	Glucometer

TRC along with representatives from Ministry of Health and Family Welfare, Atomic Energy Regulatory Board deliberated in detail in the 55th Meeting of the Technical Review Committee held during 27th and 28th June 2016 for finalizing the list of critical care medical equipment to be banned under the notification. The Committee recommended following:

- (i) The committee noted that the criteria as proposed by DGHS for review of applications for import of second hand medical equipment are followed by the Ministry and accordingly is already under practice.
- (ii) The Committee along with the representatives of Ministry of Health and Family Welfare, Atomic Energy Regulatory Board deliberated and recommended to include the following critical care medical care instruments in the ban list and notify as amendment under the HW Rules, 2016:

S.No.	Name of the Equipment
High End and High cost Equipment	
1.	Bedside Monitors (for ICU)
2.	Monitors for HDU(High Dependency Unit)
3.	Ventilators
4.	Non-invasive ventilators
5.	Fibrotic Bronchoscope
6.	Head End Panel
7.	Defibrillator
8.	ABG (arterial Blood Gas) Machine
9.	Crash/Resuscitation trolley
10.	Pulse Oxymeter (small units)
11.	Freeze(medical grade refrigerator)
12.	Haemodialysis Machine
13.	Continuous renal replacement therapy
14.	CO, Systemic vascular resistance (SVR), Continuous central venous oxygen saturation monitor (ScvO2)
15.	Intermittent Leg compressing Machine
16.	Intubating Video Scope
17.	Echo machine
18.	Bedside X ray
Other Equipment	
19.	Intra aortic (I A) Balloon Pump
20.	Infusion Pumps
21.	Syringe Pumps
22.	ICU Beds (Shock Proof)
23.	Glucometer

While reviewing the minutes of the Meeting, the competent authority decided that the list of critical care medical equipment as submitted require justification for prohibition which was sought from Ministry of Health and Family Welfare (MOHFW).

MOHFW has submitted the following revised/updated list of critical care medical equipment for “Critical/Intensive care unit as per guidelines issued by the Indian Society of Critical Care Medicines (provided by AIIMS) and revised/ updated following Meeting held at Dte. GHS on 30th December 2016:

S.No.	Name of the Equipment
High End and High cost Equipment	
1.	Bedside Monitors (for ICU)
2.	Monitors for HDU(High Dependency Unit)
3.	Ventilators
4.	Non-invasive ventilators
5.	Fibroptic Bronchoscope
6.	Head End Panel
7.	Defibrillator
8.	ABG (Arterial Blood Gas) Machine
9.	Crash/Resuscitation trolley
10.	Pulse Oxymeter (small units)
11.	Haemodialysis Machine
12.	Continuous renal replacement therapy (CRRT)
13.	CO, SVR, ScvO2 monitor
14.	Intermittent Leg compressing Machine
15.	Intubating Video Scope
16.	ICU dedicated ultrasound and echo machine
17.	Bedside X ray
18.	Temporary pacemaker pulse generator
19.	Intra-arterial and central venous pressure monitors
20.	ECMO (extra-corporeal membrane oxygenation machine)
21.	DVT prevention pump
Other Equipment	
22.	Rigid Cervical Spine collars
23.	Ambu Mask Different sizes
24.	I A(intra aortic) Balloon Pump
25.	Infusion Pumps
26.	Syringe Pumps
27.	ICU Beds (Shock Proof)(Fibre)
28.	Glucometer
29.	Air Mattress
30.	Laryngeal mask airway (LMA)

31.	Percutaneous dilation tracheostomy kit
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Decision: The Committee took note of the revised list of used critical care medical equipment provided by the DGHS, Delhi to be banned under Schedule VI of HW Rules, 2016. It is stated that this list has been prepared as per guidelines issued by the Indian Society of Critical Care Medicines (provided by AIIMS) and updated following a meeting held at DGHS. The Committee recommended to include the critical care medical care instruments in the ban list and notify as amendment under the HW Rules, 2016:

S.No.	Name of the Equipment
High End and High cost Equipment	
	Bedside Monitors (for ICU)
1.	Monitors for HDU(High Dependency Unit)
2.	Ventilators
3.	Non-invasive ventilators
4.	Fibroptic Bronchoscope
5.	Head End Panel
6.	Defibrillator
7.	ABG (arterial Blood Gas) Machine
8.	Crash/Resuscitation trolley
9.	Pulse Oxymeter (small units)
10.	Freeze(medical grade refrigerator)
11.	Haemodialysis Machine
12.	Continuous renal replacement therapy
13.	CO, SVR, ScvO2 monitor Continuous central venous oxygen saturation (ScvO2) systemic vascular resistance (SVR)
14.	Intermittent Leg compressing Machine
15.	Intubating Video Scope
16.	ICU dedicated ultrasound and echo machine
17.	Bedside X ray
Other Equipment	
18.	Rigid Cervical Spine collars
19.	Ambu Mask Different sizes
20.	I A(intra aortic) Balloon Pump
21.	Infusion Pumps
22.	Syringe Pumps
23.	ICU Beds (Shock Proof)
24.	Over Bed Tables
25.	Glucometer

1.2 Removal of De-inking Sludge from Hazardous Waste Category Representation of Gujarat Paper Mills Association (23-146/2016-HSMD):

De-Inking Sludge is considered as a Hazardous Waste category. In this regard the applicant has given a work for assessment of De-Inking Sludge for Categorization under Hazardous Waste Rules 2008. Gujarat Paper Mills Association (GPMA) had also attached the detailed Technical report submitted by ERM India Pvt. Ltd on “assessment of Deinking Sludge for categorization under HW Rules, 2008: Vapi, Gujarat”(Shah Paper Mills Limited).

GPMA had submitted that as per their report all parameters are within the limit but in the case of AOX the suggested limit of AOX has not been notified as a standard by the Government of India. As per the Article "Development of AOX Standards for Large Scale Pulp and Paper Industries", that was published by the Central Pollution Control Board, India in the year 2007, a mass based concentration limit of AOX was suggested to Ministry of Environment & Forest for consideration as 2.5 Kg. AOX per MT of dry sludge (i.e. 2,500 mg/kg.) as against their result of AOX which is 263 mg/kg as per the report of ERM on the Pg. No. 10.

The applicant had also enclosed the copy of report of Confederation of European Paper Industry (CEPI) wherein they are using De-Inking Sludge for various purposes mainly for land restoration and mine filling. As per their report, it is classified that "land restoration covers the use of dried sludge as a product applied on derelict land, damaged industrial sites topsoil, or during road constructions, topping of landfills, mine filling etc." as depicted on Pg. No. 37 of their report.

Ministry has been requested to consider de-inking sludge generating from the process of paper mill as Non-hazardous and to grant necessary permission for the utilization of said waste for land filling/ mine filling. The matter was considered in the 58th Meeting of the Technical Review committee and was deferred as the applicant was not present for technical discussion. The matter was re-considered in the 59th Meeting of the Technical review Committee held on 30th and 31st January 2017. Following was the recommendation of the Committee:

Though the applicant was invited for presentation and technical discussion, the applicant did not attend the meeting. The agenda was also listed in 59th and 60th TRC meetings but applicant did not attend the meeting and no additional information was submitted; the Committee reiterated its earlier recommendation which is given below:

“The Committee noted that as per Schedule I item 32, pulp and paper industry, process sludge containing organic halides (AOX) is categorized as hazardous waste. The de-inking sludge generated in the paper and pulp industry based on waste paper, thus is a hazardous waste. The analysis report submitted by the GPMA also indicates that the sludge contains 263 mg/kg of AOX. Although there are no conc. limits indicated in Schedule II, it is known that organic halides have potential for eco-toxicity. It is therefore not considered to be prudent to take the sludge containing AOX out of the category of hazardous waste and allow it to be used for landfilling. However it can be utilized for making fiber boards etc. with the permission of CPCB under Rule 9 of HW Rules, 2016”.

On request of Indian Agro & Recycled Paper Mills Association the matter was reconsidered in the present meeting. The matter was deliberated at length and Committee recommended the following:

Decision: The Committee again considered the issue of de-inking sludge generated in the recycling of waste paper. The Committee was informed that the process of de-inking involves mechanical action and mild chemicals involving soap, aluminium chloride etc. but no chlorine or hypochlorite. The Committee noted that the sludge has been analysed by an accredited laboratory and various constituents analysed are reported to be below the concentration limits in Schedule II. However, the sludge contains AOX in the concentration of 263 mg/kg for which no limit has been prescribed in Schedule II of the HW Rules, 2016.

The Committee however noted that for paper mills the limit of AOX has been provided in respect of effluent discharge (1 kg/ton of paper). On that basis the effluent for discharge may contain upto 100 mg/l of AOX whereas the leachate from the sludge will contain only 13.15 mg/l. The AOX in the sludge meets the limit for discharge from paper mills and sludge can therefore be considered as non-hazardous.

The toxicity characteristic leaching procedure (TCLP) was not done on the sample, only total concentration was analyzed, therefore the Committee calculated the leaching concentration by dividing the total concentration by the dilution factor of 20 i.e. $263/20 = 13.15$ mg/l. This indicated that leachate from the sludge would contain only 13.15 mg/l. As per the limits prescribed with respect to effluent discharge is 100 mg/l (as suggested by committee) of AOX which is higher than 13.15mg/l. Therefore, Committee recommended that the sludge be considered as non-hazardous if concentration of AOX is 263 mg/kg.

Agenda 1.3: Categorization of sulphuric acid as a by-product rather than as a hazardous waste- representation by M/s Nirma Limited.

The matter with regard to Categorization of sulphuric acid as a by-product rather than as a hazardous waste, a representation by M/s Nirma Limited has been deliberated upon in the 58th Meeting of the Technical Review Committee.

The applicant has Synthetic Detergent & Single Super Phosphate (SSP) manufacturing facility at Moraiya, Ta. Sanand, Dist. Ahmedabad, Gujarat. Sulphuric Acid (80%) is generated from the unit as well as other units of Nirma Ltd. along with its sister industries, is as such used as a raw material in manufacturing of SSP. While manufacturing the synthetic detergent sulphuric acid ranging 80-86% is generated and is as such reused as a raw material for manufacturing of SSP. Production of synthetic detergent is mainly done in two steps viz Acid slurry preparation and Synthetic detergent powder preparation.

- i. Production of acid slurry is done by sulfonation of linear alkyl benzene (LAB) with 22% Oleum and sulphuric acid and circulation of cooling water. When sulfonation is completed after five to six hours, the charge is allowed to settle and lower layer which is composed of sulphuric acid is separated and further as such utilized in manufacturing of SSP.



- ii. Acid slurry is further neutralized with soda ash and sodium salt of LAB to obtain standard synthetic detergent powder.



Sulphuric acid generated from the process is considered as D2 category waste of Schedule II under the Hazardous Waste, Rules, 2008 and Rule 11 of the said Rule which is presently considered as Rule 9 as per the HW rules, 2016. Utilization of such waste can be possible after getting permission from CPCB.

However the definition of “Hazardous Waste” in the HW Rules, 2016 is provided as “Hazardous Waste means any waste which by reason of characteristics such as physical, chemical, biological, reactive, toxic, flammable, explosive or corrosive causes danger is likely to cause danger to health or environment, whether alone or in contact with other wastes or substances”. The definition provided is exclusively considering the waste material only. As per the definition of “waste” means materials that

are not products or by-products, for which the generator has no further use for the purposes of production, transformation or consumption. The waste material is further explained as:

- (i) waste includes the materials that may be generated during, the extraction of raw materials, the processing of raw materials into intermediates and final products, the consumption of final products, and through other human activities and excludes residuals recycled or reused at the place of generation; and
- (ii) by-product means a material that is not intended to be produced but gets produced in the production process of intended product and is used as such.

From the definitions provided in the Rule, the applicant has inferred that if any material has no further use to the generator for the purpose to the generator for the purpose of production, transformation or consumption, than only it can be considered as waste material.

Based on the aforesaid information, the Committee had recommended the following:

The Committee deliberated on the issue raised by M/s Nirma Ltd.. The Committee is well aware of the fact that during the sulphonation process Sulphuric Acid of concentration 60-80% is generated and goes by the name of Spent Sulphuric Acid. Normal Sulphuric Acid is produced in concentration of 98% and is used for various application including the sulphonation of LAB. Spent Acid on the other hand is used only for specific application like production of Single Super Phosphate and depends upon the demand nearby its location of generation. In some cases where there is no demand it is neutralized by Lime to produce Gypsum which again is considered as a waste which may however be used in cement plant if the logistics favours. Thus, the fact of utilization alone cannot qualify the item to be called byproduct. The Committee suggested that the applicant may take permission under Rule 9 of the HW Rules, 2016.

Subsequent to Committee's recommendation, the applicant has submitted the following additional information:

Spent acid (60%-80%) generated can be utilized in different processes. Some of the processes are:

- i. Manufacturing of single super phosphate;
- ii. Manufacturing of sulphate salts of inorganic chemicals such as $\text{FeSO}_4 \cdot 7\text{H}_2\text{O}$, $\text{CuSO}_4 \cdot 2\text{H}_2\text{O}$;
- iii. CPC Blue pigment purification and many more.

Further, units of the above listed products/processes and many other, in which the spent sulphuric acid can be utilized, without any treatment, are located near to the units from which the spent acid is being generated. Result of which, the generated spent acid can be easily transport and utilized without providing any further treatment.

The applicant requested for re-consideration categorization of spent sulphuric acid as a by-product rather than as a hazardous waste.

Decision: The Committee reconsidered the matter and noted that justification submitted by applicant is not substantial. The Committee therefore deferred the matter.

Agenda 1.4: Clarification regarding certain materials produced during refining of crude edible oil to be designated as by-products and not categorized as hazardous waste- representation from M/s Cargill India Pvt. Ltd.

Cargill, a global corporation, produces food, agriculture, financial and industrial products and services to the world. In India, Cargill's operations started in 1987 and it has businesses in refined oils, food ingredients, grain and oilseeds, sugar, cotton, animal nutrition and trade structured finance.

During refining of crude edible and manufacturing of Refined Edible Oil and Vanaspati Oil, various by-products namely Soap stock, Acid oil, skimming sludge, spent earth and Deo-Distillate (Deo Distillation Residue) are generated. Acid Oil, spent Earth and Deo-distillate, which are generated during crude oil refining, were classified as products by the Gujarat Pollution Control Board in their CCA/CTO. In addition the applicant has stated that they have started processing acid oil for distilled fatty acid which is generating soap stock and skimming sludge which is not classified under products/by products category.

The applicant has further submitted that soap stock, acid oil, skimming sludge, spent earth and deo-distillate produced during the refining process of crude edible oil may not be categorized as hazardous waste and designated as products/by-products.

As per Hazardous and other Wastes (Management, Handling & Trans-Boundary Movement) Rules, 2016, waste may be defined as:

“waste” means materials that are not products or by-products, for which the generator has no further use for the purposes of production, transformation or consumption.

Explanation.- for the purposes of this clause,

- (i) waste includes the materials that may be generated during, the extraction of raw materials, the processing of raw materials into intermediates and final products, the consumption of final products, and through other human activities and excludes residuals recycled or reused at the place of generation; and
- (ii) by-product means a material that is not intended to be produced but gets produced in the production process of intended product and is used as such;

In line of the definition, the applicant has submitted that all these materials are directly used as raw material by the industries they supply to. The details of generation and end use of these materials are given in the following table:

S.no	Name of material	End use of material	Name of end users
1.	Soap Stock	Skimming sludge (Soap) & Acid oil (Paint)	Cargill India Pvt. Ltd. Kurkumbh
2.	Acid Oil	Paint	Kansai Nerolac Paints Ltd. through Cargillm India Pvt. Ltd. Kurkumbh
3.	Skimming Sludge	Soap/Cosmetics	Sai baba soap & trading
4.	Spent Earth	Oil Recovery	Shakti Agri Foods (India) Pvt. Ltd through Ahir Trading
5.	Deo Distillate	Soap	Wipro enterprise, Hindustan Lever, Lakme Lever

Thus as per the Hazardous and other Wastes (Management, Handling & Trans-Boundary Movement) Rules, 2016, all these materials produced during our refining process of crude edible oil can clearly be designated as by product and not categorized as hazardous waste.

- All these materials mainly contain fatty matter and do not contain any hazardous constituents for which they may be considered as hazardous waste.
- All these materials have good demand and worth of Rs. 26/- to Rs. 30/- per kg in the market. All these items are also

registered as one of our products with the excise department and are sold with tax invoice.

Decision: The Committee noted that in the first place the refining of crude edible oil and manufacturing of refined edible oil and hydrogenated oil are not among the processes included in Schedule I of HW Rules, 2016 and generating hazardous waste. The Committee also noted that the various items generated in the process are included as products or by-products as per the consent accorded by the SPCB. It is also reported as none of the items contain any hazardous constituents. The Committee therefore is of the view that these items do not attract the Hazardous and other Wastes (Management, Handling & Trans-Boundary Movement) Rules, 2016.

Agenda 1.5: Clarification with respect to classification of industrial plastic waste generated by paper recycling industries- Representation by M/s Lionel Resources Pvt. Ltd.

M/s Lionel Resources Pvt. Ltd. is an established plastic pyrolysis plant to produce industrial diesel from waste plastic generated by Paper Recycling industries.

The applicant has received the Conditional consent to establish for waste plastic pyrolysis plant from GPCB dated 12.01.2015. The applicant has also applied to CPCB for the utilization of Hazardous waste under Rule 9 as per the HW Rules, 2016 for the utilization of plastic waste for manufacturing of pyrolysis oil, petroleum gas and charcoal. The matter has been discussed in the third meeting of the Technical Expert Committee held in CPCB for evaluating proposals for utilization of hazardous and other wastes under Rule 9 under HW Rules, 2016 on 18.01.2016.

The Committee in the said meeting had observed that plastic waste generated during pulping of polycoated waste paper, paper board, carton etc (in waste paper based pulp & paper industry) has been categorized as hazardous waste category no. 21.1 under schedule I of HW Rules, 2008 by Gujarat PCB in authorization granted to the unit. The process pertaining to the said hazardous waste category generation, as laid down at serial no. 21 of the said schedule is "Production and/or industrial use of paints, pigments, lacquers, varnishes, plastic and inks."

However, the said process of serial no. 21 in schedule I of HW rules, 2016 has been stipulated as "Production and/or industrial use of paints, pigments, lacquers, varnishes and inks". Thus process waste/residues generated during production and/or industrial use of plastics is no more hazardous waste as per the Schedule I of the HW Rules, 2016.

The Committee therefore recommended that the unit may approach this Ministry to seek clarification that whether the plastic waste falls under the category of “hazardous waste” or “other waste” or not.

The applicant stated that they have set up a plant for processing of waste plastic, being generated by paper recycling industries, to produce industrial diesel by pyrolysis process. The plant has got the Consent to Establish with the condition that approval from CPCB should be obtained under Rule 11 of HW Rules, 2008 and Rule 9 of HW Rules 2016. The Committee noted that plastic waste was earlier included in Schedule III B of HW Rules, 2008, however in 2016 Rules, import of plastic waste has been banned and it is now included in Schedule VI.

When the applicant approached CPCB for obtaining approval under Rule 9, CPCB has suggested to the applicant that they should approach Ministry to get clarification whether plastic waste requires CPCB’s approval under Rule 9.

The Committee in this regard noted the following:

- i. Rule 9 applies to utilization of both hazardous and other wastes and as per these Rules, utilization can be carried out with the approval of CPCB where no SOPs/ guidelines have been prescribed by CPCB. Wherever SOPs/ guidelines are available the requisite authorization has to be obtained from the concerned SPCB.
- ii. As per the definition of other waste, “other wastes” means wastes specified in Part B and Part D of Schedule III for import or export and includes all such waste generated indigenously within the country.
- iii. Plastic waste is not included in Schedule III B and D but it has been included in Schedule VI i.e. hazardous and other wastes prohibited for import.

From the above it is observed that although plastic waste is not falling in the category of other wastes as per the definition of other wastes given in the Rules, it has entry in Schedule VI which relates to both hazardous and other waste as far as prohibition for import is concerned. It also needs to be recognized that all the waste in Sch III B, D and Schedule VI are based on entries in the Annexures VIII and IX of the Basel Convention and therefore all of them are included in the categories of hazardous and other wastes.

Decision: The Committee noted that industrial plastic waste generated by paper recycling industry is covered under the HW Rules, 2016 as hazardous and other wastes will attract rule 9 for the purpose of their utilization irrespective of whether they are imported or generated indigenously. Therefore, the utilization of plastic waste generated by the paper

recycling units shall require the requisite permission under Rule 9. The Committee recommended:

- (i) CPCB may be requested to finalize the SOP under rule 9 for utilization of industrial plastic waste generated by paper recycling industries.**
- (ii) The utilization of other wastes in Schedule III D being carried out presently may be allowed to continue for a period of one year or earlier as and when the SOPs are prescribed by CPCB.**

AGENDA 2: Clarifications with regard to E-waste (Management) Rules, 2016

Agenda 2.1: Clarification on Extended Producer Responsibility obligations under E-waste Rules, 2016- representation from Toshiba India Private Limited

Toshiba India Private Limited (TIPL) has earlier submitted that it has discontinued all operations of its laptop business i.e. sales and after sales service of Toshiba laptops after 30th September 2016; and pursuant to discontinuation of sales and after sales service of laptops in India, TIPL no longer remains a producer as per the definition of producer under the e-waste Rules and therefore does not require to obtain an EPR Authorization for the laptops.

TIPL is currently placing a very limited quantity of EEE in Indian market in the form of TV spare parts to meet its after sales service obligations. Further, TIPL is placing negligible quantity of spare parts for home appliances in the Indian Market as there are very few service requests from its customers.

As TIPL is no longer selling or placing any EEE other than spares of TV and home appliances, we are of the view that TIPL has to apply for EPR Authorization with respect to spare parts only (for TV and Home Appliances). And, for such authorization, scope of TIPL's EPR plan should be limited to fixing of collection targets only for spare parts of TVs and home appliances, instead of the completely built units of TV and home appliances.

TIPL has requested to provide clarifications in order to enable them to apply for EPR Authorisation for spare parts of televisions and Home Appliances instead of completely built units of TVs and home appliances. The matter was deliberated in the 58th Meeting of the Technical Review Committee held on 29th and 30th November 2016. Following was the recommendation of the committee:

The Committee had noted that the M/s TIPL has stopped selling Toshiba Brand laptop, TVs, Refrigerators and washing machines prior to 30th September, 2016. However, as far as laptops are concerned currently that are being sold and service in India by another group company Toshiba Singapore Pvt. Ltd. under the same brand i.e Toshiba Laptops. For home appliances such as TVs, Washing Machines and Refrigerator TIPL shall continue to honour the warranty commitment till March, 2019. Therefore, TIPL shall continue to exist in India as a legal entity to fulfill their warranty obligation.

The Committee observed that EPR existed given under the e-waste Rules, 2011. To what extent they have complied with those obligations is not known. The Committee therefore suggested that the TIPL may be invited to clarify this point. Further to what extent their group company namely Toshiba Singapore Pvt. Ltd. who will continue to sell Toshiba Brand laptops in India will take over the responsibility of collection of e-waste under EPR for laptops supplied by TIPL is also to be clarified. On request of the applicant the matter is reconsidered in the present meeting

Decision: The Committee was informed that M/s TIPL which was supplying TV, refrigerators and washing machines in India has closed down operation and no longer propose to sell these items in India. However they are still supplying spare parts for the products already in the market. They have also stopped sale of note-book PCs in India. However, the Singapore unit of Toshiba Corporation is now supplying notebook PCs through importers in India. The representative of Toshiba Singapore committed that they will undertake the responsibility of management of e-waste generated from earlier supplies made by TIPL. Since, TIPL have closed down their operations and Toshiba Singapore is supplying notebook, PCs through importers, the question of management of E-waste arising out of products already sold and to be sold in India was discussed. The Committee suggested that as a responsible corporate they should propose a mechanism for collection and channelization for recycling of the e-waste generated from all their products.