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India a global dump yard?

The new rule defines hazardous waste merely as "material"

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A PROPOSED rule, currently in the draft form, to regulate waste management has changed the definition of hazardous waste and merely termed it "material" and sought to open the country's gates for import of hazardous waste from all over the world for recycling.

On Wednesday, the last day for the Draft Hazardous Materials (Management, Handling and Transboundary Movement) Rules, 2007, for public comments, international environmental groups got together and alleged the rules would legally turn India into a global dump-yard.

The key to this allegation is that the rules are not in conformity with the Basel Convention treaty to which India is a signatory.

Basel Convention is an international, multilateral treaty to reduce the movement of hazardous waste between nations, especially from developed to less developed countries.

"It is not only inappropriate, but illegal," said Jim Puckett, coordinator of Basel Action Network (BAN), the Convention's watchdog body. He said the draft rules "turn the intent of the treaty on its head".

A critique of the rules published jointly by BAN and NGO Toxics Link, stated that by terming waste as "material", doors are being opened for seamless trade agreements of these material between India and others.

As per the draft, if 60 per cent of any waste is recyclable, then it is not considered waste but "material" fit for import.

"Therefore, if 60 per cent of a computer, in the form of e-waste, can be recycled, then the law permits the import of e-waste from abroad. Never mind that it brings in toxics like lead, cadmium and mercury present in them," said Ravi Agarwal, director, Toxics Link.

According to the critique, only a fraction of the total eight-million-tons of India's waste gets recycled due to the lack of collection; and by 2009, there will be 100 computers per 1000 people, leading to heavy e-waste generation,

experts said that India's hands were full as it were. "The last thing we need is a flow of foreign waste coming in for recycling," said Agarwal.

Even the industry players, who will have to initiate the import and recycling, are opposed to it. "It is a retrograde move," K P Niyati, head of environment programme, Confederation of Indian Industry, told the *Hindustan Times*.

The rules in effect suggest that businessmen wanting to import waste will have to apply to the Ministry of Environment and Forests and the ministry will decide what to import.

"It is worse that the License-raj. Everybody is opposed to it," Niyati said.

The rules ban disposal of imported waste on land. But they are silent on disposal elsewhere like water bodies and air, through incineration.

Robert Donkers, member of European Commission, Environment Programme, said, "India is posing to become the global waste-picker."

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