

TABLE OF CONTENTS

CHAPTER NO	TITLE	PAGE NO
	CHAPTER - I	1
1.	Introduction	1
1.1.	Introduction- General	1
	CHAPTER - II	10
2.	Concept Of E-Wastes and Related Issues	10
2.1.	Introduction	10
2.2.	Comprehending Hazardous Waste from E-Waste	12
2.2.1.	E-waste, or Electronic Waste	16
2.2.2.	Composition of E-Waste	19
2.3.	Main Issues that Electronic Waste Presents	21
2.4.	E-waste Sources	22
2.5.	Reasons for E-waste Generation	22
2.5.1.	Progress in Technology Usage	22
2.5.2.	Technological Innovations and their Attributions in E-Waste Generation	23
2.5.3.	Human thought Process	24
2.5.4.	Size of the Population in the Country	24
2..6	Impact of E-waste on Sustainability and Challenges	24
2.6.1.	Profit, People, Planet, and E-waste	26
2.6.2.	Equity, E-waste, Pollution, and Scarcity of National Resources	27
2.6.3.	Environmental, Social, Economic and	29

	Electronic Waste	
2.7	Necessity of E-waste management	31
2.8	E-waste position at global level	33
2.9	Emergence of International E-Waste Management Systems	35
2.10	Contribution of E-waste Data to the SDGs	36
2.11	The Status of E-waste in India	37
2.11.1.	Government Efforts in Creating Awareness Among the Public	41
2.11.2.	Social and Financial Concerns	41
2.11.3.	Technological	42
2.11.4.	Contamination of Surroundings with Electronic Trash	42
2.11.5.	Electronic Trash	42
2.12	Human Rights and Electronic Waste	43
2.13	Conclusion	49

CHAPTER – III

3.	International Perspectives of E-Waste and its Impact on Various Countries	50
3.1.	Introduction	50
3.2.	Global Legal Framework for E-Waste Management	51
3.3.	United Nations Hazardous Waste Management Instruments	52
3.3.1.	The 1972 Stockholm Conference	52
3.3.2.	The role of United Nations	55

	Environment Programmed	
3.3.3.	Vienna Convention (1985)	56
3.3.4.	1987's Montreal Protocol	56
3.3.5.	The Nairobi Declaration-1982	57
3.3.6.	Climate Change Convention of the United Nations, 1992	58
3.3.7.	1997's Kyoto Protocol	59
3.3.8.	Cairo Guidelines	60
	Basel Convention of 1989 on the Management of Transboundary	
3.3.9.	Transfer of Hazardous Wastes and Their Removal from the Environment	61
3.3.10.	Paris Accord -21st Conference of Parties	63
3.3.11.	COP24	64
3.3.12.	The Mercury Minamata Convention	64
3.3.13.	1998 Rotterdam Convention	66
3.4.	Regional Guidelines for Managing Dangerous Waste	67
3.4.1.	The 1998 Aarhus Convention	67
3.4.2.	1991's Bamako Convention	69
3.4.3.	The 2008 Libreville Declaration on Environment and Health	70
3.4.4.	The 2008 Durban Declaration on the Management of E-waste in Africa	72
3.5.	Globalization of E-Waste and Its Global	73

	Effects	
3.6.	Analysis of a Various Nations Position on E-Waste Management	75
3.7.	Environmental Protection under International Human Rights Legislation	75
3.7.1.	European Union Efforts	76
3.7.2.	Situation in the United States of America	79
3.7.3.	The South Pacific Region	81
3.8.	Legal Regulation of Electronic Waste: Theory and Practice	83
	Established in 1966, the	
3.8.1.	International Covenant on Economic, Social, and Cultural Rights	86
3.8.2.	The Child Rights Convention 1989	86
3.8.3.	The Human and Peoples Rights Charter of Africa, 1991	87
3.8.4.	Article 11 declares the following: "Right to a Healthy Environment."	87
3.9.	Legal Regulation of Electronic Waste: Theory and Practice	90
3.10.	Conclusion	96
	CHAPTER – IV	98
4.	Appraisal Of the Basel Convention and its Effectiveness on E-Waste Management Across Countinents	98
4.1.	Introduction	98

4.2.	The Structure and Articles of the Basel convention	99
	Summary of the Substantive	
4.2.1.	Provisions and Annexes of the Convention	99
4.3.	Basel Convention Objectives and Guidelines	100
4.3.1.	Instructions for interpreting the Convention's Text	100
4.4.	Mechanisms for Monitoring and Controlling	102
4.4.1.	Additional Protocol III/1	104
4.4.2.	Shortcomings and Benefits of the Convention	104
4.5.	Implementing the Convention into National Law	106
4.5.1.	West Africa's Basel Convention	106
4.5.2.	North America's Basel Convention	108
4.5.3.	USA	109
4.5.4.	Basel Convention influence on European Union	116
4.5.5.	Impact of Basel Convention on East Asia	118
4.6.	Basel Convention and other International Treaties	120
4.6.1.	Problem Exemplification	121
4.6.2.	A Brief discussion on the Basel Convention	122
4.7.	Some of the Basel Convention's Most	128

Significant Shortcomings

	Harmonization of Standards and	
4.7.1.	Terminology is Necessary in defining Hazardous Waste	128
4.7.2.	Information Disclosure	129
4.7.3.	Importance of notification of Countries of Transit	130
4.7.4.	Need of the Monitoring and Enforcement System	130
4.7.5.	Accountability between parties to the Agreement	130
4.7.6.	Bilateral Contracts Under the Convention	130
4.8.	The 1999 Basel Protocol	131
	Basel Convention: Regulatory Difficulties and	
4.9.	Impossibilities in International Environmental Law	132
4.9.1.	Ambiguity and Definitions	132
4.9.2.	Technical Recommendations for E- Waste	136
4.9.3.	Product versus Waste	137
4.9.4.	Regional Wastes from the Product Transboundary Flow	139
4.9.5.	Linking the Regulatory Worlds of E- Waste and E-Product: Extended Producer Responsibility Legislation's	141
4.10.	Conclusion	145

	CHAPTER – V	146
	Critical Analysis of Indian Legal Framework and	
5.	Policy Approaches to Mitigate the Problem Of E- Wastage	146
	5.1 Introduction	146
	5.2 E-Waste Management: Challenges and Solutions	149
	5.3. Environmental Impact of E-Waste	151
	5.3.1. Landfilling	152
	5.3.2. Acid Bath	152
	5.3.3. Incineration	152
	5.4. Indian Legislative Framework for E-Waste Management	152
	5.4.1. Other Important Legislative measures to protect Environment	153
	5.4.2. The Tiwari Committee (1980)	154
	5.4.3. The Legal Framework for Hazardous Waste Applicable to E-Waste	155
	5.4.4. The Rotterdam Convention	157
	5.4.5. Constitutional safeguards for Environment Protection	159
	5.5. Rules for Managing and Handling Hazardous Waste	168
	Hazardous Waste (Management, 5.5.1. Handling, and Transboundary Movement) Rules, 2008	168
	5.5.2. E-Waste Management Rules, 2018	174

	(Amendments):	
5.5.3.	E-Waste Management: Issues and Challenges for Policy	175
5.5.4.	Law Commission Recommendations	176
5.6.	The National Green Tribunal Act, 2010	177
5.7.	Increased Accountability for Producers of Electronic Wastage	178
5.8.	Right to Repair: An ecological approach to E-waste mitigation in the digital age	180
5.8.1.	The Purpose of EPRs (Extended producer responsibility)	181
5.8.2.	EPR and Return Methods	182
5.8.3.	Constitutional Viewpoint of India's EPR	183
5.8.4.	Recommendations from the Judgment	184
5.9.	Public Policy Exists in India for the Management of E-Waste	187
5.9.1.	Actions Acquired by the Government of India to Reduce E-waste	187
5.9.2.	Growing issue of e-waste is addressed by the Right to Repair	189
5.10.	Informal sector as a participant	192
5.10.1.	E-Waste Management: Problems and Difficulties for Lawmakers	192
5.10.2.	Establishing a Sturdy E-Waste Management Framework	194

	Formal and Informal Collaborations in the	
5.11.	Indian Electronic Waste Industry management	197
	Examining Standards to Help India's	
5.12.	Sustainable E-Waste Management Progress	201
	Goal of Informal-Formal	
5.12.1.	Collaborations	203
	Formal and Informal Partnerships	
5.12.2.	Examining Standards to Help India's	204
5.13.	Sustainable E-Waste Management Progress	206
	Sustainable practices in the global	
5.13.1.	electronics industry are influenced by standards	206
	Using Standards to Change the	
5.13.2.	Nature of the e-waste management Market	209
5.14.	Conclusion	214
	CHAPTER – VI	215
6.	The Judiciary's Approach to the Handling and Management of Hazardous Waste and E-waste Management in India	215
6.1.	Introduction	215
6.2.	E-waste Management in the Context of Environmental Justice	215
6.2.1	The Environmental justice	217

framework and the Fair Treatment
Agenda

6.3.	Apex Court Verdict on Hazardous Waste Management	225
6.3.1.	Union Carbide Corporation v. Union of India (AIR 1988 SC 1531)	225
	Rural Litigation and Entitlement	
6.3.2.	Kendra v. State of Uttar Pradesh (1989 AIR 594)	227
6.3.3.	M.C. Mehta v. Union of India (AIR 1987 SC 965)	228
6.3.4.	Kinki Devi v. State of Himachal Pradesh (AIR 1988 HP 4)	228
6.3.5.	M.C Mehta v. Union of India (AIR 1988 SC 1037)	229
6.3.6.	Rajiv Ranjan Singh v. State of Bihar (CWJ No.8914 of 2022)	230
6.3.7.	Bayer India Ltd. v. State of Maharashtra (AIR 1995 BOM 290)	231
6.3.8.	M.C. Mehta vs Union of India and Ors (1997 (2) SCC 411)	231
	Indian Council for Enviro-Legal	
6.3.10.	Action vs Union of India and Ors. (1996 AIR 1446)	232
6.3.11.	M.C. Mehta vs Union of India and Ors. (2003 (8) SCC 696)	233
6.3.12.	Jagannath vs Union of India & Ors.	233

	(1997) 2 SCC 87)	
6.3.13.	World Saviors vs Union of India (Ui) and Ors. (JT 1998(9) SC 114)	234
6.3.14.	Research Foundation for Science vs Union of India and Others (2007 AIR SCW 5851)	235
6.3.15.	Suo Motu vs Vava Industries Association and Ors. (AIR 2000 GUJ 33)	235
6.3.16.	Deepak Nitrite Ltd vs State of Gujarat & Ors (2004 AIR SCW 3285)	235
6.3.17.	Occupational Health and Safety Association vs Union of India and Others (2014) 3 SCC 547)	236
6.3.18.	Nicolet Industries Ltd. v. Goa State Pollution Centre Board (Appeal (civil) 2160 of 2008)	237
6.3.19.	Tirupur Dyeing Factory Owners Ass vs Noyal River A. Protection Ass. & Ors (2010 AIR SCW 288)	238
6.4.	Other Writ Petitions on Hazardous Waste Management	238
6.5.	Supreme Court and National Green Tribunal Verdicts on E-waste	244
6.5.1.	Commissioner of Customs vs. Atul Automations Private Limited and Other (Batch Matters), (2019) 3	244

	Supreme Court Cases 539: (2019) 7 GSTR-OL 313	
6.5.2.	Shailesh Singh vs. State of UP and Others, 2019 SCC Online NGT 1039, (Original Application No. 512/2018, Decided on February 12, 2019)	246
6.6.	Conclusion	254
	CHAPTER - VII	255
7.	Conclusion and Suggestions	
	List of Referred Cases	268
	Bibliography	271
	International Statutes and Declarations	275