



F. No. CP-21/29/2025-WM-II-HO-CPCB-HO

18th March, 2026

NOTICE

Kind Attention: Producers, Recyclers, Used Oil Importers, Collection Agent and Bulk Generator under the "Hazardous and Other Wastes (Management and Transboundary Movement) Second Amendment Rules, 2023"

Sub: Guidelines for Imposition of Environmental Compensation (EC) under the "Hazardous and Other Wastes (Management and Transboundary Movement) Second Amendment Rules, 2023"

This has reference to mandate given under the Rule 39 of Hazardous and Other Wastes (Management and Transboundary Movement) Second Amendment Rules, 2023 to Central Pollution Control Board for development of guidelines for imposition and collection of Environmental Compensation (EC) on entities for violations of provisions of the above said rules.

Accordingly, CPCB prepared the draft guidelines based on the discussions/consultation meetings with stakeholders and also placed the same on CPCB website for seeking comments.

The above said guidelines and the comments received were deliberated before the 4th and 5th meeting of the Steering Committee (constituted under the Rules) on 16/09/2025 and 20/11/2025 respectively. Based on the recommendations of the Steering Committee, the said draft guidelines for Imposition of Environmental Compensation (EC) under the "Hazardous and Other Wastes (Management and Transboundary Movement) Second Amendment Rules, 2023 has been finalized.

The finalized guidelines for Imposition of Environmental Compensation (EC) under the "Hazardous and Other Wastes (Management and Transboundary Movement) Second Amendment Rules, 2023 are enclosed herewith for ready reference.

This issues with the approval of the Competent Authority, CPCB.

Encl: As above

Yours faithfully,

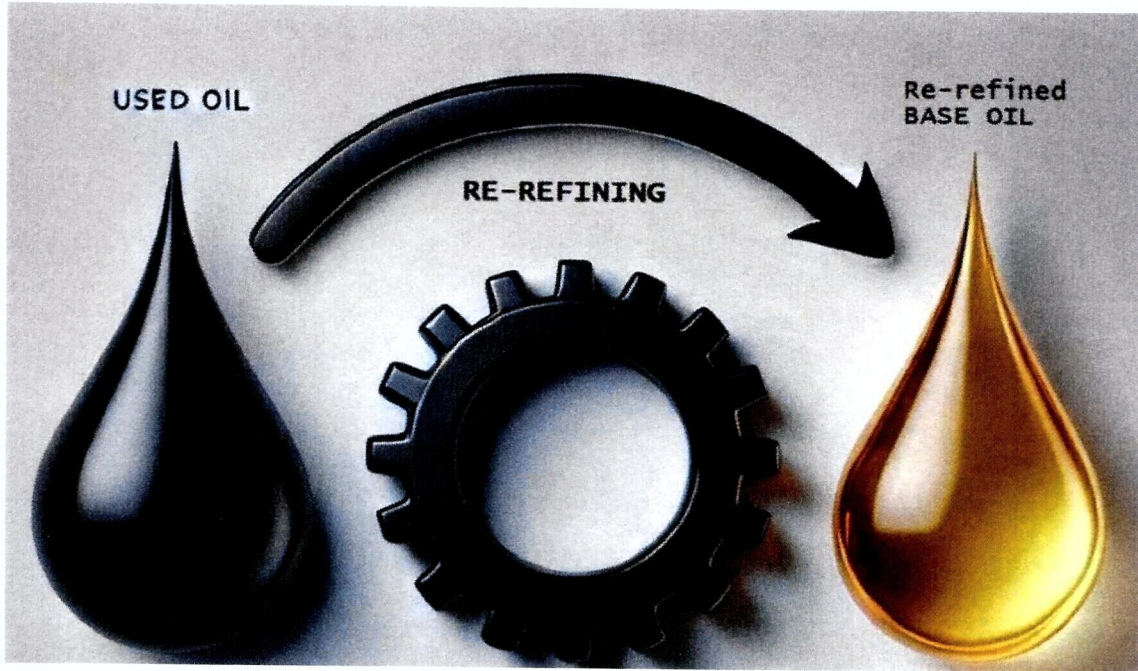
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**Guidelines for Imposition of Environmental
Compensation (EC) under the "Hazardous and Other
Wastes (Management and Transboundary Movement)
Second Amendment Rules, 2023"**



March, 2026

**Central Pollution Control Board
(Ministry of Environment, Forest and Climate Change)
Parivesh Bhawan, East Arjun Nagar,
Shahdara, Delhi – 110032**

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1. Introduction

The Ministry of Environment, Forest and Climate Change amended the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 vide notification G.S.R 677(E) dated 18th September 2023 as "The Hazardous and Other Wastes (Management and Transboundary Movement) Second Amendment Rules, 2023; where instrument of EPR (Extended Producer Responsibility) has been introduced for the management of Used Oil in the Country. As per the provisions of the said rules, every Producer of Base Oil or Lubrication Oil (including the importer of base oil/lubrication oil) and Importer of Used Oil has the obligation for Extended Producer Responsibility (EPR) on the basis of quantity of Base Oil or Lubrication Oil placed in the market and quantity of Used Oil imported, respectively. The Producers shall fulfil their EPR obligations by purchasing Extended Producer Responsibility Certificates from registered recyclers. Further, the Producers, Collection Agents, Recyclers and Used Oil Importers are required to register on the EPR Portal for Used Oil Management developed by CPCB.

As per Rule 29 (8) of the Hazardous and Other Wastes (Management and Transboundary Movement) Amendment Rules, 2024, *"The Central Pollution Control Board shall fix the highest and lowest price for exchange of extended producer responsibility certificates which shall be equal to hundred per cent and thirty per cent, respectively of the environmental compensation for non-fulfilment of extended producer responsibility under rule 39"*.

The said rules stipulate the Central Pollution Control Board to lay down guidelines for imposition and collection of environmental compensation on the producers in case of non-fulfilment of obligations and transaction or use of false extended producer responsibility certificates or on any entity on violation of any provisions of above said rules and guidelines issued hereunder.

This Environmental Compensation will facilitate in implementation of EPR framework by the Producers/Used Oil Importers/Recyclers/Collection Agents.

This guideline has been framed in accordance with the provisions laid down under the HOWM Rules, 2023 as amended. This documents outlines the details on violations, and methodology for calculating Environmental compensation on the entities for various violations of provisions of the Rules along with the enforcement tools.

2. Applicability

These EC guidelines will be applicable to the below mentioned entities:

- "Producers" - any person or entity, irrespective of the selling technique used such as dealer, retailer, e-retailer, who, - (i) manufactures and offers to sell base oil or lubrication oil domestically under its own brand; or (ii) offers to sell lubrication oil domestically under its own brand, using the base oil manufactured by other manufacturers or suppliers; or (iii) offers to sell imported base oil or lubrication oil domestically;

- "Recyclers" - any person or entity engaged in the process of recycling of used oil
- "Used Oil Importers" - any person or entity who imports used oil.
- "Collection Agents" - any person or entity who collects used oil and supplies it to the recycler
- "bulk generator" includes any entity like automobile industry or railways or defense establishments or a transport company or industrial units or power transmission company or hotels or restaurants and other such entity which is generating more than 100 metric tonnes of used oil per annum.

3. Regulatory Provisions & Environmental Compensation (EC)

The list of violations and regulatory actions for the non-compliances to the provisions of used oil EPR regulation under the Hazardous and Other Wastes (Management and Transboundary Movement) Second Amendment Rules, 2023 and amendments thereof are given below at Table 1.

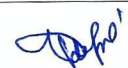
Table-1: List of Violations & Regulatory Actions

S. No.	Rules	Provisions	Violations	Entities	Applicability of EC	Revocation of registration /prosecution
1.	26(1) 31 (a) 32(a) 33(a) 34(a)	Entities shall get them registered by the Central Pollution Control Board on the portal	If entities not registered on portal	<ul style="list-style-type: none"> • Producers • Collection agents • Recyclers • Used oil importers 	Yes	NA
2.	26(2)	In case any entity falls in more than one categories then the said entity shall register themselves under each of those categories separately	If entity falls under more than 01 category and not registered separately	<ul style="list-style-type: none"> • Producers • Collection agents • Recyclers • Used oil importers 	Yes	NA

S. No.	Rules	Provisions	Violations	Entities	Applicability of EC	Revocation of registration /prosecution
3.	26(3)	No entity shall carry out business without registration.	Doing business without registration	<ul style="list-style-type: none"> • Producers • Collection agents • Recyclers • Used oil importers 	Yes	NA
4.	26(4)	The registered entities shall not deal with any entity not registered.	Doing business with entities not registered on portal	<ul style="list-style-type: none"> • Producers • Collection agents • Recyclers • Used oil importers 	Yes	NA
5.	26(5)	Furnishes false information or willfully conceals information for registration or return or report or information required to be provided or furnished under Used Oil EPR regulations.	Submitted wrong information or conceals information	<ul style="list-style-type: none"> • Producers • Collection agents • Recyclers • Used oil importers 	Yes	Yes



S. No.	Rules	Provisions	Violations	Entities	Applicability of EC	Revocation of registration /prosecution
6.	27(2) 27(4) (i) 31(b) 32(b)	All producers and used oil importers shall fulfil their extended producer responsibility obligation through online purchase of extended producer responsibility certificates from registered recyclers	Not fulfilled EPR targets	<ul style="list-style-type: none"> • Producers • Used Oil Importers 	Yes	Yes
7.	31(d) 32(c) 33(d) 34(f)	File annual returns in the form provided on the portal on or before 30 th June following the financial year to which that return relates	Not filed annual return within the stipulated time period	<ul style="list-style-type: none"> • Producers • Collection agents • Recyclers • Used oil importers 	Yes	NA
8.	33 (b)	Collect used oil from the generators and supply to the registered recycler or producer in accordance with these rules and upload information on the portal	Transfer of used oil to non-registered entities	<ul style="list-style-type: none"> • Collection agents 	Yes	NA



S. No.	Rules	Provisions	Violations	Entities	Applicability of EC	Revocation of registration /prosecution
9.	33 (c) 34 (e)	File quarterly returns in the laid down form on the portal on or before the end of the month succeeding the quarter to which the returns relates	Not filed quarterly return within the stipulated time period	<ul style="list-style-type: none"> Collection agents Recyclers 	Yes	NA
10.	34 (b) (c) (d)	<p>(b)ensure that the facility and recycling processes are in accordance with these rules;</p> <p>(c) ensure that no damage is caused to the environment during storage, transportation and recycling of used oil;</p> <p>(d)ensure that the residue generated during the recycling process is disposed of in accordance the said rules;</p>	Not recycled or managed the Used oil in environmentally sound manner	<ul style="list-style-type: none"> Recyclers 	Yes	NA



S. No.	Rules	Provisions	Violations	Entities	Applicability of EC	Revocation of registration /prosecution
11.	35 (a) 35 (b)	<ul style="list-style-type: none"> Set up collection points to facilitate collection agents for collection and transportation of used oil from their premises Ensure that used oil generated by them be handed over only to the registered recyclers or producer or collection agents 	Non-compliance of the said provisions	Bulk Generators	Yes	NA
12.	39 (2) 39 (5)	<ul style="list-style-type: none"> Issue of false extended producer responsibility certificates and providing false information False information resulting in over generation of extended producer responsibility certificates 	Issue of false extended producer responsibility certificates and Providing false information leading to over generation of EPR certificates	Recyclers	Yes	Yes

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Note:

- 1. Assessment of Environmental Compensation to be levied for violation of any sub-rules of the Hazardous and Other Wastes (Management and Transboundary Movement) Second Amendment Rules, 2023 & amendment thereof or any other violation other than the list given in Table-1 on case to case basis.*
- 2. The Environmental Compensation shall not absolve the producers/ Used Oil importers from their extended producer responsibility.*

4. Principles for Assessment of Environmental Compensation (EC) Cost

The Environmental Compensation has been derived based on the cost incurred for recycling of used oil. Establishing floor price for EPR Certificate is very crucial as it incentivizes investments in collection and transportation networks, making collection and logistics costs economically viable and protects recyclers from the risks of fluctuating commodity prices, ensuring their sustainability and helps legitimate recyclers compete against the informal sector.

The Environmental Compensation (EC) has been broadly classified into the following two categories i.e., (i) EC Regime 1 which will be applicable when the Producers (including importers of lube/base oil) or Used Oil Importers fails to meet EPR target and (ii) EC Regime 2 which will be applied when the entities (Producers / Recyclers / Used Oil Importers/Collection Agents/Bulk Consumers respectively) does not comply with various other provisions of used oil EPR Regulation.

EC Regime 1: Short fall in meeting the EPR target has been considered as adverse impact or damage to the environment based on the premise that the quantity of used oil equivalent to shortfall in target was not collected, transported and recycled in an environmentally sound manner, thereby resulting into such damage.

The basic concepts applied for calculation of Environmental Compensation (EC) is the cost of damage to environment or adverse impact on the environment due to violation or non-compliance to the provisions of EPR regulation, which has been assessed by applying the environmental economic principal of abatement cost. The abatement cost method calculates the cost required to reduce one unit of a specific pollutant (in this case the used oil) through various interventions, providing an economic measure of pollution control.

Therefore, for calculating the amount for EC Regime 1, the average cost of used oil collection, transportation and processing to recover re-refined base oil have been considered. Thus, Producers have to bear the average cost involved in collection, transportation and re-refining (operational costs) as an environmental compensation cost.

As per the used oil EPR regulation, the minimum and maximum exchange cost of EPR Certificate shall be in a price range of 30% to 100% of the Environmental Compensation cost. Thus, cost of EPR certificate will be directly proportional to the cost of Environmental Compensation.

EC Regime 2: The economic cost of violations is attributed to size of operations (which

relates quantity of base/lube oils placed on market (including the quantity imported), capacity of used oil recycling facility, quantity of used oil imported, and quantity of used oil generated. The registration fee on the entities on EPR portal is proportional to such size of operations. Therefore, registration fee serves the base for assessment of EC Charges. Considering the applicable registration fee between 25,000/- to Rs. 10,00,000/-, a base EC Charge of Rs. 25,000/- has been stipulated.

Further, in order to have uniformity for similar violation by producers and recyclers, Rs. 25,000 has been taken as the fee for levying Environmental Compensation Charges. In case of collection agent, as the registration fee ranges from Rs. 500 to Rs. 10,000/- the base EC charge of Rs. 500/- has been taken as charge for levying EC.

The boundary condition i.e., 'the lowest cost for exchange of EPR certificates for end products should not be higher than the market value of virgin base oil or re-refined base oil'; have been applied is stipulating EC charges. This ensures that used oil is re-refined rather than purchasing virgin base oil and selling as re-refined oil to generate EPR certificates.

5. Determination of Environmental Compensation (EC)

5.1 EC Regime 1: EC charges based on abatement cost

The abatement cost components of EC charges for EC Regime 1 has been decided based on extensive consultations with stakeholders and after assessing prevailing market pricing. The average costs involved in used oil collection, transportation and recycling of used oil are derived considering the geographical areas of operation, generation of used oils, consumption of base/lube oils, etc. Accordingly, the EC charges for the current markets is as below:

- Cost of Collection and Transportation = Rs. 3 /Kg
- Cost of Processing = Rs. 9/Kg

EC Charge = Rs. 12/Kg of Used oil

5.2 EC Regime 2: EC based on Registration Fee

EC Regime-2 shall be applicable for the violations as listed in the Table-1 of this guidelines including violation of any other provision that may arise with respect to implementation of EPR regulation.

5.2.1 Environmental Compensation to Producers/Recyclers:

- a. For 1st Default - Rs. 25,000/-
- b. For 2nd Default - Two times of first default i.e. Rs. 25,000 x 2 = Rs. 50,000/-
- c. For 3rd Default - Two times of second default i.e. Rs. 50,000 x 2 = Rs. 1,00,000/-
- d. For providing false sales data resulting in EPR obligation less than the actual EPR obligation
EC = Rs. 25,000 + quantity of false sales data (in Kg) x Rs 12 per Kg of false

sales data

5.2.2 Environmental Compensation to Collection Agent:

- a. For 1st Default - Rs. 5,00/-
- b. For 2nd Default - Two times of first default i.e. Rs. 5,00 x 2 = Rs. 1,000/-
- c. For 3rd Default - Two times of second default i.e. Rs. 1,000 x 2 = Rs. 2,000/-

5.2.3 For Informal/illegal Sale/Storage/Transportation/ Recycling/Processing of Used Oil by any non-registered entity/ person/shop/entity, EC Regime 2 will be applicable as below:

$$EC = Rs. 25,000 + \text{Quantity of Used Oil* (in Kg)} \times Rs 12/Kg \text{ of seized Used Oil}$$

**Incase of Producer/ Importer of Base/ Lubrication oil; the quantity of Oils placed in the market (in last 02 FY) leading to generation of Used oil and it's corresponding EPR obligation shall be considered.*

Note: Besides the above EC, for the violation of provisions of the HOWM Rules, 2016; the occupier shall be liable to pay financial penalty in accordance with the Rule 23 of HOWM Rules, 2016.

6. EC & Penal action for non-compliance.

Details of Environmental Compensation to be levied and the action to be taken for non-compliance of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2023 and amendments thereof, along with the nature of violation and the violator (entity), is given in the table below:

Table-2: List of Violations & Type of Environmental Compensation to be Levied

S. No.	Rules	Provisions	Violations	Entities	Type of Environmental Compensation to be levied
1.	26(1) 31(a) 32(a) 33(a) 34(a)	Entities shall get them registered by the Central Pollution Control Board on the portal	If entities not registered on portal	<ul style="list-style-type: none"> • Producers • Collection agents • Recyclers • Used oil importers 	I. EC Regime 2 as below: a) 1 st default-till 15 days b) 2 nd default-from 16 th till 30 th day c) 3 rd default-31 st day till grant of registration II. The applicant has to register at the Used Oil EPR Portal and the EC will be levied. III. Action as per Environment

S. No.	Rules	Provisions	Violations	Entities	Type of Environmental Compensation to be levied
					(Protection) Act, 1986 IV. Penalty as per Section 15 of Environment (Protection) Act, 1986.
2.	26(2)	In case any entity falls in more than one categories then the said entity shall register themselves under each of those categories separately	If entity falls under more than 01 category and not registered separately	<ul style="list-style-type: none"> • Producers • Collection agents • Recyclers • Used oil importers 	I. EC Regime 2 as below: a) 1 st default-till 15 days b) 2 nd default-from 16 th till 30 th day c) 3 rd default-31 st day till grant of registration II. The applicant has to register at the Used Oil EPR Portal and the EC will be levied. II. Action as per Environment (Protection) Act, 1986 IV. Penalty as per Section 15 of Environment (Protection) Act, 1986.
3.	26(3)	No entity shall carry out business without registration.	Doing business without registration	<ul style="list-style-type: none"> • Producers • Collection agents • Recyclers • Used oil importers 	EC Regime 2 – [5.2.3] Penalty as per Section 15 of Environment (Protection) Act, 1986.
4.	26(4)	The registered entities shall not deal with any entity not registered.	Doing business with entities not registered on portal	<ul style="list-style-type: none"> • Producers • Collection agents • Recyclers • Used oil importers 	EC Regime 2– [5.2.3] Penalty as per Section 15 of Environment (Protection) Act, 1986.

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S. No.	Rules	Provisions	Violations	Entities	Type of Environmental Compensation to be levied
5.	26(5)	Furnishes false information or wilfully conceals information for registration or return or report or information required to be provided or furnished under Used Oil EPR regulations.	Submitted wrong information or conceal s information	<ul style="list-style-type: none"> • Producers • Collection agents • Recyclers • Used oil importers 	EC Regime 2 –[5.2.1(a)-(d)], as applicable Penalty as per Section 15 of Environment (Protection) Act, 1986.
6.	27(2) 27(4) (i) 31(b) 32(b)	All producers and used oil importers shall fulfil their extended producer responsibility obligation through online purchase of extended producer responsibility certificates from registered recyclers	Not fulfilled EPR targets	<ul style="list-style-type: none"> • Producers • Used Oil Importers 	EC Regime 1 Penalty as per Section 15 of Environment (Protection) Act, 1986.
7.	31(d) 32(c) 33(d) 34(f)	File annual returns in the form provided on the portal on or before 30 th June following the financial year to which that return relates	Not file d annual return within the stipulated time period	<ul style="list-style-type: none"> • Producers • Collection agents • Recyclers • Used oil importers 	EC Regime 2 i. Notice will be issued for 15 days after the last date of return filings. ii. Thereafter Respective EC Regime 2 as below: a. 1 st default- if filed within 15 days after the last day of return filing b. 2 nd default- if filed within 30 days after the last day of return filing c. 3 rd default- if filed within 60 days after the last day of return filing iii. Thereafter AR to be auto filled on the EPR Portal, in addition to EC charges calculated above in points. iv. If due to force majeure conditions, if the entities are not able to

S. No.	Rules	Provisions	Violations	Entities	Type of Environmental Compensation to be levied
					file the returns, within the period of 60 days after the last day of filing, then the final decision regarding levying of EC will be taken by CPCB for the purpose. Penalty as per Section 15 of Environment (Protection) Act, 1986.
8.	33 (b)	Collect used oil from the generators and supply to the registered recycler or producer in accordance with these rules and upload information on the portal	Transfer of used oil to non-registered entities	<ul style="list-style-type: none"> Collection agents 	EC Regime 2 Penalty as per Section 15 of Environment (Protection) Act, 1986.
			Details on the collection and transfer of used oil not provided on the portal	<ul style="list-style-type: none"> Collection agents 	EC Regime 2 Penalty as per Section 15 of Environment (Protection) Act, 1986.
9.	33 (c) 34 (e)	File quarterly returns in the laid down form on the portal on or before the end of the month succeeding the quarter to which the returns relates	Not file d quarterly return within the stipulated time period	<ul style="list-style-type: none"> Collection agents Recyclers 	EC Regime 2 i. Notice will be issued for 15 days after the last date of return filings. ii. Thereafter Respective EC Regime 2 as below: a. 1 st default- if filed within 15 days after the last day of return filing b. 2 nd default- if filed within 30 days after the last day of return filing c. 3 rd default- if filed within 60 days

S. No.	Rules	Provisions	Violations	Entities	Type of Environmental Compensation to be levied
					<p>after the last day of return filing</p> <p>i. Thereafter AR to be auto filled on the EPR Portal, in addition to EC charges calculated above in points.</p> <p>v. If due to force majeure conditions, if the entities are not able to file the returns, within the period of 60 days after the last day of filing, then the final decision regarding levying of EC will be taken by CPCB for the purpose.</p> <p>Penalty as per Section 15 of Environment (Protection) Act, 1986.</p>
10.	34 (b) (c) (d)	<p>(b) ensure that the facility and recycling processes are in accordance with these rules;</p> <p>(c) ensure that no damage is caused to the environment during storage, transportation and recycling of used oil;</p> <p>(d) ensure that the residue generated during the recycling process is disposed of in accordance the said rules;</p>	Not recycled or managed the Used oil in an environment ally sound manner	<ul style="list-style-type: none"> Recyclers 	<p>EC Regime 2</p> <p>Penalty as per Section 15 of Environment (Protection) Act, 1986.</p>

S. No.	Rules	Provisions	Violations	Entities	Type of Environmental Compensation to be levied
11.	35 (a) 35 (b)	<ul style="list-style-type: none"> Set up collection points to facilitate collection agents for collection and transportation of used oil from their premises Ensure that used oil generated by them be handed over only to the registered recyclers or producer or collection agents 	Non-compliance of the said provisions	<ul style="list-style-type: none"> Bulk Generators 	EC Regime 2 – [5.2.3] Penalty as per Section 15 of Environment (Protection) Act, 1986.
12.	39 (2) 39 (5)	<ul style="list-style-type: none"> Issue of false extended producer responsibility certificates and Providing false information False information resulting in over generation of extended producer responsibility certificates 	<ul style="list-style-type: none"> Issue of false extended producer responsibility certificates and providing false information leading to over generation of EPR certificates 	<ul style="list-style-type: none"> Recyclers 	EC Regime 2 –[5.2.1(a)-(d)], as applicable and Suspension of registration issued by CPCB for a period of six months to three years as decided by the Competent Authority CPCB Penalty as per Section 15 of Environment (Protection) Act, 1986.

Note:

1. As per Rule 39 (4) (i) payment of environmental compensation shall not absolve the producer from the extended producer responsibility as specified in the said rules
2. The unfulfilled extended producer responsibility for a particular year shall be carried forward to the next year and so on and up to three years.
3. In case, the shortfall of extended producer responsibility obligation is addressed after one year, eighty- five per cent. of the environmental



compensation levied shall be returned to the producer;

4. *In case, the shortfall of extended producer responsibility obligation is addressed after two years, sixty per cent. of the environmental compensation levied shall be returned to the producer, and in case,*
5. *The shortfall of extended producer responsibility obligation is addressed after three years, thirty per cent. of the environmental compensation levied shall be returned to the producer, thereafter no environmental compensation will be returned to the producer.*
6. *The imposition of the above environmental compensation shall not absolve the imposition of financial penalties/liabilities stipulated under the provisions of the HOWM Rules, 2016.*

7. Charges for delay in EC Deposition

The Environmental Compensation Charges shall be deposited by the entities, within the stipulated time frame, failing which the incremental effect on EC amount will be calculated as per the Table given below:

S. No.	Time Period	Revised EC and Financial Penalty Amount
1	Within 01 month from the stipulated time frame <i>(as directed by CPCB/SPCB/PCC)</i>	<ul style="list-style-type: none">• Issuance of Show Cause Notice to the unit• Original amount with interest @ 12% per annum for number of days delayed after the stipulated date for submission of EC amount.
2	After 01 month and within 03 months the stipulated time frame <i>(as directed by CPCB/SPCB/PCC)</i>	Original amount with interest @ 24% per annum for number of days delayed after the stipulated date for submission of EC amount.
3	After 03 months of the stipulated time frame <i>(as directed by CPCB/SPCB/PCC)</i>	<ul style="list-style-type: none">• Closure of unit / suspension of business• Action as per section 15 of the Environmental (Protection) Act, 1986

8. Modalities for utilization of EC Funds

As per provisions under Rule 39 (6) Hazardous and Other Wastes (Management and Transboundary Movement) Second Amendment Rules, 2023 *"The funds collected under environmental compensation shall be kept in a separate escrow account by the Central Pollution Control Board and the funds collected shall be utilised in collection and recycling or end of life disposal of uncollected and non-recycled or non-end of life disposal of used oil on which the environmental compensation is levied, and on other heads as decided by the committee; and*

modalities and head for utilisation of the funds shall be decided by the Steering Committee with the approval of the Ministry of Environment, Forest and Climate Change."

9. Revision of Guidelines

EC charges may be reviewed by CPCB from time to time as and when required.

