NLSIU-CEERA-MOEF
TWO- DAY WORKSHOP ON

"THE LEGAL, REGULATORY AND COMPLIANCE FRAMEWORK ON CHEMICAL AND WASTES IN INDIA"

Jointly Organized by:

CENTRE FOR ENVIRONMENTAL LAW, EDUCATION, RESEARCH AND ADVOCACY,
NATIONAL LAW SCHOOL OF INDIA UNIVERSITY BENGALURU
In collaboration with
MINISTRY OF ENVIRONMENT FOREST AND CLIMATE CHANGE, NEW DELHI
Venue: NLSIU Campus, Nagarbhavi, Bengaluru
Date: November 29 & 30, 2019

ABOUT THE WORKSHOP

The use of chemicals is indispensable for the growth of any economy in the present times. It is the mainstay of several sections of the economy and contributes largely for the growth of several sectors by providing raw materials for a number of industries, including textile, paper, paint, soap and detergent, pharmaceutical, bulk drugs and formulations, agrochemicals such as insecticides, pesticides, fertilisers etc. Besides use of imported chemicals in different industries, the chemical sector is an industry in its own right producing a wide range of products such as inorganic chemicals, synthetic organic chemicals like drugs and pharmaceuticals, dyes and intermediates, pigments, fine and specialty chemicals, chlor-alkali, pesticides, colorants and alcohol based chemicals, etc. India ranks sixth in the world in the production of chemicals and fourth in the production of agro-chemicals. India accounts for 16 per cent of the dye stuff and dye intermediates and is a global supplier of dyes. Excluding pharmaceutical products, the chemical industry ranks 14th in global exports, employs more than 2 million people and its value is expected to rise to 304 billion dollars by 2025.

Spread across small, medium and large scale units, the Indian chemical industry is one of the most diversified industrial sectors covering more than 70,000 commercial products. Some chemical industries are knowledge based and small, others are large and require substantial investment of capital, uninterrupted power and other enhanced infrastructure for their functioning and production. A careful perusal of statistics on production, import, export and uses, indicates that the major hub of chemical industries are mostly concentrated in Gujarat and Maharashtra while some others are located in Andhra Pradesh, Tamil Nadu, Karnataka and West Bengal. The areas that contribute largely in terms of consumption are located in Uttar Pradesh, Punjab and Haryana especially with respect to agrochemicals i.e. fertilizers and pesticides. But consumption of chemicals as a whole is low in India in comparison to advanced countries. The per capita consumption of chemicals is about one tenth of the world average which indicates that the potential demand is yet to be realized.

The sheer magnitude of the Indian chemical industry, the wide spectrum of products manufactured, the allied and dependent sectors using chemicals, the emergence of new

chemical products with each passing day and the impact that the industry has on the safety and livelihood of the persons employed in the sector and those working in close contact with chemicals, makes it incumbent on the state to devise a regulatory mechanism for the chemical industry. In keeping with the requirements of the industry and the challenges it can pose, especially in terms of environmental and health risks, India has a comprehensive legislative framework for the management of chemicals, many of which have been formulated in response to its international obligations under the different multilateral environmental agreements that on chemicals and waste that India has ratified. Some of the significant chemical and waste MEAs to which India is a party include the Basel Convention on the Control of Transboundary Movement of Hazardous Wastes and their Disposal, the Rotterdam Convention on the Prior Informed Consent Procedure for certain Hazardous Chemicals and Pesticides in International Trade, the Stockholm Convention on Persistent Organic Pollutants, the Minamata Convention on Mercury and the Strategic Approach on International Chemicals Management.

India has a robust regulatory mechanism for addressing chemical management that targets all stages of chemical production, use and handling. Regulations have been enacted for the entire life cycle of chemicals, starting from manufacture, storage, use, handling, transportation, import and export, recycling, disposal and waste management, consumer interest for using chemicals and the protection of the environment and public health that can be grouped under four heads: laws on chemical management and handling, chemical use and environmental management, chemical use, disaster and emergency management and special categories of chemicals. Owing to the multiplicity of rules, regulations and standards, and cross-sectoral nature of chemical management several pieces of legislation, regulations or standards in the country address chemicals in different ways. For instance, different legal instruments address issues at different stages of chemical life cycle such as classification and labelling of chemicals/products, registration of products, permits (e.g. for discharge), licences (e.g. to operate), reporting requirements, inspections, information to be provided to workers and/or the public etc. With the wide assortment of legal instruments, multiple stakeholders are involved in the management and handling of chemicals and waste generated. Different stakeholders are assigned varied roles and responsibilities under the different legislation based on the objective of the legislation, and the kind of chemical targeted, its use category and the phase of the lifecycle of the chemical targeted. The same goes for the different Ministries involved in the handling and management of chemicals. While the Ministry of

Environment, Forest and Climate Change is responsible for matters related to international conventions, the national negotiations, rules and regulations for their manufacture, storage, import, handling and management of chemical waste, monitoring post-accident response to chemical accidents assisted by other Ministries and Department, the Department of Chemicals and Petrochemicals is responsible for formulation and implementation of policy and programmes for achieving growth and development of the chemical and petrochemical sectors in the country. While the Ministry of Agriculture is responsible for reviewing the use of insecticides and hazardous chemicals and verifying claims made by importers or the manufacturer, as regards the use and efficacy of insecticides and pesticides and their impact on the safety to human beings and animals, the Directorate General of Commercial Intelligence & Statistics, Ministry of Commerce & Industry maintains data on the import and exports of chemicals. With the wide variety of roles assigned to different bodies involved in the chemical sector, the need for convergence between the stakeholders becomes imperative.

Besides, regulatory mechanisms, there are a number of non-regulatory mechanisms that play a very vital role in the management of chemicals in India. These include initiatives and voluntary actions taken by industrial associations in setting standards for management of an organisation's environmental impacts, product certification and issuance of licenses to abate harmful impact on the environment and adoption of clean technologies and improvement in management practices under CREP (Corporate Responsibility for Environmental Protection) Programmes formulated by the Central Pollution Control Board through industry-specific interaction and meetings.

While these initiatives are noteworthy, a perusal of the different laws and regulations on chemical and waste management reflects some glaring incongruity and non-uniformity in the list of hazardous chemicals addressed by different legislation for different aspects of chemical handling. Hazardous chemicals and wastes and properties that they must exhibit for their explosivity, flammability, toxicity and corrosivity differ under the different rules in the absence of harmonized definitions. Moreover, most of the Chemical and Waste related MEA's to which India is a party and their labelling standards for chemicals and identification of chemicals and chemical compounds do not match the Indian labelling and classification standards. Little effort has been taken in the large scale storage of chemicals, containment and non-containment of explosives. Limitation of inspectors in the different Departments makes it difficult to gauge the effectiveness of some of the legislations in the sector and lack of public awareness on chemical safety seems to be another major problem ailing the

chemical sector in the country. The voluntary measures and initiatives taken up by industrial associations work effectively in larger industries that have more resources and manpower to implement the measures and have little impact on the small scale industries. In handling chemical wastes, few states across the country have toxic substance disposal facilities and handling of complex chemicals continues to be a concern. The chemical industries often grapple with a number of problems some of which include accidental release or spillage of chemicals, inadequate pollution abatement measures, ineffective coordination between government and regulatory agencies, use of obsolete and outdated technology that does not ensure waste minimisation/cleaner production, groundwater and soil contamination, lack of formal training of staff on formulation, handling, chemicals poisoning, etc. Most of these problems land the industries on the wrong side of law.

With the wide array of issues that the chemical sector presents, the multiple bodies involved in its day to day functioning and the far reaching consequences that can result if chemicals are not used, managed, stored, transported and disposed of appropriately, the legal, regulatory and compliance framework on chemicals and wastes in India presents itself as a subject that needs to be extensively deliberated upon, With this in view, the Centre for Environmental Law, Education, Research and Advocacy is organizing a Two- Day Workshop to discuss, deliberate and create awareness about the subject. The objective of the Workshop is to build capacity and awareness regarding the legal, regulatory and compliance framework on Chemical & Wastes in India, stemming from the obligations under the various C&W MEAs that the country is a party to.

The Workshop will cover deliberations on the following topics:

- Chemical Industries in India: A Sectoral Analysis
- Legal, Policy and Regulatory Framework on Chemicals in India
- International MEA's on Waste Management and India
- Issues and Challenges in C&W management, handling and regulation in India
- Role of the multiple stakeholders in C&W management and handling in India
- Developing a Framework for better implementation and compliance of C&W regulations in India

Workshop Coordinator

Prof. (Dr.) Sairam Bhat

Professor of Law, National Law School of India University (NLSIU), Bengaluru;
Coordinator, Centre for Environmental Law Education, Research and Advocacy (CEERA), NLSIU, Bengaluru

ABOUT NLSIU

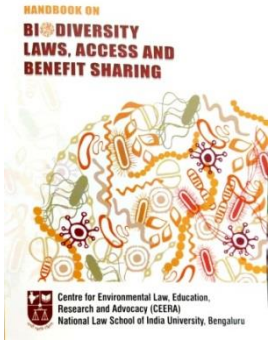
The National Law School of India University, the Nation's premier law university, came into existence through a Notification under the National Law School of India University Act (Karnataka Act 22 of 1986). It signified the culmination of efforts by the Judiciary, the Bar Council of India, the Karnataka Bar Council, the Bangalore University and the Government of Karnataka to reform legal education and to establish a centre of excellence for legal education and research in India. The Law School has undertaken many research projects funded by the UGC, the Government of India, the Government of Karnataka, the Department of Women and Child Development, UN agencies, the World Bank, HIVOS, Department of Justice etc.

The Projects have served to strengthen research and teaching at the Law School. The National Law School of India University since its inception has taken proactive steps in organizing conferences, seminars, workshops, refresher courses and certificate courses to update academicians, law teachers, students, industry personnel in different subject areas.

ABOUT CEERA

Centre for Environmental Law Education, Research and Advocacy (CEERA), established in 1997 is a benefactor of the Ministry of Environment and Forest (MoEF), Government of Karnataka, the Bar and the Bench in India and abroad. Building an environmental law database, effectively networking among all stakeholders, building up an environmental law community and policy research in the area of environment are CEERA's main objectives. To achieve the aforesaid, CEERA has incessantly and successfully been able to build functional and professional linkages with government agencies and non-governmental organisations in India, the South Asian Region and at International levels. CEERA annually organises, a University Grants Commission recognized, One-week Law Teacher's Refresher Course.

CEERA, has been partnering with Central Pollution Control Board in organising Training programs for the officers of various State Pollution Control Boards and other industry professionals for over seven (7) years.



One of the first in India, to be granted a five year World Bank project on Environmental Law capacity building and thereafter being a steady choice for the Ministry of Environment Forest and Climate Change, CEERA has been entrusted with research projects and workshops to impart training to Forest Officers, Revenue Officers, Officers of the Central Pollution Control Board and also of the Government of Karnataka. CEERA is proud to have completed a two-year Research Project granted by the United Nations Development Programme (UNDP) under the Global Environment Facility (GEF), and as one of the deliverables, organised, convened and conducted over twenty workshops at Institutions of national repute creating awareness on the Biodiversity Law and Access and Benefit Sharing (ABS) in less than 2 years. Two research publications on a minimal research area of biodiversity laws were also the outcome of this project.

CEERA has also made several publications in the area of environmental law, the law and public policy along with Newsletters, CEERA March of the Environmental Law, NLSIU's first e-Journal – Journal on Environmental Law, Policy and Development and manages two websites viz., www.nlsenlaw.org, wherein the law and policy on Environment is regularly updated, and www.nlsabs.com, a dedicated portal wherein the law and policy on Biodiversity Access and Benefit Sharing is updated periodically. All our publications are duly updated on our online portal www.nlspub.ac.in, which is open for subscription to all readers.

ABOUT MoEF & CC, GoI

The Ministry of Environment, Forest and Climate Change is the nodal agency in the administrative structure of the Central Government for the planning, promotion, co-ordination and overseeing the implementation of India's environmental and forestry policies and programmes. It is also the nodal ministry for Chemical and Waste(C&W) related Multi-Lateral Environmental Agreements (MEAs). MEAs are a set of legally binding or voluntary instruments which comprise of the policy framework intended to promote chemical safety, prevent environmental pollution, eliminate/reduce adverse impacts

on human health and promote sustainable development. India is a party to the following C&W MEAs:

- The Basel Convention on the Control of Transboundary Movement of Hazardous Wastes and their Disposal
- The Rotterdam Convention on the Prior Informed Consent Procedure for certain Hazardous Chemicals and Pesticides in International Trade
- The Stockholm Convention on Persistent Organic Pollutants
- The Minamata Convention on Mercury
- Strategic Approach on International Chemicals Management

ABOUT MOEF & CC-CEERA, NLSIU PROJECT ON "CHEMICAL AND WASTE RELATED MEAS"

The Ministry of Environment Forest and Climate Change and CEERA, NLSIU have entered into MoU for three years to assist and support the Ministry in coordinating and implementing the matters related to the Chemical &Waste related Multilateral Environmental Agreements and to:

- Introduce and establish a programmatic approach to handing C&W MEAs in MoEF & CC
- Identify and develop long-term strategic partnership to provide key legal, policy and strategic inputs to the Ministry in the management of C&W MEAs
- To act as a repository of knowledge and create as well as maintain database for C&W MEAs related issues in the country and MEAs related matters
- To assist and support MoEF&CC during national and international meetings on C&W MEAs and related matters.
- Conduct demand driven and follow up research to assist in the negotiations and issues pertaining to the Convention that could help in strategizing the national priorities
- Conduct stakeholder consultations, capacity building programmes and network with other institutions and agencies.

This workshop is organized as one of the project deliverables with a view to undertake capacity building programmes with respect to C&W MEAs and network with other institutions, academicians and professionals working in the field of chemical and waste management.

WHO MAY ATTEND THE WORKSHOP?

- Members and Officers of the Central Pollution Control Board and the State Pollution Control Board
- Officials and employees of Hazardous Waste Management Companies
- Officials and employees of chemical companies dealing with pharmaceuticals, textile, paper, paint, soap, dyes, detergent, bulk drugs, insecticides, pesticides, fertilisers, oil refineries, ink and printing inks etc.
- Importers and exporters of chemicals
- Members, office bearers and employees of Municipalities
- Academicians and students of law, chemical engineering and environmental engineering or any other discipline

REGISTRATION FEE PER PARTICIPANT

NON-RESIDENTIAL	RESIDENTIAL (SUBJECT TO AVAILABILITY)	
INR 3000/- **(Rupees Three Thousand only)**	**TWIN-SHARING OCCUPANCY** INR 9000/- + INR 1620 (GST@18%) = **INR 10,620/-** **(Rupees Ten Thousand Six Hundred and Twenty only)**	**SINGLE OCCUPANCY** INR 12,000/- + INR 2160 (GST@ 18%) =**INR 14,160/-** **(Rupees Fourteen Thousand One Hundred and Sixty only)**

Registration Fees may be paid by NEFT/RTGS/IMPS/Demand Draft in favour of **DIRECTOR NLSIU SCHEMES AND PROJECTS, payable at Bengaluru** along with the Registration Form attached. Upon remittance of Registration Fees, the participant(s) shall send the Transaction Details along with a duly filled Registration Form to MS. Susheela on susheela@nls.ac.in

Registration fee covers the following: Admission to all sessions, reading material, Tea/Coffee and lunch. Breakfast and Dinner shall be provided **only** to Residential Participants.

IMPORTANT DATES:

- **Last Date for Payment of Registration Fees: November 20, 2019**
- **Date of Workshop: November 29-30, 2019**

BOARDING/LODGING/ACCOMMODATION

Non-Residential Participants will need to make their own arrangements for boarding/lodging/Accommodation on the days of the Programme.

Residential Participants will only be provided accommodation on campus, on first come first serve basis, subject to availability of rooms. The rooms at the NLSIU Training Centre are Air conditioned with TV and other facilities, including a gym. The Residential costs shall include the provision of Breakfast and Dinner for the Residential Participants for the duration of the course. Further, Residential Participants are requested to plan their itinerary to arrive on their own cost, at the Venue not prior to 5:00 P.M. on November 28, 2019 and depart latest by 12:00 P.M. on December 1, 2019.

CODE OF CONDUCT & INSTRUCTIONS

Participants shall adhere to the code of conduct and instructions at all times which are as follows;

- Liquor, Cigarettes or intoxicating substance in any form, are prohibited on the University campus.
- Attendance to all the sessions is mandatory for issue of certificate.
- Participants, seeking accommodation at Venue are requested to refrain from accompanying with their spouse or family to the venue.
- The Organisers notify that any request for accommodation for Non-Participants will not be entertained.
- Any request for sightseeing/local shopping will not be encouraged.
- Reading material shall be sent only in softcopy format. Presentation made by the speakers may be shared only if the speakers agree for the same.

For Further Details, Please Contact

Ms. Susheela Suresh,
Secretary, CEERA, NLSIU
Email: susheela@nls.ac.in

Sd/-
PROF. DR. SAIRAM BHAT
Coordinator, CEERA
Professor of Law, NLSIU

NLSIU-CEERA-MOEF
TWO- DAY WORKSHOP ON
THE LEGAL, REGULATORY AND COMPLIANCE FRAMEWORK ON CHEMICAL AND WASTES IN INDIA

REGISTRATION FORM
PART-A: DETAILS OF PARTICIPANT

Full Name: Dr./Mr./Ms./ Mrs.: (Kindly tick the Appropriate Title)	
Company/ Organization/School/College	
Designation:	
Office Address:	
Email:	
Contact No.:	
a) Mobile:	
b) Work:	
Payment details	**DDNo./NEFT Transaction Number and Date:**

PART-B: PAYMENT OF REGISTRATION FEE DETAILS

DD/NEFT Transaction Number:

DD/NEFT Transaction Date:

Amount:

Kindly send a **scanned copy** of the Registration Form and NEFT Transaction ID to **Ms. Susheela** at **email id:** susheela@nls.ac.in**.**

The **original document** of the Registration Form shall be sent via courier/post to:
Ms. Susheela
CEERA, NLSIU
PO Bag 7201, National Law School of India University,
Nagarbhavi, Bengaluru 560 072

ELECTRONIC CLEARING SERVICE (CREDIT CLEARING) / REAL TIME GROSS

SETTLEMENT (RTGS) FACILITY FOR RECEIVING PAYMENTS

DETAILS OF ACCOUNT HOLDER:

NAME OF ACCOUNT HOLDER	**DIRECTOR NLSIU SCHEMES AND PROJECTS**
COMPLETE CONTACT ADDRESS	**NATIONAL LAW SCHOOL OF INDIA UNIVERSITY, P.B.NO.7201, NAGARBHAVI, BANGALORE - 560 072**
TELEPHONE NUMBER/FAX/MAIL	**23213160, 23160532, 23160533 / Fax 23160534 / registrar@nls.ac.in**
PAN	**AAAJN0185F**

BANK ACCOUNT DETAILS: -

BANK NAME	**CORPORATION BANK**
BRANCH NAME WITH COMPLETE ADDRESS, TELEPHONE NUMBER AND EMAIL	**NLSIU BRANCH, NLSIU CAMPUS, NAGARBHAVI, BANGALORE - 560 072, Ph.: 080-23218130 & 23218115 EMAIL - cb2144@corpbank.co.in**
IFSC CODE / NEFT CODE / RTGS CODE / BRANCH CODE	**CORP0002144**
TYPE OF BANK ACCOUNT (SB/CURRENT/CASH CREDIT)	**SAVINGS BANK**
COMPLETE BANK ACCOUNT NUMBER (LATEST)	**520101045115075**
MICR CODE OF BANK	**560017060**