

By Registered Post

B-29016/02/ACSR/BMHR/WMD-I/2018-19/

September 12, 2019

To,

The Chairman
(As per list of SPCBs/PCCs)

16,

SHOW CAUSE NOTICE UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986 ON IMPLEMENTATION OF BATTERIES (MANAGEMENT & HANDLING RULES, 2001)

WHEREAS, the Central Government has notified the Batteries (Management & Handling) rules, 2001 (hereinafter referred to as Batteries Rules), under the Environment (Protection) Act, 1986, with the primary objective of channelizing used lead acid batteries to registered / authorized recyclers to ensure environmentally sound recycling;

WHEREAS, as per Rule 12 of the Batteries Rules, State Pollution Control Board or the Pollution Control Committee is the prescribed authority for ensuring compliance of the provisions of Batteries Rules and, who shall file annual compliance status report to the Central Pollution Control Board by 30th April of every year.

WHEREAS, being the prescribed authority State Pollution Control Board shall (a) As per Rule 7(vii) register batteries dealers; (b) Ensure as per Rule 4(xii) that manufacturer and importer sell of new lead acid batteries only through registered dealers; (c) Receive half yearly returns from manufacturer, importer, auctioneer, bulk-consumers and registered recyclers as per rules 4(iii), 11(ii), 10(2)(ii) and 8(iii) respectively and (d) prepare an inventory of manufacturers, importer, dealers, bulk-consumers auctioneers, assemblers, re-conditioners, registered recyclers, number of batteries sold and number and batteries recycled through authorized recyclers in the State,;

WHEREAS, annual compliance status report submitted for the year 2018-2019 does not contain complete inventory of manufacturers, bulk waste generators, dealers, number of batteries sold, used batteries sold and recycled in the State;

WHEREAS, your Board has not registered all the dealers located in the State as required under Batteries Rules;

WHEREAS, your Board has not regulated stakeholders namely manufacturers, importers, recyclers, auctioneers and bulk-consumers to file half yearly/annual return and inventory of all such stakeholders not provided;

WHEREAS, non-accounting of batteries sold and recycled may lead to collection of used batteries by unauthorized persons who may sell batteries to illegal recyclers, who may recycle used batteries without obtaining authorization under Hazardous and Other Waste (Management and Transboundary Movement Rules), 2016;


Cont..2/-

WHEREAS, the Central Government vide Notifications No. S.O. 157(E) of February 27. 1996 and S.O. 730 (E) dated July 10. 2002, has delegated the powers under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, Central Pollution Control Board (herein after referred to as CPCB), to issue directions to any industry or any local or any other authority for the violation of the standards and rules, notified under the Environment (Protection) Act, 1986 and amendments thereof;

NOW, THEREFORE, in exercise of the powers vested under the Section 5 of the Environment (Protection) Act, 1986, you are directed to comply with following action points within 30 days;

- (i) Complete registration of battery dealers in State;
- (ii) Ensure that manufacturer and importer sell new lead acid batteries only through registered dealers.; and
- (iii) Submit updated inventory of manufacturers, re-conditioners assemblers, Importers, dealers, auctioneers, bulk-consumers, registered recyclers, number of batteries sold in State and number of batteries recycled.

In case of failure to comply with directions and to implement Batteries (M&H) Rules, 2001 in effective manner, action as per the provisions under Environment (P) Act, 1986, shall be initiated.


(S. P. S. Parihar)
Chairman

Copy to:

1. Joint Secretary, HSM Division
Ministry of Environment, Forest & Climate Change
Indira Paryavaran Bhawan,
Jorbagh Road, New Delhi – 110 003
2. Regional Director
Central Pollution Control Board
(As per list) : For kind information
- ✓ 3. DH, IT Division : For information and necessary action


(Prashant Gargava)
Member Secretary

List of SPCBs/PCCs

- 1 The Chairman
Chhattisgarh Environment Conservation Board
H.No.1, Tilak Nagar
Shiv Mandir Chowk, Main Road
Avanti Vihar, Raipur, Chhattisgarh-492002
- 2 The Chairman
West Bengal Pollution Control Board
No. 10A, Block - LA, Sector 3,
Salt Lake City, Kolkata - 700 091. 700 106
- 3 The Chairman
Haryana Pollution Control Board
C-11, Sector-6 Panchkula
Haryana-134 109 Chandigarh
- 4 The Chairman
Chandigarh Pollution Control Committee
Additional Town Hall Building
(2nd Floor) Sector-17C
Chandigarh – 160 017
- 5 The Chairman
Tripura Pollution Control Board
Vigyan Bhawan, Pt. Nehru Complex
Gorkhabasti P.O. Kunjaban
Agartala (W) – 799 006
- 6 The Chairman
Mizoram Pollution Control Board
M.G. Road, Khatna, Aizwal-796009
- 7 The Chairman
Karnataka State Pollution Control Board
“Parisara Bhavan”, #49, 4th & 5th Floor
Church Street Bangalore – 560 001
- 8 The Chairman
Kerala Pollution Control Board
Plamoodu JN, Pattom Palace, P.O.
Trivandrum – 695 004
- 9 The Chairman
Puducherry Pollution Control Committee
Department of Science, Technology & Environment
Housing Board Complex, IIIrd floor, Anna Nagar
Puducherry – 600 005
- 10 The Chairman
Tamil Nadu Pollution Control Board
No. 76, Mount Salai
Guindy, Chennai – 600 032

- 11 The Chairman
Daman, Diu & Dadra & Nagar Haveli
Pollution Control Committee Office of the Dy.
Conservator of Forests Fort Area, Moti Daman, Daman – 396 220
- 12 The Chairman
Meghalaya Pollution Control Board
Arden, Lumpyngngad,
Shillong – 793 014
- 13 The Chairman
Goa Pollution Control Board
Dempo Tower, EDC Plaza 1st Floor,
Patto Plaza, Panaji, Goa - 403 001
- 14 The Chairman
Punjab Pollution Control Board
Vatavaran Bhawan, Nabha Road
Patiala – 147 001
- 15 The Chairman
Madhya Pradesh Pollution Control Board
Paryavaran Parisar, Sector E-5,
Arera Colony, Bhopal – 462 016
- 16 The Chairman
Himachal Pradesh Pollution Control Board
Him Parivesh, Phase-III,
New Simla – 171 009
- 17 The Chairman
Telengana Pollution Control Board
Paryavaran Bhawan,A-3
Institutional Estate,Sanath Nagar
Hyderabad – 500018.