

SPEED POST

B-29016/BMHR/17/HWMD/

596 TO 630

April 13, 2017

To

The Chairman
(As Per List Enclosed)

DIRECTION 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 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) Register the dealers as per provisions under Rule 7(vii),
- (b) Ensure that manufacturer and importer of new batteries sell new lead acid batteries only through registered dealers under Rule 4(xii) and
- (c) Ensure submission of half yearly returns by manufacturer, importer, auctioneer, bulk-consumers and registered recyclers as per rules 4(iii), 11(ii), 10(2)(ii) and 8(iii) respectively.

WHEREAS, your Board is not submitting the annual compliance Status Reports on regular basis to the Central Pollution Control Board, and despite reminders issued, the annual compliance status report for the year 2015-2016 is not yet received by CPCB;

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

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


WHEREAS, ineffective implementation of Batteries Rules may leads to recycling of used lead batteries by unauthorized sector who generates hazardous wastes; and such recyclers operate without obtaining authorization as required under Hazardous and Other Waste (Management and Transboundary Movement Rules), 2016;

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;

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NOW, THEREFORE, in exercise of the powers vested under the Section 5 of the Environment (Protection) Act, 1986, and considering the observations made as above, following directions are issued herewith:

- (i) Submit annual compliance status report on implementation of Batteries Rules for the year 2015-2016 within a period of one month and also ensure regular submission of annual reports hereafter;
- (ii) Prepare an inventory of all the stakeholders namely manufacturers, importers, dealers, bulk-consumers, auctioneers, assemblers, re-conditioners and registered recyclers within a period of 80 days.
- (iii) Ensure registration of all the dealers in the State selling lead acid batteries within a period of 60 days.
- (iv) Initiate action against the stakeholders who are failing to comply with the Batteries Rules, 2001 within a period of 30 days.
- (v) Initiate action against illegal or informal backyard recyclers of lead acid batteries operating in the State within 60 days, and;
- (vi) Submit action taken report within 90 days from issuance of these directions.


(S. P. S. Parihar)
Chairman

Copy for information to:

1. The Joint Secretary
Hazardous SM Division, Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhavan, JorBagh Road, New Delhi - 110 003
2. The Regional Director
Central Pollution Control Board
Parivesh Bhawan,
Opp. VMC Ward Office No. 10,
Subhanpura, Vadodara-390 023

✓ 3 Nodal Officer, IT Division


(A.B. Akolkar)