

Minutes of Hearing given to Manufacturers of Lead Acid Batteries hearing for show cause notice direction u/s 5 of E(P)Act, 1986 on implementation of Batteries (M&H) Rules, 2001 as amended thereof

Background:

CPCB issued Directions under section 5 of Environment (Protection) Act, 1986 vide letter dated 16/09/2019, to Manufacturers of lead acid batteries to Show cause why actions shall not be taken for restriction of sale of Batteries for failing to comply with provisions of Batteries (M&H) Rules, 2001. Subsequent to responses received, CPCB vide letter dated 07/11/2019 given an opportunity of hearing to Manufacturers to respond to CPCB's directions. Member Secretary, CPCB gave hearing on 14/11/2019 at CPCB, Delhi. List of Manufacturers and participants is given at Annexure-I

Proceedings of the hearing:

As the points of non-compliance are similar, representatives of manufacturers have unanimously agreed to participate jointly for hearing. Each manufacturer given opportunity to explain actions taken to comply with Batteries Rules, 2001 and their response to shortcomings in compliance observed by CPCB.

Member secretary, CPCB welcomed representative of Battery manufacturers and emphasized the need for compliance to Batteries (M&H) Rules, 2001. Later, B. Vinod Babu, Additional Director and Divisional Head of Waste Management-I gave background information on implementation of Batteries Rules, 2001. It was explained that primary objective of Battery Rules is to ensure safe disposal of used batteries, for which responsibilities were given to manufacturers to ensure channelization of used lead acid batteries from generators to authorised recyclers for ensuring Environmentally safe recycling. Lead being toxic heavy metal and having high potential to cause human health effects, it is very important to ensure that used batteries collected and recycled in safe manner through authorised recyclers.

It was informed that setting up of collection centres, channelization of used batteries, registration of dealers, sale of batteries only through registries dealers, routing of used batteries to authorised recyclers and filing of returns on sale and recycling are the primary responsibilities of the Manufacturers under Batteries Rules, 2001, which is akin to Extended Producers Responsibility. Target for collection of used batteries is 90%. Directions were issued since almost all manufacturers have failed to comply with responsibilities under Batteries Rules, 2001.

After explaining the above, Member Secretary, CPCB has requested Manufacturers to give details of actions taken on implementation Battery Rules, 2001.

Representatives from M/s Exide started that they have 200 collection centres across the country for collection of used lead acid battery and M/s Exide filed returns to SPCBs from time to time. They have provided proof of documents showing compliance to conducting mass awareness for recycling batteries as required under the Rules. However, M/s excide

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has accepted the fact that despite the efforts, they could not achieve collection targets and meet the requirements of Batteries Rules, 2001. They have mentioned following difficulties;

- State boards are not provided online system of dealer's registration and the process is very slow.
- Very few State Boards made on-line dealers registration.
- Within last 2 months, 350 dealer got registered.
- Physical process of dealer registrations is a slow process.
- Can achieve 25% collection and recycling of used lead against new batteries sold
- Cost of used batteries in informal sector is high in informal sector, thereby effecting authorised channel of recycling.
- Accepted that most of used lead acid batteries from local garage owners and retailers goes to informal recyclers.

Representatives from M/s Amara Raja Batteries Ltd stated that so far only 25-30% of dealers got registered by SPCBs. They have set-up about 450 collection centres including small and big dealers situated in India. They have suggested that manual process of dealer registration and verification of documentation is very slow and it required on-line registration at all SPCBs/PCCs. Further stated that rest of the reasons for non-compliance are similar to M/s Exide and common among manufacturers.

M/s Luminous informed that multi-purpose batteries have been dealt with multi brand stores of different dealers/ agencies. They claimed that their dealers not registered with concern SPCBs. The unit has set-up 35 collection centres across India. They have mentioned that their dealers have tie-up with distributors through agreement signed by dealer.

M/s HBL has informed that they have dealt with bulk consumers directly such as Telecom, Oil-Gas, etc. and as such they have no dealers. They have set-up 22 collection points. They have also have difficulties with respect to achieving collection targets, adequacy of collection centres, ensuring compliance by bulk-consumers.

M/s Okaya informed that they have 42 collection centres all over the country. They have directed their dealers to obtain registration certificate from SPCBs

M/s NED has furnished copies of Half yearly returns for the period from 2016-19. They have informed that information on compliance to remaining requirements will be submitted within a month.

M/s TAFE has informed that they have established about 06 collection centres with 22 depots in India. They have also organised awareness programmes on battery management should be

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done by all manufacturers. Further stated that reasons for non-compliance on other responsibilities is similar and common among manufacturers.

Upon hearing from manufacturers, Member Secretary CPCB has expressed dissatisfaction on part of manufacturers for failing to take complete measures despite 18 years since implementation of the Rules. He has directed following time-bound action points for compliance by Manufacturers;

- i. Manufacturers shall complete inventory of their dealers and ensure registration of their dealers by respective SPCBs within a period of 2 months. If required, manufacturers may approach concerned SPCBs/PCCs to facilitate timely registration of dealer as per Batteries Rules.
- ii. Manufacturers shall submit an affidavit stating that they would sell batteries only through registered dealers.
- iii. Manufacturers who have not submitted copies of annual returns, shall submit copies of the same to CPCB as proof of compliance.
- iv. Manufacturer shall submit roadmap for achieving 90% collection target within one-month.

In case of non-compliance on above points CPCB may take action against defaulting batteries manufacturers as deemed fit under the provisions under E(P) Act, 1986.

Meeting ended with vote of thanks to the Chair.

List of officials and members participated

1. Member Secretary, CPCB, Delhi – Chaired the meeting

CPCB Officials

2. Shri B. Vinod Babu, Additional Director & Divisional Head of WM-I, CPCB, Delhi
3. Dr. K.M. Udayakumar, Scientist-D, WM-I, CPCB, Delhi
4. Youthika, Scientist-D, WM-I, CPCB, Delhi
5. Dr. Chandan Singh, RA, WM-I, CPCB, Delhi
6. Dr. Gargi Biswas, RA, WM-I, CPCB, Delhi

Members of Battery Manufacturer

7. Mr. Satyaki Chakraborty, SR GM, Legal, Exide Industries Ltd.
8. Mr. Neeraj Kohli, GM, Corporate & Special Project's, Exide Industries Ltd.
9. Mr. Rajesh Mantry, DGM, OE, Exide Industries Ltd.
10. Mr. Jitendra kumar, Exide Industries Ltd.
11. Mr. Rajesh Jindal, Head marketing (Automotive Batteries) Amara Raja Batteries Ltd.
12. Mr. Murali Mohan Reddy, SGM, Lead Procurement, Amar Raja Batteries Ltd.
13. Mr. N Gopinatha Rao, DGM, Environmental Engineering, Amar Raja Batteries Ltd.
14. Mr. Avnish Arora, Sr. VP Sales, HBL Power System Ltd.
15. Mr. K. Suresh, COO, HBL Power System Ltd
16. Mr. S. Saravana Kumar, GM, Plant Engineering, TAFE Ltd.
17. Mr. R. Saravana Kumar, Power Source Div., TAFE Ltd.
18. Mr. Ashish Pandey, Head & Legal, Luminous Power Technologies Pvt. Ltd.
19. Mr. Amlan Kanti Das, Sup. Industrial Q&D EHS, Luminous Power Technology Pvt. Ltd.
20. Mr. NK Singhal, VP, Okaya Power (P) Ltd.
21. Mr. Shabab Jafri, Marketing Head, NED Energy Limited