

5.	विस्तारित उत्तरदायित्व (बाध्यताओं) और संग्रहित और नवीनीकृत या पुनर्चक्रित बैटरी के ब्यौरे जिसके लिए विवरणी फाइल की जा रही है	उत्पादक बाध्यता	1.विस्तारित उत्पादक उत्तरदायित्व बाध्यता (बाध्यताएं), 2. नवीनीकृत या पुनर्चक्रित बैटरी सामग्री का भार 3. प्राप्त की गई बैटरी सामग्री का भार 4. निपटान के ब्यौरे
6.	विस्तारित उत्तरदायित्व के ब्यौरे	उत्पादक प्रमाणपत्रों के	नवीनीकरणकर्ता-वार के अनुसार या पुनर्चक्रणकर्ता प्रमाणपत्रों की संख्या
7.	उपभोग से पूर्व अपशिष्ट बैटरी के ब्यौरे और निपटान के तरीके (पुनर्चक्रण/अंतिम निपटान सहित निपटान के अन्य तरीके)		

टिप्पण: ईपीआर लक्ष्य के अनुपालन में स्वयं उपयोग में लाई जाने वाली बैटरी सम्मिलित है।

प्राधिकृत व्यक्ति के हस्ताक्षर:

स्थान:

तारीख:"

[फा. सं. 12/36/2019-एचएसएमडी]

नरेश पाल गंगवार, अपर सचिव

MINISTRY OF ENVIRONMENT, FOREST, AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 25th October, 2023

S.O. 4669(E).—In exercise of the powers conferred by sub-section (1), clauses (v) and (vii) of sub-section (2) of section 3, sub-section (1), clauses (c) and (d) of sub-section (2) of section 6, section 8, clause (b) of sub-section (2) of section 25 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby makes the following rules to amend the Battery Waste Management Rules, 2022, namely:—

1. (1) These rules shall be called the Battery Waste Management (Amendment) Rules, 2023.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Battery Waste Management Rules, 2022 (hereinafter referred to as the said rules), in rule 3, in sub-rule (1), —

(a) for clause (c) the following clause shall be substituted, namely:—

“(c) ‘Battery’ means new or refurbished cell or Battery, including accumulator, which is any source of electrical energy generated by direct conversion of chemical energy and includes disposable primary or secondary battery;”;

(b) in clause (u), for sub-clause (iii), the following sub-clause shall be substituted, namely:—

“(iii) import of Battery or equipment containing Battery; or

(iv) manufacture or assembling of Battery or refurbished Battery including in equipment for sale to the Producer mentioned in sub-clause (ii) without its own brand name;”.

3. In rule 4 of the said rules, —

(a) for sub-rules (1) and (2), the following sub-rules shall be substituted, namely:—

“(1) Every Producer shall have the obligation of Extended Producer Responsibility for the Battery that they introduce in the market and the Battery which they put to self-use, to ensure the recycling or refurbishing obligations as per Schedule II;

(2) Every Producer shall have the obligation for environmentally sound management of pre-consumer waste battery generated during manufacturing or assembling or import of a Battery or Battery pack and every Producer shall file the annual returns in Form 3 in respect of pre-consumer waste battery generated in the preceding financial year.

(2A) Every Producer shall meet the collection and recycling and refurbishment targets as mentioned in Schedule II for Battery or Battery pack made available in the market including the Battery which they put for self-use.”;

(b) for sub-rules (4) and (5), the following sub-rules shall be substituted, namely:—

“(4) Every Producer shall obtain registration from the Central Pollution Control Board through online centralised portal in Form 1(A).

(5) The Central Pollution Control Board on registration of the Producer shall issue a certificate of registration in Form 1(B) to such Producer which shall be valid until it is cancelled or withdrawn.”;

(c) for sub-rule (6), the following sub-rule shall be substituted, namely: —

“(6) Every Producer shall inform the Central Pollution Control Board of any changes to the information contained in the Extended Producer Responsibility registration.

(6A) In case the Producer stops its operations, the Producer shall have to discharge its Extended Producer Responsibility obligation in respect of Batteries already made available in the market till closure of operations, in accordance with provisions of these rules.”;

(d) for sub-rule (7), the following sub-rule shall be substituted, namely: —

“(7) The Producer shall furnish a return regarding the Battery manufactured or assembled or imported in the preceding financial year in Form 1(C) to the Central Pollution Control Board on or before the 30th June of every year.”;

(e) sub-rule (8) shall be omitted;

(f) after sub-rule (15), the following sub-rule shall be inserted, namely: —

“(16) The Producer shall take measures for sustainable production of Battery or Battery pack including in accordance with the guidelines issued by the Central Pollution Control Board.”.

4. In rule 8 of the said rules, for sub-rule (4), the following sub-rule shall be substituted, namely: —

“(4) The total weight of waste Battery processed by entity involved in refurbishment of waste Battery, on quarterly basis, shall be made available on the portal developed by the Central Pollution Control Board for generation of Extended Producer Responsibility certificates.”.

5. In rule 9 of the said rules, —

(a) for sub-rule (4), the following sub-rule shall be substituted, namely:—

“(4) The total weight of waste Battery processed by entity involved in recycling of waste Battery, on quarterly basis, shall be made available on the portal developed by the Central Pollution Control Board.”;

(b) for sub-rule (5), the following sub-rule shall be substituted, namely:—

“(5) Recycler shall not deal with any other entity not having registration mandated under these rules.”.

6. In rule 10 of the said rules, —

(a) in sub-rule (2), for the words “and shall include Goods and Services Tax data of the entity”, the words “based on relevant parameters as prescribed by the Central Pollution Control Board” shall be substituted;

(b) in sub-rule (3), the words “Central Pollution Control Board will provide for the issuance of such certificates on the online portal” shall be omitted;

(c) sub-rules (4) and (5) shall be omitted;

(d) in sub-rule (6), for the words ‘in exchange of Waste Battery’, the words “for fulfilling their extended producer responsibility obligations” shall be substituted;

(e) for sub-rules (7) and (8), the following sub-rules shall be substituted, namely:—

“(7) The Extended Producer Responsibility certificate for recycler or for refurbisher shall be generated based on the weight of waste Battery processed or refurbished, as the case may be, and weight of Battery material produced as per guidelines of the Central Pollution Control Board and the Central Pollution Control Board shall ensure that every certificate is issued based on the waste Battery processed or refurbished.

(8) No Extended Producer Responsibility certificate shall be generated for the recycling or refurbishment of waste Battery imported under the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and separate accounting shall be maintained and reported for recycling or refurbishment of imported waste Battery.”;

(f) for sub-rule (9) the following sub-rule shall be substituted, namely: —

“(9) An Extended Producer Responsibility certificate in a category can only be used for off-setting, carry forward and sale for the same category of Battery.”;

(g) after sub-rule (14), the following sub-rule shall be inserted, namely: —

“(15) One or more trading platform for sale and purchase of Extended Producer Responsibility certificates may be established through agency accredited and in accordance with the guidelines issued by the Central Pollution Control Board with the approval of the Central Government.

(16) The operation and regulation of electronic platform (s), so established under sub-rule 15 for trade of Extended Producer Responsibility certificates between obligated entities, shall be as per guidelines notified by the Central Government based on the recommendations of Central Pollution Control Board for the purpose.

(17) The Central Pollution Control Board shall fix the highest and lowest price for Extended Producer Responsibility certificate every six month or as required, keeping in view the cost for collection and environmentally sound management of waste Battery and the environmental compensation regime in force.”.

7. In rule 11 of the said rules, —

(a) in sub-rule (3), after the word “application”, the following words shall be inserted, namely:-

“and on the expiry of the said period of two weeks, the registration shall be deemed to be done, if not refused by the Central Pollution Control Board.”;

(b) for sub-rules (4) and 5, the following sub-rules shall be substituted, namely:—

“(4) The registration of Producer shall be valid until is cancelled or withdrawn by the Central Pollution Control Board.

(5) The Central Pollution Control Board shall share all relevant information regarding Producer with the State Pollution Control Board through online portal.”;

(c) sub-rule (6) shall be omitted;

(d) sub-rule (9) shall be omitted;

(e) for sub-rule (17), the following sub-rule shall be substituted, namely

“Central Pollution Control Board shall issue guidelines for environmentally sound procedures of collection, storage, transportation, refurbishment, and recycling of waste Battery, and for implementation of various provisions of these rules.”;

(f) for sub-rule (21), the following sub-rule shall be substituted, namely: —

“(21) The Central Pollution Control Board shall prepare an annual report containing information which, *inter alia*, includes the Extended Producer Responsibility targets of Producers, recycling and refurbishment of waste Battery, generation and exchange of Extended Producer Responsibility certificates, and collection and utilisation of environmental compensation and furnish to the Central Government.”;

(g) in sub-rule (24), the words, brackets and figures “with respect to sub-rule (4) of rule 10” shall be omitted.

8. In rule 14 of the said rules, after sub-rule (5), the following sub-rule shall be inserted, namely:—

“(6) Central Government may by order relax timelines under this rules upto nine months for filing of returns by producer, recycler and refurbisher under the rules and modalities for effective implementation of the rules.”.

9. In rule 15 of the said rules, after sub-rule (5), the following sub-rule shall be inserted, namely:—

“(6) The Committee shall meet at least once in six months and submit its report to the Central Government.”.

10. In Schedule -I to the said rules, —

(a) in paragraph 1, for clause (ii), the following clause shall be substituted, namely:—

“(ii) portable Battery that contains up to 0.002% (20 ppm) of cadmium by weight shall only be placed;”;

(b) in paragraph 2, after clause (i), the following clause shall be inserted, namely: —

“(ia) producers shall, on or before the 31st March, 2025, ensure that all Battery or Battery packs produced are appropriately marked with Extended Producer Responsibility registration number issued under rule 4.”.

11. In Schedule II to the said rules, —

(a) in clause (v), for the words “as well”, the words “in accordance with the allocated target” shall be substituted;

(b) for clause (x), the following shall be substituted, namely: -

“(x) For Electric Vehicles Battery of three wheelers, including E-rickshaw, categories L5, L5-M, L5-N, E-cart as defined under the Central Motor Vehicle Rules, 1989, the mandatory waste battery collection, recycling or refurbishment targets are as under:—

Table

No.	Compliance cycle	Year	Mandatory Waste Battery collection target and 100% of refurbishment or recycling of the collection target (Weight)	Mandatory Waste Battery collection target, and 100% refurbishment and/or recycling target for every seven year cycle (Weight)
(1)	(2)	(3)	(4)	(5)
(i)	2026-27 till 2032-33	2026-2027	Minimum 70% of the quantity of Battery placed in the market in 2021-22.	Collection of 100% Waste Battery and of 100% of refurbishment or recycling shall be mandatory by end of seven year compliance cycle (end of 7th year) against the Battery placed in the market during seven year compliance cycle. However, there may be a carry forward of up to 60% of the average quantity of Battery placed in the market per year during the seven year cycle to the next compliance cycle.
(ii)		2027-2028	Minimum 70% of the quantity of Battery placed in the market in 2022-23.	
(iii)		2028-2029	Minimum 70% of the quantity of Battery placed in the market in 2023-24.	
(iv)		2029-2030	Minimum 70% of the quantity of Battery placed in the market in 2024-25.	
(v)		2030-2031	Minimum 70% of the quantity of Battery placed in the market in 2025-26.	
(vi)		2031-2032	Minimum 70% of the quantity of Battery placed in the market in 2026-27.	
(vii)		2032-2033	Minimum 70% of the quantity of Battery placed in the market in 2027-28.	
(viii)	2033-34 till 2039-40 and onwards	2033-2034 and onwards	Minimum 70% of the quantity of Battery placed in the market in the 5th preceding financial year (i.e. 2028-29) and onwards	Collection of 100% Waste Battery and of 100% of refurbishment or recycling shall be mandatory by end of seven year compliance cycle (end of 7th year) against the Battery placed in the market during seven year compliance cycle. However, there may be a carry forward of up to 60% of the average quantity of Battery placed in the market per year during the seven year cycle to the next compliance cycle.

(c) in clause (xii), in the table, against Sl.No. (xi), in column (4), in the entries, for the figures “80%”, the figures “70%” shall be substituted.

12. In Form 1(A) of the said rules, in the heading, the words “or renewal” shall be omitted.

13. For Form 1(B) of the said rules, the following Form shall be substituted, namely:—

“Form 1(B)

(see rules 4, 11)

FORMAT FOR GRANT OF REGISTRATION TO PRODUCERS

Ref.: Your application number for registration dated

Registration No.:

M/s----- is hereby granted one-time registration as Producer of waste Battery in line with provisions under Battery Waste Management Rules, 2022. Any violation of the provision(s) of the Battery Waste Management Rules, 2022 will attract the penal provision of the Environment (Protection) Act, 1986 (29 of 1986).

(Member Secretary)

Central Pollution Control Board”;

14. In Form 1(C) of the said rules,—

(i) in the heading, for the words “Extended Producer Responsibility plan”, the words “return regarding Battery placed in market” shall be substituted;

(ii) in the Table, against Sl. No. 6, —

A. in column (2), for the entries, the following entries shall be substituted, namely: —

“Type of Battery placed in the market, including the Battery put to self-use, with brand name and the total number and weight of the Battery, as well as dry weight of Battery”;

B. in column (3), after the words “total” the words, “number and” shall be substituted.

15. For Form 3 of the said rules, the following Form shall be substituted, namely: —

“Form 3

(see rule 4)

[Annual returns to be submitted by Producer by 30th day of June of the following financial year]

1.	Name of Producer	
2.	Registered address of Producer, website address and contact details	
3.	Name of the authorised person(s) and full address with e-mail, landline telephone number and mobile number	

4.	Details of Battery placed in the market of the year, on which Extended Producer Responsibility target is calculated	Sl.No.	Financial Year	Type of Battery	Quantity of Battery sold		
					No.	Total weight	Dry weight of Battery material
		1.					
		2.					
		3.					
		4.					
5.	Details of Extended Producer Responsibility obligation(s) and the Battery collected and refurbished or recycled for which the return is being filed	1.Extended Producer Responsibility obligation(s), 2.Weight of Battery material refurbished or recycled 3. Weight of Battery material recovered 4. Details of disposal					
6.	Details of Extended Producer Responsibility certificates	No. of certificates recycler or refurbisher-wise					
7.	Details of pre-consumer waste battery and ways of disposal (recycling/other ways of disposal including final disposal)						

Note: EPR target compliance includes Battery put to self-use.

Place:
Date:”.

Signature of the authorised person:

[F. No. 12/36/2019-HSMD]

NARESH PAL GANGWAR, Addl. Secy.