

Batteries (Management and Handling) Rules:

The Batteries (Management and Handling) Rules, 2001, shall apply to every manufacturer, importer, re-conditioner, assembler, dealer, recycler, auctioneer, consumer and bulk consumer involved to manufacture, processing, sale, purchase and use of batteries or components thereof. Responsibilities of manufacturer, importer, assembler and re-conditioner. - It shall be the responsibility of a manufacturer, importer, assembler and re-conditioner to -

- (i) ensure that the used batteries are collected back as per the Schedule against new batteries sold excluding those sold to original equipment manufacturer and bulk consumer(s);
- (ii) ensure that used batteries collected back are of similar type and specification that of the new batteries sold;
- (iii) file a half-yearly return of their sales and buy-back to the State Board in [Form - I](#) latest by 30th June and 31st December of every year;
- (iv) set up collection centers either individually or jointly at various places for collection of used batteries from consumers or dealers;
- (v) ensure that used batteries collected are sent only to the registered recyclers;
- (vi) ensure that necessary arrangements are made with dealers for safe transportation from collection centers to the premises of registered recyclers;
- (vii) ensure that no damage to the environment occurs during transportation;
- (viii) create public awareness through advertisements, publications, posters or any other means with regard to the following -
 - (a) hazards of lead;
 - (b) responsibility of consumers to return their used batteries only to the dealers or deliver at designated collection centers; and
 - (c) addresses of dealers and designated collection centers.
- (ix) use the international recycling sign on the Batteries;
- (x) buy recycled lead only from registered recyclers; and
- (xi) bring to the notice of the State Board or the Ministry of Environment and Forests any violation by the dealers.

Registration of Importers. - The importer shall get himself registered with the Ministry of Environment and Forests or an agency designated by it by submitting details in Form -II.

Customs clearance of imports of new lead acid batteries. - Customs clearance of imports shall be contingent upon -

- (i) valid registration with the Reserve Bank of India (with Importer's Code Number).
- (ii) one time registration with the Ministry of Environment and Forests or an energy designated by it in [Form - II](#).
- (iii) undertaking in [Form -III](#), and
- (iv) a copy of the latest half-yearly return in [Form -IV](#).

Responsibilities of dealers. - It shall be responsibility of a dealer to-

- (i) ensure that the used batteries are collected back as per the Schedule against batteries solid;
- (ii) give appropriate discount for every used battery returned by the consumer;
- (iii) ensure that used batteries collected back are of similar type and specifications as that of the new batteries solid;
- (iv) file half-yearly returns of the sale of new batteries and buy-back of old batteries to the manufacture in [Form -V](#) by 31st May and 30th November of every year;
- (v) ensure safe transportation of collected batteries to the designated collection centers or to the registered recyclers; and
- (vi) ensure that no damage is caused to the environment during storage and transportation of used batteries.

Responsibilities of recycler. - Each recycler shall -

apply for registration to the Ministry of Environment and Forests or an agency designated by it if not applied already, by submitting information in [Form VI](#);

ensure strict compliance of the terms and conditions of registration; however, those already registered with the Ministry of Environment and Forests or an agency designated by it for reprocessing used batteries would be bound by the terms and conditions of such registration;

submit annual returns as per [Form-VII](#) to the State Board;

make available all records to the State Board for inspection;

mark 'Recycled' on lead recovered by reprocessing; and

create public awareness through advertisements, publication, poster or others with regard to the following;-

- (a) hazards of lead; and
- (b) obligation of consumers to return used batteries only to the registered dealers or deliver at the designated collection centers.

Procedure for registration /renewal of registration of recyclers. -

1. Every recycler of used lead acid batteries shall make an application in Form-VI along with the following documents to the Joint Secretary, Ministry of Environment and Forests or any officer designated by the Ministry or an agency designated by it for grant of registration or renewal;
 - (a) a copy of the valid consent under Water (Prevention and Control of Pollution) Act, 1974, as amended and Air (Prevention and Control of Pollution) Act, 1981, as amended;
 - (b) a copy of the valid authorization under Hazardous Wastes (Management and Handling) Rules, 1989 as amended;
 - (c) a copy of valid certificate of registration with District Industries Centre; and
 - (d) a copy of the proof of installed capacity issued by either State Pollution Control Board/ District Industries Centre.

- (2) The Joint Secretary, Ministry of Environment and Forests or any officer designated the Ministry or an agency designated by it shall ensure that the recyclers possess appropriate facilities, technical capabilities, and equipment to recycle used batteries and dispose of hazardous waste generated;
- (3) The Joint Secretary, Ministry of Environment and Forests or any officer designated the Ministry or an agency designated by it shall take decision on application for registration within 120 days of receipt of application form with complete details;
- (4) The registration granted under this rule shall be in force for a period of two years from the date of issue or from the date of renewal unless suspended or cancelled earlier;
- (5) An application for the renewal of registration shall be made in Form-VI at least six months before its expiry. The Joint Secretary, Ministry of Environment and Forests or any officer designated the Ministry or an agency designated by it shall renew the registration of the recycler granted under sub-rule (4) of this rule, after examining each case on merit;
- (6) The Joint Secretary, Ministry of Environment and Forests or any officer designated by the Ministry or an agency designated by it may, after giving reasonable opportunity to the applicant of being heard, refuse to grant registration;
- (7) The Joint Secretary, Ministry of Environment and Forests or any officer designated the Ministry or an agency designated by it may cancel or suspend a registration issued under these rules, if in his /her opinion, the registered recycler has failed to comply with any of the conditions of registration, or with any provisions of the Act or Rules made thereunder after giving him an opportunity to explain and after recording the reasons thereof.
- (8) It shall be the responsibility of the State Boards to monitor the compliance of conditions prescribed while according registration, and
- (9) An appeal shall lie against any order of suspension or cancellation or refusal of registration passed by the Joint Secretary, Ministry of Environment and Forests or any officer designated by the Ministry or an agency designated by it. The appeal shall be in writing and shall be accompanied with a copy of the order appealed against and shall be presented within 30 days of passing of the order.

Responsibilities of consumer or bulk consumer. - (1) It shall be the responsibility of the consumer to ensure that used batteries are not disposed of in any manner other than depositing with the dealer, manufacturer, importer, assembler, registered recycler, reconditioner or at the designated collection centers.

- (2) It shall be the responsibility of the bulk consumer to -
 - (i) ensure that used batteries are not disposed of in any manner other than by depositing with the dealer/manufacture/registered recycler/importer/ reconditioner or at the designated collection centers; and
 - (ii) file half-yearly return in [Form-VIII](#) to the State Board.
- (3) Bulk consumers or their user units any action used batteries to registered recyclers only.

Responsibilities of auctioneer. - The auctioneer shall -

- (i) ensure that used batteries auctioned to the registered recyclers only;
- (ii) file half-yearly returns of their auctions to the State Boards in [Form -IX](#); and

(iii) maintain a record of such auctions and make these records available to the State Board for inspection.

The State Board is the prescribe authority for ensuring compliance of the provisions of these rules and it shall file an annual compliance status report to the Central Pollution Control Board by 30th April of every year.

And the Central Pollution Control Board shall compile and publish the data received every year from the State Boards. It shall review the compliance of the rules periodically to improve the collection and recycling of used lead batteries and apprise the Ministry of Environment and Forests, Government of India.

SCHEDULE [See rule 4(i) and 7(i)]		
Sl No	Year	Number of used batteries to be collected back
(i)	During first year of implementation of rule	50% of new batteries sold
(ii)	During second year of implementation of rules	75% of new batteries sold
(iii)	After second year of implementation of rules	90% of new batteries sold