



FAQs

BATTERY RULES 2022



John Three Sixteen & Compliance



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BATTERY WASTE MANAGEMENT RULES 2022



Ministry of Environment, Forest and Climate Change, Government of India published the Battery Waste Management Rules, 2022 on 24th August, 2022 to ensure environmentally sound management of waste batteries.

Under this said rules, EPR mandates that all waste batteries to be collected and sent for recycling/refurbishment, and its prohibits disposal in landfills and incineration. To meet the EPR obligations, producers may engage themselves or authorise any other entity for #collection, #recycling or #refurbishment of wastebatteries.



Q. What is a Battery?

‘Battery’ means new or refurbished cell and/or Battery and/or their component, including accumulator, which is any source of electrical energy generated by direct conversion of chemical energy and includes disposable primary and/or secondary battery.

Q. What does ‘Waste Battery’ include?

Waste Battery includes:

- (i) Used and/or End of Life Battery and/or its components or spares or parts or consumables which may or may not be hazardous in nature;**
- (ii) Pre-consumer Off-Spec Battery and its components or spares or parts or consumables;**
- (iii) Battery whose date for appropriate use has expired;**
- (iv) Battery which has been discarded by the user.**



Q. What is the meaning of EPR?

EPR stands for 'Extended Producer Responsibility' which means responsibility of any Producer of Battery for Environmentally sound management of Waste Battery.

Q. What are EPR target for Producers/Manufacturers?

EPR targets the quantity of batteries placed in the market by the Producer/Manufacturers. Details are given in Schedule II of the Battery Waste Management Rules, 2022.

Q. Does manufacturers of Battery needs to obtain registration from CPCB?

As per Rule 4 (4), The person or an entity involved in the manufacturing of Battery shall have to register through the online centralised portal as Producer in Form 1(A). The certificate of registration shall be issued in Form 1(B).



Q. Who all comes under the definition of 'Producer'?

'Producer' means an entity who engages in:

- (i) manufacture and sale of Batteries including refurbished Batteries, including in equipment, under its own brand; or**
- (ii) sale of Batteries including refurbished Batteries, including in equipment, under its own brand produced by other manufacturers or suppliers;**
- (iii) import of Battery as well as equipment containing Battery.**

Q. Does importer of battery needs to obtain registration from CPCB?

As per rule 3(1) (u), Importer of Battery as well as equipment containing Battery will be called Producer'. The Importer has to obtain registration from CPCB to carry out import activities related to battery.



Q. Which entities shall register on the online portal developed by CPCB?

The following entities shall register on the online portal developed by CPCB:

- (i) Producer (Importers comes under the definition of Producer as per Rules)**
- (ii) Manufacturers of Battery**
- (iii) Recyclers and Refurbishers**

Q. What are the documents required for KYC for registration of Producers/Manufactures?

PDF copy of Company's PAN, CIN & GST of the Producer/Manufacturers.

Is the registration provided by CPCB to the importers of lead acid batteries under Batteries (Management and Handling) Rules, 2001 still valid?

No, importers have to obtain fresh registration from CPCB to carry out any import activities related to battery as well as equipment containing battery.



Q. Which type of batteries are covered under The Battery Waste Management Rules, 2022?

All types of batteries regardless of chemistry, shape, volume, weight, material composition and use.

Q. In case of Proprietorship/Partnership, under company details, what should be provided in PAN?

PAN of the authorized person is to be provided.

Q. Do the exporters of battery needs to register with CPCB and have any EPR obligations?

If the company/brand is not placing the Battery in the Indian market, it will not have EPR obligations.



Q. When will the Importer be liable for EPR obligations?

Importers shall have EPR Obligations under the following conditions:

- a. Importers who sale the imported battery in the market under their own brand name.**
- b. Importers supplying the imported battery to other manufacturers/dealers and the manufacturers/dealers is selling those batteries in the market under the brand name provided by the importer.**
- c. Importers supplying the imported battery directly to bulk consumers.**
- d. Importers selling the imported battery in the market under the name of the brand imported.**



Q. When will the Importer NOT liable for EPR obligations?

a. Importers supplying the imported battery to other manufactures/dealers and the manufacturers/dealers is selling those batteries in the market under their own brand name.

Q. Do the Dealers of Battery have to register with CPCB/SPCB?

a. If the dealer purchases the battery from a manufacturer or a producer and sales the battery under its own brand name, in this case, the dealer will be called a Producer and will have to register with CPCB. The Dealer will also have EPR obligations as per rules.

b. If the dealer purchases or supplies the battery from manufacturer/s or a producer and sale them under the brand name provided by the manufacturer or producer, then the Dealer is not required to obtain CPCB or SPCB.“



Q. Do the exporters of battery needs to register with CPCB and have any EPR obligations?

If the company/brand is not placing the Battery in the Indian market, it will not have EPR obligations.

Q. Do manufacturers of products using battery as a component (e.g. manufacturers of UPS, inverters, medical equipment, emergency lights, Instruments, Signage, Printers, etc.) fall under definition of Producer under Para 3 (u) (i) & (ii) page 29 of the BWM Rules, 2022?

If a company/manufacturer is using a battery as a component in equipment's, then the manufacture will have EPR obligation and have to register as producer if it is making batteries under its own brand name.



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If a company/manufacturer is using a battery as a component in equipment's, then the manufacture will have EPR obligation and have to register as producer if it is making batteries under its own brand name.

If a company/manufacturer is using battery provided by other battery manufacturer/producer, then it will not have any EPR obligations.“



Q. Where can I find the EPR Registration Certificate?

There is no separate registration certificate for EPR. Registration is only granted under Form 1(B) of the Rules.

Q. As per the new Batteries Waste Management Rules 2022, whether battery user or consumer is required to submit annual or half yearly return?

Consumers/users of battery are not required to submit annual or half yearly returns. However, if any brand/company/industry/User is involved in import of any battery for in-house use, then it is mandatory to obtain registration from CPCB and they will be liable for EPR obligations. In this case, they will have to submit annual returns by 30th June.“



Do the manufacturers of batteries have any EPR obligations?

I. Manufacturers shall have EPR Obligations under the following conditions:

- a. Manufacturers who sale the battery in the market under their own brand name.**
- b. Manufactures supplying batteries to other manufacturers/dealers and the other manufacturers/dealers are selling those batteries in the market under the brand name provided by the Original manufacturers.**
- c. Manufacturers supplying batteries directly to bulk consumers.**

II. Manufacturers shall have no EPR Obligations under the following conditions:

- a. Manufacturers supplying batteries to other manufacturers/dealers and the manufacturers/dealers are selling those batteries in the market under their own brand name.**



Q. We at XYZ industry/brand/company are engaged in manufacturer of Battery and supply of battery to different manufacturers in India. We do not supply any battery to direct consumer or through dealer. Do we need to obtain registration from CPCB?

As per rules 4(4), Manufacturer of the battery has to register as producer by CPCB.

Q. We at XYZ company are involved in Refurbishment of battery and after refurbishing the battery we are selling the battery under our own brand name. Will we have EPR obligations?

If a company, be it a refurbishment unit is involved in selling of battery under its own brand name, then as per rules they will be called 'Producer'. They will have to register with CPCB and will have EPR obligations."

Q. In Form 1 (A), under type(s) of Battery placed in the market with brand name(s), what brand name(s) to be written in case of imported Battery?

Importer shall mention their own brand name(s) and not the brand name(s) of the battery imported.

John Three Sixteen & Compliance has extensive experience and know-how across the entire battery waste transformation journey. Our ability to predict outcomes with confidence empowers battery producing businesses and compliance executives to rapidly evaluate opportunities and drive the right changes across the enterprises. This leads to 360° value, benefitting businesses, clients, stakeholders, communities, and the environment.

Learn how to drive enterprise value by broadening battery waste function capabilities and impact across businesses. Simply, write us at info@john316compliance.com or call us at +91-770-391-5484.

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