

Battery Waste Management (Amendment) Rules, 2023

The Central Government has notified the Battery Waste Management (Amendment) Rules, 2023, which will take effect from 25 October 2023. These rules represent a noteworthy update to the previous Battery Waste Management Rules of 2022 and encompass several significant changes.

Key amendments

- The new definition of 'battery' includes 'cell', 'battery' or both (the erstwhile definition carried the words cell or battery). Similarly, the word primary or secondary battery will now mean primary, secondary, or both of them. The amendment appears to be clarificatory.
- Producers are not only legally mandated to uphold Extended Producer Responsibility ('EPR') for the batteries they introduce to the market but also they put to self-use. The amended rules require the producers who stop their operations, to discharge their EPR obligation for the batteries they have introduced upto the date of closure.
- The registration certificates issued to the producers by the Board will remain valid until revoked or withdrawn.
- Producers are obliged to submit annual returns to the Central Pollution Control Board, outlining the quantity of pre-consumer waste batteries generated while manufacturing, assembling, or importing batteries.
- The regulations permit the creation of one or more electronic trading platforms designated for the sale and purchase of EPR certificates. These platforms are to be overseen and regulated in accordance with the directives set forth by the Central Pollution Control Board.
- Producers are required to achieve the collection, recycling, and refurbishment targets as outlined in Schedule II for batteries or battery packs available in the market, even those they utilize for their own purposes.
- The Central Government retains the authority to issue orders allowing for an extension of up to nine months in the timelines for the submission of returns by producers, recyclers, and refurbishers.

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Therefore

The 2022 rules required a few more specific definitions and clarifications for ease of doing business. Extending the EPR obligation (through the amended rules, 2023) beyond the closure of the business is one such major amendment. Also, the reporting of self-used and pre-consumer wastage batteries will add more vigilance from a practical perspective. The provision for the Central Government to relax filing timelines underscores the importance of a flexible approach to ensure hassle-free compliance. Overall, these amendments signal a proactive approach towards sustainable battery production and responsible waste management, in line with global environmental standards. They represent a positive step towards reducing the environmental impact of battery disposal and fostering a more environmentally conscious and responsible battery industry in India.