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Ref. No.MAIT/PY/2561

October 17, 2022

Shri Ved Prakash Mishra, IRS
Director
Ministry of Environment, Forests & Climate Change

Subject: Industry concerns reg. Battery Waste Management Rules (BWMR) 2022

Respected Sir,

Greetings from MAIT, India's apex Industry body empowering IT, Telecom & Electronics Hardware sectors!

This bears reference to the Battery Waste Management Rules 2022 (BWMR 2022) dated 22nd August 2022 and the MAIT Representation dated 16th September 2022 addressed to Shri Satyendra Kumar, Director, MoEF&CC.

MAIT would like to emphasise that ICT Industry is fully committed to compliance with the regulations formulated by the Government for responsible management of E-Waste in the country.

MAIT members have been diligently complying with the E-Waste rules since its genesis and have been deeply involved with the Ministry over the past decade to help shape sustainable and functional regulation. Most of our members have been implementing successful E-Waste take-back and compliance programs across the world for several decades. Harnessing this collective intelligence and experience, we hereby submit our concerns on the recently launched BWMR 2022 to enable an efficient and effective Battery Waste management system in the country which are as below: -

- There is a certain overlap between Battery Waste Management Rules and E-Waste Management Rules. The industry is in compliance with the E-Waste rules and batteries included in the products covered under Schedule 1 are accounted for while calculating the sales weight of the products. These batteries are already getting recycled by e-waste recyclers. **Hence, MAIT suggests that the batteries of products covered under Schedule 1 of e-waste management rules should be exempted from the compliance requirements of the BWMR 2022.**
- Multiple compliance requirements for the products already covered under e-waste rules could significantly make compliances cumbersome and **hamper the spirit of Ease of Doing Business** in India.
- Moreover, as the industry has been collecting and recycling the batteries of these product categories for the past 5 years and will continue to do so under the E-waste regulation, there is no additional environmental benefit of this EPR requirement (registration & collection target fulfilment).
- MAIT also wishes to highlight that most of the electronic products covered under Schedule 1. of e-waste rules come with **embedded batteries**. Hence, sales data reporting separately for these batteries is challenging, and also E-waste recyclers collect such products from the market under EPR on behalf of Producers, and subsequently dismantle and recycle them at their facilities. Therefore, separate accounting of the batteries dismantled from such products at the recycler's facility by the Producers is challenging.

We further propose that Batteries are not excluded from new E-waste Management Rules which are to be notified soon. Apropos, the following clause as in the draft E-waste Management Rules is recommended to be deleted:

2. (a) used batteries as covered under the Batteries (Management and Handling) Rules made under the Act;

Sir, it is requested that the above-stated concerns of the Electronics Industry be addressed urgently.

With regards,



Col. AA Jafri, Retd.
Acting Director General - MAIT

CC: Shri Naresh Pal Gangwar, IAS, Additional Secretary, MoEF&CC
CC: Shri Satyendra Kumar, IPS, Director, MoEF&CC
CC: Shri Vinod Kumar Singh, Addl. Director, MoEF&CC