

MAHARASHTRA POLLUTION CONTROL BOARD

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'Kalpataru Point' 3rd floor,
Sion Matunga Scheme Rd No.8,
Near Sion Circle, Sion (E),
Mumbai 400 022.

BO/RQ(HQ)/Battery/ 8-4974

Date:- 05.12.2019

CIRCULAR

Sub:- Delegation of Power of Battery Dealer Registration to Sub-Regional Officers of Maharashtra Pollution Control Board under Batteries (Management & Handling) Rules, 2001)

Ref:- 1.MPCB Circular No.MPCB/RO(HQ)/HSMD/Battery/B:2761 dated 16.05.2011

Ministry of Environment, Forests and Climate Change (MoEFCC) has notified the Batteries (Management and Handling) Rules, 2001 on 16th May, 2001 and thereafter amended the notification on 4th May, 2010;

The responsibilities of manufacturer, importer, re-conditioner, assembler, dealer, recycler, auctioneer, consumer and bulk consumer were fixed as per Batteries Rules, 2001. Maharashtra Pollution Control Board (MPCB) is the prescribed authority for ensuring compliance of the provisions of these Rules in the State of Maharashtra, as per Rule 12 of the aforesaid Rules. Also, all the battery dealers operating in the state have responsibility of Registration with the respective State Pollution Control Boards as per the Rule 7 of the aforesaid Rules.

As per above reference 1, the suspension, cancellation or refusal of Registration (to battery dealers) will be issued with the approval of Member Secretary, MPCB.

Considering the large number (around 2370) of active battery dealers in the state, it is decided that the power to grant/refusal of battery dealer registration is delegated to **Sub-Regional Officers of MPCB**. However suspension or cancellation of registration will be dealt by the Head Office, MPCB. A sample copy of registration to be granted to battery dealer is attached herewith for your reference. Therefore, all Sub-Regional Officers are hereby directed to grant the Registration by imposing the conditions as per the sample copy.

The Powers delegated to them shall be exercised judiciously and diligently and they will apprise the Member Secretary about the registrations approved by them. The SRO shall submit monthly report about applications received for battery dealer registration and number of registrations granted/refused in the format given, to Regional Officer (HQ).


(E. Ravendiran, IAS)
Member Secretary

- D.A.- 1. Sample copy of Registration granted to battery dealer
2. Format for submitting data to MPCB, Head Office

Copy submitted for information to:

1. Hon'ble Chairman, MPCB

Copy to:

1. PSO/Joint Director (APC)/Assist. Secretary (Tech.)/Joint Director (WPC)/ RO(HQ)/
Law officer, MPCB, Mumbai.
2. All ROs/ All SROs- for necessary action

Format for submitting monthly data regarding registration of battery dealers

Sr No.	Name of SRO office	Name of dealer	Date of Application received	Date of Registration granted	Half yearly return* submitted? (Yes/No)

*As per Batteries Rules, Dealers have to submit half yearly return for first half of financial year (April-Sept) by 30th November of that year and for second half of financial year (Oct-March) by 31st May of next year.

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Kalpataru Point,

3rd Floor, Opp. Cinemax,

Near Sion Circle, Sion(E)

Mumbai-400 022

No. MPCB/HSMD/Battery Dealer Registration/B - 1911000003

Date: 27/11/2019

LETTER OF REGISTRATION

[Registration for Dealership of Batteries]

Certificate of Registration to the battery dealers under Rule 4 and clause (VII) of Rule 7 of the Batteries (Management and Handling) Rules, 2001 as amended on 2010.

Ref: Your application No. MPCB-BATTERY_DEALER-0000000042 for grant of registration of Batteries as per the rules 4 and 7 (vii) under the Batteries (Management and Handling) Rules, 2001 Amendment Rules, 2010 dated 4.10.2019.

1. Number of Registration:

MPCB/HSMD/Battery Dealer Regi. No. - 13

Date: 27/11/2019

2. **M/s. Maharudra Enterprises, Shop No.1-2,Ganraj Apartment, Bhagatsingh Road, Nanded** is hereby granted registration for dealership of batteries under the Batteries (Management and Handling) Rules, 2001 Amendment Rules, 2010.
3. The registration is valid for dealing of Batteries under the Batteries (Management and Handling) Rules, 2001 Amendment Rules, 2010.
4. The registration is valid upto **30.11.2024**.
5. In case of illegal dealing other than mentioned in the Batteries (Management and Handling) Rules, 2001 Amendment Rules, 2010 is subject to cancellation of dealership.
6. The registration is subject to the conditions stated below and sub conditions as may be specified in the rules in force under the Environment (Protection) Act, 1986.

General Conditions:-

1. The registration holder shall comply with provisions of the Environment (Protection) Act, 1986 and the rules made thereunder. The registration or its renewal shall be produced for inspection at the request of an officer authorized by the Maharashtra Pollution Control Board at the place of Dealership.
2. The dealer shall not rent, lend, sell, transfer or otherwise transport the hazardous wastes without obtaining prior permission of the Maharashtra Pollution Control Board.

3. An application for the renewal of registration shall be made as laid down under provision of the Batteries (Management and Handling) Rules, 2001 Amendment Rules, 2010. It is binding upon dealer to take prior permission of the Maharashtra Pollution Control Board in case to close down the dealership.

Responsibilities of Dealer. –

- (I) It is the responsibility of dealer to ensure that the used batteries are collected back as per the Schedule against new batteries sold.
 - (II) The dealer shall ensure that the used batteries are collected back are of similar type and specifications as that of the new batteries sold and has to give appropriate discount for every used battery return by the consumer.
 - (III) The dealer shall file timely half – yearly returns of the sale of new batteries and buy-back of old batteries to the manufacturer in FORM - V by 31st May and 30th November of every year.
 - (IV) The dealer shall ensure safe transportation of collected batteries to the designated collection centers or to the registered recyclers.
 - (V) The dealer shall ensure that no damage is caused to the environment during storage and transportation of used batteries.
 - (VI) The Board has reserved its right to cancel the registration at any time for no action under the provision of the Batteries (Management and Handling) Rules, 2001 Amendment Rules, 2010. But, registration granted to the dealer shall be cancelled after extending opportunity of hearing to the dealer.
4. Dealer of Batteries shall submit Bank Guarantee in favour of Regional Officer, Aurangabad of Rs. 10,000/- valid up to 31.3.2025 towards compliance of Batteries (Management and Handling) Rules, 2001 Amendment Rules, 2010 within a period of Fifteen days from the receipt of this letter of registration. In Case, Dealer of Batteries fail to collect back 90% of used batteries from the customers and send to Recycler through Manufacturer as per the Batteries (Management and Handling) Rules, 2001 Amendment Rules, 2010, Board will have no option than to forfeit the Bank Guarantee and to take appropriate action as may deem fit and proper in this case.
 5. Applicant shall submit Establishment certificate from local body and dealership certificate of Authorised Battery manufacturer within 15 days from date of registration.
 6. This certificate of registration stands automatically cancelled, if any of the conditions stipulated above are found to be violated.
 7. You shall apply for renewal of Registration 30 days before expiry of existing registration.

(E. Ravendiran, IAS)
Member Secretary

Copy to:

- 1] Regional Officer, MPC Board, Aurangabad.
- 2] Sub Regional Officer, MPC Board, Nanded

b/c
3/10
19/11