



Project: 1X660MW Panki Thermal Power Station

**CORRIGENDUM  
NO. 2 dt.  
12.03.2022**

220V DC Battery & BHMS

**Tender Ref. No.  
Enquiry No.  
77/21/6120/JRK Dated  
28-02-2022**

**Please note the following point**

Sl. No.	Event Description	TO NOTE
1	Techno-commercial	Corrigendum -2 issued for the following: 1. <b>Uploading of Technical clarifications</b>
2	All other terms & conditions	<b>Remain unchanged.</b>

**Note:**

Also, please note that the full tender document can be downloaded from the website  
<https://eprocurebhel.co.in/nicgep/app>

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All other terms and conditions remain the same as per the original enquiry and it's subsequent amendment / addendum / corrigendum /clarification.

Any further addendum / corrigendum/ clarification/ notice of due date extension such issued shall be part of the bidding documents and this will be available at the web site from where the original documents have been received / downloaded by the bidder.

Hence bidders are requested to visit the web site on regular basis.

## **CORRIGENDUM**

**Package Name: 220V DC BATTERY & BHMS**

**Indent Ref No : IS-1-17-2001/026 dated 10.12.2021**

**Project Name : 1x660MW PANKI TPS**

**Technical Clarification / Amendment**

<b>Sr. No.</b>	<b>BID Specification A. Technical</b>	<b>Clarification / Amendment</b>
1	Regarding Battery ( Management & handling ) rules	Bidder to comply the following applicable to Batteries attached herewith. i) Batteries ( management & handling ) Rules-2001 ii) Batteries (Management and Handling) Amendment Rules, 2010 or latest

# THE BATTERIES (MANAGEMENT AND HANDLING) RULES, 2001<sup>1</sup>

*In exercise of the powers conferred by sections 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby notifies the Batteries (Management and Handling) Rules, 2001.*

**1. Short title and commencement.**—(1) These rules may be called the Batteries (Management and Handling) Rules, 2001.

(2) They shall come into force on the date<sup>2</sup> of their publication in the Official Gazette.

**2. Application.**—These rules shall apply to every manufacturer, importer, re-conditioner, assembler, dealer, recycler, auctioneer, consumer and bulk consumer involved in manufacture, processing, sale, purchase and use of batteries or components thereof.

**3. Definitions.**—In these rules, unless the context otherwise requires,—

- (a) 'Act' means the Environment (Protection) Act, 1986 (29 of 1986);
- (b) 'assembler' means a person who manufactures lead acid batteries by assembling various components;
- (c) 'auction' means bulk sale of used lead acid batteries or component(s) thereof by invitation of tenders or auction, contract or negotiation by individual(s), companies or Government Departments;
- (d) 'auctioneer' means a person (s) who auctions used lead acid batteries or components, thereof;
- (e) 'battery' means lead acid battery which is a source of electrical energy and contains lead metal;
- <sup>3</sup>(f) 'bulk consumer' means a consumer such as the Departments of Central Government like Railways, Defence, Telecom, Posts and Telegraph, the Departments of State Government, the Undertakings, Boards and others agencies or companies who purchase hundred or more than hundred batteries per annum;
- (g) 'components' means lead bearing components of a lead acid battery;
- (h) 'consumer' means a person using lead acid batteries excluding bulk consumers;
- (i) 'dealer' means a person who sells and receives lead acid batteries or components thereof to and from the consumers or other dealers or retailers on behalf of the manufacturers, importers, assemblers and reconditioners or otherwise;

1. Vide S.O. 432(E), dated 16th May, 2001, published in the Gazette of India, Extra., Pt. II, Sec. 3(ii), dated 16th May, 2001.

2. Came into force on 16-5-2001.

3. Subs. by S.O. 1002(E), dated 4th May, 2010, for clause (f) (w.e.f. 4-5-2010). Clause (f), before substitution, stood as under:

"(f) 'bulk consumer' means a consumer such as Central or State Government Departments of Railways, Defence, Telecom, Posts and Telegraph, State Road Transport Undertakings, State Electricity Boards and others who purchase batteries through Central 'rate' or running contract centrally placed on behalf of individual departments or user units under their jurisdiction;"



**10. 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 centres.

(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/manufacturer/registered recycler/importer/ reconditioner or at the designated collection centres, and

(ii) file half-yearly return in Form VIII to the State Board.

(3) Bulk consumers or their user units may auction used batteries to registered recyclers only.

**11. Responsibilities of auctioneer.**—The auctioneer shall—

(i) ensure that used batteries are 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.

**12. Prescribed Authority.**—The prescribed authority for ensuring compliance of the provisions of these rules shall be the State Board. And, it shall file an annual compliance status report to the Central Pollution Control Board by 30th April of every year.

**13. Duties of Central Pollution Control Board.**—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.

**14. Computerisation of Records and Returns.**—Ministry of Environment and Forests or an agency designated by it shall develop a system for computerised tracking of—

(i) distribution and sale of batteries;

(ii) collection, auction, transport and re-processing of used batteries;

(iii) sale of re-processed lead by registered recyclers; and

(iv) sale of lead from all domestic producers or importers.

#### SCHEDULE

[See rules 4(i) and 7(i)]

S. No.	Year	Number of used batteries to be collected back
(i)	During first year of implementation of rules	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

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 consents 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 authorisation 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 by 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 by the Ministry or an agency designated by it shall take decision on application for registration within <sup>1</sup>[90] 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 atleast six months before its expiry. The Joint Secretary, Ministry of Environment and Forests or any officer designated by 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 by 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 therefor.

(8) It shall be the responsibility of the State Boards to monitor the compliance of conditions prescribed while according registration.

(9) An appeal shall lie against any order of suspension or cancellation or refusal of registration passed by the Joint Secretary to the 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.

1. Subs. by S.O. 1002(E), dated 4th May, 2010, for '120' (w.e.f. 4-5-2010).



- (iv) file 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;
  - (v) ensure safe transportation of collected batteries to the designated collection centres or to the registered recyclers; and
  - (vi) ensure that no damage is caused to the environment during storage and transportation of used batteries.
- <sup>1</sup>[(vii) (a) registration with State Pollution Control Board for five years and a provision of cancellation for failure in collection of the required number of used batteries as per the said rules, non-submission of timely half yearly returns to the State Pollution Control Boards, renewal of the registration shall be as per the compliance status, to submit details as per Form IV, registration would be considered as deemed registered if not objected to within thirty days;

Provided that the registration granted to the dealer shall not be cancelled unless he has been given a reasonable opportunity of hearing;

- (b) an appeal shall lie against any order of suspension or cancellation or refusal of registration passed by the Member-Secretary of the State Pollution Control Board or any other officer designated by the State Pollution Control Board;
- (c) the appeal shall be in writing and shall be accompanied with a copy of the order appealed against and shall be made within period of thirty days from the date of passing of the order.] > X

**8. Responsibilities of recycler.**—Each recycler shall—

- (i) 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;
- (ii) ensure strict compliance of the terms and conditions of registration; however, those already registered with the Ministry of Environment and Forests or agency designated by it for reprocessing used batteries would be bound by the terms and conditions of such registration;
- (iii) submit annual returns as per Form VII to the State Board;
- <sup>2</sup>[(iv) make available all records relating to receipt of used batteries, sources, quantities and metal yield to be submitted to the State Pollution Control Board for inspection;]
- (v) mark 'Recycled' on lead recovered by reprocessing; and
- (vi) create public awareness through advertisements, publications, posters 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 centres.) ✓

**9. Procedure for registration/renewal of registration of recyclers.**—(1) Every recycler of used lead acid batteries shall make an application in Form VI along

<sup>1</sup> Ins. by S.O. 1002(E), dated 4th May, 2010 (w.e.f. 4-5-2010).

<sup>2</sup> Subs. by S.O. 1002(E), dated 4th May, 2010, for clause (iv) (w.e.f. 4-5-2010). Clause (iv), before substitution, stood as under:

"(iv) make available all records to the State Board for inspection;"



- (a) hazards of lead;
- (b) responsibility of consumers to return their used batteries only to the dealers or deliver at designated collection centres; and
- (c) addresses of dealers and designated collection centres;
- (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.
- <sup>1</sup>[(xii) ensure that the new batteries shall be sold only to the registered dealers;]

<sup>1</sup>[**Note.**—The assemblers and reconditioners are excluded from the purview of responsibilities as specified in sub-clauses (iv), (vii), (ix) and (xii).]

<sup>2</sup>[**5. Registration of importers.**—(i) the importers shall get registered as per Form I with the Central Pollution Control Board for a period of five years and a provision of cancellation for failure in collection of the required number of used batteries as per the said rules, non-submission of timely half yearly returns to the State Pollution Control Boards with a copy to the Central Pollution Control Board, renewal of the registration shall be as per the compliance status:

Provided that the registration granted to the importer shall not be cancelled unless he has been given a reasonable opportunity of hearing;

(ii) an appeal shall lie against any order of suspension or cancellation or refusal of registration passed by the Member-Secretary of the Central Pollution Control Board or any other officer designated by the Central Pollution Control Board;

(iii) the appeal shall be in writing and shall be accompanied with a copy of the order appealed against and shall be made within period of thirty days from the date of passing of the order.]

**6. 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 agency designated by it in Form II;
- (iii) undertaking in Form III; and
- (iv) a copy of the latest half-yearly return in Form IV.

**7. Responsibilities of dealer.**—It shall be the responsibility of a dealer to—

- (i) ensure that the used batteries are collected back as per the Schedule against new batteries sold;
- (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 sold;

1. Ins. by S.O. 1002(E), dated 4th May, 2010 (w.e.f. 4-5-2010).

2. Subs. by S.O. 1002(E), dated 4th May, 2010, for rule 5 (w.e.f. 4-5-2010). Rule 5, before substitution, stood as under:

**"5. 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."

- (j) 'designated collection centre' means a collection centre established, individually or jointly by one or more manufacturers or importers, assemblers and re-conditioners in pursuance of their responsibilities under rule 4 of these rules;
- (k) 'importer' means a person who imports new lead acid batteries or components containing lead thereof for the purpose of sale;
- (l) 'manufacturer' in relation to any factory manufacturing lead acid batteries or components thereof means a person or Chief Executive Officer (CEO) of the company who has control over the affairs of the factory or the premises for sale and collection of lead acid batteries or components thereof;
- (m) 'original equipment manufacturer' means manufacturer of equipment or product using lead acid batteries as a component;
- (n) 'reconditioner' means a person involved in repairing of lead acid batteries for selling the same in the market;
- (o) 'recycler' means an occupier who processes used lead acid batteries or components thereof for recovering lead;
- (p) 'registered recycler' means a recycler registered with the Ministry of Environment and Forests or an agency designated by it for reprocessing used lead acid batteries or components thereof;
- (q) 'State Board' means the concerned State Pollution Control Board or the Pollution Control Committee as the case may be;
- (r) 'used batteries' means used, damaged and old lead acid batteries or components thereof; and
- (s) the words not defined in these rules will have the same meaning as defined in the Environment (Protection) Act, 1986 and the rules framed thereunder.

**4. 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 specifications as 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 centres 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 centres 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 by other means with regard to the following:—



- (j) 'designated collection centre' means a collection centre established, individually or jointly by one or more manufacturers or importers, assemblers and re-conditioners in pursuance of their responsibilities under rule 4 of these rules;
- (k) 'importer' means a person who imports new lead acid batteries or components containing lead thereof for the purpose of sale;
- (l) 'manufacturer' in relation to any factory manufacturing lead acid batteries or components thereof means a person or Chief Executive Officer (CEO) of the company who has control over the affairs of the factory or the premises for sale and collection of lead acid batteries or components thereof;
- (m) 'original equipment manufacturer' means manufacturer of equipment or product using lead acid batteries as a component;
- (n) 'reconditioner' means a person involved in repairing of lead acid batteries for selling the same in the market;
- (o) 'recycler' means an occupier who processes used lead acid batteries or components thereof for recovering lead;
- (p) 'registered recycler' means a recycler registered with the Ministry of Environment and Forests or an agency designated by it for reprocessing used lead acid batteries or components thereof;
- (q) 'State Board' means the concerned State Pollution Control Board or the Pollution Control Committee as the case may be;
- (r) 'used batteries' means used, damaged and old lead acid batteries or components thereof; and
- (s) the words not defined in these rules will have the same meaning as defined in the Environment (Protection) Act, 1986 and the rules framed thereunder.

**4. 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 specifications as 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 centres 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 centres 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 by other means with regard to the following:—



# भारत का राजपत्र

## The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 837]

नई दिल्ली, मंगलवार, मई 4, 2010/वैशाख 14, 1932

No. 837]

NEW DELHI, TUESDAY, MAY 4, 2010/VAISAKHA 14, 1932

पर्यावरण और वन मंत्रालय

अधिसूचना

नई दिल्ली, 4 मई, 2010

का.आ. 1002(अ).—केन्द्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 6, धारा 8 और धारा 25 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, बैटरी (प्रबंधन और हथालन) नियम, 2001 का संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात् :—

1. (1) इन नियमों का संक्षिप्त नाम बैटरी (प्रबंधन और हथालन) संशोधन नियम, 2010 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. बैटरी (प्रबंधन और हथालन) नियम, 2001 (जिसे इसमें इसके पश्चात् उक्त नियम कहा गया है) के नियम 3 में, खंड (च) के स्थान पर निम्नलिखित खंड रखा जाएगा, अर्थात् :—

“(च) प्रपुंज उपभोक्ता से केन्द्रीय सरकार के रेल, रक्षा, दूरसंचार, डाक तथा तार जैसे विभागों राज्य सरकार के विभागों उपक्रमों, बोर्डों तथा अन्य अभिकरणों या कंपनियों जैसे ऐसे उपभोक्ता अभिप्रेत हैं, जो प्रतिवर्ष एक सौ या एक सौ से अधिक बैटरियां क्रय करते हैं”।

3. उक्त नियमों के नियम 4 में,—

(i) उप-नियम (xi) के पश्चात् निम्नलिखित उप-नियम अंतःस्थापित किया जाएगा अर्थात् :—

“(xii) यह सुनिश्चित करें कि नई बैटरियां केवल

रजिस्ट्रीकृत व्यौहारियों को ही बिक्रीत की जाएंगी।”

(ii) इस प्रकार अंतःस्थापित उप-नियम (xii) के पश्चात् निम्नलिखित टिप्पण अंतःस्थापित किया जाएगा, अर्थात् :—

“टिप्पण :—समायोजकों तथा मरम्मतकर्ताओं को ऐसे दायित्वों की परिधि से अपवर्जित किया गया है जो उप-खंड (iv), उप-खंड (vii), उप-खंड (ix) तथा (xii) में विनिर्दिष्ट हैं।

4. उक्त नियमों के नियम 5 के स्थान पर निम्नलिखित नियम रखा जाएगा, अर्थात् :—

“5. अयात कर्ताओं का रजिस्ट्रीकरण.—(i) अयातकर्ता प्ररूप। के अनुसार पांच वर्ष की अवधि के लिए केन्द्रीय प्रदूषण नियंत्रण बोर्ड के पास रजिस्टर करेगा और उक्त नियमों के अनुसार अपेक्षित संख्या में प्रयुक्त बैटरियों के संग्रहण में असफलता, केन्द्रीय प्रदूषण नियंत्रण बोर्ड को एक प्रति सहित राज्य प्रदूषण नियंत्रण बोर्ड को समय पर अर्धवार्षिक विवरणियां प्रस्तुत न करने के लिए रद्दकरण, रजिस्ट्रीकरण के नवीकरण का उपबंध अनुपालन प्रास्थिति के अनुसार होगा :

परन्तु आयातकर्ता प्रदत्त रजिस्ट्रीकरण तब तक रद्द नहीं किया जाएगा जब तक उसे सुनवाई का युक्ति युक्त अवसर प्रदान नहीं कर दिया गया हो;

(ii) कोई अपील, केन्द्रीय प्रदूषण नियंत्रण बोर्ड के सदस्य सचिव या केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा पदानिहित किसी



अन्य अधिकारी द्वारा पारित किया गया रजिस्ट्रीकरण के निलम्बन या रद्दकरण या इन्कार किए जाने के किसी आदेश के विरुद्ध होगी;

(iii) अपील लिखित में होगी और उसके साथ उस आदेश की एक प्रति संलग्न की जाएगी जिसके विरुद्ध अपील की गई है और यह आदेश पारित किए जाने की तारीख से तीस दिन की अवधि के भीतर की जाएगी।

5. उक्त नियमों के नियम 7 में, खंड (vi) के पश्चात् निम्नलिखित खंड अंतःस्थापित किया जायेगा अर्थात् :

“(vii) (क) प्ररूप के अनुसार ब्यौरे प्रस्तुत करने के लिए राज्य प्रदूषण नियंत्रण बोर्ड के पास पांच वर्ष की अवधि के लिए रजिस्ट्रीकरण और उक्त नियमों के अनुसार अपेक्षित संख्या राज्य प्रदूषण नियंत्रण बोर्डों को समय पर अर्धवार्षिक विवरणियां प्रस्तुत न करने के लिए रद्दकरण, रजिस्ट्रीकरण के नवीकरण का उपबंध अनुपालन प्रास्थिति के अनुसार होगा, यदि तीस दिन की अवधि के भीतर आक्षेप नहीं किया जाता है तो रजिस्ट्रीकरण को रजिस्ट्रीकृत समझा जाएगा।”

परन्तु व्यौहारी को प्रदत्त रजिस्ट्रीकरण तब तक रद्द नहीं किया जाएगा जब तक उसे सुनवाई का युक्ति युक्त अवसर प्रदान नहीं कर दिया जाता;

(ख) कोई अपील, राज्य प्रदूषण नियंत्रण बोर्ड के सदस्य सचिव या राज्य प्रदूषण नियंत्रण बोर्ड द्वारा पदानिहित किसी अन्य अधिकारी द्वारा पारित रजिस्ट्रीकरण के निलम्बन या रद्दकरण या इन्कार किए जाने के किसी आदेश के विरुद्ध होगी;

(ग) अपील लिखित में होगी और उसके साथ उस आदेश की एक प्रति संलग्न की जाएगी जिसके विरुद्ध अपील की गई है और यह आदेश पारित किए जाने की तारीख से तीस दिन की अवधि के भीतर की जाएगी।

6. उक्त नियमों के नियम 8 के खंड (iv) में निम्नलिखित खंड रखा जायेगा, अर्थात् :—

“(iv) उपयोग की गई बैटरियों की प्राप्ति, स्रोत, मात्रा तथा धातु प्रतिफल से संबंधित सम्पूर्ण अभिलेख निरीक्षण हेतु राज्य प्रदूषण नियंत्रण बोर्ड को प्रस्तुत करने हेतु उपलब्ध कराना।”

7. उक्त नियमों के नियम 9 के उप-नियम (3) में से संख्या “120” के स्थान पर “90” रखा जायेगा।

8. उपर्युक्त नियम के प्ररूप I में,—

(i) “नई बैटरियों के विक्रय और उपयोगी हुई बैटरियों की विवरणियां फाइल करने के लिए प्ररूप, से संबंधित शीर्षक के नीचे विनिर्माता/संयोजक और मरम्मत करने वालों” शब्दों के स्थान पर “विनिर्माता/आयातकर्ता/प्रपुंज उपभोक्ता” शब्द रखे जाएंगे;

(ii) स्तम्भ I में विद्यमान प्रविष्टि के स्थान पर “विनिर्माता/आयातकर्ता/प्रपुंज उपभोक्ता का नाम और पता” प्रविष्टि रखी जाएगी;

(iii) स्तम्भ 3 में विद्यमान प्रविष्टि में शब्द “बेची गई” शब्द के पश्चात् “आयातकर्ता या उपभोक्ता” शब्द अंतःस्थापित किए जाएंगे।

9. उपर्युक्त नियमों में, प्ररूप (iv) और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित प्ररूप और प्रविष्टियां रखी जाएगी, अर्थात् :—

#### प्ररूप IV

[नियम 4 और नियम 7 (vii) देखें]

व्यौहारियों के रजिस्ट्रीकरण के लिए प्ररूप

[व्यौहारियों द्वारा राज्य प्रदूषण नियंत्रण बोर्ड/प्रदूषण नियंत्रण समितियों के समक्ष प्रस्तुत किया जाए]

1. व्यौहारियों का नाम और पता, दूरभाष तथा फैंक्स संख्या सहित
2. टिन/वैट संख्या\*

\*यदि लागू हो (वर्तमान राज्य बिक्री कर नियमों के अनुसार, अनिवार्य टिन/वैट संख्या केवल तभी अपेक्षित है जब व्यौहारियों का वार्षिक आवर्त विहित मूल्य से अधिक हो)।

प्राधिकृत व्यक्ति के हस्ताक्षर।

स्थान .....

तारीख .....

[23-22/2005-एचएसएमडी]

राजीव गौबा, संयुक्त सचिव

टिप्पण : मूल नियम भारत के राजपत्र, असाधारण में अधिसूचना संख्या नं. का.आ. 432 (अ) तारीख 16 मई, 2001 द्वारा प्रकाशित किए गए थे।

#### MINISTRY OF ENVIRONMENT AND FORESTS

#### NOTIFICATION

New Delhi, the 4th May, 2010

**S.O. 1002 (E).**—In exercise of the powers conferred by Sections 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby make the following rules to amend the Batteries (Management and Handling) Rules, 2001 namely,—

1. (1) These rules may be called Batteries (Management and Handling) Amendment Rules, 2010.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Batteries (Management and Handling) Rules, 2001 (hereinafter referred to as the said rules), in rule 3, for clause (f), the following clause shall be substituted, namely,—

“(f) bulk consumer—means a consumer such as the Departments of Central Government like Railways,



Defence, Telecom, Posts and Telegraph, the Departments of State Government, the Undertakings, Boards and other agencies or companies who purchase hundred or more than hundred batteries per annum;”

3. In the said rules, in rule 4,—

(i) after sub-rule (xi), the following sub-rule shall be inserted, namely,—

“(xii) ensure that the new batteries shall be sold only to the registered dealers”;

(ii) after sub-rule (xii) as so inserted, the following Note shall be inserted, namely,—

“Note: The assemblers and reconditioners are excluded from the purview of responsibilities as specified in sub-clauses (iv), (vii), (ix) and (xii).”

4. In the said rules, for rule 5, the following rule shall be substituted, namely,—

“5. Registration of importers. — (i) the importers shall get registered as per Form I with the Central Pollution Control Board for a period of five years and a provision of cancellation for failure in collection of the required number of used batteries as per the said rules, non-submission of timely half yearly returns to the State Pollution Control Boards with a copy to the Central Pollution Control Board, renewal of the registration shall be as per the compliance status:

Provided that the registration granted to the importer shall not be cancelled unless he has been given a reasonable opportunity of hearing;

(ii) an appeal shall lie against any order of suspension or cancellation or refusal of registration passed by the Member-Secretary of the Central Pollution Control Board or any other officer designated by the Central Pollution Control Board;

(iii) the appeal shall be in writing and shall be accompanied with a copy of the order appealed against and shall be made within period of thirty days from the date of passing of the order.”

5. In the said rules, in rule 7, after clause (vi), the following clause shall be inserted, namely,—

“(vii) (a) registration with State Pollution Control Board for five years and a provision of cancellation for failure in collection of the required number of used batteries as per the said rules, non-submission of timely half yearly returns to the State Pollution Control Boards, renewal of the registration shall be as per the compliance status, to submit details as per Form IV, registration would be considered as deemed registered if not objected to within thirty days:

Provided that the registration granted to the dealer shall not be cancelled unless he has been given a reasonable opportunity of hearing;

(b) an appeal shall lie against any order of suspension or cancellation or refusal of registration passed by the Member-Secretary of the State Pollution Control

Board or any other officer designated by the State Pollution Control Board;

(c) the appeal shall be in writing and shall be accompanied with a copy of the order appealed against and shall be made within period of thirty days from the date of passing of the order.”

6. In the said rules, in rule 8 for clause (iv), following clause shall be substituted, namely,—

“(iv) make available all records relating to receipt of used batteries, sources, quantities and metal yield to be submitted to the State Pollution Control Board for inspection;”

7. In the said rules, in rule 9, in sub-rule (3), for the figures “120”, the figures “90” shall be substituted.

8. In the said rule, in Form I,—

(i) under the heading relating to “Form for filling returns of sale of new batteries and collection of used batteries, for the words manufacturer/assembler/reconditioner”, the words “manufacturer/importer/ bulk consumer” shall be substituted;

(ii) in column 1, for the existing entry, the entry “Name and Address of the manufacturer/importer/bulk consumer” shall be substituted;

(iii) in column 3, in the existing entry, after the word “sold”, the words “importers or consumers” shall be inserted.

9. In the said rules, for the Form IV and the entries relating thereto, the following Form and entries shall be substituted, namely:—

“FORM-IV

[See Rules 4 and 7 (vii)]

FORM FOR REGISTRATION OF DEALERS

[To be submitted by dealers to the State Pollution Control Boards/Pollution Control Committees].

1. Name and address of the dealers  
with telephone and fax numbers

2. TIN/VAT number\*

\*IF APPLICABLE (AS PER CURRENT STATE SALE TAX RULES, MANDATORY TIN/VAT NUMBER IS REQUIRED ONLY IF THE ANNUAL TURNOVER OF THE DEALER IS MORE THAN THE PRESCRIBED VALUE)

Signature of the authorized person.”

Place .....

Date .....

[No. 23-22/2005-HSMD]

RAJIV GAUBA, Jt. Secy.

**Note :—** The principal rules were published in the Gazette of India, Extraordinary *vide* notification number S.O. 432 (E), dated the 16th May, 2001.