



PHD House, 4th Floor, Ramakrishna Dalmia Wing
4/2, Siri Institutional Area, August Kranti Marg, New Delhi – 110016,
Tel# 9599665859 E-mail: dg@mait.com □ Website: <http://www.mait.com>

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June 19, 2023

Shri Naresh Pal Gangwar, IAS
Additional Secretary
Ministry of Environment, Forests & Climate Change

Subject: Relief from EPR obligation FY 22-23 under BWMR 22

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 '22). The rule mandates to fulfil an EPR obligation for FY 2022-23 with a 50% target. Also, rules mandate the purchase of online EPR certificates from CPCB-authorized recyclers through an online portal only.

MAIT would like to highlight the fact that during the period when the BWMR '22 went effective i.e. 22nd August 2022, the E-waste (Management) Rules, 2016 (EWMR '16) was also effective. The ICT industry has always been compliant with the EWMR '16 and has collected and recycled batteries under the same. All member companies that were covered under the EWMR had contracts to collect and recycle batteries along with the main product which were covered under the BWMR as well. However, since the BWMR '22 came into effect later in the year, their reporting procedures could not be changed to capture batteries to be reported separately under the BWMR and, therefore, the industry is not able to demonstrate compliance separately for batteries.

Any new regulation requires a transition time to be provided to enable a smooth transition and successful implementation. Without adequate transition time, both industry and Government face avoidable pressure in supporting each other to enable compliance. The fact that the BWMR was launched without any transition time has put both the Government and the industry in jeopardy. Even to date, the industry is facing challenges in several basic aspects such as obtaining registration which is critical to conduct business in the country. In addition, the module to register recyclers, procure online EPR certificates/credits from recyclers, prepare and submit annual returns, etc. has not yet been developed. In the absence of the prerequisites to demonstrate compliance, the industry has been pushed to be at risk of non-compliance.

The industry is committed to complying with the rules as soon as the relevant online modules required to transact EPR certificates are ready. Hence, the industry requests to kindly not mandate the EPR obligation for FY 2022-23 and to pro-rate the obligations for 2023-24 from the time the online modules are ready.

We are sanguine that our request on the subject matter would be addressed in a positive manner by your good office.

Warm regards,


Col Suhail Zaidi (Retd)
Director General

CC: Dr Prashant Gargava, Member Secretary, CPCB
CC: Shri Satyendra Kumar, IPS, Director, MoEF&CC
CC: Shri V P Yadav, Director, CPCB