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Ref.No.MAIT/PY/2606

December 09, 2022

Dr. Prashant Gargava  
Member Secretary  
Central Pollution Control Board

**Subject: Request for communication to concerned Customs authorities, primarily at ports, clarifying the EPR compliance status of Industry under Batteries Waste Management Rules, 2022**

Respected Sir,

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

The representation bears reference to the recently released **E-Waste Management Rules 2022** dated 2<sup>nd</sup> November 2022 & **Battery Waste Management Rules 2022 (BWMR 2022)** dated 22<sup>nd</sup> August 2022.

First and foremost, 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.

As notified on November 2, 2022, the amended E-Waste Management Rules 2022 (EWMR '22) will be effective from 1st April 2023, and **the current E-Waste Management Rules 2016 (EWMR '16) will continue to prevail in effect till 31st March 2023.**

Regarding the same, MAIT would like to highlight that the batteries of product categories enlisted in Schedule -1 of **Clause 2 of Application Chapter-1** are regulated under EWMR '16.

With this understanding, **Industries having a valid EPR Authorisation under EWMR '16 are currently (till 31st March 2023) deemed in compliance with the Extended Producer Responsibility (EPR) obligation sought under the Batteries Waste Management Rules, 2022(BWMR '22).**

We request your good office for a communication to be sent to concerned Customs authorities, primarily ports, clarifying the following:

- Industries having valid EPR Authorisation under EWMR '16 to be deemed as compliant to the EPR requirements under BWMR '22 till 31st March 2023.

- No shipments of product categories and their batteries enlisted in Schedule-1 of EWMR '16 are to be kept on hold in demand for an EPR registration under BWMR '22, till 31st March 2023. An example of shipments being held up for want of EPR Registration at Kolkata Port has been brought to our notice by the industry.

In view of the facts presented above, you will agree that the demand for EPR Registration is an unreasonable ask from the Ports Authorities which is hampering the business for the Industry members and against the motto of Ease of Doing Business.

We are sanguine that our request on the subject matter would be addressed in a positive manner by your good office and a suitable communication be shared with Ports Authorities to avoid delays happening at Ports due to the ask for EPR Registration.

Warm regards,



Col. AA Jafri, Retd.  
Director General

CC: Shri Naresh Pal Gangwar, IAS, Addl. Secretary, MoEF&CC

CC: Smt. Manmeet K Nanda, IAS, Joint Secretary, DPIIT

CC: Shri Amitesh Kumar Sinha, IRAS, Joint Secretary, MeitY

CC: Shri Gaurav Masaldan, IRS, Joint Secretary, CBIC

CC: Shri Satyendra Kumar, IPS, Director, MoEF&CC

CC: Shri V P Mishra, IRS, Director, MoEF&CC

CC: Shri V P Yadav, Director, WM-I, CPCB

CC: Shri R Ananth, IRS, Dy. Secretary (Customs), CBIC