

Standard Operating Procedure for Grant, Renewal or Cancellation of registration to the Importers of New Lead Acid Batteries under Rule 5 of the Batteries (Management and Handling) Rules, 2001 as amended in 2010



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Central Pollution Control Board
Hazardous Waste Management Division
(Ministry of Environment, Forest & Climate Change, Government of India)
'Parivesh Bhawan', East Arjun Nagar
Shahdara, Delhi – 110032

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1. Background

As per the provision under Rule 5 of Batteries (M&H) Rules, 2001 and as amended in May 2010, responsibility for granting registration to importers of the new lead acid batteries has been delegated by Ministry of Environment, Forest & Climate Change to Central Pollution Control Board w.e.f. 4th May, 2010

To enforce the aforesaid provision, CPCB has been processing the applications for the grant of registration following a Procedure approved by Competent Authority in CPCB. However a need was felt to review the set procedure for effective management of registrations of Importers. The revised SOPs for grant, renewal, cancellation and suspension of Registration is as below;

2. Grant of Fresh Registration

The following procedure shall be followed for acceptance of applications for grant of certificate to importers of new lead acid batteries;

- i. Applicant shall apply for the grant of registration through online web-portal www.cpcbbrms.nic.in
- ii. After submission of online application, applicant shall also submit physical copy of application on their letter head, enclosing following documents;
 - a. Printouts of Form II and Form III taken out from online application with their stamp and signature on the same.
 - b. Self-attested copy of Import-Export certificate
- iii. The complete application will be processed within 7 days from receipt of physical copy.
- iv. Registration will be issued only on the corporate address or branch address specified on IEC certificate.
- v. Incharge HWM Division will grant the registration to importers of new lead acid batteries.
- vi. The importer registered earlier by MoEF&CC desirous to get registered with CPCB, may apply for the same as above. However, they shall surrender original registration certificate issue by MoEF&CC along with their application.

3. Renewal of registration:

The following procedure shall be considered for grant of renewal of registration to importers of new lead acid batteries;

- i. No physical copy of application would be necessary for renewal of registration.
- ii. Applicant shall submit application for renewal at BRMS portal. Such application can be submitted 45 days prior to validity period.

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- iii. Renewal of application will be processed online for issuance within 7 days subject to verification of the following;
 - Importer has submitted Half Yearly Returns regularly at BRMS portal or submitted hard copies to SPCB and CPCB
 - In case returns were submitted to SPCB, self-certified copies of the same will be considered.
 - In case the applicants irregular in filing HYR or Files returns at the time of renewal application – The applicant may be allowed to file previous returns after giving an undertaking in an affidavit. The validity of such renewal will be for a period of 1 year. However, in case of non-compliance during such 1 year validity period, no further renewal of registration will be granted.
- iv. Incharge HWM Division will grant the renewal of registration to importers of new lead acid batteries.

4. Suspension or cancellation of registration:

- i. As per the provision under Rule 5 for the Batteries Rules, 2001 registration shall be liable for cancellation or suspension for non-submission of timely half yearly returns to SPCB and a copy endorsed to CPCB.
- ii. In case of non-submission of HYR over a period of 1 year;
 - CPCB may issue notice of non-compliance to importers with an opportunity to file returns within a period of 45 days,
 - In case importer fails to respond, an opportunity for hearing will be given with a notice period of 30 days.
 - Further, in case of no-response, the registration granted to importer shall be cancelled.
- iii. Cancellation of such registrations shall be approved by Member Secretary. Following which, letters for cancellation of registration shall be issued by in-charge HWMD.
- iv. Notice for suspension or cancellation shall be issued by in-charge HWM Division or it can also be issued online through BRMS application.
- v. If notice issued to importer, remains undelivered and are returned by postal department, the registration of such importers shall be suspended and uploaded on the BRMS application.

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5. Re-activation of Suspended or Cancelled registration:

- i. Re-activation of Suspended or Cancelled registration within the validity period or after the validity period of such cancelled / suspended registration may be considered in following cases;
 - Importer may submit an undertaking in an affidavit ensuring timely submission – however, validity of such renewal will be for a period of 1 year.
 - Further, in case of non-compliance during such 1 year validity period, no further re-activation or renewal of registration may be considered.
- ii. Re-activation of such registrations shall be approved by Member Secretary. Following which, letters for re-activation of registration shall be issued by in-charge HWMD.

Affidavit

We M/s _____, [address] are holding registration of Central Pollution Control Board for import of new lead acid batteries vide registration No.: _____ dated _____, and our IEC certificate no is _____.

We hereby undertake to file copy of half yearly returns on import, sale, collection and channelization of used lead batteries to registered recyclers as per form-I to CPCB regularly, and timely (in the form of hard copy or by online filing at CPCB portal: www.cpcbbrms.nic.in), as stipulated under Batteries (Management and Handling) Rules, 2001.

Signature

Template for Affidavit

Note: This Template for submission of Affidavit (RS 100/- stamp paper) is applicable only for those Importers who had not complied with the provisions of batteries Rules, 2001 for filing Half Yearly returns during the validity period of their Registration.