AMENDMENT

MoEFCC omits rule 13(2) and substitutes rule 13(9) of the Battery Waste Management Rules, 2022

S.O. 5210(E) omits rule 13(2) and substitutes rule 13(9) of the Battery Waste Management Rules, 2022: a penalty under section 15 of the Act.

S.O. 5210(E), A NOTIFICATION of the Ministry of Environment, Forest and Climate Change dated December 3, 2024, further amends the Battery Waste Management Rules, 2022. It recites that the Jan Vishwas (Amendment of Provision) Act, 2023 (18 of 2023) inter alia amends the Environment (Protection) Act, 1986 for decriminalizing the offences under that Act.

THE CHANGE

In rule 13 of the Battery Waste Management Rules, 2022, sub-rule (2) is omitted and sub-rule (9) is substituted: any person, who fails to comply or contravenes the provisions of these rules shall be liable to a penalty in accordance with the provisions of section 15 of the Act.

KEY FACTS

TYPE

Amendment

S.O. NUMBER

S.O. 5210(E)

DATED

December 3, 2024

APPLIES FROM

No date printed: the notification has no rule 1, so it states neither a short title nor when it comes into force. The Gazette is dated December 3, 2024

REFERENCES

S.O. 5210(E)

CG-DL-E-04122024-259140

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S.O. 5210(E) · December 3, 2024

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In rule 13, it omits sub-rule (2) and substitutes sub-rule (9): any person, who fails to comply or contravenes the provisions of these rules shall be liable to a penalty in accordance with the provisions of section 15 of the Act.

The notification's rules begin at paragraph 2: it has no rule 1, so it prints no short title and no date of coming into force. The e-Gazette lists it under the subject Battery Waste Management (Third Amendment) Rules, 2024. The Central Government made the amendment without first publishing a draft, stating that it is in the public interest to dispense with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986.

The notification (F. No. 12/36/2019-HSMD) appears in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), No. 4817, dated December 3, 2024; the e-Gazette put it online on December 4, 2024. Its Note records that the principal rules were published by S.O. 3984(E) dated August 24, 2022 and amended by S.O. 4669(E) dated October 25, 2023, G.S.R. 190(E) dated March 14, 2024 and S.O. 2374(E) dated June 20, 2024.

S.O. number	S.O. 5210(E)
Dated	December 3, 2024
Put online	December 4, 2024
Gazette ID	CG-DL-E-04122024-259140
Rule	Battery
Type	Amendment
Amends	Battery Waste Management Rules, 2022
What it does	In rule 13 of the Battery Waste Management Rules, 2022, sub-rule (2) is omitted and sub-rule (9) is substituted: any person, who fails to comply or contravenes the provisions of these rules shall be liable to a penalty in accordance with the provisions of section 15 of the Act.

Applies from	No date printed: the notification has no rule 1, so it states neither a short title nor when it comes into force. The Gazette is dated December 3, 2024
Conditions	• Made without a draft for comment: the Central Government states that it is in the public interest to dispense with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986. • The notification does not reprint the sub-rules (2) and (9) it omits and replaces. • The e-Gazette lists it under the subject Battery Waste Management (Third Amendment) Rules, 2024; the notification itself prints no title.
Applies to	Any person who fails to comply with or contravenes the provisions of the Battery Waste Management Rules, 2022.
Issued under	Sub-section (1), clauses (v) and (vii) of sub-section (2) of section 3; sub-section (1), clauses (c) and (d) of sub-section (2) of section 6; section 8; and clause (b) of sub-section (2) of section 25 of the Environment (Protection) Act, 1986 (29 of 1986), read with sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986
Signed by	NARESH PAL GANGWAR, Addl. Secy.

The notification, entry by entry

Entry	Text
Rule 13, sub-rule (2) of the Battery Waste Management Rules, 2022	sub-rule (2) shall be omitted.
Rule 13, sub-rule (9), substituted	(9) Any person, who fails to comply or contravenes the provisions of these rules shall be liable to a penalty in accordance with the provisions of section 15 of the Act.

The notification (PDF, 595 KB)

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