

- ख. यह लेबल उत्पाद के सामान्य प्रचालन के लिए आवश्यक भाग पर चिपकाया जाएगा जिसे उत्पाद की उपयोग अवधि के दौरान सामान्यतया बदलवाने की आवश्यकता न पड़े।
- (3) अनुरूपता लेबल में निम्नलिखित सूचना समाविष्ट होगी, अर्थात :-
- क. उत्पाद के यथास्थिति विनिर्माता या संयोजनकर्ता, हो, का नाम और पता।
- ख. कथन कि उत्पाद पर्यावरण (संरक्षण) नियम, 1986 के अनुरूप है।
- ग. प्रकार के अनुमोदन प्रमाण पत्र की संख्या
- घ. उत्पाद के विनिर्माण की तारीख या आयात के मामले में, उत्पाद के आयात की तारीख; और
- ङ. श्रेणीकृत पुनःप्राप्ति दक्षता और तदनुरूप परित्यक्त जल उत्पत्ति।
- (4) इन उपबंधों के कार्यान्वयन में किसी प्रकार का विवाद या समस्या होने पर, उस मामले को नोडल अभिकरण को अग्रेषित किया जाएगा।
- (5) नोडल अभिकरण, अखंडता और पुनः प्राप्ति दक्षता आकलन संबंधी मुद्दों पर कार्यवाही करने और विवादों, यदि कोई हो, के निपटान सहित इन उपबंधों के कार्यान्वयन से संबंधित सभी मामलों के संबंध में सलाह देने के प्रयोजन से एक स्थायी समिति का गठन करेगा।

[फा.सं . क्यू-17012/1/2019-सीपीडब्ल्यू]
नरेश पाल गंगवार, संयुक्त सचिव

टिप्पण : मूल नियम, भारत के राजपत्र, असाधारण, भाग II, खंड 3, उप-खंड (i) में संख्या का.आ. 844(अ), तारीख 19 नवम्बर, 1986 के द्वारा प्रकाशित किए गए थे और इनमें गत संशोधन अधिसूचना संख्या सा.का.नि. 952(अ), तारीख 26 दिसम्बर, 2019 के द्वारा किया गया था।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 4th October, 2021

G.S.R. 724(E).—WHEREAS, Hon'ble National Green Tribunal in the matter of O.A. no.134/ 2015 titled "Friends through its General Secretary vs Ministry of Water Resources" vide order dated the 20th May, 2019 directed the Ministry of Environment, Forest and Climate Change (MoEF&CC) to come out with Regulation on Appropriate Use of Reverse Osmosis Based Water Purification System;

AND WHEREAS, Hon'ble Supreme Court of India in the matter of Civil Appeal Diary No. 37657 of 2019 titled "Water Quality India Association vs Friends & Ors" vide order dated the 22nd November, 2019 directed MoEF&CC as follows: -

"The Ministry must consider this material together with all other material, before it arrives at any conclusion, which then ultimately is put in the form of the notification that has been ordered to be issued" ;

AND WHEREAS, MoEF&CC in compliance to the directions of Hon'ble Supreme Court of India considered the material / justification provided by the Water Quality India Association and vide Office Memorandum

dated the 18th November, 2019 constituted Technical Committee to review the draft notification on Regulation on Appropriate Use of Reverse Osmosis Based Water Purification System;

AND WHEREAS, draft notification on Regulation on Appropriate Use of Reverse Osmosis Based Water Purification System prepared in consultation with Technical Committee was uploaded on MoEF&CC's website for wider circulation and inviting comments, and numerous comments were received on the draft notification and it was observed that there is variation in water quality with respect to geographical and source availability, consumer quality requirements, limitation on techno-economic feasibility, regulatory compliances and health issues;

AND WHEREAS, Bureau of Indian Standards (BIS) has developed IS standard (IS 16240: 2015) for Reverse Osmosis (RO) based Point of Use (PoU) Water Treatment System and providing Type approval for RO based Water Purifier.

Now, therefore, in exercise of the powers conferred by sections 6 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby makes the following rules further to amend the Environment (Protection) Act, 1986, namely:—

1. (1) These rules may be called the Environment (Protection) 115 Amendment Rules, 2021.
- (2) Same as otherwise provided in these rules, they shall come into force on expiry of period of eighteen months from the date of their publication in the Official Gazette.
2. In the Environment (Protection) Rules, 1986, in Schedule – I, after serial number 114 and the entries relating thereto, the following shall be inserted, namely: –

“115 Regulation on Use of Water Purification System (WPS)

1. Definition. –

- (i) **“BIS”** means the Bureau of Indian Standard which is the national Standards Body of India working under the aegis of the Ministry of Consumer Affairs, Food and Public Distribution, Government of India;
- (ii) **“CPCB”** means the Central Pollution Control Board constituted under the provision of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);
- (iii) **“Discarded element”** means element which is discarded or removed from the Domestic Water Purification System due to either manufacturing defects, wear, tear, loss of its utility attributes or achieved its end of life usability, or is replaced due to non-functioning at designed parameter;
- (iv) **“Manufacturer”** means a person or an entity or a company as defined in the Companies Act, 2013 (18 of 2013) or a factory as defined in the Factories Act, 1948 (63 of 1948) or Small and Medium Enterprises as defined in Micro, Small and Medium Enterprises Development Act, 2006 (27 of 2006), which has facilities for manufacturing or assembling of filters;
- (v) **“Point of use (PoU)”** means location of water purification system close to the use point and deliver directly to a single tap or multiple tap such as a kitchen sink faucet or an auxiliary faucet;
- (vi) **“Reject water”** means water coming out of WPS and not considered as treated by the system;
- (vii) **“SPCB or PCC”** means State Pollution Control Board for State or Pollution Control Committee in case of Union territory, as the case may be, constituted under the provision of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);
- (viii) **“Type approval”** means certificate of conformity to a product that meets a minimum set of regulatory, technical and safety requirements, and is required before the product is allowed to be sold;
- (ix) **“Domestic Water Purification System (DWPS)”** means equipment or devices, which involves Reverse Osmosis based Point of Use (PoU) water treatment system with a capacity of up to 25 litres per hour that reduces Total Dissolved Solids (TDS) of water, reduces chemical contamination to safe level and removes physical particles including microbiological impurities at PoU;
- (x) **“Other than Domestic Water Purification System”(ODPWS)** means equipment or devices, which involves Reverse Osmosis based water treatment system that reduces Total Dissolved Solids (TDS) water, reduces chemical contamination to safe level and removes physical particles including microbiological impurities at PoU;

- (xi) “**Water Supply Agency**” means any entity, organisation, Department of State Government, local urban bodies, public or private sector entities engaged in treatment, distribution or supply or both of water in a given geographical area on commercial or obligatory responsibility basis arising due to statutory provision of applicable law.

2. **Regulation on use.**— (1) All users of DWPS and ODWPS shall comply with the guidelines issued by CPCB.

(2) A guideline shall be published by the Central Pollution Control Board for handling, storage, management and utilisation of reject generated from DWPS and ODWPS within a period of six months from the date of publication of the Environment (Protection) 115 Amendment Rules, 2021.

(A) **DWPS.** —

- (i) All manufactured, imported, produced or assembled DWPS shall bear the Standard Mark under a license from the Bureau of Indian Standards as per the Indian Standard IS 16240, as amended from time to time, under Scheme –I, Schedule - II of the Bureau of Indian Standards (Conformity Assessment) Regulations, 2018.
- (ii) Discarded elements from DWPS shall be managed as per the provisions of the Plastic Waste Management Rules, 2016; E-Waste (Management) Rules, 2016; Hazardous Waste Management Rules, 2016, as amended from time to time and plastic, electronic and electrical waste generated as discarded elements shall be brought under Extended Producer Responsibility (EPR).

(B) **ODWPS.** —

- (i) Shall be regulated under the provisions of the Water (Prevention and Control of Pollution), Act, 1974 (6 of 1974) and various rules under the Environment (Protection) Act, 1986.
- (ii) The nodal agency for implementation shall be the State Pollution Control Board or the Pollution Control Committee, as the case may be.

3. **Responsibilities.** —

(A) **DWPS**

(a) **Manufacturer**

- (i) The manufacturer shall obtain Standard Mark under a license from the Bureau of Indian Standards as per the Indian Standard IS 16240 (as amended from time to time) under Scheme –I, Schedule- II of Bureau of Indian Standards (Conformity Assessment) Regulations, 2018 within period of eighteen months from the date of publication of the Environment (Protection) 115 Amendment Rules, 2021.
- (ii) Discarded elements from DWPS shall be managed by the manufacturer as per the provisions of the Plastic Waste Management Rules, 2016; E-Waste (Management) Rules, 2016; Hazardous Waste Management Rules, 2016 and as amended from time to time, and plastic, electronic and electrical waste generated as discarded elements shall be brought under Extended Producer Responsibility (EPR).
- (iii) No DWPS shall be sold by the manufacturer without BIS certification as per sub-clause (i) of the clause (A) of paragraph 2.
- (iv) The manufacturer shall submit compliance report to SPCB or PCC, as the case may be, for further submission to CPCB latest by the 30th November of following financial year.

(b) **CPCB**

- (i) The CPCB shall be the nodal agency for implementation of the provisions of this paragraph.
- (ii) The CPCB shall prepare and publish guidelines for management, storage, utilisation and disposal of reject water generated from DWPS within a period of six months from the date of publication of the Environment (Protection) 115 Amendment Rules, 2021.
- (iii) The CPCB shall create public awareness through advertisement, publication, posters or by other means of communication.
- (iv) The CPCB shall monitor the implementation these provisions. .

- (c) **User:** The user shall comply with the guidelines issued by CPCB for management, storage, utilisation and disposal of reject water generated from DWPS or ODWPS, as applicable .
- (d) **BIS :** The BIS shall prepare or modify the applicable standard code (IS 16240) for DWPS having regard to the available technology, corresponding recovery efficiency and output water quality reliability.

4. ODWPS

(a) **User :**

- (i) The user shall apply for authorisation within a period of six months from the date of publication of the Environment (Protection) 115 Amendment Rules, 2021 to the State Pollution Control Board or the Pollution Control Committee, as the case may be, for grant of registration as per the provisions of rules made under the Environment (Protection) Act, 1986 and shall comply with the conditions stipulated therein.
- (ii) The user shall operate within the provisions of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) and the rules made under the Environment (Protection) Act 1986: provided that the installations operating on or before the date of publication of the Environment (Protection) 115 Amendment, Rules, 2021 shall apply for Consent to Operate, wherever applicable, to the concerned State Pollution Control Board or Pollution Control Committee, as the case may be, within a period of six months from the date of publication of the said rules. .

(b) **State Pollution Control Board or Pollution Control Committee**

- (i) The State Pollution Control Board or Pollution Control Committee, as the case may be, shall ensure that all ODWPS are regulated within the provisions of the Water (Prevention and Control of Pollution), Act, 1974 (6 of 1974) and rules made under the Environment (Protection) Act 1986.
- (ii) The State Pollution Control Board or Pollution Control Committee, as the case may be, shall register manufacturers and importers of ODWPS, as per the provisions of the Plastic Waste Management Rules, 2016, E-Waste (Management) Rules, 2016.
- (iii) The State Pollution Control Board or Pollution Control Committee, as the case may be, shall create public awareness through advertisement, publication, posters or by other means of communication.
- (iv) The State Pollution Control Board or Pollution Control Committee, as the case may be, shall monitor the implementation of these provisions.
- (v) The State Pollution Control Board or Pollution Control Committee, as the case may be, shall submit compliance report to CPCB latest by the 15th December of following financial year.

(c) **Central Pollution Control Board**

- i. The Central Pollution Control Board shall compile annual reports received from SPCBs or PCCs for submission to the Ministry of Environment, Forest and Climate Change latest by the 30th December of following financial year.

4. **General conditions.** – (1) Water Supply Agency (WSA), concerned Local Bodies like Public Health Engineering Department (PHED), Jal Nigam, Municipal Corporation, Jal Board, Municipalities, Private and Public Sector Agencies engaged in potable water supply, shall inform the consumers about the water sources and quality including Total Dissolved Solids (TDS) concentration of water being supplied through billing instruments and also through public advertisement in newspaper and other mass media means on regular basis.

- (2) Every DWPS product shall be affixed with a conformance label meeting the following requirements, namely:–
- (a) The label shall be durable and legible.
- (b) The label shall be affixed on a part necessary for normal operation of the product and not normally requiring replacement during the life of the product.

- (3) The conformance label shall contain the following information, namely:—
- (a) Name and address of the manufacturer or assembler of product, as the case may be.
 - (b) Statement that the product conforms to the Environment (Protection) Rules, 1986.
 - (c) Type Approval certificate number.
 - (d) Date of manufacture of product or in case of import, the date of import of the product ; and
 - (e) Rated recovery efficiency and corresponding water reject generation.
- (4) In case of any dispute or difficulty in implementation of these provisions, the matter shall be referred to the nodal agency.
- (5) The nodal agency shall constitute a Standing Committee for process integrity and recovery efficiency assessment related issues and to advise on all matters related to implementation of these provisions including disposal of disputes, if any”.

[F. No. Q-17012/1/2019-CPW]

NARESH PAL GANGWAR, Jt. Secy.

Note: The principle rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) vide number S.O. 844 (E) dated the 19th November 1986 and last amended vide notification number G.S.R. 952 (E) , dated the 26th December, 2019.