

BEFORE THE NATIONAL GREEN TRIBUNAL,

PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 134 OF 2015

(MA No. 757 of 2015 & 477 of 2016)

IN THE MATTER OF:

FRIENDS THROUGH ITS GENERAL SECRETARY

..... APPLICANT

Vs.

MINISTRY OF WATER RESOURCES & ORS.

..... RESPONDENTS

**STATUS REPORT ON BEHALF OF MINISTRY OF ENVIRONMENT,
FOREST & CLIMATE CHANGE**

1. That the present application pertains to utilization of waste water generated during Reverse Osmosis (RO) process. That the Hon'ble Tribunal vide its order dated 20.05.2019 directed MoEF&CC as follows:

(i) To issue appropriate notification prohibiting use of RO where TDS in water is less than 500 mg/l and wherever RO is permitted, a requirement is laid down for recovery of water be more than 60%. Further, provision be laid down for recovery of water upto 75% and use of such RO reject water for purposes such as utensil washing, flushing, gardening, cleaning of vehicles and floor mopping.

(ii) The notification/ policy to be notified may also provide for a mechanism for public awareness about ill effects of demineralized water on public health and for effective enforcement requiring the concerned local bodies/ municipal Corporation/ Municipalities/ Panchayats and institutions like Public Health Engineering Department (PHED)/ Jal Nigam/ Jal Boards etc. be required to display water quality at regular intervals, particularly TDS concentration component by an appropriate mechanism.

(iii) Above regulatory regime may ensure regulating consumption and use of low TDS water by requiring manufacturers to maintain minimum TDS concentration to 150 mg/l or the minimum levels of calcium and magnesium.

(iv) Directions be issued for enforcement of Extended Producers Responsibility by the manufacturers for disposal of cartridges and membranes and requiring the manufacturers to provide proper labeling on

the purifier specifying that the unit should be used if TDS is more than 500 mg/l.

(v) MoEF&CC may file an affidavit of compliance by e-mail at judicial-ngt@gov.in within one month.

(vi) The Expert Committee constituted by this Tribunal vide order dated 20.12.2018 along with Central Ground Water Authority may collect and provide data with regard to availability of ground water and its usage in 21 cities mentioned in the report of NITI Aayog and furnish a report to this Tribunal within one month by e-mail at judicial-ngt@gov.in. The said report may be placed in the file of O.A. No. 176/2015 which is listed on 04.07.2019.

2. That in compliance of order dated 20.05.2019 Ministry has requested for 8 months time to delineate the effective compliance of the Hon'ble NGT directions which included 4 months for Inter-ministerial, stakeholders consultation and finalization of draft notification, 2 months for wide circulation of draft notification for inviting public comments and 2 months for incorporation of public comments and thereafter finalization of the notification. Considering the prayer made by the Ministry Hon'ble Tribunal on 23.09.2019 directed as follows:

(i) The above prayer appears to be unreasonable and delaying the matter to the detriment of public interest. Though the applicant suggests that delay will advance commercial interest of those benefitted by delay, we do not propose to go into such allegation in absence of any clear evidence. The fact remains that order of the Tribunal is based on report of Expert Committee which also comprised representative of MoEF&CC and is enforceable without permission of any other authority with penal consequences. Accordingly, MoEF&CC may now issue the necessary notification in the light of direction already issued in accordance with the report of the Expert Committee and cover not only the subject of recovery of RO reject water in domestic and commercial use but also in industrial process.

(ii) With regard to the further direction requiring the Committee, along with Central Ground Water Authority (CGWA), to collect and provide data with regard to availability of groundwater and its usage in 21 cities mentioned in the report of NITI Aayog and furnish a report to this Tribunal, CPCB has, in their letter dated 01.08.2019, stated that CGWA is not furnishing the information inspite of being required to do so. Let the CGWA do the needful positively within one week failing which the Member Secretary of CGWA will be liable to pay Rs.

1 Lakh as costs. Further necessary report by the Expert Committee be furnished to this Tribunal within one month.

(iii) The Member Secretary, CGWA and the concerned Joint Secretary, MoEF&CC may remain present in person along with compliance reports on the next date.”

- 4.** In pursuant to the directions of Hon'ble Tribunal, the Ministry with due consultation with expert institutions like IIT, BIS, NEERI, CPCB and also examining the legal formalities and requirement, asked CPCB vide its OM dated 01.10.2019 to frame holistic policy for use of Reverse Osmosis Technology in the Country and submit draft notification.
- 5.** Further, on 04.11.2019 the Hon'ble Tribunal after considering the submission of Ministry dated 01.11.2019 passed order as follows:

“ Having consultation with expert institutions like IIT BIS, NEERI, CPCB and examining the legal formalities the Ministry has asked CPCB to frame holistic policy for use of RO Technology in the Country and submit draft notification. However, the draft notification has not been received till date. Further, it is submitted that after receiving the draft notification from CPCB, the same will be further examined by the Ministry on the aspects of Monitoring Mechanism for compliance of the notification, Institutional Framework for monitoring and implementation of the notification, identification of stakeholders and their roles and responsibilities for various functions, legal sanctity, etc. for consideration. As issuing notification is a policy related matter, comprises features of multi-dimensional in character which inter alia, include complex geographical spread, varied users i.e. commercial, residential, etc. Hence, region wise detailed consultation will be required before notification. It is also submitted that in view of the intricacy of the matter a progress report on monthly basis will be submit by the Ministry before the Hon'ble Tribunal.”

7. During the hearing, the officers present have not shown any valid reason for non-compliance beyond what is mentioned above which stand has no merit. As already noted, delay in compliance of order is causing harm to public health and environment in terms of expert committee report to which MoEF&CC is a party.

8. The above stand clearly shows failure of concerned Officers to comply with the directions of order of this Tribunal dated 20.05.2019. The said order is a binding decree under Section 25 of the National Green Tribunal, Act 2010 and the Officers of MoEF&CC are liable to be proceeded against for non-compliance. Section 26 provides for

punishment by way of imprisonment for such failure. Accordingly, we give last opportunity to comply with the directions already issued latest by 31.12.2019 failing which from 01.01.2020, the concerned officer(s) in-charge in MoEF&CC for carrying out the directions of this Tribunal will not be entitled to draw salary till the order of this Tribunal is complied. Further coercive measures may be considered on the next date.”

6. The MoEF&CC filed an compliance status report on 31.12.2019 before Hon’ble Tribunal making submissions that in order to delineate the appropriate provisions for effective compliance of the Hon’ble NGT’s Order 4 months is required which includes 2 months for wide circulation of draft notification for inviting comments and 2 month for incorporation of comments, finalization of notification and obtaining approval from Ministry of Law and Justice. The Hon’ble Tribunal may kindly grant 4 months to carry out the abovementioned tasks.
7. The Hon’ble Tribunal considered the submissions made by the MoEF&CC on 10.01.2020 and directed as under:

“.....Having regard to the fact that any steps for environmental protection have to be prompt, period for circulation of the draft notification or inviting comments need not be so long as is proposed. The same may be reduced to two months.

Let compliance report now be filed before the next date by email at judicial-ngt@gov.in.

List again on 23.03.2020.....”

8. *In compliance of the Hon’ble Tribunal directions on 10.01.2020, the MoEF&CC published the draft notification on ‘Regulation of RO based water purification system for Domestic, Commercial and Industrial Sector on the website of the MoEF&CC on 03.02.2020 inviting general public for sending their comments up to 2.03.2020. A copy of the draft notification is annexed as **Annexure R1**. In response around 4000 comments have been received in the Ministry and the same being*

compiled. After that a meeting of the expert committee will be called for considering the public comments and finalization of draft notification.

9. In view of pandemic situation in the Country compilation of public comments and convening of meeting of the expert committee for finalizing the draft notification, may take time. It is therefore humbly prayed that Three (3) months time may kindly be granted for ensuring the compliance of the directions of the Hon'ble Tribunal by making the comprehensive and purposeful regulation for use of RO based water purification system for Domestic, Commercial and Industrial Sector in the country.

The following draft notification, which the Central Government propose to issue under the Environment (Protection) Act, 1986 (29 of 1986) is hereby published for the information of public likely to be affected thereby; and notice is hereby given that the said draft notification shall be taken into consideration on or after the expiry of a period of thirty days from the date on which this draft has been made available to the public through this website.

The comments may be sent to Sh. Jigmet Takpa , Joint Secretary CP (W) Division, Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi – 110 003, or send it to Ministry at the e-mail address takpa.jigmet@gov.in and sundeep.moef@gmail.com

[To be published in the Gazette of India, Extraordinary, Part II, Section 3, Sub – Section (I)]

**GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
NOTIFICATION**

New Delhi, the _____ , 2020

G.S.R. 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) – Amendment Rules, 2020
(2) They shall come into force on the date of their publication in Official Gazette.
2. In the Environment (Protection) Rules, 1986, in Schedule – I, after serial number 115 and the entries relating thereto, the following shall be inserted, namely:

116 Regulation on Use of Membrane based Water Purification System

A. Applicability

- i. Membrane based water purification system (MWPS) installed or operated for supply of potable drinking water except seawater RO systems either at Point of Use (households, institutional, community) or Point of entry (Common, community, housing society), or Commercial and Industrial premises for portable or process water quality requirements.
- ii. Regulations pertaining to discarded element shall be applicable to all filtration based purification or wastewater treatment system, where polymer based membrane is used and discarded at the end of its life.

B. Definition

- i. **“BIS”** means Bureau of Indian Standard, is the national Standards Body of India working under the aegis of Ministry of Consumer Affairs, Food & Public Distribution, Government of India.
- ii. **“CPCB”** means Central Pollution Control Board, constituted under the provision of The Water (Prevention & Control of Pollution) Act, 1974.
- iii. **“commercial installation”** means MWPS installed and operated for purification and supply of potable water for use like sale, services (community, charity, social, public and other), hospitals, hotels, railways, having supply in bulk or packaged or piped means of distribution or service, and having inflow water capacity of MWPS 50 litres per hour or more.
- iv. **“Conformity of production (COP)”** means evidence of ability to produce a series of products that exactly match the specification, performance and marking requirements outlines in the type approval document.
- v. **“discarded element”** means element which are discarded or removed from the filtration process 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 permeability rate and pressure.
- vi. **“domestic user”** means consumers using MWPS of capacity up to 50 litres per hour for getting potable drinking water for household domestic consumption installed at point of use.
- vii. **“element”** means semi-permeable membrane made of silica or other polymer based plastic sheets or materials in combination of its support system, used in the micro-filtration process and is discarded after its end of life use.
- viii. **“end-of-life” (EoL)** means the time period of the product when it loses its attributed or potential to deliver the intended purpose and is discarded or substituted.
- ix. **“environmentally sound management of discarded element”** means taking all necessary steps required to ensure that the discarded element is managed in a manner which shall protect health and environment against any adverse effect, which may result from such discarded element and in compliance to the provision of Plastic Waste Management Rules, 2016 and as amended from time to time.
- x. **“extended producer’s responsibility”** means the responsibility of a producer for the environmentally sound management of the product until the end of its life.
- xi. **“facility”** means the premises used for collection, storage, processing and disposal of plastic waste.
- xii. **“industrial use”** means combination of water purification process having micro filtration process including reverse osmosis to meet the output water quality requirements of identified industrial manufacturing process, or for treatment of wastewater and not serving the requirements of potable drinking purpose and with input water purification capacity of more than 50 litres per hour.
- xiii. **“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 filter membrane.
- xiv. **“producer”** means any person or organisation, irrespective of selling technique used, such as manufacturer, assembler, dealer, retailer, e-retailer, Operation and maintenance service provider of MWPS involved in
 - a. Manufactures and offers to sell Reverse Osmosis based water Purification products (MWPS) and their component or consumables or parts or spares under its own brand; Or

- b. Offers to sell under its own brand, assembled MWPS and their components or consumables or parts or spares produced by other manufacturers or suppliers or
 - c. Offers to sell imported MWPS and their components or consumables or parts or spares
- xv. **“point of use (PoU)”** means location of water purification system close to the use point and deliver directly to a single tap / multiple tap such as a kitchen sink faucet or an auxiliary faucet.
 - xvi. **“point of entry (PoE)”** means location of water purification system where it treats most of the water entering the premises or on supply line of whole-house system or residential housing society, commercial and institutional buildings, hospitals etc., and are usually installed after the water meter.
 - xvii. **“recovery efficiency (r_e)”** means the quantity of permeate water generated (Q_p) by a filtration system with respect to quantity of input water fed (Q_f) in percentage terms, i.e, $(r_e)\% = \frac{Q_p (lph) \times 100}{Q_f (lph)}$, where *lph* is litre per hour.
 - xviii. **“reject water”** means non-permeate water known as reject from any water purification system, and generally has high total dissolved solid content in comparison with input and output water quality.
 - xix. **“Membrane based water purification system (MWPS)”** means combination of purification system which involves micro filtration process through a semi-permeable membrane.
 - xx. **“SPCB/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 & Control of Pollution) Act, 1974.
 - xxi. **“TDS meter”** means an instrument installed to measure real time and online concentration of Total Dissolved Solid (TDS) in running water system with readable display arrangement.
 - xxii. **“Trade effluent”** includes any liquid, gaseous or solid substance which is discharged from any premises used for carrying on any industry, operation or process, or treatment and disposal system other than domestic sewage.
 - xxiii. **“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.
 - xxiv. **“User”** means any person, organisation, institution, residential and commercial housing society, Hotels, Hospitals, railways service facilities, commercial institutes and premises, industrial establishments etc., using water purification system containing membrane based filtration process, either at the point of use or at point of entry, including for commercial and industrial purpose.
 - xxv. **“Water Supply Agency”** means any entity, organisation, department of State Government, local urban bodies, public or private sector entities engaged in treatment, distribution and/ or supply of water in a given geographical area on commercial or obligatory responsibility basis arising due to statutory provision of applicable law.

C. REGULATION ON USE OF MEMBRANE BASED WATER PURIFICATION SYSTEM (MWPS)

1. Installation or use of MWPS shall be prohibited, at the Point of Use or at the Point of Entry for purification of supplied water which is subjected to conventional flocculation, filtration and disinfection process or is from any sources which are in compliance with acceptable limit for drinking water prescribed by Bureau of Indian Standard 10500:2012 - Drinking Water Specification, provided

- (a) MWPS to be used has an integrated system with operational zero reject discharge facility and
 - i. has adequate storage capacity with dispensing arrangement for use of reject water, and the use is made in compliance to the Guidelines for Management of Reject Water to be prescribed by CPCB, and
 - ii. possess reliable and operational integrated interlocking arrangement for reject return system to feed storage tanks or feed water supply reservoir.
- (b) MWPS installed by commercial or industrial purpose shall operate within the provision of The Water (Prevention and Control of Water Pollution) Act, 1974 and
 - i. use of purified water from MWPS meets the water quality requirement for commercial purpose other than BIS prescribed drinking water quality governed by IS 10500:2012 - Drinking water specification and
 - ii. possess SPCB approved reject management plan for its complete reutilisation and any reject discharge into ambient environment is only after permission of State Pollution Control Board.
 - iii. manufacture of Packaged drinking water as a commercial installation and its effluent is trade effluent to be regulated within the provision of The Water (Prevention and Control of Water Pollution) Act, 1974.
- 2. All MWPS manufactured, produced, assembled or reconfigured or installed or in operation with micro filtration process shall be classified based on permeate or filtered water recovery efficiency and shall comply to the timelines, as specified in Schedule I and shall have adequate provision to comply to the Guidelines for Management of Reject Water to be prescribed by CPCB
- 3. All Domestic Category MWPS shall have Certification of type approval and conformity of production, as applicable from BIS or BIS authorised institution, for compliance of recovery efficiency and output reliability provisions as specified in Schedule - I. The certification shall be as per provision of BIS specified code, to ensure integrity and reliability on recovery efficiency.
- 4. BIS shall develop system and procedure to monitor, assess, certify the type and process integrity of the MWPS for compliance of provision of Schedule – I in consultation with CPCB. The validity of the certificate shall be as prescribed in the guidelines prepared by BIS. The certificate shall have mention of date of certification, its validity, treatment technology used, recovery efficiency, and other terms and conditions as specified by BIS. BIS shall develop such system and procedure within a period of six months from the date of publication of this notification in official gazette.
- 5. A guideline shall be published by Central Pollution Control Board for handling, storage, management and utilisation of reject generated from MWPS including management and disposal of discarded element within a period of six months from the date of publication of this notification in official gazette.

6. Discarded elements for MWPS shall be managed as per the provision of Plastic Waste Management Rules, 2016, amended from time to time, with extended producer responsibility with the manufacturer, producer and importer.

D. RESPONSIBILITIES

1. Domestic User

- i. Purified water from Reverse Osmosis based Water Purification System (ROWPS) for domestic use shall be used only for drinking purposes.
- ii. Reject generated from domestic MWPS installed at Point of Use shall be collected and shall be used for non-drinking purpose and other uses as specified in guidelines to be prescribed by CPCB.
- iii. Reject generated from MWPS installed at Point of Entry shall have required infrastructure for recycling of reject water to main water storage facility or shall be equipped with adequate infrastructure to utilise the rejects as specified in guidelines **to be** prescribed by CPCB.
- iv. Installation of MWPS and its preventive servicing shall be in strict compliance to the recommendation of the MWPS producer.
- v. Discarded elements shall not be disposed of in any manner other than the applicable provisions of Plastic Waste Management Rules, 2016, or depositing with the dealer, manufacturer, importer, assembler, or at the designated collection centres or as permitted by concern State Pollution Control Board/ Pollution Control Committee, as applicable.
- vi. MWPS system shall not be used or operated without a certificate issued as per the provision of para C (3) above.

2. Commercial and Industrial Installation

- i. All MWPS installation shall operate within the provision of The Water (Prevention and Control of Pollution) Act, 1974. The installation operating on or before the date of publication of this notification shall apply for Consent to Operate, if applicable, to concerned State Pollution Control Board/ Pollution Control Committee, within a period of six months.
- ii. Installation of MWPS shall operate in due compliance of provisions of Schedule-I . All SPCBs/ PCCs shall ensure compliance.
- iii. The reject generated from MWPS installation shall be stored in safe, secured, hygienic and dedicated storage facility under approval of State Pollution Control Board for its reuse or utilisation or disposal, and also in agreement with the guideline issued by Central Pollution Control Board. It may include common collection and disposal system operated by third party or operator but, such system for collection, storage and utilisation shall be approved by concerned State Pollution Control Board/ Pollution Control Committee, as the case may be, within the provision of guidelines to be issued by Central Pollution Control Board.
- iv. Discarded elements shall be returned back to the producer or manufacturer as the case may be, subjected to the condition prescribed by State Pollution Control Board/ Pollution Control Committee, as the case may be.
- v. Record on water consumption, reject generation, reject disposal, elements replaced or used, discarded element generated, and their disposal shall be maintained, and annual report shall be submitted to State Pollution Control Board/ Pollution Control Committee, as the case may be, in the format as specified in the guidelines to be issued by Central Pollution Control Board.

- vi. All domestic category of MWPS products operating in industrial and commercial organisation shall comply with Class A provision of Schedule – I.

3. Manufacturer of Elements

- i. The manufacturers, within a period of six months from the date of final publication of this notification in the official gazette shall apply to the State Pollution Control Board or the Pollution Control Committee, as the case may be, for grant of registration as per the provision of Plastic Waste Management Rules, 2016
- ii. Each element manufactured or imported or supplied or assembled by manufacturer, importer, assemblers or seller shall have the unique identification mark for its traceability with following information printed in English namely:
 - (a) Name, registration number of the manufacturer
 - (b) Date of manufacture, and unique signature for its identification
- iii. Shall develop collection transportation and disposal facility, individually or collectively, for discarded elements generated from MWPS and comply with the provisions of guidelines to be issued by Central Pollution Control Board.
- iv. Shall set up authorised collection centres either individually or collectively for collection of discarded elements from consumers or dealers.
- v. Ensure that discarded elements are collected back and managed in environmentally sound manner, as per the provision of Plastic Waste Management Rules, 2016 or as specified by State Pollution Control Board against new element sold, excluding those that are for export purpose.
- vi. Shall within a period of 6 months from the date of publication of this regulation in the Gazette, shall make functional a system for collection of used or discarded element based on extended producer's responsibilities, either individually or collectively, through their own distribution channel or through the local body concerned.
- vii. Ensure that the used or discarded or both elements are collected, stored, transported or disposed of to the authorised or registered facilities authorised by SPCBs/ PCCs.
- viii. Submit an annual report of their sales and collection of discarded elements to the SPCBs/ PCCs as applicable, in format to be specified by CPCB, latest by 30th September of following financial year.

4. Producers

- i. Shall apply to the State Pollution Control Board or Pollution Control Committee, as the case may be, for grant of registration as per the provision of Plastic Waste Management Rules, 2016 within a period of six months from the date of final publication of this notification in the official gazette,
- ii. Ensure that MWPS are equipped with real time online flow and total dissolved solids monitoring meters at the inlet and outlet with digital data acquisition system and microprocessor based controlling facility, to meet the recovery efficiency as prescribed in Schedule I. All system shall be certified for conformity of product and shall possess type approval *as per* Schedule I, as per provisions of para C(3) above. The timeline specified in Schedule I shall be adhered with.
- iii. Shall not sell, install, service or assemble any products based on MWPS system unless it is in possession of certificate for type approval and COP from authorised institutions as per para C (3) above.
- iv. Shall submit an annual report of their sales of element, product and buy-back of discarded element to the State Pollution Control Board in format to be specified by CPCB, latest by 30th September of every year.

- v. Shall set up collection centres for discarded elements either individually or jointly at appropriate places for collection of used / discarded elements from consumers or dealers.
- vi. Shall ensure that the discarded element collected is appropriately and scientifically disposed as per the provision of Plastic Waste Management Rules, 2016 or as specified by State Pollution Control Board.
- vii. The inserts from recycling or processing facilities of used or discard element shall be disposed in compliance with the provision of Solid Waste Management Rules, 2016 or as amended from time to time.
- viii. Primary responsibility for collection of used and discarded element is of producer, importers and person or entity who introduce the product in the market. They need to establish a system for collecting back the used or discarded elements and other unusable plastics components generated from their product. This plan of collection to be submitted to the State Pollution Control Boards while applying for Consent to Establish or Operate or Renewal. The manufacturer, importer or re-processor or assembler whose consent has been renewed before the notification of these rules shall submit such plan within six months from the date of notification of these rules and implement within 6 months thereafter.
- ix. The producers, within period of specified by SPCBs/ PCCs shall make functional a system for collection of used or discarded element based on extended producer's responsibilities, either individually or collectively, through their own distribution channel or through the local body concerned.
- x. All manufacturers, producers, assemblers, importers and sellers, within a period of six months from the date of publication of these rules in the official Gazette shall apply to the State Pollution Control Board or the Pollution Control Committee, as the case may be for grant of registration.
- xi. Every manufacturer, producer, importer, assembler and service provider shall maintain a record of details of the person engaged in supply of element to ensure that discarded elements are collected back in lieu of new element sold or replaced or supplied.
- xii. Create public awareness through advertisement, publication, posters or by other means with regard to the followings:
 - (a) Suitability of MWPS for purification of water in quality terms
 - (b) Judicious use of MWPS water
 - (c) Potential use of Reject water from MWPS
 - (d) Responsibility of consumer or user to return the used or discarded element only to dealers of deliver at designated collection centres
 - (e) Address of dealers and designated collection centres
- xiii. Shall bring to the notice of the SPCB or CPCB or MoEF&CC, whenever, any violation of the provision of this regulation is observed by any stakeholders.
- xiv. Submit an annual report of their sales and collection of discarded elements to the SPCBs/ PCCs as applicable, in format to be specified by CPCB, latest by 30th September of following financial year.

5. Importers

- i. All imported MWPS shall meet the requirement as per Schedule - I.
- ii. Shall provide each imported element with unique identification mark for its traceability with following information printed in English namely:
 - (a) Name, registration number of the manufacturer
 - (b) Date of manufacture, and unique signature for its identification
- iii. Shall possess valid authorization for MWPS, part / equipment of MWPS as per provision 13 (2) of Plastic Waste Management Rules, 2016

- iv. Shall set up authorised collection centres either individually or collectively for collection of discarded elements from consumers or dealers
- v. Shall ensure that the discarded element collected is appropriately recycled / disposed as per the provision of applicable Waste Management Rules.
- vi. Shall within a period of six months from the date of publication of these rules, shall make functional a system for collection/recycled/disposed of used or discarded element based on extended producer's responsibilities, either individually or collectively, as the case may be.
- vii. Submit an annual report of their sales and collection of discarded elements to the SPCBs/ PCCs as applicable, in format to be specified by CPCB, latest by 30th September of following financial year.

6. Responsibilities of Port authority under Indian Ports Act, 1908 (15 of 1908) and Customs Authority under the Customs Act, 1962 (52 of 1962)

- i. To grant permission for import to Agencies which have been issued Authorisation by SPCBs/PCCs.
- ii. Inform Central Pollution Control Board of any illegal traffic for necessary action.
- iii. Take action against importer for violations under the Indian Ports Act, 1908/Customs Act, 1962.

7. Common collection, storage and disposal facility

- i. Common Collection, storage and disposal facility shall take consent to operate from SPCBs/ PCCS within the provision of The Water (Prevention & Control of Pollution), Act, 1974.
- ii. Shall set up collection centres for discarded elements either individually or jointly at appropriate places for collection of used / discarded elements from consumers or dealers.
- iii. Facility shall follow Guidelines to be prescribed by CPCB.

8. State Pollution Control Board/Pollution Control Committee

- i. Ensure all commercial and Industrial Membrane based water purification system are regulated within the provision of The Water (Prevention & Control of Pollution), Act, 1974 and are in compliance to provision of Schedule -I.
- ii. Shall register manufacturer, assemblers, service providers and importers of membrane, as per the applicable provision of Plastic Waste Management Rules, 2016.
- iii. Discarded element from MWPS shall be considered as "plastic waste" within the provision of sub-section (q) of section 3 of the Plastic Waste Management Rules, 2016 and shall be used for energy recovery or waste to oil etc. State Pollution Control Board may allow such disposal after getting satisfied with the collection, storage, transportation and disposal system proposed by the producer or manufacturer or importer, as the case may be.
- iv. Shall create public awareness through advertisement, publication, posters or by other means with regard to the followings:
 - (a) Suitability of MWPS for purification of water in quality terms
 - (b) Judicious use of MWPS water
 - (c) Potential use of Reject water from MWPS
 - (d) Responsibility of consumer or user to return the used or discarded element only to dealers of deliver at designated collection centres
 - (e) Address of dealers and designated collection centres

- v. Shall compile the information received by producer, manufacturer, importer and assembler in format to be specified by CPCB and submit on or before 15th November of following financial year.

9. Central Pollution Control Board

- i. Shall prepare and publish guideline for management, storage, utilisation and disposal of reject water generated from MWPS within a period of 3 months from the date of publication of this notification including categorisation of such installation as per their pollution load.
- ii. Shall specific the format for submission of annual report by manufacturer, producer, importers, assemblers, industrial and commercial users, and compile annual report for submission to MoEF&CC latest by 30th December of following financial year.
- iii. Shall create public awareness through advertisement, publication, posters or by other means with regard to the followings:
 - (a) Suitability of MWPS for purification of water in quality terms
 - (b) Judicious use of MWPS water
 - (c) Potential use of Reject water from MWPS
 - (d) Responsibility of consumer or user to return the used or discarded element only to dealers of deliver at designated collection centres
 - (e) Address of dealers and designated collection centres

10. 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 TDS concentration of water being supplied through billing instruments and also through public advertisement in newspaper and other mass media means on regular basis.

11. BIS

- i. shall develop guideline or standard code for certification process for type approval and conformity of production in consultation with CPCB within 6 months of publication of notification including terms and condition for validity of the certificate.
- ii. shall evolve appropriate mechanism for carrying out certification on type approval and conformity of production for domestic MWPS.
- iii. may develop or as the case may be, revise the compliance and testing procedure allowing a time of six months to all concerned.

E. GENERAL CONDITIONS

1. Every Producer, importer or assembler of the MWPS manufactured or imported or assembled in India (hereinafter referred to as 'product') shall obtain Type approval and comply with the COP of their product for compliance of Schedule – I provision , which shall be valid for the period as specified in the guidelines prescribed for such process by *BIS*.
2. Schedule – I provision shall apply to all new product manufactured, assembled, sold or imported into India, as the case may be, and shall not apply to

- (a) any product assembled or manufactured or imported, as the case may be, for the purpose of export outside India; or
 - (b) any product intended for the purpose of sample limited to four (4) in number and to be exported back within 3 months, and not for sale in India
- 3. The requirement for compliance of Type Approval and COP shall be as per procedure developed by BIS.
- 4. Every MWPS or 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.
- 5. 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 manufacturer of product or in case of import, the date of import of the product and
 - (e) Rated recovery efficiency and corresponding water reject generation
- 6.
 - (a) The Central Pollution Control Board shall be the nodal agency for implementation of these rules.
 - (b) In case of any dispute of difficulty in implementation of these rules, the matter shall be referred to the nodal agency.
 - (c) 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 the implementation of this notification including disputes, if any.

[F. No. Q-17012/1/2019-CPW]
JIGMET TAKPA, Jt. Secy.

**Schedule – I
(Section C, subsection 2)**

Class	Inlet water quality	Essential specifications required	Recovery efficiency (r_e) of permeates (%) with compliance date
A.	Domestic Category		
1	IS:10500 2012 compliant for TDS	Use of RO is prohibited Ultra – Filtration along with disinfection system accepted with zero discharge shall be preferred	
2	IS:10500 2012 non-compliant	RO based system MWPS with inlet water feed capacity equal to or less than 50 LPH Online and real time flow and TDS measurement provision, with data logger at inlet and outlet of water purifier	>60% (5 th June 2021) >75% (5 th June 2022)
B.	Commercial Category (Feed rate capacity > 50 lph)		
1	Irrespective of Inlet water quality	Combination of water purification system including micro filtration process Online and real time flow and TDS measurement provision, with data logger at inlet and outlet of water purifier Reject collection and management as per Guidelines for Management of Reject Water Establishment and operation in compliance to the provision of The Water (Prevention and Control of Pollution) Act, 1974 and obtaining Consent to operate/Establish	>80% (5 th June 2021) >90% (5 th June 2022) For all operating facility the CTE shall be applied within six months period, or as applicable

Class	Inlet water quality	Essential specifications required	Recovery efficiency (r_e) of permeates (%) with compliance date
C.	Industrial Category (Feed rate capacity > 50 lph)		
S1	Irrespective of Inlet water quality	<p>Combination of water purification system including micro filtration process</p> <p>Online and real time flow and TDS measurement provision, with data logger at inlet and outlet of water purifier</p> <p>Reject collection and management as per Guidelines for Management of Reject Water</p> <p>Establishment and operation in compliance to the provision of The Water (Prevention and Control of Pollution) Act, 1974 and obtaining Consent to operate/Establish</p>	<p>>85% (5th June 2021)</p> <p>>90% (5th June 2022)</p> <p>For all operating facility the CTE shall be applied within six months period, or as applicable</p>

Note: The principal 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 lastly amended vide notification G.S.R. 894 (E), dated the 4th December, 2019.

भारत सरकार
पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय
अधि सूचना

नई दिल्ली, _____, 2020

सा.का.नि.....(अ) - केन्द्रीय सरकार पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 6 और धारा 25 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए पर्यावरण (संरक्षण) नियमावली 1986 में और संशोधन करने के लिए एतद्वारा निम्नलिखित नियम बनाती है, अर्थात्:

1. (1) इन नियमों को पर्यावरण (संरक्षण) संशोधन नियम, 2020 कहा जाएगा
- (2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।
2. पर्यावरण (संरक्षण) नियम, 1986 में, अनुसूची-1 में क्रम सं.115 और उससे संबंधित प्रविष्टियों के पश्चात निम्नलिखित प्रतिस्थापित किया जाएगा, अर्थात् :

116 मेम्ब्रेन आधारित जल शोधन प्रणाली (एमडब्ल्यूपीएस) के उपयोग संबंधी विनियम

क. प्रयोज्यता

- i. उपयोग करने के स्थान (घरों, संस्थानों, सामुदायिक) या प्रवेश बिंदुओं (साझा, सामुदायिक, आवासीय समितियों), या वाणिज्यिक और औद्योगिक परिसरों में वहनीय या जल की गुणवत्ता की आवश्यकताओं को पूरा करने की प्रक्रिया हेतु समुद्री जल आर ओ सिस्टम को छोड़कर पेय जल की आपूर्ति हेतु संस्थापित या संचालित की गई झिल्ली आधारित जल शुद्धीकरण प्रणाली (एमडब्ल्यूपीएस) ।
- ii. त्याज्य घटकों से संबंधित विनियम, उन सभी निस्पंदन आधारित शुद्धीकरण या अपशिष्ट जल की शोधन प्रणाली पर प्रयोज्य होंगे, जहां पॉलीमर आधारित झिल्ली का उपयोग किया गया है और उसके उपयोग की मियाद-समाप्ति पर इसे हटाया गया है।

ख. परिभाषा

- i. 'बी आई एस' से भारतीय मानक ब्यूरो अभिप्रेत है, जो भारत सरकार के उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय के तत्वाधान में कार्य कर रहा, भारत का एक राष्ट्रीय मानक निकाय है।
- ii. 'सीपीसीबी' से जल (प्रदूषण निवारण एवं नियंत्रण) अधिनियम, 1974 के प्रावधान के तहत गठित केन्द्रीय प्रदूषण नियंत्रण बोर्ड अभिप्रेत है।
- iii. 'वाणिज्यिक संस्थापना' से बिक्री, सेवाओं (सामुदायिक, धर्मार्थ, सामाजिक, सार्वजनिक और अन्य), अस्पतालों, होटलों, रेलवे, जहां आपूर्ति बड़ी मात्रा में या पैकेज या पाईप लाईन के माध्यम से वितरण या सेवा देने के लिए पेयजल की शुद्धीकरण और आपूर्ति हेतु संस्थापित

और प्रचालित एमडब्ल्यूपीएस अभिप्रेत है और जहां एमडब्ल्यूपीएस की 50 लीटर प्रति घंटा या उससे अधिक की जल ग्रहण की क्षमता है।

- iv. **‘‘उत्पादन का अनुपालन (सीओपी)’’** से उत्पादों की श्रृंखला का उत्पादन करने की क्षमता का साक्ष्य अभिप्रेत है, जो अनुमोदन दस्तावेज में रेखांकित की गई विनिर्दिष्टता, कार्य-निष्पादन और चिह्न लगाने की अपेक्षा के अनुरूप है।
- v. **‘‘त्याज्य घटकों’’** से वे घटक अभिप्रेत हैं जिन्हें या तो विनिर्माण दोष, टूट-फूट उसकी उपयोगिता में कमी आने के कारण या इसकी ‘मियाद समाप्ति’ हो जाने पर या डिजाइन की गई पारगम्यता पर और दबाव पर प्रचालन न होने के कारण बदला गया है।
- vi. **‘‘घरेलू उपयोगकर्ता’’** से वे उपभोक्ता अभिप्रेत है जो उपयोग के स्थल पर घरों में घरेलू उपभोग के लिए संस्थापित पेयजल पाने के लिए 50 लीटर प्रति घंटे की क्षमता वाले एमडब्ल्यूपीएस का उपयोग कर रहे हैं।
- vii. **‘‘घटक’’** से सिलिका और अन्य पॉलीमर आधारित प्लास्टिक शीट और इसके सुदृढ़ प्रणाली के संयोजन से बनी अर्द्ध-पारगम्य झिल्ली अभिप्रेत है जिसे सूक्ष्म निस्पंदन प्रक्रिया में उपयोग किया जाता है और उसे मियाद समाप्ति होने के पश्चात फेंक दिया जाता है।
- viii. **‘‘मियाद-समाप्ति’’** (ईओएल) से उत्पाद की वह समयावधि अभिप्रेत है जब यह अपने आशयित प्रयोजन को पूरा करने के लिए अपने गुणों अथवा संभावना को खो देता है और इसे त्याग दिया जाता है या बदला जाता है।
- ix. **‘‘त्याज्य घटक का पर्यावरणीय रूप से सुदृढ़ प्रबंधन’’** से वे सभी आवश्यक उपाय अभिप्रेत है जिन्हें यह सुनिश्चित करने के लिए करना अपेक्षित है कि त्याज्य घटक को इस रीति से प्रबंधित किया जाए, जो किसी भी प्रतिकूल प्रभाव से स्वास्थ्य और पर्यावरण को सुरक्षित रखे, जो ऐसे त्याज्य घटकों के परिणामस्वरूप हो सकते हैं, और जो समय-समय पर यथासंशोधित किए गए प्लास्टिक अपशिष्ट प्रबंधन नियम, 2016 के प्रावधान के अनुरूप है।
- x. **‘‘विस्तारित उत्पादक उत्तरदायित्व’’** से उत्पाद की ‘मियाद समाप्ति’ तक उसके पर्यावरणीय रूप से सुदृढ़ प्रबंधन हेतु उत्पादक के उत्तरदायित्व अभिप्रेत हैं।
- xi. **‘‘सुविधा’’** से प्लास्टिक अपशिष्ट के एकत्रण, भंडारण, प्रसंस्करण और निपटान अभिप्रेत है।
- xii. **‘‘औद्योगिक उपयोग’’** से अभिज्ञात औद्योगिक विनिर्माण प्रक्रिया की जल गुणवत्ता की आवश्यकताओं को पूरा करने के लिए या अपशिष्ट जल के शोधन के लिए और पेयजल की आवश्यकता के प्रयोजन को पूरा नहीं कर रहे और 50 लीटर प्रति घंटे से अधिक ग्रहण (इनपुट) जल शुद्धिकरण क्षमता के लिए रिवर्स ऑसमॉसिस सहित सूक्ष्म निस्पंदन प्रक्रिया युक्त जल शुद्धीकरण प्रक्रिया का संयोजन अभिप्रेत है।
- xiii. **‘‘विनिर्माता’’** से कंपनी अधिनियम, 2013 (2013 का 18) में पारिभाषित व्यक्ति या संस्था या कंपनी या फैक्टरी अधिनियम, 1948 (1948 का 63) में यथा पारिभाषित फैक्टरी या माइक्रो, छोटे और मध्यम उपक्रम विकास अधिनियम, 2006 (2006 का 27) में यथापारिभाषित माइक्रो, छोटे और मध्यम उपक्रम अभिप्रेत है, जिनमें निस्पंदन झिल्ली के विनिर्माण या संयोजन के लिए सुविधा मौजूद है।

- xiv. 'उत्पादक' से निम्नवत शामिल किए गए एमडब्ल्यूपीएस के विनिर्माता, संयोजक, डीलर, थोक विक्रेता, ई-थोक विक्रेता, प्रचालन और अनुरक्षण सेवा प्रदाता जैसों द्वारा विक्रय की तकनीक उपयोग में लाई गई विक्रय की तकनीक पर ध्यान दिए बिना कोई व्यक्ति या संगठन अभिप्रेत है।
- क. जो रिवर्स ऑसमोसिस आधारित जल शुद्धिकरण उत्पादों (एमडब्ल्यूपीएस) और उसके अपने स्वयं के ब्रांड के तहत उनके घटकों या उपभोज्य या भागों या अतिरिक्त पुर्जों का विनिर्माण करता है या विक्रय करने का प्रस्ताव रखता है; या
- ख. जो अपने स्वयं के ब्रांड के तहत, संयोजित किए गए एमडब्ल्यूपीएस और उनके घटकों या उपभोज्यों या भागों या अन्य विनिर्माताओं या आपूर्तिकर्ताओं द्वारा उत्पादित अतिरिक्त पुर्जे का विक्रय करने का प्रस्ताव रखता है; या
- ग. जो आयातित एमडब्ल्यूपीएस और उनके घटकों या उपभोज्यों या भागों या अतिरिक्त पुर्जों का विक्रय करने का प्रस्ताव रखता हो।
- xv. 'उपयोग स्थल (पीओयू)' से उपयोग स्थल के नजदीक जल शुद्धिकरण प्रणाली का अवस्थान अभिप्रेत है और जहां एक नल/अधिक नलों को सीधे तौर पर आपूर्ति जैसे रसोई घर के सिंक में नलका या सहायक नलका से है।
- xvi. 'प्रवेश बिंदु (पीओई)' से जल शुद्धिकरण प्रणाली का अवस्थान अभिप्रेत है, जहां यह परिसरों में प्रवेश कर रहे जल या संपूर्ण-घर की प्रणाली या आवासीय हाउसिंग सोसायटी, वाणिज्यिक और संस्थागत भवनों, अस्पतालों आदि की आपूर्ति लाईन में जल की अधिकांश मात्रा का शोधन करता है और जहां ये सामान्यतः जल के मीटर के बाद संस्थापित होते हैं।
- xvii. 'पुनर्प्राप्ति क्षमता' (आरई) से प्रतिशतता के संदर्भ में ग्रहण जल की मात्रा के संबंध में निस्पंदन प्रणाली द्वारा उत्पादित जल की मात्रा अर्थात् $(re)\% = \frac{Qp(lph) \times 100}{Qf(lph)}$ जहां लीटर प्रति घंटा अभिप्रेत है।
- xviii. 'अस्वीकृत जल' से किसी भी जल सुदृढ़ीकरण प्रणाली से अस्वीकृत जल के रूप में ज्ञात अव्याप्त जल मात्रा अभिप्रेत है और सामान्यतः इसमें अंतर्ग्रहित और निर्गत जल की गुणवत्ता की तुलना में उच्च मात्रा में कुल घुलनशील ठोस अंश पाया जाता है।
- xix. 'झिल्ली आधारित जल शुद्धिकरण प्रणाली (एमडब्ल्यूपीएस)' से शुद्धिकरण प्रणाली अभिप्रेत है, जिसमें अर्द्ध-पारगम्य झिल्ली के जरिए सूक्ष्म निस्पंदन प्रणाली शामिल है।
- xx. 'एसपीसीबी/पीसीसी' से जल (प्रदूषण निवारण एवं नियंत्रण) अधिनियम, 1974 के प्रावधानों के अधीन मामला अनुसार, राज्य के लिए राज्य प्रदूषण नियंत्रण बोर्ड या संघ शासित प्रदेश के लिए प्रदूषण नियंत्रण समिति से अभिप्रेत है।
- xxi. 'टीडीएस मीटर' से पानी की व्यवस्था में कुल घुलनशील द्रव्य (टीडीएस) का रियल टाइम और ऑनलाईन सांद्रण का मापन करने के लिए पढ़ने योग्य डिस्ले व्यवस्था हेतु संस्थापित किए गए उपकरण अभिप्रेत है।
- xxii. 'निस्सारित बहिस्त्राव' से कोई द्रव्य, गैसीय या ठोस पदार्थ अभिप्रेत है जो किसी उद्योग, प्रचालन या प्रक्रिया, या घरेलू मलजल के अलावा शोधन और निपटान प्रणाली के लिए उपयोग में लाए गए परिसरों से निस्सारित होता है।
- xxiii. 'प्रकार अनुमोदन' से किसी ऐसे उत्पाद से अनुरूपता का प्रमाण-पत्र अभिप्रेत है जो विनियामक, तकनीकी और सुरक्षा अपेक्षाओं के न्यूनतम सेट को पूरा करता हो, और उसकी आवश्यकता उत्पाद को बेचे जाने की अनुमति देने से पहले होती है।

xxiv. 'प्रयोक्ता' से ऐसा कोई व्यक्ति, संगठन, संस्थान, आवासीय एवं वाणिज्यिक आवासन सोसायटी, होटल, अस्पताल, रेलवे सेवा केन्द्र, वाणिज्यिक संस्थान और परिसर, औद्योगिक प्रतिष्ठान आदि अभिप्रेत है जो या तो प्रयोग स्थल पर या प्रवेश स्थल पर, वाणिज्यिक और औद्योगिक प्रयोजन सहित, मेम्ब्रेन आधारित निस्पंदन प्रक्रिया से युक्त जल शोधन प्रणाली का प्रयोग करता है।

xxv. "जलापूर्ति एजेंसी" से कोई ऐसा निकाय, संगठन, राज्य सरकार के विभाग, स्थानीय शहरी निकाय, सार्वजनिक या निजी क्षेत्र के निकाय अभिप्रेत हैं जो लागू कानून के सांविधिक प्रावधान के कारण उत्पन्न वाणिज्यिक या अनिवार्य उत्तरदायित्व को पूरा करने हेतु किसी निर्दिष्ट भौगोलिक क्षेत्र में जल का शोधन, वितरण और/या उसकी आपूर्ति करने के कार्य में लगे हैं।

ग. मेम्ब्रेन आधारित जल शोधन प्रणाली (एमडब्ल्यूपीएस) के उपयोग संबंधी विनियम

1. आपूर्ति किए गए जल के उपयोग के स्थान पर या उसके शोधन, जो पारंपरिक ऊर्णन, निस्पंदन और विसंक्रमण प्रक्रिया के अधीन किया जाता है, स्थल पर या यदि जल किसी ऐसे स्रोत से प्राप्त है जो भारतीय मानक ब्यूरो 10500:2012 पेयजल विनिर्देश द्वारा पेयजल के लिए निर्धारित स्वीकार्य सीमा का अनुपालन करता है, तो उस स्रोत पर एमडब्ल्यूपीएस की संस्थापना या उपयोग निषिद्ध होगा, बशर्ते कि

(क) प्रयोग किया जाने वाले एमडब्ल्यूपीएस में प्रचालित शून्य अपशिष्ट निस्सरण सुविधा से युक्त एकीकृत प्रणाली हो और

i. अपशिष्ट जल के प्रयोग हेतु निपटान व्यवस्था के साथ यथेष्ट भंडारण क्षमता हो, और सीपीसीबी द्वारा निर्धारित किए जाने वाले अपशिष्ट जल के प्रबंधन हेतु दिशानिर्देशों का अनुपालन करते हुए प्रयोग किया जाता हो, और

ii. उसमें भंडारण टैंकों को भरने या जलापूर्ति जलाशय को भरने हेतु अपशिष्ट जल वापसी प्रणाली के लिए विश्वसनीय एवं प्रचालित एकीकृत इंटरलॉकिंग व्यवस्था हो।

(ख) वाणिज्यिक या औद्योगिक प्रयोजन के लिए संस्थापित एमडब्ल्यूपीएस जल (प्रदूषण निवारण और नियंत्रण) अधिनियम, 1947 के प्रावधान के अधीन प्रचालित होगी, और

i. एमडब्ल्यूपीएस से प्राप्त शुद्ध जल के प्रयोग बीआईएस द्वारा पेयजल गुणवत्ता मानक आईएस 10500:2012 पेयजल विनिर्देश के अलावा वाणिज्यिक प्रयोजन के लिए जल गुणवत्ता की अपेक्षा को पूरा करता हो, और

ii. उसमें उसके पुनः उपयोग के लिए एसपीसीबी द्वारा अनुमोदित अपशिष्ट प्रबंधन योजना के अनुसार प्रणाली लगी हो।

iii. वाणिज्यिक संस्थापन के रूप में पैकेज्ड पेयजल के विनिर्माण और व्यापारिक बहिस्त्राव के रूप में उसके बहिस्त्राव को जल (प्रदूषण निवारण और नियंत्रण) अधिनियम, 1974 के प्रावधान के अधीन विनियमित किया जाएगा।

2. विनिर्मित, उत्पादित, एसेंबल किए गए या पुनःसंरूपित या संस्थापित या सूक्ष्म निस्पंदन प्रक्रिया से प्रचालित सभी एमडब्ल्यूपीएस को परमीट या निस्पंदित जल पुनः प्राप्ति क्षमता के आधार पर वर्गीकृत किया जाएगा और वे अनुसूची-1 में यथा विनिर्दिष्ट समय-सीमाओं का अनुपालन करेंगे तथा सीपीसीबी द्वारा निर्धारित किए जाने वाले अपशिष्ट जल प्रबंधन हेतु दिशा-निर्देशों का अनुपालन करने हेतु यथेष्ट प्रावधान होंगे।

3. अनुसूची-1 में यथाविनिर्दिष्ट पुनःप्राप्ति क्षमता और आउटपुट विश्वसनीयता प्रावधानों के अनुपालन हेतु, सभी घरेलू श्रेणी के एमडब्ल्यूपीएस में बीआईएस या बीआईएस द्वारा प्राधिकृत संस्थान से यथा लागू प्रकार अनुमोदन और उत्पादन की अनुरूपता का प्रमाण-पत्र होगा। पुनः प्राप्ति क्षमता संबंधी निष्ठा और विश्वसनीयता सुनिश्चित करने हेतु यह प्रमाणन बीआईएस द्वारा विनिर्दिष्ट कोड के प्रावधान के अनुसार होगा।

4. बीआईएस, सीपीसीबी के साथ परामर्श करके, अनुसूची-1 के प्रावधान के अनुपालन हेतु एमडब्ल्यूपीएस के प्रकार एवं प्रक्रिया निष्ठा की निरानी करने, उसका आकलन करने, उसे प्रमाणित करने की प्रणाली और प्रक्रिया विकसित करेगा। उस प्रमाण-पत्र की वैधता बीआईएस द्वारा तैयार किए गए दिशा-निर्देशों में यथानिर्धारित होगी। प्रमाण-पत्र में प्रमाणन और उसकी वैधता की तिथि प्रयुक्त शोधन प्रौद्योगिकी, पुनःप्राप्ति क्षमता और बीआईएस द्वारा यथाविनिर्दिष्ट अन्य निबंधनों एवं शर्तों का उल्लेख किया जाएगा। बीआईएस, राजपत्र में इस अधिसूचना के प्रकाशन की तिथि से छः माह की अवधि के भीतर ऐसी प्रणाली और कार्य-पद्धति विकसित करेगा।

5. केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा राजपत्र में इस अधिसूचना के प्रकाशन की तिथि से छः माह की अवधि के भीतर परित्यक्त पदार्थ के प्रबंधन एवं निपटान सहित एमडब्ल्यूपीएस से उत्पन्न अपशिष्ट जल के हथालन, भंडारण, प्रबंधन और उपयोग के लिए दिशा-निर्देश प्रकाशित किए जाएंगे।

6. एमडब्ल्यूपीएस के लिए परित्यक्त पदार्थ का प्रबंधन समय-समय पर यथासंशोधित प्लास्टिक अपशिष्ट प्रबंधन नियम, 2016 के प्रावधान के अनुसार विनिर्माता, उत्पादक और आयातक पर विस्तारित उत्पादक उत्तरदायित्व के साथ किया जाएगा।

घ. उत्तरदायित्व

1. घरेलू प्रयोक्ता

- i. घरेलू प्रयोग के लिए रिवर्स ऑस्मोसिस आधारित जल शोधन प्रणाली (आरओडब्ल्यूपीएस) से प्राप्त शुद्ध जल का प्रयोग केवल पीने के प्रयोजन से किया जाएगा।
- ii. प्रयोग के स्थान पर संस्थापित घरेलू एमडब्ल्यूपीएस से उत्पन्न अपशिष्ट जल को एकत्रित किया जाएगा और उसका प्रयोग पीने के इतर प्रयोजन के लिए तथा सीपीसीबी द्वारा निर्धारित किए जाने वाले दिशानिर्देशों में यथाविनिर्दिष्ट अन्य प्रयोजनों के लिए किया जाएगा।
- iii. प्रवेश स्थान पर संस्थापित एमडब्ल्यूपीएस में उसे उत्पन्न अपशिष्ट जल के पुनर्चक्रण हेतु उसे मुख्य जल भंडारण सुविधा तक पहुंचाने हेतु अपेक्षित अवसंरचना होगी या वह अपशिष्ट जल के प्रयोग हेतु सीपीसीबी द्वारा निर्धारित किए जाने वाले दिशा-निर्देश में यथा विनिर्दिष्ट यथेष्ट अवसंरचना से युक्त होगा।
- iv. एमडब्ल्यूपीएस का संस्थापन और उसकी निवारक सर्विसिंग एमडब्ल्यूपीएस उत्पादक की अनुशंसा का कड़ाई से अनुपालन किया जाएगा।

- v. परित्यक्त पदार्थ का निपटान केवल प्लास्टिक अपशिष्ट प्रबंधन नियम, 2016 के लागू प्रावधानों के अनुसार, या डीलर, विनिर्माता, आयातक, असेंबलर या नामित संग्रहण केन्द्रों के पास जमा करके, या संबंधित राज्य प्रदूषण नियंत्रण बोर्ड/प्रदूषण नियंत्रण समिति, जो भी लागू हो, के अनुमति के अनुसार ही किया जाएगा, किसी अन्य ढंग से नहीं।
- vi. एमडब्ल्यूपीएस प्रणाली का उपयोग या प्रचालन ऊपर उल्लिखित पैरा ग (3) के प्रावधान के अनुसार जारी प्रमाण-पत्र के बिना नहीं किया जाएगा।

2. वाणिज्यिक और औद्योगिक संस्थापन

- i. सभी एमडब्ल्यूपीएस संस्थापन जल (प्रदूषण निवारण और नियंत्रण) अधिनियम, 1974 के प्रावधान के अधीन कार्य करेगा। इस अधिसूचना के प्रकाशन की तारीख को या उससे पहले प्रचालित संस्थापना के लिए, यदि लागू हो, छः माह की अवधि के भीतर राज्य प्रदूषण नियंत्रण बोर्ड/प्रदूषण नियंत्रण समिति के पास प्रचालन की सहमति हेतु आवेदन किया जाएगा।
- ii. एमडब्ल्यूपीएस का संस्थापन अनुसूची-I के प्रावधानों का उचित अनुपालन करते हुए प्रचालित होगा। सभी एसपीसीबी/पीसीसी अनुपालन सु निश्चित करेंगे।
- iii. एमडब्ल्यूपीएस संस्थापन से उत्पन्न अपशिष्ट जल को उसके पुनःउपयोग या उपयोग या निपटान हेतु राज्य प्रदूषण नियंत्रण बोर्ड के अनुमोदन से और साथ ही केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा जारी दिशा-निर्देशों के अनुरूप सुरक्षित, स्वच्छ और उसी प्रयोजन के लिए निर्दिष्ट भंडारण केन्द्र में भंडारित किया जाएगा। इसमें तीसरे पक्ष या प्रचालक द्वारा संचालित साझा संग्रहण और निपटान प्रणाली शामिल होगी, किंतु संग्रहण, भंडारण और उपयोग के लिए ऐसी प्रणाली को केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा जारी किए जाने वाले दिशा-निर्देशों के प्रावधान के अधीन संबंधित राज्य प्रदूषण नियंत्रण बोर्ड/प्रदूषण नियंत्रण समिति, जो भी स्थिति हो, द्वारा अनुमोदित किया जाएगा।
- iv. परित्यक्त पदार्थ को केन्द्रीय प्रदूषण नियंत्रण बोर्ड/प्रदूषण नियंत्रण समिति, जो भी स्थिति हो, द्वारा जारी दिशा-निर्देशों के प्रावधान के अधीन उत्पादक या विनिर्माता, जो भी स्थिति हो, को वापस किया जाएगा।
- v. जल की खपत, अपशिष्ट जल उत्पादन, अपशिष्ट जल निपटान, प्रतिस्थापित या प्रयुक्त पदार्थ, उत्पन्न परित्यक्त पदार्थ और उसके निपटान के संबंध में अभिलेख रखा जाएगा और केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा जारी किए जाने वाले दिशा-निर्देशों में यथाविनिर्दिष्ट प्रपत्र में राज्य प्रदूषण नियंत्रण बोर्ड/प्रदूषण नियंत्रण समिति को वार्षिक रिपोर्ट प्रस्तुत की जाएगी।
- vi. औद्योगिक और वाणिज्यिक संगठन में प्रचालित एमडब्ल्यूपीएस की समस्त घरेलू श्रेणी के उत्पाद अनुसूची-I के श्रेणी-क प्रावधान का अनुपालन करेंगे।

3. पदार्थों के विनिर्माता

- i. विनिर्माताओं द्वारा राजपत्र में इस अधिसूचना के अंतिम प्रकाशन की तारीख से छः माह की अवधि के भीतर प्लास्टिक अपशिष्ट प्रबंधन नियम, 2016 के प्रावधान के अनुसार पंजीकरण हेतु राज्य प्रदूषण नियंत्रण बोर्ड या प्रदूषण नियंत्रण समिति, जो भी स्थिति हो, के पास आवेदन किया जाएगा।

ii. निर्माता, आयातक, असेंबलर या विक्रेता द्वारा विनिर्मित या आयातित या पूर्ति किए गए या असेंबल किए गए प्रत्येक पदार्थ का पता लगाने के लिए विशेष पहचान चिन्ह होगा और निम्नलिखित सूचना अंग्रेजी में छपी होगी:

(क) निर्माता का नाम, पंजीकरण संख्या

(ख) निर्माण की तारीख और उसकी पहचान के लिए विशिष्ट हस्ताक्षर

iii. एमडब्ल्यूपीएस से उत्पन्न हुए परित्यक्त पदार्थों के लिए व्यक्तिगत या सामूहिक रूप से संग्रहण, परिवहन और निपटान सुविधा विकसित करेगा और केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा जारी किए जाने वाले दिशानिर्देशों के प्रावधानों का अनुपालन करेगा।

iv. उपभोक्ताओं या डीलरों से बेकार तत्वों के संग्रह के लिए या तो व्यक्तिगत या सामूहिक रूप से प्राधिकृत संग्रह केन्द्र की स्थापना करेगा।

v. प्लास्टिक अपशिष्ट प्रबंधन नियम, 2016 के प्रावधान के अनुसार या राज्य प्रदूषण नियंत्रण बोर्ड द्वारा निर्यात प्रयोजनार्थ पदार्थों को छोड़कर नए विक्रय किए गए पदार्थों के सापेक्ष यथा विनिर्दिष्ट या सुनिश्चित करना कि परित्यक्त पदार्थों को वापिस एकत्रित किया जाए और पर्यावरणीय रूप से सुदृढ़ रीति से प्रबंधित किया जाए।

vi. राजपत्र में इस विनियम के प्रकाशन की तारीख से छः महीने की अवधि के भीतर अपने स्वयं के वितरण चैनल के माध्यम से या संबंधित स्थानीय निकाय के माध्यम से या वैयक्तिक रूप से या सामूहिक रूप से विस्तारित उत्पादक के उत्तरदायित्वों के आधार पर प्रयुक्त या परित्यक्त पदार्थों के संग्रहण हेतु एक प्रणाली बनाएगा।

vii. यह सुनिश्चित करना कि प्रयुक्त या परित्यक्त पदार्थ या दोनों तत्वों को प्राधिकृत या राज्य प्रदूषण नियंत्रण बोर्ड / प्रदूषण नियंत्रण समितियों द्वारा प्राधिकृत किए गए पंजीकृत सुविधाओं को संग्रहित, भण्डारित, ढुलाई या निपटान किया जाए।

viii. अपनी बिक्री और परित्यक्त पदार्थों के संग्रहण के संबंध में केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा विनिर्दिष्ट किए गए प्रपत्र में यथा प्रयोज्य राज्य प्रदूषण नियंत्रण बोर्डों / प्रदूषण नियंत्रण समितियों को आगामी वित्त वर्ष के 30 सितंबर तक वार्षिक रिपोर्ट प्रस्तुत करें।

4. उत्पादक

i. सरकारी राजपत्र में इस अधिसूचना के अंतिम प्रकाशन की तारीख के छः महीनों की अवधि के भीतर प्लास्टिक अपशिष्ट प्रबंधन नियम, 2016 के प्रावधान के अनुसार पंजीकरण प्रदान करने के लिए मामले के अनुसार राज्य प्रदूषण नियंत्रण बोर्ड या प्रदूषण नियंत्रण समिति को आवेदन करेगा।

ii. यह सुनिश्चित करेगा कि अनुसूची I में यथा निर्धारित पुनः प्राप्ति की क्षमता को पूरा करने के लिए एमडब्ल्यूपीएस, रियल टाईम ऑन लाईन फ्लो और घुलनशील ठोस पदार्थ निगरानी मीटरों से जलग्रहण बिन्दु और जल निर्गत बिन्दु, डिजीटल डाटा प्राप्ति प्रणाली और माइक्रोप्रोसेसर आधारित नियंत्रण सुविधा युक्त हों। सभी प्रणालियों को उत्पाद की अनुरूपता हेतु प्रमाणित किया जाएगा और ये, उपरोक्त पैरा ग (3) के प्रावधानों के अनुसार अनुसूची I के अनुसार टाईप अनुमोदन प्राप्त करेंगे। अनुसूची I में विनिर्दिष्ट की गई समय सीमा का पालन किया जाएगा।

- iii. वह एमडब्ल्यूपीएस प्रणाली पर आधारित किसी भी उत्पाद का विक्रय, संस्थापना, सेवा या संयोजन तब तक नहीं करेगा जब तक वह उपरोक्त पैरा ग (3) के अनुसार प्राधिकृत संस्थानों से टाईप अनुमोदन हेतु प्रमाणपत्र और सीओपी प्राप्त न कर ले।
- iv. वह पदार्थों, उत्पादों की अपनी बिक्रियों और बेकार पदार्थों को वापिस लेने के संबंध में केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा विनिर्दिष्ट किए जाने वाले प्रपत्र में प्रत्येक वर्ष की 30 सितंबर तक राज्य प्रदूषण नियंत्रण बोर्ड को वार्षिक रिपोर्ट प्रस्तुत करेगा।
- v. उपभोक्ताओं या डीलरों से प्रयुक्त किए गए / परित्यक्त पदार्थों के एकत्रण हेतु वैयक्तिक रूप से या संयुक्त रूप से उपयुक्त स्थानों पर परित्यक्त पदार्थों के लिए संग्रहण केन्द्र स्थापित करेगा।
- vi. यह सुनिश्चित करेगा कि एकत्रित किए गए परित्यक्त पदार्थों का राज्य प्रदूषण नियंत्रण बोर्ड द्वारा यथा विनिर्दिष्ट प्लास्टिक अपशिष्ट प्रबंधन नियम, 2016 के प्रावधान के अनुसार उपयुक्त रूप से और वैज्ञानिक रूप से निपटान किया जाए।
- vii. प्रयुक्त अथवा परित्यक्त पदार्थों की पुनर्चक्रण अथवा प्रसंसाधन सुविधाओं से उत्पन्न अपशिष्ट को ठोस अपशिष्ट प्रबंधन नियम, 2016 के प्रावधान या समय-समय पर किए गए संशोधनों के अनुसार निपटाया जाएगा।
- viii. प्रयुक्त और परित्यक्त पदार्थों के संग्रहण का प्राथमिक उत्तरदायित्व उत्पादक, आयातकर्ताओं और व्यक्ति या वह हस्ती जो मार्केट में उत्पाद में प्रस्तुत करते हैं, का है। उन्हें प्रयुक्त अथवा परित्यक्त पदार्थों और उनके उत्पादों से उत्पादित किए गए अन्य अप्रयुक्त प्लास्टिक घटकों को वापस संग्रहित करने के लिए एक प्रणाली स्थापित करने की आवश्यकता है। इस संग्रहण योजना को स्थापना अथवा प्रचालन अथवा नवीकरण हेतु सहमति प्राप्त करने के लिए आवेदन करते समय राज्य प्रदूषण नियंत्रण बोर्डों को प्रस्तुत किया जाना है। विनिर्माता, आयातकर्ता अथवा पुनःप्रसंस्करणकर्ता अथवा संयोजनकर्ता, जिनके सहमति पत्र को इन नियमों की अधिसूचना से पहले नवीकृत किया गया है, को ऐसी योजना, इन नियमों की अधिसूचना की तारीख से छः महीने के भीतर प्रस्तुत करनी होगी और तत्पश्चात् छः महीने के भीतर उसे कार्यान्वित करना होगा।
- ix. उत्पादकों द्वारा एसपीसीबी / पीसीसी द्वारा विनिर्दिष्ट अवधि के भीतर प्रयुक्त या परित्यक्त पदार्थ के संग्रहण हेतु विस्तारित उत्पादक उत्तरदायित्व के आधार पर, या तो व्यक्तिगत रूप से या सामूहिक रूप से, अपने वितरण चैनल के माध्यम से या संबंधित स्थानीय निकाय के माध्यम से एक प्रणाली को कार्यशील बनाया जाएगा।
- x. सभी विनिर्माताओं, उत्पादकों, असेंबल करने वालों, आयातकों और विक्रेताओं द्वारा राजपत्र में इन नियमों के प्रकाशन की तारीख से छः माह की अवधि के भीतर पंजीकरण प्रदान करने हेतु राज्य प्रदूषण नियंत्रण बोर्ड या प्रदूषण नियंत्रण समिति, जो भी स्थिति हो, के पास आवेदन किया जाएगा।
- xi. प्रत्येक विनिर्माता, उत्पादक, आयातक, असेंबलकर्ता और सेवा प्रदाता द्वारा पदार्थ की आपूर्ति के कार्य में लगे व्यक्ति के ब्यौरे का अभिलेख रखा जाएगा ताकि यह सुनिश्चित हो सके कि बेचे गए या प्रतिस्थापित या आपूर्ति किए गए नये पदार्थ के बदले में पुराने परित्यक्त पदार्थ वापस ले लिए जाएं।

- xiii. निम्नलिखित के संबंध में विज्ञापन, प्रकाशन, पोस्टरों या अन्य साधनों के माध्यम से जन-जागरूकता पैदा करना;
- (क) गुणवत्ता की दृष्टि से जल शोधन हेतु एमडब्ल्यूपीएस की उपयुक्तता।
- (ख) एमडब्ल्यूपीएस से प्राप्त जल का विवेकपूर्ण उपयोग।
- (ग) एमडब्ल्यूपीएस से प्राप्त अपशिष्ट जल का संभावित उपयोग।
- (घ) उपभोक्ता या प्रयोक्ता का यह दायित्व कि वह पुराने या परित्यक्त पदार्थ को केवल डीलरों को वापस करे या निर्दिष्ट संग्रहण केंद्रों को सौंप दे।
- (ङ) डीलरों और निर्दिष्ट संग्रहण केंद्रों का पता।
- xiii. जब कभी किसी हित धारक द्वारा इस विनियम के किसी प्रावधान का उल्लंघन देखा जाए, तो उसे एसपीसीबी या सीपीसीबी या पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय के ध्यान में लाया जाएगा।
- xiv. परित्यक्त पदार्थों की बिक्री और संग्रहण के संबंध में, अगले वित्तीय वर्ष के अधिक से अधिक 30 सितंबर की तारीख तक सीपीसीबी द्वारा विनिर्दिष्ट प्रपत्र में एसपीसीबी / पीसीसी, जो लागू हो, को अपनी वार्षिक रिपोर्ट प्रस्तुत करेगा।

5. आयातक

- i. सभी आयातित एमडब्ल्यूपीएस अनुसूची - I के अनुसार अपेक्षा को पूरा करेगी।
- ii. प्रत्येक आयातित वस्तु पर उसके संस्थापन के स्थान का पता लगाने के लिए अंग्रेजी में मुद्रित निम्नलिखित सूचना के साथ विशिष्ट पहचान चिन्ह लगाया जाएगा:
- (क) विनिर्माता का नाम, पंजीकरण संख्या।
- (ख) विनिर्माण की तिथि और उसकी पहचान के लिए विशिष्ट संकेत चिन्ह।
- iii. प्लास्टिक अपशिष्ट प्रबंधन नियम, 2016 के प्रावधान 13 (2) के अनुसार एमडब्ल्यूपीएस, एमडब्ल्यूपीएस के भाग / उपकरण के लिए वैध प्राधिकार प्राप्त करेगा।
- iv. उपभोक्ताओं या डीलरों से परित्यक्त वस्तुओं के संग्रहण हेतु या तो व्यक्तिगत रूप से या सामूहिक रूप से प्राधिकृत संग्रहण केंद्र स्थापित करेगा।
- v. यह सुनिश्चित करेगा कि एकत्रित पुराने पदार्थ को लागू अपशिष्ट प्रबंधन नियम के प्रावधान के अनुसार उचित तरीके से पुनर्चक्रित / निस्तारित किया जाए।
- vi. इन नियमों के प्रकाशन की तारीख से छः माह की अवधि के भीतर पुराने या परित्यक्त पदार्थ के संग्रहण / पुनर्चक्रण / निपटान हेतु विस्तारित उत्पादक उत्तरदायित्व के आधार पर या तो व्यक्तिगत रूप से या सामूहिक रूप से, जो भी स्थिति हो, एक प्रणाली संचालित करेगा।

vii. परित्यक्त पदार्थों की बिक्री और संग्रहण के संबंध में, अगले वित्तीय वर्ष के अधिक से अधिक 30 सितंबर की तारीख तक सीपीसीबी द्वारा विनिर्दिष्ट प्रपत्र में एसपीसीबी / पीसीसी, जो लागू हो, को अपनी वार्षिक रिपोर्ट प्रस्तुत करेगा।

6. भारतीय पत्तन अधिनियम, 1908 (1908 का 15) के तहत पत्तन प्राधिकरण के तथा सीमा शुल्क अधिनियम, 1962 (1962 का 52) के तहत सीमा शुल्क प्राधिकरण के उत्तरदायित्व

- i. उन एजेंसियों को आयात के लिए अनुमति प्रदान करना जिन्हें एसपीसीबी / पीसीसी द्वारा प्राधिकार जारी किया गया है।
- ii. किसी प्रकार अवैध व्यापार के संबंध में केंद्रीय प्रदूषण नियंत्रण बोर्ड को आवश्यक कार्रवाई हेतु सूचित करना।
- iii. भारतीय पत्तन अधिनियम, 1908 / सीमा शुल्क अधिनियम, 1962 के तहत होने वाले उल्लंघनों के लिए आयातक के विरुद्ध कार्रवाई करना।

7. साझा संग्रहण, भण्डारण और निपटान केंद्र

- i. साझा संग्रहण, भण्डारण और निपटान सुविधा को जल (प्रदूषण निवारण और नियंत्रण), अधिनियम, 1974 के उपबंध के भीतर एसपीसीबी/पीसीसीएस से प्रचालन की अनुमति लेनी होगी।
- ii. उपभोक्ताओं या डीलरों से प्रयुक्त/फेंकी गई वस्तुओं के एकत्रण हेतु व्यक्तिगत रूप से या संयुक्त रूप से यथोचित स्थानों पर फेंकी गई वस्तुओं के लिए एकत्रण केंद्र स्थापित किए जाएंगे।
- iii. सुविधा, सीपीसीबी द्वारा निर्धारित किए जाने वाले दिशानिर्देशों का पालन करेगी।

8. राज्य प्रदूषण नियंत्रण बोर्ड/प्रदूषण नियंत्रण समिति

- i. सुनिश्चित करेगी कि सभी वाणिज्यिक और औद्योगिक मेम्ब्रेन आधारित जल शुद्धिकरण प्रणालियों को जल (प्रदूषण निवारण और नियंत्रण), अधिनियम, 1974 के उपबंध के अंतर्गत विनियमित किया जाए और अनुसूची-I के उपबंध के अनुपालन में हों।
- ii. प्लास्टिक अपशिष्ट प्रबंधन नियम, 2016 के लागू उपबंध के अनुसार, मेम्ब्रेन के विनिर्माता, संयोजनकर्ता, सेवा प्रदाता और आयातकों को पंजीकृत किया जाएगा।
- iii. एमडब्ल्यूपीएस से निकाले गए तत्वों को प्लास्टिक अपशिष्ट प्रबंधन नियम, 2016 की धारा 3 की उप-धारा (थ) के उपबंध के अंतर्गत "प्लास्टिक अपशिष्ट" माना जाएगा और इसका उपयोग ऊर्जा पुनर्प्राप्ति या अपशिष्ट से तेल बनाने आदि के लिए किया जाएगा। राज्य प्रदूषण नियंत्रण बोर्ड उत्पादक या विनिर्माता या आयातक, जैसा भी मामला हो, द्वारा प्रस्तावित एकत्रण, भण्डारण, परिवहन और निपटान प्रणाली से संतुष्ट होने के बाद ही इस तरह के निपटान की अनुमति देगा।
- iv. निम्नलिखित के संबंध में विज्ञापन, प्रकाशन, पोस्टर या अन्य साधनों के द्वारा लोगों में जागरूकता सृजन किया जाएगा:
 - (क) गुणवत्ता की दृष्टि से जल शुद्धिकरण हेतु एमडब्ल्यूपीएस की उपयुक्तता

- (ख) एमडब्ल्यूपीएस जल का विवेकपूर्ण उपयोग
 - (ग) एमडब्ल्यूपीएस से निकलने वाले गंदे जल का संभावित उपयोग
 - (घ) विनिर्दिष्ट एकत्रण केंद्रों पर केवल सुपुर्द करने वाले डीलरों को प्रयुक्त या फेंकी गई सामग्री को वापस करने के लिए उपभोक्ता या उपयोगकर्ता का उत्तरदायित्व
 - (ड.) डीलरों और निर्दिष्ट एकत्रण केंद्रों का पता
- v. सीपीसीबी द्वारा विनिर्दिष्ट प्रपत्र में उत्पादक, विनिर्माता, आयातक और संयोजनकर्ता से प्राप्त सूचना संकलित की जाएगी और आगामी वित्तीय वर्ष की 15 नवम्बर को या उससे पहले प्रस्तुत की जाएगी।

9. केंद्रीय प्रदूषण नियंत्रण बोर्ड

- i. इस अधिसूचना के प्रकाशन की तारीख से 3 महीने की अवधि के अंदर एमडब्ल्यूपीएस से उत्सर्जित गंदे जल के प्रबंधन, भंडारण, उपयोग और निपटान के लिए दिशानिर्देश तैयार करेगा और प्रकाशित करेगा, जिसमें उनके प्रदूषण भार के अनुसार इस तरह की संस्थापना का वर्गीकरण भी शामिल है।
- ii. उत्पादक, विनिर्माता, आयातक, संयोजनकर्ता, औद्योगिक और वाणिज्यिक उपयोगकर्ताओं द्वारा वार्षिक रिपोर्ट प्रस्तुत करने का प्रपत्र विनिर्दिष्ट करेगा और आगामी वित्तीय वर्ष की 30 दिसम्बर से पहले-पहले पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय को प्रस्तुत करने के लिए वार्षिक रिपोर्ट को समेकित करेगा।
- iii. निम्नलिखित के संबंध में विज्ञापन, प्रकाशन, पोस्टर या अन्य साधनों के द्वारा लोगों में जागरूकता सृजन किया जाएगा:
 - (क) गुणवत्ता की दृष्टि से जल शुद्धिकरण हेतु एमडब्ल्यूपीएस की उपयुक्तता
 - (ख) एमडब्ल्यूपीएस जल का विवेकपूर्ण उपयोग
 - (ग) एमडब्ल्यूपीएस से निकलने वाले जल का संभावित उपयोग
- (घ) विनिर्दिष्ट एकत्रण केंद्रों पर केवल सुपुर्द करने वाले डीलरों को प्रयुक्त या फेंकी गई सामग्री को वापस करने के लिए उपभोक्ता या उपयोगकर्ता का उत्तरदायित्व
- (ड.) डीलरों और निर्दिष्ट एकत्रण केंद्रों का पता

10. जल आपूर्ति अभिकरण (डब्ल्यूएसए)

जन स्वास्थ्य इंजीनियरिंग विभाग (पीएचईडी) /जल निगम/नगर निगम/जल बोर्ड/नगर पालिकाओं, निजी और सार्वजनिक क्षेत्र के अभिकरणों जैसे संबंधित स्थानीय निकाय, जो पीने के पानी की आपूर्ति करने में लगे हैं, उपभोक्ताओं को जल स्रोतों और बिलिंग उपकरणों के माध्यम से आपूर्ति किए जा रहे जल की टीडीएस सांद्रता सहित गुणवत्ता के बारे में तथा अखबार और अन्य जन संपर्क साधनों में सार्वजनिक विज्ञापन के माध्यम से भी नियमित आधार पर सूचित करेंगे।

11. बीआईएस

- i. प्रमाण पत्र की वैधता के लिए निबंधन और शर्त सहित अधिसूचना के प्रकाशन के 6 महीने के भीतर सीपीसीबी के परामर्श से उत्पादन के अनुमोदन प्रकार और अनुरूपता के लिए प्रमाणन प्रक्रिया हेतु दिशानिर्देश या मानक कोड विकसित करेगा।

- ii. घरेलू एमडब्ल्यूपीएस के लिए उत्पादन के अनुमोदन प्रकार और अनुरूपता संबंधी प्रमाणन करने के लिए उपयुक्त कार्यतंत्र विकसित करेगा।
- iii. सभी संबंधितों को छह महीने का समय देते हुए अनुपालन और परीक्षण प्रक्रिया को विकसित या जैसा भी मामला हो, संशोधित करेगा।

ड. सामान्य शर्तें

1. भारत में विनिर्मित या आयातित या संयोजित एमडब्ल्यूपीएस के प्रत्येक उत्पादक, आयातक या संयोजनकर्ता (जिसे इसमें इसके बाद से 'उत्पाद' कहा जाएगा), अनुमोदन प्रकार प्राप्त करेगा और अनुसूची-1 उपबंध के अनुपालन हेतु अपने उत्पाद के सीओपी का अनुपालन करेगा, जो कि बीआईएस द्वारा ऐसी प्रक्रिया के लिए विनिर्दिष्ट दिशानिर्देशों में यथानिर्दिष्ट अवधि के लिए वैध होगा।
2. अनुसूची-1 उपबंध भारत में विनिर्मित, संयोजित, बेचे या आयात किए गए, जैसा भी मामला हो, सभी नए उत्पादों पर लागू होगा और निम्नलिखित पर लागू नहीं होगा
 - (क) भारत के बाहर निर्यात के प्रयोजन से, संयोजित या विनिर्मित या आयातित, जैसा भी मामला हो, किसी भी उत्पाद; या
 - (ख) नमूना प्रयोजन से संख्या में चार (4) तक सीमित और 3 महीने के अंदर वापस निर्यात किए जाने वाले और भारत में बिक्री न किए जाने वाले किसी भी उत्पाद।
3. प्रकार अनुमोदन और सीओपी के अनुपालन की अपेक्षाएं, बीआईएस द्वारा विकसित प्रक्रिया के अनुसार होगी।
4. प्रत्येक एमडब्ल्यूपीएस या उत्पाद पर निम्नलिखित अपेक्षाओं को पूरा करने वाले अनुरूपता लेबल चिपकाया जाएगा:
 - (क) लेबल टिकाऊ और सुपाठ्य होगा
 - (ख) लेबल को उत्पाद के सामान्य प्रचालन के लिए आवश्यक हिस्से पर चिपकाया जाएगा और उत्पाद की उपयोग-अवधि के दौरान सामान्य रूप से प्रतिस्थापन की आवश्यकता नहीं होगी।
5. अनुरूपता लेबल पर निम्नलिखित जानकारी होगी, अर्थात्:
 - (क) उत्पाद के विनिर्माता या संयोजनकर्ता, जैसा भी मामला हो, का नाम और पता
 - (ख) यह कथन कि उत्पाद, पर्यावरण (संरक्षण) नियम, 1986 के अनुरूप है
 - (ग) प्रकार अनुमोदन प्रमाणपत्र संख्या
 - (घ) उत्पाद के विनिर्माता की तिथि या आयात के मामले में, उत्पाद के आयात की तिथि और
 - (ड.) मूल्यांकित पुनर्प्राप्ति दक्षता और अनुरूप जल व्यर्थ-सामग्री उत्सर्जन
6. (क) केंद्रीय प्रदूषण नियंत्रण बोर्ड, इन नियमों के कार्यान्वयन हेतु नोडल अभिकरण होगा।
- (ख) इन नियमों के कार्यान्वयन में कठिनाई या कोई विवाद होने की स्थिति में, मामले को नोडल अभिकरण के पास भेजा जाएगा।
- (ग) नोडल अभिकरण प्रक्रिया अखंडता और पुनर्प्राप्ति दक्षता मूल्यांकन संबंधित मुद्दों के संबंध में और विवादों, यदि कोई हो, सहित इस अधिसूचना के कार्यान्वयन से संबंधित सभी मामलों पर सलाह देने के लिए एक स्थायी समिति का गठन करेगी।

[फा.सं. क्यू-17012/1/2019-सीपीडब्ल्यू]
जिगमेत टकपा, संयुक्त सचिव

अनुसूची-I

(खण्ड ग, उप खण्ड 2)

वर्ग	इन्लेट जल गुणवत्ता	अपेक्षित अनिवार्य विनिर्देश	अनुपालन की तारीख सहित पारगम्यता (%) की पुनर्प्राप्ति दक्षता (r _e)
क.	घरेलू श्रेणी		
1	आईएस : 10500 2012 टीडीएस संबंधी अनुपालन	आरओ का उपयोग निषिद्ध है। शून्य निर्वहन के साथ स्वीकृत कीटाणुशोधन प्रणाली के साथ-साथ अति-निस्पंदन को वरीयता दी जाएगी।	
2	आईएस : 10500 2012 गैर-अनुपालन	50 एलपीएच के बराबर या उससे कम क्षमता वाले इन्लेट जल फीड क्षमता के साथ आरओ आधारित प्रणाली एमडब्ल्यूपीएस जल शुद्धिकरण यंत्र के इन्लेट और आउटलेट में डाटा लॉगर के साथ ऑनलाइन और वास्तविक समय प्रवाह तथा टीडीएस मापन प्रावधान	>60% (5 जून, 2021) >75% (5 जून, 2022)

ख.	वाणिज्यिक श्रेणी (फीड दर क्षमता >50 एलपीएच)		
1	इन्लेट जल गुणवत्ता पर ध्यान दिए बिना	<p>सूक्ष्म निस्पंदन प्रक्रिया सहित जल शुद्धिकरण प्रणाली का संयोजन</p> <p>जल शुद्धिकरण यंत्र के इन्लेट और आउटलेट में डाटा लॉगर के साथ ऑनलाइन और वास्तविक समय प्रवाह तथा टीडीएस मापन प्रावधान</p> <p>अस्वीकृत जल के प्रबंधन संबंधी दिशानिर्देशों के अनुसार व्यर्थ-सामग्री का एकत्रण और प्रबंधन</p> <p>जल (प्रदूषण निवारण एवं नियंत्रण) अधिनियम, 1974 के उपबंध के अनुपालन के बाद ही प्रचालन तथा प्रचालन/स्थापना हेतु अनुमति प्राप्त करना।</p>	<p>>80%</p> <p>(5 जून, 2021)</p> <p>>90%</p> <p>(5 जून, 2022)</p> <p>सभी सुविधाओं के लिए प्रचालन की सहमति हेतु आवेदन छः महीने की अवधि के भीतर किया जाएगा।</p>

ग.	औद्योगिक श्रेणी (फीड दर क्षमता >50 एलपीएच)		
1	इन्लेट जल गुणवत्ता पर ध्यान दिए बिना	<p>सूक्ष्म निस्पंदन प्रक्रिया सहित जल शुद्धिकरण प्रणाली का संयोजन</p> <p>जल शुद्धिकरण यंत्र के इन्लेट और आउटलेट में डाटा लॉगर के साथ ऑनलाइन और वास्तविक समय प्रवाह तथा टीडीएस मापन प्रावधान</p> <p>अस्वीकृत जल के प्रबंधन संबंधी दिशानिर्देशों के अनुसार व्यर्थ-सामग्री का एकत्रण और प्रबंधन</p> <p>जल (प्रदूषण निवारण एवं नियंत्रण) अधिनियम, 1974 के उपबंध के अनुपालन के बाद ही प्रचालन तथा प्रचालन/स्थापना हेतु अनुमति प्राप्त करना।</p>	<p>>80%</p> <p>(5 जून, 2021)</p> <p>>90%</p> <p>(5 जून, 2022)</p> <p>सभी सुविधाओं के लिए प्रचालन की सहमति हेतु आवेदन छः महीने की अवधि के भीतर किया जाएगा।</p>

टिप्पणी : ये मूल नियम, भारत के राजपत्र, असाधारण, भाग II, खण्ड 3, उप खण्ड (i) में संख्या का.आ. 844(अ), तारीख 19 नवंबर, 1986 के द्वारा प्रकाशित किए गए और इनमें अंततः अधिसूचना सा.का.नि. 894(अ), तारीख 4 दिसंबर, 2019 के द्वारा संशोधन किया गया।

**BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

**ORIGINAL APPLICATION NO. 134 OF 2015
(MA No. 757 of 2015 & 477 of 2016)**

IN THE MATTER OF:

FRIENDS THROUGH ITS GENERAL SECRETARY

..... **APPLICANT**

Vs.

MINISTRY OF WATER RESOURCES & ORS.

..... **RESPONDENTS**

**STATUS REPORT ON BEHALF OF MINISTRY OF ENVIRONMENT,
FOREST & CLIMATE CHANGE**

1. That the present application pertains to utilization of waste water generated during Reverse Osmosis (RO) process. That the Hon'ble Tribunal vide its order dated 20.05.2019 directed MoEF&CC as follows:

(i) To issue appropriate notification prohibiting use of RO where TDS in water is less than 500 mg/l and wherever RO is permitted, a requirement is laid down for recovery of water be more than 60%. Further, provision be laid down for recovery of water upto 75% and use of such RO reject water for purposes such as utensil washing, flushing, gardening, cleaning of vehicles and floor mopping.

(ii) The notification/policy to be notified may also provide for a mechanism for public awareness about ill effects of demineralized water on public health and for effective enforcement requiring the concerned local bodies/municipal Corporation/Municipalities/ Panchayats and institutions like Public Health Engineering Department (PHED)/ Jal Nigam/ Jal Boards etc. be required to display water quality at regular intervals, particularly TDS concentration component by an appropriate mechanism.

(iii) Above regulatory regime may ensure regulating consumption and use of low TDS water by requiring manufacturers to maintain minimum TDS concentration to 150 mg/l or the minimum levels of calcium and magnesium.

(iv) Directions be issued for enforcement of Extended Producers Responsibility by the manufacturers for disposal of cartridges and membranes and requiring the manufacturers to provide proper labeling on the purifier specifying that the unit should be used if TDS is more than 500 mg/l.

(v) MoEF&CC may file an affidavit of compliance by e-mail at judicial-ngt@gov.in within one month.

(vi) The Expert Committee constituted by this Tribunal vide order dated 20.12.2018 along with Central Ground Water Authority may collect and provide data with regard to availability of ground water and its usage in 21 cities mentioned in the report of NITI Aayog and furnish a report to this Tribunal within one month by e-mail at judicial-ngt@gov.in. The said report may be placed in the file of O.A. No. 176/2015 which is listed on 04.07.2019.

2. That in compliance of order dated 20.05.2019 Ministry has requested for 8 months time to delineate the effective compliance of the Hon'ble NGT directions which included 4 months for Inter-ministerial, stakeholders consultation and finalization of draft notification, 2 months for wide circulation of draft notification for inviting public comments and 2 months for incorporation of public comments and thereafter finalization of the notification. Considering the prayer made by the Ministry, Hon'ble Tribunal on 23.09.2019 directed as follows:

(i) The above prayer appears to be unreasonable and delaying the matter to the detriment of public interest. Though the applicant suggests that delay will advance commercial interest of those benefitted by delay, we do not propose to go into such allegation in absence of any clear evidence. The fact remains that order of the Tribunal is based on report of Expert Committee which also comprised representative of MoEF&CC and is enforceable without permission of any other authority with penal consequences. Accordingly, MoEF&CC may now issue the necessary notification in the light of direction already issued in accordance with the report of the Expert Committee and cover not only the subject of recovery of RO reject water in domestic and commercial use but also in industrial process.

(ii) With regard to the further direction requiring the Committee, along with Central Ground Water Authority (CGWA), to collect and provide data with regard to availability of groundwater and its usage in 21 cities mentioned in the report of NITI Aayog and furnish a report to

this Tribunal, CPCB has, in their letter dated 01.08.2019, stated that CGWA is not furnishing the information inspite of being required to do so. Let the CGWA do the needful positively within one week failing which the Member Secretary of CGWA will be liable to pay Rs. 1 Lakh as costs. Further necessary report by the Expert Committee be furnished to this Tribunal within one month.

(iii) The Member Secretary, CGWA and the concerned Joint Secretary, MoEF&CC may remain present in person along with compliance reports on the next date."

4. In pursuant to the directions of Hon'ble Tribunal, the Ministry with due consultation with expert institutions like IIT, BIS, NEERI, CPCB and also examining the legal formalities and requirement, asked CPCB vide its OM dated 01.10.2019 to frame holistic policy for use of Reverse Osmosis Technology in the Country and submit draft notification.

5. Further, on 04.11.2019 the Hon'ble Tribunal after considering the submission of Ministry dated 01.11.2019 passed order as follows:

" Having consultation with expert institutions like IIT BIS, NEERI, CPCB and examining the legal formalities the Ministry has asked CPCB to frame holistic policy for use of RO Technology in the Country and submit draft notification. However, the draft notification has not been received till date. Further, it is submitted that after receiving the draft notification from CPCB, the same will be further examined by the Ministry on the aspects of Monitoring Mechanism for compliance of the notification, Institutional Framework for monitoring and implementation of the notification, identification of stakeholders and their roles and responsibilities for various functions, legal sanctity, etc. for consideration. As issuing notification is a policy related matter, comprises features of multi-dimensional in character which inter alia, include complex geographical spread, varied users i.e. commercial, residential, etc. Hence, region wise detailed consultation will be required before notification. It is also submitted that in view of the intricacy of the matter a progress report on monthly basis will be submit by the Ministry before the Hon'ble Tribunal."

7. During the hearing, the officers present have not shown any valid reason for non-compliance beyond what is mentioned above which stand has no merit. As already noted, delay in compliance of order is causing harm to public health and environment in terms of expert committee report to which MoEF&CC is a party.

8. *The above stand clearly shows failure of concerned Officers to comply with the directions of order of this Tribunal dated 20.05.2019. The said order is a binding decree under Section 25 of the National Green Tribunal, Act 2010 and the Officers of MoEF&CC are liable to be proceeded against for non-compliance. Section 26 provides for punishment by way of imprisonment for such failure. Accordingly, we give last opportunity to comply with the directions already issued latest by 31.12.2019 failing which from 01.01.2020, the concerned officer(s) in-charge in MoEF&CC for carrying out the directions of this Tribunal will not be entitled to draw salary till the order of this Tribunal is complied. Further coercive measures may be considered on the next date."*

6. That MoEF&CC vide OM No. Q-17012/01/2019-CPW dated 18.11.2019 constituted a committee for recommend draft notifications on 'Regulation of RO based water purification system for Domestic, Commercial and Industrial Sector (**Annexure - I**). The members of the committee are as follows:

1. Joint Secretary, MoEF&CC - Chairman
2. Representative from All India Institute of Hygiene and Public Health, Kolkata
3. Representative from Bureau of Indian Standards
4. Representative from National Environmental Engineering Research Institute
5. Representative from Central Pollution Control Board
6. Representative from Ministry of Housing and Urban Affairs
7. Representative from Department of Water and Sanitation, MoJS.
8. Representative from Engineering Railway Board
9. Representative from RO manufacturing Association
10. Representative from Commercial/ Industrial RO Users.

6. That Water Quality Indian Association (WQIA) filed a Civil Appeal Diary no. 37657 of 2019 before the Hon'ble Supreme Court wherein the Hon'ble Apex Court vide its order dated 22.11.2019 directed that

Having heard learned senior counsel appearing for the parties, we are of the view that since the appellant states that it has abundant material

in its possession to point out to the Ministry before any notification is issued, it may do so within a period of 10 days from today. 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. The civil appeal stands disposed of accordingly. (Annexure - II).

7. That Water Quality Indian Association made their submission of materials and documents on 2nd December, 2019 which runs into more than 2000 pages. The letter of submission is attached herewith as **(Annexure III)**. These submitted information has been examined by Ministry and after due consideration in light of objective of the Hon'ble NGT order dated 25.05.2019, relevant information were incorporated and a draft notification prepared. Information submitted by CPCB were also duly incorporated in the draft notification.
8. The approach followed in draft notification is in agreement with the order of NGT dated 20.05.2019, inter alia, includes no regulation on output water quality, emphasis on increase in recovery efficiency (Resources Recovery), regulation to cover Domestic, Commercial and Industrial category, extend producer responsibility to be applicable for plastic waste components, explore various options for reuse, recycle of reject water, role and responsibility of Stakeholders, applicability of statutory provision.
8. That a meeting under the Chairmanship of Joint Secretary, CP (W) Division was held on 11.12.2019 along with the Committee Members constituted by the MoEF&CC vide its OM dated 18.11.2019 wherein the draft notification was presented and discussed. The minutes of the meeting is attached herewith as **(Annexure IV)**. The approach of draft notification was agreed by all members. However, the members were of the view that the notification details may be further refined based on a considered views and accordingly, the draft was circulated for

input/comments/suggestion from the members within a timeline considering the order of Hon'ble NGT.

9. That comments/feedback of committee members were received through email till 20.12.2019 and the same is being collated for further perusal. The cross references for the proposed modifications in the provisions of draft notification as received from members has been examined in respect of its techno-economic feasibility and implementation timeline and incorporated which will be subjected to Public comments/suggestions.
10. The modified draft notification is under consideration of Competent Authority. With due approval of Competent Authority, the draft notification shall be published in Gazette of India, for a period of 60 days for inviting public suggestions/comments after legal vetting.
11. It was further informed that MoEF&CC has received submission from Water Quality India Association (WQIA) on 2/12/2019, running into 2000 pages containing technical and scientific information on RO based water purification system and in compliance of Hon'ble Supreme Court order dated 22.11.2019 in Civil Appeal Diary No. 37657 of 2019, MoEF&CC was required to consider the same in pursuing the order dated 04.11.2019 of Hon'ble Tribunal. Therefore, it is requested to condone the delay, and allow the ministry to pursue requisite steps in publishing the Notification as per stipulated rules.
12. It is humbly prayed that in order to delineate the appropriate provision for effective compliance of the Hon'ble NGT's order 4 months is required which includes 2 months for wide circulation of draft notification for inviting comments and 2 month for incorporation of comments, finalization of notification and obtaining approval from Ministry of Law

and Justice . The Hon'ble Tribunal may kindly grant 4 months to carry out the abovementioned tasks.

A handwritten signature in black ink, appearing to be 'Jigmet Takpa', written over a circular stamp or seal.

JIGMET TAKPA, JFS
Joint Secretary
Ministry of Environment, Forest &
Climate Change
Government of India, New Delhi

Annexure - I

File No. Q-17012/01/2019-CPW
Government of India
Ministry of Environment, Forest & Climate Change
(CP Division)

1st floor Prithvi Block, Indira Paryavaran Bhawan
Jor Bagh Road, New Delhi – 110 003

Dated 18.11.2019

Office Memorandum

Subject: Compliance of Hon'ble NGT's Order dated 23.09.2019 in O.A. No. 134 of 2015 – regarding

Hon'ble NGT vide order dated 23.09.2019 had directed this Ministry to issue 'necessary notification in the light of direction already issued in accordance with the report of the Expert Committee and cover not only the subject of recovery of RO reject water in domestic and commercial use but also in industrial process'. The Ministry of Environment, Forest and Climate Change (MoEF&CC) is considering to frame regulations for RO based water purification system.

02 In pursuance of Hon'ble NGT's order, the MoEF&CC is hereby constituting a committee with the following members to review the draft notification prepared by Central Pollution Control Board and MoEF&CC on 'Regulation of RO based Water Purification System':

- I. Joint Secretary, CP (W), MoEF&CC – Chairman
- ✓ II. Representative from All India Institute of Hygiene and Public Health, Kolkata
- ✓ III. Representative from Bureau of Indian Standards
- IV. Representative from National Environmental Engineering Research Institute
- V. Representative from Central Pollution Control Board
- VI. Representative from Ministry of Housing and Urban Affairs
- VII. Representative from Department of Water and Sanitation, MoJS.
- VIII. Representative from Engineering Railway Board
- IX. Representative from RO manufacturing Association
- X. Representative from Commercial/ Industrial RO Users.

03 The Terms of Reference (TOR) of this Committee shall be as follows:

- i. Review and recommend draft notification on 'Regulation of RO based water purification system'.
- ii. The duration of the committee is *six months*.
- iii. Any other issue with approval of Chairman of the committee for extending advisory on any matter associated with RO based purification system with regard to Hon'ble NGT order.

04 It is, therefore, requested to nominate concern official from your organization. |

05. This is issued with approval of Competent Authority.

Vinod Kumar
19/11/19
(Vinod Kumar Kushwaha)
Section Officer - CPW

o/c
Issued
19/11/19

To

1. **The Secretary**
Ministry of Jal Shakti
Shram Shakti Bhawan
Rafi Marg, New Delhi
2. **The Secretary**
Ministry of Housing and Urban Affairs
Nirman Bhawan, Maulana Azad Road,
New Delhi-110011
Email: secyurban@nic.in
3. **The Director General (DG)**
Bureau of Indian Standards
9, Bahadur Shah Zafar Marg, New Delhi, Delhi 110002
Email: dg@bis.gov.in
4. **The Member Engineering**
Railway Board
Ministry of Railways, Rail Bhavan,
New Delhi, Delhi 110001
Phone: 011-23383879
5. **The Director**
All India Institute of Hygiene and Public Health, Kolkata
Block-JC-27 & 27B, Sector-III, Bidhan Nagar (Salt Lake),
Kolkata, West Bengal 700098
Email: director.aiihph@gov.in
6. **The Director, CSIR-NEERI**
Nehru Marg, Vasant Nagar,
Nagpur, Maharashtra 440020
7. **The Member Secretary**
Central Pollution Control Board
East Arjun Nagar, Parivesh Bhawan, Delhi-110032
Email: mascb.cpcb@nic.in
8. **Representative from Commercial/ Industrial RO Users.**
9. **Representative from RO manufacturing Association**

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. _____ OF 2019
DIARY NO. 37657 OF 2019

WATER QUALITY INDIA ASSOCIATION (WQIA) Appellant(s)
VERSUS
FRIENDS & ORS. Respondent(s)

O R D E R

Delay condoned.

Having heard learned senior counsel appearing for the parties, we are of the view that since the appellant states that it has abundant material in its possession to point out to the Ministry before any notification is issued, it may do so within a period of 10 days from today.

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.

The civil appeal stands disposed of accordingly.

....., J.
[ROHINTON FALI NARIMAN]

....., J.
[S. RAVINDRA BHAT]

Signature Not Verified
Digitally signed by R
NATARAJAN
Date: 2019.11.25
17:13:18 IST
Reason: —

New Delhi;
November 22, 2019.

Date: 2nd December 2019

WQIA Board Members

Dr. Neeraj Gupta
President
(A.O. Smith India)

Mr. Ajay Popat
Vice President
(Ion Exchange India Pvt. Ltd.)

Mr. Himanshu Budhia
Joint Secretary
(GSE Filter Pvt. Ltd.)

Mr. Sunil Trivedi
Director
(Sarjan Watertech India Pvt Ltd)

Ms. Rajul Parikh
Director
(Alfaa UV)

Mr. Suresh Redhu
Secretary
(Eureka Forbes Limited)

Dr. Mahesh Gupta
Director
(KENT RO Systems Ltd.)

Mr. Govind Bommi
Director
(Filtrex Technologies Pvt. Ltd.)

Mr. Umesh Agrawal
Treasurer
(Pure N Safe Water Technologies Pvt Ltd)

Mr. Ajay Shroff
Director
(Pratham Filter Industries)

Dr. K. Chandrasekhar
Chief Operating Officer
(WQIA)

To
Joint Secretary
The Ministry of Environment and Forrest and Climate Change
Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi, 110003

Kind attention: Shri Jigmet Takpa, Joint Secretary

Subject: NGT matter - Friends vs Ministry of water resources O.A. No. 134/2015 - Issue of notification by MoEF&CC & Civil Appeal Diary No. 37657 of 2019

Dear Sir,

As you are aware that in aforesaid O.A. Hon'ble NGT has passed direction to the ministry to issue Notification before 31.12.2019.

Since the technical data and authoritative reference material provided in the pleadings of the matter before the NGT and also before the Expert Committee which had not been considered by Hon'ble NGT, Water Quality India Association (WQIA) referred to these materials in the Appeal filed before Supreme Court. The Hon'ble Supreme Court has, therefore, directed WQIA to provide all such material in their possession before the Ministry within 10 days so that they can consider said material before issue notification.

In compliance with the said order of the Hon'ble Supreme court, we would like to submit our representation, furnishing technical data and authoritative reference material to substantiate our position on the usage of reverse osmosis (RO) purifiers.

By way of introduction we, WQIA (Water Quality India Association) is a not-for-profit organisation registered under Section 8 of the Companies Act, 2013, representing the water industry with a view to protect their interests. The main focus of WQIA in creating awareness on the safe drinking water consumption for health benefits and to improve water quality, through right water treatment technologies and services. We are also involved in developing standards on a variety of drinking water treatment products/components and guide members to make quality products.

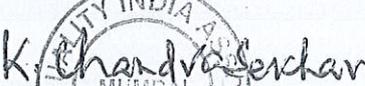
For ease of reference, we are submitting entire materials, which also includes material which we may have submitted earlier during the completion of pleading of the matter and/or to the Expert Committee appointed by Hon'ble NGT. We have categorized the reference material in chapters with the following heads:

1. Need for use of RO purifiers for input water having TDS less than 500 mg/L
2. No regulation of TDS of output treated water to 150 mg/L and above from RO purifiers
3. Rationalization of output recovery from RO purifiers
4. Unaddressed miscellaneous uses and issues related to use of treated water from RO purifiers
5. Annexures of 2,500 pages and Exhibit -1 are attached for references

Please let us know if you would require any further clarification on our submission. We would also be happy to provide any further additional technical/research material that the MoEF&CC may require.

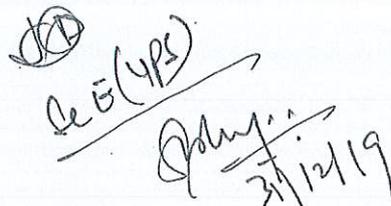
Thanking You.

Yours Sincerely



Dr. K. Chandrasekhar
Chief Operating Officer
Water Quality India Association
CC:

Mr. Pratap Venugopal
K.J. John & Co
Mallar Law Associates LLP (Attn: Ram Mallar)


25/12/19

Annexure-IV

File No. Q-17012/01/2019-CPW
Government of India
Ministry of Environment, Forest & Climate Change
(CP Division)

1nd floor Prithvi Block, Indira Paryavaran Bhawan
Jor Bagh Road, New Delhi – 110 003

Dated 06/12/2019

Meeting Notice

Subject: Compliance of Hon'ble NGT's Order dated 23.09.2019 in O.A. No. 134 of 2015 – regarding

This has reference to this Ministry's Office Memorandum of even no. dated 15/11/2019 regarding the aforesaid matter.

In this matter a meeting under the Chairmanship of Joint Secretary, CP (W) Division is scheduled to be held on 11th December 2019 at Brahmaputra Conference Hall, 1st Floor, Vayu Block, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi – 110 003 at 10:30 AM.

It is requested to make it convenient to attend the meeting. Kindly forward the confirmation of participation by email.

Vinod Kumar
6/12/19

(Vinod Kumar Kushwaha)
Section Officer - CPW
Phone 011-24695299

7. Shri Chandra Shekhar

Joint Director, L&A
Railway Board
Ministry of Railways, Rail Bhavan,
New Delhi, Delhi 110001
Mob: 099104 87314
dla@rb.railnet.gov.in

8. The Secretary General

Federation of Indian Chambers of Commerce and Industry (FICCI)
Federation House,
Tansen Marg,
New Delhi – 110 001
rita.roychoudhury@ficci.com
kirtika.arora@ficci.com

9. Dr. K. Chandrasekhar

Chief Operating Officer
Water Quality India Association
Registered Office: 3, Silver Cascade, 110AA,
Senapati Bapat Marg
Dadar West Mumbai- 400 028
wqia2015@gmail.com

Copy to:

PS to Joint Secretary, CP (W)

To:

1. **The Secretary**
Ministry of Jal Shakti
4th Floor, Pandit Deendayal Antyodaya Bhawan,
CGO Complex, Lodhi Road, New Delhi, Delhi 110003
Email: dharmendar.rai74@gov.in
2. **The Secretary**
Ministry of Housing and Urban Affairs
Nirman Bhawan, Maulana Azad Road,
New Delhi-110011
Email: dscoord-mud@nic.in
3. **Dr. Sanjay Kumar Sadhukhan**
HoD , Department of Epidemiology
All India Institute of Hygiene and Public Health, Kolkata
Block-JC-27 & 27B, Sector-III, Bidhan Nagar (Salt Lake),
Kolkata, West Bengal 700098
Email sdknsanjay@gmail.com
Mobile No. 09836287874
4. **Dr. P Rajesh**
Bureau of Indian Standards
9, Bahadur Shah Zafar Marg, New Delhi, Delhi 110002
Email: Fad@bis.gov.in
Mobile no. 09899022300
5. **Dr. Pawan Labhasetwar**
Nehru Marg, Vasant Nagar,
Nagpur, Maharashtra 440020
PK_labhasetwar@neeri.res.in
Contact 0712 - 2243797
6. **Mr. A. Sudhakar**
Additional Director
Central Pollution Control Board
East Arjun Nagar, Parivesh Bhawan, Delhi-110032
Email: Asudhakar.CPCB@nic.in

Government of India
Ministry of Environment, Forest & Climate Change
(CP Division)

.....

**Minutes of the meeting on Compliance of Hon'ble NGT's order dated
23.09.2019 in O.A. No. 134 of 2015**

A meeting of committee members constituted by Ministry of Environment, Forest and Climate Change (MoEF&CC) vide office memorandum no Q-17012/01/2019 - CPW, dated 18th November 2019 in pursuance of Hon'ble NGT's order dated 23.09.2019 in O.A. No. 134 of 2015 was held on 11th December 2019 in MoEF&CC under the Chairmanship of Shri Jigmet Takpa, Joint Secretary, MoEF&CC. The list of participants is at Annexure-I.

2. At the outset, Chairman welcomed the members and briefed the objective and scope of committee (as mentioned vide OM dated 18.11.2019). Further, the details on the progress made so far as well as the report of expert committee constituted by NGT was also highlighted.

It was further highlighted the provisions of the Hon'ble NGT order dated 23.09.2019 which is as below:

- To issue appropriate notification prohibiting use of RO where TDS in water is less than 500 mg/l and wherever RO is permitted, a requirement to be laid down for recovery of water be more than 60%.
- To lay down provision for recovery of water upto 75% and use of such RO reject water for purposes such as utensil washing, flushing, gardening, cleaning of vehicles and floor mopping.
- To provide a mechanism for public awareness about ill effects of demineralised water on public health and for effective enforcement by the concerned local bodies/Municipal Corporation/Municipalities/ Panchayats and institutions like Public Health Engineering Department (PHED)/ Jal Nigam/ Jal Boards etc. to display water quality at regular intervals, particularly TDS concentration.
- To ensure regulatory regime for regulating consumption and use of low TDS water by manufacturers to maintain minimum TDS concentration to 150 mg/l or the minimum levels of calcium and magnesium.
- Enforcement of Extended Producers Responsibility by the manufacturers for disposal of cartridges and membranes and manufacturers to provide proper labelling on the purifier specifying that the unit should be used if TDS is more than 500 mg/l.

3. It was further informed that Hon'ble Apex Court vide order dated 22 Nov 2019 has directed MoEF&CC to consider the materials submitted by Water Quality India Association (WQAI) before any notification is brought out as per order of Hon'ble Tribunal. Accordingly, MoEF&CC received submission from Water Quality India Association (WQIA) on 2/12/2019, which is running into 2000 pages, and are mostly technical papers highlighting the effect of water quality in reference to various parameter and its use for potable purposes.

It was informed to the committee members that submission of WQIA, report of expert committee constituted by NGT, and inputs received from Central Pollution Control Board have been considered by MoEF&CC and a draft notification in agreement with the objective of order dated 25.05.2019 of Hon'ble NGT, has been prepared based on following approach, for deliberation and acceptance of the committee:

- No regulation on Output water quality of water purification system
 - Emphasis on increase in recovery efficiency (Resources Recovery),
 - Regulation on Domestic, Commercial and Industrial category installation,
 - Extend Producer Responsibility to be applicable for plastic waste components,
 - Encourage and promote various options for reuse, recycle of reject water,
 - Enforce role and responsibility of Stakeholders,
 - Monitoring mechanism for compliance of applicable statutory provision.
4. It was also highlighted that Hon'ble NGT has fixed deadline for issuance of necessary regulation on RO based water purification system i.e.31.12.2019.
 5. A presentation on the draft notification was made by MoEF&CC representative. The deliberations by members and outcome is given below:
 - a. All committee members agreed to the approach adopted for framing the draft notification. It was agreed that the drinking water quality as prescribed in IS 10500:2012 shall be the governing factor for all potable water use and for consideration of provisions proposed in the draft notification. Drinking water quality is prescribed by BIS after due consideration of all relevant scientific and health issues and MoEF&CC or this committee don't possess adequate competency to address such complex issue of prescribing parameter specific acceptable water quality standard comprehending the health aspect.
 - b. It was opined that the timeline proposed in the draft notification to achieve the recovery target and requisite monitoring mechanism proposed, requires a detail consultation with stakeholders, especially on their readiness with regard to availability/incorporation of technological intervention, and certification on type approval / Conformity of Production, as proposed in the notification. MoEF&CC representative informed that such input is expected to be received by Ministry from stakeholders, when the draft notification is put in public domain for call of suggestions/comments from affected persons.

- c. The classification of Domestic, Commercial and Industrial installation based on combined criteria of quantitative and use purpose was agreed by the committee members.
- d. Concern was raised by WQAI representative on the proposed recovery efficiency in the draft notification. It was informed by CPCB representative that WQAI in their earlier communication to CPCB has appreciated the 60% recovery target and accordingly, the expert committee has made recommendation. The committee members, except WQAI representative, after deliberation agreed to the proposed recovery efficiency in the draft notification, however, opined that the timeline proposed shall be subjected to the response received from the stakeholders during public consultation process of the draft notification, in order to have effective implementation of provisions of notification. WQAI representative requested to record his dissidence on decision of the committee on the proposed recovery efficiency in the draft notification, however he requested time to consult and get back on the accepted percentage.
- e. The members were of the view that the role and responsibilities highlighted in the presentation requires more consideration and it was decided that the draft notification maybe circulated to all members, so that they can provide their comments/suggestions for appropriate incorporation by MoEF&CC before finalising the draft. The circulation shall be made through email and input shall be submitted by 16th December, 2019 by the members. All members agreed to this.
- f. The application of Plastic Waste Rules, 2016 for extending the Extended Producer Responsibility (EPR) was accepted by all members with caution that the provisions should be made to have proper synergy to meet the set objective of environmentally sound plastic waste management system from the point of generation to its effective disposal, by exploring the potential of its utilisation, reuse, resource recovery, etc. Notification shall accordingly have provision on role and responsibilities for all associated stakeholders.
- g. Proposal for type approval (TA) and Conformity of Production (COP) for each model and installation was agreed by the members highlighting that such provision shall encourage third party independent certification by competent agency. The proposal that CPCB to authorise institute of reports for certification of type approval & COP and prepare standard operating procedure for certification by the authorised institutes were accepted by the committee. However, CPCB should prepared a detail guideline for identification of such competent agency in due consultation with BIS, to leverage their experience in such process in other sector.
- h. It was observed by the committee that certain requirement of newer code for standardisation of procedures will arise from the provisions of this draft notification. BIS representative highlighted the code IS16240:2015, which partially meet the requirements, but newer code becomes essential especially for certification criteria for installation with varying capacity and purpose. Such

provision will be required to be incorporated in the draft notification so that a legal support is available for a timebound release of the required code.

- i. The committee agreed to remove the technological control proposed in the draft notification, and was of the opinion that single or double element proposal shall be removed and let the market achieve the set objective of recovery efficiency, the main objective of the notification, irrespective of input water quality or output water quality.
- j. The proposal to have online and real time monitoring of TDS and flow as essential component of RO based water purification system for all sector (Domestic, Commercial and Industrial) was accepted by committee. It was discussed that the timeline for compliance of such provision shall be made in consultation with the manufacturer/producers for domestic, whereas for commercial and industrial installation, the same can be considered as 6 months from the date of publication of the notification in the Official Gazette.
- k. The proposal to bring in all the commercial and industrial RO based water purification system under the provision of Water (P&CP) Act, 1974 was agreed by all members. It was also proposed that applicable SWM Rules, 2016 shall also be incorporated in the draft notification.
- l. The committee agreed to the provision that CPCB shall prepared and issue guidelines for management and use of reject water from the RO based water purifying system for sectors (Domestic, Commercial and Industrial). There was agreement that all importers of elements should also be regulated by having registration and by submitting the details of import and management / disposal of used element as applicable to domestic manufactures.
- m. The timeline proposed for the notification by MoEF&CC was discussed and the members were of opinion that it is too stringent to adhere with. MoEF&CC representative highlighted the timeline fixed by Hon'ble NGT, and thereafter, the committee members were of the view that compliance to Hon'ble Apex Court order, requisite administrative and legal procedures to be followed for regulatory notification and most important discussion/ consultation with the producers/manufacturers on the timeline proposed in the draft notification to achieve the proposed recovery efficiency requires certain time for effective achieving the objective of Hon'ble NGT order. After comprehensive deliberation, it was decided that a status report on the progress made so far on the order of NGT may be submitted by MoEF&CC with a request to consider of some reasonable time relaxation. Ministry may submit the proposed timeline as discussed today in the committee meeting as well to in order to facilitate Hon'ble NGT for close monitoring of the progress made.

The meeting ended with thanks to Chair.