

BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION No. 134 OF 2015

IN THE MATTER OF:-

FRIENDS THROUGH ITS GENERAL
SECRETARY.

.....APPLICANT

VERSUS

MINISTRY OF WATER RESOURCES

.....RESPONDENTS

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(RITESH JOSHI)

Scientist 'E'

MoEF&CC

Dated- 22.06.2021

Place- New Delhi

①

BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION No. 134 OF 2015

IN THE MATTER OF:

FRIEND THROUGH ITS GENERAL
SECRETARY.

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MINISTRY OF WATER RESOURCES

.....RESPONDENTS

STATUS REPORT ON BEHALF OF THE MINISTRY OF ENVIRONMENT, FOREST
AND CLIMATE CHANGE

1. The Ministry of Environment, Forest and Climate Change (MoEF&CC), is engaged in, inter alia, policy formulation for abatement, control and prevention of pollution, prescribing environmental standards which are implemented through the Central Pollution Control Board (CPCB) and State Pollution Control Boards (SPCBs)/ Pollution Control Committees (PCCs).
2. That the Ministry vide 31.12.2019 and 12.01.2021 has filed a status report via email and requested to condone the delay arising due to compliance of Hon'ble Supreme Court order dated 22.11.2019 (**Copy of order dated 22.11.2019 passed by the Hon'ble Supreme Court is annexed at Annexure-I**) and allow the Ministry to pursue requisite steps in publishing the Notification as per stipulated rules.
3. That in pursuant to Hon'ble Supreme Court order dated 22.11.2019 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 . A meeting under the Chairmanship of Joint Secretary, Control of Pollution (W) Division was held on 11.12.2019 along with Expert Committee Members constituted by the MoEF&CC vide its OM dated 18.11.2019 wherein the draft notification was presented and discussed.

The draft notification was uploaded in the Website of Ministry for call of suggestions/ comments from public. More than 4000 suggestions/ comments were received. Feasibility of suggestions/ comments in the light of objective of the

(नरेश पाल गंगवार)
(NARESH PAL GANGWAR)
संयुक्त सचिव/Joint Secretary
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Mo Environment, Forest and Climate Change
भारत सरकार, नई दिल्ली
Govt. of India, New Delhi

received. Feasibility of suggestions/ comments in the light of objective of the notification has been discussed with CPCB. As several matters/ clauses of the notification are under the domain of BIS, a meeting with BIS and CPCB to discuss comments / suggestions received on draft notification was held on 14th July, 2020.

Further, a presentation was made before Secretary on 31st July, 2020 along with officials of CPCB to review the efficacy of comments/ suggestion received from Public, NGOs and manufactures and outcome of discussion with BIS during meeting held on 14th July 2020. A draft notification was also proposed, after incorporating the inputs and the rationale for modification made were also presented

In pursuance of directions of Hon'ble Supreme Court, vide order dated 22.11.2019, a virtual meeting was organized under Chairmanship of Secretary (EF&CC) on 22nd October, 2020 to discuss the concerns of WQIA, an association of major manufacturers of RO systems and elements/ membranes in India.

4. It is submitted that the MoEF&CC vide Office Memorandum No. 17012/01/2019-CPW dated 18.11.2019 had constituted a committee for finalisation of draft notification on "Regulation of RO based water purification system for Domestic, Commercial and Industrial". The members of the committee are as follows:

- i. Joint Secretary, CP (W) Division, 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.

5. That a meeting of the aforesaid committee was held on 04.03.2021 through virtual platform. The meeting was attended by all members of the Committee except representatives from Department of Water and Sanitation, MoJS and Engineering Railway Board. After incorporating the modifications/suggestions of the committee members, the draft notification was recommended for placing before the Expert Committee for formulation of standards. **(Minutes of Meeting is annexed at Annexure-II).**


 (मरेश पाल गंगवार)
 MARESH PAL GANGWAR
 संयुक्त सचिव/Joint Secretary
 पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
 M/o Environment, Forest and Climate Change
 भारत सरकार, नई दिल्ली
 Govt. of India, New Delhi

6. That BIS vide letter dated 12 March 2021 submitted their comments on draft Notification. **(The comments of BIS is annexed at Annexure-III).** Expert Committee for Environmental Standard held on 20.03.2021, unanimously opined that timeline for developing protocol by BIS and subsequent follow up requirements shall be expedited and preferably be completed within 18 months from the date of the publication of the notification.

7. That considering the discussion held during the aforesaid meeting, the Ministry filed status report via email dated 01.04.2021.

8. That BIS vide letter dated 25.03.2021, has requested for a discussion on issues regarding the timeline for developing the protocol on "Type approval, Conformity of Production, etc." **(The letter dated 25.03.2021 of BIS is annexed at Annexure-IV).**

9. That BIS has constituted a committee, "Water Purification Systems Sectional Committee, FAD 30" with the scope of standardization in the field of : (a) Water Purification Systems for drinking purpose in domestic (Point of use) as well as industrial sector, (b) method of test pertaining to this committee.

That BIS has scheduled a meeting of Water Purification Sectional Committee, FAD 30 meeting on 12th April, 2021. During this meeting the committee expressed concerns over scope and applicability of draft regulation, availability of testing infrastructure in the country for testing of Water Purification System. The committee also requested to reconsider the definition of water purification system **(Minutes of the meeting is annexed at Annexure – V).**

That in order to carry forward the work of the committee in pursuance the draft notification of MoEF&CC, during the aforesaid meeting three Sub-Groups were constituted. BIS has shared Action Taken Report of these Sub-Groups **(Action taken report is annexed at Annexure VI)**

10. That in pursuant to the decision taken in aforesaid meeting of BIS-FAD 30, meeting of Group- I was held on 3rd June, 2021 **(Minutes of the meeting is annexed at Annexure- VII).** The Sub-group agreed with the definition of Water Purification System for the notification based on recommendation of MoEF&CC can be retained as follows: "Water Purification System means a system or arrangement of equipment or devices which generates reject water while purification". Further it was decided that the applicability of the notification shall be restricted to drinking water purpose only, matter with regard to technical efficiency, output limitation and reject generation needs to be further considered by BIS while defining the


(NARESH PAL GANGWAR)
संयुक्त सचिव/Joint Secretary
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
M/o Environment, Forest and Climate Change
भारत सरकार, नई दिल्ली
Govt. of India, New Delhi

certification criteria in consideration to what had been recommended in NGT Order. Further, all commercial and industrial installations shall be governed by provisions of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981, as proposed in the draft notification, BIS shall provide input on timeline for certification/ development of standard for rejection based on WPS to MoEF&CC separately by considering report submitted by sub-committee on assessing laboratory facilities for evaluating WPS as per the standards.

11. BIS is in the process of finalising reports of aforesaid Sub - Groups and will placed before next FAD 30 meeting for consideration.

12. Further, the proposed notification will be published in the Gazette of India after obtaining needful approvals and legal vetting.

Due to COVID-19 pandemic the Ministry is working 50 per cent strength and it is requested to kindly grant further three months of time from the date of BIS FAD 30 next meeting for publication of notification on Water Purification System. It is also submitted that this Ministry will submit a compliance-cum-status report on the progress made on regular basis before the Hon'ble Tribunal.

(नरेश पाल गंगवार)
(NARESH PAL GANGWAR)
संयुक्त सचिव/Joint Secretary
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
M/o Environment, Forest and Climate Change
भारत सरकार, नई दिल्ली
Govt. of India, New Delhi

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)

ORDER

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]

Digitally signed by
NARAYAN
Date: 2019.11.25
17:21:15
Reason: -

New Delhi;
November 22, 2019.

129 Agni Wing, First Floor
Indira Paryavaran Bhawan, Jor Bagh Road,
New Delhi - 110003

Dated 12th March 2021

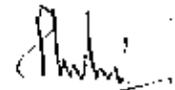
OFFICE MEMORANDUM

Subject: Compliance of Hon'ble NGT's Order dated 23.9.2019 in O.A. No. 134 of 2015-reg.

A meeting was held on 4th March 2021 under the Chairmanship of Joint Secretary, Control of Pollution Division, Ministry of Environment, Forest and Climate Change through virtual platform regarding aforesaid matter. The minutes of the meeting is enclosed.

This issues with the approval of competent authority.

Encl: As above


(Dr. Ritesh Joshi)
Scientist 'E'

- All Member of the Committee;
- PPS to Shri Naresh Pal Gangwar, Joint Secretary (CP Division)/Chairman of the committee, MoEFCC;
- Shri-Sundeep, Director (CP Division), MoEFCC

Arati
12/03/2021

1/c 9
12/3/21

- List of addresses
1. **The Secretary**
Ministry of Jal Shakti
Shram Shakti Bhawan
Rafi Marg, New Delhi
Email: amdharan@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. **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 Bhawan
New Delhi, 1100 01
 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
director@neeri.res.in
 7. **The Member Secretary**
Central Pollution Control Board
East Arjun Nagar, Parivesh Bhawan, Delhi-110032
Email: mscb.cpcb@nic.in
 8. **The Secretary General**
Federation of Indian Chambers of Commerce and Industry (FICCI)
Federation House, Tansen Marg,
New Delhi - 110 001
Email: Rita.roychoudhury@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
Email: Wqia2015@gmail.com

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Minutes of the meeting on 'Regulations on Water Purification System' in compliance of Hon'ble NGT's order dated 23.09.2019 in O.A. 134 of 2015

A meeting of committee members constituted by the Ministry of Environment, Forest and Climate Change (MoEF&CC) vide Office Memorandum No. Q-17012/01/2019-CPW dated 18.11.2019 and 23.2.2021 in pursuance of Hon'ble NGT's order dated 23.09.2019 in the matter of OA No. 134 of 2015 was held on 4th March 2021 through virtual platform under the Chairmanship of Shri Naresh Pal Gangwar, Joint Secretary, MoEF&CC. The list of participants is Annexed.

2. At the outset, Shri Naresh Pal Gangwar, Joint Secretary, MoEF&CC and Chair of the committee welcomed the participants and briefed about the objectives of the meeting. He mentioned about initiatives taken by the Ministry towards compliance of direction of Hon'ble NGT and highlighted about the salient features of the draft notification.

3. Shri Sundeep, Director, CP Division elaborated that draft notification was uploaded in the website of the Ministry, inviting comments / suggestions of stakeholders. More than 4000 comments were received, which were addressed appropriately. He briefly informed about the approaches which the Ministry has followed in revising the draft notification.

4. Dr. Ritesh Joshi, Scientist 'E' made a presentation informing about the chronology of actions being taken by the Ministry to finalize the draft notification. He has shared salient features of the notification.

5. Following are the suggestions, given by the members of the committee:

(i) Ms Suneeti Toteja, Scientist E & Head, Food & Agricultural Department, BIS had expressed their concern that standards for all purification systems are not available with BIS. Presently, BIS has developed standard for domestic water purification system. They will work out the modalities in respect of identification of standard for various purification systems, as per the time line prescribed in the draft notification for developing protocol for the Type Approval, Conformity of Production, etc. BIS expressed that to complete the process, one-year timeline is not sufficient, however they will discuss the matter with their internal committee and submit their comments within next 7 days. The Chairman of the committee has mentioned that developing standard is a dynamic process, it evolves with technology and time and BIS may suggest the timeline to be required to carry out these activities and finalize the modalities as well.

(ii) Dr. Pawan Labshetwar, Chief Scientist, NEERI articulated that one year time period is not sufficient for BIS to formulate protocol for "Type Approval", "Conformity of Production", standard operating procedure for certification etc. He mentioned that while determining timeline for BIS to formulate the protocol various aspects may be taken into consideration. He further detailed about issues like developing standards for various types of purification system, availability of labs for certification, etc. He submitted that a reasonable timeline for effective implementation shall be examined in consultation with BIS including their capacity readiness for certification.

(iii) Dr. Utpal Chattopadhyay, Director AIHH&PH, Kolkata has mentioned about various types water purification system and pointed out about importance of presence of various minerals in water for human health. He had also mentioned about presence of micro-organisms in water. He has shared that while preparing protocol for water purification system, presence of

(iv) Dr. Neeraj Gupta, President of WQIA mentioned that in revised draft notification, all the concern made by WQIA have been considered. He had requested that in clause 4 E, where it is mentioned that Water Supply Agencies shall inform the consumer about water sources and quality including TDS concentration.....may be deleted. The committee agreed to delete the particular parameter of TDS and agreed that the information shall not be limited to anyone water quality parameter. He had further requested that water supply quality should comply with IS 10500, which has not been agreed by other members of the committee as the compliance of ISO 10500 for all parameters and its monitoring, characterization is not a practically feasible option to get it implemented.

(v) Shri V.K. Chaurasia, Joint Advisor, Ministry of Housing & Urban Affairs has mentioned that that there is no need to make it mandatory for all Water Supply Agency to confirm with IS 10500. This will lead to put unnecessary obligation on various water supply authorities across the country.

(vi) Shri N.K. Gupta, Scientist E, CPCB has suggested that categories of Water Purification system may be carried out on the basis of output criteria of purification system. The committee had opined that BIS while developing protocol may consider on this aspect.

(vii) Ms Kirtika Arora, Sr. Assistant Director, FICCI expressed concerns about the water disposal system and opined that time is needed to finalize the modalities. Chairman of the committee has informed that CPCB will prescribed necessary guidelines for the same within six months of time from the date of publication of the notification.

After detailed deliberations, following were decided :

- a. It was unanimously agreed that the draft is in order and is within the overall objective of the order of Hon'ble NGT considering the monitoring, implementation and feasibility aspect, except time line prescribed for compliance needs to be re-examined to address the concerns and requirement of BIS. The committee has overall agreed with the clauses and approaches as given in the draft notification.
- b. BIS has expressed their concern about timeline for developing protocol for "Type Approval, Conformity of Production, etc., with the permission of Chair, it was decided that BIS will submit their comments/inputs within next seven days.
- c. NEERI and CPCB may extend necessary support to BIS in formulation of time line and protocol.
- d. AIH&PH will submit input regarding water quality and public health to BIS, NEERI and CPCB for their due consideration while preparation of protocols.
- e. In Clause 4 E, the word "Concentration of TDS" shall be deleted and shall be left to the WSA to report appropriate water quality parameters to Public for awareness.
- f. The committee recommended the draft notification for consideration of MoEF&CC, subjected to modification of a reasonable and due diligently considered timeline as suggested by BIS. The timeline may be finalized between BIS and MoEF&CC. The meeting ended with thanks to Chair.

List of Participants:

1. Shri Naresh Pal Gangwar, Joint Secretary, MoEF&CC
2. Shri Sundeep, Director, CP Division, MoEF&CC
3. Dr. Ritesh Joshi, Scientist 'E', MoEF&CC
4. Dr. Utpal Chattopadhyay, Director, All India Institute of Hygiene & Public Health
5. Dr. Pawan Labshetwar, Chief Scientist, CSIR-NEERI
6. Shri V.K. Chaurasia, Joint Advisor, MoHUA
7. Shri N.K. Gupta, Scientist 'E' & Divisional Head, CPCB
8. Ms Suneeti Toteja, Scientist E & Head, Food & Agricultural Department, BIS
9. Shri Vishal Gandhi, Scientist 'D', CPCB
10. Ms Kirtika Arora, Senior Assistant Director, FICCI
11. Dr. Neeraj Gupta, President, WQIA
12. Dr. Piyali Bandyopadhyay, Project Scientist, MoEF&CC
13. Ms. Suman Kharb, Legal Assistant, MoEF&CC

Vinod Kumar Kushwaha

Compliance of Hon'ble NGT's order dated 23.09.2019 in OA no. 134 of 2015-
regarding (Minutes of the Meeting)

From : Vinod Kumar Kushwaha <kushwaha.vk@gov.in>
Subject : Compliance of Hon'ble NGT's order dated 23.09.2019
in OA no. 134 of 2015-regarding (Minutes of the
Meeting)

Fri, Mar 12, 2021 03:50 PM

1 attachment

To : Rajiv Ranjan Mishra <dg@nmcg.nic.in>, Shri Pankaj
Kumar <Secy-mowr@nic.in>, Dr. M.Dhinadhayalan
<adviser-pee-mhua@gov.in>, Shri. V.K. Chaurasia
<vk.chaurasia@nic.in>, Joint Adviser PHEE CPHEEO
<secyurban@nic.in>, BIS DG
Mr DURGA MISHRA <dg@bis.gov.in>, scgt@bis.nic.in, FAD,
Secretariat <dg@bis.gov.in>, Member Infra
BIS <fad@bis.gov.in>, U K Chattopadhyay Director
<me@rb.railnet.gov.in>, U K Chattopadhyay Director
<director.aiihph@gov.in>,
chattopadhyayuk@yahoo.com,
sdknsanjoy@gmail.com, DIRECTOR NEERI
<director@neeri.res.in>, neeri folowup
<neeri.folowup@neeri.res.in>, Pawan Labhasetwar
<pk_labhasetwar@neeri.res.in>, Member Secretary
CPCB <mscb.cpcb@nic.in>, Nalin Gupta
<Nkgupta.cpcb@nic.in>, vishalcpb@gmail.com,
kirtika arora <kirtika.arora@ficci.com>,
wqia2015@gmail.com, neerajg@aosmithindia.com

Cc : Naresh Pal Gangwar <jsnpg.mefcc@gov.in>,
SUNDEEP <sundeep.cpcb@nic.in>, sundeep moef
<sundeep.moef@gmail.com>, Dr. Ritesh Joshi
<ritesh.joshi@nic.in>, piyali moef
<piyali.moef@gmail.com>

Sir/Madam,

Please find enclosed herewith a copy of minutes of the meeting on the aforesaid subject.

with regards,

(V.K. Kushwaha)

Section Officer
Government of India
Ministry of Environment, Forest & Climate Change,
Indira Parayavaran Bhawan,
Jor Bagh Road, New Delhi-110003

minutes of the meeting om-12032021154044.pdf
1 MB

PRAMOD KUMAR TIWARI, IAS
Director General
Tel : 91-11-2323 7991, 2323 6980
Fax : 91-11-23236414
E-mail : dg@bis.gov.in



12



Bureau of Indian Standards
(Government of India)
Manak Bhawan
9, Bahadur Shah Zafar Marg
New Delhi - 110 002

Ref: FAD 30/T

March 12, 2021

Sub: Compliance of Hon'ble NGT's Orders in the matter O.A. No. 134 of 2015 - regarding & MoEF & CC's Draft Notification on 'Use of Water Purification System'

Dear Sir,

This has reference to the communication received from MoEFCC (CP Davison) vide letter ref Q-17012/01/2019-CPW date 1st Mar 2021 on the above mentioned subject followed by a meeting convened under the Chairmanship of Joint Secretary, MoEFCC (CP Davison) for discussing the revised "Draft notification on Use of Water Purification System" on 4th March 2021 where BIS participated and expressed its reservations on some of the provisions in the draft notification.

2. The new draft notification is prepared in the context of Hon'ble NGT's Order in the matter O.A. No. 134 of 2015 dated 20/05/2019 which *inter-alia* directs MoEF & CC for the following:

"--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 up to 75% and use of such RO reject water for purposes such as utensil washing, flushing, gardening, cleaning of vehicles and floor mopping"

"....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."

3. It is relevant to mention here that a Committee was constituted by MoEF & CC for reviewing the draft notification on 'Regulation of RO based water purification system' where BIS was included as a member. However BIS has not been consulted while framing the new "Draft notification on Use of Water Purification System" prepared by MoEF & CC which is considerably different from MoEF & CC's earlier draft 'Regulation on Use of Membrane based Water Purification System' dated 3rd Feb 2020.

4. It is observed that the new draft notification does not lay down any technical requirements which are to be complied with as per the Hon'ble NGT's directions. Moreover, the scope of the draft regulation covers all Water Purification Systems (WPS) without defining the type, capacity,

PTD

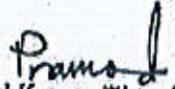
and purpose of the WPS which are to be regulated and where standards are to be formulated by BIS. Our detailed comments on the new "Draft notification on Use of Water Purification System" are attached herewith as *Annex I* for your consideration.

5. You would appreciate that BIS is the National Standards Body and does not have the mandate to formulate regulatory requirements. Whenever technical regulations are issued w.r.t any product/service by the concerned regulator or line ministries mandating compliance to certain technical requirements, either these requirements are incorporated in the regulation itself or reference is given to the corresponding Indian standards in the regulation for mandatory compliance.

6. In view of the above, it is requested to re-consider the "Draft notification on Use of Water Purification System" in light of the comments of BIS. It is also requested to consider the available manufacturing facilities, diverse technologies, testing infrastructure and compliance capacity in the country.

Thanking you,

Yours sincerely,


(Pramod Kumar Tiwari)

Shri Rameshwar Prasad Gupta
Secretary
Ministry of Environment, Forest & Climate Change
Government of India
E-mail: secy-moef@nic.in

**BIS comments on the revised
"Draft notification on Use of Water Purification System"**

1. The revised draft notification covers all Water Purification Systems (WPS) without defining the type, capacity, and purpose of the WPS which are to be regulated. Further, under the definition of WPS in the draft regulation, equipment/ device involving micro-filtration process are covered and not Reverse Osmosis based WPS. It is important to note that Hon'ble NGT's O.A. No. 134 /2015 dated 20/05/2019 directs MoEFF to issue notification regulating use of RO.
2. The new draft does not lay down essential requirements which are to be complied with, nor it refers to any national or international standard for the purpose. The new draft, though make reference to Hon'ble NGT's O.A. No. 134 /2015 dated 20/05/2019 in the preamble, it does not lay down regulatory requirements regarding recovery efficiency, *TDS concentration to 150 mg/l or the minimum levels of calcium and magnesium* etc. as per the Hon'ble NGT's directions. It is important to note that Schedule 1 of the earlier draft on requirements on recovery efficiency, Prohibition of RO where water is compliant with IS 10500 for TDS, TDS measurement provision with data logger etc. Has now been deleted.
3. The new draft notification at Regulation 4, Sub Regulation F, Sub-sub regulation i) assigns responsibility to BIS to prepare applicable standard code for WPS having regard to the available technology, corresponding recovery efficiency and output water quality. However, Specific Products on which Indian standards are to be developed is not clear from the draft notification as it does not specify capacity, purpose and type of the WPS.
4. The new draft also mandates BIS certification for all WPS which was earlier for Domestic Category Membrane based water purification systems only. The new draft at Regulation 3, Sub-Sub Regulation ii) directs BIS to develop and prescribe "System and Procedure" to monitor , assess, certify the type and process integrity of the WPS for compliance of provision of applicable BIS standard within a period of one year from the date of publication of this notification. One year time period from date of publication of notification may not be sufficient as it talks about conformity assessment procedure and does not take in to account the time taken for development of standard (s) and ensuring availability of requisite testing infrastructure in country. The same can only be evaluated once the subjects for standard development are clearly spelt out in the draft notification.

जे. राय चौधरी
J. ROY CHOWDHURY
 वैज्ञानिक-जी एवं उप महासंचालक (मानकीकरण-पी व एम)
 Scientist-G & Deputy Director General (Standardization - P & M)
 दूरभाष/Phone : + 91-11-2323 7481
 फैक्स/Fax : + 91-11-2323 1229
 ई-मेल/E-mail : scgl@bis.gov.in
 वेबसाइट/Website : http://www.bis.gov.in



भारतीय मानक ब्यूरो
 (शासक सरकार)
 मानक भवन, 8, बहादुरशाह जफर मार्ग,
 नई दिल्ली 110 002
Bureau of Indian Standards
 (Government of India)
 Manak Bhawan, 8, Bahadur Shah Zafar Marg,
 New Delhi - 110 002

Ref: FAD/T-30

25 Mar 2021

Sub: Compliance of Hon'ble NGT's Orders in the matter O.A. No. 134 of 2015 – regarding & MoEF& CC's Draft Notification on 'Use of Water Purification System'

Shri Naresh Pal Gangwar,
 Joint Secretary
 Ministry of Environment, Forest & Climate Change (MoEF& CC's)
 Indira Paryavaran Bhawan, Jor Bagh Road
 New Delhi- 110003

Dear Sir,

This has reference to your letter Q-17012/01/2019-CPW dated 19th Mar 2021 in response to our letter ref. FAD 30/ T dated 12th Mar 2021 addressed to Secy., MoEF&CC from DG, BIS giving our detailed comments on the draft notification on "Use of Water Purification System"

As the major issues of concern and difference of opinion between BIS & MoEF&CC still remain unresolved, DG, BIS has desired to have a meeting with you and subject matter experts from MoEF& CC in the matter on 30th Mar 2021 at 1200 hrs in his office at BIS, Manak Bhawan. You are requested to kindly confirm your participation.

Thanking you.

Yours faithfully,

J Roy Chowdhury
 DDG Standardization (P&M)

On file pl. (By 26/3/21
 Jorenson)

Phd
 25/3/21
 Project Scientist (PB)

430411/2021/CP

Email

16
Dr. Ritesh Joshi

Re: Compliance of Hon'ble NGT's Orders in the matter O.A. No. 134 of 2015 – regarding & MoEF& CC's Draft Notification on 'Use of Water Purification System'

From : Food and Agricultural Department BIS
<fad@bis.gov.in>

Thu, Mar 25, 2021 05:30 PM

1 attachment

Subject : Re: Compliance of Hon'ble NGT's Orders in the matter
O.A. No. 134 of 2015 – regarding & MoEF& CC's Draft
Notification on 'Use of Water Purification System'

To : Dr. Ritesh Joshi <ritesh.joshi@nic.in>

Cc : Naresh Pal Gangwar <jsnpg.mefcc@gov.in>

Dear Sir,

With reference to the trailing e-mail on the subject , please find attached herewith a letter addressed to Joint Secretary, MoEFCC from DDG Standardization (P &M) , BIS.

Best Regards,

Nitasha Doger,
Scientist D, FAD

From: "Dr. Ritesh Joshi" <ritesh.joshi@nic.in>
To: "Food and Agricultural Department BIS" <fad@bis.gov.in>
Cc: "SUNDEEP" <sundeep.cpcb@nic.in>, "sundeep moef" <sundeep.moef@gmail.com>, "Naresh Pal Gangwar" <jsnpg.mefcc@gov.in>, "piyali moef" <piyali.moef@gmail.com>
Sent: Friday, March 19, 2021 12:29:36 PM
Subject: Compliance of Hon'ble NGT's Orders in the matter O.A. No. 134 of 2015 – regarding & MoEF& CC's Draft Notification on 'Use of Water Purification System'

Respected Sir,

This has reference to the letter of Director General, BIS (Ref. No. FAD 30/T) dated 12 March 2021, enclosing a copy of the comments of BIS on draft Notification on 'Water Purification System',

In this regard, please find attached a copy of the letter addressed to DG, BIS from Joint Secretary, MoEFCC.

Yours sincerely,

Ritesh

Dr. Ritesh Joshi
Scientist 'E'/ Additional Director

430411/2021/OP
Ministry of Environment, Forest & Climate Change,
Government of India,
Room No. A-129, Agni Block, First Floor,
Indira Paryavaran Bhawan,
Jor Bagh Road, New Delhi-110003
Tel.: +91 11 24695359

 **Letter_DDG.pdf**
311 KB

Minutes: FAD 30/A-2.2

For BIS Use Only

BUREAU OF INDIAN STANDARDS**MINUTES**

Water Purification Systems Sectional Committee, FAD 30	2 nd	12 April 2021 (Thursday)	1130 h onwards	Through WebEx
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CHAIRMAN:

Dr. Pawan Kumar Labhasetwar
Chief Scientist & Head
Water Technology and Management Division
CSIR-National Environmental Engineering Research
Institute (NEERI), Nagpur

MEMBER SECRETARY:

Ms. Nitasha Doger
Scientist-D
Food & Agriculture Department,
Bureau of Indian Standards, New Delhi

ATTENDANCE SHEET – Please see Annex-A (Page 4)

Item 0 GENERAL**0.1 Welcome**

Ms. Suneeti Toteja, Scientist-E & Head, Food and Agriculture Department welcomed the Chairman and members to the 2nd meeting of Water Purification Systems Sectional Committee, FAD 30. Ms. Toteja apprised the members that this meeting has been called to primarily discuss the new draft notification prepared by Ministry of Environment, Forest & Climate Change (MoEF&CC) on "Use of Water Purification System" and further course of action to be adopted by the Committee in light of the provisions of the draft notification as applicable to BIS with specific reference to standards development. She further informed that this being an immediate issue for deliberation, an urgent meeting has been called and that the regular meeting of Water Purification Systems Sectional Committee, FAD 30 will be organized shortly.

0.2 Opening Remarks by the Chairman, FAD 30

Dr. Pawan Kumar Labhasetwar extended a warm welcome to the members of the Committee to its 2nd meeting and apprised the members that the scope in the revised draft notification from MoEF&CC has been expanded to cover all Water Purification System (WPS) which was earlier for Reverse Osmosis based WPS only. This would cover a wide range of technologies and entail development of standards on a number of Product standards which would require a reasonable time considering that the subject may not remain confined to FAD 30 and may need involvement of other Committees of BIS also. In the context of mandatory BIS Certification of WPS, he highlighted the need for evaluating the existing laboratory infrastructure in the country and their

capacity building. He further invited comments of other members of the Committee for fruitful and amicable discussions during the meeting.

Item 1 Deliberations during the meeting

1.1 A brief presentation on the new draft regulations on "Use of Water Purification System" was made by Sh. Sundeep Kumar, Scientist F, MoEF & CC during the meeting. Copy of the presentation is placed at Annex B. He highlighted that the new draft notification is made technology neutral and mention of specific technology has been avoided. He requested, BIS to define Standard code for specific technology/purification system (s) for regulation which is technically feasible and implementable. He further shared the following draft definition of WPS which is under consideration for the purpose of the regulation

"WPS means a system or arrangement of equipments or devices which generates reject water while purification"

1.2 Members expressed concerns over the scope and applicability of the draft regulation and requested to reconsider the definition of WPS to bring out more clarity as the same is still in draft stage where necessary modifications can be considered. Sh. Sundeep welcomed inputs and suggestions on the same.

1.3 On the query regarding applicability of mandatory BIS Certification on Commercial and industrial installation, Sh. Sundeep clarified that Commercial and industrial installation shall be governed under the provision of the Water (Prevention and Control on Pollution) Act 1974 and not under mandatory BIS Certification.

1.4 With regard, to the timeline indicated in the draft regulations, members expressed that one year time is too short for preparation of a range of standards for various types Water Purification Systems available in the market. In order to arrive at a reasonable timeline for development of standards for this purpose, various types of Water Purification Systems using different technologies and their combinations, first need to identified and prioritized.

1.5 It was further discussed that the output water quality vary significantly with inlet water quality, therefore it may not be possible to set IS 10500 as benchmark for output water quality in WPS. Also, the technology used for WPS would depend on the inlet water quality taking into account various factors in addition to TDS such as presence of Pharmaceutical residues, Pesticide residue, PFAS Contaminants etc. to meet the objective of desired water quality. Members also expressed concerns regarding non-inclusion/compliance of output water quality from point-of-use water treatment systems to drinking water quality standards in the draft notification

1.6 The Committee noted that the scope of Water Purification Systems Sectional Committee, FAD 30 covers Standardization in the field of Water Purification Systems only for drinking purposes



Minutes: FAD 30/A-2.2

and therefore applicability of the draft regulations for other purposes if any such as for Medical/Pharma, sector specific industries etc. needs to be clarified and ascertained by MoEF&CC.

1.7 The Committee also expressed the need to look at necessary testing infrastructure available in the country for testing of WPS without which it would not be possible to meet the objective of the regulation.

1.8 BIS also clarified that they are not a regulatory agency, hence identification of agency regulating compliance to the standard by various manufacturers needs to be identified. Moreover, scope of the notification should be clearly defined in terms of its applicability to manufacturers, importers and more importantly to assemblers.

1.9 In view of the above deliberations and with the view to carry forward the work of the committee, followings groups were assigned tasks as follows with the request to complete the task in 15 days' time :

(i) *Group 1: To give input/recommendation on Definition of WPS and clarity on regulating these standards*

Experts identified:

- Dr. P.K. Labhasetwar, CSIR-National Environmental Engineering Research Institute (NEERI), Nagpur
- Sh. Sundeep Kumar, Scientist F, MoEF & CC
- Dr. Neeraj Gupta, Water Quality India Association (WQIA), Mumbai

(ii) *Group 2: To provide a brief report on various types of WPS available in the market (using different types of technologies) along with tentative timeline for development of standards for the same.*

Experts identified:

- Shri Ravindra Sewak, Safe Water Network, New Delhi
- Dr. Jayanta Kumar Pothal, CSIR-Institute of Minerals & Materials Technology, Bhubaneswar
- Dr K Vijay Lakshmi
- Smt. Nitasha Doger Scientist-D, BIS

(iii) *Group 3: To provide a brief report on existing laboratory infrastructure in the country for testing of WPS and need for their capacity building*

Experts identified:

- Dr. Sandhya Shrivastava, Bhavan's Research Centre (Microbiology), Mumbai
- Dr. T. N. V. V. Rao, Expert in Personal Capacity
- Dr. Ashish Kr. Mukhopadhyay, ICMR
- Dr. Muralidhara Rao Sakhumalla

ITEM 2 ANY OTHER BUSINESS

There being no other business, the meeting ended with a hearty note of thanks to the Chair & the members.

ITEM 3 TIME AND PLACE FOR THE NEXT MEETING

The Committee decided to hold the next meeting of FAD 30 in consultation with the Chairman.

Annex A

Attendance for the 2nd meeting of
Water Purification Systems Sectional Committee, FAD 30 held on 12 April 2021

Sl No.	ORGANISATION	REPRESENTED BY
1.	CSIR-National Environmental Engineering Research Institute (NEERI), Nagpur	Dr. P.K. Labhasetwar (CHAIRMAN)
2.	Bhavan's Research Centre (Microbiology), Mumbai	Dr. Sandhya Shrivastava
3.	Confederation of Indian Industry (CII), New Delhi	Sh. J.S.K. Srinivasan
4.	Confederation of Indian Industry (CII), New Delhi	Ms. Mamta Arora Budhiraja
5.	CSIR-Central Salt & Marine Chemicals Research Institute (CSMCRI), Bhavnagar	Dr. V.K. Shahi
6.	CSIR-Institute of Minerals & Materials Technology, Bhubaneswar	Dr. Jayanta Kumar Pothal
7.	Federation of Indian Chambers of Commerce & Industry (FICCI), New Delhi	Ms Kirtika Arora
8.	In Personal Capacity, Kolkata	Dr. T. N. V. V. Rao
9.	Indian Water Works Association (IWWA), Mumbai	Sh. Anil Kumar Gupta
10.	Innovation System Branch, New Delhi Development Alternatives, New Delhi	Ms. Neha Agarwal
11.	Innovation System Branch, New Delhi Development Alternatives, New Delhi	Dr. K. Vijaya Lakshmi
12.	Institute of Minerals & Materials Technology, Bhubaneswar	Shri Debabrata Singh
13.	Ministry of Environment, Forest and Climate Change (MoEFCC)	Sh. Sundeep Kumar
14.	Ministry of Environment, Forest and Climate Change (MoEFCC)	Dr. Ritesh Joshi
15.	Ministry of Environment, Forest and Climate Change (MoEFCC)	Dr. Piyali Bandyopadhyay
16.	National Institute of Cholera And Enteric Diseases, Kolkata	Dr. Ashish Kr. Mukhopadhyay
17.	Safe Water Network, New Delhi	Shri Ravindra Sewak
18.	Safe Water Network, New Delhi	Dr. Shveta Mahajan
19.	Water Quality India Association (WQIA), Mumbai	Dr. Neeraj Gupta
20.	Water Quality India Association (WQIA), Mumbai	Dr. Muralidhara Rao Sakhumalla
21.	Water Quality India Association (WQIA), Mumbai	Dr. K. Chandrasekhar
22.	Food & Agriculture Department, BIS, New Delhi	Suneeti Toteja, Scientist-E & Head, FAD
23.	Food & Agriculture Department, BIS, New Delhi	Smt. Nitasha Doger Scientist-D & Member Secretary, FAD 30



Dr. Piyali Bandyopadhyay <piyali.moef@gmail.com>

Minutes of meeting_Sub committee_FAD 30_3rd June 2021

FAD Water Purification Systems Sectional Committee <fad-wps@bis.gov.in>

Thu, Jun 17, 2021 at 1:30 PM

To: piyali moef <piyali.moef@gmail.com>

Cc: Food and Agricultural Department BIS <fad@bis.gov.in>

Dear Madam,

This has reference to the trailing e-mail. The draft notification prepared by Ministry of Environment, Forest & Climate Change (MoEF&CC) on "Use of Water Purification System" was shared with the members of FAD 30 in its meeting held on 12th April 2021. You may like to refer to the minutes of the meeting where MoEF& CC also participated as member (*Copy enclosed*).

In order to carry forward the work of the committee in pursuance the draft notification of MoEF&CC, following working groups were constituted (the progress of work done by these groups is given under them):

1. *Group 1: To give input/recommendation on Definition of WPS and clarity on regulating these standards*

The meeting of the group was coordinated by MoEF& CC and minutes of meeting is shared by MoEF& CC in the trailing e-mail.

2. *Group 2: To provide a brief report on various types of WPS available in the market (using different types of technologies) along with tentative timeline for development of standards for the same.*

The technical experts in the group had deliberated upon on the various types of WPS available in the market (using different types of technologies) for preparing to a brief report along with a tentative timeline for development of standards for the same. Based on the deliberations the draft report is under finalization and will be put up to FAD 30 committee in its next meeting for consideration.

3. *Group 3: To provide a brief report on existing laboratory infrastructure in the country for testing of WPS and need for their capacity building*

The group has identified lists of relevant labs and also prepared a questionnaire to evaluate Lab Capabilities/ Capacity in the country for testing of Water Purification System (WPS). The questionnaire was shared with the labs and based on the responses received the group will be submitting its report to the FAD 30 Committee on existing laboratory infrastructure in the country for testing of WPS and need for their capacity building. The group is yet to submit its report.

The above is submitted for your information please.

Best Regards,

Nitasha Doger

Scientist 'D' | Food and Agriculture Department | Member Secretary

Water Purification Systems Sectional Committee, FAD 30

BUREAU OF INDIAN STANDARDS

Manak Bhawan, 9-Bahadur Shah Zafar Marg, New Delhi - 110002, INDIA

 +91 11 23231128 | Mobile : +91 9811818531Learn more about BIS: www.bis.gov.in

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

**Minutes of the meeting for compliance of Hon'ble NGT's order on
O.A. 134 of 2015**

In pursuant to the decision taken in the meeting of BIS -FAD 30 held on 12th April 2021, a sub-group was constituted with a task to resolve the issue of definition of Water Purification System (WPS) as considered in the draft notification on Regulation on Water Purification submitted by MoEF&CC. The committee held its meeting on 3rd June 2021 under the chairmanship of Dr. Pawan Kumar Labhasetwar, Chief Scientist, CSIR - National Environmental Engineering Research Institute, Nagpur through virtual platform. List of the participants of the meeting is at Annexure.

2. Chairman after greeting the participants, highlighted the background and the provisions of the draft notification and also the objective and purpose of the meeting. It was requested that all participants shall put forth their views based on their experience, present provisions and procedural constraints in implementation of the provisions of the draft notification, if any observed. Further, it was requested that all participants shall avoid discussion based on apprehended concerns instead shall have a realistic and focused discussion. The order and recommendations of Hon'ble NGT's in the matter of O.A. 134 of 2015 may be considered as well.

3. Shri. Sundeep, Scientist 'F', MoEF&CC highlighted the discussion held in FAD30 and the issues for this sub-committee. The rationale for having the proposed definition on Water Purification system, the benefits and limitation were also highlighted. It was proposed that the word 'reject' has been inserted with a view that the WPS system (Portable) can be broadly classified into 2 categories – namely (i) one which generates reject while purifying process and (ii) other which do not generate. The proposed notification is to govern the first category. This is based on the suggestion/feedback and inputs received through public on the draft published on public consultation. BIS has initiated also work on reject based system, to priorities the process, for compliance of Hon'ble NGT order, the scope is limited to reject based system. As BIS will increase the scope, the same can be included.

It was further clarified that Commercial and Industrial Installation shall be governed under the provision of the Water (Prevention and Control of Pollution) Act 1974 and not under mandatory BIS Certification.

4. Ms. Nitasha Dogar, Scientist 'D', BIS informed that the BIS has different committee based on use of the products, and the FAD-30 has limited mandate for drinking purpose only. It was suggested that the applicability of the notification may be limited to drinking purpose so that the process can be expedited, else the inputs and

provisions of the notification has to be circulated to all sectoral committees and getting their feedback after examination will take enormous time.

5. Dr. Neeraj Gupta, WQIA expressed that the industry welcome the proposed regulation and it will be good for the society as well as WPS industry. However, concern was highlighted on inclusion of word "Reject" in the definition of WPS. It was opined that absence of any regulation on non-reject based water purification system will extend non-level playing field in the market and will have its implication. Some examples were also highlighted to support the argument.

6. Shri. Vishal Gandhi, Scientist, CPCB highlighted that the reject generated from the WPS will vary significantly and their use guidelines itself will be a challenges. Reject water shall either be continuous as purifiers generates reject while purifying process or intermittent when it undergoes any maintenance. The ambit of these regulations focused only on purifier which generates reject while purifying process. It was further highlighted that the WPS technology is evolving and reject management system should be initiated at the earliest by product certification, reject management guidelines. Certification process will assess the technical suitability and feasibility of reject quantity as well and output quality.

7. The various aspects and rationale for such provision in the notification was discussed. The salient arguments are as follows:

- (a) Objective of the notification is to be technology neutral.
- (b) The regulation needs to be simple and easily understandable to public at large.
- (c) Customers shall be adequately informed about the product to take appropriate decision.
- (d) Reject generation is dynamic in nature with variation in quantity and quality depending on the technology, input and output quality
- (e) There may be two sets of certification / standard developed by BIS to have progressive approach and to improvise based on the learning gained over time through one product standardization.
- (f) Standardization of WPS based on the use of the output will require reference and discussion with sectoral committee and will be time consuming.
- (g) The FAD consists of experts and representative from all stakeholders and their input will be duly considered while defining the criteria/standards for certification procedures of WPS.
- (h) Central Pollution Control board shall be prescribing the reject management guidelines.

8. Based on the deliberation made with above purview: following was concluded for forwarding to the FAD30 committee for further perusal.

(a) Definition of water purification system for the notification based on recommendation of MoEF&CC can be retained as follows:

"Water Purification System means a system or arrangement of equipment or devices which generates reject water while purification".

- (b) The applicability of the notification shall be restricted to drinking water purpose only.
- (c) Matter with regard to technical efficiency, output limitation and reject generation needs to be further considered by BIS while defining the certification criteria in addition to what had been recommended in NGT Order.
- (d) All commercial and industrial installations shall be governed by provisions of Water and Air Acts, as proposed in the draft notification
- (e) BIS shall provide input on timeline for certification / development of standard for reject based WPS to MoEF&CC separately by considering report submitted by sub-committee on assessing laboratory facilities for evaluating WPS as per the standards

The meeting ended with thanks to Chair.

ANNEXURE

List of Participants:

1. Dr. Pawan Labsetwar, Chief Scientist , CSIR – NEERI
2. Shri Sundeep, Scientist 'F', MoEF&CC
3. Dr. Ritesh Joshi, Scientist 'E' , MoEF&CC
4. Shri Vishal Gandhi, Scientist 'D', CPCB
5. Smt. Nitasha Doger, Scientist 'D', BIS
6. Shri. Neeraj Gupta. President, WQIA
7. Dr. Piyali Bandyopadhyay, Project Scientist, MoEF&CC
8. Ms. Sadhna Mishra , Legal Associate , MoEF&CC