



ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿ
Karnataka State Pollution Control Board

“ಪರಿಸರ ಭವನ”, 1 ರಿಂದ 5ನೇ ಮಹಡಿಗಳು, ನಂ. 49, ಚರ್ಚ್ ಸ್ಟ್ರೀಟ್, ಬೆಂಗಳೂರು - 560 001, ಕರ್ನಾಟಕ, ಭಾರತ
“Parisara Bhavana”, 1st to 5th Floor, # 49, Church Street, Bengaluru - 560 001, Karnataka, INDIA

No. KSPCB 744 COC 2017-18/6046

Dated: 06 FEB 2018

CIRCULAR

Sub: Regulation of Lead Contents in Household and Decorative Paints Rules,2016

Ref: 1. MoEF & CC Notification No. GSR 1030(E) dated 1.11.2016.

2. CPCB Letter No. B-29016/1/01/PC-1 dated 31.10.2017.

3. MoEF & CC letter No. D.O.No.12-16/2017-HSMD dated 19.12.2017.

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The Ministry of Environment, Forest and Climate Change has notified the Regulation of Lead Contents in Household and Decorative Paints Rules 2016 vide ref(1). The rules have come into force with effect from 1st November 2017(Copy enclosed).

Further, CPCB has issued “Compliance and Testing Procedure For Measurement of Lead Contents In Household And Decorative Paints on 31st October 2017 vide ref(2) Copy enclosed.

In view of the above, all the paint industries in your jurisdiction may be directed to take necessary action to comply with the provisions of the said Rules with effect from 1st November 2017 and action taken shall be recorded in the inspection reports. Also a condition is to be stipulated in the Consent order for compliance of the regulation and prescribed standard for lead is to be included in the consent order and issue addendum to the consent order (already issued) stipulating condition.

CHIEF ENVIRONMENTAL OFFICER

To:

1. All RSEO's.
2. All RO's.
3. 4-0 RSO
4. 4-0. ESO

Copy to:

1. Section Heads of Head Office.
2. CSO
3. EO's of Head Office
4. Website.

रितेश कुमार सिंह, भा. प्र. से
Ritesh Kumar Singh, I.A.S.



संयुक्त सचिव
भारत सरकार
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Joint Secretary
Government of India
Ministry of Environment, Forest & Climate Change

D.O. No. 12-16/2017-HSMD

Dated 19th December 2017

Dear Sir,

The Ministry of Environment, Forest and Climate Change has notified the Regulation of Lead Contents in Household and Decorative Paints Rules, 2016 vide G.S.R. 1030(E), dated 1st November, 2016. The Rules have come into force with effect from 1st November 2017.

2. The nodal agency for implementation of the Rules is the Central Pollution Control Board (CPCB). CPCB has also issued "Compliance and Testing Procedure for Measurement of Lead Contents in Household and Decorative Paints" on 31st October 2017 for effective implementation of the Rules. A copy of the notification of the Rules and guidance document are attached herewith for your ready reference.

3. The objective of the Rules is to prohibit the manufacture, trade, import and export of household and decorative paints containing lead or lead compounds (calculated as lead metal) in excess of 90 parts per million (0.009 per cent.) of the weight of the total non-volatile content of the weight of the dried paints film.

4. In view of the above, it is kindly requested to take necessary steps for the effective implementation of the Regulation of Lead Contents in Household and Decorative Paints Rules, 2016.

With regards,

Household & decorative paints
are not harmful.

Yours sincerely,

(Ritesh Kumar Singh)

Shri Subhash Chandra Khuntia
Chief Secretary
Govt. of Karnataka
Room No. 320, 3rd Floor
Vidhan Soudha, Bengaluru - 560001

Copy to:

Shri Lakshman, Chairman, Karnataka State Pollution Control Board, Parisara Bhawan, 49, Church Street, Bengaluru - 560001

इंदिरा पर्यावरण भवन, जोर बाग रोड, नई दिल्ली 110 003, फोन : 011-24695129, फैक्स : 011-24695271

INDIRA PARYAVARAN BHAWAN, JOR BAGH ROAD, NEW DELHI-110 003, PH. : 011-24695129, FAX : 011-24695271, E-mail : riteshkumar.singh@nic.in





भारत का राजपत्र
The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)

PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 764]

नई दिल्ली, बुधवार, नवम्बर 2, 2016/कार्तिक 11, 1938

No. 764]

NEW DELHI, WEDNESDAY, NOVEMBER 2, 2016/KARTIKA 11, 1938

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 1 नवम्बर, 2016

सा.का.नि. 1030(अ).—केंद्रीय सरकार ने पर्यावरण (संरक्षण) नियम, 1986 के नियम 13 के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा (1) और धारा 6 की उपधारा (2) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए प्रारूप नियम अर्थात् घरेलू और सजावटी पेंट में सीसा की मात्रा संबंधी विनियमन नियम, 2016 भारत के राजपत्र, असाधारण, संख्या सा.का.नि. 409(अ), तारीख 8 अप्रैल, 2016 द्वारा उन सभी व्यक्तियों और संगठनों से जिनके उससे प्रभावित होने की संभावना थी, उस तारीख से, जिसको उस राजपत्र की प्रति जिसमें यह अधिसूचना अंतर्विष्ट है, उपलब्ध करा दी गई थी, 60 दिन की अवधि की समाप्ति से पूर्व आक्षेप और सुझाव आमंत्रित करते हुए प्रारूप अधिसूचना प्रकाशित की गई थी ;

और उक्त प्रारूप से अंतर्विष्ट राजपत्र की प्रतियां आम जनता को 24 अप्रैल, 2016 को उपलब्ध कराई गई थी तथा संबंधित पणधारियों को, जिनके पते मंत्रालय के पास उपलब्ध थे, को भी प्रचालित की गई थी ;

और, उक्त प्रारूप अधिसूचना के उत्तर में प्राप्त आक्षेपों और सुझावों पर केन्द्रीय सरकार द्वारा सम्यक रूप से विचार किया गया ;

अतः केंद्रीय सरकार पर्यावरण (संरक्षण) नियम, 1986 के नियम 13 के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 और धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निम्नलिखित नियम बनाती है, अर्थात् :-

1. संक्षिप्त नाम और प्रारंभ.—(1) इन नियमों का संक्षिप्त नाम घरेलू और सजावटी पेंट में सीसा की मात्रा संबंधी विनियमन नियम, 2016 है ।

(2) ये राजपत्र में उनके प्रकाशन की तारीख से एक वर्ष पश्चात् प्रवृत्त होंगे ।

2. परिभाषा.—इन नियमों में, जब तक संदर्भ से अन्यथा अपेक्षित न हो, "घरेलू और सजावटी पेंट" से भाँ दीवारों, सिविल निर्मितियों में आंतरिक और बाह्य धरातल परत सामग्रियों के रूप में उपयोग में लाए गए पेंट, घरेलू परियोजनाओं के लिए कोई उपभोग्यता उत्पाद अभिप्रेत हैं और इसके अंतर्गत भारतीय मानक ब्यूरो द्वारा प्रकाशित घरेलू और सजावटी पेंट के लिए भारतीय मानकों में यथाविहित एनैमल, प्राइमर, इंटीरियर, अंडरकोटिंग और फिनिशिंग रोगन सामग्रियां हैं।
3. कतिपय दशाओं में सीसा या सीसा सम्मिश्रणों के उपयोग का प्रतिषेध.—सुखाए गए पेंट फिल्म के भार के कुल अवाष्पशील मात्रा के भार के प्रति मिलियन (0.009 प्रतिशित) 90 भाग से अधिक सीसा या सीसा सम्मिश्रण (सीसा धातु के रूप में परिकलित) से अंतर्विष्ट घरेलू और सजावटी पेंट (जिसे इसमें इसके पश्चात् उत्पाद कहा गया है) का विनिर्माण, व्यापार, आयात और निर्यात एतद्द्वारा प्रतिषिद्ध है।
4. स्वतः प्रमाणन.—इन नियमों के प्रवृत्त होने की तारीख को या से विनिर्मित या आयातित घरेलू और सजावटी पेंट पर यह कथन करते हुए लेबल लगाया जाएगा कि सीसे की मात्रा प्रति मिलियन 90 भाग से अधिक नहीं है, ऐसा लेबल टिकाऊ और स्पष्ट होगा तथा —
- (i) लेबल में, यथास्थिति, विनिर्माता या आयातकर्ता का नाम और पता अंतर्विष्ट होगा;
- (ii) लेबल में, देश में, यथास्थिति, विनिर्माण या आयात की तारीख अंतर्विष्ट होगी।
5. नोडल अभिकरण.—(1) इन नियमों के उपबंधों के कार्यान्वयन के लिए केंद्रीय प्रदूषण नियंत्रण बोर्ड, नोडल अभिकरण होगा।
- (2) इन नियमों के कार्यान्वयन में किसी वाद या कठिनाई की दशा में मामला नोडल अभिकरण को निर्देशित किया जाएगा।
- (3) नोडल अभिकरण, उसे सभी मामलों, जिसके अंतर्गत इन नियमों के कार्यान्वयन से संबंधित विवादित मामले हैं, पर सलाह देने के लिए किसी समिति का गठन कर सकेगा।
6. उत्पादों के परीक्षण के लिए प्राधिकृत अधिकरण.—केंद्रीय विद्युत अनुसंधान संस्थान, बंगलुरु और उसके क्षेत्रीय केंद्र भोपाल, गुवाहाटी, हैदराबाद, कोलकाता, नागपुर, नासिक और नोएडा तथा पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय द्वारा समय-समय पर अधिसूचित कोई अन्य अभिकरण ऐसे परीक्षणों को करने के लिए प्राधिकृत होगा जो यह अवधारित करने के लिए आवश्यक समझते हैं कि क्या उत्पाद में नियम 3 में यथाविनिर्दिष्ट प्रति मिलियन 90 भाग से अनधिक सीसा अंतर्विष्ट है।
7. अनुपालन और परीक्षण प्रक्रिया.—अनुपालन और परीक्षण प्रक्रियाएं केंद्रीय प्रदूषण नियंत्रण बोर्ड द्वारा प्रमाणन अभिकरणों की सहायता से इन नियमों के प्रारंभ होने की तारीख से छह मास के भीतर तैयार की जाएंगी और प्रकाशित की जाएंगी।
8. अस्थायी उपबंध.—इन नियमों के प्रारंभ होने की तारीख से पूर्व विनिर्मित या आयातित घरेलू और सजावटी पेंट ऐसे प्रारंभ होने की तारीख से दो वर्ष के लिए विक्रय हेतु अनुज्ञात किए जाएंगे।
9. साधारण शर्तें.—निम्नलिखित शर्तें लागू होंगी, अर्थात्:-
- (i) नियम 3 में यथाविनिर्दिष्ट घरेलू और सजावटी पेंट में सीसे की मात्रा से संबंधित अनुबंध इन नियमों के प्रवृत्त होने की तारीख को या से ही विनिर्मित या आयातित उत्पादों को लागू होंगे ;

(ii) प्रत्येक विनिर्माता या आयातकर्ता प्रतिवर्ष अपने उत्पाद का नियम 3 में यथाविनिर्दिष्ट सीसे की मात्रा के परीक्षण अपने उत्पाद को बाजार में लाने से पूर्व नियम 6 में वर्णित निम्नी एक प्राधिकृत अभिकरण से करवाएगा;

(iii) परीक्षण करने वाले अभिकरण परीक्षण रिपोर्टों को सत्यापन के लिए और यथापेक्षित कार्रवाई के लिए नोडल अभिकरण को प्रस्तुत करेंगे; और

(iv) नोडल अभिकरण परीक्षण रिपोर्टों की प्रति संबंधित विनिर्माता या आयातकर्ता और पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय को देगा।

[फा. सं. 7-21/2010-एचएसएमडी]

विश्वनाथ सिन्हा, संयुक्त सचिव

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE NOTIFICATION

New Delhi, the 1st November, 2016

G.S.R. 1030(E).—Whereas, the Central Government, in exercise of powers conferred by sub-section (1) of section 3 and clause (d) of sub-section (2) of section 6 of the Environment (Protection) Act, 1986 (29 of 1986), read with rule 13 of the Environment (Protection) Rules, 1986, published the draft rules namely, the Regulation on Lead contents in Household and Decorative Paints Rules, 2016 in the Gazette of India, Extraordinary, *vide number* G.S.R. 409(E), dated the 8th April, 2016 for inviting objections and suggestions from all persons and organisations likely to be affected thereby before the expiry of a period of sixty days from the date on which copies of the Gazette containing the said notification were made available to the public;

And whereas, the copies of the Gazette containing the said notification were made available to the public on the 24th April, 2016 and were also circulated to concerned stake holders whose addresses for communication were available with the Ministry;

And whereas, the suggestions or objections received in response to the above mentioned draft rules have been considered by the Central Government;

Now, therefore, in exercise of the powers conferred by section 3 and section 6 of the Environment (Protection) Act, 1986 (29 of 1986), read with rule 13 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following rules, namely:-

1. **Short title and commencement.**—(1) These rules may be called the Regulation of Lead Contents in Household and Decorative Paints Rules, 2016.
(2) They shall come into force one year after the date of their publication in the Official Gazette.
2. **Definition.**—In these rule, unless context otherwise requires, “Household and Decorative Paints” means paints used as surface coating materials in interior and exterior of buildings, walls, civil structures, any consumer products meant for household purposes and shall include enamel, primer, interior, undercoating and finishing colouring materials as prescribed in the Indian Standards for Household and Decorative Paints published by the Bureau of Indian Standards.
3. **Prohibition of use of lead or lead compounds in certain cases.**—Any manufacture, trade, import and export of Household and Decorative Paints (hereinafter referred to as product) containing lead or lead compounds (calculated as lead metal) in excess of 90 parts per million (0.009 per cent.) of the weight of the total non-volatile content of the weight of the dried paints film is hereby prohibited.
4. **Self certification.**—Household and Decorative Paints manufactured or imported on or from the date these rules come into force shall be labeled stating that the lead contents does not exceed 90 parts per million, such labelling shall be durable and legible and -

- (i) the label shall contain the name and address of the manufacturer or importer, as the case may be;
- (ii) the label shall contain the date of manufacture or import into the country, as the case may be.
5. **Nodal agency.**—(1) The Central Pollution Control Board shall be the nodal agency for implementation of the provisions of these rules.
- (2) In case of any dispute or difficulty in implementation of these rules, the matter shall be referred to the nodal agency.
- (3) The nodal agency may constitute a Committee to advise it on all matters including the disputed matters, related to the implementation of these rules.
6. **Authorised agencies for testing of products.**—The Central Power Research Institute, Bengaluru and its regional centers at Bhopal, Guwahati, Hyderabad, Kolkata, Nagpur, Nashik and Noida and any other agency notified by the Ministry of Environment, Forest and Climate Change from time to time shall be authorised to carry out such tests as they deem necessary for determining whether a product contains lead not exceeding 90 parts per million as specified in rule 3.
7. **Compliance and testing procedures.**—The compliance and testing procedure shall be prepared and published by the Central Pollution Control Board, with the help of certification agencies within six months from the date of commencement of these rules.
8. **Transitory provision.**—Household and Decorative Paints manufactured or imported before the date of commencement of these rules shall be permitted for sale for the next two years from the date of such commencement.
9. **General Conditions.**—The following conditions shall be applicable, namely;—
- (i) the stipulations relating to contents of lead in the Household and Decorative Paints as specified in rule 3 shall apply to products manufactured or imported on and from the date of coming into force of these rules;
- (ii) every manufacturer or importer shall subject its product every year for testing of lead content as specified in rule 3 before bringing out its product in the market, from any one of the authorised agency mentioned in rule 6;
- (iii) the testing agencies shall submit the test reports to the nodal agency for verification and action as may be required;
- (iv) the nodal agency shall furnish a copy of the test reports to the concerned manufacturer or importer and the Ministry of Environment, Forest and Climate Change.

[F. No. 7-21/2010-HSMD]

BISHWANATH SINHA, Jt. Secy.

Speed Post

October 31, 2017

B-29016/1//01/IPC-1

To

The Chairman
All SPCBs / PCCs

Sub: Procedure for Measurement of Lead contents in Household and Decorative Paints- Reg.

Sir,

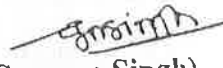
Ministry of Environment, Forest and Climate Change issued Notification no. G.S.R. 1030 (E) on 1st November, 2016 regarding Regulation of Lead contents in Household and Decorative Paints.

MoEF & CC has approved compliance and testing Procedure for Measurement of Lead content in household and decorative Paints. (Copy enclosed)

In view of the above all the paint industries in your state may be asked to take necessary action to comply the rules of the said notification with effect from November 01, 2017.

Yours faithfully,

Copy enclosed: As above


(Gurnam Singh)
Additional Director, I/c IPC-1

Copy to:

1. The Indian Paint Association :To inform all paint industries for compliance please.
Secretariat Affiliated with CII
6, Netaji Subhas Road,
Kolkata 700 001

✓ I/c IT Division

: For uploading on CPCB website
before November 01, 2017.


(Gurnam Singh)

BY SPEED POST

F. No. 7-21/2010-HSMD
Government of India
Ministry of Environment, Forest & Climate Change
(HSM Division)

2nd Floor, Jal Wing,
Indira Paryavaran Bhawan
Jor Bagh Road, New Delhi-110003
Dated: 27th October, 2017

To

Shri A Sudhakar
Member Secretary
Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar
Delhi-110032

*Sub: Procedure for measurement of lead contents in household and Decorative Paints --
reg.*

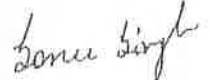
Sir,

This refers to your letter dated 8th June, 2017 regarding the procedure for measurement of lead contents in house and decorative paints.

2. In this regard, please find enclosed herewith the revised final copy of procedure for measurement of lead contents in household and decorative paints for effective implementation of "Regulation on Lead Contents in Household and Decorative Paints Rules, 2016". This issues with the approval of Competent Authority.

Encl: as above.

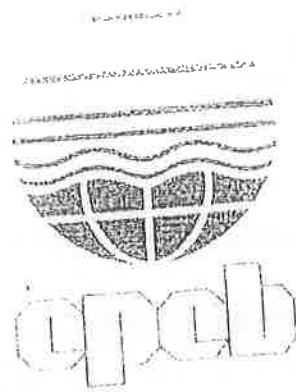
Yours sincerely,



(Dr. Sonu Singh)
Joint Director

October, 2017

COMPLIANCE AND TESTING PROCEDURE FOR
MEASUREMENT OF
'LEAD CONTENTS IN HOUSEHOLD AND DECORATIVE
PAINTS'



CENTRAL POLLUTION CONTROL BOARD
(Ministry of Environment, Forest & Climate Change)
Parivesh Bhawan, East Arjun Nagar
Delhi-110032

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MEASUREMENT OF LEAD CONTENTS IN HOUSEHOLD AND DECORATIVE PAINTS OVERALL REQUIREMENTS

1. Scope:

This document lays down the applicability, requirements and Testing Procedure for notification vide G.S.R. 1030 (E), dated 1st November, 2016 on the Regulation of Lead Contents in Household and Decorative Paints, issued by the Ministry of Environment, Forest and Climate Change, Government of India.

Household and Decorative Paints means paint used as surface coating materials in interior and exterior of buildings, walls, civil structures, any consumer products meant for household purposes and shall include enamel, primer, interior, undercoating and finishing colouring materials as prescribed in the Indian Standards for Household and Decorative Paints by the Bureau of Indian Standards.

2. Prohibition of Use of Lead or Exemption of Lead in Certain Cases

Any manufacture, trade, import and export of Household and Decorative Paints as explained above containing lead or lead compounds (calculated as lead metal) in excess of 90 parts per million (ppm) (0.009 per cent) of the weight of the total non-volatile content of the weight of the dried paints film is hereby prohibited.

3. Self Certification

Household and Decorative Paints manufactured or imported on or from the date these rules come into force i.e. 1.11.2017 shall be labelled "lead content does not exceed 90 ppm" or "lead content does not exceed 90 mg/kg". Such labelling shall be durable and legible and

- i. The label shall contain the name and address of the manufacturer or importer, as the case may be;
- ii. The label shall contain the date of manufacture (month and year) or import into the country, as the case may be;

4. Conformity Assessment of Existing and New Paints

a) Sampling Protocol

- Sampling shall be done at random from factory premises or company authorized warehouses by unit /third party.
- Sample shall be drawn only for the paints as per the list of the household or decorative paints submitted by the manufacturer / importer.

- Three to five samples shall be drawn depending on the quantity of a particular batch. Two samples shall be retained at manufacturer / importer end for dispute resolution in the event of non-conformity and shall be retained for period of 03 months from date of drawing the sample.
- Samples drawn shall be divided in two parts and kept in separate containers. One sample shall be retained at manufacture's premises for resolution in the event of non-conformity.

b) **Sampling Frequency**

Initial one time testing of all paints for conformity assessment shall be done. Thereafter, it shall be done at random annually for few samples.

c) **Protocol for Testing Products having Multiple Bases and Shades**

- For paints with multiple bases / multiple shades the composite sampling protocol shall be followed which shall be valid for complete range of product.
- It will not recommend for testing of tinted paints.
- Colorant samples shall be tested separately for lead. The samples of colorant shall be taken from the sealed container and not from the dispensing machine.

5. **Compliance Monitoring**

The compliance monitoring shall be as per the provision of Rule 9 of the Regulation of Lead Contents in Household and Decorative Paints Rules, 2016 which are as below:

- i. the stipulations relating to contents of lead in the Household and Decorative Paints as specified in rule 3 shall apply to products manufactured or imported on and from the date of coming into force of these rules;
- ii. every manufacturer or importer shall subject its product every year for testing of lead content as specified in rule 3 before bringing out its product in the market, from any one of the authorised agency mentioned in rule 6;
- iii. the testing agencies shall submit the test reports to the nodal agency for verification and action as may be required;
- iv. the nodal agency shall furnish a copy of the test reports to the concerned manufacturer or importer and the Ministry of Environment, Forest and Climate Change.

6. **Dealing with Non-Conformity**

If any sample is found to be non-compliant then matter will be further evaluated by CPCB. CPCB shall again re-test the sample from same batch by third party.

7. **Time Period**

The overall lead time from drawing of sample to submission of report to manufacturer shall not exceed one month.

8. **Nodal Agency for Implementation of Procedure**

- i. The Central Pollution Control Board shall be the nodal agency for implementation of these rules.
- ii. In case of any dispute or difficulty in implementation of these rules, the matter shall be referred to the nodal agency.
- iii. The nodal agency shall constitute a Committee to advise on all matters including the disputed matters, related to the implementation of these rules.

9. **Authorised Agencies for Testing of Paints**

The Central Power Research Institute, Bengaluru and its regional centres at Bhopal, Guwahati, Hyderabad, Kolkata, Nagpur, Nashik and Noida and other laboratories recognized by Ministry of Environment Forest and Climate Change/State Pollution Control Boards/Committees or any other accredited laboratory with National Accreditation Board for Testing and Calibration Laboratories (NABL) shall be authorised to carry out such tests as they deem necessary for determining whether a product contains lead not exceeding 90 parts per million as specified in rule 3.

10. **Measurement Methods**

The measurement of lead content of paint will be carried out by WDXRF (Wavelength Dispersive X-Ray Fluorescence). The detail procedure for analysis of Lead in paint by WDXRF is attached at **Annexure-I**. In case, WDXRF is used for the first time assessment and results are found to be non-compliant then the re-testing of the same sample will be done by AAS/ICP which are as follows:

- a. ASTM E1645- Sample preparation from dried paint film by microwave digestion
- b. ASTM E1613- Determination of lead by ICP /AAS

11. **Transitory Provision**

Household and Decorative Paints manufactured or imported before the date of commencement of these rules shall be permitted for sale for the next two years.

PROCEDURE FOR ANALYSIS OF LEAD IN PAINT BY WAVELENGTH DISPERSIVE X-RAY FLUORESCENCE (WDXRF):

This is a technique where in no extraction of lead from paint sample is required. The technique is based on the fluorescent radiation emitted by the atoms of particular element due to impingement of x-ray. The wave length of emitted fluorescent radiation is an indication of presence of a particular element and the energy intensity of the fluorescent radiation is a measure of concentration.

The instrument is having both facility to measure the lead content either by standard less technique called OMNION method and also by calibrating the instrument using known concentration standard reference materials and use the calibration curve to analyse the lead content in the unknown sample. The standard less technique uses the data stored for the pure lead element in the software of the instrument.

The test by WDXRF does not require any sample preparation. The paint has to be coated on a substrate of size 39 mm dia and 2 or 3 mm thick. The coated sample has to be dried in air and then in oven if required. This sample will be directly analysed in the instrument. In case of solid sample, it shall be either in the form of a 39 mm dia disc or in fine powder form (200 mesh size).

Method:

- The paint sample will be coated on the surface of aluminum disc. Then it will be dried in air and in oven at suitable temperature.
- The dried sample will be kept in the sample holder and placed inside the WDXRF instrument.
- The sample will be analysed for lead content by the instrument – wave length dispersive x-ray fluorescent spectrometer.
- It is not required to dissolve paint in any solvent or extract lead from paint for analysis.
- During analysis, the X-ray is made to fall on the paint layer and the fluorescent radiation generated will be analysed for wavelength and counts.
- This is correlated for the standard counts for lead element and concentration will be calculated.
- The whole operation of detection of wavelength, measurement of wavelength and counts and calculation of concentration (in ppm or %) is done by the instrument software.

(ii) प्रत्येक विनिर्माण या आयातकर्ता/प्रतिष्ठा अथवा उत्पादक का नियम 3 में यथानिर्दिष्ट-रीसो की मात्रा के परीक्षण अपने उत्पाद की बजार में आने से पूर्व नियम 3 में वर्णित किसी एक प्राधिकृत अभियंता से कराया गया;

(iii) परीक्षण करने वाले अभियंता परीक्षण रिपोर्टों को उत्पादक के लिए और पर्यावरण कार्यवाही के लिए नोडल अभियंता को प्रस्तुत करेंगे; और

(iv) नोडल अभियंता परीक्षण रिपोर्टों की प्रति संबंधित विनिर्माण या आयातकर्ता और पर्यावरण, कानून और व्यवस्था, परिवहन तथा अन्य को देगा।

[फा. सं. 7-21/2010-एचएसएमडी]

ब्रिश्वनाथ सिन्हा, मंयुक्त सचिव

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE NOTIFICATION

New Delhi, the 1st November, 2016

C.S.R. 1030(E).—Whereas, the Central Government, in exercise of powers conferred by sub-section (1) of section 3 and clause (d) of sub-section (2) of section 6 of the Environment (Protection) Act, 1986 (29 of 1986), read with rule 13 of the Environment (Protection) Rules, 1986, published the draft rules namely, the Regulation on Lead contents in Household and Decorative Paints Rules, 2016 in the Gazette of India, Extraordinary, vide number G.S.R. 409(E), dated the 8th April, 2016 for inviting objections and suggestions from all persons and organisations likely to be affected thereby before the expiry of a period of sixty days from the date on which copies of the Gazette containing the said notification were made available to the public;

And whereas, the copies of the Gazette containing the said notification were made available to the public on the 24th April, 2016 and were also circulated to concerned stake holders whose addresses for communication were available with the Ministry;

And whereas, the suggestions or objections received in response to the above mentioned draft rules have been considered by the Central Government;

Now, therefore, in exercise of the powers conferred by section 3 and section 6 of the Environment (Protection) Act, 1986 (29 of 1986), read with rule 13 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following rules, namely:-

1. **Short title and commencement.**—(1) These rules may be called the Regulation of Lead Contents in Household and Decorative Paints Rules, 2016.
(2) They shall come into force one year after the date of their publication in the Official Gazette.
2. **Definition.**—in these rule, unless context otherwise requires, "Household and Decorative Paints" means paints used as surface coating materials in interior and exterior of buildings, walls, civil structures, any consumer products meant for household purposes and shall include enamel, primer, interior, undercoating and finishing colouring materials as prescribed in the Indian Standards for Household and Decorative Paints published by the Bureau of Indian Standards.
3. **Prohibition of use of lead or lead compounds in certain cases.**—Any manufacture, trade, import and export of Household and Decorative Paints (hereinafter referred to as product) containing lead or lead compounds (calculated as lead metal) in excess of 90 parts per million (0.009 per cent.) of the weight of the total non-volatile content of the weight of the dried paints film is hereby prohibited.
4. **Self certification.**—Household and Decorative Paints manufactured or imported on or from the date these rules come into force shall be labeled stating that the lead contents does not exceed 90 parts per million, such labelling shall be durable and legible and -

- (i) the label shall contain the name and address of the manufacturer or importer, as the case may be;
- (ii) the label shall contain the date of manufacture or import into the country, as the case may be.
- 5 Nodal agency.—(1) The Central Pollution Control Board shall be the nodal agency for implementation of the provisions of these rules.
- (2) In case of any dispute or difficulty in implementation of these rules, the matter shall be referred to the nodal agency.
- (3) The nodal agency may constitute a Committee to advise it on all matters including the disputed matters, related to the implementation of these rules.
- 6 Authorised agencies for testing of products.—The Central Power Research Institute, Bengaluru and its regional centers at Bhopal, Guwahati, Hyderabad, Kolkata, Nagpur, Nashik and Noida and any other agency notified by the Ministry of Environment, Forest and Climate Change from time to time shall be authorised to carry out such tests as they deem necessary for determining whether a product contains lead not exceeding 90 parts per million as specified in rule 3.
- 7 Compliance and testing procedures.—The compliance and testing procedure shall be prepared and published by the Central Pollution Control Board, with the help of certification agencies within six months from the date of commencement of these rules.
- 8 Transitory provision.—Household and Decorative Paints manufactured or imported before the date of commencement of these rules shall be permitted for sale for the next two years from the date of such commencement.
- 9 General Conditions.—The following conditions shall be applicable, namely;—
- (i) the stipulations relating to contents of lead in the Household and Decorative Paints as specified in rule 3 shall apply to products manufactured or imported on and from the date of coming into force of these rules;
 - (ii) every manufacturer or importer shall subject its product every year for testing of lead content as specified in rule 3 before bringing out its product in the market, from any one of the authorised agency mentioned in rule 6;
 - (iii) the testing agencies shall submit the test reports to the nodal agency for verification and action as may be required,
 - (iv) the nodal agency shall furnish a copy of the test reports to the concerned manufacturer or importer and the Ministry of Environment, Forest and Climate Change.

[F. No. 7-21/2010-HSMD]

BISHWANATH SINHA, Jt. Secy.