POLLUTION CONTROL LAW
SERIES: PCLS/02/2010

POLLUTION CONTROL ACTS, RULES AND NOTIFICATIONS ISSUED THEREUNDER

CENTRAL POLLUTION CONTROL BOARD
(Ministry of Environment & Forests, Government of India)
Parivesh Bhawan, East Arjun Nagar
Delhi 110032
Website: http://www.cpcb.nic.in

प्रो० स. प्र. गौतम
अध्यक्ष
Prof. S. P. Gautam
Chairman

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
(भारत सरकार का संगठन)
पर्यावरण एवं वन मंत्रलय
Central Pollution Control Board
(A Govt. of India Organisation)
Ministry of Environment & Forests
Phone : 22304948 / 22307233

FOREWORD TO SIXTH EDITION

The sixth edition of PCL Series of Central Pollution Control Board on "Pollution Control Acts, Rules and Notifications issued thereunder" is being published following 1989, 1992, 1994, 2001 and 2006 publications. The number of Notifications and amendments in

FOREWORD TO FIFTH EDITION

This is the fifth edition of the Central Board's publication on *"Pollution Control Acts, Rules and Notifications issued thereunder"*. The fourth Edition of this series was published in September, 2001. In the fifth edition of the Pollution Control Law Series, several Notifications, recently amended Rules and Notifications have been incorporated. In Schedule VI of the Environment (Protection) Rules, 1986 the following new standards have been incorporated :

1. Noise Limit for Generator Sets run with Diesel;
2. Emission Limits for new Diesel Engines (upto 800 KW) for Generator Sets (Gensets) Applications;
3. Emission Standards for Diesel Engines (Engine rating more than 0.8 MW (800 KW) for Power Plant, Generator Set) Applications and other Requirements;
4. Boilers Using Agriculture Waste as Fuel; and
5. Guidelines for Pollution Control in Ginning Mills.

The amendments with respect to the Hazardous Waste (Management and Handling) Rules, 1989, the Noise Pollution (Regulation and Control) Rules, 2000 and Recycled Plastics Manufacturer, Sale and Usage Rules, 1999 have been incorporated in the respective Rules. Several other amendment Notifications issued on Environment Impact Assessment (EIA), Coastal Regulation Zone (CRZ), Committees constituted pursuant to the Hon'ble Supreme Court orders, utilization of flyash have also been incorporated.

In this edition, more than 650 pages containing the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Water (Prevention and Control of Pollution) Cess Act, 1977, the Environment (Protection) Act, 1986 and their Rules and Notifications were retyped to ensure better quality of printing. The content pages have also been rearranged so that all the Acts, Rules and Notifications could be seen at a glance.

The fifth edition of *"Pollution Control Acts, Rules and Notifications issued thereunder"* is an example of dedicated work done by my colleague Shri Pradeep Mathur, Assistant Law Officer under the guidance of Dr. B.Sengupta, Member Secretary. The word processing, page setting and typing work has been done by Smt. Sushma Dutta, DEO. Shri P.K.Mahendru, AO (PR) and Smt. Anamika Sagar, Publication Assistant has assisted in printing of this publication.

During compilation of this publication, every effort has been taken to avoid errors and omissions. It is requested that, errors/omissions, if any, may kindly be brought to our notice for necessary corrections.

We hope this fifth edition will serve as a useful ready reckener to all concerned.

(V. Rajagopalan)

Delhi
January, 2006

FOREWORD TO FOURTH EDITION

The present volume of the *Pollution Control Acts, Rules and Notifications issued thereunder,* which is the fourth edition in this series, is an updated compilation of the Central enactments, rules and notifications relating to pollution control. The first edition was brought out in 1989, second in 1992 and the third edition was published in 1994. Since the publication of the third edition, several enactments and notifications have been issued. These include the following :

1. The National Environmental Tribunal Act, 1995 ;
2. The National Environment Appellate Authority Act,1997 ;
3. The Chemical Accidents (Emergency Planning, Preparedness and Response) Rules, 1996 ;
4. The Bio-Medical Waste (Management and Handling) Rules,1998;
5. The Recycled Plastics Manufacture and Usage Rules,1999 ;
6. The Municipal Solid Wastes (Management and Handling) Rules,2000;
7. The Noise Pollution (Regulation and Control) Rules,2000;
8. The Ozone Depleting Substances (Regulation)Rules, 2000 ; and
9. The Batteries (Management and Handling) Rules,2001.

All the above mentioned Acts, Rules and Notifications, in addition to the earlier ones, have been incorporated in the present edition. The recently notified industry specific standards for the industries like, Pesticide, Pharmaceuticals (Bulk Drugs), Soda Ash, emission standards for Brick Kilns, Specification of two Stroke Engine Oil, emission standards for new Generator Sets and Noise Standards for Fire-Crackers, etc., have also been included in this edition. The various amendments brought out to Rules such as The Manufacturing, Storage and Import of Hazardous Chemicals (Amendment) Rules, 2000, The Hazardous Waste (Management and Handling) (Amendment) Rules, 2000, etc. have been incorporated in the existing Rules at appropriate places.

The compilation is an outcome of hard work by the team of my colleagues including Shri R.N.Jindal, Sr. Environmental Engineer, Shri Pradeep Mathur, Asstt.Law Officer and Smt. Alka Srivastava, JRF under the guidance of Shri T.Venugopal, Additional Director. The assistance rendered by Shri P.K.Mahendru, Admn. Officer (PR) in the course of printing this publication deserves a special mention. Word processing has been done by Smt.Sushma Dutta, DEO.

Every effort has been made to avoid errors or omissions in this publication. Inspite of this, errors may creep in. Any error, omission or discrepancy noted, may kindly be brought to our notice for necessary corrections.

We hope this publication will serve as a useful ready reckner to all concerned.

(Dilip Biswas)

Delhi
September, 2001

INTRODUCTION

India is the first country, which has made provisions for the protection and improvement of environment in its Constitution. In the 42nd amendment to the Constitution in 1976, provisions to this effect were incorporated in the Constitution of India with effect from 3rd Jan, 1977. In the Directive Principles of State Policy in Chapter IV of the Constitution, Article 48-A was inserted which enjoins the State to make endeavour for protection and improvement of the environment and for safeguarding the forest and wild life of the country. Another landmark provision in respect of environment was also inserted, by the same amendment, as one of the Fundamental Duties of every citizen of India. This is the provision in Article 51-A (g) of the Constitution. It stipulates that it shall be the duty of every citizen of India

natural environment including forests, lakes, rivers and

2. There were provisions already existing in various enactments to tackle environmental pollution. The Indian Penal Code, The Criminal Procedure Code, The Factories Act, The Indian Forest Act, The Merchant Shipping Act, etc. have provisions for regulation and legal action for some specific environmental issues.

in the post-independence era, these were found either inadequate or being not effectively applicable to check the degradation of our environment. After the Stockholm Conference on Human Environment in June,1972, it was considered appropriate to have uniform laws all over the country for broad environmental problems endangering the health and safety of our people as well as of our flora and fauna. The Water (Prevention and Control of Pollution) Act, 1974, is the first enactment by the Parliament in this direction. This is also the first specific and comprehensive legislation institutionalizing simultaneously the regulatory agencies for controlling water pollution. The Pollution Control Boards at the Centre and in the States came into being in terms of this Act. Another related legislation enacted was the Water (Prevention and Control of Pollution) Cess Act, 1977 in order to conserve this vital natural resource and to augment the finance of these regulatory agencies. Thereafter, The Air (Prevention and Control of Pollution) Act was likewise enacted in the year 1981 and the task of implementation of this legislation was also entrusted to the same regulatory agencies created under the Water (Prevention and Control of Pollution) Act, 1974. As the Water (Prevention and Control of Pollution) Act and the Air (Prevention and Control of Pollution) Act were designed to deal with only water and air pollution problems, it was in the year 1986 that the Parliament enacted a comprehensive or umbrella legislation for environment in its entirety. This is the Environment (Protection) Act, 1986. The responsibility for implementation of provisions of the Environment (Protection) Act has to a large extent been entrusted to the same regulatory agencies created under the Water (Prevention and Control of Pollution) Act, 1974. Other agencies besides the Central and State governments are

also entrusted with the responsibility of implementing specific provisions of this Act and the Rules made thereunder depending on their operational requirements.

3. Over the years, several amendments have also been made in the various existing statutes to meet the requirements of the unfolding environmental issues. The Indian Forests Act, The Forests (Conservation) Act, The Factories Act, The Wild Life Protection Act, The Mines and Mineral (Regulation and Development) Act, The Industrial Development and Regulation Act and the Atomic Energy Act among others, have undergone such amendments. These Acts, being the responsibility of agencies other than Pollution Control Boards for implementation are not of day-to-day concern for the Boards and, therefore, have not been covered in the present volume designed for ready reference by the functionaries of the Boards and others concerned with them. The size of the volume has also been consideration for the choice.

4. In this volume, an effort has been made to compile the Acts and Rules concerning protection and improvement of environment being implemented by the Environment Ministry/Departments as well as the Pollution Control Boards or the Pollution Control Committees at the Central, State and Union Territory levels. The current volume is the sixth edition of such a compilation of Acts and Rules by the Central Pollution Control Board. The first edition was brought out in the year 1989. Since the compilation of first edition, a number of amendments have been made in the Acts and Rules and new legislations have also been enacted, namely, The Public Liability Insurance Act, 1991, The National Environmental Tribunal Act, 1995 and The National Environment Appellate Authority Act, 1997. The Procedure for grant and renewal of licence for environmental management system has also been included, though scheme is to be operated by the Bureau of Indian Standards. In the first edition, the Amendment Acts were printed separately. This created some difficulties in having the updated version of the provisions in one place, as it should be. In the present edition, amendments as on date have been incorporated in the respective principal Acts and Rules. Several Rules which have been framed to give effect to The Water (Prevention and Control of Pollution) Act, The Water (Prevention and Control of Pollution) Cess Act, The Air (Prevention and Control of Pollution) Act and The Environment (Protection) Act, etc. have also been included in this edition.

5. This edition has also incorporated the standards notified with respect to important pollutants as well as the rules governing hazardous wastes, hazardous chemicals, etc. notified under the Environment (Protection) Act, 1986, and the procedure for Environmental Statement, etc. to facilitate ready reference by the implementing agencies concerned. While this may not yet be com3(s)4(0)-2(i)7edreeies

S.No.	CONTENTS	Page No.
	PART – II	
1.	The Water (Prevention and Control of Pollution) Cess Act, 1977, as amended to date.	135
2.	The Water (Prevention and Control of Pollution) Cess Rules, 1978, as amended to date	147
	NOTIFICATIONS – *UNDER THE WATER (PREVENTION AND CONTROL OF POLLUTION) CESS ACT, 1977*	
i	The date on which the Act came into force	161
ii	Entrust the Functions of the Central Government to the State Governments	161
iii	Rate of Cess on the Basis of the Water Consumption	162
	PART – III	
1.	The Air (Prevention and Control of Pollution) Act, 1981, as amended to date	173
2.	The Air (Prevention and Control of Pollution) Rules, 1982 as amended to date	209
3.	The Air (Prevention and Control of Pollution) (Union Territories) Rules, 1983	231
	NOTIFICATIONS - *UNDER THE AIR (PREVENTION AND CONTROL OF POLLUTION) ACT, 1981*	
i	National Ambient Air Quality Standards	259

S.No.	CONTENTS	Page No.
ii	The date from which the Air (Prevention and Control of Pollution) Amendment Act, 1987 came into force in the Whole of India	261
iii	The date from which the Act came into force	261
iv	Declaration of Air Pollution Control Areas in various Union Territories	262
v	Appellate Authority under the Air (Prevention and Control of Pollution) Act, 1981	264
	PART – IV	
1.	The Environment (Protection) Act, 1986	267
	NOTIFICATIONS *– UNDER THE ENVIRONMENT (PROTECTION) ACT, 1986*	
i	Powers to Grant Recognition as Environmental Laboratories and Government Analysts	283
ii	Environmental Laboratories and Government Analysts	284
iii	Officers Authorised for taking Cognizance of Offences	309
iv	Officers/Agencies Empowered for Entry and Inspection	311
v	Officers/Agencies Authorized to take Samples	315
vi	Delegation of Powers to the State Governments under Section 5 of the Environment (Protection) Act, 1986	319
vii	Delegation of Powers to the Chairman, Central Pollution Control Board under Section 5 of the Environment (Protection) Act, 1986	323

S.No.	CONTENTS	Page No.
viii	Dahanu Taluka Environment Protection Authority	324
ix	Central Ground Water Board Authority	326
x	Aqua Culture Authority	327
xi	The 2-T Oil (Regulation of Supply and Distribution) Order, 1998	330
xii	Water Quality Assessment Authority	332
xiii	Environment Pollution (Prevention and Control) Authority for the National Capital Region	335
xiv	Taj Trapezium Zone Pollution (Prevention and Control) Authority	339
xv	Loss of Ecology (Prevention and Payments of Compensation) Authority for the State of Tamil Nadu	343
xvi	National Ganga River Basin Authority	346
xvii	Delegation of powers to the Chairman, Central Pollution Control Board under Section 20 of the Environment (Protection) Act, 1986	371
xviii	Delegation of Powers under Section 5 of the Environment (Protection) Act, 1986 to the Chairman, Central Pollution Control Board for taking action for the Violation of the Standards and Rules relating to the Hazardous Waste	371
xix	Delegation of Powers to the State Pollution Control Boards and Pollution Control Committees of UTs [S.O.23(E), dated 8.7.1997 and S.O.327(E), dated 10.4.2001]	372
xx	Utilisation of flyash from Coal or lignite based Thermal Power Plants	376
2.	The Environment (Protection)Rules, 1986, as amended to date	389

S.No.	CONTENTS	Page No.
I	**Schedule-I: Standards for Emission or Discharge of Environmental Pollutants from various Industries**	402
1.	*Caustic Soda Industry*	402
2.	*Man-Made Fibres (Synthetic)*	402
3.	*Petroleum Oil Refinery*	402
4.	*Sugar Industry*	411
5.	*Thermal Power Plants*	411
6.	*Cotton Textile Industries (Composite and Processing)*	412
7.	*Composite Woolen Mills*	413
8.	*Dye and Dye Intermediate Industry*	413
9.	*Electroplating Industries*	414
10.	*Cement Plants*	415
11.	*Stone Crushing Unit*	416
12.	*Coke Ovens*	416
13.	*Synthetic Rubber*	416
14.	*Small Pulp and Paper Industry*	417
15.	*Fermentation Industry (Distilleries, Maltries and Breweries)*	417
16.	*Leather Tanneries*	418
17.	*Fertilizer Industry*	419
18.	*Aluminium (Omitted)*	423
19.	*Calcium Carbide*	423
20.	*Carbon Black*	423
21.	*Copper, Lead and Zinc Smelting*	423
22.	*Nitric Acid (Emission Oxides of Nitrogen)*	423
23.	*Sulphuric Acid Plant*	423
24.	*Iron & Steel (Integrated)*	424

S.No.	CONTENTS	Page No.
25.	*Thermal Power Plants*	425
26.	*Natural Rubber Industry*	425
27.	*Asbestos Manufacturing Units (Including all Processes Involving the use of Asbestos)*	426
28.	*Calor Alkali (Caustic Soda)*	426
29.	*Large Pulp and Paper*	426
30.	*Integrated Iron and Steel Plants*	426
31.	*Re-Heating (Reverberatory) Furnaces*	427
32.	*Foundries*	427
33.	*Thermal Power Plants*	428
34.	*Small Boilers*	429
35.	*Coffee Industry*	429
36.	*Aluminium Plants*	430
37.	*Stone Crushing Unit*	431
38.	*Petrochemicals (Basic & Intermediates)*	432
39.	*Hotel Industry*	433
40.	*Pesticide Manufacturing and Formulation Industry*	434
41.	*Tannery (After Primary Treatment)*	437
42.	*Paint Industry Waste Water Discharge*	437
43.	*Inorganic Chemical Industry (Waste Water Discharge)*	438
44.	*Bullion Refining (Waste Water Discharge)*	439
45.	*Dye & Dye Intermediate Industry (Waste Water Discharge)*	439
46.	*Noise Limits for Automobiles (Free Field) at One Meter in dB(A) at the Manufacturing Stage to be achieved by the Year 1992.*	440
47.	*Domestic appliances and Construction Equipments at the manufacturing stage to be achieved by the year, 1993*	440

S.No.	CONTENTS	Page No.
48.	*Glass Industry*	441
49.	*Lime Kiln*	442
50.	*Slaughter House, Meat & Sea Food Industry*	442
51.	*Food and Fruit Processing Industry*	443
52.	*Jute Processing Industry*	444
53.	*Large Pulp & Paper News Print/Rayon Grade Plants of [Capacity above 24000 MT Per Annum]*	445
54.	*Small Pulp and Paper (Paper Plant of Capacity upto 24000 MT/Annum*	445
55.	*Common Effluent Treatment Plants*	446
56.	*Dairy*	449
57.	*Tanneries*	449
58.	*Natural Rubber Processing Industry*	450
59.	*Bagasse-Fired Boilers*	450
60.	*Man-made Fibre Industry (Semi-Synthetic)*	451
61.	*Ceramic Industry*	451
62.	*Viscose Filament Yarn*	453
63.	*Starch Industry*	453
64.	*Beehive Hard Coke Oven*	454
65.	*Briquette Industry (Coal)*	455
66.	*Soft Coke Industry*	455
67.	*Edible Oil & Vanaspati Industry*	456
68.	*Organic Chemicals Manufacturing Industry*	457
69.	*Flour Mills*	458
70.	*Boilers (Small)*	459
71.	*Pesticides Industry*	460
72.	*Oil Drilling and Gas Extraction Industry*	463

S.No.	CONTENTS	Page No.
73.	*Pharmaceutical (Manufacturing and Formulation) Industry*	469
74.	*Brick Kilns*	472
75.	*Soda Ash Industry (Solvay Process)*	474
76.	*Emission Standard for SO_2 From Cupola Furnace*	475
77.	*Specifications of Motor Gasoline for Emission Related Parameters*	475
78.	*Specification of Diesel Fuel for Emission related Parameters*	476
79.	*Coke Oven Plants*	477
80.	*Specifications of Two-Stroke Engine Oil*	479
81.	*Battery Manufacturing Industry*	479
82.	*Environmental Standards for Gas/Naptha-Based Thermal Power Plants*	481
83.	*Standards/Guidelines for Control of Noise Pollution From Stationary Diesel Generator (DG) Sets (Omitted)*	482
84.	*Temperature Limit for Discharge of Condenser Cooling Water from Thermal Power Plant*	482
85.	*Environmental Standards for Coal Washeries*	482
86.	*Water Quality Standards for Coastal Waters Marine Outfalls*	484
87.	*Emission Regulations for Rayon Industry*	490
88.	*Emission Standards for New Generator Sets (upto 19 KW) run on Petrol and Kerosene with implementation Schedule*	491
89.	*Noise Standards for Fire Crackers*	492
90.	*Standards for Coal Mines*	494
91.	*Noise Limit for Generator Sets run with Petrol or Kerosene*	498
92.	*Standards for Effluents from Textile Industry*	500
93.	*Primary Water Quality Criteria for Bathing Water*	500
94.	*Noise Limit for Generator Sets run with Diesel*	501
95.	*Emission Limits for New Diesel Engines (upto 800 KW) for Generator Sets (Gensets) Applications*	507

S.No.	CONTENTS	Page No.
96.	*Emission Standards for Diesel Engines (Engine Rating more than 0.8 MW (800 KW) for Power Plant, Generator Set applications and other Requirements*	511
97.	*Boilers using Agricultural Waste as Fuel*	514
98.	*Guidelines for Pollution Control in Ginning Mills*	514
99.	*Sponge Iron Plant (Rotary Kiln)*	515
100.	*Common Hazardous Waste Incinerator*	517
101.	*Incinerator for Pesticide Industry*	519
102.	*Refractory Industry*	520
103.	*Cashew Seed Processing Industry*	523
104.	*Plaster of Paris Industry*	525
II.	**Schedule-VI: General Standards for discharge of Environmental Pollutants**	545
III.	**Schedule-VII: National Ambient Air Quality Standards**	561
	NOTIFICATIONS **-** *UNDER THE ENVIRONMENT (PROTECTION) RULES, 1986*	
i	Prohibition on the location of all industries in Murud-Janjira Area in Raigarh District of Maharashtra	565
ii	Restrictions on location of industries, mining operations and other development activities in Doon Valley in Uttar Pradesh	566
iii	Prohibition and restriction on the handling of Hazardous Substance in different cases	574
iv	Prohibition on the handling of Azodyes	575
v	Prohibition of storage of Chemicals in Antop Hill in Bombay	579

S.No.	CONTENTS	Page No.
vi	Restrictions on the setting up of industries in Dahanu Taluka, District Thane, Maharashtra	584
vii	Restricting certain activities in Specified area of Aravalli Range	592
viii	Notification regarding No Development Zone around refinery site at Numaligarh, East of Kaziranga	600
ix	Prohibition of the import of Hazardous Wastes [S.O.330(E). dated 15.4.1997]	602
x	Prohibition of the Import of Hazardous Wastes [S.O.889(E), dated 13.10.1998]	603
xi	Prohibition of the open burning of waste oil	604
xii	Matheran Eco-sensitive Zone	605
xiii	Sultanpur National Park, Haryana as Eco-sensitive Zone	623
xiv	Mount Abu Eco-sensitive Zone	630
xv	Mahableshwar Panchgani Eco-sensitive Zone	641
3.	Coastal Regulation Zone (CRZ), as amended to date	
	(a) Declaring coastal stretches as Coastal Regulation Zone (CRZ) and Regulating activities in the CRZ; (b) National and State Coastal Zone Management Authorities	649 667
4.	Environment Impact Assessment Notification, 2006, as amended to date	
	(a) Environment Impact Assessment Notification, 2006	713
	(b) State Level Environment Impact Assessment Authorities	760

S.No.	CONTENTS	Page No.
5.	The Manufacture, Use, Import, Export and Storage of Hazardous Micro-Organisms Genetically Engineered Organisms or Cells Rules, 1989	785
6.	The Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008, as amended to date	817
7.	The Manufacture, Storage and Import of Hazardous Chemical Rules, 1989, as amended to date, as amended to date	897
8.	Scheme on Labelling of Environment Friendly Products (ECO-MARK)	957
9.	The Chemical Accidents (Emergency Planning, Preparedness and Response) Rules, 1996	969
10.	The Bureau of Indian Standards (Certification) (Amendment) Regulations, 1997	1013
11.	The Bio Medical Waste (Management and Handling) Rules, 1998, as amended to date	1035
12.	The Plastics Manufacture, Sale and Usage Rules, 1999, as amended to date	1065
13.	The Municipal Solid Wastes (Management and Handling) Rules, 2000	1075
14.	The Noise Pollution (Regulation and Control) Rules, 2000, as amended to date	1109
15.	The Ozone Depleting Substances (Regulation and Control) Rules, 2000	1121
16.	The Batteries (Management and Handling) Rules, 2001	1197
17.	The Central Motor Vehicles Rules, 1999 notified under the Motor Vehicles Act, 1988 (59 of 1988), as amended to date	1219

S.No.	CONTENTS	Page No.
	PART – V	
1.	The Public Liability Insurance Act, 1991, as amended to date	1249
	NOTIFICATIONS – *UNDER THE PUBLIC LIABILITY INSURANCE ACT, 1991*	
i	The date from which the Act came into force	1265
ii	Central Government authorizes the officers and authorities with the jurisdiction for taking cognizance of offences	1265
iii	Delegation of powers to the respective State Governments	1267
iv	Delegation of powers and directions to the State Governments	1267
v	List of chemicals with quantities for application of Public Liability Insurance Act, 1991	1268
vi	Environment Relief Fund Scheme, 2008	1277
2.	The Public Liability Insurance Rules, 1991, as amended to date	1289
	PART- VI	
1.	The National Environment Tribunal Act, 1995	1301
2.	The National Environment Appellate Authority Act, 1997	1321
3.	The National Environment Appellate Authority (Appeal) Rules, 1997	1335

THE WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974

(Act No. 6 OF 1974)

(As amended to date)

THE WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974

ARRANGEMENT OF SECTIONS

CHAPTER I
PRELIMINARY

SECTIONS

1. Short title, application and commencement

2. Definitions

CHAPTER II

THE CENTRAL AND STATE BOARDS FOR PREVENTION AND CONTROL OF WATER POLLUTION

3. Constitution of Central Board

4. Constitution of State Boards

5. Terms and conditions of service of members

6. Disqualifications

7. Vacation of seats by members

8. Meetings of Board

9. Constitution of Committees

10. Temporary association of persons with Board for particular purposes

11. Vacancy in Board not to invalidate acts or proceedings

11A. Delegation of powers to Chairman

12. Member-Secretary and officers and other employees of Board

CHAPTER III
JOINT BOARDS

13. Constitution of Joint Board

14. Composition of Joint Boards

15. Special provision relating to giving of directions

CHAPTER IV
POWERS AND FUNCTIONS OF BOARDS

16. Functions of Central Board

SECTIONS

17. Functions of State Board

18. Powers to give directions

CHAPTER V
PREVENTION AND CONTROL OF WATER POLLUTION

19. Power of State Government to restrict the application of the Act to certain areas

20. Power to obtain information

21. Power to take samples of effluents and procedure to be followed in connection therewith

22. Reports of the result of analysis on samples taken under Section 21

23. Power of entry and inspection

24. Prohibition on use of stream or well for disposal of polluting matter, etc.

25. Restrictions on new outlets and new discharges

26. Provision regarding existing discharge of sewage or trade effluent

27. Refusal or withdrawal of consent by State Board

28. Appeals

29. Revision

30. Power of State Board to carry out certain works

31. Furnishing of information to State Board and other agencies in certain cases

32. Emergency measures in case of pollution of stream or well

33. Power of Board to make application to Courts for restraining apprehended pollution of water in streams or wells

33A. Power to give directions

CHAPTER VI
FUNDS, ACCOUNTS AND AUDIT

34. Contribution by Central Government

35. Contribution by State Government

36. Fund of Central Board

37. Fund of State Board

SECTIONS

37A. Borrowing powers of Board

38. Budget

39. Annual Report

40. Accounts and Audit.

CHAPTER VII
PENALTIES AND PROCEDURE

41. Failure to comply with directions under sub-section (2) or sub-section (3) of section 20, or orders issued under clause (c) of sub-section (1) of section 32 or directions issued under sub-section (2) of section 33 or section 33A

42. Penalty for certain acts

43. Penalty for contravention of provisions of section 24

44. Penalty for contravention of Section 25 or section 26

45. Enhanced penalty after previous conviction

45A. Penalty for contravention of certain provisions of the Act

46. Publication of names of offenders

47. Offences by companies

48. Offences by Government Departments

49. Cognizance of offences

50. Members, officers and servants of Board to be public servants

CHAPTER VIII
MISCELLANEOUS

51. Central Water Laboratory

52. State Water Laboratory

53. Analysts

54. Reports of analysts

55. Local authorities to assist

56. Compulsory acquisition of land for the State Board

57. Returns and reports

SECTIONS

58. Bar of Jurisdiction

59. Protection of action taken in good faith

60. Overriding effect

61. Power of Central Government to supersede the Central Board and Joint Boards

62. Power of State Government to supersede State Board

63. Power of Central Government to make rules

64. Power of State Government to make rules

****

LIST OF ABBREVIATIONS USED

Cl.	*for* clause
Ins.	Inserted
P.	
S.	
Sec.	Section
Ss.	
Subs.	Substituted
w.e.f.	With effect from

THE WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974

[NO. 6 OF 1974]

[23rd March, 1974.]

An Act to provide for the prevention and control of water pollution and the maintaining or restoring of wholesomeness of water, for the establishment, with a view to carrying out the purposes aforesaid, of Boards for the prevention and control of water pollution, for conferring on and assigning to such Boards powers and functions relating thereto and for matters connected therewith.

WHEREAS it is expedient to provide for the prevention and control of water pollution and the maintaining or restoring of wholesomeness of water, for the establishment, with a view to carrying out the purposes aforesaid, of Boards for the prevention and control of water pollution and for conferring on and assigning to such Boards powers and functions relating thereto;

AND WHEREAS Parliament has no power to make laws for the States with respect to any of the matters aforesaid except as provided in articles 249 and 250 of the Constitution;

AND WHEREAS in pursuance of clause (1) of article 252 of the Constitution resolutions have been passed by all the Houses of the Legislatures of the States of Assam, Bihar, Gujarat, Haryana, Himachal Pradesh, Jammu and Kashmir, Karnataka, Kerala, Madhya Pradesh, Rajasthan, Tripura and West Bengal to the effect that the matters aforesaid should be regulated in those States by Parliament by law;

BE it enacted by Parliament in the Twenty-fifth year of Republic of India as follows:-

CHAPTER I

PRELIMINARY

1. SHORT TITLE, APPLICATION AND COMMENCEMENT.

(1) This Act may be called the Water (Prevention and Control of Pollution) Act, 1974.

(2) It applies in the first instance to the whole of the States of Assam, Bihar, Gujarat, Haryana, Himachal Pradesh, Jammu and Kashmir, Karnataka, Kerala, Madhya Pradesh, Rajasthan, Tripura and West Bengal and the Union Territories; and it shall apply to such other State which adopts this Act by resolution passed in that behalf under clause (1) of article 252 of the Constitution.

(3) It shall come into force, at once in the States of Assam, Bihar, Gujarat, Haryana, Himachal Pradesh, Jammu and Kashmir, Karnataka, Kerala, Madhya Pradesh, Rajasthan, Tripura and West Bengal and in the Union territories, and in any other State which adopts this Act under clause (1) of article 252 of the Constitution on the date of such adoption and any reference in this Act to the commencement of this Act shall, in relation to any State or Union territory, mean the date on which this Act comes into force in such State or Union territory.

2. DEFINITIONS.

In this Act, unless the context otherwise requires,-

(a) "Board" means the Central Board or a State Board;

[1][(b) "Central Board" means the Central Pollution Control Board Constituted under section 3;]

(c) "member" means a member of a Board and includes the chairman thereof;

[2][(d) "occupier", in relation to any factory or premises, means the person who has control over the affairs of the factory or the premises, and includes, in relation to any substance, the person in possession of the substance;]

[3][(dd) "outlet" includes any conduit pipe or channel, open or closed carrying sewage or trade effluent or any other holding arrangement which causes or is likely to cause, pollution;]

(e) "pollution" means such contamination of water or such alteration of the physical, chemical or biological properties of water or such discharge of any sewage or trade effluent or of any other liquid, gaseous or solid substance into water (whether directly or indirectly) as may, or is likely to, create a nuisance or render such water harmful or injurious to public health or safety, or to domestic, commercial, industrial, agricultural or other legitimate uses, or to the life and health of animals or plants or of aquatic organisms;

(f) "prescribed" means prescribed by rules made under this Act by the Central Government or, as the case may be, the State Government;

(g) "sewage effluent" means affluent from any sewerage system or sewage disposal works and includes sullage from open drains;

---

1 Subs. by Act 53 of 1988, s. 2 for cls. (b), (d) and (h).

2 Ins. by Act 44 of 1978, s. 2.

3 Subs by Act 53 of 1988, s. 2, for "trade or industry".

[1][(gg) "sewer" means any conduit pipe or channel, open or closed, carrying sewage or trade effluent;]

[2][(h) "State Board" means a State Pollution Control Board constituted under section 4];

(i) "State Government" in relation to a Union territory means the Administrator thereof appointed under article 239 of the Constitution;

(j)"stream" includes-

(i) river;

(ii) water course (whether flowing or for the time being dry);

(iii) inland water (whether natural or artificial);

(iv) sub-terranean waters;

(v) sea or tidal waters to such extent or, as the case may be, to such point as the State Government may, by notification in the Official Gazette, specify in this behalf;

(k) "trade effluent" includes any liquid, gaseous or solid substance which is discharged from any premises used for carrying on any [3][Industry, operation or process, or treatment and disposal system], other than domestic sewage.

CHAPTER II

THE CENTRAL AND STATE BOARDS FOR PREVENTION AND CONTROL OF WATER POLLUTION

3. CONSTITUTION OF CENTRAL BOARD.

(1) The Central Government shall, with effect from such date (being a date not later than six months of the commencement of this Act in the States of Assam, Bihar, Gujarat, Haryana, Himachal Pradesh, Jammu and Kashmir, Karnataka, Kerala, Madhya Pradesh, Rajasthan, Tripura and West Bengal and in the Union territories) as it may, by notification in the Official Gazette, appoint, constitute a Central Board to be called the [4][Central Pollution Control Board] to exercise the powers conferred on and perform the functions assigned to that Board under this Act.

---

1 Ins. by Act 44 of 1978 s. 2.

2 Subs. by Act 53 of 1988, s. 2 for cls. (b), (d) and (h).

3 Subs. by Act 53 of 1988, s. 2 or "trade or industry".

4 Subs. by Act 53 of 1988, s. 3 for certain words.

(2) The Central Board shall consist of the following members, namely:-

(a) a full-time chairman, being a person having special knowledge or practical experience in respect of [1][matters relating to environmental protection] or a person having knowledge and experience in administering institutions dealing with the matters aforesaid, to be nominated by the Central Government;

(b) [2][such number of officials, not exceeding five] to be nominated by the Central Government to represent that Government;

(c) such number of persons, not exceeding five to be nominated by the Central Government, from amongst the members of the State Boards, of whom not exceeding two shall be from those referred to in clause (c) of sub-section (2) of section 4;

(d) [3][such number of non-officials, not exceeding three,] to be nominated by the Central Government, to represent the interests of agriculture, fishery or industry or trade or any other interest which, in the opinion of the Central Government, ought to be represented;

(e) two persons to represent the companies or corporations owned, controlled or managed by the Central Government, to be nominated by that Government;

[4][(f) a full-time member-secretary, possessing qualifications, knowledge and experience of scientific, engineering or management aspects of pollution control, to be appointed by the Central Government.]

(3) The Central Board shall be a body corporate with the name aforesaid having perpetual succession and a common seal with power, subject to the provisions of this Act, to acquire, hold and dispose of property and to contract, and may, by the aforesaid name, sue or be sued.

4. CONSTITUTION OF STATE BOARDS.

(1) The State Government shall, with effect from such date [5]*** as it may, by notification in the Official Gazette, appoint, constitute a [6][State Pollution Control Board], Board], under such name as may be specified in the notification, to exercise the powers conferred on and perform the functions assigned to that Board under this Act.

---

1 Subs by Act 44 of 1978, s. 3 for Certain words.

2 Subs. by s. 3, ibid., for "five officials".

3 Subs by s. 3, ibid., for "three non-officials".

4 Subs. by Act 53 of 1988, s. 3, for cl. (f).

5 Certain words omitted by Act 44 of 1978, s. 4

6 Subs. by Act 53 of 1988, s. 4, for "State Board".

(2) A State Board shall consist of the following members, namely:-

(a) a [1]

controlled or managed by the Central Government or the State Government and such vacation of seat shall, in either case, take effect from such date as the Central Government or, as the case may be, the State Government may, by notification in the Official Gazette, specify.]

(6) A casual vacancy in a Board shall be filled by a fresh nomination and the person nominated to fill the vacancy shall hold office only for the remainder of the term for which the member in a whose place he was nominated.

(7) A member of a Board [1][shall be eligible for renomination].

(8) The other terms and conditions of service of a member of a Board, other than the chairman and member-secretary, shall be such as may be prescribed.

(9) The other terms and conditions of service of the chairman shall be such as may be prescribed.

6. DISQUALIFICATIONS.

(1) No person shall be a member of a Board, who-

(a) is, or at any time has been adjudged insolvent or has suspended payment of his debts or has compounded with his creditors, or

(b) is of unsound mind and stands so declared by a competent court, or

(c) is, or has been, convicted of an offence which, in the opinion of the Central Government or, as the case may be, of the State Government, involves moral turpitude, or

(d) is, or at any time has been, convicted of an offence under this Act, or

(e) has directly or indirectly by himself or by any partner, any share or interest in any firm or company carrying on the business of manufacture, sale or hire of machinery, plant, equipment, apparatus or fittings for the treatment of sewage or trade effluents, or

(f) is a director or a secretary, manager or other salaried officer or employee of any company or firm having any contract with the Board, or with the Government constituting the Board, or with a local authority in the State, or with a company or corporation owned, controlled or managed by the Government, for the carrying out of sewerage schemes or for the installation of plants for the treatment of sewage or trade effluents, or

---

[1] Subs by Act 53 of 1988, s. 5, for "shall not be eligible for renomination for more than two terms".

(g) has so abused, in the opinion of the Central Government or as the case may be, of the State Government, his position as a member, as to render his continuance on the Board detrimental to the interest of the general public.

(2) No order of removal shall be made by the Central Government or the State Government, as the case may be, under this section unless the member concerned has been given a reasonable opportunity of showing cause against the same.

(3) Notwithstanding anything contained in sub-section (1) and (7) of section 5, a member who has been removed under this section shall not be eligible for renomination as a member.

7. VACATION OF SEAT BY MEMBERS.

If a member of a Board becomes subject to any of the disqualifications specified in section 6, his seat shall become vacant.

8. MEETINGS OF BOARDS.

A Board shall meet at least once in every three months and shall observe such rules of procedure in regard to the transaction of business at its meetings as may be prescribed:

Provided that if, in the opinion of the chairman, any business of an urgent nature is to be transacted, he may convene a meeting of the Board at such time as he thinks fit for the aforesaid purpose.

9. CONSTITUTION OF COMMITTEES.

(1) A Board may constitute as many committees consisting wholly of members or wholly of other persons or partly of members and partly of other persons, and for such purpose or purposes as it may think fit.

(2) A committee constituted under this section shall meet at such time and at such place, and shall observe such rules of procedure in regard to the transaction of business at its meetings, as may be prescribed.

(3) The members of a committee (other than the members of Board) shall be paid such fees and allowances, for attending its meetings and for attending to any other work of the Board as may be prescribed.

10. TEMPORARY ASSOCIATION OF PERSONS WITH BOARD FOR PARTICULAR PURPOSES.

(1) A Board may associate with itself in such manner, and for such purposes, as may be prescribed any person whose assistance or advice it may desire to obtain in performing any of its functions under this Act.

(2) A person associated with the Board under sub-section (1) for any purpose shall have a right to take part in the discussions of the Board relevant to that purpose, but shall not have a right to vote at a meeting of the Board, and shall not be a member for any other purpose.

[1][(3) A person associated with the Board under sub-section (1) for any purpose shall be paid such fees and allowances, for attending its meetings and for attending to any other work of the Board, as may be prescribed.]

11. VACANCY IN BOARD NOT TO INVALIDATE ACTS OR PROCEEDINGS.

No act or proceeding of a Board or any committee thereof shall be called in question on the ground merely of the existence of any vacancy in, or any defect in the constitution of, the Board or such committee, as the case may be.

[2]**[11A.DELEGATION OF POWERS TO CHAIRMAN.**

The chairman of a Board shall exercise such powers and perform such duties as may be prescribed or as may, from time to time, be delegated to him by the Board.]

12. MEMBER-SECRETARY AND OFFICERS AND OTHER EMPLOYEES OF BOARD.

(1) Terms and conditions of service of the member-secretary shall be such as may be prescribed.

(2) The member-secretary shall exercise such powers and perform such duties as may be prescribed or as may, from time to time, be delegated to him by the Board or its chairman.

(3) Subject to such rules as may be made by the Central Government or, as the case may be, the State Government in this behalf, a Board may appoint such officers and employees as it considers necessary for the efficient performance of its functions.

[3][* * *

---

1 Ins. by Act 44 of 1978. s. 6.

2 Ins. by Act 44 of 1978, s. 7.

3 Certain words omitted by s. 8, ibid

[1][(3A) The method of recruitment and the terms and conditions of service (including the scales of pay) of the officers (other than the member-secretary) and other employees of the Central Board or a State Board shall be such as may be determined by regulations made by the Central Board or, as the case may be, by the State Board:

Provided that no regulation made under this sub-section shall take effect unless, –

(a) in the case of a regulation made by the Central Board, it is approved by the Central Government; and

(b) in the case of a regulation made by a State Board, it is approved by the State Government.]

[2][(3B) The Board may, by general or special order, and subject to such conditions and limitations, if any, as may be specified in the order, delegate to any officer of the Board such of its powers and functions under this Act as it may deem necessary.]

(4) Subject to such conditions as may be prescribed, a Board may from time to time appoint any qualified person to be a consulting engineer to the Board and pay him such salaries and allowances and subject him to such other terms and conditions of service as it thinks fit.

CHAPTER III

JOINT BOARDS

13. CONSTITUTION OF JOINT BOARD.

(1) Notwithstanding anything contained in this Act, an agreement may be entered into-

(a) by two or more Governments of contiguous States, or

(b) by the Central Government (in respect of one or more Union territories) and one or more Government of State Government contiguous to such Union territory or Union territories, to be in force for such period and to be subject to renewal for such further period if any, as may be specified in the agreement to provide for the constitution of a Joint Board, –

(i) in a case referred to in clause (a), for all the participating States, and

(ii) in a case referred to in clause (b), for the participating Union territory or Union territories and the State or States.

---

1 Ins. by Act 44 of 1978, s. 8.

2 Ins. by Act 53 of 1988; s. 6.

(2) An agreement under this section may --

(a) provide, in a case referred to in clause (a) of sub-section (1), for the apportionment between the participating States and in a case referred to in clause (b) of that sub-section, for the apportionments between the Central Government and the participating State Government or State Governments, of the expenditure in connection with the Joint Board;

(b) determine, in a case referred to in clause (a) of sub-section (1), which of the participating State Governments and in a case referred to in clause (b) of that sub-section, whether the Central Government or the participating State Government (if there are more than one participating State, also which of the participating State Governments) shall exercise and perform the several powers and functions of the State Government under this Act and the references in this Act to the State Government shall be construed accordingly;

(c) provide for consultation, in a case referred to in clause (a) of sub-section (1), between the participating State Governments and in a case referred to in clause (b) of that sub-section, between the Central Government and the participating State Government or State Governments either generally or with reference to particular matters arising under this Act;-

(d) make such incidental and ancillary provisions, not inconsistent with this Act, as may be deemed necessary or expedient for giving effect to the agreement.

(3) An agreement under this section shall be published, in a case referred to in clause (a) of sub-section (1), in the Official Gazette of the participating States and in a case referred to in clause (b) of that sub-section, in the Official Gazette of participating Union territory or Union territories and participating State or States.

14. COMPOSITION OF JOINT BOARDS.

(1) A Joint Board constituted in pursuance of an agreement entered into under clause (a) of sub-section (1) of section 13 shall consist of the following members, namely:-

(a) a full-time chairman, being a person having special knowledge or practical experience in respect of [1][matters relating to environmental protection] or a person having knowledge and experience in administering institutions dealing with the matters aforesaid, to be nominated by the Central Government;

---

[1] Subs. by Act 44 of 1978, s. 9, for certain words.

(b) two officials from each of the participating States to be nominated by the concerned participating State Government to represent that Government;

(c) one person to be nominated by each of the participating State Governments from amongst the members of the local authorities functioning within the State concerned;

(d) one non-official to be nominated by each of the participating State Governments to represent the interests of agriculture, fishery or industry or trade in the State concerned or any other interest which, in the opinion of the participating State Government, is to be represented;

(e) two persons to be nominated by the Central Government to represent the companies or corporations owned, controlled or managed by the participating State Government;

[1][(f) a full-time member-secretary, possessing qualifications, knowledge and experience of scientific, engineering or management aspects of pollution control, to be appointed by the Central Government.]

(2) A Joint Board constituted in pursuance of an agreement entered into under clause (b) of sub-section (1) of section 13 shall consist of the following members, namely:-

(a) a full-time chairman, being a person having special knowledge or practical experience in respect of [2][matters relating to environmental protection] or a person having knowledge and experience in administering institutions dealing with the matters aforesaid, to be nominated by the Central Government;

(b) two officials to be nominated by the Central Government from the participating Union territory or each of the participating union territories, as the case may be, and two officials to be nominated, from the participating State or each of the participating States, as the case may be by the concerned participating State Government;

(c) one person to be nominated by the Central Government from amongst the members of the local authorities functioning within the participating Union territory or each of the participating Union territories, as the case may be and one person to be nominated, from amongst the members of the local authorities functioning within the participating State or each of the participating States, as the case may be, by the concerned participating State Government;

---

1 Subs. by Act 53 of 1988, s. 7 for cl. (f).

2 Subs. by Act 44 of 1978, s. 9, for certain words.

(d) one non-official to be nominated by the Central Government and one person to be nominated by the participating State Government or State Governments to represent the interests of agriculture, fishery or industry or trade in the Union territory or in each of the Union territories or the State or in each of the States, as the case may be, or any other interest which in the opinion of the Central Government or, as the case may be, of the State Government is to be represented.

(e) two persons to be nominated by the Central Government to represent the companies or corporations owned, controlled or managed by the Central Government and situate in the participating Union territory or territories and two persons to be nominated by Central Government to represent the companies or corporations owned, controlled or managed by the participating State Governments;

[1][(f) a full-time member-secretary, possessing qualifications, knowledge and experience of scientific, engineering or management aspects of pollution control, to be appointed by the Central Government.]

(3) When a Joint Board is constituted in pursuance of an agreement under clause (b) of sub-section (1) of section 13, the provisions of sub-section (4) of section 4 shall cease to apply in relation to the Union territory for which the Joint Board is constituted.

(4) Subject to the provisions of sub-section (3), the provisions of sub-section (3) of section 4 and sections 5 to 12 (inclusive) shall apply in relation to the Joint Board and its member-secretary as they apply in relation to a State Board and its member-secretary.

(5) Any reference in this Act to the State Board shall, unless the context otherwise requires, be construed as including a Joint Board.

15. SPECIAL PROVISION RELATING TO GIVING OF DIRECTIONS.

Notwithstanding anything contained in this Act where any Joint Board is constituted under section 13, -

(a) the Government of the State for which the Joint Board is constituted shall be competent to give any direction under this Act only in cases where such direction relates to a matter within the exclusive territorial jurisdiction of the State;

(b) the Central Government alone shall be competent to give any direction under this Act where such direction relates to a matter within the territorial jurisdiction of two or more States or pertaining to a Union Territory.

---

1 Subs. by Act 53 of 1988, s. 7, for cl. (f).

CHAPTER IV

POWERS AND FUNCTIONS OF BOARDS

16. FUNCTIONS OF CENTRAL BOARD.

(1) Subject to the provisions of this Act, the main function of the Central Board shall be to promote cleanliness of streams and wells in different areas of the States.

(2) In particular and without prejudice to the generality of the foregoing function, the Central Board may perform all or any of the following functions, namely:--

(a) advise the Central Government on any matter concerning the prevention and control of water pollution;

(b) co-ordinate the activities of the State Boards and resolve disputes among them;

(c) provide technical assistance and guidance to the State Boards, carry out and sponsor investigations and research relating to problems of water pollution and prevention, control or abatement of water pollution;

(d) plan and organise the training of persons engaged or to be engaged in programmes for the prevention, control or abatement of water pollution on such terms and conditions as the Central Board may specify;

(e) organise through mass media a comprehensive programme regarding the prevention and control of water pollution;

[1][(ee) perform such of the functions of any State Board as may be specified in an order made under sub-section (2) of section 18];

(f) collect, compile and publish technical and statistical data relating to water pollution and the measures devised for its effective prevention and control and prepare manuals, codes or guides relating to treatment and disposal of sewage and trade effluents and disseminate information connected therewith;

(g) lay down, modify or annul, in consultation with the State Government concerned, the standards for a stream or well:

Provided that different standards may be laid down for the same stream or well or for different streams or wells, having regard to the quality of water, flow characteristics of the stream or well and the nature of the use of the water in such stream or well or streams or wells;

---

[1] Ins. by Act 53 of 1988, s. 8.

(h) plan and cause to be executed a nation-wide programme for the prevention, control or abatement of water pollution;

(i) perform such other functions as may be prescribed.

(3) The Board may establish or recognise a laboratory or laboratories to enable the Board to perform its functions under this section efficiently, including the analysis of samples of water from any stream or well or of samples of any sewage or trade effluents.

17. FUNCTIONS OF STATE BOARD.

(1) Subject to the provisions of this Act, the functions of a State Board shall be --

(a) to plan a comprehensive programme for the prevention, control or abatement of pollution of streams and wells in the State and to secure the execution thereof;

(b) to advise the State Government on any matter concerning the prevention, control or abatement of water pollution;

(c) to collect and disseminate information relating to water pollution and the prevention, control or abatement thereof;

(d) to encourage, conduct and participate in investigations and research relating to problems of water pollution and prevention, control or abatement of water pollution;

(e) to collaborate with the Central Board in organising the training of persons engaged or to be engaged in programmes relating to prevention, control or abatement of water pollution and to organise mass education programmes relating thereto;

(f) to inspect sewage or trade effluents, works and plants for the treatment of sewage and trade effluents and to review plans, specifications or other data relating to plants set up for the treatment of water, works for the purification thereof and the system for the disposal of sewage or trade effluents or in connection with the grant of any consent as required by this Act;

(g) lay down, modify or annul effluent standards for the sewage and trade effluents and for the quality of receiving waters (not being water in an inter-State stream) resulting from the discharge of effluents and to classify waters of the State;

(h) to evolve economical and reliable methods of treatment of sewage and trade effluents, having regard to the peculiar conditions of soils, climate and water resources of different regions and more especially the prevailing flow

characteristics of water in streams and wells which render it impossible to attain even the minimum degree of dilution;

(i) to evolve methods of utilisation of sewage and suitable trade effluents in agriculture;

(j) to evolve efficient methods of disposal of sewage and trade effluents on land, as are necessary on account of the predominant conditions of scant stream flows that do not provide for major part of the year the minimum degree of dilution;

(k) to lay down standards of treatment of sewage and trade effluents to be discharged into any particular stream taking into account the minimum fair weather dilution available in that stream and the tolerance limits of pollution permissible in the water of the stream, after the discharge of such effluents;

(l) to make, vary or revoke any order --

(i) for the prevention, control or abatement of discharge of waste into streams or wells;

(ii) requiring any person concerned to construct new systems for the disposal of sewage and trade effluents or to modify, alter or extend any such existing system or to adopt such remedial measures as are necessary to prevent control or abate water pollution;

(m) to lay down effluent standards to be complied with by persons while causing discharge of sewage or sullage or both and to lay down, modify or annul effluent standards for the sewage and trade effluents;

(n) to advice the State Government with respect to the location of any industry the carrying on of which is likely to pollute a stream or well;

(o) to perform such other functions as may be prescribed or as may, from time to time be entrusted to it by the Central Board or the State Government.

(2) The Board may establish or recognise a laboratory or laboratories to enable the Board to perform its functions under this section efficiently, including the analysis of samples of water from any stream or well or of samples of any sewage or trade effluents.

18. POWERS TO GIVE DIRECTIONS.

[1][(1)] In the performance of its functions under this Act --

(a) the Central Board shall be bound by such directions in writing as the Central Government may give to it; and

---

[1] S. 18 renumbered as sub-section (1) thereof by Act 53 of 1988, s. 9.

(b) every State Board shall be bound by such directions in writing as the Central Board or the State Government may give to it:

Provided that where a direction given by the State Government is inconsistent with the direction given by the Central Board, the matter shall be referred to the Central Government for its decision.

[1][(2) Where the Central Government is of the opinion that the State Board has defaulted in complying with any directions given by the Central Board under sub-section (1) and as a result of such default a grave emergency has arisen and it is necessary or expedient so to do in the public interest, it may, by order, direct the Central Board to perform any of the functions of the State Board in relation to such area for such period and for such purposes, as may be specified in the order.

(3) Where the Central Board performs any of the functions of the State Board in pursuance of a direction under sub-section (2), the expenses, if any, incurred by the Central Board with respect to performance of such functions may, if the State Board is empowered to recover such expenses, be recovered by the Central Board with interest (at such reasonable rate as the Central Government may, by order, fix) from the date when a demand for such expenses is made until it is paid from the person or persons concerned as arrears of land revenue or of public demand.

(4) For the removal of doubts, it is hereby declared that any directions to perform the functions of any State Board given under sub-section (2) in respect of any area would not preclude the State Board from performing such functions in any other area in the State or any of its other functions in that area].

CHAPTER V

PREVENTION AND CONTROL OF WATER POLLUTION

19. POWER OF STATE GOVERNMENT TO RESTRICT THE APPLICATION OF THE ACT TO CERTAIN AREAS.

(1) Notwithstanding contained in this Act, if the State Government, after consultation with, or on the recommendation of, the State Board, is of opinion that the provisions of this Act need not apply to the entire State, it may, by notification in the Official Gazette, restrict the application of this Act to such area or areas as may be declared therein as water pollution, prevention and control area or areas and thereupon the provisions of this Act shall apply only to such area or areas.

(2) Each water pollution, prevention and control area may be declared either by reference to a map or by reference to the line of any watershed or the boundary of any district or partly by one method and partly by another.

---

[1] Ins. by Act 53 of 1988, s. 9,

(3) The State Government may, by notification in the Official Gazette,-

(a) alter any water pollution prevention and control area whether by way of extension or reduction; or

(b) define a new water pollution, prevention and control area in which may be merged one or more water pollution, prevention and control areas, or any part or parts thereof.

20. POWER TO OBTAIN INFORMATION.

(1) For the purpose of enabling a State Board to perform the function conferred on it by or under this Act, the State Board or any officer empowered by it in that behalf, may make surveys of any area and gauge and keep records of the flow or volume and other characteristics of an stream or well in such area, and may take steps for the measurement and recording of the rainfall in such area or any part thereof and for the installation and maintenance for those purposes of gauges or other apparatus and works connected therewith, and carry out stream surveys and may take such other steps as may be necessary in order to obtain any information required for the purposes aforesaid.

(2) A State Board may give directions requiring any person who in its opinion is abstracting water from any such stream or well in the area in quantities which are substantial in relation to the flow or volume of that stream or well or is discharging sewage or trade effluent into any such stream or well, to give such information as to the abstraction or the discharge at such times and in such form as may be specified in the directions.

(3) Without prejudice to the provisions of sub-section (2), a State Board may, with a view to preventing or controlling pollution of water, give directions requiring any person in charge of any establishment where any [1][industry, operation or process, or treatment and disposal system] is carried on, to furnish to it information regarding the construction, installation or operation of such establishment or of any disposal system] or of any extension or addition thereto in such establishment and such other particulars as may be prescribed.

21. POWER TO TAKE SAMPLES OF EFFLUENTS AND PROCEDURE TO BE FOLLOWED IN CONNECTION THEREWITH.

(1) A State Board or any officer empowered by it in this behalf shall have power to take for the purpose of analysis samples of water from any stream or well or samples of any sewage or trade effluent which is passing from any plant or vessel or from or over any place into any such stream or well.

---

[1] Subs. by Act 53 of 1988 s. 10 for "industry or trade"

(2) The result of any analysis of a sample of any sewage or trade effluent taken under sub-section (1) shall not be admissible in evidence in a legal proceeding unless the provisions of sub-sections (3), (4) and (5) are complied with.

(3) Subject to the provisions of sub-sections (4) and (5), when a sample (composite or otherwise as may be warranted by the process used) of any sewage or trade effluent is taken for analysis under sub-section (1), the person taking the sample shall --

(a) serve on the person in charge of, or having control over, the plant or vessel or in occupation of the place (which person is hereinafter referred to as the occupier) or any agent of such occupier, a notice, then and there in such form as may be prescribed of his intention to have it so analysed;

(b) in the presence of the occupier or his agent, divide the sample into two parts;

(c) cause each part to be placed in a container which shall be marked and sealed and shall also be signed both by the person taking the sample and the occupier or his agent;

(d) send one container forthwith,--

(i) in a case where such sample is taken from any area situated in a Union territory, to the laboratory established or recognised by the Central Board under section 16; and

(ii) in any other case, to the laboratory established or recognised by the State Board under section 17;

(e) on the request of the occupier or his agent, send the second container.-

(i) in a case where such sample is taken from any area situated in a Union territory, to the laboratory established or specified under sub-section (1) of section 51; and

(ii) in an other case, to the laboratory established or specified under sub-section (1) of section 52.

[1][(4) When a sample of any sewage or trade effluent is taken for analysis under sub-section (1) and the person taking the sample serves on the occupier or his agent, a notice under clause (a) of sub-section (3) and the occupier or his agent wilfully absents himself, then, -

---

[1] Subs. by Act 44 of 1978, s. 10, for sub-section (4).

(a) the sample so taken shall be placed in a container which shall be marked and sealed and shall also be signed by the person taking the sample and the same shall be sent forthwith by such person for analysis to the laboratory referred to in sub-clause (i) or sub-clause (ii), as the case may be, of clause (e) of sub-section (3) and such person shall inform the Government analyst appointed under sub-section (1) or sub-section (2), as the case may be, of section 53, in writing about the wilful absence of the occupier or his agent; and

(b) the cost incurred in getting such sample analysed shall be payable by the occupier or his agent and in case of default of such payment, the same shall be recoverable from the occupier or his agent, as the case may be, as an arrear of land revenue or of public demand:

Provided that no such recovery shall be made unless the occupier or, as the case may be, his agent has been given a reasonable opportunity of being heard in the matter.]

(5) When a sample of any sewage or trade effluent is taken for analysis under sub-section (1) and the person taking the sample serves on the occupier or his agent a notice under clause (a) of sub-section (3) and the occupier or his agent who is present at the time of taking the sample does not make a request for dividing the sample into two parts as provided in clause (b) of sub-section (3), then, the sample so taken shall be placed in a container which shall be marked and sealed and shall also be signed by the person taking the sample and the same shall be sent forthwith by such person for analysis to the laboratory referred to in sub-clause (i) or sub-clause (ii), as the case may be, of clause (d) of sub-section (3).

22. REPORTS OF THE RESULTS OF ANALYSIS ON SAMPLES TAKEN UNDER SECTION 21.

(1) Where a sample of any sewage or trade effluent has been sent for analysis to the laboratory established or recognised by the Central Board or, as the case may be, the State Board, the concerned Board analyst appointed under sub-section (3) of section 53 shall analyse the sample and submit a report in the prescribed form of the result of such analysis in triplicate to the Central Board or the State Board, as the case may be.

(2) On receipt of the report under sub-section (1), one copy of the report shall be sent by the Central Board or the State Board, as the case may be, to the occupier or his agent referred to in section 21, another copy shall be preserved for production before the court in case any legal proceedings are taken against him and the other copy shall be kept by the concerned Board.

(3) Where a sample has been sent for analysis under clause (e) of sub-section (3) or sub-section (4) of section 21 to any laboratory mentioned therein, the Government analyst referred to in that sub-section shall analyse the sample and submit a report in the prescribed form of the result of the analysis in triplicate to the Central Board or, as the case may be, the State Board which shall comply with the provisions of sub-section (2).

(4) If there is any inconsistency or discrepancy between, or variation in the results of, the analysis carried out by the laboratory established or recognised by the Central Board or the State Board, as the case may be, and that of the laboratory established or specified under section 51 or section 52, as the case may be, the report of the latter shall prevail.

(5) Any cost incurred in getting any sample analysed at the request of the occupier or his agent shall be payable by such occupier or his agent and in case of default the same shall be recoverable from him as arrears of land revenue or of public demand.

23. POWER OF ENTRY AND INSPECTION.

(1) Subject to the provisions of this section, any person empowered by a State Board in this behalf shall have a right at any time to enter, with such assistance as he considers necessary, any place--

(a) for the purpose of performing any of the functions of the Board entrusted to him;

(b) for the purpose of determining whether and if so in what manner, any such functions are to be performed or whether any provisions of this Act or the rules made thereunder of an notice, order, direction or authorisation served, made, given, or granted under this Act is being or has been complied with;

(c) for the purpose of examining any plant, record, register, document or any other material object or for conducting a search of any place in which he has reason to believe that an offence under this Act or the rules made thereunder has been or is being or is about to be committed and for seizing any such plant, record, register, document or other material object, if he has reason to believe that it may furnish evidence of the commission of an offence punishable under this Act or the rules made thereunder:

Provided that the right to enter under this sub-section for the inspection of a well shall be exercised only at reasonable hours in a case where such well is situated in any premises used for residential purposes and the water thereof is used exclusively for domestic purposes.

(2) The provisions of [1][the Code of Criminal Procedure, 1973] (2 of 1974), or, in relation to the State of Jammu and Kashmir, the provisions of any corresponding law in force in that State, shall, so far as may be, apply to any search or seizure under this section as they apply to any search or seizure made under the authority of a warrant issued under [2][section 94] of the said Code, or, as the case may be, under the corresponding provisions of the said law.

Explanation.- For the purposes of this section, "place" includes vessel.

---

1 Subs. by Act 44 of 1978, s. 11, for "Code of Criminal Procedure, 1898 (5 of 1898) ."

2 Subs. by s. 11, ibid, for "section 98".

24. PROHIBITION ON USE OF STREAM OR WELL FOR DISPOSAL OF POLLUTING MATTER, ETC.

(1) Subject to the provisions of this section, -

(a) no person shall knowingly cause or permit any poisonous, noxious or polluting matter determined in accordance with such standards as may be laid down by the State Board to enter (whether directly or indirectly) into any [1][stream or well or sewer or on land]; or

(b) no person shall knowingly cause or permit to enter into any stream any other matter which may tend, either directly or in combination with similar matters, to impede the proper flow of the water of the stream in a manner leading or likely to lead to a substantial aggravation of pollution due to other causes or of its consequences.

(2) A person shall not be guilty of an offence under sub-section (1), by reason only of having done or caused to be done any of the following acts, namely;-

(a) constructing, improving or maintaining in or across or on the bank or bed of any stream any building, bridge, weir, dam, sluice, dock, pier, drain or sewer or other permanent works which he has a right to construct, improve or maintain;

(b) depositing any materials on the bank or in the bed of any stream for the purpose of reclaiming land or for supporting, repairing or protecting the bank or bed of such stream provided such materials are not capable of polluting such stream;

(c) putting into an stream any sand or gravel or other natural deposit which has flowed from or been deposited by the current of such stream;

(d) causing or permitting, with the consent of the State Board, the deposit accumulated in a well, pond or reservoir to enter into any stream.

(3) The State Government may, after consultation with, or on the recommendation of, the State Board, exempt, by notification in the Official Gazette, any person from the operation of sub-section (1) subject to such conditions, if any, as may be specified in the notification and any condition so specified may by a like notification and be altered, varied or amended.

---

[1] Subs. by Act 53 of 1988, s.11, for "stream or well".

25. RESTRICTIONS ON NEW OUTLETS AND NEW DISCHARGES.

[1][(1) Subject to the provisions of this section, no person shall, without the previous consent of the State Board,--

(a) establish or take any steps to establish any industry, operation or process, or any treatment and disposal system or an extension or addition thereto, which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land (such discharge being hereafter in this section referred to as discharge of sewage); or

(b) bring into use any new or altered outlets for the discharge of sewage; or

(c) begin to make any new discharge of sewage;

Provided that a person in the process of taking any steps to establish any industry, operation or process immediately before the commencement of the Water (Prevention and Control of Pollution) Amendment Act, 1988, for which no consent was necessary prior to such commencement, may continue to do so for a period of there months from such commencement or, if he has made an application for such consent, within the said period of three months, till the disposal of such application.

(2) An applications for consent of the State Board under sub-section (1) shall be made in such form, contain such particulars and shall be accompanied by such fees as may be prescribed.]

(3) The State Board may make such inquiry as it may deem fit in respect of the application for consent referred to in sub-section (1) and in making any such inquiry shall follow such procedure as may be prescribed.

[2][(4) The State Board may --

(a) grant its consent referred to in sub-section (1), subject to such conditions as it may impose, being--

(i) in cases referred to in clauses (a) and (b) of sub-section (1) of section 25, conditions as to the point of discharge of sewage or as to the use of that outlet or any other outlet for discharge of sewage;

(ii) in the case of a new discharge, conditions as to the nature and composition, temperature, volume or rate of discharge of the effluent from the land or premises from which the discharge or new discharge is to be made; and

---

1 Subs. by s. 12, Act 53 of 1988, for sub-sections (1) and (2).

2 Subs. by s. 12, Act 53 of 1988,for sub-sections (4), (5) and (6).

(iii) that the consent will be valid only for such period as may be specified in the order, and any such conditions imposed shall be binding on any person establishing or taking any steps to establish any industry, operation or process, or treatment and disposal system or extension or addition thereto, or using the new or altered outlet, or discharging the effluent from the land or premises aforesaid; or

(b) refuse such consent for reasons to be recorded in writing.

(5) Where, without the consent of the State Board, any industry operation or process, or any treatment and disposal system or any extension or addition thereto, is established, or any steps for such establishment have been taken or a new or altered outlet is brought into use for the discharge of sewage or a new discharge of sewage is made, the State Board may serve on the person who has established or taken steps to establish any industry, operation or process, or any treatment and disposal system or any extension or addition thereto, or using the outlet, or making the discharge, as the case may be, a notice imposing any such conditions as it might have imposed on an application for its consent in respect of such establishment, such outlet or discharge.

(6) Every State Board shall maintain a register containing particulars or conditions imposed under this section and so much of the register as relates to any outlet, or to any effluent, from any land or premises shall be open to inspection at all reasonable hours by any person interested in, or affected by such outlet, land or premises, as the case may be, or by any person authorised by him in this behalf and the conditions so contained in such register shall be conclusive proof that the consent was granted subject to such conditions.]

(7) The consent referred to in sub-section (1) shall, unless given or refused earlier, be deemed to have been given unconditionally on the expiry of a period of four months of the making of an application in this behalf complete in all respects to the State Board.

(8) For the purposes of this section and sections 27 and 30,-

(a) the expression "new or altered outlet" means any outlet which is wholly or partly constructed on or after the commencement of this Act or which (whether so constructed or not) is substantially altered after such commencement;

(b) the expression "new discharge" means a discharge which is not, as respects the nature and composition, temperature, volume, and rate of discharge of the effluent substantially a continuation of a discharge made within the preceding twelve months (whether by the same or different outlet), so however that a discharge which is in other respects a continuation of previous discharge made as aforesaid shall not be deemed to be a new discharge by reason of any reduction of the temperature or volume or rate of discharge of the effluent as compared with the previous discharge.

26. PROVISION REGARDING EXISTING DISCHARGE OF SEWAGE OR TRADE EFFLUENT.

Where immediately before the commencement of this Act any person was discharging any sewage or trade effluent into a [1][stream or well or sewer or on land], the provisions of section 25 shall, so far as may be, apply in relation to such person as they apply in relation to the person referred to in that section subject to the modification that the application for consent to be made under sub-section (2) of that section [2][shall be made on or before such date as may be specified by the State Government by notification in this behalf in the Official Gazette.]

27. REFUSAL OR WITHDRAWAL OF CONSENT BY STATE BOARD.

[3][(1) A State Board shall not grant its consent under sub-section (4) of section 25 for the establishment of any industry, operation or process, or treatment and disposal system or extension or addition thereto, or to the bringing into use of a new or altered outlet unless the industry, operation or process, or treatment and disposal system or extension or addition thereto, or the outlet is so established as to comply with an conditions imposed by the Board to enable it to exercise its right to take samples of the effluent.

[4][(2) A State Board may from time to time review --

[5][(a) any condition imposed under section 25 or section 26 and may serve on the person to whom a consent under section 25 or section 26 is granted a notice making any reasonable variation of or revoking any such condition.

(b) the refusal of any consent referred to in sub-section (1) of section 25 or section 26 or the grant of such consent without any condition, and may make such orders as it deemed fit.]

(3) Any conditions imposed under section 25 or section 26 shall be subject to any variation made under sub-section (2) and shall continue in force until revoked under that sub-section.

---

1 Subs. by Act 44 of 1978, s. 13, for "stream or well"

2 Subs. by s. 13, ibid., for certain words.

3 Subs. by Act 53 of 1988, s 13, for sub-section (1).

4 Subs. by Act 44 of 1978, s. 14 for sub-section (2).

5 Subs. by Act 53 of 1988, s. 13, for cl. (a).

28. APPEALS.

(1) Any person aggrieved by an order made by the State Board under Section 25, section 26 or section 27 may within thirty days from the date on which the order is communicated to him, prefer an appeal to such authority (hereinafter referred to as the appellate authority) as the State Government may think fit to constitute:

Provided that the appellate authority may entertain the appeal after the expiry of the said period of thirty days if such authority is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

[1][(2) An appellate authority shall consist of a single person or three persons as the State Government may think fit, to be appointed by that Government.]

(3) The form and manner in which an appeal may be preferred under sub-section (1), the fees payable for such appeal and the procedure to be followed by the appellate authority shall be such as may be prescribed.

(4) On receipt of an appeal preferred under sub-section (1), the appellate authority shall, after giving the appellants and the State Board an opportunity of being heard, dispose of the appeal as expeditiously as possible.

(5) If the appellate authority determines that any condition imposed, or the variation of any condition, as the case may be, was unreasonable, then,--

(a) where the appeal is in respect of the unreasonableness of any condition imposed, such authority may direct either that the condition shall be treated as annulled or that there shall be substituted for it such condition as appears to it to be reasonable;

(b) where the appeal is in respect of the unreasonableness of any variation of a condition, such authority may direct either that the condition shall be treated as continuing in force unvaried or that it shall be varied in such manner as appears to it to be reasonable.

29. REVISION.

(1) The State Government may at any time either of its own motion or on an application made to it in this behalf, call for the records of any case where an order has been made by the State Board under section 25, section 26 or section 27 for the purpose of satisfying itself as to the legality or propriety of any such order and may pass such order in relation thereto as it may think fit :

---

1 Subs. by Act 44 of 1978, s 15. for sub-section (2).

Provided that the State Government shall not pass any order under this sub-section without affording the State Board and the person who may be affected by such order a reasonable opportunity of being heard in the matter.

(2) The State Government shall not revise any order made under section 25, section 26 or section 27 where an appeal against that order lies to the appellate authority, but has not been preferred or where an appeal has been preferred such appeal is pending before the appellate authority.

30. POWER OF STATE BOARD TO CARRY OUT CERTAIN WORKS.

[1][(1) Where under this Act, any conditions have been imposed on any person while granting consent under section 25 or section 26 and such conditions require such person to execute any work in connection therewith and such work has not been executed within such time as may be specified in this behalf, the State Board may serve on the person concerned a notice requiring him within such time (not being less than thirty days) as may be specified in the notice to execute the work specified therein.]

(2) If the person concerned fails to execute the work as required in the notice referred to in sub-section (1), then, after the expiration of the time specified in the said notice, the State Board may itself execute or cause to be executed such work.

(3) All expenses incurred by the State Board for the execution of the aforesaid work, together with interest, at such rate as the State Government may, by order, fix, from the date when a demand for the expenses is made until it is paid, may be recovered by that Board from the person concerned, as arrears of land revenue, or of public demand.

31. FURNISHING OF INFORMATION TO STATE BOARD AND OTHER AGENCIES IN CERTAIN CASES.

[2][(1) If at any place where any industry, operation or process, or any treatment and disposal system or any extension or addition thereto is being carried on, due to accident or other unforeseen act or event, any poisonous, noxious or polluting matter is being discharged, or is likely to be discharged into a stream or well or sewer or on land and, as a result of such discharge, the water in any stream or well is being polluted, or is likely to be polluted, then the person incharge of such place shall forthwith intimate the occurrence of such accident, act or event to the State Board and such other authorities or agencies as may be prescribed.]

(2) Where any local authority operates any sewerage system or sewage works the provisions of sub-section (1) shall apply to such local authority as they apply in relation to the person in charge of the place where an industry or trade is being carried on.

---

1 Subs. by Act 53 of 1988, s. 14, for sub-section (1).

2 Subs. by s. 15, ibid., for sub-section (1).

32. EMERGENCY MEASURES IN CASE OF POLLUTION OF STREAM OR WELL.

(1) Where it appears to the State Board that any poisonous, noxious or polluting matter is present in [1][any stream or well or on land by reason of the discharge of such matter in such stream or well or on such land] or has entered into that stream or well due to any accident or other unforeseen act or event, and if the Board is of opinion that it is necessary or expedient to take immediate action, it may for reasons to be recorded in writing, carry out such operations as it may consider necessary for all or any of the following purposes, that is to say --

(a) removing that matter from the [2][stream or well or on land] and disposing it of in such manner as the Board considers appropriate;

(b) remedying or mitigating any pollution caused by its presence in the stream or well;

(c) issuing orders immediately restraining or prohibiting the persons concerned from discharging any poisonous, noxious or polluting matter [3][into the steam or well or on land] or from making in sanitary use of the stream or well.

(2) The power conferred by sub-section (I) does not include the power to construct any works other than works of a temporary character which are removed on or before the completion of the operations.

33. POWER OF BOARD TO MAKE APPLIATION TO COURTS FOR RESTRAINING APPREHENDED POLLUTION OF WATER IN STREAMS OR WELLS.

[4][(1) Where it is apprehended by a Board that the water in any stream or well is likely to be polluted by reason of the disposal or likely disposal of any matter in such stream or well or in any sewer, or on any land, or otherwise, the Board may make an application to a court, not inferior to that of a Metropolitan Magistrate or a Judicial Magistrate of the first class, for restraining the persons who is likely to cause such pollution from so causing.]

(2) On receipt of an application under sub-section (I) the court make such order as it deems fit.

(3) Where under sub-section (2) the court makes an order restraining any person from polluting the water in any stream or well, it may in that order-

---

1 Subs. by Act 53 of 1988, s. 16, for "any stream or well"

2 Subs. by s, 16, ibid., for "stream or well".

3 Subs. by s. 16, ibid., for "into the stream or well".

4 Subs. by s. 17, ibid., for sub-section (1).

(i) direct the person who is likely to cause or has caused the pollution of the water in the stream or well, to desist from taking such action as is likely to cause pollution or, as the case may be, to remove such stream or well, such matter, and

(ii) authorise the Board, if the direction under clause (i) (being a direction for the removal of any matter from such stream or well) is not complied with by the person to whom such direction is issued, to undertake the removal and disposal of the matter in such manner as may be specified by the court.

(4) All expenses incurred by the Board in removing any matter in pursuance of the authorisation under clause (ii) of sub-section (3) or in the disposal of any such matter may be defrayed out of any money obtained by the Board from such disposal and any balance outstanding shall be recoverable from the person concerned as arrears of land revenue or of public demand.

[1][33A. POWER TO GIVE DIRECTIONS.

Notwithstanding anything contained in any other law, but subject to the provisions of this Act, and to any directions that the Central Government may give in this behalf, a Board may, in the exercise of its powers and performance of its functions under this Act, issue any directions in writing to any person, officer or authority, and such person, officer or authority shall be bound to comply with such directions.

Explanation.-For the avoidance of doubts, it is hereby declared that the power to issue directions under this section includes the power to direct-

(a) the closure, prohibition or regulation of any industry, operation or process; or

(b) the stoppage or regulation of supply of electricity, water or any other service.]

CHAPTER VI

FUNDS, ACCOUNTS AND AUDIT

34. CONTRIBUTIONS BY CENTRAL GOVERNMENT.

The Central Government may, after due appropriation made by Parliament by law in this behalf, make in each financial year such contributions to the Central Board as it may think necessary to enable the Board to perform its functions under this Act.

---

1 Ins. by Act 53 of 1988, s. 18.

35. CONTRIBUTIONS BY STATE GOVERNMENT.

The State Government may, after due appropriation made by the Legislature of the State by law in this behalf, make in each financial year such contributions to the State Board as it may think necessary to enable that Board to perform its functions under this Act.

36. FUND OF CENTRAL BOARD.

(1) The Central Board shall have its own fund, and all sums which may, from time to time, be paid to it by the Central Government and all other receipts (by way of gifts, grants, donations, benefactions [1][fees] or otherwise) of that Board shall be carried to the fund of the Board and all payments by the Board shall be made therefrom.

(2) The Central Board may expend such sums as it thinks fit for performing its functions under this Act, [2][and, where any law for the time being in force relating to the prevention, control of abatement or air pollution provides for the performance of any function under such law by the Central Board, also for performing its functions under such law] and such sums shall be treated as expenditure payable out of the funds of that Board.

37. FUND OF STATE BOARD.

(1) The State Board shall have its own fund, and the sums which may, from time to time, be paid to it by the State Government and all other receipts (by way of gifts, grants, donations, benefactions [1][fees] or otherwise) of that Board shall be carried to the fund of the Board and all payments by the Board shall be made therefrom.

(2) The State Board may expend such sums as it thinks fit for performing its functions under this Act,[2][and, where any law for the time being in force relating to the prevention, control or abatement of air pollution provides for the performance of any function under such law by the State Board, also for performing its functions under such law] and such sums shall be treated as expenditure payable out of the fund of that Board.

[3][**37A. BORROWING POWERS OF BOARD.**

A Board may, with the consent of, or in accordance with, the terms of any general or special authority given to it by the Central Government or, as the case may be, the State Government, borrow money from any source by way of loans or issue of bonds, debentures or such other instruments, as it may deem fit, for the performance of all or any of its functions under this Act.]

---

1 Ins. by Act 44 of 1978, s. 16

2 Ins. by s. 17, ibid.

3 Ins. by Act 53 of l988, s 19.

38. BUDGET.

The Central Board or, as the case may be, the State Board shall, during each financial year, prepare, in such form and at such time as may be prescribed, a budget in respect of the financial year next ensuing showing the estimated receipt and expenditure, and copies thereof shall be forwarded to the Central Government, or as the case may be, the State Government.

39. ANNUAL REPORT.

[1][(1) The Central Board shall, during each financial year, prepare, in such form as may be prescribed, an annual report giving full account of its activities under this Act during the previous financial year and copies thereof shall be forwarded to the Central Government within four months from the last date of the previous financial year and that Government shall cause every such report to be laid before both Houses of Parliament within nine months from the last date of the previous financial year.

(2) Every State Board shall, during each financial year, prepare, in such form as may be prescribed, an annual report giving full account of its activities under this Act during the previous financial year and copies thereof shall be forwarded to the State Government within four months from the last date of the previous financial year and that Government shall cause every such report to be laid before the State legislature within a period of nine months from the last date of the previous financial year.]

40. ACCOUNT AND AUDIT.

(1) Every Board shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed by the Central Government or, as the case may be, the State Government.

(2) The accounts of the Board shall be audited by an auditor duly qualified to act as an auditor of companies under section 226 of the Companies Act, 1956 (1 of 1956).

(3) The said auditor shall be appointed by the Central Government or, as the case may be, the State Government on the advice of the Comptroller and Auditor-General of India.

(4) Every auditor appointed to audit the accounts of the Board under this Act shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect any of the offices of the Board.

---

1 Subs. by Act 53 of 1988, s. 20, for s. 39.

(5) Every such auditor shall send a copy of his report together with an audited copy of the accounts to the Central Government or, as the case may be, the State Government.

(6) The Central Government shall, as soon as may be after the receipt of the audit report under sub-section (5), cause the same to be laid before both Houses of Parliament.

(7) The State Government shall, as soon as may be after the receipt of the audit report under sub-section (5), cause the same to be laid before the State Legislature.

CHAPTER VII

PENALTIES AND PROCEDURE

[1][41. FAILURE TO COMPLY WITH DIRECTIONS UNDER SUB-SECTION (2) OR SUB-SECTION (3) OF SECTION 20, OR ORDERS ISSUED UNDER CLAUSE (c) OF SUB-SECTION (1) OF 32 OR DIRECTIONS ISSUED UNDER SUB-SECTION (2) OF SECTION 33 OR SECTION 33A.

(1) Whoever fails to comply with any direction given under sub-section (2) or sub-section (3) of section 20 within such time as may be specified in the direction shall, or conviction, be punishable with imprisonment for a term which may extend to three months or with fine which may extend to ten thousand rupees or with both and in case the failure continues, with an additional fine which may extend to five thousand rupees for every day during which such failure continues after the conviction for the first such failure.

(2) Whoever fails to comply with any order issued under clause (c) of sub-section (1) of section 32 or any direction issued by a court under sub-section (2) of section 33 or any direction issued under section 33A shall, in respect of each such failure and on conviction, be punishable with imprisonment for a term which shall not be less than one year and six months but which may extend to six years and with fine, and case the failure continues, with an additional fine which may extend to five thousand rupees for every day during which such failure continues after the conviction for the first such failure.

(3) If the failure referred to in sub-section (2) continues beyond a period of one year after the date of conviction, the offender shall, on conviction, be punishable with imprisonment for a term which shall not be less than two years but which may extend to seven years and with fine.]

---

[1] Subs. by Act 53 of 1988, s. 21, for s. 41.

42. PENALTY FOR CERTAIN ACTS.

(1) Whoever --

(a) destroys, pulls down, removes, injures or defaces any pillar, post or stake fixed in the ground or any notice or other matter put up, inscribed or placed, by or under the authority of the Board, or

(b) obstructs any person acting under the orders or directions of the Board from exercising his powers and performing his functions under this Act, or

(c) damages any works or property belonging to the Board, or

(d) fails to furnish to any officer or other employee of the Board any information required by him for the purpose of this Act, or

(e) fails to intimate the occurrence of an accident or other unforeseen act or even under section 31 to the Board and other authorities or agencies as required by that section, or

(f) in giving any information which he is required to give under this Act, knowingly or willfully makes a statement which is false in any material particular, or

(g) for the purpose of obtaining any consent under section 25 or section 26, knowingly or willfully makes a statement which is false in any material particular, shall be punishable with imprisonment for a term which may extend to three months or with fine which may extend to [1][ten thousand rupees] or with both.

(2) Where for the grant of a consent in pursuance of the provisions of section 25 or section 26 the use of a meter or gauge or other measure or monitoring device is required and such device is used for the purposes of those provision, any person who knowingly or willfully alters or interferes with that device so as to prevent it from monitoring or measuring correctly shall be punishable with imprisonment for a term which may extend to three months or with fine which may extend to [1][ten thousand rupees] or with both.

---

[1] Subs. by Act 53 of 1988, s. 22, for "one thousand rupees"

43. PENALTY FOR CONTRAVENTION OF PROVISIONS OF SECTION 24.

Whoever contravenes the provisions of section 24 shall be punishable with imprisonment for a term which shall not be less than [1][one year and six months] but which may extend to six years and with fine.

44. PENALTY FOR CONTRAVENTION OF SECTION 25 OR SECTION 26.

Whoever contravenes the provision of section 25 or section 26 shall be punishable with imprisonment for a term which shall not be less than [1][one year and six months] but which may extend to six years and with fine.

45. ENHANCED PENALTY AFTER PREVIOUS CONVICTION.

If any person who has been convicted of any offence under section 24 or 25 or section 26 is again found guilty of an offence involving a contravention of the same provision, he shall, on the second and on every subsequent conviction, be punishable with imprisonment for a term which shall not be less than [2][two years] but which may extend to seven years and with fine:

Provided that for the purpose of this section no cognizance shall be taken of any conviction made more than two years before the commission of the offence which is being punished.

45A. PENALTY FOR CONTRAVENTION OF CERTAIN PROVISIONS OF THE ACT.

[3][Whoever contravenes any of the provisions of this Act or fails to comply with any order or direction given under this Act, for which no penalty has been elsewhere provided in this Act, shall be punishable with imprisonment which may extend to three months or with fine which may extend to ten thousand rupees or with both and in the case of a continuing contravention or failure, with an additional fine which may extend to five thousand rupees for every day during which such contravention or failure continues after conviction for the first such contravention or failure.]

---

1 Sub. by Act 53 of 1988, s.23, for “six months” .

2 Subs. by s. 24, ibid., for "one year".

3 Ins. by s. 25, ibid.,

46. PUBLICATION OF NAMES OF OFFENDERS.

If any person convicted of an offence under this Act commits a like offence afterwards it shall be lawful for the court before which the second or subsequent conviction takes place to cause the offender's name and place of residences, the offence and the penalty imposed to be published at the offender's expense in such newspapers or in such other manner as the court may direct and the expenses of such publication shall be deemed to be part of the cost attending the conviction and shall be recoverable in the same manner as a fine.

47. OFFENCES BY COMPANIES.

(1) Where an offence under this Act has been committed by a company, every person who at the time the offence was committed was in charge of, and was responsible to the company for the conduct of, the business of the company, as well as the company, shall be deemed to the guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act if he proves that the offence was committed without his knowledge for that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation--For the purpose of this section,--

(a) "company" means any body corporate, and includes a firm or other association of individuals; and

(b) "director" in relation to a firm means a partner in the firm.

48. OFFENCES BY GOVERNMENT DEPARTMENTS.

Where an offence under this Act has been committed by any Department of Government, the Head of the Department shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this section shall render such Head of the Department liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

49. COGNIZANCE OF OFFENCES.

[1][(1) No court shall take cognizance of any offence under this Act except on a complaint made by--

(a) a Board or any officer authorised in this behalf by it; or

(b) any person who has given notice of not less than sixty days, in the manner prescribed, of the alleged offence and of his intention to make a complaint, to the Board or officer authorised as aforesaid,

and no court inferior to that of a Metropolitan Magistrate or a Judicial Magistrate of the first class shall try any offence punishable under this Act.]

[2][(2) Where a complaint has been made under clause (b) of sub-section (1), the Board shall, on demand by such person, make available the relevant reports in its possession to that person:

Provided that the Board may refuse to make any such report available to such person if the same is, in its opinion, against the public interest.]

[3][(3) Notwithstanding anything contained in section 29 of the Code of Criminal Procedure, 1973], (2 of 1974) it shall be lawful for any [4][Judicial Magistrate of the first class or for any Metropolitan Magistrate] to pass a sentence of imprisanment for a term exceeding two years or of fine exceeding two thousand rupees on any person convicted of an offence punishable under this Act.

---

1 Subs. by Act 53 of 1988, s. 26 for sub-section (1).

2 Ins by s. 26, ibid.

3 Sub-section (2) renumbered as sub-section (3) by s. 26, ibid.

4 Subs. by Act 44 of 1978, s. 19, for certain words.

50. MEMBERS, OFFICERS AND SERVANTS OF BOARD TO BE PUBLIC SERVANTS.

All members, officers and servants of a Board when acting or purporting to act in pursuance of any of the provisions of this Act (45 of 1860) and the rules made thereunder shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

CHAPTER VIII

MISCELLANEOUS

51. CENTRAL WATER LABORATORY.

(1) The Central Government may, by notification in the Official Gazette,-

(a) establish a Central Water Laboratory; or

(b) specify any laboratory or institute as a Central Water Laboratory, to carry out the functions entrusted to the Central Water Laboratory under this Act.

(2) The Central Government may, after consultation with the Central Board, make rules prescribing--

(a) the functions of the Central Water Laboratory;

(b) the procedure for the submission to the said laboratory of samples of water or of sewage or trade effluent for analysis or tests, the form of the laboratory's report thereunder and the fees payable in respect of such report;

(c) such other matters as may be necessary or expedient to enable that laboratory to carry out its functions.

52. STATE WATER LABORATORY.

(1) The State Government may, by notification in the Official Gazette,-

(a) establish a State Water Laboratory; or

(b) specify any State laboratory or institute as a State Water Laboratory, to carry out the functions entrusted to the State Water Laboratory under this Act.

(2) The State Government may, after consultation with the State Board, make rules prescribing --

(a) the functions of the State Water Laboratory;

(b) the procedure for the submission to the said laboratory of samples of water or of sewage or trade effluent for analysis or rests, the form of the laboratory's report thereon and the fees payable in respect of such report;

(c) such other matters as may be necessary or expedient to enable that laboratory to carry out its functions.

53. ANALYSTS.

(1) The Central Government may, by notification in the Official Gazette appoint such persons as it thinks fit and having the prescribed qualifications to be Government analysts for the purpose of analysis of samples of water or of sewage or trade effluent sent for analysis to any laboratory established or specified under sub-section (1) of section 51.

(2) The State Government may, by notification in the Official Gazette, appoint such persons as it thinks fit and having the prescribed qualifications to be Government analysts for the purpose of analysis of water or of sewage or trade effluent sent for analysis to any laboratory established or specified under sub-section (1) of section 52.

(3) Without prejudice to the provisions of sub-section (3) of section 12, the Central Board or, as the case may be, the State Board may, by notification in the Official Gazette, and with the approval of the Central Government or the State Government, as the case may be, appoint such persons as it thinks fit and having the prescribed qualifications to be Board analysts for the purpose of analysis of samples of water or of sewage or trade effluent sent for analysis to any laboratory established or recognised under section 16, as the case may be, under section 17.

54. REPORTS OF ANALYSTS.

Any document purporting to be report signed by a Government analyst or, as the case may be, a Board analyst may be used as evidence of the facts stated therein in any proceeding under this Act.

55. LOCAL AUTHORITIES TO ASSIST.

All local authorities shall render such help and assistance and furnish such information to the Board as it may require for the discharge of its functions, and shall make available to the Board for inspection and examination such records, maps, plans and other documents as may be necessary for the discharge of its functions.

56. COMPULSORY ACQUISITION OF LAND FOR THE STATE BOARD.

Any land required by a State Board for the efficient performance of its function under this Act shall be deemed to be needed for a public purpose and such land shall be acquired for the State Board under the provisions of the Land Acquisition Act, 1894 (1 of 1894), or under any other corresponding law for the time being in force.

57. RETURNS AND REPORTS.

The Central Board shall furnish to the Central Government, and a State Board shall furnish to the State Government and to the Central Board such reports, returns,

62. POWER OF STATE GOVERNMENT TO SUPERSEDE STATE BOARD.

(1) If at any time the State Government is of opinion -

(a) that the State Board has persistently made default in the performance of the functions imposed on it by or under this Act; or

(b) that circumstances exist which render it necessary in the public interest so to do, the State Government may, by notification in the Official Gazette, supersede the State Board for such period, not exceeding one year, as may be specified in the notification.

Provided that before issuing a notification under this sub-section for the reasons mentioned in clause (a), the State Government shall give a reasonable opportunity to the State Board to show cause why it should not be superseded and shall consider the explanation and objections, if any, of the State Board.

(2) Upon the publication of a notification under sub-section (1) superseding the State Board, the provisions of sub-section (2) and (3) of section 61 shall apply in relation to the supersession of the State Board as they apply in relation to the supersession of the Central Board or a Joint Board by the Central Government.

63. POWER OF CENTRAL GOVERNMENT TO MAKE RULES.

(1) The Central Government may, simultaneously with the constitution of the Central Board, make rules in respect of the matters specified in sub-section (2);

Provided that when the Central Board has been constituted, no such rule shall be made, varied, amended or repealed without consulting the Board.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely : -

(a) the terms and conditions of service of the members (other than the chairman and member –secretary) of the Central Board under sub-section (8) of section 5;

(b) the intervals and the time and place at which meetings of the Central Board or of any committee thereof consitituted under this Act, shall be held and the procedure to be followed at such meetings, including the quorum necessary for the transaction of business under section 8, and under sub-section (2) of section 9;

(c) the fees and allowances to be paid to such members of a committee of the Central Board as are not members of the Board under sub-section (3) of section 9;

[1][(d) the manner in which and the purposes for which persons may be associated with the Central Board under sub-section (1) of section 10 and the fees and allowances payable to such persons;]

(e) the terms and conditions of service of the chairman and the member secretary of the Central Board under sub-section (9) of section 5 and under sub-section (1) of section 12;

(f) conditions subject to which a person may be appointed as a consulting engineer to the Central Board under sub-section (4) of section 12;

(g) the powers and duties to be exercised and performed by the chairman and member secretary of the Central Board;

[2] * * *

(j) the form of the report of the Central Board analyst under sub-section (1) of section 22;

(k) the form of the report of the Government analyst under sub-section (1) of section 22;

[3][(l) the form in which the time within which the budget of the Central Board may be prepared and forwarded to the Central Government under section 38;

(ll) the form in which the annual report of the Central Board may be prepared under Section 39;]

(m) the form in which the accounts of the Central Board may be maintained under section 40;

[4][(mm) the manner in which notice of intention to make a compliant shall be given to the Central Board or officer authorized by it under Section 49;]

(n) any other matter relating to the Central Board, including the powers and functions of that Board in relation to Union Territories;

(o) any other matter which has to be, or may be prescribed.

---

1 Subs. by Act 44 of 1978, s.20, for cl .(d).

2 Cls (h) and (i) omitted by s. 20, ibid

3 Subs. by Act 53 of 1988, s.27

4 Ins. by s.27, ibid.

(3) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, [1][before the expiry of the session immediately following the session or the successive session aforesaid], both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be ; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

64. POWER OF STATE GOVERNMENT TO MAKE RULES.

(1) The State Government may, simultaneously with the constitution or the State Board, make rules to carry out the pruposes of this Act in respect of matters not falling within the purview of section 63;

Provided that when the State Board has been constituted, no such rule shall be made, varied amended or repealed without consulting that Board.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely : -

(a) the terms and conditions of service of the members (other than the chairman and the member–secretary) of the State Board under sub-section (8) of section 5;

(b) the time and place of meetings of the State Board or of any committee of that Board constituted under this Act and the procedure to be followed at such meeting, including in quorum necessary for the transaction of business under section 8 and under sub-section (2) of Section 9;

(c) the fees and allowances to be paid to such members of a committee of the State Board as are not members of the Board under sub-section (3) of section 9;

(d) the manner in which and the purposes for which persons may be associated with the State Board under sub-section (1) of section 10 [2][and the fees and allowances payable to such persons];

(e) the terms and conditions of service of the Chairman and member secretary of the State Board under sub-section (9) of section 5 and under sub-section (1) of section 12;

---

1 Subs. by Act 44 of 1978, s.20, for certain words

2 Ins. by Act 44 of 1978, s. 21

(f) the conditions subject to which a person may be appointed as a consulting engineer to the State Board under sub-section (4) of section 12;

(g) the powers and duties to be exercised and discharged by the chairman and member secretary of the State Board;

(h) the form of the notice referred to in section 21;

(i) the form of the report of the State Board analyst under sub-section (3) of section 22;

(j) the form of the report of the Government analyst under sub-section (3) of section 22;

(k) the form of application for the consent of the State Board under sub-section (2) of section 25 and the particular it may contain;

(l) the manner in which inquiry under sub-section (3) of section 25may be made in respect of an application for obtaining consent of the State Board and the matters to be taken in to account in granting or refusing such consent;

(m) the form and manner in which appeals may be filed, the fees payable in respect of such appeals and the procedure to be allowed by the appellate authority in disposing of the appeals under sub-section (3) of section 28;

[1][(n) the form in which and the time within which the budget of the State Board may be prepared and forwarded to the State Government under section 38;

(nn) the form in which the annual report of the State Board may be prepared under section 39;]

(o) the form in which the accounts of the State Board may be maintained under sub-section (1) of section 40;

[2][(oo)the manner in which notice of intention to make a complaint shall be given to the State Board or officer authorised by it under section 49;]

(p) any other matter which has to be, or may be, prescribed.

---

1 Sub. by Act 53 of 1988, s.28 for cl. (n)

2 Ins. by s. 28, ibid.

THE WATER (PREVENTION AND CONTROL OF POLLUTION) RULES, 1975

(As amended to date)

THE WATER (PREVENTION AND CONTROL OF POLLUTION) RULES, 1975

[Dated the 27th February, 1975]

[1]**[G.S.R. 58(E).-**In exercise of the powers conferred by section 63 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) the Central Government after consultations with [2][Central Pollution Control Board], hereby makes the following rules, namely:-

CHAPTER 1

PRELIMINARY

1. SHORT TITLE AND COMMENCEMENT.

(1) These rules may be called the Water (Prevention and Control of Pollution) Rules, 1975.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. DEFINITIONS.

In these rules unless the context otherwise requires:

(a) "Act" means the Water (Prevention and Control of Pollution) Act, 1974

(b) "Chairman" means the Chairman of the Central Board;

(c) "Central Board Laboratory" means a laboratory established or recognised as such under sub-section (3) of section 16;

(d) "Central Water Laboratory" means a laboratory established or specified as such under sub-section (I) of section 51;

(e) "Form" means a form set out in Schedule I;

---

1 **Source**: Gazette of India, Extraordinary, 1975, Pt. II-Section 3, sub-section (i) Page 293.

2 Substituted by Act 53 of the 1988, Section 2.

(f) "Member" means a member of the Central Board and includes the Chairman thereof;

(g) "Member-Secretary" means the Member-Secretary of the Central Board;

(h) "Section" means a section of the Act;

(i) "Schedule" means a schedule appended to these rules;

(j) "Year" means the financial year commencing on the first day of April.

CHAPTER 2

TERMS AND CONDITIONS OF SERVICE OF THE MEMBERS OF THE CENTRAL BOARD AND OF COMMITTEES OF CENTRAL BOARD

3. SALARIES, ALLOWANCES AND OTHER CONDITIONS OF SERVICE OF THE CHAIRMAN.

(1) The Chairman shall be paid a fixed monthly salary of Rs. 3000.

[1][(2) (a) in addition to the salary specified in sub-rule (1), the chairman shall be entitled to city compensatory allowance and house rent allowance as admissible to a Central Government servant in terms of Ministry of Finance (Department of Expenditure) O.M. No. 2(3)-E. II(B)/64, dated the 27th November, 1965.

Provided that where the Chairman is allotted an accommodation by the Central Government, he shall not be entitled to house rent allowance and shall be required to pay ten per cent of the emoluments drawn by him as house rent or license fee.

(b) in respect of journeys undertaken by the Chairman in connection with his duties as Chairman, he shall be entitled to travelling allowance and daily allowance at the rates permissible in the case of a government officer of equivalent rank under the Supplementary Rules of the Central Government:

(c) the Central Board shall provide to the Chairman, medical facilities as admissible to an office of the Central Government drawing salary of Rs. 3000/- per mensem.]

(3) Notwithstanding anything contained in sub-rules (1) and (2), where a Government servant is appointed as Chairman, the terms and conditions of his service shall be such as may be specified by the Central Government from time to time.

---

[1] Substituted by G.S.R. 515 (E), dated 30.10.1978.

4. SALARIES, ALLOWANCES AND OTHER CONDITIONS OF SERVICE OF MEMBER-SECRETARY.

(l) The Member-Secretary shall be paid a monthly pay in the scale of Rs. 2250-125-2500.

(2) (a) In addition to the salary specified in sub-rule (1) the Member-Secretary shall be entitled to city compensatory allowance and house rent allowance as admissible to a Central Government servant in terms of Ministry of Finance (Department of Expenditure) O.M. No. 2(3)-E. II(b)/64, dated the 27th November, 1965:

Provided that where the Member-Secretary is allotted an accommodation by the Central Government he shall not be entitled to house rent allowance and shall be required to pay ten per cent-of the emolument drawn by him as house rent or license fee.

(b) in respect of journeys undertaken by the Member-Secretary in connection with his duties as Member-Secretary he shall be entitled to travelling allowance and daily allowance at the rates permissible in the case of a Government Officer of equivalent rank under the Supplementary Rules of the Central Government;

(c) the Central Board shall provide to the Member-Secretary, medical facilities as admissible to an officer of the Central Government drawing salary in the scale of Rs. 2250-2500 per mensem.

(d) the other terms and conditions of service of the Member-Secretary including allowances payable to him, shall be, as far as may be, the same as are applicable to a Grade I Officer of corresponding status of the Central Government.

(3) Notwithstanding anything contained in sub-rules (I) and (2) where a Government servant is appointed as Member-Secretary, the terms and conditions of his service shall be such as may be specified by the Central Government from time to time.

5. TERMS AND CONDITIONS OF SERVICE OF MEMBERS OF THE CENTRAL BOARD.

(1) Non-official members of the Central Board resident in Delhi shall be paid an allowance of rupees seventy five per day for each day of the actual meetings of the Central Board.

(2) Non-official members of the Central Board, not resident in Delhi shall be paid an allowances of rupees [1][seventy five] per day (inclusive of daily allowance) for each

[1] Substituted by G.S.R. 352, dated 21.2.1976.

day of the actual meetings of the Central Board and also travelling allowance at such rate as is admissible to a Grade I officer of the Central Government.

Provided that in case of a member of Parliament who is also a member of the Central Board, the said daily and travelling allowance will be admissible when the Parliament is not in session and on production of a certificate by the member that he has not drawn any such allowance for the same journey and halts from any other Government source.

6. FEES AND ALLOWANCES TO BE PAID TO SUCH MEMBERS OF A COMMITTEE OF THE CENTRAL BOARD AS ARE NOT MEMBERS OF THE BOARD UNDER SUB-SECTION (3) OF SECTION 9.

A member of a committee of the Central Board shall be paid in respect of meetings of the committee travelling and daily allowances, if he is a non-official, at the rates specified in rule 5, as if he were a member of the Central Board and, if he is a Government servant, at the rates, admissible under the relevant rules of the respective government under whom he is serving.

CHAPTER 3

POWERS AND DUTIES OF THE CHAIRMAN AND MEMBER SECRETARY AND APPOINTMENTS OF OFFICERS AND EMPLOYEES

7. POWERS AND DUTIES OF THE CHAIRMAN.

(1) The Chairman shall have overall control over the day-to-day activities of the Central Board.

(2) (i) The Chairman may undertake tours within India for carrying out the functions of the Central Board:

Provided that he shall keep the Central Government (Secretary to the Ministry of Works and Housing) and the Central Board, informed of his tours.

(ii) The Chairman may, with the prior approval of the Central Government, visit any country outside India.

(3) * * * * [1]

(4) In the matter of acceptance to tenders, the Chairman shall have full powers subject to the concurrence of the Central Board:

---

[1] Omitted by G.SR. 36 (E) dt. 29-1-81.

Provided that no such occurrence is required for acceptance of tenders upto an amount of rupees one thousand in each case.

(5) Subject to overall sanctioned budget provision, the Chairman shall have full powers to administratively approve and sanction all estimates.

8. CREATION AND ABOLITION OF POSTS.

The Central Board may create such posts as it considers necessary for the efficient performance of its functions and may abolish any post, so created:

Provided that for the creation of, and appointment to, posts, the maximum of the scale of which is above Rs. 1,600 per month, the Central Board shall obtain prior sanction of the Central Government.

9. POWERS AND DUTIES OF THE MEMBER-SECRETARY.

The Member-Secretary shall be subordinate to the Chairman and shall, subject to the control of the Chairman, exercise the following powers, namely:-

(1) The Member-Secretary shall be in charge of all the confidential papers of the Board and shall be responsible for preserving them.

(2) The Member-Secretary shall produce such papers whenever so directed by the Chairman or by the Central Board.

(3) The Member-Secretary shall make available to any member of the Central Board, for his perusal, any record of the Board.

(4) The Member-Secretary shall be entitled to call for the services of any officer or employee of the Central Board, and files, papers and documents for study from any department of the Board, as also to carry out inspection of any department at any time including checking of accounts, vouchers, bills and others records and stores pertaining to the Board or regional offices thereunder.

(5) The Member-Secretary may withhold any payment:

Provided that as soon as may be [1][and in any case not later than three months] after such withholding of payment the matter shall be placed before the Central Board for its approval:

(6) The Member-Secretary shall make all arrangements for holding meetings of the Central Board and meetings of the Committees constituted by the Central Board.

---

[1] Subs. by G.S.R. 352 dated 21-2-1976.

(7) All orders or instructions to be issued by the Central Board shall be over the signature of the Member-Secretary or of any other officer authorised in this behalf by the Chairman.

(8) The Member-Secretary shall authorise, sanction or pass all payments against allotments made or estimates sanctioned.

(9) The Member-Secretary shall write and maintain confidential reports of all Class I and Class II officers of the Central Board and shall get them countersigned by the Chairman.

(10) The Member-Secretary shall countersign the confidential reports of all the Class III employees of the Central Board.

(11) (i) The Member-Secretary shall sanction the annual increments of the Class I and Class II officers of the Central Board:

Provided that the increment of Class I and Class II officers shall be withheld only with the approval of the Chairman.

(ii) The annual increment of other employees of the Central Board not referred to in clause (i) shall be sanctioned by officers authorised in this behalf by the Member-Secretary.

(12) The Member-Secretary shall have full powers for according technical sanction to all estimates.

(13) The Member-Secretary shall exercise such other powers and perform such other functions as may be delegated to him from time to time either by the Board or by the Chairman.

CHAPTER 4

TEMPORARY ASSOCIATION OF PERSONS WITH CENTRAL BOARD

10. MANNER AND PURPOSE OF ASSOCIATION OF PERSONS WITH CENTRAL BOARD.

(1) The Central Board may invite any persons, whose assistance or advice it considers useful to obtain in performing any of its functions, to participate in the deliberations of any of its meetings.

(2) If the person associated with the Board under sub-rule (1) happens to be a non-official, resident in Delhi, he shall be entitled to get an allowance of [1][rupees seventy five] per day for each day of actual meeting of the Central Board in which he is so associated.

---

[1] Sub. by G.S.R. 352, dated 21-2-1976.

(3) If such person is non-resident in Delhi, he shall be entitled to get an allowance of rupees seventy-five per day (inclusive of daily allowance) for each day of actual meeting of the Central Board in which he is so associated and also to travelling allowance at such rates as admissible to a Grade I Officer of the Central Government.

(4) Notwithstanding anything in sub-rule (2) and (3), if such person is Government servant or an employee in a Government undertaking he shall be entitled to travelling and daily allowances only at the rates admissible under the relevant rules applicable to him.

CHAPTER 5

CONSULTING ENGINEER

11. APPOINTMENT OF CONSULTING ENGINEER.

For the purpose of assisting the Central Board in the performance of its functions, the Board may appoint a consulting engineer to the Board for a specified period not exceeding four months:

Provided that the Board may, with the prior approval of the Central Government extend the period of the appointment from time to time:

Provided further that if at the time of the initial appointment the Central Board had reason to believe that the services of the consulting engineer would be required for a period of more than four months, the Central Board shall not make the appointment without the prior approval of the Central Government.

12. POWER TO TERMINATE APPOINTMENT.

Notwithstanding the appointment of a consulting engineer for a specified period under rule 11, the Central Board shall have the right to terminate the services of the-consulting engineer before the expiry of the specified period, if, in the opinion of the Board, the consulting engineer is not discharging his duties properly or to the satisfaction of the Board or such a course of action is necessary in the public interest.

[1][Provided that the services of a consulting engineer shall not be terminated under this rule by the Central Board except after giving him a reasonable opportunity of showing cause against the proposed action.]

---

[1] Sub. by G.S.R. 352, dated 21-2-1976.

13. EMOLUMENTS OF THE CONSULTING ENGINEER.

The Central Board may pay the consulting engineer suitable emoluments or fees depending on the nature of work, and the qualifications and experience of the consulting engineer.

Provided that the Central Board shall not appoint any person as consulting engineer without the prior approval of the Central Government if the emoluments or fees payable to him exceeds rupees two thousand per month.

14. TOURS BY CONSULTING ENGINEER.

The consulting engineer may undertake tours within the country for the performance of the duties entrusted to him by the Central Board and in respect of such tours he shall be entitled to travelling and daily allowances as admissible to a Grade I officer of the Central Government. He shall, however, get the prior approval of the Member-Secretary to his tour programme.

15. CONSULTING ENGINEER NOT TO DISCLOSE INFORMATION.

The consulting engineer shall not disclose any information either given by the Central Board or obtained during the performance of the duties assigned to him either from the Central Board or otherwise, to any person other than the Central Board without the written permission of the Board.

16. DUTIES AND FUNCTIONS OF THE CONSULTING ENGINEER.

The consulting engineer shall discharge such duties and perform such functions as are assigned to him, by the Central Board and it will be his duty to advice the Board on all technical matters referred to him by the Board.

CHAPTER 6

BUDGET OF THE CENTRAL BOARD

17. FORM OF BUDGET ESTIMATES.

(1) The budget in respect of the year next ensuing showing the estimates receipts and expenditure of the Central Board shall be prepared in Forms I, II, III and IV and submitted to the Central Government.

(2) The estimated receipts and expenditure shall be accompanied by the revised budget estimates for the current year.

(3) The budget shall, as far as may be, based on the account heads specified in Schedule II.

18. SUBMISSION OF BUDGET ESTIMATES TO THE CENTRAL BOARD.

(1) The budget estimates as compiled in accordance with rule 17 shall be placed by the Member-Secretary before the Central Board by the 5th October each year for approval.

(2) After approval of the budget estimates by the Central Board, four copies of the final budget proposals incorporating therein such modifications as have been decided upon by the Central Board shall be submitted to the Central Government by the l5th October each year.

19. ESTIMATES OF ESTABLISHMENT EXPENDITURE AND FIXED RECURRING CHARGES.

(1) The estimates of expenditure on fixed establishment as well as fixed monthly recurring charges on account of rent, allowances, etc., shall provide for the gross sanctioned pay without deductions of any kind.

(2) To the estimates referred to in sub-rule (1) shall be added a suitable provision for leave salary based on past experience with due regard to the intention of the members of the staff in regard to leave as far as the same can be ascertained.

(3) If experience indicates that the total estimate for fixed charges referred to in sub-rules (l) and (2) is not likely to be fully utilised, a suitable lump deduction shall be made from the total amount estimated.

20. RE-APPROPRIATIONS AND EMERGENT EXPENDITURE.

No expenditure which is not covered by a provision in the sanctioned budget estimates, or which is likely to be in excess over the amount provide under any head, shall be incurred by the Central Board without provision being made by re-appropriation from some other head under which saving are firmly established and available.

21. POWER TO INCUR EXPENDITURE.

The Central Board shall incur expenditure out of the funds received by it in accordance with the instructions laid down under the General Financial Rules of the Central Government and other instructions issued by that Government from time to time.

22. OPERATION OF FUND OF THE CENTRAL BOARD.

The fund of the Central Board shall be operated by the Member-Secretary of the Central Board or in his absence by any officer of the Central Board who may, subject to the approval of the Central Government, be so empowered by the Central Board.

23. SAVING.

Nothing in this Chapter shall apply to a budget already finalised before the commencement of these rules.

CHAPTER 7

ANNUAL REPORT OF THE CENTRAL BOARD

24. FORM OF THE ANNUAL REPORT.

The annual report in respect of the year last ended giving a true and full account of the activities of the Central Board during the previous financial year shall contain the particulars specified in the [1][Schedule III].

CHAPTER 8

ACCOUNT OF THE CENTRAL BOARD

25. FORM OF ANNUAL STATEMENT OF ACCOUNTS OF THE CENTRAL BOARD.

The annual statement of accounts of the Central Board shall, be in Forms V to IX.

CHAPTER 9

REPORT OF CENTRAL BOARD ANALYST [2][AND THE QUALIFICATIONS OF ANALYSTS]

26. FORM OF REPORT OF CENTRAL BOARD ANALYST.

When a sample or any water, sewage or trade effluent has been sent for analysis to a laboratory established or recognised by the Central Board, the Central Board analyst appointed under sub-section (3) of section 53 shall analyse the sample and submit to the Central Board a report in triplicate in Form X of the result of such analysis.

---

1 Omitted by G.S.R. 717(E) dt. 27-7-89.

2 Subs. by G.S.R. 377(E) dt 20-7-78.

[1][26A. QUALIFICATIONS OF ANALYSTS.

Persons possessing the following qualifications are eligible for appointment as Government analysts or as Board analysts under sub-section (I) or sub-section (3), as the case may be, of section 53, namely:

Essential:- (i) M.Sc. Degree in Chemistry or equivalent or Bachelor Degree in Chemical Engineering or Bio-chemical Engineering; and

(ii) 10 years' experience in analysis of water, sewage or industrial wastes in teaching, research or Government Laboratory.

Desirable.- (i) Doctorate Degree in Chemistry or Bio-chemistry or Master's Degree in Chemical Engineering or Bio-chemical Engineering;

(ii) Evidence of published papers in the field.]

CHAPTER 10

CENTRAL WATER LABORATORY

27. FUNCTIONS OF THE CENTRAL WATER LABORATORY.

The Central Water Laboratory shall cause to be analysed any samples of water, sewage or trade effluent received by it from any officer authorised by the Central Board for the purpose, and the findings shall be recorded in triplicate in Form XI.

[2][28. FEE FOR REPORT.

The fees payable in respect of each report of the Central Water Laboratory on any analysis or test mentioned in column (2) of Schedule IV shall be at the rates specified in the corresponding entry in column (3) thereof.]

CHAPTER 11

POWERS AND FUNCTIONS OF THE CENTRAL BOARD IN RELATION TO UNION TERRITORIES

29. CENTRAL BOARD TO ACT AS STATE BOARD FOR UNION TERRITORIE5S.

The Central Board shall act as State as State Board for Union territories under sub-section (4) of section 4.

---

1 Instituted by G.S.R. 1260 dt. 17-8-76.

2 Sub. by G.S.R. 377(E) dt. 20-7-78.

30. POWER TO TAKE SAMPLES.

The Central Board or any officer empowered by it in this behalf. Shall have power to take for the purpose of analysis samples of water from any stream or well or samples of sewage or trade effluent which is passing from any plant or vessel or from or over any place into any such stream or well in any Union territory.

31. FORM OF NOTICE.

A notice under clause (a) of sub-section (3) of section 21 shall, in the case of a Union territory, be in Form XII.

[1][32. APPLICATION OF CONSENT.

An application for obtaining the consent of the Central Board for establishing or taking any steps to establish any industry, operation or process or any treatment and disposal system or any extension or addition thereto, which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land (such discharge being hereinafter in this Rule referred to as discharge of sewage); or for bringing into use any new or altered outlet for the discharge of sewage or beginning to make any new discharge of sewage under section 25 or for continuing an existing discharge of sewage under section 26 shall be made to the Central Board in Form XIII.]

33. PROCEDURE FOR MAKING INQUIRY INTO APPLICATION FOR CONSENT.

(1) On receipt of an application for consent under section 25 or section 26, the Central Board may depute any of its Officers, accompanied by as many assistants as may be necessary, to visit to the premises of the applicant, to which such application relates, for the purpose of verifying the correctness or otherwise of the particulars furnished in the application or for obtaining such further particulars or information as such officer may consider necessary. Such officer may for that purpose inspect any place where water or sewage or trade effluent is discharged by the applicant, or treatment plants, purification works or disposal systems of the applicant and may require the applicant to furnish to him any plans, specifications and other data relating to such treatment plants, purification works or disposal systems or any part thereof, that he considers necessary.

(2) Such officer shall before visiting any premises of the applicant for the purpose of inspection under sub-rule (1) above, give notice to the applicant of his intention to do so in Form XIV. The applicant shall furnish to such officer all facilities that such officer may legitimately require for the purpose.

---

[1] Subs. by G.S.R. 717(E} dt. 27-7-89.

(3) An officer of the Central Board may, before or officer carrying out an inspection under sub-rule (1) above, require the applicant to furnish to him, orally or in writing such additional information or clarification, or to produce before him such documents, as he may consider necessary for the purpose of investigation of the application and may, for that purpose, summon the applicant or his authorised agent to the office of the Central Board.

[1][34. DIRECTIONS.

(1) any direction issued under section 33A shall be in writing.

(2) The direction shall specify the nature of action to be taken and the time within which it shall be complied with by the person, officer or the authority to whom such direction is given.

(3) The person, officer or authority to whom any direction is sought to be issued shall be served with a copy of the proposed-direction and shall be given an opportunity of not less than fifteen days from the date of service of a notice to file with an officer designated in this behalf the objections, if any, to the issue of the proposed direction.

(4) Where the proposed direction is for the stoppage or regulation of electricity or water or any other services affecting the carrying on an industry, operation or process and is sought to be issue to an officer or an authority, a copy of the proposed direction shall also be endorsed to the occupier of the industry, operation or process, as the case may be, and objections, if any, filed by the occupier with an officer designed in this behalf shall be dealt with in accordance with the procedures under sub-rules (3) and (5) of this rule:

Provided that no opportunity of being heard shall be given to the occupier, if he had already been heard earlier and the proposed direction referred to in sub-rule (3) above for the stoppage or regulation of electricity or water or any other service was the resultant decision of the Central Board after such earlier hearing.

(5) The Central Board shall within a period of 45 days from the date of receipt of objections, if any, or from the date upto which an opportunity is given to the person, officer or authority to file objections whichever is earlier, after considering the objections, if any, sought to be directed and for reasons to be recorded in writing, confirm, modify or decide not to issue the proposed direction.

(6) In a case where the Central Board is of the opinion that in view of the likelihood of the grave injury to the environment it is not expedient to provide an opportunity to file objections against the proposed direction, it may, for reasons to be recorded in writing, issue directions without providing such an opportunity.

---

[1] Ins. by G.S.R. 717(E) 27-7-89.

(7) Every notice or direction required to be issued under this rule shall be deemed to be duly served:-

(a) Where the person to be served is a company, if the document is addressed in the name of the company and its registered office or at its principal office or place of business and is either-

(i) sent by registered post; or

(ii) delivered at its registered office or at the principal office or place or business;

(b) Where the person to be served is an officer serving Government, if the document is addressed to the person and a copy thereof is endorsed to his Head of the Department and also to the Secretary to the Government as the case may be, in charge of the Department in which for the time being the business relating to the Department in which the officer is employed is transacted and is either-:

(i) sent by registered post, or

(ii) is given or tendered to him;

(c) in any other case, if the document is addressed to the person to be served and-

(i) is given or tendered to him, or

(ii) if such persons cannot be found, is affixed on some conspicuous part of his last known place of residence or business or is given or tendered to some adult members of his family or is affixed on some conspicuous part or the land or building, if any, to which it relates, or

(iii) is sent by registered post to that person.

Explanation:- For the purpose of this sub-rule:-

(a) "company" means by body corporate and includes a firm or other association of individuals;

(b) "a servant" is not a member of the family.]

[1][35. MANNER OF GIVING NOTICE.

The manner of giving notice under clause (b) of sub-section (1) of section 49 shall be as follows, namely:-

(1) The notice shall be in writing in Form XV;

(2) If the alleged offence has taken place in a Union Territory, the person giving notice may sent notice to:-

(i) the Central Board, and

(ii) the Ministry of Environmental and Forests (represented by the Secretary to the Government of India);

(iii) the Administrator of the Union Territory (represented by the Secretary Head in charge of Environment).

(3) The notice shall be sent by registered post acknowledgement due; and

(4) The period of sixty days mentioned in clause (b) of sub-section (l) of section 49 of the Act, shall be reckoned from the date it is first received by one of the authorities mentioned in sub-rule (2).]

----------*----------

Ministry of Works and Housing, Q. 15015/49/74/PC] Gazette of India, Extraordinary 1915 Pt-II Section 3(i) P 293.

[1] Ins. by G.S.R. 717(E) dL 27-7-89.

SCHEDULE I

FORM I

CENTRAL POLLUTION CONTROL BOARD

DETAILED BUDGET ESTIMATES FOR THE YEAR 19__

(See rule 17)

ADMINISTRATION

(Expenditure)

Head of Account	Actuals for the past three years			Sanctioned estimate for the current year 19_	Actuals of last six months i.e., year 19__ -19__	Actuals of last six months of the current year 19	Revised estimate for the current year 19	Budget estimate for the next year	Variations between columns 5 and 8	Variations between columns 8 and 9	Explanation for columns 10 and 11
	19	19	19								
1	2	3	4	5	6	7	8	9	10	11	12

FORM II

CENTRAL POLLUTION CONTROL BOARD

ESTABLISHMENT

Statement of details of provisions proposed for pay of officers/Establishment for the year 19-19

(See rule 17)

<table>
<tr><td>1</td><td>2</td><td colspan="3">3</td><td>4</td><td colspan="3">5</td><td>6</td><td>7</td></tr>
<tr><td rowspan="2">Name and designation</td><td rowspan="2">Reference to page of estimate form</td><td colspan="3" rowspan="2">Sanctioned Pay of the Post</td><td rowspan="2">Amount of provision for the year at the rate in column 3(c)</td><td colspan="3">Increment falling due within the year</td><td rowspan="2">Total provision for the year, i.e., total of columns 4&5 (c)</td><td rowspan="2">Remarks</td></tr>
<tr><td rowspan="2">Date of increment (a)</td><td rowspan="2">Rate of increment (b)</td><td rowspan="2">Amount of increment for the year (c)</td></tr>
<tr><td></td><td></td><td colspan="3">Min. Max-Actual pay of the person concerned due on Ist April Next year</td><td></td><td></td><td></td><td></td><td></td><td></td></tr>
<tr><td></td><td></td><td>(a)</td><td>(b)</td><td>(c)</td><td></td><td></td><td></td><td></td><td></td><td></td></tr>
<tr><td colspan="11"></td></tr>
</table>

FORM III

CENTRAL POLLUTION CONTROL BOARD

NOMINAL ROLLS

(See rule 17)

					R.E. 19 __19		/B.E. 19__		__19
Name and designation	Pay	Dearness allowance	City Compensatory	House rent Allowance	Over-time Allowance	Children Educational	Leave travel concession	Other Allowance	Total
1	2	3	4	5	6	7	8	9	10
TOTAL									

FORM IV

CENTRAL POLLUTION CONTROL BOAKD

ABSTRACT NOMINAL ROLLS

(See rule 17)

Actual sanctioned strength as on 1st March, 19	Particulars of posts	Sanctioned Budget		Revised Estimates		Budget Estimates		Explanation for the difference between sanctioned Budget Grant Revised Estimates and Budget Estimates
		Grant 19	-19	19	-19	19	-19	
		No. of posts included	Pay and allowances	No. of posts included	Pay and allowances	No. of posts included	Pay and allowances	
1	2	3	4	5	6	7	8	9
	I Officers (a) Posts filled (b) Posts vacant Total I Officers							
	II Establishment (a) Posts filled (b) Posts vacant Total II Establishment							
	III Class IV (a) Posts filled (b) Posts vacant *Total III Class IV*							
	GRAND TOTAL -- I, II and III.							

FORM V

CENTRAL POLLUTION CONTROL BOARD

Receipts and Payments for the year ended

(See rule 25)

Previous year (1)	Receipts (2)	Previous year (3)	Payments (4)
Opening Balance _____		1. Capital Expenditure___	
I. Grants received _____		(i) Works _____	
(a) from Government _____		(ii) Fixed Assets _____	
(b) from other agencies_____		(iii) Other Assets_____	
II. Fees_____		(a) Laboratory Equipment	
		(b) Vehicles	
		(c) Furniture and Fixtures	
		(d) Scientific Instruments and	
		(e) Tools and Plant	
		2. Revenue Expenditure_____	
III. Fines and Forfeitures.		(A) Administrative ____ _____	
IV. Interest of investments.		(i) Pay of Officers _____	
V. Miscellaneous Receipts.		(ii) Pay of Establishment	
VI. Miscellaneous Advances.		(iii) Allowances and Honoraria	
VII. Deposits		(iv) Leave Salary and Pension Contributions _____	
		(v) Contingent Expenditure _____	
Total		Deduct Recoveries_____	

(B) (i) Board Laboratory.

(ii) Charges to be paid to the Central Water Laboratory.

(C) Running and Maintenance of vehicles _____

(D) Maintenance and Repairs

(i) Building and land Drainage including rents, if any _____

(ii) Works _____

(iii) Furniture and Fixtures

(iv) Scientific Instruments and Office Appliance and repairs)

(v) Tools and Plants_

(vi) Temporary works (including maintenance and repairs)

(E) Fees to Consultants and

Specialists_____

(F) Law charges_____

(G) Miscellaneous_____

(H) Fees for Audit___

3. Purchases_____

4. Miscellaneous_____

5. Advances_____

6. Deposits_____

Closing Balance _____

Total_____

Accounts Officer Member Secretary Chairman

FORM VI

CENTRAL POLLUTION CONTROL BOARD

ANNUAL STATEMENT OF ACCOUNT

Income and Expenditure Account for the year ended 31st March, 19

(See rule 25)

Previous year	Expenditure Details	Total of sub-head	Total of major head	Previous year	Income Details	Total of sub-head	Total of major head
1	2	3	4	5	6	7	8
Rs.		Rs.	Rs.	Rs.		Rs.	Rs.
To REVENUE EXPENDITURE (A) Administrative: (i) Pay of Officers (ii) Pay of establishment (iii) Allowances & Honoraria (iv) Leave salary and Pension Contributions (v) Board's Contributions to the staff Provident Fund (vi) Contingent expenditure Deduct Recoveries (B) Running expenses of Laboratories: (i) Main Laboratory (ii) Payments to be made to Central Water Laboratory (C) Running and Maintenance of Vehicle (D) Maintenance and Repairs:					By (1) GRANTS RECEIVED (a) From Govt. (b) From other agencies. Total : Less: Amount utilized for Capital expenditure net grant available for Revenue expenditure (II) Fees:- (III) Service Rental charges. (IV) Fines and Forfeitures (V) Interest on investments (VI) Miscellaneous Receipts (VII) Excess of expenditure over income		

(i) Building and Land Drainage (ii) Works (iii) Furniture and Fixtures (iv) Scientific instruments and office appliances. (v) Tools and plant. (E) Temporary works (including Maintenance and Repairs) (F) Fees to Consultants and Specialists (G) Law Charges. (H) Depreciation: (i) Buildings. (ii) Laboratory Equipment. (iii) Vehicles. (iv) Furniture and Fixtures. (v) Scientific instruments and office appliances. (vi) Tools and plants. (I) Miscellaneous: (i) Write off of losses (as per details in the statement attached). (ii) Other miscellaneous expenditure. (J) Fees for Audit. (K) Excess of Income over expenditure. Total:	Total:

Accounts Officer	Member-Secretary	Chairman

FORM VII
CENTRAL POLLUTION CONTROL BOARD
ANNUAL STATEMENT OF ACCOUNTS
Balance Sheet as at 31st March, 19. ..
(See rule 25)

Capital and Liabilities					Property and Assets		
Previous year	Details	Total of sub-head	Total of major head	Previous year	Details	Total of sub-head	Total of major head
1	2	3	4	5	6	7	8
(A) Capital Fund (i) Grants received from Govt. for Capital expenditure. (a) Amount utilised upto 31st March 19_. (b) Unutilised balance on 31st March 19 (ii) Grant from other agencies for Capital expenditure (a) Amount utilised upto 31st March 19_ (b) Unutilised balance on 31st March 19_ (iii) Value of land provided by Govt. (per contra) (B) Capital Receipts- (C) (i) Deposits received for works from outside bodies- Expenditure-					1. Works- (As per Form VIII) 2. Fixed Assets (As per Form IX) (a) Value of land provided by Govt. (at cost). (b) Buildings- Balance as per last Balance sheet Additions during the year Total _____ Less: _____ Depreciation during the year Total : _____ _____ 3. Other Assets (As per Form IX) (a) Laboratory Equipment as per last		

(iii) Other deposits- (D) Amounts due- (i) Purchases (ii) Others (E) Excess of income over expenditure ___ (i) upto 31st March 19. . . (ii) Add for the year (iii) Deduct-Excess of Expenditure over income.	Balance sheet--additions during the year Total: _____ Less: _____ Depreciation during the year _____ Total _____ (b) Vehicles as per last balance sheet Additions during the year. Total: _____ Less: _____ Depreciation during the year Total _____ c) Furniture and Fixture as per last balance sheet. Additions during the year Total: _____ Less: _____ Depreciation during the year Total _____ (d) Scientific Instruments and Office Appliances- As per last Balance Sheet. Additions during the year Total: _____ (e) Tools and Plants- As per last Balance Sheet Additions during the year

	Total: _____ Less: _____ Depreciation during the year. Total: _____ _____ 4. Sundry Debtors- (i) Amounts due from outside bodies for expenditure incurred – Expenditure Less amount received (ii) Other Sundry Debtors 5. Advances- (a) Miscellaneous Advances (b) Other amount recoverable. Cash- (a) Notice/Short Term Deposits (b) Cash at Bank (c) Cash in hand (d) Cash in transit Total: _____ _____
Total _____ _____	

Accounts Officer Member Secretary Chairman

FORM VIII

CENTRAL POLLUTION CON'TROL BOARD

ANNUAL STATEMENT OF ACCOUNT

Expenditure on works as on 31st March, 19

(Item l-Assets of the Balance Sheet)
(See Rule 25)

Sl. No.	Name of work	Upto 31st March 19			During the year 19			Upto 31st March 19		
		Direct Expenditure	Overhead Charges	Total Expenditure	Direct Expenditure	Overhead Charges	Total Expenditure	Direct Expenditure	Overhead Charges	Total Expenditure
TOTAL										

Accounts Officer Member-Secretary Chairman

FORM IX

CENTRAL POLLUTION CONTROL BOARD

Annual Statement of Accounts

Fixed Assets as on 31st March, 19__ (Item 2 Assets of the Balance Sheet)
Other Assets as on 31st March, 19__ (Item 3 Assets of the Balance Sheet)
(See Rule 25)

Sl. No.	Particulars of Assets	Balance as on 31st March 19	Additions during the years	Total	Depreciation during the year	Sales of write off during the year	Balance as on 31st March 19	Cumulative Depreciation as on 31st March 19
Accounts Officer			Member-Secretary				Chairman	

FORM X

REPORT BY THE CENTRAL BOARD ANALYST

(See Rule 26)

Report No. _____
Dated the _____ 19_____

I hereby certify that I, (I)_____Central Board analyst duly appointed under sub-section (3) of section 53 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) received on the (II) _____ day of _____ 19__ from (III) _____ a sample of _____ for analysis. The sample was in a condition fit for analysis reported below;

I further certify that I have analysed the aforementioned sample on (IV) _____ and declare the result of the analysis reported below;

I further certify that I have analysed the aforementioned sample on (IV) _____ and declare the result of the analysis to be as follows :

(V)_____
_____

The condition of the seals, fastening and container on receipt was as follows:-
_____
_____

signed this _____ day of _____ 19__.

(*Signature*)
Central Board analyst.

Address_____
_____

To
_____
_____
_____

(I) Here write the full name of the Central Board-analyst.
(II) Here write the date of receipt of the sample.
(III) Here write the name of the Board or person or body of persons or officer from whom the sample was received.
(IV) Here write the date of analysis.
(V) Here write the details of the analysis and refer to the method of analysis. If the space is not adequate the details may be given on a separate sheet of paper.

FORM XI
REPORT BY THE GOVERNMENT ANALYST
(See rule 27)

Report No _____

Dated the _____19

I hereby certify that 1, (I) _____ Government analyst duly appointed under sub-section (I) of section 53 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) received on the (II) _____ day of _____ 19_____ from (III) a sample of _____ for analysis. The sample was in a condition for analysis reported below:

I further certify that I have analysed the aforementioned sample, on (IV) _____ and declare the result of the analysis to be as follows:-

(V)_____
_____

The condition of the seals, fastening and container on receipt was as follows:-
_____
_____
signed this _____ day of _____ 19

(Signature)
(Government analyst)

Address _____
_____

To
_____
_____
_____

(I) Here write the full name of the Government analyst.
(II) Here write the date of receipt of the sample.
(III) Here write the name of the Board or person or body of persons or officer from whom the sample was received.
(IV) Here write the date of analysis.
(V) Here write the details of the analysis and refer to the method of analysis. If the space is not adequate and details may be given on a separate sheet of paper.

FORM XII

CENTRAL POLLUTION CONTROL BOARD

Notice of intention to have sample analysed

(See Rule 31)

To

_____

_____

_____

Take notice that it is intended to have analysed the sample of water/sewage effluent/trade effluent which is being taken today the _____ day of _____ 19__ from (1)

_____

_____

_____

Name and designation of the
person who takes the sample

(I) Here specify the stream, well, plant, vessel or place from where the sample is taken.

To

_____

_____

_____

[1][**FORM XIII**

Application for consent for establishing or taking any steps for establishment of Industry operation process or any treatment disposal system for discharge, continuation of discharge under section 25 or section 26 of the Water (Prevention and Control of Pollution) Act, 1974.

(See Rule 32)

Date _____

From

_____
_____
_____

To

The Member Secretary,
Central Pollution Control Board.

Sir,

I/We hereby apply for Consent/Renewal of Consent under section 25 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) for establishing or taking any steps for establishment of Industry/operation process or any treatment/disposal system to bring into use any new/altered outlet for discharge of *sewage/trade effluent* to continue to discharge* sewage/trade effluent* from land/premises owned by_____.

The other relevant details are below:-

1. Full Name of the applicant _____
2 Nationality of the applicant _____
3. (a) Individual
   (b) Proprietary concern
   (c) Partnership firm
      (whether registered or unregistered)
   (d) Joint family concern
   (e) Private Limited Company
   (f) Public Limited Company
   (g) Government Company
      (1) State Government
      (2) Central Government
      (3) Union Territory
   (h) Foreign Company
      (if a foreign company, the details of registration, incorporation, etc.).
   (i) Any other Association or Body

---

[1] Substituted by G.S.R.717(E), dated 27.7.1989

4. Name, Address and Telephone Nos. of Applicant.

(the full list of individuals partners persons Chairman (full-time or part-time Managing Directors, Managing Partners Directors (Full time or part-time) other kinds of office bearers are to be furnished with their period of tenure in the respective office with telephone Nos. and address).

5. Address of the Industry:

FORM XIV

CENTRAL POLLUTION CONTROL BOARD

NOTICE OF INSPECTION

[See Rule 33(2)]

Chairman
Shri

Member-Secretary

Shri _____
_____
_____
No. _____
Dated _____

To
_____
_____
_____

TAKE NOTICE that for the purpose of enquiry under sections 25/26 the following officers Or the Central Board namely:-

(i) Shri _____
(ii) Shri_____
(iii) Shri_____
and the persons authorised by the Board to assist them shall inspect the
(a) Water works
(b) Sewage Works
(c) Waste treatment Plant
(d) Factory
(e) Disposal system
(f) Any other parts thereof or pertaining thereto under management/control on date(s) _____ between _____ hours when all facilities requested by them for such inspection should be made available to them on the site. Take Notice that refusal or denial to above stated demand made under the functions of the Central Board shall amount to obstruction punishable under section 42 of the Act.

By order of the Board.
Member-Secretary.

Copy to:
1. _____
2. _____
3. _____

SCHEDULE II
BUDGET AND ACCOUNT HEADS
[(See Rule 17(3)]
ADMINISTRATION
Heads of Accounts (Expenditure)

1. Salaries.
2. Wages.
3. Travel Expenses.
4. Office Expenses.
   (a) Furniture.
   (b) Postage
   (c) Office Machines/Equipment
   (d) Liveries
   (e) Hot and cold weather charges
   (f) Telephones
   (g) Electricity and Water charges
   (h) Stationery
   (i) Printing
   (j) Staff car and other vehicles
   (k) Other items.
5. Fee and Honoraria.
6. Payment for professional and special services.
7. Rents, Rates and Taxes/Royalty.
8. Publications.
9. Advertising Sales and Publicity Expenses.
10. Grants in aid/Contributions/Subsidies.
11. Hospitality Expenses/Sumptuary Allowances etc.
12. Pensions/Gratituties.
13. Write off/Losses.
14. Suspenses.
15. Expenses in connection with the setting up and maintenance of the Board Laboratory.
16. Other charges (A residuary head, this will also include rewards and prizes).

Heads of Account (Receipts)

1. Payments by Central Government.
2. Fees.
3. Fines and other receipts.

[1][SCHEDULE III]

(See Rule 24)

CENTRAL POLLUTION CONTROL BOARD

ANNUAL REPORT FOR THE FINANCIAL YEAR

APRIL 19... TO MARCH 31, 19...

CHAPTER-I	Introduction
CHAPTER-2	Constitution of the Board including changes therein.
CHAPTER-3	Meetings of the Board with major decisions taken therein.
CHAPTER-4	Committees constituted by the Board and their activities.
CHAPTER-5	Monitoring Network for air, water and soil quality.
CHAPTER-6	Present state of environment, environmental problems and counter measures.
CHAPTER-7	Environmental Research.
CHAPTER-8	Environmental Training.
CHAPTER-9	Environmental Awareness and Public Participation.
CHAPTER-10	Environmental Standards including time schedule for their enforcement.
CHAPTER-11.1	Prosecutions launched and convictions secured for environmental pollution control.
CHAPTER-11.2	Directions given for closure of polluting industrial units.
CHAPTER-12	Finance and accounts of the Board.
CHAPTER-13	Annual Plan of the following year.
CHAPTER-14	Any other important matter dealt with by the Central Board.

ANNEXURES

1. Members of the Board.
2. Organisation Chart.
3. Staff Strength including recruitment.
4. Publications.
5. Training Courses/Seminars/Workshops organised or attended.
6. Consents to establish industries, operations & processes-issued/refused.
7. Consents to operate industries operations & process-issued/refused.

[No. 2-20013/4/91-C.P.W.]
MUKUL SANWAL, Jt. Secy.

---

[1] Substituted by Rule 2 of the Water (Prevention and Control of Pollution) Amendment Rules, 1992 notified vide G.S.R. 107(E) dated 18-2-1992.

[1]SCHEDULE IV

(See rule 28)

Rates of fees payable in respect of a report of the Central Water Laboratory

S .No.	Nature of analysis	Rates of fees
1	2	3
I	Chemical Analysis of Water	
	(a)	Rs. 56/- (for all the tests)
	Dissolved solids (at 103°-105°C)	
	P-alkalinity, as $CaCO_3$	
	M-alkalinity, as $CaCO_3$	
	Total hardness, as $CaCO_3$	
	Alkaline hardness, as $CaCO_3$	
	Non-alkaline hardness, as $CaCO_3$	
	Calcium, as Ca	
	Magnesium, as Mg	
	Chlorides, as Cl	
	Sulphates, as SO_4	
	Turbidity Units	
	pH	
	Appearance and colour in units (visual)	
	(b)	Rs. 100/- (for all the tests)
	Dissolved solids (at 103°-105°C)	
	asP-alkalinity, as $CaCO_3$	
	M-alkalinity, as $CaCO_3$	
	Total hardness, as $CaCO_3$	
	Alkaline hardness, as $CaCO_3$	
	Non-alkaline hardness, as $CaCO_3$	
	Calcium, as Ca	
	Magnesium, as Mg	
	Sodium as Na	
	Potassium, as K	
	Iron as Fe	

[1] Inserted by G.S.R.377(E), dated 20.7.1978

	Manganese, as Mn	
	Chlorides, as Cl	
	Sulphates, as SO_4	
	Fluorides as F	
	Nitrates, as N	
	Phosphates, as PO_4	
	Turbidity, units	
	pH	
	Appearance and colour units (visual)	
	(c)	Rs. 174/- (for all the tests)
	Dissolved solids	
	P-alkalinity, as $CaCO_3$	
	M-alkalinity, as $CaCO_3$	
	Free CO_2 as $CaCO_3$	
	Total hardness, as $CaCO_3$	
	Alkaline hardness, as $CaCO_3$	
	Non-alkaline hardness, as $CaCO_3$	
	Calcium, as Ca	
	Magnesium, as Mg	
	Sodium as Na	
	Potassium, as K	
	Iron as Fe	
	Manganese, as Mn	
	Chlorides, as Cl	
	Sulphates, as SO_4	
	Fluorides as F	
	Nitrates, as N	
	Phosphates, as PO_4	
	Silica as SiO_2	
	Turbidity, units	
	pH	
	Langelier Index	
	Conductivity micromhos/cm	

	Appearance and colour (visual)	
	Probable composition of residue	
	$CaCO_3$ $CaSO_4$ CaCl SiO_2 $MgCO_3$ $MgSO_4$ $MgC1_2$ Fe_2O_3 Na_2CO_3 Na_2SO_4 NaCl Mn_2O_2 K_2CO_3 K_2SO_4 KCl $A1_2O_3$	
II	Chemical Analysis of Irrigation Waters	Rs. 72/- (for all the tests)
	Dissolved solids	
	PH	
	Boron, as B	
	Calcium, as Ca	
	Chloride, as Cl	
	Conductivity, micromohs/cm	
	Magnesium, as Mg	
	Potassium, as K	
	Sodium, as Na	
	Sulphates as SO_4	
	Oil and Grease	
III	Bacteriological Analysis of Potable Waters Rs. 50/- (for all the tests).	Rs. 50/- (for all the tests)
	Standard Plate Count	
	Coliform	
	EE Coli.	
	Fecal streptococci	
IV	Distilled Water (as IS: 1070-1960)	Rs. 120/- (for each tests)
V	Sewage and Trade effluent	Rs. 60/- (for all the tests)
	BOD 20°C 5 day pH	
	COD suspended solids (103°-105°C)	
	Colour (visual) units.	
VI	Tests of water, sewage or trade effluent	Rs. 6/- (for each tests)
	(a) Albuminoid nitrogen, as N	
	Ammoniacal nitrogen, as N	
	Carbon dioxide. as CO_2	

	Conductivity, micromhos/cm	
	Chlorides, as Cl	
	Chlorine demand	
	Dissolved Oxygen	
	Fluolide, as F	
	Langelier Index	
	Nitrate, N	
	Nitrate, as N	
	Permanganate value	
	Residual chlorine	
	Sodium, as Na	
	Sulphate (as SO_4)	
	Dissolved solids (at 103°-105°C)	
	Tolal solids	
	Turbidity, as units	
	Volatile solids	
	pH	
	(b)	Rs. 12/- (for each tests)
	Coliform MPN presumptive for waste effluents only.	
	Acids solubility test for sand and gravel	
	Available chlorinc in bleaching powder	
	Boron, as B	
	Calcium (titrimetric), as Ca	
	Iron, as Fe	
	Kjeldahl notrogen, as N	
	Loss on ignition	
	Magnesium (Titrimetric), as Mg	
	Manganese, as Mn	
	Silica, as SiO_4	
	Potassium in sludge and waste water, as K	
	Sodium in sludge and waste waters, as Na	
	Soluble phosphate, as PO_4	
	Sulphides, as S	

	Suspended solids	
	Total phosphorous	
	Volatile acids	
	Alkalinity (P&M)	
	Specific gravity	
	(c) heavy Metals (qualitative test)	Rs. 24/- (for each tests)
	Aluminium (gravimetric)	
	Arsenic	
	Barium	
	Calcium	
	COD	
	Chromium	
	Copper	
	Cynide	
	Insecticides	
	Lead	
	Magnesium (gravimetric)	
	Mercury	
	Nickel	
	Selenium	
	Silver	
	Sulphate (gravimetric)	
	Zinc	
	Percent Sodium	
	Oil and Grease	
	Phenolic Substances.	
	(d)	Rs. 36/- (for each tests)
	BOD	
	Air Samples - analysis for:-	
	(i) Carbon dioxide	
	(ii) Carbon monoxide	
	(iii) Methane and	
	(iv) Oxygen	

	Total fluorides by distillation	
	(e)	Rs. 40/- (for each tests)
	Sieve analysis	
	Conventional Marble Test	
	The Enslow Stability Indicator Test.	
	(f)	Rs. 60/- (for each tests)
	Alum dose determination by jar test in water treatment	
	Alumino non-ferric (as per IS: 260- 1960)	
	Bioassay tests without chemical analysis (Tim value)	
	Plain settlement test of solution containing fines	
	Filter sand and gravel	
	Including sieve analysis, solubility in dilute HCL, loss on ignition, and specific gravity.	
	(g)	Rs. 96/- (for each tests)
	Alum	
	Jar test to evaluate optimum coagulant and coagulant aid doses in water treatment	
	Alumino ferric (as per IS: 299-1962)	
	Lime	
	Detailed analysis	
	(h)	Rs. 180/- (for each tests)
	Lead extraction test on UPVC pipe as per IS: 4985- 1963	
	(i)	Rs. 240/- (for each tests)
	Scale deposits (detailed analysis)	
	(j)	Rs. 40/- (for each tests)
	Attrition Test	
	(k)	Rs. 60/- (for each tests)
	To find out correlation between Jackson Candle Turbidity and Gravimetric Units.	

FORM XV

(See Rule 35)

FORM OF NOTICE

(1)

By registered post
Acknowledgement due

From

_____
_____
_____

To

_____
_____
_____

Notice under section 49 of the Water (Prevention and Control of Pollution) Act, 1974.

Whereas an offence under the Water (Prevention and Control of Pollution) Act, 1974, has been committed/ is being committed by _____

(2) I/We hereby give notice of 60 days under section 49 of the Water (prevention and Control of Pollution) Act, 1974 of my/our intention to file a complaint in the court against _____

(2) for violation of section _____ of the Water (Prevention and Control of Pollution) Act, 1974.

In support of my/our notice, I am/we are enclosing the following documents (3) as evidence of proof of violation of the Water (Prevention and Control of pollution) Act, 1974.

Signature(s)

Place_____
Date _____

Explanation:-

(1) In case the notice is given in the name of a company, documentary evidence authorising the person to sign the notice on behalf of the company shall be enclosed to this notice. Company for this purpose means a company defined in Explanation to section 47 of the Act.

(2) Here give the name and address of the alleged offender. In case of manufacturing processing operating unit, indicate the name/location/nature of activity, etc.

(3) Documentary evidence shall include photographs/technical reports/health reports of the area etc. for enabling enquiry into the alleged violation/offence.

[No. Q-15011/3/88-CPW]
G. SUNDARAM, Jt. Secy.
{Gazette of India, 1989, Extraordinary Pt. II Sec 3(I) p. 81}

THE CENRAL BOARD FOR THE PREVENTION AND CONTROL OF WATER POLLUTION (PROCEDURE FOR TRANSACTION OF BUSINESS) RULES, 1975

CENTRAL POLLUTION CONTROL BOARD (PROCEDURE FOR TRANSACTION OF BUSINESS) RULES, 1975[1]

[Dated : 10th January, 1975]

G.S.R.3(E). - In exercise of the power conferred by section 63 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974), the Central Government after consultation with the [2][Central Pollution Control Board], hereby makes the following rules, namely :--

1. SHORT TITLE AND COMMENCEMENT.

(1) These rules may be called the Central Board for the Prevention and Control of Pollution (Procedure for Transaction of Business) Rules, 1975.

(2) They shall come into force on the date of their publication in the official Gazette.

2. DEFINITIONS.

In these rules, unless the context otherwise requires --

(a) "Act" means the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);

(b) "Government" means the Central Government;

(c) "Chairman" means the Chairman of the Central Board;

(d) "Member" means a member of the Central Board and includes the Chairman thereof;

(e) "Member Secretary" means the Member Secretary of Central Board;

(f) "Meeting" means a meeting of the Central Board;

(g) "Section" means a section of the Act;

3. NOTICE OF MEETINGS.

(1) Meetings of the Central Board shall ordinarily be held at Delhi on such dates as may be fixed by the Chairman.

---

1 Source: The Gazette of India. Extraordinary Part II, Section 3 Sub-Section (1) notified on 10.1.1975

2 Substituted by Act 53 of 1988, Section 2.

(2) The Chairman shall, upon the written request of not less than five Members of the Central Board or upon a direction of the Central government, call a special meeting of the Central Board.

(3) Fifteen clear days' notice of an ordinary meeting and three clear days' notice of a special meeting specifying the time and the place at which such meeting is to be held and the business to be transacted thereat, shall be given by the Member-secretary to the members.

(4) Notice of a meeting may be given to the Members by delivering the same by messenger or sending it by registered post to his last known place of residence or business or in such other manner as the Chairman, may, in the circumstances of the case, thinks fit.

(5) No member shall be entitled to bring forward for the consideration of the meeting any matter of which he has not given ten clear days' notice to the Member-secretary, unless the chairman, in his direction, permits him to do so.

[1][(6) (a) The Central Board may adjourn its meetings from day to day or to any particular date.

(b) Where a meeting of the Central Board is adjourned from day to day, notice of such adjourned meeting shall be given to the Members available in the city, town or other place where the meeting which is adjourned if held, either by telephone or by special messenger and it shall not be necessary to give notice of the adjourned meeting to other Members.

(c) Where a meeting of the Central Board is adjourned not from day to day but from the day on which the meeting is held to another date, notice of such meeting shall be given to all the Members as provided in sub-rules (3) and (4).]

[2][(7)] * * *

4. PRESIDING OFFICER.

Every meeting shall be presided over by the Chairman and, in his absence, by a Chairman for the meeting to be elected by the members present from amongst themselves.

5. ALL QUESTIONS TO BE DECIDED BY MAJORITY.

(1) All questions at a meeting shall be decided by a majority of votes of members present, and voting shall be by raising of hands in favour of the proposal.

(2) In case of an equality of votes, the presiding officer shall have a second or casting vote.

---

1 Substituted by G.S.R. 1489, dated 11-10-1976.

2 Omitted, ibid.

6. QUORUM.

(1) Five members shall form the quorum for any meeting.

(2) If at any time fixed for any meeting or during the course of any meeting a quorum is not present, the presiding officer shall adjourn the meeting and if a quorum is not present on the expiration of fifteen minutes from such adjournment the presiding officer shall adjourn the meeting to such hours on the following or on some other future date as he may fix.

(3) No quorum shall be necessary for the adjourned meeting.

(4) No matter which had not been on the agenda of the original meeting shall be discussed at such adjourned meeting.

[1](5) (a) Where a meeting the Central Board is adjourned under sub- rule (2) for want of quorum to the following day, notice of such adjourned meeting shall be given to the Members available in the city, town or other place where the meeting which is adjourned is held, either by telephone or by special messenger and it shall not be necessary to give notice of the adjourned meeting to other Members.

(b) Where a meeting of the Central Board is adjourned under sub-rule (2) for want of quorum not to the following day but to another date, notice of such adjourned meeting shall be given to all the Members as provided in sub-rule (3) and (4).

7. MINUTES.

(1) Record shall be kept of the names of members who attend the meeting and of the proceedings at the meeting in a book to be maintained for that purpose by the Member-secretary.

(2) The minutes of the previous meeting shall be read at the beginning of the every succeeding meeting, shall be confirmed and signed by the presiding officer at such meeting.

(3) The proceedings shall be open to inspection by any member at the office of Central Board during office hours.

8. MAINTAINING ORDER AT MEETING.

The presiding officer shall preserve order at a meeting.

---

1 Substituted by G.S.R.1489, dated 11-10-1976.

9. BUSINESS TO BE TRANSACTED AT MEETING.

Except with the permission of the presiding officer, no business which is not entered in the agenda or of which notice has not been given by a member under sub-rule (5) of rule 3, shall be transacted at any meeting.

10. ORDER OF BUSINESS.

(1) At any meeting business shall be transacted in the order in which it is entered in the agenda.

(2) Either at the beginning of the meeting or after the conclusion of the debate on a motion during the meeting the presiding officer or a member may suggest a change in the order of business as entered in the agenda and if the meeting agrees, such a change shall take place.

11. PROCEDURE FOR TRANSACTION OF BUSINESS OF COMMITTEES CONSTITUTED BY THE BOARD.

(1) The time and place of the meetings of the committees constituted by the Central Board under sub-section (1) of Section 9 shall be as specified by the Chairman.

(2) The quorum for a meeting of a committee constituted under sub-section (1) of section 9 shall be one-half of the total number of members of the committee.

(3) Subject to sub-rule (1) and sub-rule (2) the meetings of any of the committees constituted under sub-section (1) of the section 9 shall, as far as may be governed by the rules applicable to the meetings of the Central Board.

[NO. Q.1505/16/74/EFQ]
S.CHAUDHURI, Jt. Secy.

NOTIFICATIONS

UNDER

THE WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974

CENTRAL POLLUTION CONTROL BOARD'S LABORATORIES

MINISTRY OF ENVIRONMENT & FORESTS

CENTRAL POLLUTION CONTROL BOARD

GAZETTE OF INDIA, EXTRAORDINARY

PART-III, SUB-SECTION 4

NOTIFICATION

New Delhi, 15TH JUNE, 2008

Legal/42(3)/87.- In exercise of the powers conferred under Sub-section 3 of Section 16 and Sub-section 2 of Section 17 read with Sub-section 4 of Section 4 of the Water (Prevention and Control of Pollution) Act, 1974 (Act 6 of 1974 alongwith Rule 28 of the Water (Prevention and Control of Pollution) Rules, 1975, and under Sub-section 3 of Section 16 of Air (Prevention and Control of Pollution) Act, 1981, (Act 14 of 1981), the Central Pollution Control Board has established the Board's Laboratories at the places mentioned in Schedule I.

2. The fee payable to the Central Pollution Control Board Laboratories in respect of each report of analysis for various analytical parameters and sampling charges for the water, wastewater, soil, hazardous waste, air/fugitive emissions, source emission, noise monitoring, auto exhaust monitoring and ambient air quality monitoring shall be as per Schedule II : Schedule of sampling and analysis charges for Environmental Samples.

3. The fee prescribed under Schedule II will be subject to revision.

4. This notification shall come into force w.e.f. 1.4.2008

SCHEDULE – I

SCHEDULE OF BOARD'S LABORATORIES

S. No.	Place	Address
1.	Delhi	Parivesh Bhawan, East Arjun Nagar, Shahadra, Delhi – 110032
2.	Kolkata	Zonal Office – Kolkata 247, Deshpran Sheshmal Road CIT Building, 1st Floor Kolkata – 700033

3.	Vododara	Zonal Office – Vadodara Synergy House – II Gorwa Subhanpura Road Vadodara – 390023
4.	Lucknow	Zonal Office – Lucknow Ground Floor, PICUP Bhawan Vibhuti Khand, Gomti Nagar Lucknow – 228010
5.	Bangalore	Zonal Office – Bangalore NISARGA Bhawan, A Block 1 & 2 Floor, Thimmaiah Main Road 7th D Cross, Shivanagar Bangalore – 560086
6.	Bhopal	Zonal Office – Bhopal 3rd Floor, Sahkar Bhawan North TT Nagar Bhopal – 462003
7.	Shillong	Zonal Office – Shillong Tumsir, Lumdiengob Lower Motinagar, Near Fire Brigade H. Q, Lumpyngngad Shillong – 793014

SCHEDULE OF SAMPLING AND ANALYSIS CHARGES FOR ENVIRONMENTAL SAMPLES

SCHEDULE -II

(Applicable w. e. f. April 01, 2008)

Note: (i) This schedule supersedes all schedules of sampling and analysis charges notified earlier as such earlier schedules stand cancelled & withdraw.

(ii) 50% discount on analytical charges shall be applicable for the samples forwarded from North-Eastern States.

A. SAMPLING CHARGES

(I) Sampling charges for Ambient Air/Fugitive emission samples

S. No.	Type of sampling	Charges in Rs.
1.	**Air Monitoring**	
	(a) Sampling (upto each 8 hrs) for suspended particulate matter and gaseous pollutants	2000.00
	(b) Sampling (24 hrs) for suspended particulate matter and gaseous pollutants	6000.00
	(c) Sampling of Volatile Organic Compounds (VOCs)/ Benzene Toluene Xylene (BTX)	2000.00
	(d) Sampling of Poly Aromatic Hydrocarbons (PAHs)	2500.00

Note: (i) Transportation charges will be separate as per actual basis.

(ii) Sample analysis charges of respective parameters are separate as per list.

(II) Source Emission Monitoring/Sampling charges

	Type of Sampling	Charges in Rs.
(a)	Sampling/measurement of Velocity, Flow rate, temperature and molecular weight of Flue Gas (each specific location/each sample in duplicate for the mentioned parameter)	5500.00
(b)	Sampling of SO_2/NO_2	2000.00
(c)	Sampling of PAHs	3000.00
(d)	Sampling of VOCs/BTX	3500.00

Note : (i) Transportation charges will be separate as per actual basis.

(ii) Sample analysis charges of respective parameters are separate as per list.

(III) Noise Monitoring

Type of Sampling	Charges in Rs.
First Monitoring	4000.00
Each Subsequent Monitoring within same premises	2000.00
For 08 hours Continuous Monitoring or more	10,000.00

Note : (i) Transportation charges will be separate as per actual basis.

(IV) Sampling charges for water & wastewater samples

S. No.	Type of sampling	Charges in Rs.
1.	**GRAB SAMPLING:**	
	1) Grab sampling/sample/place	550.00
	2) For every additional Grab sampling/same place	250.00
2.	**COMPOSITE SAMPLING:**	
	1) Composite sampling/source/place upto 8 hrs.	1000.00
	- do - upto 16 hrs.	2000.00
	- do - upto 24 hrs.	3000.00
	2) For every additional composite sampling/same place but different source upto 8 hrs.	550.00
	- do - upto 16 hrs.	1100.00
	- do - upto 24 hrs.	1650.00
3.	Flow Rate measurement/source - once	400.00
	- do - - every additional	150.00

Note : (i) Transportation charges will be separate as per actual basis.

(ii) Sample analysis charges of respective parameters are separate as per list.

(V) Sampling charges for Soil samples

Type of Sampling	Charges in Rs.
Grab sampling/sample/place	600.00
For additional Grab sampling/same place	300.00

Note : (i) Transportation charges will be separate as per actual basis.

(ii) Sample analysis charges of respective parameters are separate as per list.

(VI) Hazardous Waste Sample collection charges at the premises of Industry/Import site/Disposal site

Type	Charges in Rs.
Integrated sample collection charges	1000.00

Note : (i) Transportation charges will be separate as per actual basis.

(ii) Sample analysis charges of respective parameters are separate as per list.

B. ANALYSIS CHARGES

1. Analysis charges of Ambient Air/ Fugitive Emission Samples

S. No.	Parameters	Analysis charges per sample in Rs.
1.	Ammonia	600.00
2.	Analysis using dragger (per tube)	400.00
3.	Benzene Toluene Xylene (BTX)	1000.00
4.	Carbon Monoxide	600.00
5.	Chlorine	600.00
6.	Fluoride (gaseous)	600.00
7.	Fluoride (particulate)	600.00
8.	Hydrogen Chloride	600.00
9.	Hydrogen Sulphide	600.00
10.	Lead & Other metals (per metal)	As mentioned in respective group at Clause 5.0
11.	NO_2	600.00
12.	Ozone	1000.00
13.	Poly Aromatic Hydrocarbons (PAHs)	As mentioned in respective group at Clause 5.0
14.	Suspended Particulate Matter (SPM)	600.00
15.	Particulate Matter ($PM_{2.5}$)	1000.00
16.	Respirable Suspended Particulate Matter (PM_{10})	600.00
17.	Sulphur Dioxide	600.00
18.	Volatile Organics Carbon	2000.00

S. No.	Parameters	Analysis charges per sample in Rs.
19.	Trace Metals on air filter paper using EDXRF Aluminium, Antimony, Arsenic, Barium, Bromine, Cadmium, Calcium, Cesium, Chlorine, Chromium, Cobalt, Copper, Gallium, Germanium, Gold, Iodine, Iron, Lanthanum, Lead, Magnesium, Manganese, Molybdenum, Nickel, Palladium, Phosphorous, Potassium, Rubidium, Rutherfordium, Selenium, Silicon, Silver, Sodium, Strontium, Sulphur, Tellurium, Tin, Titanium, Tungsten, Vanadium, Ytterbium, and Zinc.	3000.00 Per filter paper
20.	Water Extractable ions in Air Particulate Matter using Ion Chromatograph (IC) (i). Processing / Pretreatment Charge per Sample (Filter Paper) (ii). Cations (Na^{+}, NH_4^{+}, K^{+}, Ca^{++} & Mg^{++}) and Anions (F^{-}, Br^{-}, Cl^{-}, NO_3^{-}, NO_2^{-}, SO_4^{--} & PO_4^{---})	300.00 1200.00 (for 12 ions)
21.	Organic and Elemental Carbon (OC/EC) on quartz filter paper	2000.00

2. Analysis Charges for Source Emission Parameters

S. No.	Parameters	Analysis Charges per test in Rs.
1.	Acid Mist	600.00
2.	Ammonia	600.00
3.	Carbon Monoxide	600.00
4.	Chlorine	600.00
5.	Fluoride (Gaseous)	600.00
6.	Fluorides (Particulate)	600.00
7.	Hydrogen Chloride	600.00
8.	Hydrogen Sulphide	600.00
9.	Oxides of Nitrogen	600.00
10.	Oxygen	500.00
11.	Polycyclic Aromatic Hydrocarbons (Particulate)	As mentioned in respective group at Clause 5.0
12.	Suspended Particulate Matter	600.00
13.	Sulphur Dioxide	600.00
14.	Benzene Toluene Xylene (BTX)	1500.00
15.	Volatile Organic Compounds (VOCs)	3000.00

3. Ambient Air Quality Monitoring using on-line monitoring instruments by Mobile Van

Parameters	Charges in Rs.
PM_{10}, $PM_{2.5}$, SO_2, NOx, SPM, CO along with Meteorological data viz. temperature, Humidity, Wind speed, Wind direction	Rs.3,500/hour (minimum charges Rs.15,000/-) + Rs.50.00/km run of the van for 24 hours monitoring.

4. Auto Exhaust Monitoring - One time checking of vehicular exhaust

Parameters	Charges in Rs.
Carbon Monoxide %	As per rate notified by Transport Department NCT Delhi
Hydrocarbon, PPM	
Smoke Density, HSU	

5. Analysis charges of Water & Wastewater samples

S. No.	Parameters	Analysis charges per test in Rs.
	PHYSICAL PARAMETERS	
1.	Conductivity	60.00
2.	Odour	60.00
3.	Sludge Volume Index (S.V.I.)	200.00
4.	Solids (dissolved)	100.00
5.	Solids (fixed)	150.00
6.	Solids (volatile)	150.00
7.	Suspended Solids	100.00
8.	Temperature	60.00
9.	Total Solids	100.00
10.	Turbidity	60.00
11.	Velocity of Flow (Current Meter)	200.00
12.	Velocity of Flow (other)	550.00
1.	Acidity	100.00
2.	Alkalinity	100.00
3.	Ammonical Nitrogen	200.00
4.	Bicarbonates	100.00

S. No.	Parameters	Analysis charges per test in Rs.
5.	Biochemical Oxygen Demand (BOD)	600.00
6.	Bromide	100.00
7.	Calcium (titrimetric)	100.00
8.	Carbon Dioxide	100.00
9.	Carbonate	100.00
10.	Chloride	100.00
11.	Chlorine Demand	200.00
12.	Chlorine Residual	100.00
13.	Chemical Oxygen Demand (COD)	350.00
14.	Cyanide	350.00
15.	Detergent	200.00
16.	Dissolved Oxygen	100.00
17.	Fluoride	200.00
18.	H. Acid	350.00
19.	Hardness (calcium)	100.00
20.	Hardness (total)	100.00
21.	Iodide	100.00
22.	Nitrate Nitrogen	200.00
23.	Nitrite Nitrogen	200.00
24.	Percent Sodium	600.00
25.	Permanganate Value	200.00
26.	pH	60.00
27.	Phosphate (ortho)	200.00
28.	Phosphate (total)	350.00
29.	Salinity	100.00
30.	Sodium Absorption Ratio (SAR)	600.00
31.	Settleable Solids	100.00
32.	Silica	200.00
33.	Sulphate	150.00
34.	Sulphide	200.00
35.	Total Kjeldahl Nitrogen (TKN)	350.00
36.	Urea Nitrogen	350.00
37.	Cations (Na^+, NH_4^+, K^+, Ca^{++} & Mg^{++}) and Anions (F^-, Br^- Cl^-, NO_3^-, NO_2^-, SO_4^{--} & PO_4^{---}) in surface & ground water sample using Ion Chromatograph	1200.00 (for 12 ions)
	Processing / pretreatment Charge per Sample	500.00

S. No.	Parameters	Analysis charges per test in Rs.
1.	Aluminium	300.00
2.	Antimony	300.00
3.	Arsenic	300.00
4.	Barium	300.00
5.	Beryllium	300.00
6.	Boron	300.00
7.	Cadmium	300.00
8.	Chromium Hexavalent	200.00
9.	Chromium Total	300.00
10.	Cobalt	300.00
11.	Copper	300.00
12.	Iron	300.00
13.	Lead	300.00
14.	Magnesium	200.00
15.	Manganese	300.00
16.	Mercury (Processing & Analysis)	800.00
17.	Molybdenum	300.00
18.	Nickel	300.00
19.	Potassium	200.00
20.	Tin	300.00
21.	Selenium	300.00
22.	Silver	300.00
23.	Sodium	200.00
24.	Strontium	300.00
25.	Vanadium	300.00
26.	Zinc	300.00
	Organo Chlorine Pesticides (OCPs)	
	Processing / pretreatment Charge per Sample	1000.00
1.	Aldrin	400.00
2.	Dicofol	400.00
3.	Dieldrin	400.00
4.	Endosulfan-I	400.00
5.	Endosulfan-II	400.00
6.	Endosulfan sulfate	400.00
7.	Heptachlor	400.00

S. No.	Parameters	Analysis charges per test in Rs.
8.	Hexachlorobenzene (HCB)	400.00
9.	Methoxy Chlor	400.00
10.	o,p DDT	400.00
11.	*p,p'*-DDD	400.00
12.	*p,p'*-DDE	400.00
13.	*p,p'*-DDT	400.00
14.	α-HCH	400.00
15.	β-HCH	400.00
17.	γ-HCH	400.00
18.	δ-HCH	400.00
	Organo Phosphorous Pesticides (OPPs)	
	Processing / pretreatment Charge per Sample	1000.00
19.	Chlorpyriphos	400.00
20.	Dimethoate	400.00
21.	Ethion	400.00
22.	Malathion	400.00
23.	Monocrotophos	400.00
24.	Parathion-methyl	400.00
25.	Phorate	400.00
26.	Phosphamidon	400.00
27.	Profenophos	400.00
28.	Quinalphos	400.00
	Synthetic Pyrethroids (SPs)	
	Processing / pretreatment Charge per Sample	1000.00
29.	Deltamethrin	400.00
30.	Fenpropethrin	400.00
31.	Fenvalerate	400.00
32.	α-Cypermethrin	400.00
33.	β-Cyfluthrin	400.00
34.	λ-Cyhalothrin	400.00
	Herbicides	
	Processing / pretreatment Charge per Sample	1000.00
35.	Alachlor	400.00
36.	Butachlor	400.00
37.	Fluchloralin	400.00
38.	Pendimethalin	400.00

S. No.	Parameters	Analysis charges per test in Rs.
	Polycyclic Aromatic Hydrocarbons (PAHs)	750.00
	Processing / pretreatment Charge per Sample	1000.00
39.	Acenaphthene	400.00
40.	Acenaphthylene	400.00
41.	Anthracene	400.00
42.	Benz(a)anthracene	400.00
43.	Benzo(a)pyrene	400.00
44.	Benzo(b)fluoranthene	400.00
45.	Benzo(e)pyrene	400.00
46.	Benzo(g,h,i)perylene	400.00
47.	Benzo(k)fluoranthene	400.00
78.	Chrysene	400.00
49.	Dibenzo(a,h)anthracene	400.00
50.	Fluoranthene	400.00
51.	Fluorene	400.00
52.	Indeno(1,2,3-cd)pyrene	400.00
53.	Naphthalene	400.00
54.	Perylene	400.00
55.	Phenanthrene	400.00
56.	Pyrene	400.00
	Polychlorinated Biphenyls (PCBs)	
	Processing / pretreatment Charge per Sample	1000.00
57.	Aroclor 1232	400.00
58.	Aroclor 1242	400.00
59.	Aroclor 1248	400.00
60.	Aroclor 1254	400.00
61.	Aroclor 1260	400.00
62.	Aroclor 1262	400.00
	Tri Halo Methane (THM)	
	Processing / pretreatment Charge per Sample	800.00
63.	Bromo dichloromethane	400.00
64.	Bromoform	400.00
65.	Chloroform	400.00
66.	Dibromo chloromethane	400.00

S. No.	Parameters	Analysis charges per test in Rs.
	Other Organic Parameter	
67.	Adsorbable Organic Halogen (AOX)	2000.00
68.	Tannin / Lignin	350.00
69.	Oil & Grease	200.00
70.	Phenol	200.00
71.	Total Organic Carbon (TOC)	500.00
72.	Volatile Organic Acids	350.00
1.	Bacteriological Sample Collection	200.00
2.	Benthics Organism Identification & Count (each sample)	600.00
3.	Benthics Organism Sample collection	1000.00
4.	Chlorophyll Estimation	600.00
5.	E. Coli (MFT technique)	400.00

S. No.	Soil Parameters	Analysis charges per test in Rs.
23.	Pesticides	As mentioned in respective group at Clause 5.0
24.	pH	100.00
25.	Phosphorous (available)	400.00
26.	Phosphate (ortho)	300.00
27.	Phosphate (total)	400.00
28.	Potash (Available)	200.00
29.	Potassium	300.00
30.	Sodium Absorption Ratio (SAR) in Soil extract	650.00
31.	Sodium	300.00
32.	Soil Moisture	100.00
33.	Sulphate	200.00
34.	Sulphur	350.00
35.	Total Kjehldhal Nitrogen (TKN)	400.00
36.	TOC	550.00
37.	Total water soluble salts	200.00
38.	Water Holding capacity	100.00

Note : (i) *Sampling charges for soil samples as specified in clause A(V).*

(ii) *Transportation charges are separate on actual basis.*

7. Analysis charges for Hazardous Waste samples

S. No.	Parameters	Analysis Charges per test in Rs.
1.	Preparation of Leachate (TCLP extract/Water Extract)	1000.00
2.	Determination of various parameters in Leachate	As mentioned in respective group at Clause 5.0
3.	Flash point/Ignitibility	550.00
4.	Reactivity	550.00
5.	Corrosivity	550.00
6.	Measurement of Toxicity	

S. No.	Parameters	Analysis Charges per test in Rs.
	- LC_{50}	2800.00
	- Dimensionless Toxicity	1600.00
7.	Total Organic Carbon	500.00
8.	Adsorbable Organic Halogen (AOX)	2000.00

8. AQC Participation Fees: - to be charged by CPCB from respective SPCB's/PCC's or Recognized laboratory for Analytical Quality Control exercise (AQC) samples.

1.	Laboratories of Govt./Semi Govt./ Public Sector Undertaken/ Autonomous bodies.	10000.00
2,	Private Sector Laboratories.	15000.00

J.M.MAUSKAR, CHAIRMAN

[ADVT-III/4/Exty./184/08]

Note :

The principal Notification was published in the Gazette of India vide S.O.No.296(E), dated 31.3.1994, and thereafter amended vide S.O.No.389(E), dated 23.9.1994, S.O.No.390(E), dated 23.9.1994 and S.O.No.1218(E), dated 1.9.2001.

APPELLATE AUTHORITIES UNDER

THE WATER (PREVENTION AND CONTROL OF POLLUTION)ACT,1974

CHANDIGARH ADMINISTRATION

FINANCE DEPARTMENT

NOTIFICATION

CHANDIGARH `

No. 8/1/-UTF I(4)-88/4953

The 11th April, 1988

CHANDIGARH `

In supersession of Chandigarh Administration, Finance Department Notification No. 6031-UTF I(4)-81/13969, dated the 24th September, 1981, and in exercise of the powers conferred by sub-section (2) of Section 28 of the Water (Prevention and Control of Pollution) Act, 1974, the Administrator, Union Territory, Chandigarh, is pleased to appoint the following three officers as the Appellate Authority, namely :--

i) Mrs. Anjuly Duggal,
Deputy Secretary Finance,
Chandigarh Administration.

ii) Shri B. M. Bajaj,
Legal Remembrancer,
Chandigarh Administration,
Chandigarh

iii) Shri G.S. Oberoi,
Superintending Engineer,
Public Health Circle, U.T
Chandigarh.

Satwant Reddy,

Finance Secretary,

Chandigarh Administration

APPELLATE AUTHORITY OF U.T. OF PONDICHERRY

NOTIFICATION

GOVERNMENT OF PONDICHERRY

ABSTRACT

Finance Department (Housing)-Constitution of Appellate Authority under Section 28 of Water (Prevention and Control of Pollution) Act, 1974 - Notification-Issued.

FINANCE DEPARTMENT (HOUSING)

G.O. Ms. No. 48/88/F6 Dated 5/4/1988

PONDICHERRY

Order:

The following notification will be published in the Official Gazette of Pondicherry:

In exercise of the powers conferred by section 28 of the Water (Prevention and Control of Pollution), Act, 1974 (Act No. 6 of 1974) read with clause (1) of section 2 thereof, the Lieutenant Governor, Pondicherry, is pleased to constituted a single person Appellate Authority and appoint the Chief Secretary of the Pondicherry Administration to act as such authority under the said Act for the entire Union territory of Pondicherry, with immediate effect.

BY ORDER OF THE LIEUTENANT-GOVERNOR

Pradeep Mehra
Secretary to Government (Housing)

OFFICE OF THE DELHI POLLUTION CONTROL COMMITTEE

DEPARTMENT ENVIRONMENT, DELHI ADMINISTRATION

5/9, UNDER HILL ROAD, DELHI-110054

No. F. 23(14)/85/Env./Dev./3545-3646 Dated : 18-2-92

NOTIFICATION

DELHI

In exercise of the powers conferred by sub-section (2) of section 28 read with section 2(1) of the Water (Prevention and Control of Pollution) Act, 1974, the Administration of the Union Territory of Delhi is pleased to constitute a single person Appellate Authority and appoint the Financial Commissioner, Delhi Administration, Delhi as the said Authority to entertain the appeal(s) under Section 25, Section 26 or Section 27 of the above said Act and to dispose of the Appeal(s) as it may deem fit. Notification No. F. 23(14)/85/Env./Dev./269-400 dated 23.12.1988 is hereby superseded.

By order and in the name
of the Administrator of the
Union Territory of Delhi.

(G.C. JOSHI)
DEPUTY SECRETARY (ENVIRONMENT)

DELEGATION OF POWERS AND FUNCTIONS BY THE CENTRAL BOARD TO CERTAIN COMMITTEES IN UNION TERRITORIES

CENTRAL POLLUTION CONTROL BOARD

(Ministry of Environment and Forests)

NOTIFICTION

New Delhi, the 14th June, 2002

DELHI POLLUTION CONTROL COMMITTEE

S.O. 640(E).- In exercise of the powers conferred by Section 4, Clause(4) of the Water (Prevention and Control of Pollution) Act, 1974 (Act No. 6 of 1974) and Section 6 of the Air (Prevention and Control of Pollution) Act, 1981(Act No. 14 of 1981), as specified by the Central Government, the Central Pollution Control Board hereby re-constitutes the Committee whose constitution was notified by a notification published in the Gazette of India vide S.O. No. 198(E), dated 15-3-1991 in respect of the Union Territory of Delhi (known as National Capital Territory of Delhi). The reconstituted Committee is as follows:

1. Secretary (Environment) Govt. of National Capital Territory of Delhi	Chairman
2. Secretary, Urban Development Govt. of National Capital Territory of Delhi	Member
3. Commissioner, Transport Govt. of National Capital Territory of Delhi	Member
4. Commissioner, Industries Govt. of National Capital Territory of Delhi	Member
5. Secretary, Health Govt. of National Capital Territory of Delhi	Member
6. Member Secretary Central Pollution Control Board, Delhi	Member
7. Dr.G.K. Pandey, Adviser Ministry of Environment and Forests, New Delhi	Member

[1][8. Prof. Subir Saha, Director School of Planning and Architecture, New Delhi	Member
9. Medical Superintendent and Professor and Head of Hospital Administration, All India Institute of Medical Sciences, New Delhi	Member
10. Prof. P.B. Sharma, Principal Delhi College of Engineering, Delhi	Member]
11.Shri. S.P. Singhal, Retd. Scientist National Physical Laboratory, 7-A, DDA Flats, Saket, New Delhi.	Member
12. Director, Environment Govt. of National Capital Territory of Delhi	Member Secretary

And,

(i) This Committee may be called as the Delhi Pollution Control Committee.

(ii) This notification shall come into force with immediate effect.

(iii) The notification published in the Gazette of India vide S.O. No. 198(E), dated 15-3-1991 stands rescinded.

[F No : B-12015/7/92-AS]
DILIP BISWAS, Chairman

[1] Substituted serial numbers 8, 9 and 10 and the entries relating thereto by Notification F.No.B-12015/7/04AS, dated 17.12.2004

CENTRAL POLLUTION CONTROL BOARD

(Ministry of Environment & Forests)

NOTIFICATION

New Delhi, the 23rd March, 2006

LAKSHADWEEP POLLUTION CONTROL COMMITTEE

F.No.Legal/156(4)1990.- In exercise of the powers conferred by Section 4, Clause (4) of the Water (Prevention and Control of Pollution) Act, 1974 (Act No.6 of 1974) and Section 6 of the Air (Prevention and Control of Pollution) Act, 1981 (Act No.14 of 1981), as specified by the Central Government, the Central Pollution Control Board hereby reconstitute the Committee whose constitution was notified by a Notification published in the Gazette of India vide No.842(E), dated 31.8.1988, in respect of the Union Territory of Lakshadweep. The reconstituted Committee is as follows:

1.	Secretary, (Science and Technology)	-	Chairman
2.	Superintending Engineer, LPWD	-	Member
3.	Director, Medical & Health	-	Member
4.	Director of Industries	-	Member
5.	Deputy Conservator of Forests	-	Member
6.	Assistant Public Prosecutor	-	Member
7.	Shri V.M.Shamsudheen Director of Agriculture (Retired) Sailaniyoda, Agathi Island	-	Member
8.	Shri K.Ali Manikfan, Astt. Engineer Shipping (Retd.) Kankafulege, Minicoy, Lakshadweep	-	Member
9.	A representative from CPCB	-	Member
10.	Deputy Director (Science & Technology) Department of Lakshadweep, Lakshadweep Pollution Control Committee	-	Member Secretary

.

And,

(i) This Committee may be called as Lakshadweep Pollution Control Committee.

(ii) This Notification shall come into force with immediate effect.

(iii) The Notification published in the Gazette of India vide S.O.842(E), dated 31.8.1988 stand rescinded.

V.RAJAGOPALAN, Chairman

[ADVT.III/04/Exty.184/2006]

CENTRAL POLLUTION CONTROL BOARD

(Ministry of Environment & Forests)

NOTIFICATION

New Delhi, the 10th March, 1992

PONDICHERRY POLLUTION CONTROL COMMITTEE

S.O. 787(E).--In exercise of the powers conferred by section 4, Clause (4) of the Water (Prevention and Control of Pollution) Act, 1974 and Section 6 of the Air (Prevention and Control of Pollution) Act, 1981, the Central Pollution Control Board delegates all its powers and functions vested in the said Board under the Water (Prevention and Control of Pollution) Act, 1974, and the Air (Prevention and Control of Pollution) Act, 1981 in respect of the Union Territory of Pondicherry to the under mentioned Committee specified by the Central Govt. w.e.f. 1-4-1992 :--

1.	Secretary of Government (Environment & Forests), Union Territory (UT) of Pondicherry	Chairman
2.	Senior Town Planner, Town and Country Planning Department, UT of Pondicherry	Member Secretary
3.	Principal Engineer, Public Works Department, UT of Pondicherry	Member
4.	Director of Health and Family Welfare Services, UT of Pondicherry	Member

5.	Director of Local Admn. Deptt., UT of Pondicherry	Member
6.	Commissioner of respective commune panchayats	Member
7.	Director of Agriculture, UT of Pondicherry	Member
8.	Director of Industries, UT of Pondicherry	Member
9.	President of the Chamber of Commerce and other non-officials	Member

[No. Legal/158(4)/90]

K.R. RANGANATHAN, Member Secy.

Source : Gazette of India, Part II, Section 3, Sub-section (ii), dated 10.3.1992

CENTRAL POLLUTION CONTROL BOARD

(Ministry of Environment & Forests)

NOTIFICATION

New Delhi, the 19th July,1995

S.O.777(E)—Central Pollution Control Board with the concurrence of the Central Government in the Ministry of Environment & Forests makes the following amendments, with effect from the date of publication in the Official Gazette, in the notification S.O.787(E), dated 10.03.1992 constituting the Pollution Control Committee in the Union Territory of Pondicherry, pursuant to Sub-section (4) of Section 4 of the Water (Prevention and Control of Pollution) Act, 1974 and Section 6 of the Air (Prevention and Control of Pollution) Act, 1981 :

(1) At serial No.2, Senior Town Planner, Town and Country Planning Department, Union Territory of Pondicherry—be read as 'MEMBER' in place of Member Secretary.

(2) Inserted serial No.10, Director (Environment), Pondicherry Administration—Member Secretary.

[Legal/26(16)/84]

S.P.CHAKRABARTI, Member Secy.

Foot Note—Principal notification was published vide notification S.O.787(E), dated 10.03.1992.

CENTRAL POLLUTION CONTROL BOARD

NOTIFICATION

New Delhi, 1st January, 2008

No. Legal 158(4)/90/ The Govt. of India in the Ministry of Home Affairs Notification No.U-13034/35/96-GP(UTL), dated 28.9.2006 has brought into force the Pondicherry (Alternation of Name) Act, 2006 (No.44 of 2006) w.e.f.1.10.2006 and the same has also been republished in the official gazette of Pondicherry vide G.O.Ms.No.68, dated 30.9.2006 of the Confidential and Cabinet Department, Pondicherry.

And whereas in exercise of powers conferred by Section 4, Clause 4 of the Water (Prevention and Control of Pollution) Act, 1974 and Section 6 of the Air (Prevention & Control of Pollution) Act, 1981, the Central Pollution Control Board had delegated all its powers and functions vested in the said Board under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 in respect of Union Territory of Pondicherry with prior consent of Union Government, vide Notification No.S.O.787(E), dated 10.3.1992.

And in compliance of the concurrence No.G.27017/5/2007-CPW, dated 10.11.2007 of the Ministry of Environment & Forests, the Central Pollution Control Board has notified the Pondicherry Pollution Control Committee as Puducherry Pollution Control Committee.

J.M.MAUSKAR, Chairman

[ADVT.III/4/184/2007-Exty.]

Note: Principal Notification was published vide S.O.No.787(E), dated 10.3.1992 and S.O. No.777(E), dated 19.7.1995.

CENTRAL POLLUTION CONTROL BOARD

(MINISTRY OF ENVIRONMENT AND FORESTS)

NOTIFICATION

New Delhi, the 17th December, 2004

DAMAN, DIU, DADRA AND NAGAR HAVELI

[1]**[F.No.B-12015/7/04AS.-** In exercise of the powers conferred by Section 4, Clause(4) of the Water (Prevention and Control of Pollution) Act, 1974 (Act No. 6 of 1974) and Section 6 of the Air (Prevention and Control of Pollution) Act, 1981 (Act No. 14 of 1981), as specified by the Central Government, the Central Pollution Control Board

---

1 Reconstituted by the Notification No.F.No.B-12015/7/04/AS, dated 17.12.2004

hereby re-constitutes the Committee whose constitution was notified by a notification in the Gazette of India vide S.O. No. 641 (E), dated 14.06.2002, in respect of the Union Territory of Daman, Diu, Dadra and Nagar Haveli. The reconstituted Committee is as follows:

1. Secretary (Environment and Forests) Administration of Union Territories of Daman, Diu, Dadra and Nagar Haveli	Chairman
2. Secretary (Industries/PWD) Union Territories of Daman, Diu, Dadra and Nagar Haveli	Member
3. Secretary (Labour) Union Territories of Daman, Diu, Dadra and Nagar Haveli	Member
4. Collector, Daman	Member
5. Collector, Dadra and Nagar Haveli	Member
6. Assistant Inspector General of Police Union Territories of Daman, Diu, Dadra and Nagar Haveli	Member
7. Nominee of the Central Pollution Control Board, Delhi	Member
8. Nominee of National Institute of Oceanography, Mumbai	Member
9. Nominee of National Productivity Council	Member
10.Nominee of National Safety Council	Member
11.Conservator of Forests, Daman, Diu, Dadra & Nagar Haveli	Member Secretary

And,

(i) This Committee may be called as the Pollution Control Committee for Union Territories of Daman, Diu, Dadra and Nagar Haveli.

(ii) This notification shall come into force with immediate effect.

(iii) The notification published in the Gazette of India vide S.O. No. 641 (E), dated 14.06.2002 stands rescinded.

Dr.V.Rajagopalan, Chairman
ADVT III/IV/184/2004-Exty.

Note : The Principal Notification was notified vide S.O.862(E), dated 26.11.1992, subsequently amended vide notification S.O. 384(E), dated 19.2.1996 and S.O. 698(E), dated 3.7.1998

CENTRAL POLLUTION CONTROL BOARD

(Ministry of Environment & Forests)

NOTIFICATION

New Delhi – 3rd June, 2004

ANDAMAN AND NICOBAR POLLUTION CONTROL COMMITTEE

F.No. Legal/156(4)/1990.- In exercise of the powers conferred by Section 4, Clause (4) of the Water (Prevention and Control of Pollution Act) Act, 1974 (Act No. 6 of 1974) and Section 6 of the Air (Prevention and Control of Pollution) Act, 1981 (Act No.14 of 1981), as specified by the Central Government, the Central Pollution Control Board hereby re-constitute the Committee whose constitution was notified by a notification published in the Gazette of India vide S.O.No.39(E), dated 16.01.1992 in respect of the Union Territory of Andaman and Nicobar Administration. The re-constituted Committee is as follows:

1.	Secretary (Science and Technology) Andaman and Nicobar Administration	Chairman
2.	Principal Chief Conservator of Forests/ Chief Wild Life Warden, Andaman and Nicobar Administration	Member
3.	Inspector General of Police Andaman and Nicobar Islands	Member
4.	The Chief Engineer, APWD Andaman and Nicobar Administration	Member
5.	Director of Health Services Andaman and Nicobar Administration	Member
6.	Director of Education Andaman and Nicobar Administration	Member
7.	Director of Industries Andaman and Nicobar Administration	Member
8.	Director (Tribal Welfare) Andaman and Nicobar Administration	Member
9.	Director Fisheries Andaman and Nicobar Administration	Member

10.	Chief Port Administrator, Port Management Board Andaman and Nicobar Islands	Member
11.	Director of Agriculture Andaman and Nicobar Administration	Member
12.	Director (Science and Technology) Andaman and Nicobar Administration	Member Secretary

And,

(i) This Committee may be called as the Andaman & Nicobar Administration Pollution Control Committee

(ii) This notification shall come into force with immediate effect.

(iii) The Notification published in the Gazette of India vide S.O.No.39(E), dated 16.01.1992 stands rescinded.

V.RAJAGOPALAN, Chairman
[ADVT.III/IV/Exty.184/2004]

CENTRAL POLLUTION CONTROL BOARD

(Ministry of Environment & Forests)

NOTIFICATION

New Delhi, the 23rd October, 2002

CHANDIGARH POLLUTION CONTROL COMMITTEE

[1][S.O.1131(E). - In exercise of the powers conferred by Section 4, Clause (4) of the Water (Prevention and Control of Pollution) Act, 1974 (Act No.6 of 1974) and Section 6 of the Air (Prevention and Control of Pollution) Act, 1981 (Act No. 14 of 1981), the Central Pollution Control Board hereby reconstitutes the Committee as specified by the Central Government, whose constitution was notified by a Notification published in the Gazette of India vide S.O.199(E), dated 15.3.1991 in respect of the Union Territory of Chandigarh. The reconstituted Committee is as follows:

1.	Advisor to Administrator Union Territory, Chandigarh	Chairperson
2.	Secretary, (Environment) Chandigarh Administration	Vice Chairman

[1] Reconstituted by the Notification S.O.1131(E), dated 23.10.2002.

3.	Director (Environment) Chandigarh Administration	Member
4.	Deputy Conservator of Forests Forest Department, Chandigarh Administration	Member
5.	Additional Director (PCP) Central Pollution Control Board Delhi	Member
6.	Prof. S.C.Jain Chemical Engineering Department Punjab University, Chandigarh	Member
7.	Secretary Indian Medical Association Chandigarh Chapter	Member
8.	Scientist 'SE' Department of Environment Chandigarh Administration	Member Secretary

And. (i) This Committee shall be called as the Chandigarh Pollution Control Committee for the Union Territory of Chandigarh.

(ii) This notification shall come into force with immediate effect.

(iii) This notification published in the Gazette of India vide S.O.199(E), dated 15.03.1991 stands rescinded.

[F.No.B-12015/5/7/92-AS]
DILIP BISWAS, Chairman

CENTRAL WATER LABORATORY

Ministry of Environment & Forests

(Department of Environment, Forests & Wildlife)

NOTIFICATION

New Delhi, 8th March, 1988

S.O. 247(E).--In exercise of the powers conferred by clause (b) of sub-section (1) of Section 51 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974), and in supersession of the notification of the Government of India in the Ministry of Works and Housing No. S.O. 2974 dated the 25th August, 1975 published in the Gazette of

India, Part II, Section 3, sub-section (ii) dated the 6th September, 1975, the Central Government hereby specifies the Delhi Zonal Laboratory at Chandrawal Water Works-II, Sham Nath Marg, Delhi of National Environmental Engineering Research Institute, Nehru Marg, Nagpur-440020 as a Central Water Laboratory to carry out the functions entrusted to the Central Water laboratory under the said Act.

[No. Q-15018/2/88/CPW]
A.C. Ray, Addl. Secy.

Source : The Gazette of India Extraordinary Part II (Section 3 Sub-section (ii) Delhi, 8th March, 1988.

MINISTRY OF ENVIRONMENT & FORESTS

NOTIFICATION

New Delhi, 19th November, 1991

S.O. 787(E).--In exercise of the powers conferred by clause (b) of sub-section (1) of section 51 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) and in supersession of the notification of the Government of India in the Ministry of Environment and Forests, Department of Environment, Forests and Wildlife No. S.O. 247(E), dated the 8th March, 1988, except as respect things done or omitted to be done before such supersession, the Central Government hereby specifies the Water Laboratory of the Central Pollution Control Board, Parivesh Bhawan, C.B.D. cum-Office complex, East Arjun Nagar, Delhi as a Central Water laboratory to carry out the functions entrusted to the Central Water Laboratory under the said Act.

[F. No. Q-15018(7)/82-CPW]

MUKUL SANWAL, Jt., Secy.

Source : The Gazette of India, Extraordinary, Part-II Section 3 Sub-section (ii), dt. 19.11.1991.

STANDARDS FOR SMALL SCALE INDUSTRIES LOCATED IN THE UNION TERRITORIES

CENTRAL POLLUTION CONTROL BOARD

NOTIFICATION

New Delhi, the 7th April, 1988

No. 1/2(71)/87 Plg.--In exercise of the powers conferred under Section 4(4) of the Water (Prevention and Control of Pollution) Act, 1974, the Central Board for the Prevention and Control Water Pollution pursuant to Section 17(1) (m) of the said Act lays down the following standards for compliance by small-scale industries located in the Union Territories, in respect of which Minimal National Standards have not been yet evolved:

Sl.No.	Parameters	Concentration not to exceed
1.	Total Concentration of Mercury (Hg.) in the final (Combined) effluent	0.01 mg/l
2.	pH	5.5--9.0
3.	Suspended Solids	250 mg/l
4.	Biochemical Oxygen Demand	150 mg/l
5.	Temperature	Shall not exceed 5 degree C above the ambient Temp. of the receiving body
6.	Free available chlorine	0.5 mg/l
7.	Oil & Grease	10 mg/l
8.	Cu (Total)	3.0 mg/l
9.	Iron (Total)	3.0 mg/l
10.	Zinc	5.0 mg/l
11.	Cr (Total)	2.0 mg/l
12.	Phosphate (as P)	5.0 mg/l

13.	Bio-assay test	90% of test animals after 96 hours with 1:8 dilution
14.	Sulphide (as S)	2 mg/l
15.	Phenolic compounds (as C_6H_5OH)	5 mg/l
16.	Hexavalent Chromium (as Cr)	0.1 mg/l
17.	Nickel (as Ni)	3.0 mg/l
18.	Cadmium (Cd)	2.0 mg/l
19.	Chloride (as Cl)	9000 mg/l
20.	Sulphate (as SO4)	1000 mg/l
21.	Cynides (as CN)	0.2 mg/l
22.	Ammomtacal Nitrogen (as N)	50 mg/l
23.	Lead (as Pb)	0.01 mg/l
24.	Total Metal	10.0 mg/l

The standards may be relaxed in cases where the water from small-scale industrial units are collected and treated in a Terminal Treatment Plant. These standards are laid down without prejudice to the Board varying or modifying them, while issuing consents pursuant to Section 25 and 26 of the Water (Prevention and Control of Pollution) Act, 1974.

PARITOSH C. TYAGI,
Chairman

Source : The Gazette of India, Part III-Sec. 4, dated 23rd April, 1998.

CONSTITUTION OF CENTRAL POLLUTION CONTROL BOARD

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 27th September, 2006

S.O.1621 (E).—In exercise of the powers conferred by section 3 and sub-section (6) of section 5 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974), the Central Government hereby reconstitutes the Central Pollution Control Board and nominates the following persons as its Members, with effect from the date of publication of this notification in the Official Gazette, namely:-

Sl. No.	Name and Address	Remarks
[1][1.	Dr. Sant Prasad Gautam Chairman, Central Pollution Control Board Parivesh Bhavan, Delhi	Chairman]
Members nominated under clause (b) of sub-section (2) of section 3		
[2][2.	Joint Secretary Ministry of Petroleum and Natural Gas New Delhi	Member
3.	Adviser, (Handling Water Quality, Monitoring Work) Ministry of Environment and Forests, New Delhi	Member
4.	Joint Secretary, (PA-I) Ministry of Environment and Forests, New Delhi.	Member
5.	Joint Secretary Ministry of Coal and Mines New Delhi	Member]
6.	Additional Secretary/Joint Secretary and Financial Adviser or his nominee Ministry of Environment and Forests New Delhi	Member

1 Substituted by para 1 of Notification S.O.651(E), dated 9.3.2009.

2 Substituted by para (i) of Notification S.O.859(E), dated 1.6.2007.

Members nominated under clause (c) of sub-section (2) of section 3		
[1][7.	Chairman Tripura Pollution Control Board Agartala	Member
8.	Chairman Orissa State Pollution Control Board, Bhubaneswar	Member
9.	Chairman Gujarat State Pollution Control Board Ahmedabad	Member
10.	Mayor, Municipal Corporation of Hyderabad Hyderabad.	Member
11.	Chairman Kerala State Pollution Control Board Thiruvanathapuram	Member]
Members nominated under clause (d) of sub-section (2) of section 3		
[2][12.	Shri Dipesh Sampat Mehta Advocate Joanna Villa Co-op. Housing Society Ltd. Road No.28, Bandra (West), Mumbai 400050	Member]
13.	Shri K. Ahmed Khan No.PH 1, Majestic Garden Apartment, Behind Delhi Public School, Kanakpura Road Cross, Bangalore – 560 062	Member
[3][14	Mrs. Deepa Gupta Charted Accountant C-6/77, East of Kailash New Delhi 110065	Member]

1 Substituted by para (ii) of Notification S.O.859(E), dated 1.6.2007.

2 Substituted by para (i) of the Notification S.O.3942(E), dated 13.11.2009.

3 Substituted by para (ii) of the Notification S.O.3942(E), dated 13.11.2009

Members nominated under clause (e) of sub-section (2) of section 3		
15.	Shri Velumani Chairman and Managing Director Ennore Port Ltd. 15, Kasturi Rangan Road, Alwarpet Chennai-6000018	Member
16.	R.K.Jain Director(Tech) National Thermal Power Corporation New Delhi	Member
Members nominated under clause (f) of sub-section (2) of section 3		
[1][17.	Sh.J.S.Kamyotra Additional Director Central Pollution Control Board Parivesh Bhavan, Delhi	Member Secretary]

(R.K.Vaish)
Joint Secretary

(No.Q.15014/2/2003-CPW

Note: The Principal notification constituting the Central Pollution Control Board was published in the Gazette of India vide number G.S.R.998, (E), dated 21.09.1974 and subsequently reconsitituted vide notification number S.O.814(E) dated 2nd Decmber,1991 and S.O.75(E), dated 1st February,1995 S.O.431(E), dated 2nd May, 2000, subsequently amended vide No. S.O.897(E), dated 14th August,2002, and S.O.251(E), dated 25the February.2003.

[1] Substituted by para (iii) of Notification S.O.651 (E), dated 9.3.2009.

THE WATER (PREVENTION AND CONTROL OF POLLUTION) CESS ACT, 1977

(Act No. 36 of 1977)

(As amended to date)

THE WATER (PREVENTION AND CONTROL OF POLLUTION) CESS ACT, 1977][1]

No. 36 of 1977

[7th December, 1977]

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

New Delhi, the 7th December, 1977

The following Act of Parliament received the assent of the President on the 7th December, 1977, and is hereby published for general information:-

An Act to provide for the levy and collection of a cess on water consumed by persons carrying on certain industries and by local authorities, with a view to augment the resources of the Central Board and the State Boards for the prevention and control of water pollution constituted under the Water (Prevention and Control of Pollution) Act, 1974.

Be it enacted by Parliament in the Twenty-eighth Year of the Republic of India as follows :-

*1. SHORT TITLE, EXTENT, APPLICATION AND COMMENCEMENT.

(1) This Act may be called the Water (Prevention and Control of Pollution) Cess Act, 1977.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) Subject to the provisions of sub-section (2), it applies to all the States to which the Water (Prevention and Control of Pollution) Act, 1974 applies and the Union territories.

(4) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

---

[1] Source: The Gazette of India, Extraordinary, Part II, Section 1, dated 7th December, 1977

* The Water (Prevention and Control of Pollution) Cess Act, 1977 has been amended by the Water (Prevention and Control of Pollution) Cess (Amendment) Act, 1991 (Act No.53 of 1991)w.e.f.26.1.1992 and the Water (Prevention and Control of Pollution) Cess (Amendment) Act, 2003 (Act No.19 of 2003) w.e.f.6.5.2003

2. DEFINITIONS.

In this Act, unless the context otherwise requires:

(a) "local authority" means a municipal corporation or a municipal council (by whatever name called) or a cantonment board or any other body, entrusted with the duty of supplying the water under the law by or under which it is constituted;

(b) "prescribed" means prescribed by rules made under the Act;

[1][(c) "Industry" includes any operation or process, or treatment and disposal system, which consumes water or gives rise to sewage effluent or trade effluent but does not include any hydel power unit.]

(d) words and expressions used but not defined in this Act and defined in the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) shall have the meanings respectively assigned to them in that Act.

3. LEVY AND COLLECTION OF CESS.

(1) There shall be levied and collected a cess for the purpose of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) and utilisation thereunder.

(2) The cess under sub-section (1) shall be payable by

(a) every person carrying on any [2][industry]; and

(b) every local authority, and shall be calculated on the basis of water consumed by such person or local authority, as the case may be, for any of the purposes specified in column (1) of Schedule II, at such rate, not exceeding the rate specified in the corresponding entry in column (2) thereof, as the Central Government may, by notification in the Official Gazette, from time to time, specify.

---

1 Substituted by Section 2 of the Water (Prevention and Control of Pollution) Cess (Amendment) Act, 2003 (Act No. 19 of 2003) for "specified industry" published vide Notification No.22, dated 17.3.2003 and came into force w.e.f. 6.5.2003, vide Notification S.O.498(E), dated 6.5.2003.

2 Substituted by Section 3, ibid.

[1][(2A) Where any person carrying on any [2][industry] or any local authority consuming water for domestic purpose liable to pay cess fails to comply with any of the provisions of section 25 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) or any of the standards laid so down by the Central Government under the Environment (Protection) Act, 1986, cess shall be, notwithstanding anything contained in sub-section 2 of this section, calculated and payable at such rate, not exceeding the rate specified in column (3) of Schedule II, as the Central Government may, by notification in the Official Gazette, from time to time specify.]

(3) Where any local authority supplies water to any person carrying on any [2][industry] or to any other local authority and such person or other local authority is liable to pay cess under sub-section (2) or sub-section (2A) in respect of the water so supplied, then, notwithstanding anything contained in that sub-section, the local authority first mentioned shall not be liable to pay such cess in respect of such water.

Explanation--For the purpose of this section and section 4, "consumption of water" includes supply of water.

4. AFFIXING OF METERS.

(1) For the purpose of measuring and recording the quantity of water consumed, every person carrying on any [2][industry] and every local authority shall affix meters of such standards and at such places as may be prescribed and it shall be presumed that the quantity indicated by the meter has been consumed by such person or local authority, as the case may be, until the contrary is proved.

(2) Where any person or local authority fails to affix any meter as required by sub-section (1), the Central Government shall after notice to such person or local authority, as the case may be, cause such meter to be affixed and the cost of such meter together with the cost for affixing the meter may be recovered from such person or local authority by the Central Government in the same manner as an arrear of land revenue.

5. FURNISHING OF RETURNS.

[3][(1)] Every person carrying on any [1][industry] and every local authority, liable to pay the cess under section 3, shall furnish such returns, in such form at such intervals and containing such particulars to such officer or authority, as may be prescribed.

---

1 Inserted by Section 2 of the Water (Prevention and Control of Pollution) Cess (Amendment) Act, 1991 (Act No.53 of 1991), w.e.f. 26.1.1992.

2 Substituted by Section 3 of the Water (Prevention and Control of Pollution) Cess (Amendment) Act, 2003 (Act No. 19 of 2003) for "specified industry" published vide Notification No.22, dated 17.3.2003 and came into force w.e.f. 6.5.2003, vide Notification S.O.498(E), dated 6.5.2003.

3 Renumbered by Section 3 of the Water (Prevention and Control of Pollution) Cess (Amendment) Act, 1991 (Act No.53 of 1991), w.e.f.26.1.1992.

[1][(2) If a person carrying on any [1][industry] or a local authority, liable to pay the cess under section 3, fails to furnish any return under sub-section (1), the officer or the authority shall give a notice requiring such person or local authority to furnish such return before such date as may be specified in the notice.]

6. ASSESSMENT OF CESS.

(1) The officer of authority to whom or which the return has been furnished under section 5 shall, after making or causing to be made such inquiry as he or it thinks fit and after satisfying himself or itself that the particulars stated in the return are correct, by order, assess the amount of cess payable by the concerned person carrying on any [1][industry] or local authority, as the case may be.

[2][(1A) If the return has not been furnished to the officer or authority under sub-section (2) of section 5, he or it shall, after making or causing to be made such inquiry as he or it thinks fit, by order, assess the amount of cess payable by the concerned person carrying on any [1][industry] or local authority, as the case may be.]

(2) An order of assessment made under sub-section (1) or sub-section (1A) shall specify the date within which the cess shall be paid to the State Government.

(3) A copy each of the order of assessment made under sub-section (1) or sub-section (1A) shall be sent to the person or, as the case may be, to the local authority concerned and to the State Government.

(4) The State government shall, through such of its officers or authorities as may be specified by it in this behalf by notification in the Official Gazette, collect the cess from the person or local authority liable to pay the same and pay the amount so collected to the Central Government in such manner and within such time as may be prescribed.

7. REBATE.

Where any person or local authority, liable to pay the cess under this Act, installs any plant for the treatment of sewage or trade effluent, such person or local authority shall from such date as may be prescribed, be entitled to a rebate of twenty five per cent of the cess payable by such person or, as the case may be, local authority.

---

1 Inserted by Section 3 of the Water (Prevention and Control of Pollution) Cess (Amendment) Act, 1991 (Act No. 53 of 1991) w.e.f. 26.1.1992.

2 Inserted by Section 4, ibid.

[1][Provided that a person or local authority shall not be entitled to a rebate, if he or it

(a) consumes water in excess of the maximum quantity as may be prescribed in this behalf for any [2][industry] or local authority; or

(b) fails to comply with any of the provisions of section 25 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) or any of the standards laid down by the Central Government under the Environment (Protection) Act, 1986 (29 of 1986).]

8. CREDITING PROCEEDS OF CESS TO CONSOLIDATED FUND OF INDIA AND APPLICATION THEREOF.

The proceeds of the cess levied under section 3 shall first be credited to the Consolidated Fund of India and the Central Government may, if Parliament by appropriation made by law in this behalf, so provides, pay to the Central Board and every State Board, from time to time, from out of such proceeds, after deducting the expenses on collection, such sums of money as it may think fit for being utilised under the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974).

Provided that while determining the sum of money to be paid to any State Board under this section, the Central Government shall have regard to the amount of cess collected by the State Government concerned under sub-section (4) of section 6.

Explanation-For the purpose of this section, "State Board" includes a Joint Board, if any, constituted under section 13 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974).

9. POWER OF ENTRY.

Any officer or authority of the State Government specially empowered in this behalf by that Government may,-

(a) with such assistance, if any, as he or it may think fit, enter at any reasonable time any place which he or it considers it necessary to enter for carrying out the purposes of this Act including the testing of the correctness of the meters affixed under section 4;

---

1 Inserted by Section 5 of the Water (Prevention and Control of Pollution) (Cess) (Amendment) Act, 1991, (Act No. 53 of 1991) w.e.f. 26.1.1992.

2 Substituted by Section 3 of the Water (Prevention and Control of Pollution) Cess (Amendment) Act, 2003 (Act No. 19 of 2003) for "specified industry" published vide Notification No.22, dated 17.3.2003 and came into force w.e.f. 6.5.2003, vide Notification S.O.498(E), dated 6.5.2003.

(b) do within such place anything necessary for the proper discharge of his or its duties under this Act; and

(c) exercise such other powers as may be prescribed.

10. INTEREST PAYABLE FOR DELAY IN PAYMENT OF CESS.

If any person carrying on any [1][industry] or any local authority fails to pay any amount of cess payable under section 3 to the State Government within the date specified in the order of assessment made under section 6, such person or local authority, as the case may be, shall be liable to pay [2][interest on the amount to be paid at the rate of two per cent for every month or part of a month comprised in the period from the date on which such payment is due till such amount is actually paid.]

11. PENALTY FOR NON-PAYMENT OF CESS WITHIN THE SPECIFIED TIME.

If any amount of cess payable by any person carrying on [1][any industry] or any Local authority under section 3 is not paid to the State Government within the date specified in the order of assessment made under section 6, it shall be deemed to be in arrears and the authority prescribed in this behalf may, after such inquiry as it deems fit, impose on such person or, as the case may be, Local authority, a penalty not exceeding the amount of cess in arrears:

Provided that before imposing any such penalty, such person or, as the case may be, the local authority shall be given a reasonable opportunity of being heard and if after such hearing the said authority is satisfied that the default was for any good and sufficient reason, no penalty shall be imposed under this section.

12. RECOVERY OF AMOUNT DUE UNDER THE ACT.

Any amount due under this Act (including any interest or penalty payable under section 10 or section 11, as the case may be) from any person carrying on [3][any industry] or from any local authority may be recovered by the Central Government in the same manner as an arrear of land revenue.

---

1 Substituted by Section 3 of the Water (Prevention and Control of Pollution) Cess (Amendment) Act, 2003 (Act No. 19 of 2003) for "specified industry" published vide Notification No.22, dated 17.3.2003 and came into force w.e.f. 6.5.2003, vide Notification S.O.498(E), dated 6.5.2003.

2 Inserted by Section 6 of the Water (Prevention and Control of Pollution) Cess (Amendment) Act, 1991, (Act No. 53 of 1991) w.e.f. 26.1.1992.

3 Substituted by Section 3 of the Water (Prevention and Control of Pollution) Cess (Amendment) Act, 2003 (Act No. 19 of 2003) for "specified industry" published vide Notification No.22, dated 17.3.2003 and came into force w.e.f. 6.5.2003, vide Notification S.O.498(E), dated 6.5.2003.

13. APPEALS.

(1) Any person or local authority aggrieved by an order of assessment made under section 6 or by an order imposing penalty made under section 11 may, within such time as may be prescribed, appeal to such authority in such form and in such manner as may be prescribed.

(2) Every appeal preferred under sub-section (I) shall be accompanied by such fees as may be prescribed.

(3) After the receipt of an appeal under sub-section (1), the appellate authority shall, after giving the appellant an opportunity of being heard in the matter, dispose of the appeal as expeditiously as possible.

(4) Every order passed in appeal under this section shall be final and shall not be called in question in any court of law.

14. PENALTY.

(1) Whoever, being under an obligation to furnish a return under this Act, furnishes any return knowing, or having reason to believe, the same to be false shall be punishable with imprisonment which may extend to six months or with fine which may extend to one thousand rupees or with both.

(2) Whoever, being liable to pay cess under this Act willfully or intentionally evades or attempts to evade the payment of such cess shall be punishable with imprisonment which may extend to six months or with fine which may extend to one thousand rupees or with both.

(3) No court shall take cognizance of an offence punishable under this section save on a complaint made by or under the authority of the Central Government.

15. OFFENCES BY COMPANIES.

(1) Where an offence under this Act has been committed by a company, every person who, at the time the offence was committed, was in charge of and was responsible to, the company for the conduct of the business of the company as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation-For the purpose of this section,-

(a) "company" means any body corporate and includes a firm or other association of individuals; and

(b) "director", in relation to firm, means a partner in the firm.

[1][16. POWER OF CENTRAL GOVERNMENT TO EXEMPT THE LEVY OF WATER CESS.

(1) Notwithstanding anything contained in section 3, the Central Government may, by notification in the Official Gazette, exempt any industry, consuming water below the quantity specified in the notification, from the levy of water cess.

(2) in exempting an industry under sub-section (1), the Central Government shall take into consideration-

(a) the nature of raw material used;

(b) the nature of manufacturing process employed;

(c) the nature of effluent generated;

(d) the source of water extraction;

(e) the nature of effluent receiving bodies; and

(f) the production data, including water consumption per unit production, in the industry and the location of the industry.]

---

1 Substituted by Section 4 of the Water (Prevention and Control of Pollution) Cess (Amendement) Act, 2003 (Act No.19 of 2003) for "power to amend Schedule."

17. POWER TO MAKE RULES.

(1) The Central Government may make rules for carrying out the purposes of this Act.

(2) Without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely : -

(a) the standards of the meters to be affixed and the places at which such meters are to be affixed under sub-section (1) of section 4;

(b) the returns to be furnished under section 5, the form in which and the intervals at which such returns are to be furnished, the particulars which such returns contain and the officer or authority to who or which each returns shall be furnished;

(c) the manner in which and the time within which the cess collected shall be paid to the Central Government under sub-section (4) of section 6;

(d) the date from which any person or local authority liable to pay cess shall be entitled to the rebate[1] [and the maximum quantity of water in excess of consumption whereof any person or local authority shall not be entitled to the rebate] under section 7;

(e) the powers which may be exercised by the officer or authority under section 9;

(f) the authority which may impose penalty under section 11;

(g) the authority to which an appeal may be filed under sub-section (1) of section 13 and the time within and the form and manner in which such appeal may be filed;

(h) the fees which shall accompany an appeal under sub-section (2) of section 13; and

(i) any other matter which has to be or may be prescribed.

(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree

---

[1] Inserted by Section 7 of the Water (Prevention and Control of Pollution) Cess (Amendment) Act, 1991, (Act No. 53 of 1991) w.e.f. 26.1.1992.

that the rule should not be make, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

[1][SCHEDULE I
[* * * ……]

[2][SCHEDULE II
(see section 3)

Purpose for which water is consumed		Maximum rate under sub-section (2) of Section 3	Maximum rate under sub-section (2A) of Section 3
1.	Industrial cooling, spraying in mine pits or boiler feeds	Five paise per kilolitre	Ten paise per kilolitre
2.	Domestic purpose	Two paise per kilolitre	Three paise per kilolitre
3.	Processing whereby water gets polluted and the pollutants are (i) easily bio-degradable; or (ii) non-toxic ; or (iii)both non-toxic and easily bio-degradable	Ten paise per kilolitre	Twenty paise per kilolitre
4.	Processing whereby water gets polluted and the pollutants are (i) not easily bio-degradable; or (ii) toxic; or (iii) both toxic and not easily bio-degradable	Fifteen paise per kilolitre	Thirty paise per kilolitre

SUBASH JAIN
Secy. to the Govt. of India

1 Omitted "Schedule–I" by Section 5 of the Water (Prevention and Control of Pollution) Cess (Amendment) Act, 2003 (Act No. 19 of 2003) w.e.f. 6.5.2003.

2 Substituted by Section 6, ibid.

THE WATER (PREVENTION AND CONTROL OF POLLUTION) CESS RULES, 1978

(As amended to date)

THE WATER (PREVENTION AND CONTROL OF POLLUTION) CESS RULES, 1978

MINISTRY OF WORKS AND HOUSING

NOTIFICATION

New Delhi, the 24th July, 1978

[1]**G.S.R. 378(E). -** In exercise of the powers conferred by section 17 of the Water (Prevention and Control of Pollution) Cess Act, 1977 (36 of 1977), the Central Government hereby makes the following rules, namely : -

1. SHORT TITLE AND COMMENCEMENT.

(a) These rules may be called the Water (Prevention and Control of Pollution) Cess Rules, 1978;

(b) They shall come into force on the date of their publication in the official Gazette;

2. DEFINITIONS.

In these rules, unless the context otherwise requires : -

(a) "Act" means the Water (Prevention and Control of Pollution) Cess Act, 1977 (36 of 1977);

(b) "assessing authority" means -

[2](i) in relation to a Union Territory, the Member Secretary of the Central Pollution Control Board [3][and in those Union Territories where Pollution Control Committees have been constituted by the Administrator/ Lt. Governor, a member nominated by the Administrator/Lt. Governor a member nominated by the Chairman thereof, and]

(ii) in relation to a State, the member-secretary of the State Board;

(c) "consumer" means a person of local authority by whom the cess under sub-section (I) of section 3 is payable under sub-section (2) of that section;

---

1 As published in Gazette of India Extraordinary Part II 3 (i), dt. 24.7.1978.

2 Substituted by Rule 2 of the Water (Prevention and Control of Pollution) Cess Amendment Rules, 1991 published in the Gazette notification No. G.S.R. 504 (E), dt. 25.7.1991.

3 Substituted by Rule 2(a) of the Water (Prevention and Control of Pollution) Cess Amendment Rules, 1992 notified vide notification G.S.R., 501 (E), Dated 6.7.1992 .

(d) "form" means a form annexed to these rules;

(e) "section" means a section of the Act

(f) "State Government", in relation to a Union Territory, means the Administrator thereof appointed under article 239 of the Constitution.

3. STANDARDS OF THE METERS AND PLACES WHERE THEY ARE TO BE AFFIXED.

(I) For the purposes of measuring and recording the quantity of water re-consumed, every consumer shall affix water meters, venturi meters or Orifice meters with integrators and recorders in conformity with the standards laid down by the Indian Standards Institution and where no standards have been laid down by that institution in conformity with such standards as may be specified by the Board.

(2) Whenever the meters referred to in sub-section (1) are not available, the consumer shall install Vee notches or rectangular, notches with indicators and records or pressure gauges and pumping installations, after obtaining the permission of the assessing authority.

(3) Every consumer shall provide a separate meter for assessing the quantity of water used for each of the four purposes mentioned in column (1) of Schedule II to the Act.

(4) The meters shall be affixed at the entrance of the water supply connections within the premises of the consumer or at any other place to be approved by the assessing authority, so that such meters are easily accessible for inspection and maintenance and for other purposes of the Act :

Provided that the place where the meter is affixed shall, in no case be at a point before which water has been tapped by the consumer for utilisation for any purpose whatsoever.

4. FURNISHING OF RETURNS.

[1][(1) Every consumer shall furnish on or before the 5th of every calendar month, to the assessing authority, a return in Form 1 showing the quantity of water consumed in the previous month.]

[2][(2) If the Consumer fails to submit the return as specified in sub-rule (1) the assessing authority or the officer authorised in this regard shall issue a notice in Form IA.]

---

1 Renumbered by Rule 2 of the Water (Prevention and Control of Pollution) Cess Amendment Rules, 1992, G.S.R. 311 (E), dated 28.2.1992.

2 Ins. By G.S.R. 311(E), dt. 28.2.1992, published in Gazette of India Extraordinary Part 3 (i) , dt.5.3.1992.

5. MANNER OF PAYMENT OF THE CESS TO THE CENTRAL GOVERNMENT AND THE TIME WITHIN WHICH IT SHALL BE PAID.

(1) Every State Government shall remit to the Central Government, the amount of cess collected from the consumer before the 10th day of the calendar month succeeding the month in which it is collected from the consumer.

(2) The amount of cess referred to in sub-rule (1) shall be remitted to the Central

(2) Such appeal shall state the facts of the case and the grounds relied upon by the appellant for preferring the appeal and shall be accompanied by a copy of the order assessment made under section 6 or a copy of the order imposing penalty made under section 11, as the case may be.

(3) Such appeal shall be preferred within a period of thirty days from the date of communication of the order of assessment or the order imposing penalty on the appellant:

Provided that if the Chairman of the appellate Committee is satisfied that there was good and sufficient reason for the delay in preferring the appeal, he may, for reasons to be recorded in writing allow the appeal to be preferred after the expiry of the aforesaid period of thirty days and before the expiry of forty-five days from the date of communication of the order of assessment, or the order imposing penalty, on the appellant.

(4) Every appeal shall be accompanied by a fees of rupees fifty.

[No. Q-17013/1/78-EPC]
MIR NASRULLAH, Jt. Secretary

FORM I

(See rule 4)

Return regarding Water consumed during the month of ……

Name and Address of the Consumer	Purpose for which water consumed	Reading at the beginning of the first day of the calendar month under report	Reading at the end of the last day of calendar month under report	Quantity of water consumed in Kilo litres	If the meter was out of order the monthly average consumption of water for the previous 3 months of working period	Quantity of water qualifying for rebate according to the assessee	Remarks (*)
1	2	3	4	5	6	7	8
1.	Industrial cooling spraying in mine pits or boilers feed	(i) from Municipal water supply mains (ii) from well/tubewell (iii) from canal (iv) from river (v) from any other source					
2.	Domestic purpose	(i) from Municipal water supply mains (ii) from well/tubewell (iii) from canal (iv) from river (v) from any other source					
3.	Processing whereby water gets polluted and the pollutants are easily bio-degradable	(i) from Municipal water supply mains (ii) from well/tubewell (iii) from canal (iv) from river (v) from any other source					
4.	Processing whereby water gets polluted and the pollutants are not easily bio-degradable and are toxic.	(i) from Municipal water supply mains (ii) from well/tubewell (iii) from canal (iv) from river (v) from any other source					

(*) for claiming rebate under Col.. 7 the assessee shall indicate in this column the analytical and other reports annexed to this return in support of this claim

Signature of the consumer
Name
Address

ANNEXURE TO FORM I

Report of Analysis to treated effluent showing performance of the treatment plant -For the month of ……

Sample collected on …….

Sample tested on ……..

By the laboratories……

S.No.	Polluting parameters as mentioned in the conditions imposed under consent granted under section 25/26 of the Water (Prevention and Control of Pollution)Act, 1974	Maximum permissible limits or ranges allowed as per consent conditions	Concentration of range of parameters as per report	Dates on which	
				There was break down or failure of the plant	On which under performance was noticed
1	2	3	4	5	6

Signature …….

Date……..

Name……

Address…….

[1][FORM IA

[See rule 4(2)]

Name of the Board :

No. Dated

Notice under Section 5(2) of the Water (Prevention and Control of Pollution) Cess Act, 1977 (36 of 1977).

To,

Name and Address of the Consumer :

Assessment period

Whereas you were required to furnish a return as provided under sub-section (1) of Section 5 of the Water (Prevention and Control of Pollution) Cess Act, 1977 (36 of 1977) read with sub-rule (1) of Rule 4 of the Water (Prevention and Control of Pollution) Cess Rules, 1978, by the 5th of _____

And whereas you have filed to furnish the returns by the said date :

Now, therefore, you are hereby called upon to furnish the return within 7 days from the date of receipt of this Notice.

In case no return is received within the said period of 7 days, action will be taken for making assessment as per sub-section (1A) of section 6 of the aforesaid Act, ex-parte besides initiating any other legal action as per law against you.

Issuing Authority

Place: Name ……

Date : Address…….

……

---

1 Inserted by Rule 4 of the Water (Prevention and Control of Pollution) Cess Amendment Rules, 1992, G.S.R.311 (E), dated 28.2.1992.

FORM II

(See rule 9)

(FORM OF MEMORANDUM OF APPEAL)

Before……..(**)……
(here mention the name and designation of the authority)

Memorandum of appeal under section 13 of the Water (Prevention and Control of Pollution) Cess Act, 1977.

Appeal No……..of 19…….
…….
…….
…….
(here furnish complete postal address) ……Appellant

Vs.

…….
…….
…….
(here mentioned the name and designation of assessing authority)

……..Respondent

The appellant named above, begs to prefer this memorandum of appeal against the order dated…… passed by …….. on the following facts and grounds :

FACTS

(here briefly mention the facts of the case)

GROUND

(here mention the grounds on which the appeal is made)

1.

2.

3.

4.

PRAYER

In the light of what is stated above, the appellant respectfully prays that he/she/it may be exempted from the payment of Cess.

he/she/it may be allowed a rebate of 70 per cent as provided for in the Act and the amount of Cess reduced to Rs……

the amount of Cess has not been correctly assessed and that it may be reduced to Rs……..

the penalty imposed on him/her/it has been wrongfully imposed and should be set aside.

the penalty imposed on him/her/it is excessive and should be suitably reduced on the basis of the facts as stated.

2. The amount of Rs…….... (Rupees…….) as fee for this appeal has been paid to……..……vide receipt No……dated…….

Place :

Date :

Signature of the Appellant

Name

Address

[1][SCHEDULE

(See rule 6)

Sl. No.	Name of Industry	Category	Maximum quantity of Water
1	2	3	4
1.	Ferrous Metallurgical	Integrated Iron & Steel	20 Cubic metres per tonne of finished steel
2.	Non-ferrous Metallurgical	(a) Copper Smelters	100 Cubic metres as per tome of copper produced.
		(b) Zinc Smelters	50 Cubic metres per tonne of Zinc metal produced
3.	Chemical	(a) Caustic Soda	
		(i) Mercury cell process	5 Cubic metres per tonne of caustic soda produced (excluding cooling water) and 5cubic metres per tonne of caustic soda produced for cooling water.
		(ii) Membrane Cell process	5 Cubic metres per tonne of caustic soda including cooling water
4.	Textile	(a) Manmade fibre	
		(i) Nylon & Polyester	170 Cubic metre per tonne fibre produced.
		(ii) Viscose rayon	200 Cubic metre per tone of fibre produced
5.	Paper	(a) Small Pulp and Paper	
		(i) Agro-residue based	200 Cubic metre tonne of paper
		(ii) Waste Paper based	75 Cubic metre tonne of paper
		(b) Large Pulp and Paper	
		(i) Pulp and Paper	250 Cubic metre per tonne of paper

[1] Added by Rule 5 of the Water (Prevention and Control of Pollution) Cess Amendment Rules, 1992, G.S.R.311 (E), dated 28.2.1992

		(ii) Rayon grade Paper	200 Cubic metre per tonne of paper
6.	Fertilizer	(a) Straight nitrogenous fertilizer	15 Cubic metre per tonne of urea or equivalent produced
		(b) Straight phosphatic fertilizer (single super phosphate and Triple super phosphate) ex-including manufacture of any acid	2 cubic meter per tonne of single Super Phosphate/Triple Super Phosphate
		(c) Complex Fertilizer	15 cubic metre per tonne in case the primary product is nitrogenous fertilizer and 2 cubic meter per tonne in case the primary product is a phosphatic fertilizer
7.	Processing of animal or vegetable products industry including processing of milk, meat, hides and skins all agricultural products and their waste	(a) Tanneries	30 cubic metre per tonne of raw hides
		(b) Natural rubber	6 cubic metre per tonne of rubber
		(c) Starch, glucose and related products	10 cubic metre per tonne of maize crushed
		(d) Dairy	4 cubic meter per kilo litre of milk processed
		(e) Jute	1.5 cubic metre per tonne of jute produced
		(f) Sugar	2 cubic metre per tonne of cane crushed
		(g) Maltry	8.5 cubic metre per tonne of grain processed
		(h) Brewery	1 cubic meter per kilo of beer produced
		(i) Distillery	15 cubic metre per kilo litre of alcohol produced.

[No.1(14)/91-PL/CPA]
N.BAGCHI, Director Pollution

Footnote : - The Principal Rules were published in the Gazette of India vide Notification G.S.R.378(E), dated the 24th July, 1978.

NOTIFICATIONS

UNDER

THE WATER (PREVENTION AND CONTROL OF POLLUTION) CESS ACT, 1977

NOTIFICATIONS ISSUED UNDER THE WATER (PREVENTION AND CONTROL OF POLLUTION) CESS ACT, 1977

MINISTRY OF ENVIRONMENT & FORESTS

NOTIFICATION

New Delhi, the 26th January, 1992

S.O.78(E).- In exercise of the powers conferred by sub-section (2) of section 1 of the Water (Prevention and Control of Pollution) Cess (Amendment) Act, 1991 (53 of 1991), the Central Government hereby appoints the 26th day of January, 1992 as the date on which the said Act shall come into force.

[No.1(14)/91-PL]

MUKUL SANWAL, Jt. Secy

MINISTRY OF ENVIRONMENT AND FORESTS
NOTIFICATION

New Delhi, the 6th May, 2003

S.O.498(E).– In exercise of the powers conferred by sub-section (2) of Section 1 of the Water (Prevention and Control of Pollution) Cess (Amendment) Act, 2003 (19 of 2003), the Central Government hereby appoints the 6th day of May, 2003 as the date on which the said Act shall come into force.

[F.No. 17(8)/95-PL]

C.VISWANATH, Jt. Secy.

ENTRUST THE FUNCTIONS OF THE CENTRAL GOVERNMENT TO THE STATE GOVERNMENTS

NOTIFICATION

New Delhi, the 16th January, 1980

G.S.R. 190.- In exercise of the powers conferred by clause (1) of article 258 of the Constitution, the President, with the consent of the State Governments concerned hereby entrusts to the Governments of each of the States of Andhra Pradesh, Bihar, Gujarat, Haryana, Himachal Pradesh, Kerala, Madhya Pradesh, Punjab, Rajasthan, Uttar Pradesh and West Bengal, the functions of the Central Government under sub-section (2) of section 4, section 12 and sub-section (3) of section 14 of the Water (Prevention and Control of Pollution) Cess Act, 1977 (36 of 1977) subject to the conditions that not withstanding this entrustment the Central Government may itself exercised any of the said functions should deem fit to do so in any case.

[No. Q-17013/2/78-EPC]

J.N.KALIA, Under Secy.

RATE OF CESS ON THE BASIS OF THE WATER CONSUMPTION

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 6th May, 2003

S.O.499(E).–In exercise of powers conferred by sub-section (2) and sub-section (2A) of section 3 of the Water (Prevention and Control of Pollution) Cess Act, 1977 (36 of 1977) and in supersession of the notification of the Government of India in the Ministry of Environment and Forests number S.O. 182(E), dated the 28th February, 1992, except as respects things done or omitted to be done before such supersession, the Central Government hereby specifies -

(a) the rate of cess given in column (2) of the Table below as the rates of cess payable by every person carrying on an industry as mentioned in the aforesaid Act and by every local authority, calculated on the basis of the water consumed by him or it, as the case may be, for the purpose mentioned in the corresponding entry in column (1) thereof; and

(b) The rates of cess given in column (3) of the Table below as the rates of cess payable by a person carrying on an industry as mentioned in the aforesaid Act and by every local authority consuming water for domestic purpose calculated on the basis of the water consumed by him or it, for the purpose mentioned in the corresponding entry in column (1) thereof, if he or it fails to comply with any of the provisions of section 25 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) or any of the standards laid down by the Central Government under the Environment (Protection) Act, 1986 (29 of 1986).

TABLE

S.No.	**Purpose for which water is consumed**	**Rate of cess under sub-section (2) of section 3**	**Rate of cess under sub-section (2A) of section (3)**
(1)	**(2)**	**(3)**	**(4)**
1.	Industrial cooling, spraying in mine pits or boiler feeds	Five paise per kilolitre	Ten paise per kilolitre
2.	Domestic purpose	Two paise per kilolitre	Three paise per kilolitre
3.	Processing whereby water gets polluted and the	Ten paise per kilolitre	Twenty paise per kilolitre

S.No.	Purpose for which water is consumed	Rate of cess under sub-section (2) of section 3	Rate of cess under sub-section (2A) of section (3)
	pollutants are - (i) easily biodegradable; or (ii) non-toxic; or (iii) both non-toxic and easily biodegradable		
4.	Processing whereby water gets polluted and the pollutants are- (i) not easily biodegradable; or (ii) toxic; or (iii) both toxic and not easily biodegradable	Fifteen paise per kilolitre	Thirty paise per kilolitre

2. Further, in exercise of the powers conferred by sub-section (1) of section 16 of the Water (Prevention and Control of Pollution) Cess Act, 1977 (36 of 1977), the Central Government hereby exempts all industries consuming water less than ten kilo litres per day from the levy of cess specified in this notification.

Provided that no such exemption shall be applicable in case of industries generating 'hazardous wastes' as defined in clause (1) of rule 3 of the Hazardous Waste (Management and Handling) Rules, 1989, made under sections 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986).

3. This notification shall come into force on the date of its publication in the Official Gazette.

[F.No.17(8)/95-PL]
C.VISWANATH, Jt. Secy.

THE AIR (PREVENTION AND CONTROL OF POLLUTION) ACT, 1981

(Act No.14 of 1981)

(As amended to date)

THE AIR (PREVENTION AND CONTROL OF POLLUTION) ACT, 1981

ARRANGEMENT OF SECTIONS

CHAPTER I

PRELIMINARY

Sections

1. Short title, extent and commencement

2. Definitions

CHAPTER II

CENTRAL AND STATE BOARDS FOR THE PREVENTION AND CONTROL OF AIR POLLUTION

3. Central Board for the Prevention and Control of Air Pollution

4. State Boards for the Prevention and Control of Water Pollution to be State Boards for the Prevention and Control of Air Pollution

5. Constitution of State Boards

6. Central Board to exercise the powers and perform the functions of a State Board in the Union Territories

7. Terms and Conditions of service of members

8. Disqualifications

9. Vacation of seats by members

10. Meetings of Board

11. Constitution of Committees

Sections

12. Temporary association of persons with Board for particular purposes

13. Vacancy in Board not to invalidate acts or proceedings

14. Member-Secretary and officers and other employees of State Boards

15. Delegation of powers

CHAPTER III

POWERS AND FUNCTIONS OF BOARDS

16. Functions of Central Board

17. Functions of State Boards

18. Power to give directions

CHAPTER IV

PREVENTION AND CONTROL OF AIR POLLUTION

19. Power to declare air pollution control areas

20. Power to give instructions for ensuring standards for emission from automobiles

21. Restrictions on use of certain industrial plants

22. Persons carrying on industry, etc. and to allow emission of air pollutants in excess of the standard laid down by the State Board

22A. Power of Board to make application to Court for restraining person from causing air pollution

Sections

23. Furnishing of information to State Board and other agencies in certain cases

24. Power to entry and inspection

25. Power to obtain information

26. Power to take samples of air or emission and procedure to be followed in connection therewith

27. Reports of the result of analysis on samples taken under section 26

28. State Air Laboratory

29. Analysts

30. Reports of Analysts

31. Appeals

31A. Power to giver directions

CHAPTER V

FUNDS, ACCOUNTS AND AUDIT

32. Contribution by Central Government

33. Fund of Board

33A. Borrowing powers of Board

34. Budget

35. Annual Report

36. Accounts and Audit

Sections

CHAPTER VI

PENALTIES AND PROCEDURE

37. Failure to comply with the provisions of Section 21 or section 22 or with the directions issued under Section 31A

38. Penalties for certain acts

39. Penalty for contravention of provisions of the Act

40. Offences by companies

41. Offences of Government Departments

42. Protection of action taken in good faith

43. Cognizance of offences

44. Members, officers and employees to Board to be public servants

45. Reports and returns

46. Bar of jurisdiction

CHAPTER VII

MISCELLANEOUS

47. Power of Central Government to Supersede State Board

48. Special provision in the case of supersession of the Central Board or the State Boards constitution under the Water (Prevention and Control of Pollution) Act, 1974

49. Dissolution of State Boards constituted under the Act

Sections

50. [*Repealed*]

51. Maintenance of register

52. Effect of other laws

53. Power of Central Government to make rules

54. Power of State Government to make rules

THE SHEDULE (Omitted)

LIST OF ABBREVIATIONS USED

Cl.	…	*for* clause
Ins.	…	” Inserted
Rep.	…	” Repealed
S.	…	” Section
Subs.	…	” Substituted
	…	” With effect from

THE AIR (PREVENTION AND CONTROL OF POLLUTION) ACT, 1981

No. 14 of 1981

[29th March, 1981]

An Act to provide for the prevention, control and abatement of air pollution, for the establishment, with a view to carrying out the aforesaid purposes, of Boards, for conferring on and assigning to such Boards powers and functions relating thereto and for matters connected therewith.

WHEREAS decisions were taken at the United Nations Conference on the Human Environment held in Stockholm in June, 1972, in which India participated, to take appropriate steps for the preservation of the natural resources of the earth which, among other things, include the preservation of the quality of air and control of air pollution;

AND WHEREAS it is considered necessary to implement the decisions aforesaid in so far as they relate to the preservation of the quality of air and control of air pollution;

BE it enacted by Parliament in the Thirty-second Year of the Republic of India as follows :-

CHAPTER I

PRELIMINARY

1. SHORT TITLE, EXTENT AND COMMENCEMENT. -

(1) This Act may be called the Air (Prevention and Control of Pollution) Act, 1981.

(2) It extends to the whole of India.

(3) It shall come into force on such date[1] as the Central Government may, by notification in the Official Gazette, appoint.

2. DEFINITIONS. -

In this Act, unless the context otherwise requires,-

(a) "air pollutant" means any solid, liquid or gaseous substance [2][(including noise)] present in the atmosphere in such concentration as may be or tend to be injurious to human beings or other living creatures or plants or property or environment;

---

1 16-5-1981 : vide notification No. G.S.R. 351 (E), dated 15-5-1981,Gazette of India, Extraordinary, Part II, Section 3(i) page 944.

2 Ins. by Act 47 of 1987 (w..e.f. 1-4-1988)

(b) "air pollution" means the presence in the atmosphere of any air pollutant;

(c) "approved appliances" means any equipment or gadget used for the bringing of any combustible material or for generating or consuming any fume, gas of particulate matter and approved by the State Board for the purpose of this Act;

(d) "approved fuel" means any fuel approved by the State Board for the purposes of this Act;

(e) "automobile" means any vehicle powered either by internal combustion engine or by any method of generating power to drive such vehicle by burning fuel;

(f) "Board" means the Central Board or State Board;

(g) "Central Board" means the [1][Central Board for the Prevention and Control of Water Pollution] constituted under section 3 of the Water (Prevention and Control of Pollution) Act, 1974;

(h) "chimney" includes any structure with an opening or outlet from or through which any air pollutant may be emitted,

(i) "control equipment" means any apparatus, device, equipment or system to control the quality and manner of emission of any air pollutant and includes any device used for securing the efficient operation of any industrial plant;

(j) "emission" means any solid or liquid or gaseous substance coming out of any chimney, duct or flue or any other outlet;

(k) "industrial plant" means any plant used for any industrial or trade purposes and emitting any air pollutant into the atmosphere;

(l) "member" means a member of the Central Board or a State Board, as the case may be, and includes the Chairman thereof,

[2][(m) "occupier", in relation to any factory or premises, means the person who has control over the affairs of the factory or the premises, and includes, in relation to any substance, the person in possession of the substance;]

(n) "prescribed" means prescribed by rules made under this Act by the Central Government or as the case may be, the State Government;

---

1 The words in brackets "Central Board for the Prevention and Control of Water Pollution" shall be subs. as "Central Pollution Control Board" by Act 47 of 1987, s. 2 (w.e.f. 1.4.1988).

2 Subs. by Act 47 of 1987, s. 2, for cl. (m) (w.e.t. 1-4-1988).

(o) "State Board" means,-

(i) in relation to a State in which the Water (Prevention and Control of Pollution) Act, 1974, is in force and the State Government has constituted for that State a [1][State Board for the Prevention and Control of Water Pollution] under section 4 of that Act, the said State Board; and

(ii) in relation to any other State, the State Board for the Prevention and Control of Air Pollution constituted by the State Government under section 5 of this Act.

CHAPTER II

CENTRAL AND STATE BOARDS FOR THE PREVENTION AND CONTROL OF AIR POLLUTION

[2][3. CENTRAL BOARD FOR THE PREVENTION AND CONTROL OF AIR POLLUTION. -

The [2][Central Board for the Prevention and Control of Water Pollution] constituted under section 3 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974), shall, without prejudice to the exercise and performance of its powers and functions under this Act, exercise the powers and perform the functions of the Central Board for the Prevention and Control of Air Pollution under this Act.

[3][4. STATE BOARDS FOR THE PREVENTION AND CONTROL OF WATER POLLUTION TO BE, STATE BOARDS FOR THE PREVENTION AND CONTROL OF AIR POLLUTION. -

In any State in which the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974), is in force and the State Government has constituted for that State a State Board for the Prevention and Control of Water Pollution under section 4 of that Act, such State Board shall be deemed to be the State Board for the Prevention and Control of air Pollution constituted under section 5 of this Act and accordingly that State Board for the

---

1 The words in brackets "State Board for the Prevention and Control of Water pollution" shall be subs. as "State Pollution Control Board" s. 2 *ibid.* (date to be notified).

2 For sections 3 and 4, the following sections shall stand subs. by s.3 *ibid.*, (date to be notified) namely :- 3. Central Pollution Control Board-The Central Pollution Control Board constituted under section 3 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974), shall, without prejudice to the exercise and performance of its powers and functions under that Act, exercise the powers and perform the functions of the Central Pollution Control Board for the prevention and control of air pollution under this Act.

3 State Pollution Control Boards constituted under section 4 of Act 6 of 1974 to be State Boards under this Act.-In any State in which the Water (Prevention and Control of Pollution) Ai-t, 1974, is in force and the State Government has constituted for that State a State Pollution Control Board under section 4 of that Act, such State Board shall be deemed to be the State Board for the Prevention and Control of Air Pollution constituted under section 5 of this Act, and accordingly that State Pollution Control Board shall without prejudice to the exercise and performance of its powers and functions under that Act, exercise the powers and perform the functions of the State Board for the prevention and control of air pollution under this Act.

Prevention and Control of Water Pollution shall, without prejudice to the exercise and performance of its powers and functions under that Act, exercise the powers and perform the functions of the State Board for the Prevention and Control of Air Pollution under this Act.]

5. CONSTITUTION OF STATE BOARDS. -

(1) In any State in which the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974), is not in force, or that Act is in force but the State Government has not constituted a [1][State Board for the Prevention and Control of Water Pollution] under that Act, the State Government shall, with effect from such date as it may, by notification in the Official Gazette, appoint, constitute a State Board for the Prevention and Control of Air Pollution under such name as may be specified in the notification, to exercise the powers conferred on, and perform the functions assigned to, that Board under this Act.

(2) A State Board constituted under this Act shall consist of the following members, namely:-

(a) a Chairman, being a person, having a person having special knowledge or practical experience in respect of matters relating to environmental protection, to be nominated by the State Government:

Provided that the Chairman may be either whole-time or part-time as the State Government may think fit;

(b) such number of officials, not exceeding five, as the State Government may think fit, to be nominated by the State Government to represent that government;

(c) such number of persons, not exceeding five, as the State Government may think fit, to be nominated by the State Government from amongst the members of the local authorities functioning within the State;

(d) such number of non-officials, not exceeding three, as the State Government may think fit, to be nominated by the State Government to represent the interest of agriculture, fishery or industry or trade or labour or any other interest, which in the opinion of that government, ought to be represented;

(e) two persons to represent the companies or corporations owned, controlled or managed by the State Government, to be nominated by that Government;

---

[1] The words in brackets "State Board for the Prevention and Control of Water Pollution" shall be substituted as "State Pollution Control Board" by Act 47 of 1987, s. 4, (w.e.f.1.4.1988).

[1][(f) a full-time member-secretary having such qualifications knowledge and experience of scientific, engineering or management aspects of pollution control as may be prescribed, to be appointed by the State Government.

Provided that the State Government shall ensure that not less than two of the members are persons having special knowledge or practical experience in, respect of matters relating to the improvement of the quality of air or the prevention, control or abatement of air pollution.

(3) Every State Board constituted under this Act shall be a body corporate with the name specified by the State Government in the notification issued under sub-section (1), having perpetual succession and a common seal with power, subject to the provisions of this Act, to acquire and dispose of property and to contract, and may by the said name sue or be sued.

6. CENTRAL BOARD TO EXERCISE THE POWERS AND PERFORM THE FUNCTIONS OF A STATE BOARD IN THE UNION TERRITORIES. -

No State Board shall be constituted for a Union territory and in relation to a Union territory, the Central Board shall exercise the powers and perform the functions of a State Board under this Act for that Union territory:

Provided that in relation to any Union territory the Central Board may delegate all or any of its powers and functions under this section to such person or body of persons as the Central Government may specify.

7. TERMS AND CONDITIONS OF SERVICE OF MEMBERS. -

(1) Save as otherwise provided by or under this Act, a member of a State Board constituted under this Act, other than the member-secretary, shall hold office for a term of three years from the date on which his nomination is notified in the Official Gazette:

Provided that a member shall, notwithstanding the expiration of his term, continue to hold office until his successor enters upon his office.

(2) The terms of office of a member of a State Board constituted under this Act and nominated under clause (b) or clause *(e)* of sub-section (2) of section 5 shall come to an end as soon as he ceases to hold the office under the State Government as the case may be, the company or corporation owned, controlled or managed by the State Government, by virtue of which he was nominated.

(3) A member of a State Board constituted under this Act, other than the member- secretary, may at any time resign his office by writing under his hand addressed,-

---

[1] Subs. by Act 47 of 1987, Section 4 for cl. (f) w.e.f. 1-4-1988).

(a) in the case of the Chairman, to the State Government; and

(b) in any other case, to the Chairman of the State Board, and the seat of be Chairman or such other member shall thereupon become vacant.

(4) A member of a State Board constituted under this Act, other than the member-secretary, shall be deemed to have vacated his seat, if he is absent without reason, sufficient in the opinion of the State Board, from three consecutive meetings of the State Board or where he is nominated under clause (c) of subsection (2) of section 5, he ceases to be a member of the local authority and such vacation of scat shall, in either case, take effect from such as the State Government may, by notification in the Official Gazette, specify.

(5) A casual vacancy in a State Board constituted under this Act shall be filled by a fresh nomination and the person nominated to fill the vacancy shall hold office only for the remainder of the term for which the member whose place he takes was nominated.

(6) A member of a State Board constituted under this Act shall be eligible for re-nomination [1]*****

(7) The other terms and conditions of service of the Chairman and other members (except the member-secretary) of a State Board constituted under this Act shall be such as may be prescribed.

8. DISQUALIFICATIONS. -

(1) No person shall be a member of a State Board constituted under this Act, who-

(a) is, or at any time has been, adjudged insolvent, or

(b) is of unsound mind and has been so declared by a competent court,

(c) is, or has been, convicted of an offence which, in the opinion of the State Government, involves moral turpitude, or

(d) is, or at any time has been, convicted of an offence under this Act,

(e) has directly or indirectly by himself on by any partner, any share or interest in any Firm or company carrying on the business of manufacture, sale, or hire of machinery, industrial plant, control equipment or any other apparatus for the improvement of the quality of air or for the prevention, control or abatement of air pollution, or

---

[1] The words "but for more than two terms" omitted by Act 47 of 1987, s. 5 (w.e.f. 1.4.1988).

(f) is a director or a secretary, manager or other salaried officer or employee of any company or firm having any contract with the Board, or with the Government constituting the Board or with a local authority in the State, or with a company or corporation owned, controlled or managed by the Government, for the carrying out of programmes for the improvement of the quality of air or for the prevention, control or abatement of air pollution, or

(g) has so abused, in the opinion of the State Government, his position as a member, as to render his continuance on the State Board detrimental to the interest of the general public.

(2) The State Government shall, by order in writing, remove any member who is, or has become, subject to any disqualification mentioned in sub-section (1).

Provided that no order of removal shall be made by the State Government under this section unless the member concerned has been given a reasonable opportunity of showing cause against the same.

(3) Notwithstanding anything contained in sub-section (1) or sub-section (6) of section 7, a member who has been removed under this section shall not be eligible to continue to hold office until his successor enters upon his office, or, as the case may be, for re-nomination as a member.

9. VACATION OF SEATS BY MEMBERS. -

If a member of a State Board constituted under this Act becomes subject to any of the disqualifications specified in section 8, his seat shall become vacant.

10. MEETING OF BOARD. -

(1) For the purposes of this Act, a Board shall meet at least once in every three months and shall observe such rules of procedure in regard to the transaction of business at its meetings as may be prescribed:

Provided that it, in the opinion of the Chairman, any business of an urgent nature is to be transacted, he may convene a meeting of the Board at such time as he thinks fit for the aforesaid purpose.

(2) Copies of minutes of the meetings under sub-section (1) shall be forwarded to the Central Board and to the State Government concerned.

11. CONSTITUTION OF COMMITTEES. -

(1) A Board may constitute as many committees consisting wholly of members or partly of members and partly of other persons and for such purpose or purposes as it may think fit.

(2) A committee constituted under this section shall meet at such time and at such place, and shall observe such rules of procedure in regard to the transaction of business at its meetings, as may be prescribed.

(3) The members of a committee other than the members of the Board shall be paid such fees and allowances, for attending its meetings and for attending to any other work of the Board as may be prescribed.

12. TEMPORARY ASSOCIATION OF PERSONS WITH BOARD FOR PARTICULAR PURPOSES. -

(1) A Board may associate with itself in such manner, and for such purposes, as may be prescribed, any person whose assistance or advice it may desire to obtain in performing any of its functions under this Act.

(2) A person associated with the Board under sub-section (1) for any purpose

[1][(dd) perform such of the function of any State Board as may, be specified in and order made under sub-section (2) of section 18;]

(e) plan and organise the training of persons engaged or to be engaged in programmes for the prevention, control or abatement of air pollution on such terms and conditions as the Central Board may specify;

(f) organise through mass media a comprehensive programme regarding the prevention, control or abatement of air pollution;

(g) collect, compile and publish technical and statistical data relating to air pollution and the measures devised for its effective prevention, control or abatement and prepare manuals, codes or guides relating to prevention, control or abatement of air pollution;

(h) lay down standards for the quality of air.,

(i) collect and disseminate information in respect of matters relating to air pollution;

(j) perform such other functions as may be prescribed.

(3) The Central Board may establish or recognise a laboratory or laboratories to enable the Central Board to perform its functions under this section efficiently.

(4) The Central Board may-

(a) delegate any of its functions under this Act generally or specially to any of the committees appointed by it;

(b) do such other things and perform such other acts as it may think necessary for the proper discharge of its functions and generally for the purpose of carrying into effect the purposes of this Act.

17. FUNCTIONS OF STATE BOARDS. -

(1) subject to the provisions of this Act, and without prejudice to the performance of its functions, if any, under the Water (Prevention and Control of Pollution) Act, 1974 (Act 6 of 1974), the functions of a State Board shall be-

(a) to plan a comprehensive programme for the prevention, control or abatement of air pollution and to secure the execution thereof;

---

1 Ins. by Act 47 of 1987, s. 7 (w.e.f. 1.4.1988)

(b) to advise the State Government on any matter concerning the prevention, control or abatement of air pollution;

(c) to collect and disseminate information relating to air pollution;

(d) to collaborate with the Central Board in organising the training of persons engaged or to be engaged in programmes relating to prevention, control or abatement of air pollution and to organise mass-education programme relating thereto;

(e) to inspect, at all reasonable times, any control equipment, industrial plant or manufacturing process and to give, by order, such directions to such persons as it may consider necessary to take steps for the prevention, control or abatement of air pollution;

(f) to inspect air pollution control areas at such intervals as it may think necessary, assess the quality of air therein and take steps for the prevention, control or abatement of air pollution in such areas;

(g) to lay down, in consultation with the Central Board and having regard to the standards for the quality of air laid down by the Central Board, standards for emission of air pollutants into the atmosphere from industrial plants and automobiles or for the discharge of any air pollutant into the atmosphere from any other source whatsoever not being a ship or an aircraft:

Provided that different standards for emission may be laid down under this clause for different industrial plants having regard to the quantity and composition of emission of air pollutants into the atmosphere from such industrial plants;

(h) to advise the State Government with respect to the suitability of any premises or location for carrying on any industry which is likely to cause air pollution;

(i) to Perform such other functions as may be prescribed or as may, from time to time, be entrusted to it by the Central Board or the State Government;

(j) to do such other things and to perform such other acts as it may think necessary for the proper discharge of its functions and generally for the purpose of carrying into effect the purposes of this Act.

(2) A State Board may establish or recognise a laboratory or laboratories to enable the State Board to perform its functions under this section efficiently.

18. POWER TO GIVE DIRECTIONS. -

[1][(1) In the performance of its functions under this Act-

(a) the Central Board shall be bound by such directions in writing as the Central Government may give to it; and

(b) every State Board shall be bound by such directions in writing as the Central Board or the State Government may give to it:

Provided that where a direction given by the State Government is inconsistent with the direction given by the Central Board, the matter shall be referred to the Central Government for its decision.]

[2][(2) Where the Central Government is of the opinion that any State Board has defaulted in complying with any directions given by the Central Board under sub-section (1) and as a result of such default a grave emergency has arisen and it is necessary or expedient so to do in the public interest, it may, by order, direct the Central Board to perform any of the functions of the State Board in relation to such area, for such period and for such purposes, as may be specified in the order.

(3) Where the Central Board performs any of the functions of the State Board in pursuance of a direction under sub-section (2), the expenses, if any incurred by the Central Board with respect to the performance of such functions may, if the State Board is empowered to recover such expenses, be recovered by the Central Board with interest (at such reasonable rate as the Central Government may, by order, fix) from the date when a demand for such expenses is made until it is paid from the person or persons concerned as arrears of land revenue or of public demand.

(4) For the removal of doubts, it is hereby declared that any directions to perform the functions of any State Board given under sub-section (2) in respect of any area would not preclude the State Board from performing such functions in any other area in the State or any of its other functions in that area.]

CHAPTER IV

PREVENTION AND CONTROL OF AIR POLLUTION

19. POWER TO DECLARE AIR POLLUTION CONTROL AREAS. -

(1) The State Government may, after consultation with the State Board, by notification in the Official Gazette declare in such manner as may be prescribed, any area or areas within the State as air pollution control area or areas for the purposes of this Act.

---

1 S.18 renumbered as sub-section (1) thereof by Act of 1987, s.8 (w.e.f.1.4.1988)

2 Ins. by S.8, ibid. (w.e.f.1.4.1988)

(2) The State Government may, after consultation with the State Board, by notification in the Official Gazette,-

(a) alter any air pollution control area whether by way of extension or reduction ;

(b) declare a new air pollution control area in which may be merged one or more existing air pollution control areas or any part or parts thereof.

(3) If the State Government, after consultation with the State Board, is of opinion that the use of any fuel, other than an approved fuel, in any air pollution control area or part thereof, may cause or is likely to cause air pollution, it may, by notification in the Official Gazette, prohibit the use of such fuel in such area or part thereof with effect from such date (being not less than three months from the date of publication of the notification) as may be specified in the notification.

(4) The State Government may, after consultation with the Sate Board, by notification in the Official Gazette, direct that with effect from such date as may be specified therein, no appliance, other than an approved appliance, shall be used in the premises situated in an air pollution control area :

Provided that different dates may be specified for different parts of an air pollution control area or for the use of different appliances.

(5) If the State Government, after consultation with the State Board, is of opinion that the burning of any material (not being fuel) in any air pollution control area or part thereof may cause or is likely to cause air pollution, it may, by notification in the Official Gazette, prohibit the burning of such material in such area or part thereof.

20. POWERS TO GIVE INSTRUCTIONS FOR ENSURING STANDARDS FOR EMISSION FROM AUTOMOBILES. -

With a view to ensuring that the standards for emission of air pollutants from automobiles laid down by the State Board under clause (g) of sub-section (1) of section 17 are complied with, the State Government shall, in consultation with the State Board, give such instructions as may be deemed necessary to the concerned authority in charge of registration of motor vehicles under the Motor Vehicles Act, 1939 (Act 4 of 1939), and such authority shall, notwithstanding anything contained in that Act or the rules made thereunder be bound to comply with such instructions.

21. RESTRICTIONS ON USE OF CERTAIN INDUSTRIAL PLANTS. -

[1][(1) Subject to the provisions of this section, no person shall, without the previous consent of the State Board, establish or operate any industrial plant in an air pollution control area :

---

[1] Subs. by Act 47 of 1987, s. 9, for sub-section (1) (w.e.f. 1-4-1988).

Provided that a person operating any industrial plant in any air pollution control area, immediately before the commencement of section 9 of the Air (Prevention and Control of Pollution) Amendment Act, 1987, (47 of 1987) for which no consent was necessary prior to such commencement, may continue to do so for a period of three months from such commencement or, if he has made an application for such consent within the said period of three months, till the disposal of such application.]

(2) An application for consent of the State Board under sub-section (1) shall be accompanied by such fees as may be prescribed 'and shall be made in the prescribed form and shall contain the particulars of the industrial plant and such other particulars as may be prescribed :

Provided that where any person, immediately before the declaration of any area as an air pollution control area, operates in such area any industrial plant, [1]*** such person shall make the application under this sub-section within such period (being not less than three months from the date of such declaration) as may be prescribed and where such person makes such application, he shall be deemed to be operating such industrial plant with the consent of the State Board until the consent applied for has been refused,

(3) The State Board may make such inquiry as it may deem fit in respect of the application for consent referred to in sub-section (1) and in making any such inquiry, shall follow such procedure as may be prescribed.

(4) Within a period of four months after the receipt of the application for consent referred to in sub-section (1), the State Board shall, by order in writing, [2][and for reasons to be recorded in the order, grant the consent applied for subject to such conditions and for such period as may be specified in the order, or refuse consent:]

[3][Provided that it shall be open to the State Board to cancel such consent before the expiry of the period for which it is granted or refuse further consent after such expiry if the conditions subject to which such consent has been granted are not fulfilled:

Provided further that before cancelling a consent or refusing a further consent under the first provision, a reasonable opportunity of being heard shall be given to the person concerned.]

(5) Every person to whom consent has been granted by the State Board under sub-section (4), shall comply with the following conditions, namely -

(i) the control equipment of such specifications as the State Board may approve in this behalf shall be installed and operated in the premises where the industry is carried on or proposed to be carried on;

---

1 Certain words omitted by Act 47 of 1987, s. 9, (w.e.f. 1-4-1988).

2 Subs. by Act 47 of 1987, s. 9, for certain words (w.e.f. 1 .4 1988).

3 Ins. by s.9, ibid., (w.e.f.1.4.1988)

(ii) the existing control equipment, if any, shall be altered or replaced in accordance with the directions of the State Board;

(iii) the control equipment referred to in clause (i) or clause (ii) shall be kept at all times in good running condition;

(iv) chimney, wherever necessary, of such specifications as the State Board may approve in this behalf shall be erected or re-erected in such premises;

(v)such other conditions as the State Board, may specify in this behalf; and

(vi) the conditions referred to in clauses (i), (ii) and (iv) shall be complied with within such period as the State Board may specify in this behalf:

Provided that in the case of a person operating any industrial plant [1]*** in an air pollution control area immediately before the date of declaration of such area as an air pollution control area, the period so specified shall not be less than six months:

Provided further that-

(a) after the installation of any control equipment in accordance with the specifications under clause (i), or

(b) after the alteration or replacement of any control equipment in accordance with the directions of the State Board under clause (ii), or

(c) after the erection or re-erection of any chimney under clause (iv), no control equipment or chimney shall be altered or replaced or, as the case may be, erected or re-created except with the previous approval of the State Board.

(6) If due to any technological improvement or otherwise the State Board is of opinion that all or any of the conditions referred to in sub-section (5) require or requires variation (including the change of any control equipment, either in whole or in part), the State Board shall, after giving the person to whom consent has been granted an opportunity of being heard, vary all or any of such conditions and thereupon such person shall be bound to comply with the conditions as so varied.

(7) Where a person to whom consent has been granted by the State Board under sub-section (4) transfers his interest in the industry to any other person, such consent shall be deemed to have been granted to such other person and he shall be bound to comply with all the conditions subject to which it was granted as if the consent was granted to him originally.

---

[1] Certain words omitted by Act 47 of 1987, s. 9, (w.e.f.1.4.1988).

22. PERSONS CARRYING ON INDUSTRY, ETC., TO ALLOW EMISSION OF AIR POLLUTANTS IN EXCESS OF THE STANDARD LAID DOWN BY THE STATE BOARD. -

No person [1]**** operating any industrial plant, in any air pollution control area shall discharge or cause or permit to be discharged the emission of any air pollutant in excess of the standards laid down by the State Board under clause (g) of sub-section (1) of section 17.

[2][22A. POWER OF BOARD TO MAKE APPLICATION TO COURT FOR RESTRAINING PERSONS FROM CAUSING AIR POLLUTION. -

(1) Where it is apprehended by a Board that emission of any air pollutant, in excess of the standards laid down by the State Board under clause (g) of sub-section (1) of section 17, is likely to occur by reason of any person operating an industrial plant or otherwise in any air pollution control area, the Board may make an application to a court, not inferior to that of a Metropolitan Magistrate or a Judicial Magistrate of the first class for restraining such person from emitting such air pollutant.

(2) On receipt of the application under sub-section (1), the court may make such order as it deems fit.

(3) Where under sub-section (2), the court makes an order restraining any person from discharging or causing or permitting to be discharged the emission of any air pollutant, it may, in that order,-

(a) direct such person to desist from taking such action as is likely to cause emission;

(b) authorise the Board, if the direction under clause (a) is not complied with by the person to whom such direction is issued, to implement the direction in such manner as may be specified by the court.

(4) All expenses incurred by the Board in implementing the directions of the court under clause (b) of sub-section (3) shall be recoverable from the person concerned as arrears of land revenue or of public demand.

---

1 Certain words omitted by Act 47 of 1987, s.10. (w.e.f. 1.4.1988)

2 Ins. by s.11, ibid., (w.e.f.1.4.1988).

23. FURNISHING OF INFORMATION TO STATE BOARD AND OTHER AGENCIES IN CERTAIN CASES. -

(1) Where in any [1]*** area the emission of any air pollutant into the atmosphere in excess of the standards laid down by the State Board occurs or is apprehended to occur due to accident or other unforeseen act or event, the person in charge of the premises from where which emission occurs or is apprehended to occur shall forthwith intimate the fact of such occurrence or the apprehension of such occurrence to the State Board and to such authorities or agencies as may be prescribed.

(2) On receipt of information with respect to the fact or the apprehension of any occurrence of the nature referred to in sub-section (1), whether through intimation under that sub-section or otherwise, the State Board and the authorities or agencies shall, as early as practicable, cause such remedial measure to be taken as are necessary to mitigate the emission of such air pollutants.

(3) Expenses, if any, incurred by the State Board, authority or agency with respect to the remedial measures referred to in sub-section (2) together with interest (at such reasonable rate, as the State Government may, by order, fix) from the date when a demand for the expenses is made until it is paid, may be recovered by that Board, authority or agency from the person concerned, as arrears of land revenue, or of public demand.

24. POWER OF ENTRY AND INSPECTION. -

(1) Subject to the provisions of this section, any person empowered by a State Board in this behalf shall have a right to enter, at all reasonable times with such assistance as he considers necessary, any place-

(a) for the purpose of performing any of the functions of the State Board entrusted to him :

(b) for the purpose of determining whether and if so in what manner, any such functions are to be performed or whether any provisions of this Act or the rules made thereunder or any notice, order, direction or authorisation served, made, given or granted under this Act is being or has been complied with;

(c) for the purpose of examining and testing any control equipment, industrial plant, record, register, document or any other material object or for conducting a search of any place in which he has reason to believe that an offence under this Act or the rules made has been or is being or is about to be committed and for seizing any such control equipment, industrial plant, record,

---

[1] The words " air pollution control" omitted by Act 47 of 1987, s.12, (w.e.f.1.4.1988)

register, document or other material object if he has reasons to believe that it may furnish evidence of the commission of an offence punishable under this Act or the rules made thereunder.

(2) Every person [1]*** operating any control equipment or any industrial plant, in an air pollution control area shall be bound to render all assistance to the person empowered by the State Board under sub-section (1) for carrying out the functions under that sub-section and if he fails to do so without any reasonable cause or excuse, he shall be guilty of an offence under this Act.

(3) If any person willfully delays or obstructs any person empowered by the State Board under sub-section (1) in the discharge of his duties, he shall be guilty of an offence under this Act.

(4) The provisions of the Code of Criminal Procedure, 1973 (2 of 1974), or, in relation to the State of Jammu and Kashmir, or any area, in which that Code is not in force, the provisions of any corresponding law in force in that State or area, shall, so far as may be, apply to any search or seizure under this section as they apply to any search or seizure made under the authority of a warrant issued under section 94 of the said Code or, as the case may be, under the corresponding provisions of the said law.

25. POWER TO OBTAIN INFORMATION. -

For the purposes of carrying out the functions entrusted to it, the State Board or any officer empowered by it in this behalf may call for any information (including information regarding the types of air pollutants emitted into the atmosphere and the level of the emission of such air pollutants) from the occupier or any other person carrying on any industry or operating any control equipment or industrial plant and for the purpose of verifying the correctness of such information, the State Board or such officer shall have the right to inspect the premises where such industry, control equipment or industrial plant is being carried on or operated.

26. POWER TO TAKE SAMPLES OF AIR OR EMISSION AND PROCEDURE TO BE FOLLOWED IN CONNECTION THEREWITH. -

(1) A State Board or any officer empowered by it in this behalf shall have power to take, for the purpose of analysis, samples of air or emission from any chimney, flue or duct or any other outlet in such manner as may be prescribed.

(2) The result of any analysis of a sample of emission taken under subsection (1) shall not be admissible in evidence in any legal proceeding unless the provisions of sub-sections (3) and (4) are complied with.

---

[1] Certain words omitted by Act 47 of 1987, s.13 (w.e.f.1.4.1988)

(3) Subject to the provisions of sub-section (4), when a sample of emission is taken for analysis under sub-section (1), the person taking the sample shall-

(a) serve on the occupier or his agent, a notice, then and there, in such form as may be prescribed, of his intention to have it so analysed;

(b) in the presence of the occupier or his agent, collect a sample of emission for analysis;

(c) cause the sample to be placed in a container or containers which shall be marked and sealed and shall also be signed both by the person taking the sample and the occupier or his agent;

(d) send, without delay, the container to the laboratory established or recognised by the State Board under section 17 or, if a request in that behalf is made by the occupier or his agent when the notice is served on him under clause (a), to the laboratory established or specified under sub-section (1) of section 28.

(4) When a sample of emission is taken for analysis under sub-section (1) and the person taking the sample serves on the occupier or his agent, a notice under clause (a) of sub-section (3), then,-

(a) in a case where the occupier or his agent willfully absents himself, the person taking the sample shall collect the sample of emission for analysis to be placed in a container or containers which shall be marked and sealed and shall also be signed by the person taking the sample, and

(b) in a case where the occupier or his agent is present at the time of taking the sample but refuses to sign the marked and sealed container or containers of the sample of emission as required under clause (c) of sub-section (3), the marked and sealed container or containers shall be signed by the person taking the sample, and the container or containers shall be sent without delay by the person taking the sample for analysis to the laboratory established or specified under sub-section (1) of section 28 and such person shall inform the Government analyst appointed under sub-section (1) of section 29, in writing, about the wilfull absence of the occupier or his agent, or, as the case may be, his refusal to sign the container or containers.

27. REPORTS OF THE RESULT OF ANALYSIS ON SAMPLES TAKEN UNDER SECTION 26. -

(1) Where a sample of emission has been sent for analysis to the laboratory established or recognised by the State Board, the Board analyst appointed under sub-section (2) of section 29 shall analyse the sample and submit a report in the prescribed form of such analysis in triplicate to the State Board.

(2) On receipt of the report under sub-section (1), one copy of the report shall be sent by the State Board to the occupier or his agent referred to in section 26, another copy shall be preserved for production before the court in case any legal proceedings are taken against him and the other copy shall be kept by the State Board.

(3) Where a sample has been sent for analysis under clause (d) of sub-section (3) or sub-section (4) of section 26 to any laboratory mentioned therein, the Government analyst referred to in the said sub-section (4) shall analyse the sample and submit a report in the prescribed form of the result of the analysis in triplicate to the State Board which shall comply with the provisions of sub-section (2).

(4) Any cost incurred in getting any sample analysed at the request of the occupier or his agent as provided in clause (d) of sub-section (3) of section 26 or when he wilfully absents himself or refuses to sign the marked and sealed container or containers of sample of emission under sub-section (4) of that section, shall be payable by such occupier or his agent and in case of default the same shall be recoverable from him as arrears of land revenue or of public demand.

28. STATE AIR LABORATORY. -

(1) The State Government may, by notification in the Official Gazette,-

(a) establish one or more State Air Laboratories; or

(b) specify one or more laboratories or institutes as State Air Laboratories to carry out the functions entrusted to the State Air Laboratory under this Act.

(2) The State Government may, after consultation with the State Board, make rules prescribing-

(a) the functions of the State Air Laboratory;

(b) the procedure for the submission to the said Laboratory of samples of air or emission for analysis or tests, the form of the Laboratory's report thereon and the fees payable in respect of such report;

(c) such other matters as may be necessary or expedient to enable that Laboratory to carry out its functions.

29. ANALYSIS. -

(1) The State Government may, by notification in the Official Gazette, appoint such persons as it thinks fit and having the prescribed qualifications to be government analysts for the purpose of analysis of samples of air or emission sent for analysis to any laboratory established or specified under sub-section (1) of section 28.

(2) Without prejudice to the provisions of section 14, the State Board may, by notification in the Official Gazette, and with the approval of the State Government, appoint such persons as it thinks fit and having the prescribed qualifications to be Board analysts for the purpose of analysis of samples of air or emission sent for analysis to any laboratory established or recognised under section 17.

30. REPORTS OF ANALYSTS. -

Any document purporting to be a report signed by a Government analyst or, as the case may be, a State Board analyst may be used as evidence of the facts stated therein in any proceeding under this Act.

31. APPEALS. -

(1) Any person aggrieved by an order made by the State Board under this Act may, within thirty days from the date on which the order is communicated to him, prefer an appeal to such authority (hereinafter referred to as the Appellate Authority) as the State government may think fit to constitute :

Provided that the Appellate Authority may entertain the appeal after the expiry of the said period of thirty days if such authority is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(2). The Appellate Authority shall consist of a single person or three persons as the State Government may think fit to be appointed by the State Government.

(3) The form and the manner in which an appeal may be preferred under sub-section (1), the fees payable for such appeal and the procedure to be followed by the Appellate Authority shall be such as may be prescribed.

(4) On receipt of an appeal preferred under sub-section (1), the Appellate Authority shall, after giving the appellant and the State Board an opportunity of being heard, dispose of the appeal as expeditiously as possible.

[1][31A. POWER TO GIVE DIRECTIONS. -

Notwithstanding anything contained in any other law, but subject to the provisions of this Act, and to any directions that the Central Government may give in this behalf, a Board may, in the exercise of its powers and performance of its functions under this Act, issue any directions in writing to any person, officer or authority, and such person, officer or authority shall be bound to comply with such directions.

Explanation.-For the avoidance of doubts, it is hereby declared that the power to issue directions under this section, includes the power to direct-

(a) the closure, prohibition or regulation of any industry, operation or process; or

(b) the stoppage or regulation of supply of electricity, water or any other service.]

CHAPTER V

FUND, ACCOUNTS AND AUDIT

32. CONTRIBUTIONS BY CENTRAL GOVERNMENT. -

The Central Government may, after due appropriation made by Parliament by law in this behalf make in each financial year such contributions to the State Boards as it may think necessary to enable the State Board to perform their functions under this Act:

Provided that nothing in this section shall apply to any [2][State Board for the Prevention and Control of water Pollution] constituted under section 4 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974), which is empowered by that Act to expend money from its fund thereunder also for. performing its functions, under any law for the time being in force relating to the prevention, control or abatement of air pollution.

33. FUND OF BOARD. -

(1) Every State Board shall have its own fund for the purposes of this Act and all sums which may, from time to time, be paid to it by the Central Government and all other receipts (by way of contributions, if any, from the State Government, fees, gifts, grants, donations benefactions or otherwise) of that Board shall be carried to the fund of the Board and all payments by the Board shall be made therefrom.

---

1 Ins. by Act 47 of 1987, s. 14 (w.e.f.1.4.1988).

2 The Words in brackets "State Board for the Prevention and Control of Water Pollution" shall be substituted as "State Pollution Control Board" by Act 47 of 1987, s. 15 (date to be notified).

(2) Every State Board may expend such sums as it thinks fit for performing its functions under this Act and such sums shall be treated as expenditure payable out of the fund of that Board.

(3) Nothing in this section shall apply to any [1][State Board for the Prevention and Control of Water Pollution] constituted under section 4 of the Water (Prevention and Control of Pollution) Act, 1974, which is empowered by that Act to expend money from its fund thereunder also for performing its functions under any law for the time being in force relating to the prevention., control or abatement of air pollution.

[2][33A. BORROWING POWERS OF BOARD. -

A Board may, with the consent of, or in accordance with the terms of any general or special authority given to it by, the Central Government or, as the case may be, the State Government, borrow money from any source by way of loans or issue of bonds, debentures or such other instruments, as it may deem fit, for discharging all or any of its functions under this Act.]

34. BUDGET. -

The Central Board or as the case may be the State Board shall, during each financial year, prepare, in such form and at such time as may be prescribed, a budget in respect of the financial year next ensuing showing the estimated receipt and expenditure under this Act, and copies thereof shall be forwarded to the Central Government or, as the case may be, the State Government.

[3][35. ANNUAL REPORT. -

(1) The Central Board shall, during each financial year, prepare, in such form as may be prescribed, an annual report giving full account of its activities under this Act during the previous financial year and copies thereof shall be forwarded to the Central Government within four months from the last date of the previous financial year and that Government shall cause every such report to be laid before both Houses of Parliament within nine months of the last date of the previous financial year.

(2) Every State Board shall, during each financial year, prepare, in such form as may be prescribed, an annual report giving full account of its activities under this Act during the previous financial year and copies thereof shall be forwarded to the State Government within four months from the last date of the previous financial year and that

---

1 The Words in brackets "State Board for the Prevention and Control of Water Pollution" shall be substituted as "State Pollution Control Board" by Act 47 of 1987, s. 15 (date to be notified).

2 Ins. by Act 47 of 1987, s. 16 (w.e.f. 1-4-1988).

3 Subs. by Act 47 of 1987, s. 17, for s. 35 (w.e.f. 1-4-1988).

Government shall cause every such report to be laid before the State Legislature within a period of nine months from the date of the previous financial year.]

36. ACCOUNTS AND AUDIT. -

(1) Every Board shall, in relation to its functions under this Act, maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed by the Central Government or, as the case may be, the State Government.

(2) The accounts of the Board shall be audited by an auditor duly qualified to act as an auditor of companies under section 226 of the Companies Act, 1956 (1 of 1956).

(3) The said auditor shall be appointed by the Central Government or, as the case may be, the State Government on the advice of the Comptroller and Auditor General of India.

(4) Every auditor appointed to audit the accounts of the Board under this Act shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect any of the offices of the Board.

(5) Every such auditor shall send a copy of his report together with an audited copy of the accounts to the Central Government or, as the case may be, the State Government.

(6) The Central Government shall, as soon as may be after the receipt of the audit report under sub-section (5), cause the same to be laid before both Houses of Parliament.

(7) The State Government shall, as soon as may be after the receipt of the audit report under sub-section (5), cause the same to be laid before the State Legislature.

CHAPTER VI

PENALTIES AND PROCEDURE

[1][37. FAILURE TO COMPLY WITH THE PROVISIONS OF SECTION 21 OR SECTION 22 OR WITH THE DIRECTIONS ISSUED UNDER SECTION 31A. -

(1) whoever fails to comply with the provisions of section 21 or section 22 or directions issued under section 31A, shall, in respect of each such failure, be punishable with imprisonment for a terms which shall not be less than one year and six months but which may extend to six years and with fine, and in case the failure continues, with an additional fine which may extend to five thousand rupees for every day during which such failure continues after the conviction for the first such failure.

---

1 Subs. by Act 47 of 1987, s.18, for s .37(w.e.f.1.4.1988)

(2) If the failure referred to in sub-section (1) continues beyond a period of one year after the date of conviction, the offender shall be punishable with imprisonment for a term which shall not be less than two years but which may extend to seven years and with fine.]

38. PENALTIES FOR CERTAIN ACTS. -- Whoever -

(a) destroys, pulls down, removes, injures or defaces any pillar, post or stake fixed in the ground or any notice or other matter put up, inscribed or placed, by or under the authority of the Board, or

(b) obstructs any person acting under the orders or directions of the Board from exercising his powers and performing his functions under this Act, or

(c) damages any works or property belonging to the Board, or

(d) fails to furnish to the Board or any officer or other employee of the Board any information required by the Board or such officer or other employee for the purpose of this Act, or

(e) fails to intimate the occurrence of the emission of air pollutants into the atmosphere in excess of the standards laid down by the State Board or the apprehension of such occurrence, to the State Board and other prescribed authorities or agencies as required under sub-section (1) of section 23, or

(f) in giving any information which he is required to give under this Act, makes a statement which is false in any material particular, or

(g) for the purpose of obtaining any consent under section 21, makes a statement which is false in any material particular shall be punishable with imprisonment for a term which may extend to three months or with fine which may extend to [1][ten thousand rupees] or with both.

[2][39. PENALTY FOR CONTRAVENTION OF CERTAIN PROVISIONS OF THE ACT. -

Whoever contravenes any of the provisions of this Act or any order or direction issued thereunder, for which no penalty has been elsewhere provided in this Act, shall be punishable with imprisonment for a term which may extend to three months or with fine which may extend to ten thousand rupees or with both, and in the case of continuing

---

1 Sub. by Act 47 of 1987, s.19, for "five hundred rupees" (w.e.f 1.4.1988).

2 Sub. by s.20 ibid., for s. 39 (w.e.f.1.4.1988)

contravention, with an additional fine which may extend to five thousand rupees for every day during which such contravention continues after conviction for the first such contravention.]

40. OFFENCES BY COMPANIES. -

(1) Where an offence under this Act has, been committed by a company, every person who, at the time the offence was committed, was directly in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.-*For the* purpose of this section,-

(a) "company" means any body corporate, and includes a firm or other association of individuals; and

(b) "director", in relation to a firm, means a partner in the firm.

41. OFFENCES BY GOVERNMENT DEPARTMENTS. -

(1) Where an offence under this Act has been committed by any Department of Government, the Head of the Department shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this section shall render such Head of the Department liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a Department of Government and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any officer, other than the Head of the Department, such officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

42. PROTECTION OF ACTION TAKEN IN GOOD FAITH. -

No suit, prosecution or other legal proceeding shall lie against the Government or any officer of the Government or any member or any officer or other employee of the Board in respect of anything which is done or intended to be done in good faith in pursuance of this Act or the rules made thereunder.

[1][43. COGNIZANCE OF OFFENCES. -

(1) No court shall take cognizance of any offence under this Act except on a complaint made by-

(a) a Board or any officer authorised in this behalf by it; or

(b) any person who has given notice of not less than sixty days, in the manner prescribed, of the alleged offence and of his intention to make a complaint to the Board or officer authorised as aforesaid, and no court inferior to that of a Metropolitan Magistrate or a Judicial Magistrate of the first class shall try any offence punishable under this Act.

(2) Where a complaint has been made under clause (b) of sub-section (1), the Board shall, on demand by such person, make available the relevant reports in its possession to that person:

Provided that the Board may refuse to make any such report available to such person if the same is, in its opinion, against the public interest.]

44. MEMBERS, OFFICERS AND EMPLOYEES OF BOARD TO BE PUBLIC SERVANTS. -

All the members and all officers and other employees of a Board when acting or purporting to act in pursuance of any of the provisions of this Act or the rules made thereunder shall be deemed to be public servant within the meaning of section 21 of the Indian Penal Code (45 of 1860).

---

1 Sub. by Act 47 of 1987, s.21, for s.43 (w.e.f..1.4.1988)

45. REPORTS AND RETURNS. -

The Central Board shall, in relation to its functions under this Act, furnish to the Central Government, and a State Board shall, in relation to its functions under this Act, furnish to the State government and to the Central Board such reports, returns, statistics, accounts and other information as that Government, or, as the case may be, the Central Board may, from time to time, require.

46. BAR OF JURISDICTION. -

No civil court shall have jurisdiction to entertain any suit or proceeding in respect of any matter which an Appellate Authority constituted under this Act is empowered by or under this Act to determine, and no injunction shall be granted by any court or other authority in respect of any action taken or to be taken in pursuance of any power conferred by or under this Act.

CHAPTER VII

MISCELLANEOUS

47. POWER OF CENTRAL GOVERNMENT TO SUPERSEDE STATE BOARD. -

(1) If at any time the State Government is of opinion-

(a) that a State Board constituted under this Act has persistently made default in the performance of the functions imposed on it by or under this Act, or

(b) that circumstances exist which render it necessary in the public interest so to do, the State Government may, by notification in the Official Gazette, supersede the State Board for such period, not exceeding six months, as may be specified in the notification:

Provided that before issuing a notification under this sub-section for the reasons mentioned in clause (a), the State Government shall give a reasonable opportunity to the State Board to show cause why it should not be superseded and shall consider the explanations and objections, if any, of the State Board.

(2) Upon the publication of a notification under sub-section (1) superseding the State Board,-

(a) all the members shall, as from the date of supersession, vacate their offices as such;

(b) all the powers, functions and duties which may, by or under this Act, be exercised, performed or discharged by the State Board shall, until the State Board is reconstituted under sub-section (3), be exercised, performed or discharged by such person or persons as the State Government may direct.-,

(c) all property owned or controlled by the State Board shall, until the Board is reconstituted under sub-section (3), vest in the State Government.

(3) On the expiration of the period of supersession specified in the notification issued under sub-section (1), the State Government may-

(a) extend the period of supersession for such further term, not exceeding six months, as it may consider necessary; or

(b) reconstitute the State Board by a fresh nomination or appointment as the case may be, and in such case any person who vacated his office under clause (a) of sub-section (2) shall also be eligible for nomination or appointment.

Provided that the State Government may at any time before the expiration of the period of supersession whether originally specified under sub-section (1) or as extended under this sub-section, take action under clause *(b)* of this sub-section.

48. SPECIAL PROVISION IN THE CASE OF SUPERSESSION OF THE CENTRAL BOARD OR THE STATE BOARDS CONSTITUTED UNDER THE WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974. -

Where the Central Board or any State Board constituted under the Water (Prevention and Control of Pollution) Act, 1974 (Act 6 of 1974), is superseded by the Central Government or the State Government, as the case may be, under that Act, all the powers, functions and duties of the Central Board or such State Board under this Act shall be exercised, performed or discharged during the period of such supersession by the person or persons, exercising, performing or discharging the powers, functions and duties of the Central Board or such State Board under the Water (Prevention and Control of Pollution) Act, 1974, during such period.

49. DISSOLUTION OF STATE BOARDS CONSTITUTED UNDER THE ACT. -

(1) As and when the Water (Prevention and Control of Pollution) Act, 1974 (Act 6 of 1974), comes into force in any State and the State Government constitutes a [1][State Board for the Prevention and Control of Water Pollution] under that Act, the State Board constituted by the State Government under this Act shall stand dissolved and the Board first-mentioned shall exercise the powers and perform the functions of the Board second-mentioned in that State.

---

1 The Words in brackets "State Board for the Prevention and control of Water Pollution" shall be substituted as "State Pollution Control Board" by Act 47 of 1987, s. 15 (date to be notified).

(2) On the dissolution of the State Board constituted under this Act,-

(a) all the members shall vacate their offices as such;

(b) all moneys and other property of whatever kind (including the fund of the State Board) owned by, or vested in, the State Board, immediately before such dissolution, shall stand transferred to and vest in the [1][State Board for the Prevention and Control of Water Pollution];

(c) every officer and other employee serving under the State, Board immediately before such dissolution shall be transferred to and become an officer or other employee of the [1][State Board for the Prevention and Control of Water Pollution] and hold office by the same tenure and at the same remuneration and on the same terms and conditions of service as he would have held the same if the State Board constituted under this Act had not been dissolved and shall continue to do so unless and until such tenure, remuneration and conditions of service are duly altered by the [1][State Board for the Prevention and Control of Water Pollution] :

Provided that the tenure, remuneration and terms and conditions of service of any such officer or other employee shall not be altered to his disadvantage without the previous sanction of the State Government;

(d) all liabilities obligations of the State Board of whatever kind, immediately before such dissolution, shall be deemed to be the liabilities or obligations, as the case may be, of the [1][State Board for the Prevention and Control of Water Pollution] and any proceeding or cause of action, pending or existing immediately before such dissolution by or against the State Board constituted under this Act in relation to such liability or obligation may be continued and enforced by or against the [1][State Board for the Prevention and Control of Water Pollution.]

50. [POWER TO AMEND THE SCHEDULE.] Repealed by the Air (Prevention and Control of Pollution) Amendment Act, 1987 (47 of 1987), s. 22 (w.e.f. 1-4-1988).

51. MAINTENANCE OF REGISTER. -

(1) Every State Board shall maintain a register containing particulars of the persons to whom consent has been granted under section 21, the standard for emission laid down by it in relation to each such consent and such other particulars as may be prescribed.

---

[1] The Words in brackets "State Board for the Prevention and control of Water Pollution" shall be substituted as "State Pollution Control Board" by Act 47 of 1987, s. 15 (date to be notified).

(2) The register maintained under sub-section (1) shall be open to inspection at all reasonable hours by any person interested in or affected by such standards for emission or by any other person authorised by such person in this behalf.

52. EFFECT OF OTHER LAWS. -

Save as otherwise provided by or under the Atomic Energy Act, 1962 (33 of 1962), in relation to radioactive air pollution the provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than this Act.

53. POWER OF CENTRAL GOVERNMENT TO MAKE RULES. -

(1) The Central Government may, in consultation with the Central Board by notification in the Official Gazette, make rules in respect of the following matters namely: -

(a) the intervals and the time and place at which meetings of the Central Board or any committee thereof shall be held and the procedure to be followed at such meetings, including the quorum necessary for the transaction of business thereat, under sub-section (1) of section 10 and under sub-section (2) of section 11;

(b) the fees and allowances to be paid to the members of a committee of the Central Board, not being members of the Board, under sub-section (3) of section 11;

(c) the manner in which and the purposes for which persons may be associated with the Central Board under sub-section (1) of section 12;

(d) the fees and allowance to be paid under sub-section (3) of section 12 to persons associated with the Central Board under sub-section (1) of section 12;

(e) the functions to be performed by the Central Board under clause (j) of sub-section (2) of section 16;

[1][(f) the form in which and the time within which the budget of the Central Board may be prepared and forwarded to the Central Government under section 34;

(ff) the form in which the annual report of the Central Board may be prepared under section 35;]

---

[1] Sub. by Act 47 of 1987, s. 23, for cl. (f) (w.e.f.1.4.1988)

(g) the form in which the accounts of the Central Board may be maintained under sub-section (1) of section 36.

(2) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

54. POWER OF STATE GOVERNMENT TO MAKE RULES. -

(1) Subject to the provisions of sub-section (3), the State Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act in respect of matter not falling within the purview of section 53.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely --

[1][(a) the qualifications, knowledge and experience of scientific, engineering or management aspect of pollution control required for appointment as member-secretary of a State Board constituted under the Act;]

[2][(aa) the terms and conditions of service of the Chairman and other members (other than the member-secretary) of the State Board constituted under this Act under sub-section (7) of section 7;

(b) the intervals and the time and place at which meetings of the State Board or any committee thereof shall be held and the procedure to be followed at such meetings, including the quorum necessary for the transaction of business thereat, under sub-section (1) of section 10 and under sub-section (2) of section 11;

(c) the fees and allowances to be paid to the members of a committee of the State Board, not being members of the Board under sub-section (3) of section 11;

(d) the manner in which and the purpose for which persons may be associated with the State Board under sub-section (1) of section 12;

---

1 Ins. by Act 47 of 1987, s.24, (w.e.f.1.4.1988).

2 Clause (a) renumbered as (aa) by s.24, ibid., (w.e.f. 1.4.1988).

(e) the fees and allowances to be paid under sub-section (3) of section 12 to persons associated with the State Board under sub-section (1) of section 12;

(f) the terms and conditions of service of the member-secretary of a State Board constituted under this Act under sub-section (1) of section 14;

(g) the powers and duties to be exercised and discharged by the member-secretary of a State Board under sub-section (2) of section 14;

(h) the conditions subject to which a State Board may appoint such officers and other employees as it considers necessary for the efficient performance of its functions under sub-section (3) of section 14;

(i) the conditions subject to which a State Board may appoint a consultant under sub-section (5) of section 14;

(j) the functions to be performed by the State Board under clause (i) of sub-section (1) of section 17;

(k) the manner in which any area or areas may be declared as air pollution control area or areas under sub-section (1) of section 19;

(l) the form of application for the consent of the State Board, the fees payable therefore, the period within which such application shall be made and the particulars it may contain, under sub-section (2) of section 21;

(m) the procedure to be followed in respect of an inquiry under subsection (3) of section 21;

(n) the authorities or agencies to whom information under sub-section (1) of section 23 shall be furnished;

(o) the manner in which samples of air or emission may be taken under sub-section (1) of section 26;

(p) the form of the notice referred to in sub-section (3) of section 26;

(q) the form of the report of the State Board analyst under sub-section (1) of section 27;

(r) the form of the report of the Government analyst under sub-section (3) of section 27;

(s) the functions of the State Air Laboratory, the procedure for the submission to the said Laboratory of samples of air or emission for analysis or tests, the form of Laboratory's report thereon, the fees payable in respect of such report and other matters as may be necessary or expedient to enable that Laboratory to carry out its functions, under sub-section (2) of section 28;

(t) the qualifications required for Government analysts under sub-section (1) of section 29;

(u) the qualification required for State Board analysts under sub-section (2) of section 29;

(v) the form and the manner in which appeals may be preferred, the fees payable in respect ot such appeals and the procedure to be followed by the Appellate Authority in disposing of the appeals under sub-section (3) of section 31;

[1][(w) the form in which and the time within which the budget of the State Board may be prepared and forwarded to the State Government under section 34;

(ww) the form in which the annual report of the State Board may be prepared under section 35,]

(x) the form in which the accounts of the State Board may be maintained under the sub-section (1) of section 36;

[2][(xx) the manner in which notice of intention to make a complaint shall be given under section 43;]

(y) the particulars which the register maintained under section 51 may contain;

(z) any other matter which has to be, or may be, prescribed.

(3) After the first constitution of the State Board, no rule with respect to any of the matters referred to in sub-section (2) other than those referred to [3][in clause (aa) thereof], shall be made, varied, amended or repealed without consulting that Board.

[The Schedule.] Omitted by the air (Prevention and Control of Pollution) Amendment Act, 1987, s. 25 (w.e.f. 1-4-1988)

---

1 Sub. by Act 47 of 1987, s.24, for cl.(w) (w.e.f.1.4.1988).

2 Ins. by Act 47 of 1987, s. 24 (w.e.f.1.4.1988).

3 Subs. by s.24, ibid, for "in clause (a)" (w.e.f.1.4.1988).

THE AIR (PREVENTION AND CONTROL OF POLLUTION) RULES, 1982

(As amended to date)

THE AIR (PREVENTION AND CONTROL OF POLLUTION) RULES, 1982

DEPARTMENT OF ENVIRONMENT

NOTIFICATION

New Delhi, the 18th November, 1982

G.S.R. 712(E):-In exercise of the powers conferred by section 53 of Air Prevention and Control of Pollution) Act, 1981 (14 of 1981) the Central Government in consultation with the Central Board for the Prevention and Control of Water Pollution hereby makes the following rules, namely :-

CHAPTER 1

PRELIMINARY

1. SHORT TITLE AND COMMENCEMENT.

(1) These rules may be called the Air (Prevention and Control of Pollution) Rules, 1982.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. DEFINITIONS.

In these rules unless the context otherwise requires.-

(a) "Act" means the Air (Prevention and Control of Pollution) Act, 1981;

(b) "Chairman" means the Chairman of the Central Board;

(c) "form" means a form set out in the Schedules;

(d) "meeting" means a meeting of the Central Board or a meeting of Committee constituted by the Central Board;

(e) "member Secretary" means the member secretary of the Central Board;

(f) "Schedule" means a Schedule appended to these rules;

(g) "section" means a section of the Act;

(h) "year" means the financial year commencing on the 1st day of April;

(i) words and expressions not defined in these rules but defined in the Act shall have the meaning assigned to them in the Act.

CHAPTER 2

PROCEDURE FOR TRANSACTION OF BUSINESS OF THE BOARD AND ITS COMMITTEES

3. NOTICE OF MEETINGS.

(1) Meeting of the Central Board shall be held on such dates as may be fixed by the Chairman.

(2) The Chairman shall, upon a written request of not less than five members of the Central Board or upon a direction of the Central Government, call a special meeting of the Central Board.

(3) Fifteen clear days' notice of an ordinary meeting and three days' notice of a special meeting specifying the time and the place at which such meeting is to be held and an agenda of business to be transacted thereat, shall be given by the member-secretary or Chairman to the members or any other officers of the Board.

(4) Notice of the meeting may be given to the members by delivering the same by messenger or sending it by registered post to his last known place of residence or business or in such other manner as the Chairman may, in the circumstances of the case, think fit.

(5) No member shall be entitled to bring forward for the consideration of a meeting any matter of which he has not given ten clear-day's notice to the member Secretary unless the Chairman, in his discretion, permits him to do so.

(6) If the Chairman or presiding officer adjourns a meeting from day to day or any particular day he shall give reason thereof and no fresh notice shall be required for such an adjourned meeting;

4. PRESIDING OFFICER.

Every meeting shall be presided over by the Chairman and in his absence, by a presiding officer to be of elected by the members present from amongst themselves.

5. ALL QUESTIONS TO BE DECIDED BY MAJORITY.

(1) All questions at a meeting shall be decided by-a majority of votes of members present and voting shall be by raising of hands in favour of the proposal.

(2) In case of an equality of votes, the Chairman or presiding officer shall have a second or casting vote.

6. QUORUM.

(1) Five members shall form the quorum for any meeting.

(2) If at any time fixed for any meeting or during the course of any meeting a quorum is not present, the Chairman or presiding member shall adjoin the meeting and if a quorum is not present after the expiration of fifteen minutes from such adjournment, the presiding officer shall adjourn the meeting to such time on the following or on such other future date as he may fix.

(3) If the meeting is adjourned to some future date due to lack of quorum, fresh notice will be given to the absentee members as to the date and time on which the next meeting will be held.

(4) No matter which had not been on the agenda of the original meeting shall be discussed at such adjourned meeting.

7. MINUTES.

(1) Record of the proceedings of every meeting along with the names of members who attended the meeting shall be kept by the member-secretary in a book maintained by him exclusively for the purpose.

(2) The minutes of the previous meeting shall be read at the beginning of every succeeding meeting and shall be confirmed and signed by the Chairman or presiding officer at such meeting,

(3) The proceedings shall be open to inspection by any member at the once of the Central Board during office hours.

8. MAINTAINING ORDER AT MEETINGS.

The Chairman or presiding officer shall preserve order at a meeting.

9. BUSINESS TO BE TRANSACTED AT A MEETING.

(1) No business shall be transacted in the meeting without quorum.

(2) Except with the permission of the chairman or presiding officer, no business which is not entered in the agenda or of which notice has not been given by a member under sub-rule (5) of the rule 3, shall be transacted at any meeting.

10. ORDER OF BUSINESS.

(1) At any meeting business shall be transacted in the order in which it is entered in the agenda circulated to the members under sub-rule (3) of rule 3.

(2) Either at the beginning of the meeting or after the conclusion of the debate on a motion during the meeting, the Chairman or presiding officer or a member may suggest a change in the order of business as entered in the agenda and if the majority of the members present agree, the Chairman or presiding officer shall agree to such a change.

11. PROCEDURE FOR TRANSACTION OF BUSINESS OF COMMITTEES CONSTITUTED BY THE BOARD UNDER SUB-SECTION (1) OF SECTION 11.

(1) The time and place of the meting of a committee constituted by the Central Board under sub-section (I) of section 11 shall be as specified by the Chairman of the committee.

(2) Provision of Chapter-2 of these rules shall as far as practicable, apply to the meeting of the committee constituted under section 11.

CHAPTER 3

12. A member of a committee other than a member of the Board shall be paid an allowance of rupees fifty if he is a resident of Delhi and rupees seventy-five (inclusive of daily allowance) and also travelling allowance at such rate as is admissible to a grade I officer of the Central Government in the case of non resident, for each day of the actual meeting of the committee which he attends.

Provided that in case of a member of Parliament who is also a member of the Central Board, the said daily and travelling allowances will be admissible when the Parliament is not in session and on production of a certificate by the member that he has not drawn any such allowance for the same journey and halts from any other Government source.

CHAPTER 4

TEMPORARY ASSOCIATION OF PERSONS WITH THE CENTRAL BOARD

13. MANNER AND PURPOSE OF ASSOCIATION OF PERSONS WITH THE CENTRAL BOARD UNDER SUB-SECTION (1) OF SECTION 12.

The Central Board may invite any person whose assistance or advise is considered useful in performing any of its functions, to participate in the deliberations of any of its meetings or the meetings of a committee formed by it.

14. FEES AND ALLOWANCES TO BE PAID TO SUCH TEMPORARY ASSOCIATION OF PERSONS UNDER SUB-SECTION (3) OF SECTION 12.

(1) If the persons associated with the Board under rule 13 happens to be a non-official resident in Delhi, he shall be entitled to get an allowance of rupees fifty per day for each day of actual meeting of the Central Board in which he is so associated.

(2) If such person is non-resident of Delhi, he shall be entitled to get an allowance of rupees seventy-five per day (inclusive of daily allowance) for each day of actual meeting of the Central Board when he is so associated and also to travelling allowance at such as is admissible to a grade I officer of the Central Government.

(3) Notwithstanding anything in sub-rules (1) and (2) if such person is a Government servant or an employee in a Government undertaking, he shall be entitled to travelling and daily allowances only at the rates admissible under the relevant rules applicable to him :

Provided that in case of a member of Parliament who is also a member of the Central Board, the said daily for travelling allowances will be admissible when the Parliament is not in session and on production of a certificate by the member that he has not drawn any such allowance for the same journey and halts from any other Government source.

CHAPTER 5

BUDGET OF THE CENTRAL BOARD

15. FORM OF BUDGET ESTIMATES UNDER SECTION 34.

(1) The form in which and time within the budget may be prepared and provided and forwarded to the government be as provided in form I, II, III and IV of Schedule I.

(2) The estimated receipts and expenditure shall be accompanied by the revised budget estimates for the current year.

(3) The budget shall, as far as may be, based on the account heads specified in Schedule II.

CHAPTER 6

ANNUAL REPORT OF THE CENTRAL BOARD

16. FORM OF ANNUAL REPORT UNDER SECTION 35.

The annual report in respect of the year last ended giving a true ad full account of the activities of the Central Board during the previous financial year shall contain the particulars specified in Schedule III and shall be submitted to the Central Government by 15th of May each year.

CHAPTER 7

ACCOUNT OF THE CENTRAL BOARD

17. FORM OF ANNUAL STATEMENT OF ACCOUNTS OF THE CENTRAL BOARD UNDER SECTION 36.

The annual statement of accounts of the Central Board shall be in forms V to IX.

[Q-16013/2/81/FPC]
N.D.JAYAL, Join Secretary
Department of Environment

SCHEDULE I

FORM I

CENTRAL POLLUTION CONTROL BOARD

Detailed Budget Estimates for the Year 19

(See rule 15)

ADMINISTRATION

(Expenditure)

Heads of Accounts	Actuals of the past three years			Sanctioned estimate for the current year 19.....	Actuals of last six months i.e., 19.... 19….	Actuals of six months current year 19…..	Revised estimate for the current year 19.....	Budget Estimate for the next year 19….	Variations between columns 5&8	Variations between columns 8&9	Explanation for columns 10&11
	19	19	19								
1	2	3	4	5	6	7	8	9	10	11	12

FORM II
CENTRAL POLLUTION CONTROL BOARD
ESTABLISHMENT

Statement details of provision for pay of officers/Establishment for the year 19...-19….
(See rule 15)

1	2	3			4	5			6	7
Name and designation	Reference to page of estimate form	Sanctioned pay of the Post			Amount of provisions for the year at the rate in column	Increment falling due within the year			Total provision for the year i.e. total columns 4 & 5 (c)	Remarks
		Minimum/Maximum Actual pay of the person concerned due on 1st April next year				Date of increment	Rate of increment	Amount of increment for the year		
		(a)	(b)	(c)	3(c)	(a)	(b)	(c)		

FORM III

CENTRAL POLLUTION CONTROL BOARD

NOMINAL ROLLS

(See rule 15)

Name and designation	Pay	Dearness allowance	City compensatory allowance	House rent allowance	Over-time allowance	Children educational allowance	Leave travel concession	Other allowances	Total

SCHEDULE II

BUDGET AND ACCOUNT HEADS

[See rule 15(3)]

ADMINISTRATION

Heads of Accounts (Expenditure)

1. Salaries.
2. Wages.
3. Travel expenses.
4. Office expenses.
   (a) Furniture.
   (b) Postage.
   (c) Office machines/equipment
   (d) Liveries.
   (e) Hot and cold weather charges.
   (f) Telephones.
   (g) Electricity and water charges
   (h) Stationery.
   (i) Printing.
   (j) Staff car and other vehicles.
   (k) Other items.
5. Fee and honoraria.
6. Payment for professional and special services.
7. Rents, rates and taxes/royalty.
8. Publications.
9. Advertising sales and publicity expenses.
10. Grants in aid/contributions/subsidies.
11. Hospitality expenses sumptuary allowances etc.
12. Pensions/gratuities.
13. Write off/losses.
14. Suspenses.
15. Expenses in connection with the setting up and maintenance of the Board laboratory.
16. Other charges (a residuary head, this will also include rewards and prizes).

Heads of Account (Receipts)

1. Payments by Central Government.
2. Fees.
3. Fines and other receipts.

[1][SCHEDULE III]

(See Rule 16)

CENTRAL POLLUTION CONTROL BOARD
ANNUAL REPORT FOR THE FINANCIAL YEAR APRIL 1, 19... TO MARCH 31, 19...

CHAPTER-l	Introduction
CHAPTER-2	Constitution of the Board including changes therein.
CHAPTER-3	Meeting of the Board with major decisions taken therein.
CHAPTER-4	Committees constituted by the Board and their activities.
CHAPTER-5	Monitoring Network for air, water and soil quality.
CHAPTER-6	Present state of environment environmental problems and counter measures.
CHAPTER-7	Environmental Research.
CHAPTER-8	Environmental Training.
CHAPTER-9	Environmental Awareness and Public Participation.
CHAPTER-10	Environmental Standards including time schedule for their enforcement
CHAPTER-11.1	Prosecutions launched and convictions secured for environmental pollution control.
CHAPTER-11.2	Directions given for closure of polluting industrial units.
CHAPTER-12	Finance and accounts of the Board.
CHAPTER-13	Annual Plan of the following year.
CHAPTER-14	Any other important matter dealt with by the Central Board.

ANNEXURES

1. Members of the Board.
2. Organisation Chart.
3. Staff Strength including recruitment.
4. Publications.
5. Training Courses/Seminars/Workshops organised or attended.
6. Consents to establish industries, operations & processes-issued/refused.
7. Consents to operate industries operations & process-issued/refused.

[F.No. Z-20013/4/91-CPW]
MUKUL SANWAL, Jt. Secy.

---

[1] Substituted by Rule 2 of the Air (Prevention and Control of Pollution) Amendment Rules, 1992 vide G.S.R.108(E), dated 18.2.1992.

FORM V

CENTRAL POLLUTION CONTROL BOARD

Receipts and payments for the year ended

(See rule 17)

Previous year	Receipts	Previous year	Payments
1	2	3	4
Opening Balance _____		1. Capital Expenditure	
I. Grants received _____		(i) Works	
(a) from Government _____		(ii) Fixed Assets	
(b)from other agencies _____		(iii) Other Assets	
II. Fees _____		(a) Laboratory Equipment	
		(b) Vehicles	
		(c) Furnitures and Fixtures	
		(d) Scientific Instruments and office appliances	
		(e) Tools and Plant	
III. Fines and Forfeitures.		2. Revenue Expenditure	
IV. Interest of investments.		(A) Administrative	
V. Miscellaneous Receipts.		(i) Pay of Officers	
VI. Miscellaneous Advances.		(ii) Pay of Establishment	
VII. Deposits		(iii) Allowances and Honoraria	
		(iv)Leave Salary and Pension Contributions	
		(v) Contingent Expenditure	
		Deduct Recoveries	
TOTAL _____			

(B) (i) Board Laboratory.
(ii) Charges to be paid to the Central Water Laboratory.

(C) Running and Maintenance of vehicles

(D) Maintenance and Repairs

(i) Building and land Drainage including rents, if any

(ii) Works

(iii) Furniture and Fixtures

(iv) Scientific Instruments and Office Appliances

(v) Tools and Plants

(vi) Temporary works (including maintenance and repairs)

(E) Fees to Consultants and Specialists

(F) Law charges

(G) Miscellaneous

(H) Fees for Audit

3. Purchases _____

4. Miscellaneous _____

5. Advances _____

6. Deposits _____

Closing Balance _____

Total _____

Accounts Officer Member Secretary Chairman

FORM VI
CENTRAL POLLUTION CONTROL BOARD
ANNUAL STATEMENT OF ACCOUNTS
Income and Expenditure Account for the year ended 31st March, 19__
(See rule 17)

EXPENDITURE					INCOME		
Previous year	Details	Total of sub-head	Total of major head	Previous year	Details	Total of sub-head	Total of major head
1 Rs.	2	3. Rs.	4 Rs.	5 Rs.	6	7 Rs.	8 Rs.
To REVENUE EXPENDITURE (A) Administrative: (i) Pay of Officers (ii) Pay of establishment (iii) Allowances & Honoraria (iv) Leave salary and Pension Contributions (v) Board's Contributions to the staff Provident Fund (vi) Contigent expenditure Deduct Recoveries (B) Running Expenses of Laboratories: (i) Main Laboratory (ii) Payments to be made to Central Water Laboratory (C) Running Water and Maintenance of Vehicles (D) Maintenance and Repairs: (i) Building and Land Drainage (ii) Works (iii) Furniture & Fixtures (iv) Scientific instruments and office appliances. (v) Tools and Plants					By (I) GRANTS RECEIVED (a) From Government (b) From other agencies. Total : Less: Amount utilised for capital expenditure net grant available for Revenue expenditure (II) Fees:- (III) Service Rental Charges. (IV) Fines and Forfeitures. (V) Interest on investments. (VI) Miscellaneous Receipts. (VII) Excess of expenditure over income. Total :		

FORM VII
CENTRAL POLLUTION CONTROL BOARD
ANNUAL STATEMENT OF ACCOUNTS
Balance Sheet as at 31st 0 D U F K «
(See rule 17)

Capital and Liabilities				Property and Assets			
Previous year	Details	Total of sub-head	Total of major head	Previous year	Details	Total of sub-head	Total of major head
1	2	3	4	5	6	7	8
A. Capital Fund (i) Grants received from Govt. for Capital expenditure. (a) Amount utilised upto 31st March 19__ (b) Unutilised balance on 31st March 19__ (ii) Grant from other agencies for Capital expenditure (a) Amount utilised upto 31st March 19__ (b) Unutilised balance on 31st March 19__ (iii) Value of land provided by Govt. (per contra) B. Capital Receipts- C. (i) Deposits received for works from Outside bodies- (ii) Deposits- Less Expenditure- (iii) Other deposits- D. Amounts due- (i) Purchases (ii) Others _ E. Excess of income over expenditure- (i) upto 31st March 19.. . (ii) Add for the year				1. Works- (As per Form VIII) 2. Fixed Assets (As per Form IX) (a) Value of land provided by Govt. (at cost). (b) Buildings- Balance as per last Balance sheet Additions during the year _____ Total _____ Less : Depreciation during the year _____ Total: _____ 3. Other Assets (As per Form IX) (a) Laboratory equipment as per last balance sheet-additions during the year Total: _____ Less: _____ Depreciation during the year Total: (b) Vehicles as per last balance sheet. Additions during the year.			

	_____ Total : _____
(iii) Deduct-Excess of Expenditure over income	Less :
4. Sundry Debtors- Total _____ _____	Depreciation during the year _____ Total: _____ (c) Furniture and Fixtures. As per last Balance Sheet. Additions during the year. _____ Total: _____ (d) Scientific Instruments and Office. Appliances- As per last Balance Sheet. Additions during the year _____ Total: _____ (e) Tools and Plants As per last Balance Sheet Additions during the year _____ Total: _____ Less: Depreciation during the year. _____ Total: _____ (i) Amounts due from outside bodies for expenditure incurred- Expenditure Less amount received (ii) Other Sundry Debtors 5. Advances (a) Miscellaneous Advances. (b) Cash at Bank (c) Cash in hand (d) Cash in transit _____ Total _____

Accounts Officer	Member-Secretary	Chairman

FORM VIII
CENTRAL POLLUTION CONTROL BOARI)
ANNUAL STATEMENT OF ACCOUNT
Expenditure on works as on 31st March, 19
(Item l-Assets of the Balance Sheet)
(See Rule 17)

Sl. No.	Name of work	Upto 3lst March 19			During the year 19			Upto 31st March 19		
		Direct Expenditure	Overhead Charges	Total Expenditure	Direct Expenditure	Overhead Charges	Total Expenditure	Direct Expenditure	Overhead Charges	Total Expenditure
TOTAL										

Accounts Officer Member-Secretary Chairman

FORM IX

CENTRAL POLLUTION CONTROL BOARD

ANNUAL STATEMENT OF ACCOUNTS

Fixed Assets as on 31st March, 19 (Item 2 Assets to the Balance Sheet).
Other Assets as on 31st March, 19 (Item 3 Assets to the Balance Sheet).

(See Rule 17)

Sl. No.	Particulars of Assets.	Balance as on 31st March 19	Additions during the years	Total	Depreciation during the year	Sales of write off during the year	Balance as on 31st March 19	Cumulative Depreciation as on 31st March 19

Accounts Officer Member-Secretary Chairman

THE AIR (PREVENTION AND CONTROL OF POLLUTION) (UNION TERRITORIES) RULES, 1983

(As amended to date)

THE AIR (PREVENTION AND CONTROL OF POLLUTION) (UNION TERRITORIES) RULES, 1983

DEPARTMENT OF ENVIRONMENT

NOTIFICATION

New Delhi, the 21st December, 1983

G.S.R. 6(E).—In exercise of the powers conferred by section 54 of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981), the Central Government, in consultation with the Central Board for the Prevention and Control of Water Pollution, hereby makes the following rules, namely:-

CHAPTER I

PRELIMINARY

1. SHORT TITLE, APPLICATION AND COMMENCEMENT. -

(1) These Rules may be called the Air (Prevention and Control of Pollution) (Union Territories) Rules, 1983.

(2) They shall apply to the Union Territories of Delhi, Pondicherry, Goa, Daman and Diu, Dadra and Nagar Haveli, Lakshadweep, Mizoram, Andaman and Nicobar Islands, Arunachal Pradesh and Chandigarh.

(3) They shall come into force on the date of their publication in the Official Gazette.

2. DEFINITIONS. -

In these rules, unless the context otherwise requires:-

(a) "Act" means the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981);

(b) "appellant" means any person aggrieved by and appealing against an order made by the Board;

(c) "Appellate Authority" means an Appellate Authority constituted by the Central Government under sub-section (I) of section 31 of the Act;

(d) "Board" means the Central Board for the Prevention and Control of Water Pollution constituted under section 3 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);

(e) "Chairman" means a Chairman of the Board;

(f) "consultant" means any person appointed as such under sub-section (5) of section 14;

(g) "Form" means a form appended to these rules;

(h) "premises" means any building structure or load used for industrial or commercial purposes where pollution occurs;

(i) "State Air Laboratory", in relation to a Union Territory, means a laboratory established or specified as such by the Central Government under sub-section (1) of section 28;

(j) "section" means any section of the Act;

(k) "Board Laboratory" means a laboratory established or recognised as such under sub-section (2) of section 17;

words and expressions used but not defined in these rules and defined in the Act shall have the meaning respectively assigned to them in the Act.

CHAPTER II

CONSULTANTS

3. APPOINTMENT OF CONSULTANTS. -

For the purpose of assisting the Board in the performance of its functions, the Chairman may appoint any qualified person to be consultant for a specific period not exceeding six months:

Provided that the Chairman may, with the prior approval of the Board extend the period of the appointment from time to time upto one year:

Provided further that the Chairman may, with the prior approval of the Board and the Central Government, appoint a consultant for a period beyond one year.

4. POWER TO TERMINATE APPOINTMENT. -

Notwithstanding anything contained in rule 3, the Board shall have the right to terminate the appointment of the consultant before the expiry of the specific period for which he is appointed, if in the opinion of the Board, the consultant is not discharging his duties properly or to the satisfaction of the Board, or such a course of action is necessary in the public interest:

Provided that in cases where a consultant has been appointed with the prior approval of the Central Government, the termination of his appointment will be made only with the approval of the Central Government.

5. EMOLUMENTS OF CONSULTANT. -

The Board may pay the consultants suitable emoluments or fees depending on the nature of work and the qualification and experience of the Consultant:

[1][Provided, that the Chairman shall not appoint any person as Consultant without the prior approval of the Central Government if the Board recommends that the total emoluments or fee payable exceeds rupees five thousand per month:

Provided further that if a retired Government Officer is appointed as Consultant his emoluments or fee shall be regulated in accordance with the instructions/orders issued by the Central Government in the Ministry of Personnel, Public Grievances and pensions (Department of Personnel and Training) from time to time].

6. TOURS BY CONSULTANT. -

The consultant may with the prior approval of the Chairman undertake tours within the country for the performance of the duties entrusted to him by the Board and in respect of such tours he shall be entitled to travelling and daily allowances at the rate payable to a Grade I officer of the Central Government.

7. CONSULTANT NOT TO DISCLOSE INFORMATION. -

The consultant shall not, without the written permission of the Board, disclose any information either given by the Board or obtained during the performance of the duties assigned to him either by the Board or otherwise to any person other than the Board.

CHAPTER III

NOTIFICATION OF AIR POLLUTION CONTROL AREA

8. MANNER OF DECLARATION OF AIR POLLUTION CONTROL AREA. -

(1) Every notification under sub-section (I) of section 19, declaring any area within any Union territory as air pollution control areas, shall specify:-

(a) the boundaries of the Area if the area is not a whole district or the whole Union territory;

---

[1] Substituted by Rule 2 of the Air (Prevention and Control of Pollution)) (Union Territories) Amendment Rules, 1994, vide G.S.R.569(E), dated 05.07.1994.

(b) the date on which such declaration shall come into force.

(2) A notification referred to in sub-rule (1) shall be published in the Official Gazette and at least in one English and one vernacular daily newspapers having a circulation not less than five thousand in the Union territories.

CHAPTER IV

APPLICATION FOR CONSENT

9. FORM OF APPLICATION FOR CONSENT AND FEES. -

(1) Every application for consent under sub-section (2) of section 21 shall be made in Form I and shall be accompanied by fees as specified below:-

	Industries having paid up capital	Fees Rs.
(I)	Not exceeding Rs. 5,00,000	250
(ii)	exceeding Rs. 5,00,00 but not exceeding Rs. 20,00,000	500
(iii)	exceeding Rs. 20,00,000 but not exceeding Rs. 1 crore	1000
(iv)	exceeding Rs. 1 crore	2000

(2) Every application for consent under the provision to sub-section (2) of section 21 shall be made within four months from the date of declaration of any area as air pollution control area.

10. PROCEDURE FOR MAKING ENQUIRY ON APPLICATION SEEKING CONSENT. -

(1) On receipt of an application for consent, the Board may depute any of its officers, accompanied by as many assistants as may be necessary, to visit and inspect any place or premises under the control of the applicant or the occupier, for verifying the correctness or otherwise of the particulars furnished in the application or for obtaining such further particulars or information, which in the opinion of such officer are essential. Such officer, for that purpose, may inspect any place or premises where solid, liquid or gaseous emission from the chimney or fugitive emissions from any location within the premises are discharged, such officer may require the applicant or the occupier to furnish to him any plans, specifications or other data relating to control equipment or systems or any part thereof that he considers necessary.

(2) The officer referred to in sub-rule (1) shall, before visiting any of the premises of the applicant, give notice to the applicant of his intention to do so in Form II. The applicant shall furnish to such officer all information and provide all facilities for inspection.

(3) The officer may, before or after carrying out the inspection under sub-rule (1), require the applicant to furnish him orally or in writing such additional information or clarification or to produce before him such document as he may consider necessary for the purpose of investigation of the application and may for that purpose summon the applicant or his authorised agent to the office of the Board.

CHAPTER V

AUTHORITY TO WHOM INFORMATION IS TO BE FURNISHED

11. FURNISHING OF INFORMATION BY THE OCCUPIER. -

The authorities referred to in sub-section (1) of section 23 shall be the Collector of the District, the Revenue Divisional Officer, the Health Officer, the Executive Authority of the municipal or local body concerned and the nearest police station.

CHAPTER VI

MANNER OF TAKING SAMPLES

12. MANNER OF TAKING SAMPLES. -

(1) The person in-charge of the premises shall provide port-holes, platforms conveniently located, for easy access and all other facilities required for taking sample of air or emission from any chimney, flue or duct, plant or vessel or any other sources and outlets, stationary or mobile as may be required by the Board or any officer empowered by the Board in this behalf.

(2) The procedure for taking samples shall be such as may be felt necessary by the Board or any officer empowered by the Board in this behalf to suit the situation.

13. FORM OF NOTICE. -

Every notice under sub-section (3) of section 26 shall be in Form III.

CHAPTER VII

REPORT OF ANALYSIS

14. FORM OF REPORT OF THE BOARD ANALYST AND GOVERNMENT ANALYST. -

(1) When a sample of any air or emission has been sent for analysis to the Board laboratory, the Board analyst shall analyse such sample and submit to the Board a report of the result of such analysis in Form IV in triplicate.

(2) When a sample of any air or emission has been sent for analysis to the State air Laboratory, the Government analyst shall analyse such samples and submit to the Board a report of the result of such analysis in Form V in triplicate.

CHAPTER VIII

STATE AIR LABORATORY

15. FUNCTIONS OF THE STATE AIR LABORATORY AND FEE FOR REPORT. -

The State Air Laboratory established by the Central Government for a Union territory shall cause to be analysed by the Government analyst any sample of air or emission received by it from any officer authorised by the Board for the purpose and shall be entitled to collect a fee for Rs. 200 for each of the report.

16. QUALIFICATION OF THE GOVERNMENT ANALYST OR BOARD ANALYST. -

A person to be appointed as Government analyst or Board Analyst shall hold at least a Second Class Masters Degree in Basic Science or Life Science and 3 years experience in environmental quality management.

17. FORM OF APPEAL AND MANNER OF PREFERENCE. -

(1) Every appeal under section 31 against an order passed by the Board shall be filled by the-appellant in form VII.

(2) Every appellant shall prefer appeal separately in his own name and tno join appeal made on behalf of more than one appellant shall be entertained by the Appellate Authority.

(3) (a) Every appeal shall-

(i) be in writing,

(ii) specify the name and address of the appellant and the date of the order appealed against,

(iii) specify the date on which the order appealed against was communicated to the appellant,

(iv) contain a statement of facts of the case and grounds relied upon by the appellant in support of the appeal,

(v) State the relief prayed for, and

(vi) be signed and verified by the appellant or an agent duly authorised by him in writing in this behalf,

(b) Every appeal shall be accompanied by:-

(i) an authenticated copy of the order against which appeal is made,

(ii) a copy of the application made under section 21,

(iii) any document relating to the appeal, and

(iv) a satisfactory proof of the payment of fees specified in clause (c).

(c) A fee of Rs. 50 shall be deposited by every appellant in the office of the Appellate Authority and an authenticated copy of the receipt obtained thereof shall be annexed to every appeal.

(d) Every appeal shall be submitted in quadruplicate to the Appellate Authority by the appellant or his authorised agent in person or sent to such Authority by registered post. When the Appeal is presented by an agent duly authorised by the appellant, it shall be accompanied by a letter of authority written on a stamped paper of the value as required by law, appointing him as such an agent.

(e) On receipt of the appeal, the Appellate Authority shall endorse thereon the date of its presentation or receipt by post and the name of the appellant or his duly authorised agent presenting it, as the case may be.

18. PROCEDURE TO BE FOLLOWED BY THE APPELLATE AUTHORITY IN DEALING W IT H AND DISPOSAL OF THE APPEAL.-

(1) The Appellate Authority shall, as soon as may be after the appeal is filed before it, fix a date for hearing of the appeal and give notice of the same to the applicant and the Board in Form VIII; While giving such notice to the Board, a copy of the appeal, together with its enclosures, shall also be sent to the Board and he shall be called upon to send to the Appellate Authority, all the relevant records connected with the Appeal.

(2) Where the material on record is insufficient to enable the Appellate Authority to come to a definite decision, it may take additional evidence and call for such further material from the appellant or the Board as it deems fit. Such material shall form part of the record only after the party other than that form whom such record has been received, has been given an opportunity to pursue the same.

(3) Where on the date fixed for hearing or any date to which the hearing of the appeal may be adjourned, the appellant or his duly authorised agent does not appear when the appeal is called for hearing, the appeal shall be liable to be dismissed.

(4) Where an appeal is dismissed under sub-rule (3), the applicant may, within thirty days from the dismissal, apply to the Appellate Authority for the restoration of the appeal and if it is shown to the satisfaction of the Appellate Authority that the appellant had not received intimation of the date of hearing appeal or was prevented by any cause, sufficient in the opinion of the Appellate Authority, from appearing when the appeal was called for hearing, the Appellate Authority may restore the appeal on such terms as it thinks fit.

(5) The order passed by the Appellate Authority on the appeal shall be in writing bearing the seal of the Appellate Authority and shall state the points before it for determination, the decision thereon, and the reasons for the decision.

(6) A copy of the order passed in appeal shall be supplied by the Appellate Authority free of cost to the appellant and a copy thereof shall also be sent to the Board.

19. CONSENT REGISTER. -

The Board shall maintain a register in Form VI containing particulars of industrial plants to which consent have been granted under section 21.

20. FUNCTIONS TO BE PERFORMED BY THE BOARD. -

In addition to the functions specified in sub-section (1) of section 17, the Board shall conduct-

(a) research and development work on the effect of air pollution on the environment, living and non-living,

(b) performance studies on pollution control equipment to improve their efficiency for the purpose of enhancement of air quality, and

(c) studies to determine the effect of air pollutant on the health of the people.

[1][CHAPTER IX

20A. DIRECTIONS.-

(1) Any direction issued under section 31A shall be in writing.

(2) The direction shall specify the nature of action to betaken and the time within which it shall be complied with by the person, officer or the authority to whom such direction is given.

(3) The person, officer or an authority to whom any direction is sought to be issued shall be served with a copy of the proposed direction, and shall be given an opportunity of not less than 15 days from the date of service of a notice to file with an officer designated in this behalf the objections, if any, to the issue of the proposed direction.

(4) Where the proposed direction is for the stoppage or regulation of electricity or water or any other service affecting the carrying on of any industry, operation or process and is sought to be issued to an officer or an authority, a copy of proposed direction shall also be endorsed to the occupier of the industry, operation or process as the case may be, and objections if any, filed by the occupier with an officer designated now in this behalf shall be dealt with in accordance with the procedure under sub-rule (3) and (5) of this rule.

(5) The Central Pollution Control Board shall within a period of 45 days from the date of receipt of the objections, if any, or from the date up to which an opportunity is given to the person, officer or authority to file objections, whichever is earlier, after considering the objections, if any received from the person, officer or authority sought to be directed and for reasons to be recorded in writing, confirm, modify or decide not to issue the proposed direction.

---

1 Insertedby Rule 2 of the Air (Prevention and Control of Pollution) (Union Territories) Amendment Rules, 1989, published in Gazette Notification G.S.R.350(E), dated 9.3.1989.

(6) In a case where the Central Pollution Control Board is of the opinion that in view of the likelihood of a grave injury to the environment it is not expedient to provide an opportunity to file objections against the proposed direction, it may for reasons to be recorded in writing, issue directions without providing such an opportunity.

(7) Every notice or direction required to be issued under this rule shall be deemed to be duly served-

(a) Where the person to be served is a Company, if the document is addressed in the name of the Company at its registered office or at its principal office or place of business and is either-

(i) sent by registered post or

(ii) delivered at its registered office or at the principal office or place of business;

(b) where the person to be served is an officer serving Government, if the document is addressed to the person and a copy thereof is endorsed to the Head of the Department and also to the Secretary to the Government, as the case may be, in-charge of the Department in which, for the time being, the business relating to the Department in which the officer is employed is transacted, and is either-

(i) sent by registered post or

(ii) is given or tendered to him;

(c) in any other case, if the document is addressed to the person to be served and-

(i) is given or tendered to him, or

(ii) if such person cannot be found, is affixed on some conspicuous part of his last known place of residence or business or is given or tendered to some adult member of his family or is affixed on some conspicuous part of the land, or building, if any, which it relates, or

(iii) is sent by registered post to that person.

Explanation: For the purpose of this sub-rule-

(a) "company" means any body corporate and includes a firm or other association of individuals;

(b) "a servant" is not a member of the family.

20B. MANNER OF GIVING NOTICE.-

The manner of giving notice under clause (b) of sub-section (1) of section 48 shall be as follow. namely:-

(i) The notice shall be in writing in Form IX.

(ii) The person giving notice may send it to-

(a) Board and

(b) Ministry of Environment and Forests (represented by the Secretary, Government of India).

(iii) Notice shall be sent by registered post acknowledgement due; and

(iv) Period of sixty days mentioned in clause (b) of sub-section (I) of section 43 shall be reckoned from the date of its first receipt by one of the authorities mentioned above.]

21. REPEAL AND SAVING.-

All rules corresponding to these rules and in force in a Union territory immediately before the commencement of these rules are hereby repealed:

Provided that any order made or action taken under the rules so repealed shall be deemed to have been made or taken under the corresponding provision of these rules.

[No. Q-16011/1/83-EPC (II)]
G. SUBA RAO, Jt. Secy.

[1][FORM I

(See rule 9)

Application for Consent for emission/continuation of emission under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981.

From

_____
_____
_____

To

The Member Secretary,

Central Pollution Control Board,

_____
_____
_____

Sir,

I/We hereby apply for CONSENT/RENEWAL OF CONSENT under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981) to bring into use a new/altered *stack for the discharge of emission/to begin to make new discharge of emission/to continue to discharge emission* from stack in industry owned by .....

FOR OFFICE USE ONLY

1. Code No. :
2. Whether the unit is situated in a critically polluted area identified by Ministry of Environment & Forests :

TO BE FILLED IN BY APPLICANT

PART A – GENERAL

3. (a) Name of Owner/Occupier :
   (b) Name and address of the unit and location :

[1] Substituted by Rule 2 of the Air (Prevention and Control of Pollution) (Union Territories) Amendment Rules, 1992 published in the Gazette Notification No.G.S.R.379(E), dated 31.03.1992.

4. (a) Whether the unit is generating hazardous w as defined in the Hazardous Was (Management and Handling) Rules, 1989

(b) If so the category No.

5. (a) Total capital invested on the project :

(b) Year of commencement of production :

(c) Whether the industry works general/2 shifts/ro : the clock

6. (a) List and quantum of products and by-products :

(b) List and quantum of raw materials used :

7. Furnish a flow diagram of manufacturing process sho : input and output in terms of products and waste gene including for captive power generation and demineral water

PART B-PERTAINING TO SEWAGE AND TRADE EFFLUENT

8. Quantity and source of water for :

(a) Cooling m^3/d :

(b) Process m^3/d :

(c) Domestic use m^3/d :

(d) Others m^3/d :

9. Sewage and trade effluent discharge

(a) quantum of discharge m^3/d :

(b) Is there any effluent treatment plant :

(c) If yes, a brief description of unit operations wi : capacity

(d) Characteristics of final effluent pH :

Suspended solids

Dissolved solids

Chemical Oxygen Demand (COD)

Biochemical Oxygen Demand (BOD)

Oil and grease 20° C

(Additional parameters as specified by th concerned Pollution Control Board)

(e) Mode of disposal and final discharge point (Use : map showing discharge point)

(f) Parameters and Frequency of self monitoring :

PART C-PERTAINING TO STACK AND VENT EMISSIONS

10. (a) Number of stacks and vents with height and dia (m) :

(b) Quality and quantity of stack emission from eac the above stacks (Particulate matter and Sulph Dioxide (SO_2) (Additional parameters as specified the concerned Pollution Control Board) :

(c) A brief account of the air pollution control unit : deal with the emission

(d) Parameters and Frequency of self monitoring :

PART D-PERTAINING TO HAZARDOUS WASTE AND HAZARDOUS CHEMICALS

11. Solid wastes:

(a) Total quantum of generation :

(b) Quantum of hazardous waste generated an nature, as defined under the Environm (Protection) Act, 1986. (See the Hazardous Wa (Management, Handling and Transbounda : Movement) Rules, 2008).

(c) Mode of storage within the plant, method of disposa and any other information sought by the conce Pollution Control Board :

12. (a) Hazardous Chemicals as defined under Environ (Protection) Act, 1986 (See the Manufact Storage and Import of Hazardous Chemicals R 1989) :

CENTRAL POLLUTION CONTROL BOARD

FORM III

NOTICE OF INTENTION TO HAVE SAMPLE ANALYSED

(See rule 13)

To

Take notice that it is intended to have analysed the sample of Air emission from your promises which is being taken today the ..... day of ..... l9..... from (i)/

Name and designation of the person
who takes the sample

(i) Here specify the stack, Chimney or any other emission outlets.

To

.....

.....

.....

…….

……

CENTRAL POLLUTION CONTROL BOARD

FORM IV

REPORT BY THE CENTRAL BOARD ANALYST

(See rule 14)

Report No. ……..

Dated the …...…..

I hereby certify that I, (I) ……..... Central Board analyst duly appointed under subsection 3 of section 26 of the Air (Prevention and Control of Pollution) Act 1981, received on the (II) ……..... day of ……..... 19..... from (III) .....……..... a sample of ..... for analysis. The sample was in a condition fit for analysis reported below.

I further certify that I have analysed the aforementioned sample on (IV) .... and declare the result of the analysis to be as follows:-

(V)…….....…….....…….....…

…….....…….....…….....……

The condition of the seals, fastening and container on receipt was as follows:-

…….....…….....…….....……..

..…….....…….....…….....……..

……..... Signed this ……..... day of ……..... 19…….....

(Signature)

Central Board Analyst

Address……

…….

…….

…….

To

……

……

……

……

……

I. Here write the full name of the Central Board analyst.

II. Here write the date of receipt of the sample.

III. Here write the name of the Board or person or body or persons or officer from whom the sample was received.

IV. Here write the date of analysis.

V. Here write the details of the analysis and refer to the method of analysis. If the space is not adequate the details may be given on a separate sheet of paper.

FORM V

REPORT BY THE GOVERNMENT ANALYST

[See rule 14(2)]

ReportNo.....

Dated the.....

I hereby certify that I, (I) ..... Government analyst duly appointed under sub-section 1 of section 27 of the Air (Prevention and Control of Pollution) Act 1981, received on the (II)..... day of 19..... from (III)……a sample

of ……..... for analysis. The sample was in a condition fit for analysis reported below.

I further certify that I have analysed the aforementioned sample on (IV) .... and declare the result of the analysis to be as follows:-

……..……..……..……..

……..……..……..……..

……..... Signed this ……..... day of ……..... 19……....

(Signalure)

(Government Analyst)

Address……

…….

…….

…….

…….

…….

To

…….

…….

…….

I. Here write the full name of the Government analyst

II. Here write the date of receipt of the sample.

III. Here write the name of the Board or person or body or persons or officer from whom the sample was received.

IV. Here write the date of analysis.

V. Here write the details of the analysis and refer to the method of analysis. If the space is not adequate the details may be given on a separate sheet of paper.

CENTRAL POLLUTION CONTROL BOARD

FORM VI

(Form of consent register)

(See rule 19)

I. General:

(a) Consent is issued to:

……..……..……..……..……..……..

(Corporation, Company, Government Agency, Firm etc.)

(b) Postal Address ……..……..……..……..

……..

II. Location of plant or facilities: (Latitude and longitude must be to the nearest of 15 seconds)

(a) Nearest City …… District ……

(b) Latitude …… Longitude ……

(c) Is it located in air pollution control area-Yes/No.

If yes, Identification of air pollution control area.

III. Type of operation or process:

(a) Name of operation or process

(b) Schedule identification number

IV. Consent classification:	Yes	No
(a) Proposed-	☐	☐
(b) Now operating	☐	☐
(c) Modification of existing emission source.	☐	☐
(d) Location change-	☐	☐
(e) Ownership change- .	☐	☐

(f) Present-consent order Number if any .....

V. Implementation Dates:

(a)	In the case of proposed industries Operation expected to begin	_____ (day)	_____ (month)	_____ (year)
(b)	air pollution control equipment and emission to be installed standards achieved by	_____ (day)	_____ (month)	_____ (year)

VI. Emission Standards:

Emission source Number (from plot plan)	Air Pollutant emitted	Emission rate kg/hour or standard /sec
1	2	3

VII. Consent conditions if any:

FORM VII

(Form of appeal)

[See sub-rule (1) of rule 17]

*(Here mention the name & designation of the authority)

Before* .....
Appellate Authority constituted under section 31 of the Air (Prevention & Control of Pollution) Act, 1981(14 of 1981).

Memorandum of appeal of Shri .....

(Appellant)
Vs.

The Central Pollution Control Board …….. (Respondent) The appeal of Shri …… Resident of .....
District ..... against the order ..... dated ..... passed by the Central Pollution Control Board under section 21/22 of the Air (Prevention and Control of Pollution) Act, 1981 as showeth follows:

(1) Under Section 21/22 of the Air (Prevention & Control of Pollution) Act 1981 (14 of 1981) the appellant has been granted consent subject to the conditions mentioned in the consent order in respect of the ..... company/corporation/municipality/notified area committee etc., noted below:

(a) Name of the plant/company/corporation/municipality/notified area committee:
(b) Place:
(c) Card No.
(d) Name of the street; and
(e) District

A copy of the consent order in question is attached here to.

(2) The facts of the case are as under:
(here briefly mention the facts of the case)

(3) The grounds on which the appellant relies the purpose of this appeal are as below:-

(here mention the grounds on which appeal is made)

1.
2.
3.

(4) In the light of what is stated above, the appellant respectfully prayed that

(a) the unreasonable condition(s) ……..... imposed should be treated as annulled or it/they should be constituted for such other conditions is it appears to be reasonable

or

(b) the unreasonable condition(s) ……..... should be varied in the following manner (Here mention the manner in which the condition(s) objected). An amount of Rs …….. as fee for this appeal has been paid vide receipt No ……..... dated ……..... an authorised copy of which is attached in proof of payment.

Signature of the Applicant
Name …….
(in Block letters)
Occupation .....……
Address.....……
……

Date: ……..……

Verification

I ……..... (appellant's name) in the above Memorandum of appeal/or/duly authorised agent do/does hereby declare that what it stated therein is true to the best of my knowledge and belief and nothing has been hidden thereunder.

Signature .....
Name .....
(in Block letters)

Occupation .....……
Address ……..……
……

Dated :

- Strike out what is not applicable.

FORM VIII

Form of Notice

[See rule 18(1)]

* (Here mention name & designation of the Authority)

Before* .....

Appellate Authority as constituted under Section 31(1) of the Air (Prevention & Control of Pollution) Act, 1981 (14 of 1981).

In the matter of appeal No ……..……. 19 …. filed under section 31 of the Air (Prevention & Control of Pollution) Act, 1981 (14 of 1981) by Shri .....…… ……
(here mention the name and address of the appellant)

Whereas Shri …….....
(here mention the name and address of the appellant) has filed before this Authority a Memorandum of appeal against the order ..... dated ..... passed by the Central Pollution Control Board under Section 20/21/22 of the Act.

And whereas under sub-section (4) or Section 31 of the Act, this authority is required to give to the parties an opportunity of being heard. Now, Therefore, please take notice that this authority has fixed ..... as date of hearing of the aforesaid appeal. The hearing shall take place at ..... AM/PM on that date in the office of the Board at New Delhi. You are hereby called upon to appear before this Authority at the appointed time and date and place, either in person or through a duly authorised agent, and explain your case. Please take notice that failure on your part to appear on the day of hearing either in person or through authorised agent, without showing sufficient cause to the satisfaction of this Authority will make your appeal liable to be dismissed or decided ex-parte.

Given under the hand and seal of the Appellate Authority at .....
This ..... day .....

[1][FORM IX

(See rule 20B)

FORM OF NOTICE

By regd. post AD

From (1)

Shri .....

.....……..

.....……..

To

.....……..

.....……..

.....……..

Notice under Section 43 (1) (b) of the Air (Prevention & Control of Pollution) Act, 1981.

Whereas an offence under the Air (Prevention & Control of Pollution) Act, 1981 has been committed/is being committed by (2) .....

I/we hereby give notice of 60 days under Section 43(1)(b) of the Air (Prevention & Control of Pollution) Act, 1981 of my/our intention to file a complaint in the court against (2) ..... for violation of section(s) of the Air (Prevention & Control of Pollution) Act, 1981.

In support of my/our notice, I am/we are enclosing the following documents (3) as evidence of proof of violations of the Air (Prevention & Control of Pollution) Act, 1981.

……

……

Signature(s)

Place ……

Date ……

[1] Inserted by Rule 3(b) of the Air (Prevention and Control of Pollution) (Union Territories) Amendment Rules, 1989, published in the Gazette Notification No.G.S.R.350(E), dated 9.3.1989

Explanation:

(1) In case the notice is given in the name of a Company, documentary evidence authorising the person to sign the notice on behalf of the Company shall be enclosed to this notice. Company for this means a Company defined in explanation to Section 40 of the Air (Prevention & Control of Pollution) Act, 1981.

(2) Here give the name and address of the alleged offender. In case of a manufacturing/ processing/operating unit, indicate the name/location/nature of activity etc.

(3) Documentary evidence shall include photographs/technical reports/health reports of the area etc. for enabling enquiry into the alleged violation/offence.]

[No. Q. 15017/4/88-CPA]
K.P. GEETHAKRISHNAN, Secy.

Principal rules published vide G.S.R. 6(E) dated 21-12-1983.

NOTIFICATIONS

UNDER

THE AIR (PREVENTION AND

CONTROL OF POLLUTION) ACT, 1981

NATIONAL AMBIENT AIR QUALITY STANDARDS

CENTRAL POLLUTION CONTROL BOARD

NOTIFICATION

Delhi, the 18th November, 2009

No.B-29016/20/90/PCI-I.— In exercise of the powers conferred by Sub-section (2) (h) of section 16 of the Air (Prevention and Control of Pollution) Act, 1981 (Act No.14 of 1981), and in supersession of the Notification No(s). S.O. 384(E), dated 11th April, 1994 and S.O. 935(E), dated 14th October, 1998, the Central Pollution Control Board hereby notify the National Ambient Air Quality Standards with immediate effect, namely:-

NATIONAL AMBIENT AIR QUALITY STANDARDS

S. No.	Pollutant	Time Weighted Average	Concentration in Ambient Air		
			Industrial, Residential, Rural and Other Area	Ecologically Sensitive Area (notified by Central Government)	Methods of Measurement
(1)	(2)	(3)	(4)	(5)	(6)
1	Sulphur Dioxide (SO_2), µg/m^3	Annual*	50	20	- Improved West and Gaeke
		24 hours**	80	80	-Ultraviolet fluorescence
2	Nitrogen Dioxide (NO_2), µg/m^3	Annual*	40	30	- Modified Jacob & Hochheiser (Na-Arsenite)
		24 hours**	80	80	- Chemiluminescence
3	Particulate Matter (size less than 10µm) or PM_{10} µg/m^3	Annual*	60	60	- Gravimetric - TOEM
		24 hours**	100	100	- Beta attenuation
4	Particulate Matter (size less than 2.5µm) or $PM_{2.5}$ µg/m^3	Annual*	40	40	- Gravimetric - TOEM
		24 hours**	60	60	- Beta attenuation
5	Ozone (O_3) µg/m^3	8 hours**	100	100	- UV photometric - Chemilminescence
		1 hour**	180	180	- Chemical Method
6	Lead (Pb) µg/m^3	Annual*	0.50	0.50	- AAS /ICP method after sampling on EPM 2000 or equivalent filter paper - ED-XRF using Teflon filter
		24 hours**	1.0	1.0	
7	Carbon Monoxide (CO) mg/m^3	8 hours**	02	02	- Non Dispersive Infra Red (NDIR) spectroscopy
		1 hour**	04	04	

(1)	(2)	(3)	(4)	(5)	(6)
8	Ammonia (NH_3) $\mu g/m^3$	Annual* 24 hours**	100 400	100 400	-Chemiluminescence -Indophenol blue method
9	Benzene (C_6H_6) $\mu g/m^3$	Annual*	05	05	- Gas chromatography based continuous analyzer - Adsorption and Desorption followed by GC analysis
10	Benzo(a)Pyrene (BaP) - particulate phase only, ng/m^3	Annual*	01	01	- Solvent extraction followed by HPLC/GC analysis
11	Arsenic (As), ng/m^3	Annual*	06	06	- AAS /ICP method after sampling on EPM 2000 or equivalent filter paper
12	Nickel (Ni), ng/m^3	Annual*	20	20	- AAS /ICP method after sampling on EPM 2000 or equivalent filter paper

* Annual arithmetic mean of minimum 104 measurements in a year at a particular site taken twice a week 24 hourly at uniform intervals.

** 24 hourly or 08 hourly or 01 hourly monitored values, as applicable, shall be complied with 98% of the time in a year. 2% of the time, they may exceed the limits but not on two consecutive days of monitoring.

Note. — Whenever and wherever monitoring results on two consecutive days of monitoring exceed the limits specified above for the respective category, it shall be considered adequate reason to institute regular or continuous monitoring and further investigation.

SANT PRASAD GAUTAM, Chairman
[Advt-III/4/184/09/Exty.]

Note: The notifications on National Ambient Air Quality Standards were published by the Central Pollution Control Board in the Gazette of India, Extraordinary vide notification No(s). S.O. 384(E), dated 11th April, 1994 and S.O. 935(E), dated 14th October, 1998.

MINISTRY OF WORKS & HOUSING

NOTIFICATION

New Delhi the 15th May, 1981

G.S.R. 351 (E). - In exercise of the powers conferred by sub-section (3) of section I of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981), the Central Government hereby appoints the 16th day of May, 1981,as the day on which the said Act shall come into force as the day on which the said Act shall come into force.

[Q-10012/4/78-EPC (Vol. IV)]
S.R. ADIGE, Jt. Secy.

Source: The Gazette of India, Extraordinary, Part II, Section 3 sub-section (i), New Delhi, Friday, May 15, 1981.

MINISTRY OF ENVIRONMENT AND FORESTS

Department of Environment, Forests and Wildlife

New Delhi the 28th March, 1988

NOTIFICATION

G.S.R. 382 (E). - In exercise of the powers conferred by sub-section (2) of section 1 of the Air (Prevention & Control of Pollution) Amendment Act, 1987 (47 of 1987), the Central Government hereby appoints the 1st day of April, 1988 as the date on which all the provisions of the said Act excepting the provisions contained in clauses (ii) and (iv) of section 2, section 3, clause (i) of section 4 and section 15 shall come into force in the whole of India.

No. Q 16012/2/85-PL
(T.N. SESHAN)
Secretary to the Government of India

Source: The Gazette of India Part II, Section 3, Sub-section (i) Extraordinary

AIR POLLUTION CONTROL AREAS IN VARIOUS UT(s)

MINISTRY OF ENVIRONMENT & FORESTS
(Department of Environment, Forests & Wildlife)

NOTIFICATION

New Delhi, the 20th February, 1987

DELHI

G.S.R. 106(E).-In exercise of the powers conferred by sub-section (I) of section 19 of the Air (Prevention and Control of Pollution) (Union Territories) Act, 1981 (14 of 1981), read with section 6 of that Act and rule 8 of the Air (Prevention and Control of Pollution) (Union Territories) Rules, 1983, the Central Government after consultation with the Central Board for the Prevention and Control of Water Pollution, hereby declares, with effect from the date of publication of this notification in the Official Gazette, the whole of the Union territory of Delhi, as air pollution control area.

[NO. Q-14012/4/84-CPA]
A.C. RAY, Addl. Secy.

Source: The Gazette of India, Extra ordinary Part II, Section 3. Sub-section (i) dt. 20th February 1987

MINISTRY OF ENVIRONMENT & FORESTS
(Department of Environment, Forests & Wildlife)

NOTIFICATION

New Delhi, the 1st February, 1988

CHANDIGARH

G.S.R. 71(E).-In exercise of the powers conferred by sub-section (I) of section 19 of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981), read with section 6 of that Act, the Central Government after consultation with the Central Board for the prevention and Control of Water Pollution, hereby declares, with effect from the date of publication of this notification in the official Gazette, the whole of the Union territory of Chandigarh, as air pollution control area.

[NO. Q-14012/4/87-CPA]
A.C. RAY, Addl. Secy.

Source: The Gazette of India, Extraordinary Part II, Section 3, Sub-section (i) dt. 2nd February l988.

MINISTRY OF ENVIRONMENT & FORESTS

(Department of Environment, Forests & Wildlife)

NOTIFICATION

New Delhi, the 10th February, 1989

DADRA AND NAGAR HAVELI

G.SR. 429(E).-In exercise of the powers conferred by sub-section (1) of section 19 of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981), read with section 6 of that Act and rule 8 of the Air (Prevention & Control of Pollution) (Union Territories) Rule, 1983, the Central Government after consultation with the Central Pollution Control Board, hereby declares, with effect from the date of publication of this notification in the Official Gazette, the whole of the Union territory of Dadra and Nagar Haveli as air pollution control area.

[NO. Q-14012/4t84-CPA]
G. SUNDARAM, lt. Secy.

Source: The Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) dt. 10th February 1989.

MINISTRY OF ENVIRONMENT &-FORESTS

(Department of Environment, Forests & Wildlife)

NOTIFICATION

New Delhi, the 25th January, 1988

PONDICHERRY

G.S.R. 54(E).-In exercise of the powers conferred by sub-section (1) of section 19 of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981), read with section 6 of that Act, the Central Government after consultation with the Central Board for the Prevention and Control of Water Pollution, hereby declares, with effect from the date of publication of this notification in the Official Gazette, the whole of the Union territory of Pondicherry as air pollution control area.

[NO. Q-14012/42/87-CPA]
A. C. RAY, Addl. Secy.

Source: The Gazette of India, Extraordinary Part II, Section 3, Sub-section (1) dt.25th January, 1988.

APPELLATE AUTHORITY UNDER

THE AIR(PREVENTION AND CONTROL OF POLLUTION)ACT, 1981

MINISTRY OF ENVIRONMENT & FORESTS

(Department of Environment, Forests & Wildlife)

NOTIFICATION

New Delhi, the 12th December, 1989

S.O. 1032(E).-In exercise of the powers conferred by sub-section (I) of section 31 read with sub-section (2) of the said section of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981), and in supersession of the notification of the Government of India in the Ministry of Environment and Forests (Department Or Environment, Forests and Wildlife) No. S.O. 117(E) dated the 8th February, 1988, the Central Government hereby constitutes the Appellate Authority- for the Union Territories and appoints the Joint Secretary in-charge of pollution control in the Ministry of Environment and Forests as the said authority.

2. The headquarters of the Appellate Authority shall be at New Delhi.

[NO. Q-18011/7/89-CPA]
S. S. HASURKAR, Jt. Secy.

Source: The Gazette of India Part II, Section 3, Sub-section (ii) Extraordinary, dt. 13th December, 1989.

THE ENVIRONMENT (PROTECTION) ACT, 1986

(Act No.29 of 1986)

THE ENVIRONMENT (PROTECTION) ACT, 1986

No. 29 OF 1986

[23rd May, 1986.]

An Act to provide for the protection and improvement of environment and for matters connected there with:

WHEREAS the decisions were taken at the United Nations Conference on the Human Environment held at Stockholm in June, 1972, in which India participated, to take appropriate steps for the protection and improvement of human environment;

AND WHEREAS it is considered necessary further to implement the decisions aforesaid in so far as they relate to the protection and improvement of environment and the prevention of hazards to human beings, other living creatures, plants and property;

BE it enacted by Parliament in the Thirty-seventh Year of the Republic of India as follows:-

CHAPTER I

PRELIMINARY

1. SHORT TITLE, EXTENT AND COMMENCEMENT.-

(1) This Act may be called the Environment (Protection) Act, 1986.

(2) It extends to the whole of India.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint and different dates may be appointed for different provisions of this Act and for different areas[1].

2.DEFINITIONS.-

In this Act, unless the context otherwise requires,--

(a) "environment" includes water, air and land and the inter- relationship which exists among and between water, air and land, and human beings, other living creatures, plants, micro-organism and property;

---

[1] It came into force in the whole of India on 19th November, 1986 vide Notification No. G.S.R. 1198(E) dated 12-11-86 published in the Gazette of India No. 525 dated 12-11-86.

(b) "environmental pollutant" means any solid, liquid or gaseous substance present in such concentration as may be, or tend to be, injurious to environment;

(c) "environmental pollution" means the presence in the environment of any environmental pollutant;

(d) "handling", in relation to any substance, means the manufacture, processing, treatment, package, storage, transportation, use, collection, destruction, conversion, offering for sale, transfer or the like of such substance;

(e) "hazardous substance" means any substance or preparation which, by reason of its chemical or physico-chemical properties or handling, is liable to cause harm to human beings, other living creatures, plant, micro-organism, property or the environment;

(f) "occupier", in relation to any factory or premises, means a person who has, control over the affairs of the factory or the premises and includes in relation to any substance, the person in possession of the substance;

(g) "prescribed" means prescribed by rules made under this Act.

CHAPTER II

GENERAL POWERS OF THE CENTRAL GOVERNMENT

3. POWER OF CENTRAL GOVERNMENT TO TAKE MEASURES TO PROTECT AND IMPROVE ENVIRONMENT.-

(1) Subject to the provisions of this Act, the Central Government, shall have the power to take all such measures as it deems necessary or expedient for the purpose of protecting and improving the quality of the environment and preventing controlling and abating environmental pollution.

(2) In particular, and without prejudice to the generality of the provisions of sub-section (1), such measures may include measures with respect to all or any of the following matters, namely:--

(i) co-ordination of actions by the State Governments, officers and other authorities--

(a) under this Act, or the rules made thereunder, or

(b) under any other law for the time being in force which is relatable to the objects of this Act;

(ii) planning and execution of a nation-wide programme for the prevention, control and abatement of environmental pollution;

(iii) laying down standards for the quality of environment in its various aspects;

(iv) laying down standards for emission or discharge of environmental pollutants from various sources whatsoever:

Provided that different standards for emission or discharge may be laid down under this clause from different sources having regard to the quality or composition of the emission or discharge of environmental pollutants from such sources;

(v) restriction of areas in which any industries, operations or processes or class of industries, operations or processes shall not be carried out or shall be carried out subject to certain safeguards;

(vi) laying down procedures and safeguards for the prevention of accidents which may cause environmental pollution and remedial measures for such accidents;

(vii) laying down procedures and safeguards for the handling of hazardous substances;

(viii) examination of such manufacturing processes, materials and substances as are likely to cause environmental pollution;

(ix) carrying out and sponsoring investigations and research relating to problems of environmental pollution;

(x) inspection of any premises, plant, equipment, machinery, manufacturing or other processes, materials or substances and giving, by order, of such directions to such authorities, officers or persons as it may consider necessary to take steps for the prevention, control and abatement of environmental pollution;

(xi) establishment or recognition of environmental laboratories and institutes to carry out the functions entrusted to such environmental laboratories and institutes under this Act;

(xii) collection and dissemination of information in respect of matters relating to environmental pollution;

(xiii) preparation of manuals, codes or guides relating to the prevention, control and abatement of environmental pollution;

(xiv) such other matters as the Central Government deems necessary or expedient for the purpose of securing the effective implementation of the provisions of this Act.

(3) The Central Government may, if it considers it necessary or expedient so to do for the purpose of this Act, by order, published in the Official Gazette, constitute an authority or authorities by such name or names as may be specified in the order for the purpose of exercising and performing such of the powers and functions (including the power to issue directions under section 5) of the Central Government under this Act and for taking measures with respect to such of the matters referred to in sub-section (2) as may be mentioned in the order and subject to the supervision and control of the Central Government and the provisions of such order, such authority or authorities may exercise the powers or perform the functions or take the measures so mentioned in the order as if such authority or authorities had been empowered by this Act to exercise those powers or perform those functions or take such measures.

4. APPOINTMENT OF OFFICERS AND THEIR POWERS AND FUNCTIONS.-

(1) Without prejudice to the provisions of sub-section (3) of section 3, the Central Government may appoint officers with such designation as it thinks fit for the purposes of this Act and may entrust to them such of the powers and functions under this Act as it may deem fit.

(2) The officers appointed under sub-section (1) shall be subject to the general control and direction of the Central Government or, if so directed by that Government, also of the authority or authorities, if any, constituted under sub- section (3) of section 3 or of any other authority or officer.

5. POWER TO GIVE DIRECTIONS.-

Notwithstanding anything contained in any other law but subject to the provisions of this Act, the Central Government may[1], in the exercise of its powers and performance of its functions under this Act, issue directions in writing to any person, officer or any authority and such person, officer or authority shall be bound to comply with such directions[2]

Explanation--For the avoidance of doubts, it is hereby declared that the power to issue directions under this section includes the power to direct--

(a) the closure, prohibition or regulation of any industry, operation or process; or

(b) stoppage or regulation of the supply of electricity or water or any other service.

6. RULES TO REGULATE ENVIRONMENTAL POLLUTION.-

(1) The Central Government may, by notification in the Official Gazette, make rules in respect of all or any of the matters referred to in section 3.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:--

(a) the standards of quality of air, water or soil for various areas and purposes;[3]

(b) the maximum allowable limits of concentration of various environmental pollutants (including noise) for different areas;

---

1 The Central Government has delegated the powers vested in it under section 5 of the Act to the State Governments of Andhra Pradesh, Assam, Bihar, Gujarat, Haryana, Himachal Pradesh, Karnataka, Kerala, Madhya Pradesh, Mizoram, Orissa, Rajasthan, Sikkim and Tamil Nadu subject to the condition that the Central Government may revoke such delegation of Powers in respect of all or any one or more of the State Governments or may itself invoke the provisions of section 5 of the Act, if in the opinion of the Central Government such a course of action is necessary in public interest, (Notification No, S.O. 152 (E) dated 10-2-88 published in Gazette No. 54 of the same date). These Powers have been delegated to the following State Governments also on the same terms: Meghalaya, Punjab and Uttar Pradesh vide Notification No. S.0.389 (E) dated 14-4-88 published in the Gazette No. 205 dated 14-4-88; Maharashtra vide Notification No. S.O. 488(E) dated 17-5-88 published in the Gazette No. 255 dated 17-5-88; Goa and Jammu & Kashmir vide Notification No. S.O. 881 (E) dated 22-9-88; published in the Gazette No. 749 dated 22.9.88 West Bengal Manipur vide Notification N. S.O. 408 (E) dated 6-6-89; published in the Gazette No. 319 dated 6-6-89; Tripura vide Notification No. S.O. 479 (E) dated 25-7-91 published in the Gazette No. 414 dated 25-7-91.

2 For issuing directions see r.4 of Environment (Protection) Rules, 1986.

3 See r. 3 of Environment (Protection) Rules, 1986 and Schedules thereto.

i. Schedule I lists the standards for emission or discharge of environmental pollutants from the industries, processes or operations and their maximum allowable limits of concentration;
ii. Schedule II lists general standards for discharge of effluents and their maximum limits of concentration allowable (Schedule II omitted by G.S.R.801(E), dated 31.12.1993.)
iii. Schedule III lists ambient air quality standards in respect of noise and its maximum allowable limits; and
iv. Schedule IV lists standards for emission of smoke, vapour etc. from motor vehicles and maximum allowable limits of their emission.
v. Schedule V – furnishing of information to authorities and agencies. Schedule II re-numbered as Schedule V vide G.S.R.422(E), dated 19.5.1993.
vi. Schedule VI – inserted vide GSR422(E), dated 19.5.1993 for General Standards for discharge of Environmental Pollutants,
vii. Schedule VII – inserted vide GSR176 (E), dated 2.4.1996.for National Ambient Air Quality Standards,

(c) the procedures and safeguards for the handling of hazardous substances;[1]

(d) the prohibition and restrictions on the handling of hazardous substances in different areas;[2]

(e) the prohibition and restriction on the location of industries and the carrying on process and operations in different areas;[3]

(f) the procedures and safeguards for the prevention of accidents which may cause environmental pollution and for providing for remedial measures for such accidents.[4]

CHAPTER III

PREVENTION, CONTROL, AND ABATEMENT OF ENVIRONMENTAL POLLUTION

7. PERSONS CARRYING ON INDUSTRY OPERATION, ETC., NOT TO ALLOW EMISSION OR DISCHARGE OF ENVIRONMENTAL POLLUTANTS IN EXCESS OF THE STANDARDS.-

No person carrying on any industry, operation or process shall discharge or emit or permit to be discharged or emitted any environmental pollutants in excess of such standards as may be prescribed[5].

8. PERSONS HANDLING HAZARDOUS SUBSTANCES TO COMPLY WITH PROCEDURAL SAFEGUARDS.-

No person shall handle or cause to be handled any hazardous substance except in accordance with such procedure and after complying with such safeguards as may be prescribed[1].

---

1 See r. 13 of Environment (Protection) Rules, 1986, and
   i. Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008;
   ii. Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989; and
   iii. Manufacture, Use, Import, Export and Storage of Hazardous Micro organisms, Genetically/Engineered Organisms or Cells Rules, 1989

2 Rule 13 SUPRA

3 See r. 5 of Environment (Protection) Rules, 1986.

4 See r. 12 of Environment (Protection) Rules and Schedule V (Schedule II renumbered as Schedule V), and relevant provisions of Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008, Manufacture, Storage and Import of Hazardous Chemicals Rules and Manufacture, Use, Import Export and Storage of hazardous Micro-organisms, Genetically Engineered Organisms or Cells Rules, 1989.

5 See r. 3 of Environment (Protection) Rules, 1986 and Schedule I.

9. FURNISHING OF INFORMATION TO AUTHORITIES AND AGENCIES IN CERTAIN CASES.-

(1) Where the discharge of any environmental pollutant in excess of the prescribed standards occurs or is apprehended to occur due to any accident or other unforeseen act or event, the person responsible for such discharge and the person in charge of the place at which such discharge occurs or is apprehended to occur shall be bound to prevent or mitigate the environmental pollution caused as a result of such discharge and shall also forthwith--

(a) intimate the fact of such occurrence or apprehension of such occurrence; and

(b) be bound, if called upon, to render all assistance, to such authorities or agencies as may be prescribed[1]

(2) On receipt of information with respect to the fact or apprehension of any occurrence of the nature referred to in sub-section (1), whether through intimation under that sub-section or otherwise, the authorities or agencies referred to in sub-section (1) shall, as early as practicable, cause such remedial measures to be taken as are necessary to prevent or mitigate the environmental pollution.

(3) The expenses, if any, incurred by any authority or agency with respect to the remedial measures referred to in sub-section (2), together with interest (at such reasonable rate as the Government may, by order, fix) from the date when a demand for the expenses is made until it is paid, may be recovered by such authority or agency from the person concerned as arrears of land revenue or of public demand.

10. POWERS OF ENTRY AND INSPECTION.-

(1) Subject to the provisions of this section, any person empowered by the Central Government in this behalf[2] shall have a right to enter, at all reasonable times with such assistance as he considers necessary, any place—

(a) for the purpose of performing any of the functions of the Central Government entrusted to him;

(b) for the purpose of determining whether and if so in what manner, any such functions are to be performed or whether any provisions of this Act or the rules made thereunder or any notice, order, direction or authorisation served, made, given or granted under this Act is being or has been complied with;

---

1 For authorities or agencies see r. 12 of Environment (Protection) Rules, 1986 and Schedule V (Schedule II re-numbered as Schedule V).

2 The Central Govt. has empowered 64 persons listed in the Table of Notification No.S.O. 83 (E) published in the Gazette of India No. 66 dated 16-2-87.

(c) for the purpose of examining and testing any equipment, industrial plant, record, register, document or any other material object or for conducting a search of any building in which he has reason to believe that an offence under this Act or the rules made thereunder has been or is being or is about to be committed and for seizing any such equipment, industrial plant, record, register, document or other material object if he has reason to believe that it may furnish evidence of the commission of an offence punishable under this Act or the rules made thereunder or that such seizure is necessary to prevent or mitigate environmental pollution.

(2) Every person carrying on any industry, operation or process of handling any hazardous substance shall be bound to render all assistance to the person empowered by the Central Government under sub-section (1) for carrying out the functions under that sub-section and if he fails to do so without any reasonable cause or excuse, he shall be guilty of an offence under this Act.

(3) If any person willfully delays or obstructs any persons empowered by the Central Government under sub-section (1) in the performance of his functions, he shall be guilty of an offence under this Act.

(4) The provisions of the Code of Criminal Procedure, 1973, or, in relation to the State of Jammu and Kashmir, or an area in which that Code is not in force, the provisions of any corresponding law in force in that State or area shall, so far as may be, apply to any search or seizures under this section as they apply to any search or seizure made under the authority of a warrant issued under section 94 of the said Code or as the case may be, under the corresponding provision of the said law.

11. POWER TO TAKE SAMPLE AND PROCEDURE TO BE FOLLOWED IN CONNECTION THEREWITH.-

(1) The Central Government or any officer empowered by it in this behalf[1], shall have power to take, for the purpose of analysis, samples of air, water, soil or other substance from any factory, premises or other place in such manner as may be prescribed.[2]

(2) The result of any analysis of a sample taken under sub-section (1) shall not be admissible in evidence in any legal proceeding unless the provisions of sub-sections (3) and (4) are complied with.

(3) Subject to the provisions of sub-section (4), the person taking the sample under sub-section (1) shall--

---

1 In exercise of powers conferred under sub-section (i) of section 11 the Central Government has empowered 64 officers listed in the Table vide S.O. 84. (E) published in the Gazette No. 66 dated 16-2-87

2 For procedure for taking samples see r. 6 of Environment (Protection) Rules, 1986, also

(a) serve on the occupier or his agent or person in charge of the place, a notice, then and there, in such form as may be prescribed, of his intention to have it so analysed;

(b) in the presence of the occupier or his agent or person, collect a sample for analysis;

(c) cause the sample to be placed in a container or containers which shall be marked and sealed and shall also be signed both by the person taking the sample and the occupier or his agent or person;

(d) send without delay, the container or the containers to the laboratory established or recognised by the Central Government under section 12.

(4) When a sample is taken for analysis under sub-section (1) and the person taking the sample serves on the occupier or his agent or person, a notice under clause (a) of sub-section (3), then,--

(a) in a case where the occupier, his agent or person wilfully absents himself, the person taking the sample shall collect the sample for analysis to be placed in a container or containers which shall be marked and sealed and shall also be signed by the person taking the sample, and

(b) in a case where the occupier or his agent or person present at the time of taking the sample refuses to sign the marked and sealed container or containers of the sample as required under clause (c) of sub-section (3), the marked and sealed container or containers shall be signed by the person taking the samples, and the container or containers shall be sent without delay by the person taking the sample for analysis to the laboratory established or recognised under section 12 and such person shall inform the Government Analyst appointed or recognised under section 13 in writing, about the wilfull absence of the occupier or his agent or person, or, as the case may be, his refusal to sign the container or containers.

12. ENVIRONMENTAL LABORATORIES.-

(1) The Central Government[1] may, by notification in the Official Gazette,--

(a) establish one or more environmental laboratories;

(b) recognise one or more laboratories or institutes as environmental laboratories to carry out the functions entrusted to an environmental laboratory under this Act[2].

---

[1] The Central Government has delegated its powers under clause (b) of sub-section (i) of section 12 and section 13 of the Act to the Central Pollution Control Board vide Notification No. S.O. 145 (E) dated 21-2-91 published in the Gazette No. 128 dated 27-2-91

[2] The list of laboratories/institutes recognised as environmental laboratories: and the persons recognised as Govt. Analysts.

(2) The Central Government may, by notification in the Official Gazette, make rules specifying--

(a) the functions of the environmental laboratory;[1]

(b) the procedure for the submission to the said laboratory of samples of air, water, soil or other substance for analysis or tests, the form of the laboratory report thereon and the fees payable for such report;[2]

(c) such other matters as may be necessary or expedient to enable that laboratory to carry out its functions.

13. GOVERNMENT ANALYSTS.-

The Central Government may by notification in the Official Gazette, appoint or recognise such persons as it thinks fit and having the prescribed qualifications[3] to be Government Analysts for the purpose of analysis of samples of air, water, soil or other substance sent for analysis to any environmental laboratory established or recognised under sub-section (1) of section 12.

14. REPORTS OF GOVERNMENT ANALYSTS.-

Any document purporting to be a report signed by a Government analyst may be used as evidence of the facts stated therein in any proceeding under this Act.

15. PENALTY FOR CONTRAVENTION OF THE PROVISIONS OF THE ACT AND THE RULES, ORDERS AND DIRECTIONS.-

(1) Whoever fails to comply with or contravenes any of the provisions of this Act, or the rules made or orders or directions issued thereunder, shall, in respect of each such failure or contravention, be punishable with imprisonment for a term which may extend to five years with fine which may extend to one lakh rupees, or with both, and in case the failure or contravention continues, with additional fine which may extend to five thousand rupees for every day during which such failure or contravention continues after the conviction for the first such failure or contravention.

(2) If the failure or contravention referred to in sub-section (1) continues beyond a period of one year after the date of conviction, the offender shall be punishable with imprisonment for a term which may extend to seven years.

---

1 See r. 9 of Environment (Protection) Rules, 1986.

2 See r. 8 of Environment (Protection) Rules, 1986.

3 For qualifications of Govt. Analyst see r. 10 of Environment (Protection) Rules, 1986.

16. OFFENCES BY COMPANIES.-

(1) Where any offence under this Act has been committed by a company, every person who, at the time the offence was committed, was directly in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation--For the purposes of this section,--

(a) "company" means any body corporate and includes a firm or other association of individuals;

(b) "director", in relation to a firm, means a partner in the firm.

17. OFFENCES BY GOVERNMENT DEPARTMENTS.-

(1) Where an offence under this Act has been committed by any Department of Government, the Head of the Department shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

Provided that nothing contained in this section shall render such Head of the Department liable to any punishment if he proves that the offence was committed without his knowledge or that he exercise all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a Department of Government and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any officer, other than the Head of the Department, such officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

CHAPTER IV

MISCELLANEOUS

18. PROTECTION OF ACTION TAKEN IN GOOD FAITH.-

No suit, prosecution or other legal proceeding shall lie against the Government or any officer or other employee of the Government or any authority constituted under this Act or any member, officer or other employee of such authority in respect of anything which is done or intended to be done in good faith in pursuance of this Act or the rules made or orders or directions issued thereunder.

19. COGNIZANCE OF OFFENCES.-

No court shall take cognizance of any offence under this Act except on a complaint made by--

(a) the Central Government or any authority or officer authorised in this behalf by that Government[1], or

(b) any person who has given notice of not less than sixty days, in the manner prescribed, of the alleged offence and of his intention to make a complaint, to the Central Government or the authority or officer authorised as aforesaid.

20. INFORMATION, REPORTS OR RETURNS.-

The Central Government may, in relation to its function under this Act, from time to time, require any person, officer, State Government or other authority to furnish to it or any prescribed authority or officer any reports, returns, statistics, accounts and other information and such person, officer, State Government or other authority shall be bound to do so.

21. MEMBERS, OFFICERS AND EMPLOYEES OF THE AUTHORITY CONSTITUTED UNDER SECTION 3 TO BE PUBLIC SERVANTS.-

All the members of the authority, constituted, if any, under section 3 and all officers and other employees of such authority when acting or purporting to act in pursuance of any provisions of this Act or the rules made or orders or directions issued thereunder shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code (45 of 1860).

---

[1] In exercise of powers conferred under clause (a) of section l9, the Central Government has authorised the officers and authorities listed in the Table of Notification No.S.O. 394 (E) published in the Gazette No. 185 dated 16-4-87, S.O. 237(E) published in the Gazette No. 171 dated 29-3-89 and S.O. 656(E) dated 21-8-89 published in the Gazette No. 519 dated 21-8-89, S.O.624(E), dated 3.9.1996 and G.S.R.587(E), dated 1.9.2006.

22. BAR OF JURISDICTION.-

No civil court shall have jurisdiction to entertain any suit or proceeding in respect of anything done, action taken or order or direction issued by the Central Government or any other authority or officer in pursuance of any power conferred by or in relation to its or his functions under this Act.

23. POWERS TO DELEGATE.-

Without prejudice to the provisions of sub-section (3) of section 3, the Central Government may, by notification in the Official Gazette, delegate, subject to such conditions and limitations as may be specified in the notifications, such of its powers and functions under this Act [except the powers to constitute an authority under sub-section (3) of section 3 and to make rules under section 25] as it may deem necessary or expedient, to any officer, State Government or other authority.

24. EFFECT OF OTHER LAWS.-

(1) Subject to the provisions of sub-section (2), the provisions of this Act and the rules or orders made therein shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than this Act.

(2) Where any act or omission constitutes an offence punishable under this Act and also under any other Act then the offender found guilty of such offence shall be liable to be punished under the other Act and not under this Act.

25. POWER TO MAKE RULES.-

(1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely--

(a) the standards in excess of which environmental pollutants shall not be discharged or emitted under section 7[1];

(b) the procedure in accordance with and the safeguards in compliance with which hazardous substances shall be handled or caused to be handled under section 8;[2]

---

1 See Rule 3 of Environment (Protection) Rules, 1986 and Schedule-I.

2 See r. 13 of Environment (Protection) Rules, 1986, and

i. Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008
ii. Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989; and
iii. Manufacture, Use, Import, Export and Storage of Hazardous Micro organisms, Genetically- engineered organisms or Cells Rules, 1989.

(c) the authorities or agencies to which intimation of the fact of occurrence or apprehension of occurrence of the discharge of any environmental pollutant in excess of the prescribed standards shall be given and to whom all assistance shall be bound to be rendered under sub-section (1) of section 9;[1]

(d) the manner in which samples of air, water, soil or other substance for the purpose of analysis shall be taken under sub-section (1) of section 11;[2]

(e) the form in which notice of intention to have a sample analysed shall be served under clause (a) of sub section (3) of section 11;[3]

(f) the functions of the environmental laboratories,[4] the procedure for the submission to such laboratories of samples of air, water, soil and other substances for analysis or test;[5] the form of laboratory report; the fees payable for such report and other matters to enable such laboratories to carry out their functions under sub-section (2) of section 12;

(g) the qualifications of Government Analyst appointed or recognised for the purpose of analysis of samples of air, water, soil or other substances under section 13;[6]

(h) the manner in which notice of the offence and of the intention to make a complaint to the Central Government shall be given under clause (b) of section 19;[7]

(i) the authority of officer to whom any reports, returns, statistics, accounts and other information shall be furnished under section 20;

(j) any other matter which is required to be, or may be, prescribed.

26. RULES MADE UNDER THIS ACT TO BE LAID BEFORE PARLIAMENT.-

Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

---

1 For authorities or agencies see r. 12 of Environment (Protection) Rules, 1986 and Schedule II.

2 See r.6 of Environment (Protection) Rules, 1986.

3 See r. 7 of Environment (Protection) Rules, 1986.

4 See r. 9 of Environment (Protection) Rules, 1986.

5 For the procedure for submission of samples to laboratories and the form of laboratory report see r. 8 of Environment (Protection) Rules, 1986.

6 See r. 10 of Environment (Protection) Rules, 1986.

7 See r. 11 of Environment (protection) Rules, 1986.

NOTIFICATIONS

UNDER

THE ENVIRONMENT

(PROTECTION) ACT, 1986

POWERS TO GRANT RECOGNITION AS ENVIRONMENTAL LABORATORIES AND GOVERNMENT ANALYSTS

MINISTRY OF ENVIRONMENT & FORESTS

(Department of Environment, Forests and Wildlife)

NOTIFICATION

New Delhi, the 21st February, 1991

S.O.145(E). – In exercise of the powers conferred under Section 23 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby issue the following orders namely:-

1. The Central Government hereby delegates the powers with respect to grant of recognition to laboratories or institutes as environmental laboratories and to appoint or recognize Analysts as Government Analysts, as conferred by clause (b) of Sub-section (i) of Section 12 and section 13 respectively of the Environment (Protection) Act, 1986 to the Central Pollution Control Board.

2. Recognition of private laboratories under clause (b) of sub-section (i) of section 12 of the Environment (Protection)Act, 1986 as well as recognition of their Analysts as Government Analysts under Section 13 of the Environment (Protection) Act, 1986, will continue to be done by the Central Government.

3. The laboratories recognized under clause (b) of sub-section (i) of section 12 of the Environment (Protection) Act, 1986 shall be specified as Government/ Autonomous/ Public Sector Undertaking/ Educational Institution/State or Central Pollution Control Board Laboratories.

4. The work done by each Laboratories recognized under the Environment (Protection) Act, 1986 shall be included in the Annual Report of the Central Pollution Control Board.

5. This notification shall come into force on the date of its publication in the Official Gazette.

[No.Q-15013/1/89-CPW]

MUKUL SANWAL, Jt. Secy.

Published in the Gazette No.128, dated 27.2.1991

ENVIRONMENTAL LABORATORIES AND GOVERNMENT ANALYSTS

CENTRAL POLLUTION CONTROL BOARD

Ministry of Environment and Forests

NOTIFICATION

New Delhi 1st August, 2000

S.O.44(E).- In exercise of the powers conferred by clause (b) of Sub-section 1 of Section 12 and Section 13 read with clause 1 of the Notification 145(E), dated 21st February, 1991 issued under Section 23 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Pollution Control Board hereby recognizes, (a) the laboratories specified in column(2) of the Table below as environmental laboratories to carry out the functions entrusted to the environmental laboratories under the said act, and the rules made thereunder, (b) specified person in column (3) of the Table as the Government Analysts for the purposes of analysis of samples of air, water, soil or other substances sent for analysis specified for respective groups of parameters mentioned in Column(4).

[1][58.	Chemical Laboratory Gujarat Refinery Indian Oil Corporation Ltd. P.O.Jawahar Nagar Vadodara - 391 320 Gujarat	1. Dr. B. K. Goel, Dy. Manager Quality Control 2. Sh.S.M.Patel, Sr. Quality Control Officer 3. Sh.S.G.Vankar, Sr. Quality Control Officer	Physical, chemical and air pollution parameters for analysis of ambient air fugitive emission, source emission and micro meteorological parameters
59.	Public Health Engineering Laboratory Vadodara Municipal Corpoartion Kadak Bazar, Sayajigunj Vadodara – 390 005	1. Sh Prabhakar Omkar Chaudhary, Chemist 2. Sh.Vinubhai Dahyabhai Patel, Astt. Chemist 3. Sh. Pravinsagar Pranshakar Bhatt, Astt. Chemist	Physical, chemical and air pollution parameters for analysis of ambient air

[1] The Sl. Nos. 58 to 76 and entries relating thereto were inserted vide Notification S.O.No. 44 (E), dated 1.8.2000.

Note : Serial No. 1 to 15, serial No. 16 to 25, serial 26 to 33, serial No.34 to 36 and serial No.42 to 57 and entries relating thereto were notified vide Notification Nos. S.O.97(E) dated 5.12.1994, S.O.41(E), dated 31.3.1996, S.O. 889(E), dated 31.8.1996, S.O.452(E), dated 31.5.1997, S.O.631(E), dated 31.5.1998 and S.O.No.336(E), dated 1.1.1999 respectively. The validity period of the Environmental Laboratories notified at serial No.01 to 57 has been expired.

Note : The Environmental Laboratories and the Government Analysts so mentioned at serial number 58 to 76 shall remain valid for a period of five (5) years from the date of issue of the Notification i.e. with the validity upto 31.07.2005.

60.	Environmental Radiological Laboratory Health Physics Division Bhabha Atomic Research Centre, KAPP, P.O. Anumala, Distt. Surat - 394 651, Gujarat	1. Sh. T.A.Sebstian, Scientific Officer (SE) 2. Sh. K.G.Verughese, Scientific Officer (SC)	Physical, chemical, organic, radioactive parameters in water, waste water, soil and ambient radioactivity in air and micro meteorological parameters
61.	Zonal Office- Laboratory Central P(v)1aent		

66.	Regional Laboratory Gujarat Pollution Control Board 338, Belgium Square, Typical Ist Floor, Silver Plaza Complex, Opp. Linen Bus Stand, Ring Road , Surat, Gujarat	1. Smt.L.K.Vandra, Scientific Officer 2. Sh.M.G.Shaikh, Sr.Scientific Assistant 3. Sh.K.V.Joshi, Scientific Assistant	Physical, chemical microbiological and air pollution parameters for analysis of ambient air fugitive emission, source emission.
67.	Regional Laboratory Gujarat Pollution Control Board Race Course, Ring Road, Near Hotel Durkush, Rajkot, Gujarat	1. Sh.B.R.Kochara, Scientific Officer 2. Sh.T.C.Barmeda, Sr. Scientific Assistant 3. Sh.R.H.Jirani, Sr.Scientific Assistant	Physical, chemical & microbiological and air pollution parameters for analysis of ambient air fugitive emission, source emission.
68.	Quality Control Laboratory Panipat Refinery Indian Oil Corporation Ltd., P.O. Panipat Refinery Distt. Panipat - 132 140 Haryana	1. Sh. Simbhu Singh, Sr. Quality Control Manager 2. Sh.D.N.Bandopadhyay, Sr. Quality Control Manager 3. Sh.R.C.Gandhi, Dy. Manager Quality Control	Physical, chemical & microbiological and air pollution parameters for analysis of ambient air fugitive emission, source emission.
69.	Environmental Monitoring Laboratory Bhilai Steel Plant Steel Authority of India Ltd., Bhilai, 490 001 Distt. Durg, M.P.	1. Sh.R.K.Singh, Manger 2. Sh. Rajesh Kumar Singh, Assistant Manager 3. Sh. K.R.Banjare, Master Tech.	Physical, chemical & microbiological and air pollution parameters for analysis of ambient air fugitive emission, source emission.
70.	Environmental Laboratory Environmental Engineering Department Rourkela Steel Plant, Steel Authority of India Ltd. Rourkela - 769 011 Orissa	1. Dr.S.P.Kalia, Master Tech. 2. Sh. Marianus Tirkey, Sr. Tech. 3. Sh. Gyan Prakash Kangari, Sr. Tech.	Physical, chemical & microbiological and air pollution parameters for analysis of ambient air fugitive emission, source emission.
71.	Laboratory of Himachal Pradesh State Pollution Control Board, SCF- 6-8, Sector 4, Parwanoo - 173 220, (H.P.)	1. Dr.H.C.Sharma, Sr. Scientific Officer 2. Sh.Anup Vaidya, Scientific Officer 3. Sh.Prakash Sharma, Scientific Officer	Physical, chemical & microbiological and air pollution parameters for analysis of ambient air fugitive emission, source emission.

72.	Research & Development Department Hindustan Copper Ltd. Khetri Copper Complex P.O.Khetri Nagar Distt. Jhunjhunu - 333 504 Rajasthan	1. Dr.Jai Shankar Dwivedi, Manager (R & D) 2. Sh. Sohan Lal, Dy. Manger (R & D) 3. Sh. C.S.Shukla, Astt. Manger (R & D)	Physical, chemical & and air pollution parameters for analysis of ambient air fugitive emission, source emission.
73.	Process and Products Control Laboratory LPG/CSU Plan Oil and Natural Gas Corporation Ltd., Uran – 400 702, Distt. Raigad, Maharshtra	1. Dr. A. Bandhyopadhayay, Superintending Chemist 2. Dr.Om Prakash Singh, Superintending Chemist 3. Sh.J.K.Srivastava, Superintending Chemist	Physical, chemical & and air pollution parameters for analysis of ambient air fugitive emission, source emission.
74.	Chemical Laboratory Indian Bureau of Mines Ore Dressing Division Plot No. L- 8, MIDC, Hingna Road, Nagpur – 440 016	1. Sh.S.R.Bhaisare, Superintending Chemist 2. Sh.S.M.Shende, Ore Dressing Officer 3. Sh.V.K.Jain, Sr. Chemist	Physical, chemical & and air pollution parameters for analysis of ambient air fugitive emission, source emission.
75.	Environmental Laboratory Central Mine Planning & Design Institute Ltd., Gondwana Place Kanke Road, Ranchi - 834 008, Bihar	1. Sh.Prakash Chandra Jha,Executive Engineer (Env.) 2. Ms. Vinita Arora, Executive Engineer (Env.)	Physical, chemical & and air pollution parameters for analysis of ambient air fugitive emission, source emission.
76.	Hindustan Organic Chemical Ltd. Laboratory Hindustan Organic Chemist Ltd . Rasayani, Distt. Raigad-410 207, Maharashtra	1. Sh. Sampatrao Shivajirao Patil, Chief Manager (QPC) 2. Dr.Sadashiv Tatyasaheb Lonkar, Manger (Industrial Hygiene) 3. Sh.Ajit Ananat Patil, Dy. Manager (Industrial Hygiene) 4. Sh.Sakharam Tamadu Patil, Dy. Manger (Industrial Hygiene) 5. Sh. Ramachandra Balu Bhandar, Addl. Chief Manager (QC)	Physical, chemical toxilogical organics and air pollution parameters for analysis of ambient air fugitive emission, source emission and micro-meteorological parameters.

[1][77.	Chemical Laboratory, PWD Hydrology, Division, PAP Campus, Pollachi – 642003, Tamil Nadu State Ground and Surface Water Resources Data Centre, Chennai, Tamil Nadu	Smt. V.Sivakani, Asstt. Director (Geo-Chemistry)	Physical, chemical and microbiological parameters
78.	Geochemical Laboratory, PWD Ground Water Division, Chennai-600010, Tamil Nadu. State Ground and Surface Water Resources Data Centre, Chennai, Tamil Nadu	Shri. M.Natarajan Technical Expert (Geo-Chemistry)	Physical, chemical and microbiological parameters
79.	Geochemical Laboratory, PWD Hydrology Division, Circuit House Road, Mannapuram, Trichy-620020, Tamil Nadu State Ground and Surface Water Resources Data Centre, Chennai, Tamil Nadu	Sh. A.R.Rahman Asstt. Director (Geo-Chemistry)	Physical, chemical and microbiological parameters
80.	Geochemical Laboratory, PWD Ground Water Division, PWD Compound, Tallakulam, Madurai-625002, Tamil Nadu State Ground and Surface Water Resources Data Centre, Chennai, Tamil Nadu	Sh.P.Kadirvelu Asstt. Director (Geo-Chemistry)	Physical, chemical and microbiological parameters

[1] The S.No.77 to 80 and entries relating thereto were inserted vide Notification S.O.490(E), dated 1.6.2001 and published in the Gazette No. 366, dated 2.6.2001.

Note : **The Environmental Laboratories and the Government Analysts so mentioned at serial number 77 to 80 shall remain valid for a period of five (5) years from the date of issue of the Notification i.e. with the validity upto 31.11.2006.**

[1][81.	Environmental Engineering and Pollution Control Laboratory, Central Pulp and Paper Research Institute, P.B.No. 174, Paper Mill Road, Himmatnagar, Saharanpur – 247001 (U.P.)	1. Shri. Vijay Kumar Mohindru, Scientist 'F' 2. Shri. Rajeev Mohan Mathur, Scientist 'E-II'	Physical, Chemical, Toxicological, Organics, Microbiological and Air Pollution parameters for analysis of ambient air, fugitive emission, source emission and micrometeorological parameters
82.	Centre for Environment Laboratory, Institute of Post Graduate Studies and Research, Jawaharlal Nehru Technological University, Hyderabad – 500028 (A.P.)	1. Prof. Y.Anjaneyulu, Prof. & Head 2. Dr. (Mrs.) Ch. Sasikala, Assistant Prof. 3. Dr. V. Hima Bindu, Assistant Prof.	Physical chemical organics microbiological and air pollution parameters for analysis of ambient air, fugitive emission, source emission and micrometeorological parameters
83.	Pollution Control Laboratory, The Indian Iron and Steel Company Ltd., Burnpur-713325, Dist. Burdwan (West Bengal)	1. Shri. Balaram Bhattacharya, Sr. Manager (Pollution Control) 2. Shri. Surendra Kumar Sharma, Sr. Chemist cum Analyst 3. Shri. Amitava Chatterjee, Sr. Chemist cum Analyst	Physical, chemical, microbiological and air pollution parameters for analysis of ambient air, fugitive emission, source emission and micrometeorological parameters

[1] The S.No.81 to 83 and entries relating thereto were inserted vide Notification S.O.532(E), dated 1.1.2002 and published in the Gazette No. 454, dated 20.5.2002.

Note:The Environmental Laboratories and the Government Analysts so mentioned at serial number 81 to 83 shall remain valid for a period of five (5) years from the date of issue of the Notification i.e. with the validity upto 31.12.2006.

[1]84.	Assam State Pollution Control Board, Central Laboratory, Bamunimaidam, Guwahati 781021	1. Shri Kalyan Sankar Chakrabarty, Board Analyst 2. Shri Amarendra Ballav Dev Choudhary, Additional Chief of Research and Investigation 3. Dr. Deepak Kumar Baruah, Deputy Analyst	Physical, Chemical, Microbiological, Toxicological, bio monitoring and Air Pollution parameters for analysis of ambient air, source emission and micro meteorological parameters
85.	Pollution Control Research Institute (PCRI) Laboratory Bharat Heavy Electrical Ltd. (BHEL) Ranipur, Haridwar 249403 Uttranchal	1. Dr. N.G.Shrivastava, Manager 2. Dr. K.Keshav, Manager 3. Shri Avijit Choudhary, Manager	Physical chemical microbiological, toxicological Radioactive and air parameters for analysis of ambient air, fugitive emission, source emission and micrometeorological parameters.
86.	Department of Environmental Science Laboratory Bangalore University Jnanabharthy Bangalore 560056 Karnataka	1. Dr. Raghvendra K.Samashekar Coordinator/Chairman 2. Shri K.L.Prakash, Lab Analyst 3. Shri M.N.Shridharbabu, Lab Analyst	Physical, chemical microbiological, organics toxicological, radioactive and air pollution parameters for analysis of ambient air, micrometeorological parameters
87.	Environment Laboratory Environment Control Department Durgapur Steel Plant Steel Authority of India Ltd. Durgapur 713203 West Bengal	1. Shri Debi Prosad Bishnu, Technician 2. Shri Syamal Bandyopadhyay, Senior Technician 3. Shri Prasenjit Chowdhury, Senior Technician	Physical, chemical air pollution parameters for analysis of ambient air, fugitive emission, source emission and micrometeorological parameters

[1] The S.No.84 to 89 and entries relating thereto were inserted vide Notification S.O.1168(E), dated 1.6.2002 and published in the Gazette No. 952, dated 06.11.2002.

Note: **The Environmental Laboratories and the Government Analysts so mentioned at serial number 84 to 89 shall remain valid for a period of five (5) years from the date of issue of the Notification i.e. with the validity upto 31.05.2007.**

88.	Central Laboratory and Analytical Division Gujarat State Fertilizers and Chemical Ltd. P.O.Fertilizers Nagar 391750 Dist. Vadodara, Gujarat	1. Dr. P.V.Thakore, Senior Manager (QC) 2. Dr. Anil Kumar Varshney, Senior Manager (Research Lab)	Physical, chemical and microbiological parameters
89.	Laboratory of Pollution Control Cell Thane Municipal Corporation Dr. Almeida Road Chandanwadi, Panchpakhadi Thane 400602 Maharashtra	1. Mrs. Manisha M. Pradhan, Sernior Chemist 2. Mrs. Vidya R. Sawant, Junior Chemist 3. Mrs. Vaishali S.Palkar, Junior Chemist	Physical, chemical microbiological and air pollution parameters for analysis of ambient air, fugitive emission source emission and micrometeorological parameters
[1][90.	Laboratory of Punjab Pollution Control Board, Vatavaran Bhawan, Nabha Road, Patiala-147001, Punjab	1. Dr. (Mrs.) Harjinder Kaur Parwana, Board Analyst 2. Shri Rajesh Kumar, Scientific Officer 3. Shri Pradeep Kumar Thakur, Asst. Scientific Officer 4. Dr. Charanjit Singh, Astt. Scientific Officer	Physical, Chemical, Microbiological Toxicological bio-monitoring and Air Pollution parameters for analysis of ambient air, fugitive emission, source emission and micro-meteorological parameters
91.	Central Laboratory of Uttar Pradesh Pollution Control Board, PICUP Bhawan, 3rd Floor, B – Block, Vibhuti Khand, Gomti Nagar, Lucknow – 226010 (U.P.)	1. Dr. K. K. Srivastava, Scientific Officer 2. Dr. Ashok Kumar, Asst. Scientific Officer	Physical, chemical microbiological and air pollution parameters for analysis of ambient air, fugitive emission, source emission and micro-meteorological parameters

[1] The S.No. 90 and 91 and entries relating thereto were inserted vide Notification S.O.888(E), dated 1.6.2003 and published in the Gazette No. 698, dated 04.08.2003.

Note : **The Environmental Laboratories and the Government Analysts so mentioned at serial number 90 and 91 shall remain valid for a period of five (5) years from the date of issue of the Notification i.e. with the validity upto 31.05.2008.**

[1][92.	Central Laboratory, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi – 110032	1. Dr. B.Sengupta, Member Secretary 2. Dr. S. D. Makhijani, Additional Director 3. Dr. R.C.Trivedi, Additional Director 4. Shri J.S.Kamyotra, Sr. Environmental Engineer 5. Dr. R. S. Mahawar, Additional Director 6. Dr. B. K. Choudhuri, Sr. Environmental Engineer 7. Dr. C.S.Sharma, Sr. Scientist 8. Shri A.Manoharan, Scientist 'C' 9. Shri Gurnam Singh, Environmental Engineer	Physical, Chemical, Microbiological Toxicological, Treatability, hazardous waste bio-monitoring and Air Pollution parameters for analysis of ambient air, source emission, Noise and micro-meteorological parameters
93.	Central Laboratory, National Fertilizers Ltd., Gohana Road, Panipat 132106, Haryana	1. Shri S.N.Mahey, Deputy Gen. Manager (Lab-R& D) 2. Shri M.N.Ansari, Sr. Manger (Lab)	Physical, chemical microbiological and air pollution parameters for analysis of ambient air, source emission and micro-meteorological parameters
94.	Environmental Science & Technology Study Centre Bapuji Institute of Engineering and Technology Post Box No.325, Davangere – 577004, Karnataka	1. Dr. S.Manjappa, Prof. & Head 2. Dr. H.B. Aravinda, Asst. Prof.	Physical, chemical microbiological and air pollution parameters for analysis of ambient air, source emission and micro-meteorological parameters
95.	Environmental Engineering Laboratory Richardson & Cruddas (1972) Ltd. 69 D, SIDCO Industrial Estate, Ambattur, Chennai 600098, Tamil Nadu	1. Shri E.Balakrishnaiah, Environmental Engineer 2. Shri P.Subburam, Sr. Analyst 3. Shri M.N.Anil Kumar, Junior Analyst	Physical, chemical microbiological and air pollution parameters for analysis of ambient air, source emission and micro-meteorological parameters

[1] The S.No.92 to 100 and entries relating thereto were inserted vide Notification Legal/40(3)/87, dated 1.6.2004 published in the Gazette No. 101, dated 10.05.2004.

Note : **The Environmental Laboratories and the Government Analysts so mentioned at serial number 92 to 100 shall remain valid for a period of five (5) years from the date of issue of the Notification i.e. with the validity upto 31.05.2009.**

96.	Environmental Survey Laboratory, Bhabha Atomic Research Centre, Health Physics Division, Trombay, Mumbai 400085, Maharashtra	1. Shri Rakesh Kumar Singhal, Scientific Officer (E) 2. Dr. Smt. Usha Narayanan, Scientific Officer (D)	Physical, chemical and radioactive parameters
97.	Environment Protection Training & Research Institute (EPTRI) Laboratory 91/4, Gachibowli, Hyderabad 500032 Andhra Pradesh	1. Dr. Mandalika S. Sastry, Laboratory Head 2. Dr. B.N.Murthy, Scientist 3. Dr. M.Suneela, Scientist	Physical, chemical microbiological and air pollution parameters for analysis of ambient air, source emission and micro-meteorological parameters
98.	Central Laboratory, Gujarat Pollution Control Board, Paryavaran Bhawan, Sector 10 A, Gandhi Nagar 382010 Gujarat	1. Shri D.C.Dave, Sr. Scientific Officer 2. Dr.(Mrs.)Indumati Pandya, Scientific Officer 3. Dr.(Mrs.)Varsha P. Joshi, Scientific Officer 4. Mrs. K.D.Parmar, Scientific Officer 5. Mrs. M.U.Shah, Scientific Officer	Physical, Chemical, Microbiological, Toxicological, Hazardous Waste and Air Pollution parameters for analysis of ambient air, source emission, Noise and micro-meteorological parameters
99.	Laboratory of Industrial Toxicology Research Centre, Post Box No.80, Mahatama Gandhi Marg, Lucknow 226001, U.P.	1. Dr. Jai Raj Behari, Sc. E-II 2. Dr.S.K.Bhargava, Sc.E-I & Head Environment Management Division 3. Dr. Ramesh Chandra Murthy, Sc. 'E'-I and Head Metal Analysis Laboratory 4. Dr. Kunwar P.Singh, Scientist and Head Env., Chem.	Physical, Chemical, Microbiological, Radioactive, Toxicological, Hazardous Waste and Air Pollution parameters for analysis of ambient air, source emission and micro-meteorological parameters
100	Zonal Laboratory, Central Pollution Control Board, 247, Deshpran, Sheshmal Road, CIT Market, 1st Floor, Kolkota – 700033 West Bengal	1. Dr. Deba Priya Mukhopadhyay, Sc. 'C' and Lab Incharge 2. Sh. Amiya Kumar Sen, Scientist 'B' 3. Dr. Rita Saha, Scientist B	Physical, Chemical, Microbiological Toxicological, hazardous waste bio-monitoring and Air Pollution parameters for analysis of ambient air, source emission, and micro-meteorological parameters

[1][101	Environmental Engineering Laboratory, MECON Ltd. Doranda, Vivekananda Path, Ranchi - 834002, Jharkhand	1. Dr. Balbir Singh, Manager 2. Dr. Bipul Kumar, Scientific Officer 3. Dr. Ashok Kumar, Assistant Scientific Officer	Physical, Chemical, Microbiological, Toxicological, Hazardous Waste and Air Pollution parameters for analysis of ambient air, source emission, Noise and micro-meteorological parameters
102	North Zonal Laboratory, Central Pollution Control Board, Ground & First Floor, PICUP Bhawan, Vibhuti Khand, Gomti Nagar, Lucknow – 226010 Uttar Pradesh	1. Shri B.P.Shukla, Sr. Env. Engineer & Zonal Officer 2. Shri R.K.Singh, Scientist 'B' 3. Shri V.K.Shukla, Scientist 'B'	Physical, Chemical, Microbiological, Toxicological, Hazardous Waste and Air Pollution parameters for analysis of ambient air, source emission, and micro-meteorological parameters
103	Central Laboratory Maharashtra Pollution Control Board, CIDCO Bhawan, 5th Floor, South Wing, CBD Belapur, Navi Mumbai – 400 614	1. Dr. A.R.Supate, Senior Scientific Officer 2. Shri Vijay Kumar Laxman Korde, Senior Scientific Officer (Water) 3. Shri S. L. Said, Scientific Officer 4. Mrs. R.P.Padwal, Scientific Officer 5. Mrs. S. B. Shirodker, Scientific Officer	Physical, Chemical, Microbiological, Toxicological, Hazardous Waste and Air Pollution parameters for analysis of ambient air, source emission, and micro-meteorological parameters
104	Smelter Laboratory, National Aluminum Company, (NALCO) Ltd. Nalconagar, Angul – 759 145, Orissa	1. Dr. Suvendu Kumar Mazumdar, Manager (Lab) 2. Mr. Dibakar Subudhi Manager (Lab) 3. Dr. Bikram Kesari Patra, Asst. Manager (Lab)	Physical, Chemical, Microbiological, and Air Pollution parameters for analysis of ambient air, source emission, and micro-meteorological parameters

[1] The S.No.101 to 109 and entries relating thereto were inserted vide Notification Legal/42(3)/87, dated 1.3.2005 published in the Gazette No. 37, dated 24.3.2005.

Note : **The Environmental Laboratories and the Government Analysts so mentioned at serial number 101 to 109 shall remain valid for a period of five (5) years from the date of issue of the Notification.**

105	Environment Management and Inorganic Chemicals Department Regional Research Laboratory, Council of Scientific and Industrial Research (CSIR) Bhubneswar – 751 013, Orissa	1. Dr. Y. V. Swamy, Scientist E-II 2. Dr. Chittranjan Panda, Scientist E-I 3. Dr. K. C. Nathsarma, Scientist E-I	Physical, Chemical, Microbiological, Waste and Air Pollution parameters for analysis of ambient air, source emission, and micro-meteorological parameters
106	Central Laboratory Orissa State Pollution Control Board, Parivesh Bhawan, A/118, Nilkanthanagar, Unit 8, Bhubaneswar - 751 102, Orissa	1. Dr. Pramod Kumar Prusty, Senior Environmental Scientist 2. Dr. Dillip Kumar Behera, Env. Scientist-I 3. Shri Bibekananada Bhol, Env. Scientist-II	Physical, Chemical, Microbiological, Toxicological, Hazardous Waste and Air Pollution parameters for analysis of ambient air, source emission, Noise and micro-meteorological parameters
107	Central Environmental Laboratory, Karnataka State Pollution Control Board, Nirman Bhawan, Dr. Rajkumar Road, Rajaji Nagar, Bangalore – 560 010 Karnataka	1. Dr.B.R.Balagangadhar Chief Scientific Officer 2. Shri G. Kalaichelvi, Scientific Officer 3. Ms H. Roopadevi, Assistant Scientific Officer	Physical, Chemical, Microbiological, Toxicological, Hazardous Waste and Air Pollution parameters for analysis of ambient air, source emission, Noise and micro-meteorological parameters
108	Environmental Laboratory Indian Oil Corporation Ltd. Mathura Refinery, Mathura 281005, Uttar Pradesh	1. Shri Agga Singh, Quality Control Officer 2. Shri Y. K. Chooramani, Quality Control Officer 3. Shri R. P. Vasave, Quality Control Officer	Physical, Chemical, Microbiological, and Air Pollution parameters for analysis of ambient air, source emission, and micro-meteorological parameters, Toxic and Hazardous Gases

109	Regional Laboratory Chhattisgarh Environment Conservation Board, Regional Office, New HIG 9, 10 & 11, Near Ring Road No.2, Tatibandh, Raipur - 492 099, Chhattisgarh	Dr. Santosh Kumar Upadhayay, Scientist	Physical, Chemical, Microbiological, and Air Pollution parameters for analysis of ambient air, source emission, Noise and micro-meteorological parameters]
[1][110	Regional Laboratory, Madhya Pradesh Pollution Control Board, Plot No.455/456, Vijay Nagar, Jabalpur, Madhya Pradesh	1. Dr. S.K. Khare Scientist 2. Shri T.S. Banerjee Junior Scientist 3. Dr. A.K.Khare Junior Scientist	Physical, Chemical, Microbiological, and Air Pollution parameters for analysis of ambient air, source emission, noise and micro-meteorological parameters
111.	Industrial Hygiene Laboratory, Inspectorate of Factories and Boilers, Govt. of Goa, Institute of Safety, Occupational Health and Environment, Altinho, Panji, Goa 403001	1. Shri A.A. D'Souza Chemist 2. Shri P.P. Usgaonkar Labour Inspector (Chemical) 3. Smt. Vitalda Pinto, Laboratory Technician	Physical, Chemical, Microbiological, and Air Pollution parameters for analysis of ambient air, source emission, Noise and micro-meteorological parameters]
[2][112.	Laboratory Central Pollution Control Board, South Zonal Office, Bengalore, 6 West of Chord Road, II Stage, Rajaji Nagar, Bangalore 560086	1. Dr. D.C.Sharma, Addl. Director 2. Shri V.Pattusamy, Scientist 'C' 3. Dr.M.Madhusudanan Scientist 'C'	Physical, Chemical, Microbiological, and Air Pollution parameters for analysis of ambient air, source emission, noise and micro-meteorological parameters
113.	Chemical Laboratory, Bongaigaon Refinery and Petrochemicals Ltd., Post Office Dhaligaon, District Bongaigaon 783385 Assam	1. Dr. Punyabrata Chakraborty, Manager (QC) 2. Shri Chakra Dhar Das, Deputy Manager (QC) 3. Mrs. Bhanu Gogoi (Nath) Quality Control Officer	Physical, Chemical, Microbiological, and Air Pollution parameters for analysis of ambient air, source emission, Noise and micro-meteorological parameters]

[1] The Sr. No.110 to 111 and entries relating thereto were inserted vide Gazette No. 126, dated 8.9.2005.

[2] The Sr. No.112 to 113 and entries relating thereto were inserted vide Gazette No. 159, dated 31.12.2005.

Note : **The Environmental Laboratories and the Government Analysts so mentioned at serial number 110 to 111 and 112 to 113 shall remain valid for a period of five (5) years from the date of issue of the Notifications i.e. w.e.f. 1.9.2005 and 15.12.2005 respectively.**

[1][114.	Central Laboratory H.P. State Environment Protection and Pollution Control Boar, SCF 6 ,7, 8 Sector VI, Parwanoo, District Solan 173220 Himachal Pradesh	1. Mrs. Daksha Gupta, Senior Scientific Officer 2. Shri Anup Vaidya Scientific Officer 3. Shri Prakash Chand Sharma Scientific Officer	Physical, Chemical, Microbiological, and Air Pollution parameters for analysis of ambient air, source emission, noise and micro-meteorological parameters
115.	Analytical Laboratory, Ore Dressing Division, Indian Bureau of Mines, L-8, MIDC Industrial Area, Hingna Road, Nagpur 440016, Maharashtra	1. Shri S.R. Bhaisare Chief Chemist 2. Shri V.K.Jain Superintending Chemist 3. Dr. A.N.Verma Chemist	Physical, Chemical, Microbiological, and Air Pollution parameters for analysis of ambient air, source emission, noise and micro-meteorological parameters
116.	Environment Laboratory, National Productivity Council, 5-6 Institutional Area, Lodhi Road, New Delhi 110003	1. A.K.Saxena Group Head-Environment 2. Shri M.J.Parvez Director, Environment 3. Shri M.A.Patil Senior Deputy Director Environment	Physical, Chemical, Microbiological, and Air Pollution parameters for analysis of ambient air, source emission, noise and micro-meteorological parameters
117.	Regional Laboratory Madhya Pradesh Pollution Control Board 17, Bharatpur, Ujjain 456010, Madhyra Pradesh	1. Dr. Shobha Danekar Chief Chemist 2. Dr. Suresh Kumar Shringi Scientist 3. Dr.(Mrs.) Lalita Sharma Scientist	Physical, Chemical, Microbiological, and Air Pollution parameters for analysis of ambient air, source emission, noise and micro-meteorological parameters
118.	Centre for Environmental Studies, Anna University, Chennai 600025, Tamil Nadu	1. Dr. R.Nagendran Professor 2. Dr. K. Palanivelu Assistant Professor 3. Dr. N.Vasudevan Assistant Professor	Physical, Chemical, Microbiological, and Air Pollution parameters for analysis of ambient air, source emission, noise and micro-meteorological parameters]

[1] The Sr. No.114 to 118 and entries relating thereto were inserted vide Gazette No.78, dated 8.5.2006.

Note : **The Environmental Laboratories and the Government Analysts so mentioned at serial number 114 to 118 shall remain valid for a period of five (5) years from the date of issue of the Notifications i.e. w.e.f. 1.5.2006.**

[1][119.	Central Laboratory Kerala State Pollution Control Board Gandhi Nagar, Kochi, 682020, Kerala	1. Shri K.S. Vijay Kumar Senior Environmental Scientist 2. Shri V. Ramachandran Environmental Scientist 3. Smt. M. Sudha Devi Assistant Environmental Scientist (HG)	Physical, Chemical, Microbiological, Toxicological and Air Pollution parameters for analysis of ambient air, source emission, noise and micro-meteorological parameters
120.	Laboratory of Hindustan Organic Chemical Limited P.O. Rasayani District Raigad 410207 Maharashtra	1. Dr. Sadashiv Tatyasaheb Lonkar Manager (Industrial Hygiene) 2. Shri Ajit Anant Patil Deputy Manager (Industrial Hygiene) 3. Shri Yashpal K. Vyas Deputy Manager (P/QC Lab)	Physical, Chemical, Microbiological, Toxicological and Air Pollution parameters for analysis of ambient air, source emission, Noise and micro-meteorological parameters]
[2][121.	Research & Development Department, Hindustan Copper Ltd., Khetri Copper Complex, Khetri Nagar, Jhunjhunu, Rajasthan 333504	1. Shri Chandra Pal Singh, Manager (R&D) 2. Shri Ramanand, Manager (R&D) 3. Shri Jagana Ram Gurawa, Deputy Manager (R&D)	Physical, Chemical, Microbiological and Air Pollution parameters for analysis of ambient air, source emission, and micro-meteorological parameters
122.	Laboratory of Delhi Pollution Control Committee, 4th Floor, ISBT Building, Kashmere Gate, Delhi - 110006	1. Dr. M.P.George, Senior Scientist 2. Dr. (Mrs.) Nandita Moitra Senior Scientist	Physical, Chemical, Microbiological, Toxicological and Air Pollution parameters for analysis of ambient air, source emission, Noise and micro-meteorological parameters
123.	Environmental Laboratory, Projects & Development India Ltd., CIFT Building, P.O. Sindri 828122, Dhanbad, Jharkhand	1. Shri Anandi Prasad Singh Superintendent 2. Shri Ajay Kumar Singh, Additional Chief Engineer 3. Shri Bhargab Chowduary Assistant Superintendent	Physical, Chemical, Microbiological, Air Pollution parameters for analysis of ambient air, source emission, and micro-meteorological parameters]

[1] The Sr. No.119 to 120 and entries relating thereto were inserted vide Gazette No. 129, dated 1.9.2006.

[2] The Sr. No.121 to 123 and entries relating thereto were inserted vide Gazette No. 40, dated 12.2.2007.

Note : **The Environmental Laboratories and the Government Analysts so mentioned at serial number 119 to 120 and 121 to 123 shall remain valid for a period of five (5) years from the date of issue of the Notifications i.e. w.e.f. 1.9.2006 and 1.1.2007 respectively.**

[1][124.	Laboratory of Goa State Pollution Control Board, EDC Plaza, Patto Panaji, Goa 403001	1. Ms Jenica Sequeira, Scientist 'B' 2. Ms Francisca Pereira, Scientific Assistant 3. Shri Sanjay Kankonkar, Scientific Assistant	Physical, Chemical, Microbiological and Air Pollution parameters for analysis of ambient air, source emission, and micro-meteorological parameters
125.	Research Centre Laboratory, Madhya Pradesh Pollution Control Board, Paryavaran Parishad, E-5, Arera Colony, Bhopal 462016, M.P.	1. Dr. Alok Saxena, Scientist 2. Dr. Neeraj K. Verma Scientist 3. Dr. Nisha Upadhyay Scientist	Physical, Chemical, Microbiological, Toxicological and Air Pollution parameters for analysis of ambient air, source emission, and micro-meteorological parameters
126.	Eco-Auditing Laboratory, National Botanical Research Institute, Rana Pratap Marg, Lucknow 226001, U.P.	1. Dr. Nandita Singh Scientist 'C' & Group Leader 2. Dr. Pankaj K.Srivastava Scientist 'B'	Physical, Chemical, Microbiological and Air Pollution parameters for analysis of ambient air, source emission, and micro-meteorological parameters
127.	Zonal Office Labotary Central Pollution Control Board, Synergy House-II, Gorwa Subhanpura Road, Subhanpura, Vadodara 390023 Gujarat	1. Shri B.R.Naidu, Sr. Environmental Engineer 2. Dr.D.Brahamaiah, Scientist 'C'	Physical, Chemical, Microbiological, Toxicological and Air Pollution parameters for analysis of ambient air, source emission and micro-meteorological parameters]
[2][128.	Central Laboratory, Pollution Control Board, Assam Bamunimaidan, Gawahati 781021	1. Shri Kalyan Sankar Chakrabarty, Board Analyst 2. Dr. Amarendra Ballav Dev Choudhury, Deputy Analyst 3. Dr.Deepak Kumar Baruah, Deputy Analyst	Physical, Chemical, Microbiological, Toxicological and Air Pollution parameters for analysis of ambient air, source emission, and micro-meteorological parameters

[1] The Sr. No.124 to 127 and entries relating thereto were inserted vide Gazette No. 225, dated 22.11.2007.

[2] The Sr. No.128 to 135 and entries relating thereto were inserted vide Gazette No. 12, dated 11.2.2008.

Note : **The Environmental Laboratories and the Government Analysts so mentioned at serial number 124 to 127 and 128 to 135 shall remain valid for a period of five (5) years from the date of issue of the Notifications i.e. w.e.f. 1.10.2007 and 1.2.2008 respectively.**

129.	Environmental Management Division Central Pulp & Paper Research Institute, Post Box No.174, Paper Mills Road, Himmat Nagar, Saharanpur-247001, U.P.	1. Dr. S.Panwar, Scientist E-II 2. Dr. M.K.Gupta, Scientist E-I 3. Dr. Shivaker Mishra, Scientist 'C'	Physical, Chemical, Microbiological, Toxicological, biological and Air Pollution parameters for analysis of ambient air, source emission, and micro-meteorological parameters
130.	Central Laboratory National Fertilizers Ltd. Vijaipur Unit, Vijaipur 743111, Tehsil – Raghogarh, District Guna, M.P.	1. Shri Yash Kumar Harnal Senior Manager (Lab) & Incharge 2. Shri Vijay Kumar Mishra Deputy Manager 3. Shri Chand Kumar Bhati Deputy Manager	Physical, Chemical, Microbiological, Toxicological, and Air Pollution parameters for analysis of ambient air, source emission, and micro-meteorological parameters
131.	Central Laboratory, Andhra Pradesh Pollution Control Board A-3, Industrial Estate, Sanathnagar, Hyderabad 500018, Andhra Pradesh	1. Dr. (Mrs.) K.V.Ramani, Joint Chief Environmental Scientist 2. Dr.B. Krishna Reddy, Senior Environmental Scientist 3. Shri N. Raveendhar, Junior Scientific Officer	Physical, Chemical, Organics, Microbiological, Toxicological, Biological, Hazardous Waste and Air Pollution parameters for analysis of ambient air, source emission and micro-meteorological parameters
132.	Regional Laboratory – Surat, Gujarat Pollution Control Board, Regional Office, Surat 338. Typical First Floor, Belgium Square, Silver Plaza Complex, Opp. Linear Bus Stand, Ring Road, Surat 395003, Gujarat	1. Shri Baldevsing Yogendrasingh Rathod, Scientific Officer 2. Shri Rajendraprasad Bhikhubhai Upadhyay, Scientific Officer & Board Analyst 3. Mrs. Shashikalaben Anilbhai Bharati, Scientific Officer	Physical, Chemical, Organics, Microbiological, Toxicological and Air Pollution parameters for analysis of ambient air, source emission, noise, vehicular emission and micro-meteorological parameters
133.	Regional Laboratory – Vadodara, Gujarat Pollution Control Board, Regional Office Laboratory, Vadodara, Geri Compound, Race Course, Opp. S.T.Depot, Vadodara 390007, Gujarat	1. Shri B.R. Kochara, Scientific Officer 2. Shri J.B. Brahmbhatt, Scientific Officer 3. Mrs. Lata K. Vandra, Scientific Officer	Physical, Chemical, Organics, Microbiological, Toxicological and Air Pollution parameters for analysis of ambient air, source emission, noise, vehicular emission and micro-meteorological parameters

134.	Regional Laboratory - Rajkot, Gujarat Pollution Control Board, Race Course, Ring Road, Near Union Bank, Rajkot 360001, Gujarat	1. Shri Hemant Chhaganlal Solanki, Scientific Officer 2. Shri Hitesh Indravadan Maniar, Senior Scientific Assistant 3. Shri Bharatkumar Maneklal Parmar, Senior Scientific Assistant	Physical, Chemical, Organics, Microbiological, Toxicological and Air Pollution parameters for analysis of ambient air, source emission, noise, vehicular emission, and micro-meteorological parameters
135.	Environmental Laboratory, Central Mine Planning & Design Institute Ltd. Gondwana Place, Kanke Road, Ranchi 834008, Jharkhand	1. Ms. Vinita Arora, Deputy Superintending Engineer (Env) 2. Shri Prakash Chandra Jha, Deputy Superintending Engineer (Env)	Physical, Chemical, Microbiological, and Air Pollution parameters for analysis of ambient air, source emission and micro-meteorological parameters]
[1][136.	Laboratory of Pollution Control Research Institute, Bharat Heavy Electrical Ltd., Ranipur, Haridwar 249403, Uttrakhand	1. Dr. Naresh Gopal Srivastava, Sernior Manager 2. Dr. K. Keshav, Senior Manager 3. Shri Ambrish Goel, Senior Manager	Physical, Chemical, Microbiological, Toxicological and Air Pollution parameters for analysis of ambient air, source emission, and micro-meteorological parameters]
[2][137.	Central Laboratory, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi – 110032	1. Shri J.S.Kamyotra, Member Secretary 2. Dr. S.D.Makhijani, Director 3. Dr. B.K.Choudhary, Senior Environmental Engineer 4. Dr. M.Q. Ansari, Senior Scientist 5. Dr. C.S. Sharma, Senior Scientist 6. Dr. D.P.Mukhopadhyay, Senior Scientist 7. Dr. D. Saha, Senior Scientist 8. Shri N.C.Durgapal, Scientist 'C' 9. Dr. S.K. Tyagi, Scientist 'C' 10. Shri B.K. Jakhmola, Scientist 'C'	Physical, General and non Metallic, Metals, Organics, Microbiological, Toxicological, Biological, Hazardous Wastes, Soil, Sludge, Sediments and Air Pollution parameters for analysis of Ambient air, Source emission, Noise and Micro-meteorological parameters]

[1] The Sr. No.136 and entries relating thereto were inserted vide Gazette No. 80, dated 19.5.2008.

[2] The Sr. No.137 and entries relating thereto were inserted vide Gazette No.202, dated 30.10.2008.

Note : **The Environmental Laboratories and the Government Analysts so mentioned at serial number 136 and 137 shall remain valid for a period of five (5) years from the date of issue of the Notifications i.e. w.e.f. 1.4.2008 and 1.10.2008 respectively.**

[1][138.	Central Laboratory, Punjab Pollution Control Board, Vatavaran Bhawan, Patiala, Punjab – 147001	1. Shri Rajesh Kumar, Scientific Officer 2. Shri Pradeep Thakur, Assistant Scientific Officer 3. Dr. Charanjit Singh, Assistant Scientific Officer	Physical, General, Chemical and non Metallic, Metals, Organics, Microbiological, Toxicological, Biological, Hazardous Wastes, Soil, Sludge, Sediments and Air Pollution parameters for analysis of Ambient air, Source emission, Noise, Micro-meteorological and vehicular emission parameters
139.	Regional Laboratory Mahrashtra Pollution Control Board, Jog Centre, 3rd Floor, Pune – Mumbai Road, Shivaji Nagar, Pune 411003	1. Shri Ramakant Bapu Rao Sorte, Scientific Officer 2. Shri Ravindra Pandurang Raut, Junior Scientific Assistant 3. Shri Bajrang Sambhaji Shivankar, Junior Scientific Assistant 4. Shri Murlidhar Ramchandra Sonavane, Junior Scientific Assistant	Physical, General, Chemical and non Metallic, Metals, Organics, Microbiological, Toxicological, Hazardous Wastes, Soil, Sludge, Sediments and Air Pollution parameters for analysis of Ambient air, Source emission, Noise, and Micro-meteorological parameters
140.	Zonal Laboratory Central Pollution Control Board, Zonal Office, Kolkata 502, Southend Conclave, 1582 Rajdanga Main Road Kolkata - 700107	1. Shri Abhijit Chatopadhyay, Senior Environmental Engineer 2. Dr.(Mrs.) Rita Saha, Scientist 'B' 3. Ms Sushmita Ekka, Scientist 'B'	Physical, General, Chemical and non Metallic, Metals, Organics, Microbiological, Toxicological, Biological, Hazardous Wastes, Soil, Sludge, Sediments and Air Pollution parameters for analysis of Ambient air, Source emission, Noise, Micro-meteorological and Vehicular Emission monitoring parameters]

[1] The Sr. No.138 to 140 and entries relating thereto were inserted vide Gazette No…… dated 15.1.2010.

Note : **The Environmental Laboratories and the Government Analysts so mentioned at serial number 138 to 140 shall remain valid for a period of five (5) years from the date of issue of the Notifications i.e. w.e.f. 15.1.2010.**

Prof. S. P. Gautam
Chairman
[Legal/42(3)/87]

Foot Note :

The principal notification was published in the Gazette of India vide SO NO. 728(E), dated 21.7.1987 and subsequently amended vide:-

(1)SO 838(E), dated 23.9.87 (2) SO 989(E) dated 17.11.87 (3) SO 489(E) dated 17.5.88 (4) SO 156 (E) dated 24.2.89 (5) SO 846(E) dated 24.10.89 (6) SO 375(E) dated 26.4.1990 (7) SO 803(E) dated 23.9.92 (8) SO 97(E) dated 5.12.1994 (9) SO 418(E) dated 31.3.1996 (10) SO 889 (E) dated 31.8.1996 (11) SO 452 (E) dated 31.5.97 (12) SO 631 (E) dated 31.5.1998 (13) SO (E) 336 dated 1.1.1999(14) SO.44(E), dated 15.1.2001, (15) S.O.No.490(E), dated 1.6.2001, (16) S.O. No. 532(E), dated 1.1.2002, (17) S.O. No.1168(E), dated 1.6.2002, (18) S.O.No.888(E), 1.6.2003, (19) No.Legal/42(3)/87/, dated 1.6.2004, (20) Legal/42(3)/87, dated 1.3.2005, (21) Legal42(3)/87, dated 1.9.2005, (22) Legal 42(3)/87, dated 15.12.2005, (23) Legal 42(3)/87, dated 1.5.2006, Legal42(3)/87, dated 1.9.2006, Legal 42(3)/87, dated 1.1.2007, Legal 42(3)/87, dated 15.4.2007, Legal 42(3)/87, dated 1.8.2007, Legal/42(3)/87, dated 1.10.2007, Legal/42(3)/87, dated 1.2.2008, Legal/42(3)/87, dated 1.4.2008 and Legal/42(3)/87, dated 1.10.2009.

CENTRAL POLLUTION CONTROL BOARD

NOTIFICATION

CORRIGENDUM

New Delhi, 15th APRIL, 2007

No. Legal 42(3)/87/__ In exercise of the powers conferred by clause (b) of Sub-section 1 of Section 12 and Section 13 read with clause 1 of the Notification No. 145(E), dated 21st February, 1991, issued under Section 23 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi - 110032 had notified a notification No.Legal/42(3)/87, dated 1.6.2004 recognised environmental laboratories, name of Government analysts and parameters for analysis.

Now, in the aforesaid notification the entry of the Laboratories has been notified at Sr. No. 92 i.e. Central Laboratory, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi – 110092 in column 3 of the same against this Laboratory after serial no.9 the following entries may be inserted as Government Analysts:

1.	10. Dr. M.Q.Ansari Senior Scientist
2.	11. Shri N.C.Durgapal Scientist 'C'
3.	13. Dr. S.K.Tyagi Scientist 'C'
4.	14. Shri B.K.Jakhmola Scientist 'C'

The other content of the notification, dated 1.6.2004 shall remained unchanged.

J.M.Mauskar
Chairman
[Legal/42(3)/87]

CENTRAL POLLUTION CONTROL BOARD

NOTIFICATION

CORRIGENDUM

New Delhi, 1st AUGUST, 2007

No. Legal 42(3)/87/__ In exercise of the powers conferred by clause (b) of Sub-section 1 of Section 12 and Section 13 read with clause 1 of the Notification No. 145(E), dated 21st February, 1991, issued under Section 23 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi - 110032 had notified a notification No.Legal/42(3)/87, dated 1.6.2004 recognised environmental laboratories, name of Government analysts and parameters for analysis.

In the aforesaid notification the Laboratories have been notified at Sr. No. 115, Analytical Laboratory, Ore Dressing Division, Indian Bureau of Mines, L-8, MIDC Industrial Area, Hingna Road, Nagpur-440016 in Column 3 of the same against the Notification of the Laboratory, the Entry No.1 & 2 be deleted, and instead following entries may be inserted as Government Analysts before Serial No.3 while there is no change in Entry No.3:

1. Shri B.S.Moroney
   Superintending Chemist
2. Shri R.A.Mishra
   Chemist

The other content of the notification, dated 1.5.2006 shall remain unchanged.

J.M.Mauskar
Chairman
[Legal/42(3)/87]

CENTRAL POLLUTION CONTROL BOARD

CORRIGENDUM

NOTIFICATION

New Delhi, 1st OCTOBER, 2007

No. Legal 42(3)/87/__ In exercise of the powers conferred by clause (b) of Sub-section 1 of Section 12 and Section 13 read with clause 1 of the Notification No. 145(E), dated 21st February, 1991, issued under Section 23 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi - 110032 had recognized, the following 'Environmental Laboratories' (at column 1 of Table), Government Analysts (at column 2 of Table) for the purposes of analysis of samples of air, water, soil or other substances sent for analysis, specified for respective groups of parameters and notified in Gazette Notification detailed at column 3 of the Table).

Subsequently due to transfer, and resignation of some Government Analysts, notified earlier, the following amendments and substitution as detailed at column 5 of Table below is hereby made:-

Laboratory	Govt. Analysts Notified	Gazette Notification No. and Date	Recognition valid upto	Substitution/ amendment
1	2	3	4	5
CPCB Zonal Office, Kolkata Laboratory, Deshpran Sheshmal Road, CIT Building, First Floor, Kolkata 700033	Dr. D.P. Mukhopadhyay, Scientist 'C' Shri A.K.Sen, Scientist 'C' Dr. Rita Saha, Scientist 'B'	Legal/43(3)/87, dated 1.6.2004	31.5.2009	Dr.S.S.Bala, Sr. Scientist is added after (iii) as (iv) in column 2.
CPCB Zonal Office Laboratory, Lucknow, Ground Floor, PICUP Bhawan, Vibhuti Khand, Gomti Nagar, Lucknow 226010	Shri B.P.Shukla, SEE Shri R.K.Singh, Sc.'B' Shri V.K.Shukla, Sc. 'B'	Legal42(3)/87, dated 1.3.2005	28.2.2010	Shri B.P.Shukla has been replaced with Shri J.S.Kamyotra, Additional Director in Column 2.
CPCB Zonal Office Laboratory, Bangalore, 1st Floor, 6 West of Chord Road, 2nd Stage, Rajaji Nagar, Bangalore 560086	Dr. D.C.Sharma, Shri V.Pattuswamy, Scientist 'C' Dr. M. Madhushudan, Scientist 'C'	Legal/42(3)/87, dated 15.12.2005	14.12.2010	Dr. D.C.Sharma has been replaced with Shri B.P.Shukla, Sr. Environmental Engineer in Column 2.

The other contents of above mentioned Gazette Notifications shall remain unchanged.

J.M.Mauskar
Chairman
[Legal/42(3)/87]

CENTRAL POLLUTION CONTROL BOARD

CORRIGENDUM

NOTIFICATION

New Delhi, 1st April, 2008

No. Legal 42(3)/87/__ In exercise of the powers conferred by clause (b) of Sub-section 1 of Section 12 and Section 13 read with clause 1 of the Notification No. 145(E), dated 21st February, 1991, issued under Section 23 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi - 110032 had recognized, the following 'Environmental Laboratories' (at column 1 of Table), Government Analysts (at column 2 of Table) for the purposes of analysis of samples of air, water, soil or other substances sent for analysis, specified for respective groups of parameters and notified in Gazette Notification detailed at column 3 of the Table).

Subsequently due to shifting of Laboratory to new premises and approval of Additional Government Analyst, the following substitution and addition as detailed in column 5 of the table below is hereby made

Name of the Laboratory	Govt. Analysts Notified	Gazette Notification No. and Date	Recognition valid upto	Substitutions/ Additions
1	2	3	4	5
Central Pollution Control Board South Zonal Office, Bangalore, 6 West of Chord Road, II Stage, Rajaji Nagar, Bangalore 560086	Dr. D. C. Sharma, Additional Director Shri V. Pattusamy, Scientist 'C' Dr. M. Madhusudanan, Scientist 'C'	Legal/42(3)/87 dated 15.12.2005	14.12.2010	(a) Vide Notification No. Legal/42(3)/87, dt. 1st October, 2007 the name of Dr. D. C. Sharma, Addl. Director has been replaced with Shri B. P. Shukla, Sr. Environmental Engineer in Column 2 of the Gazette Notification (b) In Column 2 of Gazette Notification after the name of (iii) Dr. M. Madhusudnan, Scientist 'C' the name of (iv) Dr. K. Ranganathan, Scientist 'B' has now been added (c) the address of

				laboratory in Column (1) of Gazette Notification has been substituted as CPCB Zonal Office Laboratory, Central Pollution Control Board, South Zonal Office, 1st & 2nd Floor, "NISARGA BHAVANA", Thimmaiah Main Road, 7th 'D' Cross, Shivanagar, Bangalore-560010

Further, in the Gazette Notification No.42(3)/87, dt 1st February, 2008 the lines "The Environmental Laboratories and the Govt. Analysts so mentioned shall remain valid for a period of five years from the date of issue of Notification' has been omitted in English version due to printing mistake. These lines have been inserted below the Table on Page 6 of the Notification.

The other contents of above mentioned Gazette Notifications shall remain unchanged.

J.M.Mauskar
Chairman
[Legal/42(3)/87]

CENTRAL POLLUTION CONTROL BOARD

CORRIGENDUM

NOTIFICATION

New Delhi, 15th JULY, 2008

No. Legal 42(3)/87/__ In exercise of the powers conferred by clause (b) of Sub-section 1 of Section 12 and Section 13 read with clause 1 of the Notification No. 145(E), dated 21st February, 1991, issued under Section 23 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi - 110032 had recognized, the following 'Environmental Laboratory' (at column 1 of Table), alongwith the Government Analysts for the purposes of analysis of samples of air, water, soil or other substances sent for analysis, specified for respective groups of parameters and notified in the Gazette Notification No. 225, dated 22.11.2007 vide Notification No. Legal/42(3)/87, dated 1.10.2007.

Due to amalgamation, the following change in the name of Laboratory (specified in Column 2 below) may be made at serial No.125 in column 2 of the Gazette Notification No.225, dated 22.11.2007.

Name of Laboratory as 'Notified'	Amended Name of Laboratory
1.	2.
Research Centre Laboratory Madhya Pradesh Pollution Control Board, Paryavaran Parisar, E-5, Arera Colony, Bhopal – 462018	Central Laboratory Madhya Pradesh Pollution Control Board, Paryavaran Parisar, E-5, Arera Colony, Bhopal – 462016, M.P.

The other content of Notification shall remain unchanged.

J.M.Mauskar
Chairman
[Legal/42(3)/87]

OFFICERS AUTHORISED FOR TAKING COGNIZANCE OF OFFENCES NOTIFICATION

S.O. 394(E).-In exercise of the powers conferred under clause (a) of section 19 of the Environment (Protection)Act, 1986 (29 of 1986), the Central Government hereby authorises the officers and authorities listed in column (2) of the Table hereto for the purpose of the said section with the jurisdiction mentioned against each of them in column (3) of that Table:

TABLE

Serial No	Officer	Jurisdiction
(1)	(2)	(3)
1.	Any Director, Joint Secretary, Adviser or Additional Secretary to the Government of India in the Department of Environment, Forests and Wildlife,	Whole of India
2.	The Chairman or Member-Secretary of the Central Pollution Control Board constituted under section 3 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974).	Whole of India
3	The Government of the State (represented by the Secretary to the State Government incharge) of environment.	Whole of State
4	The Chairman or Member-Secretary of the State Pollution Control Board constituted under section 4 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) or a State Pollution Control Board constituted under section 5 of the Air (Prevention and Control of Pollution) Act, 1981(14 of 1981).	Whole of State
5.	Collector.	Whole of Revenue District
6.	Zonal Officers of the Central Pollution Control Board who have been delegated powers under sections 20,21,23 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) and section 24 of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981).	Area as laid down by the Central Board

7.	Regional Officers of the State Pollution Control Board who have been delegated powers under section 20, 21 and 23 of the Water (Prevention and Control of Pollution) Act, 1974.	Area as laid down by the State Board
8.	Regional Officers of the State Pollution Control Board who have been delegated powers under section 24 of the Air (Prevention and Control of Pollution) Act, 1981.	Area as laid down by the State Board
[1][9.	Any Regional/Zonal Officers or a Director in charge of a Region/Zone of the Ganga Project Directorate.	Zonal/Regional area as laid down by the Ganga Project Directorate
10	Any Deputy Secretary, Director, Joint Secretary or Additional Secretary to the Government of India in the Ganga Project Directorate.	Whole of the State in which the Ganga Action Plan is under implementation]
[2][11.	Joint Secretary (:Legal) in the Department of Environment., Forests and Wildlife, Ministry of Environment & Forests, New Delhi – 110003.	Whole of India]

[3]

14.	Chief Controller of Mines.	-do-
15.	Controller of Mines	-do-
16.	Regional Controller of Mines	-do-
17.	Deputy Controller of Mines	-do-
18.	Port Authority.	The Dock Workers Safety Health & Welfare Scheme, 1961 and Dock Workers Advisory Committee Rules.
19.	Inspector	-do-
20.	Chief Inspector of Plantation	The Plantation of Labour Act, 1951.
21.	Inspector	-do-
22.	Inspector of Dock Safety.	The Indian Dock Labourers Act, 1934.
23.	Conservator of Ports.	The Indian Port Act. 1908.
24.	Deputy Conservatory of Ports.	The Indian Port Act, 1908.
25.	Harbour Master	-do-
26.	Director (Marine Department)	The Merchant Shipping Act, 1958.
27.	Manager (Marine Operation)	-do-
28.	Director (Pollution Control)	-do-
29.	State Pollution Control Board and the officers empowered by State Board under section 21 and 23 of the Water (Prevention and Control of Pollution) Act, 1974 or under section 24 of the Air (Prevention and Control of Pollution) Act, 1981.	The Water (Prevention and Control of Pollution) Act, 1974 and rules made there-under The Air (Prevention and Control of Pollution) Act, 1981.
30.	Central Pollution Control Board and any officer empowered by the Board under section 23 of the Water (Prevention and Control of Pollution) Act, 1974 or under section 24 of the Air (Prevention and Control of Pollution) Act, 1981.	The Air (Prevention and Control of Pollution) Act, 1981 or the Water (Prevention and Control of Pollution) Act, 1974 and rules made thereunder.
31.	State Transport Authority.	The Motor Vehicles Act, 1939.
32.	Regional Transport Authority.	-do-

33.	Any other authority or person delegated with powers by the State Transport Authority under the provisions of section 44(5) of the Motors Vehicles Act, 1939.	-do-
34.	Food (Health) Authorities in the State/Union territory or such other subordinate or local authorities as may be specified under the provisions of the Prevention of Food Adulteration Act, 1955 for the time being.	The Prevention of Food Adulteration Act, 1955 and Rules made thereunder.
35.	Food Inspector.	The Prevention of Food Adulteration Act, 1955 and Rules made thereunder.
36.	The Atomic Energy Regulatory Board.	The Atomic Energy Act, 1972.
37.	Drug Controller of India.	The Drugs & Cosmetics Act, 1940.
38.	Commissioner for Food and Drug Administration or any authority incharge of State Drug Control Administration.	The Drugs & Cosmetics Act, 1940.
39.	Drug Inspector	-do-
40.	Chief Controller of Explosives.	The Explosives Act, 1884 and the Explosives Rules, 1983.
41.	Joint Chief Controller of Explosives	-do-
42.	Deputy Chief Controller of Explosives.	-do-
43.	Controller of Explosives	-do-
44.	Licensing Officer	The Insecticides Act, 1968
45.	Insecticides Inspector.	-do-
46.	Chief Controller of Explosives	The Petroleum Act, 1934.
47.	Deputy Chief Controller of Explosives.	-do-
48.	Controller of Explosives.	-do-
49.	Deputy Controller of Explosives	-do-
50.	Assistant Controller of Explosives.	-do-
51.	Inspector.	-do-
52.	Chief Inspector of Boilers	The Indian Boilers Act, 1923.
53.	Deputy Chief Inspector of Boilers	-do-
54.	Inspector of Boilers.	-do-

55.	Director General of Shipping	Merchant Shipping Act, 1958.
56.	Surveyor	-do-
57.	Director General (TD) or his nominee not below the rank of Development Officer	Industrial (Development and Regulation) Act, 1951.
58.	Chairman & Director General, National Council for Cement and Building Materials or his nominee not below the rank of Programme leader	-do-
59.	Officers appointed under the Bengal Smoke Nuisance Act, 1905.	The Bengal Smoke Nuisance Act, 1905.
	The Bombay Smoke Nuisance Act, 1912 and	The Bombay Smoke Nuisance Act, 1912 and
	The Gujarat Smoke Nuisance Act, 1963.	The Gujarat Smoke Nuisance Act, 1963.
[1][60.	Chief Inspector of Mines Safety.	The Mines Act, 1952 and the rules and regulations made thereunder.]
[2][61.	Chairman of the Committee in respect of Union Territories	The Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981
62.	Member Secretary of the Committee in respect of Union Territories	The Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981]
[3][63.	Chairman and Member Secretary of the Central Pollution Control Board	The Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981.]
[4][64.	Seed Inspector(s)	Section 13 of the Seeds Act, 1966 and Section 12 of the Seeds (Control) Order, 1983]

1 S.No.60 and entries relating thereto inserted vide S.O.63(E) published in Gazette No.42 dt.18.1.88.

2 Sl.No.61 and 62 and entries relating thereto inserted vide S.O.622(E), dt. 3.9.1996.

3 Sl.No.63 and entries relating thereto inserted vide Notification S.O.727(E), dated 10.7.2002.

4 Sl. No.64 and entries relating thereto Inserted by Notification G.S.R.584(E), dated 1.9.2006

OFFICERS/AGENCIES AUTHORISED TO TAKE SAMPLES

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

***S.O. 84(E).-**In exercise of the powers conferred under sub-section (i) of section 11 [1][of the Environment (Protection) Act, 1986 (29 of 1986)] the Central Government hereby empowers the person listed in the Table here below for the purpose of that sub-section

TABLE

Sl. No.	Officer/Agency	Appointed under
1	**2**	**3**
1.	Director General Factory Advice Service and Labour Institute	Dock Workers (Safety, Health and Welfare) Act, 1986.
2.	Deputy Director General Factory Advice Service & Labour Institute	Dock Workers (Safety, Health and Welfare) Act, 1986.
3.	Director (Dock Safety)	-do-
4.	Joint Director (Dock Safety)	-do-
5.	Deputy Director (Dock Safety)	-do-
6.	Assistant Director (Dock Safety)	-do-
7.	Additional Assistant Director (Dock Safety)	-do-
8.	Chief Inspector of Factories	The Factories Act, 1948.
9.	Additional Chief Inspector of Factories	-do-
10.	Joint Chief Inspector of Factories	-do-
11.	Deputy Chief Inspector of Factories	-do-
12.	Inspector of Factories	-do-
13.	Controller General of Indian Bureau of Mines	The Mines and Mineral (Regulation and Development) Act, 1957.
14.	Chief Controller of Mines	-do-
15.	Controller of Mines	-do-

[1] The Words "of the Environment(Protection)Act,1986, (29 of 1986)" inserted vide corrigendum No.S.O.239(E) published in the Gazette No.129 dt.26.3.1987.

***Source**: Principal Notification published in Gazette of India vide Notification S.O.84(E), dated 16.2.1987.

16.	Regional Controller of Mines	-do-
17.	Deputy Controller of Mines	-do-
18.	Port Authority	The Dock Workers (Safety Health & Welfare) Scheme, 1961 and Dock Workers Advisory Committee Rules.
19.	Inspector	-do-
20.	Chief Inspector of Plantation	The Plantation Labour Act, 1951.
21.	Inspector	-do-
22.	Inspector of Dock Safety	The Indian Dock Labourers Act, 1934.
23.	Conservator of Ports	The Indian Port Act, 1908.
24.	Deputy Conservator of Ports	-do-
25.	Harbour Master	-do-
26.	Director (Marine Department)	The Merchant Shipping Act, 1958
27.	Manager (Marine Operation)	-do-
28.	Director (Pollution Control)	-do-
29.	State Pollution Control Board and the officers empowered by State Board under section 21 and 23 of the Water (Prevention and Control of Pollution) Act, 1974 or under section 24 of the Air (Prevention and Control of Pollution) Act, 1981.	Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) and rules made thereunder Air (Prevention and Control of Pollution) Act, 1981.
30.	Central Pollution Control Board and any officers empowered by the Board under section 23 of the Water (Prevention and Control of Pollution) Act, 1974 or under section 24 of the Air (Prevention and Control of Pollution) Act, 1981.	Air (Prevention & Control of Pollution) Act, 1981 or Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) and rules made thereunder.
31.	State Transport Authority	The Motor Vehicles Act, 1939.
32.	Regional Transport Authority.	-do-
33.	Any other authority or person delegated with powers by the State Transport Authority under the provisions of section 44(5) of the Motor Vehicles Act, 1939.	-do-

34.	Food (Health) Authorities in the State/Union territory or such other subordinate or local authorities as may be specified under the provisions of the Prevention of Food Adulteration Act, 1955 for the time being.	The Prevention of Food Adulteration Act, 1955 and Rules made thereunder.
35.	Food Inspector.	The Prevention of Food Adulteration Act, 1955 and Rules made thereunder.
36.	The Atomic Energy Regulatory Board.	The Atomic Energy Act, 1972.
37.	Drug Controller of India.	The Drugs & Cosmetics Act, 1940.
38.	Commissioner for Food and Drug Administration or any authority incharge of State Drug Control Administration	The Drugs & Cosmetics Act, 1940.
39.	Drug Inspector	-do-
40.	Chief Controller of Explosives.	The Explosives Act, 1884 and The Explosives Rules, 1983
41.	Joint Chief Controller of Explosives	-do-
42.	Deputy Chief Controller of Explosives.	-do-
43.	Controller of Explosives	-do-
44.	Licensing Officer	The Insecticides Act, 1968.
45.	Insecticides Inspector.	-do-
46.	Chief Controller of Explosives	The Petroleum Act, 1934.
47.	Deputy Chief Controller of Explosives.	-do-
48.	Controller of Explosives.	-do-
49.	Deputy Controller of Explosives	-do-
50.	Assistant Controller of Explosives.	-do-
51.	Inspector.	-do-
52.	Chief Inspector of Boilers	The Indian Boilers Act,1923.
53.	Deputy Chief Inspector of Boilers	-do-
54.	Inspector of Boilers.	-do-
55.	Director General of Shipping	Merchant Shipping Act, 1958.

56.	Surveyor.	-do-
57.	Director General (TD) or his nominee not below the rank of Development Officer.	Industrial (Development and Regulation) Act, 1951.
58.	Chairman & Director General, National Council for Cement and Building Materials or his nominee not below the rank of Programme leader.	-do-
59.	Officers appointed under the Bengal Smoke Nuisance Act, 1905.	The Bengal Smoke Nuisance, Act, 1905.
	The Bombay Smoke Nuisance Act, 1912 and	The Bombay Smoke Nuisance, Act, 1912; and
	The Gujarat Smoke Nuisance Act, 1963.	The Gujarat Smoke Nuisance Act, 1963.
[1][60.	Chief Inspector of Mines Safety.	The Mines Act, 1952 and the rules and regulations made thereunder.]
[2][61.	Chairman of the Committee in respect of Union Territories	The Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981
62.	Member Secretary of the Committee in respect of Union Territories	The Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981]
[3][63.	Chairman and Member Secretary of the Central Pollution Control Board	The Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981]
[4][64.	Seed Inspector(s)	Section 13 of the Seeds Act, 1966 and Section 12 of the Seeds (Control) Order, 1983]

[1] S.No.60 and entries relating thereto inserted vide S.O.62(E) published in Gazette No.42 dated 18.1.88.

[2] S.No.61 and 62 and entries relating thereto inserted vide S.O.623 (E), dt. 3.9.1996.

[3] Sl.No.63 and entries relating thereto inserted vide notification No.S.O.728(E), dated 10.7.2003.

[4] Sl.No.64 and entries relating thereto Inserted by Notification G.S.R.584(E), dated 1.9.2006

DELEGATION OF POWERS TO THE STATE GOVERNMENTS UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986

MINISTRY OF ENVIRONMENT & FORESTS

(Department of Environment, Forests & Wildlife)

New Delhi, the 10th February, 1988

NOTIFICATION

S.O. 152(E).-In exercise of the powers conferred by section 23 of the Environment (Protection) Act, 1986 the Central Government hereby delegates the powers vested in it under section 5 of the Act to the State Governments of Andhra Pradesh, Assam, Bihar, Guiarat, Haryana, Himachal Pradesh, Karnataka, Kerala, Madhya Pradesh, Mizoram, Orissa, Rajasthan, Sikkim and Tamil Nadu subject to the condition that the Central Government may revoke such delegation of powers in respect or all or any one or more of the State Governments or may itself invoke the provisions of section 5 of the Act, if in the opinion of the Central Government such a course of action is necessary in public interest.

[No. 1(38)/86-PL]
T.N. SESHAN, Secy.

Source: Gazette No. 84 dated 10-2-88.

MINISTRY OF ENVIRONMENT & FORESTS

(Department of Environment, Forests & Wildlife)

New Delhi, the 14th April, 1988

NOTIFICATION

S.O. 289(E).-In exercise of the powers conferred by section 23 of the Environment (Protection) Act, 1986 the Central Government thereby delegates the powers vested in it under section 5 of the Act to the State Governments of Meghalaya, Punjab and Uttar Pradesh subject to the condition that the Central Government may revoke such delegation of powers in respect of all or any one or more of the State Governments or may itself invoke the provisions of section 5 of the Act, if in the opinion of the Central Government such a course of action is necessary in public interest.

[No. 1(38)/86-PL]
T.N. SESHAN, Secy.

Source: Gazette No. 205 dated 14-4-88.

MINISTRY OF ENVIRONMENT & FORESTS

(Department of Environment, Forests & Wildlife)

New Delhi, the 17th May, 1988

NOTIFICATION

S.O. 488(E).-In exercise of the powers conferred by section 23 of the Environment (Protection) Act, 1986 the Central Government hereby delegates the powers vested in it under section 5 of the Act to the State Government of Maharashtra subject to the condition that the Central Government may revoke such delegation of powers in respect the State Government or may itself invoke the provisions of section 5 of the Act, if in the opinion of the Central Government such a course of action is necessary in public interest.

[No. 1(38)/86-PL]
T.N. SESHAN, Secy.

Source: Gazette No. 255 dated 17.5.88.

MINISTRY OF ENVIRONMENT & FORESTS

(Department of Environment, Forests & Wildlife)

New Delhi, the 22nd September, 1988

NOTIFICATION

S.O. 881(E).-In exercise of the powers conferred by section 23 of the Environment (Protection) Act, 1986 the Central Government hereby delegates the powers vested in it under section 5 of the Act to the State Governments of Goa and Jammu & Kashmir subject to the condition that the Central Government may revoke such delegation of powers in respect of all or any one of the State Governments or may itself invoke the provisions of section 5 of the Act, if in the opinion of the Central Government such a course of action is necessary in public interest.

[No. 1(38)/86-PL]
K. P. GEETAKRISHNAN, Secy.

Source: Gazette No. 749 dated 22-9-88.

MINISTRY OF ENVIRONMENT & FORESTS

(Department of Environment, Forests & Wildlife)

New Delhi, the 6th June, 1989

NOTIFICATION

S.O. 408(E).-In exercise of the powers conferred by section 23 of the Environment (Protection) Act, 1986 the Central Government hereby delegates the powers vested in it under section 5 of the Act to the State Governments of West Bengal and Manipur subject to the condition that the Central Government may revoke such delegation of powers in respect of both the State Governments or any one of them or may itself invoke the provisions of section 5 of thc Act, if in the opinion of the Central Government such a course of action is necessary in public interest.

[No. 1(38)/86-PL]
K. MADHAVA SARMA, Jt. Secy.

Source: Gazette No. 319 dated6-6-89.

MINISTRY OF ENVIRONMENT & FORESTS

(Department of Environment, Forests & Wildlife)

New Delhi, the 25th July, 1991

NOTIFICATION

S.O. 479(E).-In exercise of the powers conferred by section 23 of the Environment (Protection) Act, 1986 the Central Government hereby delegates the powers vested in it under section 5 of the Act to the State Government of Tripura subject to the condition that the Central Government may revoke such delegation of powers in respect of the State Government or may itself invoke the provisions of section 5 of the Act, if in the opinion of the Central Government such a course of action is necessary in public interest.

[No. 1(38)/86-PL]
MUKUL SANWAL, Secy.

Source: Gazette No. 414 dated 25-7-91.

GOVERNMENT OF INDIA

MINISTRY OF HOME AFFAIRS

New Delhi, the 10th September, 1992

NOTIFICATION

S.O.667(E).- In pursuance of Clause (1) of Article 239 of the Constitution, the President hereby direct that subject to his control and until further orders, the Administrators (whether known as Lieutenant Governor, Chief Commissioner or Administrator) of the Union Territories of the Andaman & Nicorbar Islands, Chandigarh, Dadra & Nagar Haveli, Daman & Diu, the National Capital Territory of Delhi, Lakshadweep and Pondicherry shall in relation to the Union Territory concern, also exercise the powers and discharge the functions of the Central Government under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986).

(S.DUTTA)

Joint Secretary to Govt. of India

F.No.U.11030/1/92/UTL

DELEGATION OF POWERS UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986 TO THE CENTRAL POLLUTION CONTROL BOARD

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 27th February,1996

***S.O.157(E).-**In exercise of the powers conferred by Section 23 of the Environment(Protection)Act,1986 (29 of 1986), the Central Government hereby delegates the powers vested in it under Section 5 of the said Act to the Chairman, Central Pollution Control Board, the power to issue directions to any industry, municipal corporation, municipal council, cantonment board or any local or other authority for the violations of the notified general emission and effluent standards under the Environment(Protection)Rules,1986, and other standards, subject to the condition that the Central Government may revoke such delegation of powers or may itself invoke the provisions of Section 5 of the said Act, if in the opinion of the Central Government such a course of action is necessary in the public interest.

[No.1(14)/96-PL]
N.R.Krishnan, Secy.

---

* As published in the Gazette of India, Extraordinary, Part II – Section 3 – Sub-section 2(i) vide No. 129, dated 27.2.1996.

DELEGATION OF POWERS TO THE CHAIRMAN, CENTRAL POLLUTION CONTROL BOARD UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 10th July, 2002

S.O. 730(E): In exercise of the powers conferred by Section 23 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby delegates the powers vested in it under Section 5 of the said Act to the Chairman, Central Pollution Control Board to issue directions to any industry or any local or other authority for the violation of the standards and rules relating to hazardous waste, bio-medical waste, hazardous chemicals, industrial solid waste, municipal solid waste including plastic waste notified under the Environment (Protection) Act, 1986 subject to the condition that the Central Government may revoke such delegation of powers in respect of all the State Governments or any one of them or may itself invoke the provisions of Section 5 of the Act, if in the opinion of the Central Government such a course of action is necessary in public interest.

[F.No. 1(5)/95-PL]
K.C. MISRA, Spl. Secy.

DAHANU TALUKA ENVIRONMENT PROTECTION AUTHORITY

MINISTRY OF ENVIRONMENT & FORESTS

NOTIFICATION

New Delhi, the 19th December, 1996

S.O.884(E).- In exercise of the powers conferred by sub-section (3) of Section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (hereinafter referred to as the said Act), the Central Government hereby constitutes an authority known as the Dahanu Taluka Environment Protection Authority, in the District of Thane, State of Maharashtra, consisting of the following members for a period of one year on and from the date of publication of this notification in the Official Gazette, namely : -

(1)	Justice Chandrashekhar Shankar Dharmadhikari (Retired Judge of High Court, Mumbai)	- Chairperson
(2)	Director, National Institute of Hydrology, University Campus Roorkee, (U.P.) (Expert in the field of Hydrology)	- Member
(3)	Director, National Institute of Oceanography, Dona Paula, Goa (Expert in the field of Oceanography and Aquatic Ecology)	- Member
(4)	Head of the Botany Department, Mumbai University, Mumbai (Expert in the field of Terrestrial Ecology)	-Member
(5)	Head, Department of Environmental Engineering, IIT, Mumbai (Expert in the field of Environmental Engineering)	- Member
(6)	Prof. K.B.Jain, Center for Environmental Planning & Technology, Ahmedabad (Expert in the field of the Developmental and Environmental Planning)	- Member
(7)	Director, National Institute of Design, Ahmedabad (Expert in the field of Information Technology)	- Member
(8)	Collector, Thane	- Member
(9)	The Member Secretary, Maharasthra State Pollution Control Board, Mumbai	- Member
(10)	A representative of Non-Governmental Organization (To be appointed by the Central Government)	- Member
(11)	Shri V.W.Deshpande, Deputy Secretary, Urban Development Department, Govt. of Maharashtra, Mumbai	- Member Secretary

2. The Authority shall exercise the following powers and perform the following functions namely : -

exercise of powers under section 5 of the Environment (Protection) Act, 1986 for issuing directions and for taking measures with respect to matters referred to in clauses (v), (vi), (vii), (viii), (ix) and (xii) of sub-section (2) of section 3 of the said Act;

to protect the ecologically fragile areas of Dahanu Taluka and to control pollution in the said area ;

to consider and implement the "Pre-cautionary Principle " and the "Polluter Pays Principle";

to consider and implement the recommendations given by the National Environmental Engineering Research Institute, Nagpur, in respect of Dahanu Taluka;

to ensure the implementation of the notifications issued by the Government of India in the Ministry of Environment & Forests No. S.O.114 (E), dated 19th February, 1991 and No.S.O.416(E), dated the 20th June, 1991;

to comply with the relevant orders issued by the Bombay High Court and the Supreme Court from time to time;

to deal with any other relevant environment issues pertaining to DahanuTaluka, including those which may be referred to it by the Central Government in the Ministry of Environment & Forests.

3. The Authority shall furnish a progress report about its activities at least once in two months to the Central Government in the Ministry of Environment & Forests.

4. The Authority shall have its Headquarters at Mumbai, Maharashtra.

5. The terms and conditions of appointment of the Chairperson and Members shall be as determined by the Central Government from time to time.

[F.No.J-17011/21/95-IA-III]
R.H.KHAWAJA, Jt. Secretary

CENTRAL GROUND WATER BOARD AUTHORITY

MINISTRY OF ENVIRONMENT & FORESTS

NOTIFICATION

New Delhi, the 14th January, 1997

S.O.38(E).- In exercise of the powers conferred by sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (hereinafter referred to as the said Act), the Central Government hereby constitute the Central Ground Water Board as an Authority for the purposes of regulation and control of Ground Water Management and Development for period of one year from the date of publication of this notification in the official gazette, namely: -

(1)	Chairman, Central Ground Water Board	- Chairperson
(2)	Member (Exploratory Drilling and Materials Management), Central Ground Water Board	- Member
(3)	Member (Sustainable Management and Liaison), Central Ground Water Board	- Member
(4)	Member (Survey, Assessment and Monitoring), Central Ground Water Board	- Member
(5)	…….. (An officer not below the rank of the Joint Secretary to the Government of India to be appointed by the Central Government)	- Member

2. The Authority shall exercise the following powers and perform the following functions, namely : -

(i) exercise of powers under section 5 of the Environment (Protection) Act, 1986 for issuing directions and taking such measures in respect of all the matters referred to in sub-section (2) of section 3 of the said Act;

(ii) to resort to the penal provisions contained in sections 15 to 21 of the said Act;

(iii) to regulate indiscriminate boring and withdrawal of ground water in the country and to issue the necessary regulatory directions with a view to preserve and protect the ground water.

3. The jurisdiction of the Authority shall be whole of India.

4. The Authority shall function under the administrative control of the Government of India in the Ministry of Water Resources with its Headquarters at Delhi.

[F.No.L-11011/29/96-IA.III]
R.H.KHWAJA, Jt. Secretary

AQUACULTURE AUTHORITY

MINISTRY OF ENVIRONMENT & FORESTS

NOTIFICATION

New Delhi, the 6th February, 1997

S.O. 88(E). - In exercise of the powers conferred by sub-section (3) of Section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (hereinafter referred to as the said Act), the Central Government hereby constitute an authority known as Aquaculture Authority to deal with the situation created by the shrimp culture industry in the coastal States and Union Territories consisting of the following members for a period of one year from the date of publication of this notification in the Official Gazette, namely : -

(1) …… Chairperson
(A retired Judge of High Court to be appointed by the Central Government)

(2) …… Member
(An expert in the field of aquaculture, to be appointed by the Central Government)

(3) …… Member
(An expert in the field of pollution control, to be appointed by the Central Government)

(4) …… Member
(An expert in the field of environment protection, to be appointed by the Central Government)

(5) …… Member
(A representative of the Ministry of Environment & Forests, to be appointed by the Central Government)

(6) …… Member
(A representative of the Ministry of Agriculture, to be appointed by the Central Government)

(7) …… Member
(A representative of the Ministry of Commerce, to be appointed by the Central Government)

(8) …… Member Secretary
(To be appointed by the Central Government)

2. The Authority shall exercise the following powers and perform the following functions, namely : -

(i) exercise of powers under section 5 of the Environment (Protection) Act, 1986 for issuing directions and for taking measures with respect to matters referred to in clause (v), (vi), (vii), (viii), (ix) and (xii) of sub-section (2) of section 3 of the said Act;

(ii) to take steps and ensure the closure, demolition and removal of all the existing aquaculture activities by the 31st March, 1997 from the Coastal Regulation Zone areas as demarcated in the Coastal Zone Management Plans prepared in accordance with the Coastal Regulation Zone Notification No. S.O.114(E) dated the 19th February, 1991 by the concerned coastal States and Union Territories and upto 1000 m in respect of Chilka lake and Pulicat lake, except the traditional and improved traditional types of technologies (as defined in Algarswami report) which area practiced in the coastal low lying areas;

(iii) to ensure that no shrimp culture pond can be constructed or setup within the Coastal Regulation Zone and upto 1000 m of Chilka lake and Pulicat lake (including bird sanctuaries namely, Yadurpattu and Nelpattu) ;

(iv) to ensure and give approval to the farmers who are operating traditional and improved traditional systems of aquaculture for adoption of improved technology for increased production;

(v) to ensure that the agricultural lands, salt pan lands, mangroves, wetlands, forest lands, land for village common purposes and the land meant for public purposes shall not be used or converted for construction of shrimp culture ponds;

(vi) the Authority shall implement the "Precautionary Principle" and the "Polluter Pays Principle", by adopting the procedure described in the Supreme Court order dated 11-12-1996 passed in the Writ Petition (Civil) No. 561 of 1994 ;

(vii) the Authority shall also regulate the shrimp culture activities outside the Coastal Regulation Zone areas and beyond 1000m from the Pulicat lake and Chilka lake and also give the necessary approvals/authorisations by the 30th April, 1997;

(viii) the Authority in consultation with expert bodies like National Environmental Engineering Research Institute, Central Pollution Control Board, respective State Pollution Control Boards shall frame Scheme/Schemes for reversing the damage caused to the ecology and environment by pollution in the coastal States and Union Territories;

(ix) the Authority shall ensure the payment of compensation to the workmen employed in the shrimp culture industries as per the procedure laid down in the Supreme Court order dated 11-12-1996 passed in the Writ Petition (Civil) No. 561 of 1994;

(x) to comply with the relevant orders issued by the concerned High Courts and Supreme Court from time to time;

(xi) to deal with any other relevant environment issues pertaining to coastal areas with respect to shrimp culture farming, including those which may be referred to it by the Central Government in the Ministry of Environment & Forests;

3. The jurisdiction of the Authority shall cover all the coastal States and Union Territories.

4. The Scheme/Schemes framed by the Authority for reversing the damage caused due to the pollution in the coastal States and Union Territories shall be executed by the respective State Government and Union Territory Administrations under the supervision of the Central Government.

5. The Authority shall function under the administrative control of Government of India in the Ministry of Agriculture, with its headquarters at Delhi.

6. The terms and conditions of appointment of the Chairperson and Members shall be as determined by the Central Government from time to time.

[F.NO.L-11011/12/94-IA-III]
R.H.KHAWAJA, Jt. SECRETARY

THE 2 - T OIL (REGULATION OF SUPPLY AND DISTRIBUTION) ORDER, 1998.

MINISTRY OF ENVIRONMENT AND FORESTS

ORDER

New Delhi, the 31st December, 1998

G.S.R.778(E). - Whereas with a view to protecting and improving the quality of the environmental and preventing, controlling and abating environment pollution in the National Capital Territory of Delhi, it is expedient and necessary to take measures relating to the supply, distribution, buying and selling of 2-T oil (lubricating oil);

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (2) of Section 3 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby makes the following Order namely :-

1. SHORT TITLE, EXTENT AND COMMENCEMENT :-

(1) This Order may be called the 2-T Oil (Regulation of Supply and Distribution) Order, 1998.

(2) It extends to the whole of the National Capital Territory of Delhi [1][*and to the cities of Ahemdabad, Kanpur, Sholapur, Lucknow, Bangalore, Chennai, Hyderabad, Mumbai, Kolkata, Agra, Jharia, Varanasi, Faridabad, Patna, Jodhpur and Pune.]

(3) It shall come into force on the date of its publication in the Official Gazette.

2. DEFINITIONS :-

In this Order, unless the context otherwise requires-

(a) "2-T Oil" means lubricating oil, meeting API-TC (American Petroleum Institute-TC) or JASO (Japanese Automobile Standards Organisation) specification, used in 2-stroke petrol driven vehicle engines;

(b) "container" means a sealed package containing pre-packed 2-T oil in declared quantity;

(c) "loose 2-T oil" means 2-T oil which is not contained in a sealed container;

---

[1] Inserted by para 2 of the 2-T Oil (Regulation of Supply and Distribution) Amendment Order, 2006 notified by G.S.R. 714(E), dated 17.11.2006.

* The 2-T Oil (Regulation of Supply and Distribution) Amendment Order, 2006 came into force w.e.f.1.1.2007.

(d) "National Capital Territory of Delhi" means the National Capital Territory of Delhi as defined in the Government of National Capital Territory of Delhi Act, 1991 (1 of 1992).

3. RESTRICTION ON SALE AND PURCHASE OF LOOSE 2-T OIL :-

(1) No person shall sell or agree to sell or otherwise dispose of loose 2-T oil in a service garage for use in 2-stroke engine vehicle of any make;

(2) In petrol stations, 2-T oil shall be sold only pre-mixed with petrol through nozzle:

Provided that the above restriction shall not apply to the 2-stroke engine vehicles having separate sump for 2-T oil provided by the manufacturer in containers for use in the engine of such vehicle through such sumps.

[File No. Q-16014/18/98-CPA]
VIJAI SHARMA, Jt. Secy.

WATER QUALITY ASSESSMENT AUTHORITY

MINISTRY OF ENVIRONMENT & FORESTS

ORDER

New Delhi, the 29th May, 2001

[1]S.O.583(E) – In exercise of powers conferred by sub-section (1) and (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (hereinafter referred to as the said Act), the Central Government hereby constitutes an authority to be known as 'Water Quality Assessment Authority's consisting of the following members for a period of three years with effect from the date of publication of this notification in the Official Gazette namely:

1.	Secretary, Ministry of Environment & Forests	- Chairperson
2.	Additional Secretary and Project Director, National River Conservation Directorate, Ministry of Environment & Forests	- Member
3.	Chairman, Central Water Commission	- Member
4.	Additional Secretary, Ministry of Water Resources	- Member
5.	Adviser, National River Conservation Directorate, Ministry of Environment and Forests	- Member
6.	Joint Secretary, Ministry of Agriculture and Cooperation	- Member
7.	Joint Secretary, Ministry of Urban Affairs and Poverty Alleviation	- Member
8.	Chairman, Central Ground Water Authority	- Member
9.	Chairman, Central Pollution Control Board	- Member
10.	Directorate, Indian Agricultural Research Institute, New Delhi	- Member
11.	Director, National Environmental Engineering Research Institute, Nagpur	- Member
12.	Commissioner (Water Management) Ministry of Water Resources	- Member Secretary

[1] As published in the Gazette of India, Extraordinary, Part II section 3(ii) vide No.418, dated 22.6.2001.

2. The Authority shall exercise the following powers and functions:-

I. to exercise powers under section 5 of the said Act for issuing directions and for taking measures with respect to matters referred to in clauses (ix), (xi), (xii) and (xiii) of sub-section 2 of section 3 of the Act;

II. to direct the agencies (Government/local bodies/non-Governmental) for the following

(a) to standardize method(s) for water quality monitoring and to ensure quality of data generation for utilization thereof;

(b) to take measures so as to ensure proper treatment of wastewater with a view to restoring the water quality of the river/water bodies to meet the designated-best-uses;

(c) to take up research and development activities in the area of water quality management;

(d) to promote recycling/re-use of treated sewage/trade effluent for irrigation in development of agriculture;

(e) to draw action plans for quality improvement in water bodies, and monitor and review/assess implementation of the schemes launched/to be launched to that effect;

(f) to draw scheme(s) for imposition of restriction in water abstraction and discharge of treated sewage/trade effluent on land, rivers and other water bodies with a view to mitigating crises of water quality;

(g) to maintain minimum discharge for sustenance of aquatic life forms in riverine system;

(h) to promote rain water harvesting;

(i) to utilize self-assimilation capacities at the critical river stretches to minimize cost of effluent treatment;

(j) to provide information to pollution control authorities to facilitate allocation of waste load;

(k) to review of status of quality of national water resources (both surface water & groundwater) and identify ‘Hot Spots’ for taking necessary actions for improvement in water quality;

(l) to interact with the authorities/committees constituted or to be constituted under the provisions of said Act for matters relating to management of water resources;

(m) to constitute/set-up State level Water Quality Review Committees (WQRC) to coordinate the work to the assigned to such committees; and

(n) to deal with any environmental issue concerning surface and groundwater quality which may be referred to it by the Central Government or the State Government relating to the respective areas, for maintenance and/or restoration of quality to sustain designated-best-uses.

3. The Authority shall exercise the powers under section 19 of the said Act.

4. The authority may appoint domain experts for facilitating the work assigned to it.

5. The Ministry of Water Resources shall create a cell to assist the Authority to carry out the assigned functions.

6. The authority shall furnish report about its activity at least once in three months to the Ministry of Environment & Forests.

(F.No.J-15011/8/2000-NRCD)
A.M.GOKHALE, Addl. Secy.

ENVIRONMENT POLLUTION (PREVENTION AND CONTROL) AUTHORITY FOR NATIONAL CAPITAL REGION

MINISTRY OF ENVIRONMENT AND FORESTS

ORDER

New Delhi, the 29th January, 1998

S.O. 93 (E).– In exercise of the powers conferred by sub-sections (1) and (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (hereinafter referred to as the said Act), the Central Government hereby constitutes an authority to be known as the Environment Pollution (Prevention and Control) Authority for the National Capital Region (hereinafter referred to as the Authority) consisting of the following persons [1][for a period of twelve years] with effect from the date of publication of this Order in the Official Gazette, namely:-

(1)	[2][Shri Bhure Lal Secretary, Coordination and Public Grievances Sardar Patel Bhawan New Delhi – 110001	Chairman
(2)	[3][Commissioner-cum-Secretary Transport Department, Government of the National Capital Territory of Delhi, Delhi.]	Member
(3)	Shri Anil Agarwal, Director, Centre for Science and Environment, 41, Tughlakabad Industrial Area, (Near Batra Hospital), New Delhi - 110 062	Member
(4)	Shri Jagdish Khattar, Representative of the Automobile Manufacturers Association of India, Executive Director (Marketing & Sales), Maruti Udyog Limited, 11th Floor, Jeevan Prakash 25, Kasturba Gandhi Marg, New Delhi - 110 001	Member

---

1 Substituted for the words "for a period of eleven years and six months", the word "for a period of twelve years" vide S.O.1839 (E), dated 27.7.2009.

2 Substituted vide S.O.99(E), dated 28.1.2003.

3 Substituted vide S.O.99(E), dated 28.1.2003.

[1][(5)	Shri N.R.Raje Executive Dierctir, R&D Sector Indian Oil Corporation, Sector – 13 Faridabad – 121007, Haryana	Member
(6)	Dr.P.C.Chaubey Additional Professor Hospital Administration All India Institute of Medical Science Ansari Nagar, New Delhi – 110029	Member
[2][6A	Smt. Kiran Dhingra Joint Secretary Ministry of Textiles, Government of India Udyog Bhawan New Delhi – 110011	Member
(7)	Shri D. K. Biswas, Chairman, Central Pollution Control Board Parivesh Bhawan, East Arjun Nagar, Delhi - 110 054]	Convenor

[3][The terms and conditions of the Chairman, after his superannuation, shall be determined by the Central Government.]

The Authority shall exercise the following powers and perform the following functions for protecting and improving the quality of the environment and preventing, controlling and abating environmental pollution, namely:-

1. exercise the powers under section 5 of the said Act for issuing directions in respect of complaints relating to the violation of an order by any authority or measure specified pertaining to-

    (i) standards for the quality of the environment in its various aspects,

    (ii) standards for omission or discharge of environmental pollutants from various sources,

---

1 Substituted vide S.O.99(E), dated 28.1.2003.

2 Inserted vide S.O.396 (E), dated 3.4.2003.

3 Inserted vide S.O.99(E), dated 28.1.2003.

(iii) restriction of areas in which any industries, operations or processes or class of industries or processes shall not be carried out or shall be carried out subject to certain safeguards,

(iv) procedures and safeguards for the prevention of accidents which may cause environmental pollution and remedial measures for such accidents,

(v) procedures and safeguards for the handling of hazardous substances.

2. The Authority shall have the power to take up matters as mentioned above, suo-moto, or on the basis of complaints made by any individual, representative body or organization functioning in the field of environment. Such complaints may be against any individual, association, company, public undertaking or local body carrying on any industry, operation or process.

3. The Authority shall, for controlling vehicular pollution, take all necessary steps to ensure compliance of specified emission standards by vehicles including proper calibration of the equipment for testing vehicular pollution, ensuring compliance of fuel quality standards, monitoring and coordinating action for traffic planning and management.

4. The Authority shall, for ensuring maintenance of the specified ambient noise standards, have the power to issue directions under section 5 of the said Act, including banning or restricting any industry, process or operation emitting noise.

5. The Authority shall deal with environmental issues pertaining to the National Capital Region which may be referred to it by the Central Government.

6. The Authority shall monitor the progress of the action plan drawn up by the Ministry of Environment and Forests on pollution in Delhi as contained in the 'White Paper on Pollution in Delhi with an Action Plan', issued by the Central Government on 3rd December, 1997.

7. The Authority shall exercise the powers of entry, inspection, search and seizure under section 10 of the said Act, in respect of any action to be taken under sub-paragraph (1) of the paragraph 2 of this Order.

8. The Authority shall exercise the power to take samples under section 11 of the said Act, in respect of any action to be taken under sub-paragraph (1) of paragraph 2 of this Order.

9. The Authority shall exercise the powers under section 19 of the said Act, for making complaints against offences under the said Act and for non-compliance of directions issued by it under sub-paragraph (1) of paragraph 2 of this Order.

10. The Authority shall have jurisdiction over the National Capital Region as defined in clause (f) of section 2 of the National Capital Region Planning Board Act, 1985 (2 of 1985).

11. The foregoing powers and functions of the Authority shall be subject to the supervision and control of the Central Government.

12. The Authority shall furnish a progress report about its activities at least once in two months to the Central Government.

13. The Authority shall have its headquarters in National Capital Region.

14(1). Notification of the Government of India in Ministry of Environment and Forests number S.O.704(E), dated the 9th October, 1996 consisting the Environmental Impact Assessment Authority for the National Capital Region shall stand superseded (expect in respect of things done or omitted to be done before such supersession) from the date of publication of this Order.

14(2). Any matter which relates to the powers and functions enumerated in this Order, and pending with the Environmental Impact Assessment Authority shall stand transferred to the Environment Pollution (Prevention and Control) Authority for the National Capital Region constituted under this Order.

14(3). Any matter specifically not falling within the scope and jurisdiction of the Authority as so constituted shall be dealt with by the statutory authorities concerned.

[File No. Q-18011/14/90-CPA]
VIJAY SHARMA, Jt. Secy.

Note: The principal order was published in the Gazette of India vide number S.O.93(E), dated the 29th January, 1998, amended vide S.O. 68(E), dated the 25th January, 2000, S.O. 108(E), dated the 25th January, 2002, S.O. 99(E), dated 28th January, 2003 and S.O.396(E), dated 3rd April, 2003, S.O.94(E), dated 25th January, 2006, S.O.1207(E), dated 27th July, 2006, S.O.679(E), dated 27th April, 2007, S.O.1219(E), dated 26th July, 2007 and S.O.1720(E), dated 18th July, 2008.

TAJ TRAPEZIUM ZONE POLLUTION (PREVENTION AND CONTROL) AUTHORITY

THE MINISTRY OF ENVIRONMENT & FORESTS

ORDER

New Delhi, the 30th April, 2003

S.O. 489(E).- In exercise of the powers conferred by sub-section (1) and (3) of section 3 of the Environment (Protection) Act, 1986 (29 of1986) (hereinafter referred to as the said Act) and in supersession of the order of the Government. of India in the Ministry of Environment & Forests, number S.O.350(E), dated 17th May, 1999, except as things done or omitted to be done before such supersession, the Central Government hereby re-constitutes the Taj Trapezium Zone Pollution (Prevention and Control) Authority (hereinafter referred to as the Authority), consisting of the following persons, [1][for a period of four years and eight months] with effect from the date of publication of this Official Gazette, namely:-

1.

4. The forgoing powers and functions of the Authority shall be subject to the overall supervision and control of the Central Government.

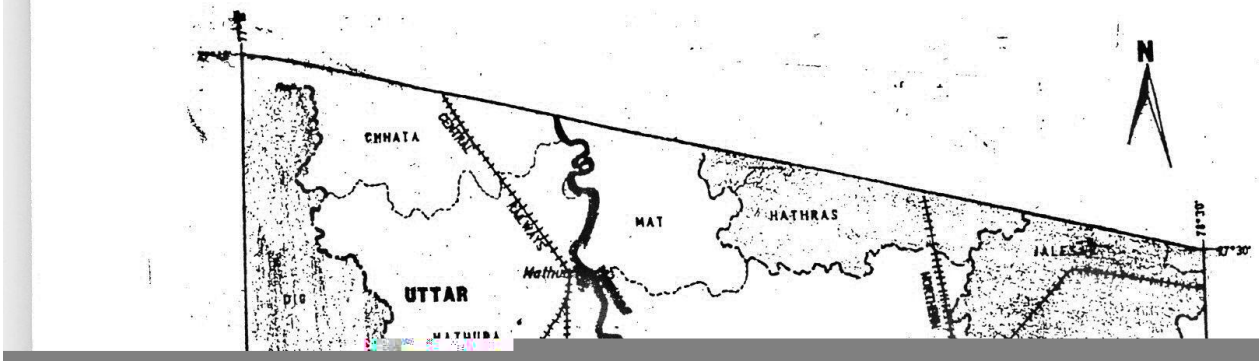
5. The Authority shall be authorized to exercise the powers under section 19 of the said Act.

6. The Authority may co-opt experts for facilitating the work assigning to it.

7. The Authority shall furnish a report about its activities at least once in two months to the Central Government in the Ministry of Environment & Forests.

8. The Authority shall have its headquarter at Agra in the State of Uttar Pradesh.

[F.No.Z-20018/1/99-CPA)
C.VISHWANATH, JT. SECY.


N
CHHATA
MAT
HATHRAS
UTTAR

LOSS OF ECOLOGY (PREVENTION AND PAYMENTS OF COMPENSATION) AUTHORITY FOR THE STATE OF TAMIL NADU

MINISTRY OF ENVIRONMENT & FORESTS

NOTIFICATION

New Delhi, the 30th September, 1996

S.O.671(E).- In exercise of the powers conferred by sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) hereinafter referred to as the said Act, the Central Government hereby constitutes the Loss of Ecology (Prevention and Payments of Compensation) Authority for the State of Tamil Nadu consisting of the following members [1][for a period of eleven months and three months] and from the date of publication of this notification in the Official Gazette, namely:-

(1)	_____ (A retired Judge of the High Court to be appointed by the Central Government)	Chairperson
(2)	The Secretary, Government of Tamil Nadu Department of Environment, Chennai	Member
(3)	The Member Secretary Central Pollution Control Board Delhi	Member
(4)	_____ (a person to be appointed by the Central Government)	Member- Secretary

2. The Authority shall exercise the following powers and perform the following functions, namely :-

(i) exercise of powers under section 5 of the said Act, for issuing directions and for taking measures with respect to matters referred to in Clauses (v), (vi), (vii), (viii), (ix), (x) and (xii) of sub-section 2 of section 3 of section 3 of the said Act;

---

1 Substituted for the words "for a period of eleven years", the word "for a period of eleven years and three months" vide S.O.1677 (E), dated 28.9.2007.

(ii) to assess the loss to the ecology and environment in the affected areas and also identify the individuals and families who have suffered because of the pollution and assess the compensation to be paid to the said individuals and families;

(iii) to determine the compensation to be recovered from the polluters as cost of reversing the damaged environment;

(iv) to lay down the procedure for actions to be taken under (i) to (iii) above;

(v) to compute the compensation under two heads, namely, for reversing the ecology and for payment to individuals;

(vi) to direct the closure of any industry or class of industries owned or managed by a polluter in case of evasion or refusal to pay the compensation awarded against the polluter. This shall be in addition to the recovery from the polluter as arrears of land revenue;

(vii) to frame scheme or schemes for reversing the damage caused to the ecology and environment by pollution in the State of Tamil Nadu in consultation with expert bodies like National Environment Engineering Research Institute, Central Pollution Control Board, etc. These schemes shall be executed by the State Government of Tamil Nadu under the supervision of the Central Government. The expenditure shall be met from the "Environment Protection Fund" and from other sources provided by the State Government and the Central Government;

(viii) to view the cases of all the industries which are already operating in the prohibited area and direct the relocation of any of such industries;

(ix) to close the tanneries permanently or direct their relocation, which have not provided adequate treatment facilities and not having valid certificate from the Tamil Nadu State Pollution Control Board;

(x) to comply with the orders issued by the Madras High Court and the Supreme Court from time to time;

(xi) to deal with any other relevant environment issues pertaining to the State of Tamil Nadu, including those which may be referred to it by the Central Government in the Ministry of Environment & Forest.

3. In exercise of its powers as defined in paragraph 2 above, the Authority shall prepare a statement showing the total amount to be recovered, from the polluters mentioning therein the names of the polluters from whom the amount is to be recovered, the amount to be recovered from each polluter, the persons to whom the compensation is to be paid and the amount payable to each of them. The statement shall be forwarded to

the Collector/District Magistrates of the area concerned who shall recover the amount from the polluters, if necessary, as arrears of land revenue and shall disburse the compensation awarded by the Authority to the affected persons and families.

4. The Authority shall furnish a progress report about its activities atleast once in two months to the Central Government in the Ministry of Environment & Forests.

5. The Authority shall have its Headquarters at Chennai, Tamil Nadu.

6. The terms and conditions of appointment of the Chairperson and Members shall be as determined by the Central Government from time to time.

[File No.Q-17012/63/91-CPW]

VISHWANATH ANANAD, Addl. Secretary

Note : The notification constituting the Loss of Ecology (Prevention and Payments of Compensation) Authority for the State of Tamil Nadu, was published in the Gazette of India, Extraordinary vide Nos.S.O.671(E), dated 30.9.1996 and subsequently amended vide S.O.710(E), dated 12.10.1996, S.O.590(E), dated 15.7.1998, S.O.823(E), dated 16.9.1998, S.O.621(E), dated 2.8.1999, S.O.972(E), dated 28.9.2001, S.O.130(E), dated 28.1.2002, S.O.348(E), dated 28.3.2002, S.O.1044(E), dated 27.9.2004, S.O.1432(E), dated 31.12.2004, S.O.1639(E), dated 29.9.2006, S.O.50(E), dated 17.1.2007 and S.O.506(E), dated 31.3.2007.

NATIONAL GANGA RIVER BASIN AUTHORITY

MINISTRY OF ENVIRONMENT & FORESTS

NOTIFICATION

New Delhi, the 20th February, 2009

S.O.521(E). Whereas the river Ganga is of unique importance ascribed to reasons that are geographical, historical, socio cultural and economic giving it the status of national River;

And whereas the river Ganga has been facing serious threat due to discharge of increasing quantities of sewage effluents, trade effluents and other pollutants on account of rapid urbanization and industrialization;

And whereas the demand for river water is growing for irrigation, drinking purposes, industrial use and power due to increase in population, urbanization, industrialization and growth in infrastrure and taking into account the need to meet competing demands;

And whereas there is urgent need.-

(a) to ensure effective abatement of pollution and conservation of the river Ganga by adopting a river basin approach to promote inter-sectoral coordination for comprehensive planning and management; and

(b) to maintain minimum ecological flows in the river Ganga with the aim of ensuring water quality and environmentally sustainable development;

And whereas it is required to have a planning, financing, monitoring and coordinating authority for strengthening the collective efforts of the Central and the State Governments for effective abatement of pollution and conservation of the river Ganga;

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (3) of Section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (hereinafter referred to as the said Act), the Central Government hereby constitutes the authority mentioned below for taking measures for effective abatement of pollution and conservation of the river Ganga.

1. **Name of the Authority.-** The authority so constituted by the Central Government shall be known as the "National Ganga River Basin Authority" (hereinafter referred to as the Authority).

2. **Headquarters of the authority.-** The headquarters of the authority shall be at New Delhi.

3. Composition of the Authority.- The Authority shall consist of the following members namely :-

(a)	Prime Minister	ex-officio Chairperson
(b)	Union Minister Environment & Forests	ex-officio Member
(c)	Union Minister, Finance	ex-officio Member
(d)	Union Minister, Urban Development	ex-officio Member
(e)	Union Minister, Water Resources	ex-officio Member
(f)	Union Minister, Power	ex-officio Member
(g)	Union Minister, Science & Technology	ex-officio Member
(h)	Deputy Chairman, Planning Commission	ex-officio Member
(i)	Chief Minister, Uttrakhand	ex-officio Member
(j)	Chief Minister, Uttar Pradesh	ex-officio Member
(k)	Chief Minister, Bihar	ex-officio Member
(l)	Chief Minister, Jharkhand	ex-officio Member
(m)	Chief Minister, West Bengal	ex-officio Member
(n)	Minister of State, Environment & Forests	ex-officio Member
(o)	Secretary, Union Ministry of Environment & Forests	ex-officio Member Secretary

Provided that the Authority may co-opt one or more Chief Ministers from any of the States having major tributaries of river Ganga, which are likely to affect the water quality in the river Ganga, as ex-officio Member;

Provided further that the Authority may also co-opt one or more Union Ministers as may be required, as ex-officio Member;

Provided also that [1][the Authority may also co-opt upto ten members] who are experts in the fields of river conservation, hydrology, environmental engineering, social mobilization and such other fields.

---

[1] Substituted for the words "the Authority may co-opt upto five members", the words "the Authority may co-opt upto ten members" by notification S.O.2125(E), dated 13.8.2009.

4. Powers and functions of the Authority.- (1) Subject the provisions of the said Act, the Authority shall have the powers to take all such measures and discharge functions as it deems necessary or expedient for effective abatement of pollution and conservation of the river Ganga in keeping with sustainable development needs.

(2) In particular, and without prejudice to the generality of the provisions of sub-paragraph (1), such measures may include measures with respect to all or any of the following matters namely:-

(a) development of river Basin management plan and regulation of activities aimed at the prevention, control and abatement of pollution in the river Ganga to maintain its water quality, and to take such other measures relevant to river ecology and management in the Ganga basin States;

(b) maintenance of minimum ecological flows in the river Ganga with the aim of water quality and environmental sustainable development;

(c) measures necessary for planning, financing and execution of programmes for abatement of pollution in the river Ganga including augmentation of sewerage infrastructure, catchment area treatment, protection of floods, plains creating public awareness and such other measures for promoting environmentally sustainable river conservation;

(d) collection, analysis and dissemination of information relating to environmental pollution in the river Ganga;

(e) investigations and research regarding problems of environmental pollution and conservation of the river Ganga;

(f) creation of special purpose vehicles, as appropriate, for implementation of works vested with the Authority;

(g) promotion of water conservation practices including recycling and re-use, rain water harvesting, and decentralized sewage treatment systems;

(h) monitoring and review of the implementation of various programmes or activities taken up for prevention, control and abatement of pollution in the river Ganga; and

(i) issuance of directions under Section 5 of the said Act for the purpose of exercising and performing all or any of the above functions and to take such other measures as the Authority deems necessary or expedient or achievement of its objectives.

(3) The powers and functions of the Authority shall be without prejudice to any of the powers conferred upon the States under any Central or State Act, being not inconsistent with the provisions of the Environment (Protection) Act, 1986 (29 of 1986).

(4) The Authority shall combined regulatory and developmental functions as stated in the sub-paragraphs (1) and (2), keeping in view of the powers vested with the State Governments and their institutions.

5. Meeting of the Authority.- The Authority may regulate its own procedures for transacting its business including its meetings.

6. Jurisdiction of the Authority.- The jurisdiction of the Authority shall extend to the States through which the river Ganga flows, namely, Uttrakhand, Uttar Pradesh, Bihar, Jharkhand and West Bengal and such other States, having major tributaries of the river Ganga, as the Authority may decide for the purpose of effective abatement of pollution and conservation of the river Ganga.

7. Monitoring of effective abatement of pollution and conservation of river Ganga.- The Authority may evolve its own mechanism for monitoring of effective abatement of pollution and conservation of the river Ganga and issue directions thereof under Section 5 of the said Act for the said purpose.

8. Corpus of the Authority.- There shall be corpus of funds provided by the Central Government for implementing such projects, programmes and other activities as may be decided by the Authority .

9. Administrative and technical support to the Authority.- The Authority shall be provided administrative and technical support by the Ministry of Environment & Forests, which shall be the nodal Ministry. The Authority may evolve and appropriate mechanism for implementation of its decisions.

10. Constitution of State River Conservation Authorities.- The State Governments concern may constitute a State Ganga River Conservation Authority under the Chairmanship of the Chief Minister with such composition and such powers as deemed fit for coordinating and implementing the river conservation activities at the State level.

11. Comprehensive Management in the State.- Based on the integrated basin management plan drawn by the National Ganga River Basin Authority, the State Governments shall take steps for comprehensive management of the river in the State through their respective Authorities.

[No.A-12011/17/2008-NCRD-II]
RAJIV GUABA, Joint Secretary.

UTTAR PRADESH STATE GANGA RIVER CONSERVATION AUTHORITY

MINISTRY OF ENVIRONMENT & FORESTS

NOTIFICATION

New Delhi, the 30th September, 2009

S.O.2493 (E).- WHEREAS a National Ganga River Basin Authority has been constituted vide notification of the Government of India in the Ministry of Environment & Forests number S.O.521(E), dated the 20th February, 2009;

AND WHEREAS the State Governments concerned are required to coordinate and implement the river conservation activities at the State level, and take steps for comprehensive management of the river Ganga in their States;

NOW, THEREFORE, in exercise of the powers conferred by sub-sections (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (hereinafter referred to as the said Act), the Central Government hereby constitutes the authority mentioned below for taking measures for effective abatement of pollution and conservation of the river Ganga in the State of Uttar Pradesh.

1. **Name of Authority.-** The Authority so constituted by the Central Government shall be known as the Uttar Pradesh State Ganga River Conservation Authority (hereinafter referred to as the said Authority).

2. **Headquarters of Authority.-** The headquarters of the Authority shall be at Lucknow.

3. **Composition of Authority.-** The Authority shall consist of the following Chairperson and members namely :-

(a)	Chief Minister, Uttar Pradesh	ex-officio Chairperson;
(b)	Minister, Environment, Government of Uttar Pradesh	ex-officio Member;
(c)	Minister, Forests, Government of Uttar Pradesh	ex-officio Member;
(d)	Minister, Finance, Government of Uttar Pradesh	ex-officio Member;
(e)	Minister, Urban Development, Government of Uttar Pradesh	ex-officio Member;

(f)	Minister, irrigation, Government of Uttar Pradesh	ex-officio Member;
(g)	Minister, Public Works Department, Government of Uttar Pradesh	ex-officio Member;
(h)	Minister, Housing, Government of Uttar Pradesh	ex-officio Member;
(i)	Mayor, Kanpur	ex-officio Member;
(j)	Mayor, Varanasi	ex-officio Member;
(k)	Mayor, Allahabad	ex-officio Member;
(l)	Chairman, State Advisory Board, Government of Uttar Pradesh	ex-officio Member;
(m)	Chief Secretary, Government of Uttar Pradesh	ex-officio Member-Secretary

Provided that the Authority may co-opt one or more Ministers of the State Government as may be required, as ex-officio Member:

Provided further that the Authority may also co-opt upto five members who are experts in the fields of river conservation, hydrology, environmental engineering, social mobilization and such other fields.

4. Powers and functions of Authority.- (1) Subject to the provisions of the said Act, the Authority shall have the powers to take all such measures as it deems necessary or expedient for effective abatement of pollution and conservation of the river Ganga and for implementing the decisions or directions of the National Ganga River Basin Authority.

(2) In particular, and without prejudice to the generality of the provisions of sub-paragraph (1), such measures may include all or any of the following matters, namely:-

(a) coordination and implementation of the river conservation activities including augmentation of sewerage infrastructure, catchment area treatment, protection of floods, plains creating public awareness and such other measures at the State level and regulation of activities aimed at the prevention, control and abatement of pollution in the river Ganga to maintain its water quality, and to take such other measures relevant to river ecology and management in the State;

(j)	Chairman, Uttar Pradesh Pollution Control Board	ex-officio Member
(k)	Managing Director, Uttar Pradesh Jal Nigam	ex-officio Member
(l)	Principal Chief Conservator of Forests, Govt. of Uttar Pradesh	ex-officio Member
(m)	Engineer-in-Chief, Public Works Department, Government of Uttar Pradesh	ex-officio Member
(n)	Director, Environment, Government of Uttar Pradesh	ex-officio Member
(o)	Member-Secretary, Uttar Pardesh Pollution Control Board	ex-officio Member
(p)	Not more than five experts from relevant fields to be nominated by the Government of Uttar Pradesh	Members
(q)	Secretary, Urban Development, Government of Uttar Pradesh	ex-officio Member-Secretary

10. Powers and functions of the State Executive Committee.- (1) The State Executive Committee shall oversee and monitor the implementation of various programmes and projects of the Authority and give necessary directions to the implementing agencies, and shall report to the Authority, the progress of implementation and seek its direction from time to time.

(2) The State Executive Committee shall convene its meetings atleast once in every three months time.

(3) The State Executive Committee shall exercise the powers and perform such other functions as may be delegated to it by the Authority for the purposes of implementing its decisions and directions.

[F.No.A-12011/7/2009-NRCD-II]
RAJIV GUABA, Jt. Secy.

JHARKHAND STATE GANGA RIVER CONSERVATION AUTHORITY

MINISTRY OF ENVIRONMENT & FORESTS

NOTIFICATION

New Delhi, the 30th September, 2009

S.O.2495 (E). WHEREAS a National Ganga River Basin Authority has been constituted vide notification of the Government of India in the Ministry of Environment & Forests number S.O.521(E), dated the 20th February, 2009;

AND WHEREAS the State Governments concerned are required to coordinate and implement the river conservation activities at the State level, and take steps for comprehensive management of the river Ganga in their States;

NOW, THEREFORE, in exercise of the powers conferred by sub-sections (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (hereinafter referred to as the said Act), the Central Government hereby constitutes the Authority mentioned below for taking measures for effective abatement of pollution and conservation of the river Ganga in the State of Jharkhand

1. **Name of Authority.-** The Authority so constituted by the Central Government shall be known as the Jharkhand State Ganga River Conservation Authority (hereinafter referred to as the said Authority).

2. **Headquarters of authority.-** The headquarters of the authority shall be at Ranchi.

3. **Composition of Authority.-** The Authority shall consist of the following Chairperson and members namely :-

(a)	Chief Minister, Jharkhand	ex-officio Chairperson
(b)	Minister, Environment & Forests, Government of Jharkhand	ex-officio Member
(c)	Minister, Finance, Government of Jharkhand	ex-officio Member
(d)	Minister, Urban Development, Government of Jharkhand	ex-officio Member

(e)	Minister, Water Resources and irrigation Government of Jharkhand	ex-officio Member
(f)	Chief Secretary, Government of Jharkhand	ex-officio Member-Secretary

Provided that the Authority may co-opt one or more Ministers of the State Government as may be required, as ex-officio Member:

Provided further that the Authority may also co-opt upto five members who are experts in the fields of river conservation, hydrology, environmental engineering, social mobilization and such other fields.

4. Powers and functions of Authority.- (1) Subject to the provisions of the said Act, the Authority shall have the power to take all such measures as it deems necessary or expedient for effective abatement of pollution and conservation of the river Ganga and for implementing the decisions or directions of the National Ganga River Basin Authority.

(2) In particular, and without prejudice to the generality of the provisions of sub-paragraph (1), such measures may include all or any of the following matters, namely:-

(a) coordination and implementation of the river conservation activities including augmentation of sewerage infrastructure, catchment area treatment, protection of floods, plains creating public awareness and such other measures at the State level and regulation of activities aimed at the prevention, control and abatement of pollution in the river Ganga to maintain its water quality, and to take such other measures relevant to river ecology and management in the State;

(b) implementation of the river basin management plan prepared by the National Ganga River Basin Authority;

(c) maintenance of minimum ecological flows in the river Ganga with the aim of ensuring water quality and environmentally sustainable development through implementing water conservation practices including recycling and reuse, rain water harvesting and decentralized sewage treatment systems and promoting water augmentation by storage projects in the catchment;

(d) monitoring and review of the implementation of various programmes or activities taken up by the implementing agencies for prevention, control and abatement of pollution in the river Ganga;

(e) address issues related to land acquisition, encroachment, contracts, power supply and other such issues for the purpose of implementing the decisions or directions of the National Ganga River Basin Authority.

(f) Power of entry and inspection under section 10 of the said Act and power to take sample under section 11 of the said Act for the purpose of exercising and performing the functions of the Authority; and

(g) issuance of directions under Section 5 of the said Act for the purpose of exercising and performing all or any of the above functions and to take such other measures as the Authority deems necessary or expedient or achievement of its objectives.

(3) The powers and functions of the Authority shall be without prejudice to any of the powers conferred upon the State under any Central or State Act, being not inconsistent with the provisions of the Environment (Protection) Act, 1986 (29 of 1986).

(4) The Authority shall combined regulatory and developmental functions as stated in the sub-paragraphs (1) and (2), keeping in view of the powers vested with the State Governments and their institutions.

5. Meeting of Authority.- The Authority may regulate its own procedures for transacting its business including its meetings.

6. Jurisdiction of Authority.- The jurisdiction of the Authority shall extend to the State of Jharkhand.

7. Monitoring of effective abatement of pollution and conservation of river Ganga in the State of Jharkhand.- The Authority may evolve its own mechanism for monitoring of effective abatement of pollution and conservation of the river Ganga in the State of Jharkhand and issue directions thereof under Section 5 of the said Act for the said purpose.

8. Administrative and technical support to Authority.- The Authority shall be provided administrative and technical support including financial and other logistic support by the State Government in the Department of Environment & Forests, which shall be the nodal Department and shall also act as the Secretariat for the Authority.

9. State Executive Committee.- The Central Government, in consultation with the State Government of Jharkhand, hereby constitutes the State Executive Committee of the Authority consisting of the following Chairperson and members namely:-

(a)	Chief Secretary, Government of Jharkhand	ex-officio Chairperson
(b)	Secretary, Finance, Government of Jharkhand	ex-officio Member
(c)	Secretary, Urban Development, , Government of Jharkhand	ex-officio Member
(d)	Secretary, Water Resources and irrigation Government of Jharkhand	ex-officio Member
(e)	Chairman, Jharkhand Pollution Control Board	ex-officio Member
(f)	Managing Director, Project Implementing Agency, Government of Jharkhand	ex-officio Member
(g)	Principal Chief Conservator of Forests, Government of Jharkhand	ex-officio Member
(h)	Engineer-in-Chief, Irrigation Department, Government of Jharkhand	ex-officio Member
(i)	Not more than five experts from relevant fields to be nominated by the Government of Jharkhand	Members
(j)	Secretary, Environment & Forests, Government of Jharkhand	ex-officio Member-Secretary

10. Powers and functions of the State Executive Committee.- (1) The State Executive Committee shall oversee and monitor the implementation of various programmes and projects of the Authority and give necessary directions to the implementing agencies, and shall report to the Authority, the progress of implementation and seek its direction from time to time.

(2) The State Executive Committee shall convene its meetings atleast once in every three months time.

(3) The State Executive Committee shall exercise the powers and perform such other functions as may be delegated to it by the Authority for the purposes of implementing its decisions and directions.

[F.No.A-12011/7/2009-NRCD-II]
RAJIV GUABA, Jt. Secy.

WEST BENGAL STATE GANGA RIVER CONSERVATION AUTHORITY

MINISTRY OF ENVIRONMENT & FORESTS

NOTIFICATION

New Delhi, the 30th September, 2009

S.O.2494 (E). WHEREAS a National Ganga River Basin Authority has been constituted vide notification of the Government of India in the Ministry of Environment & Forests number S.O.521(E), dated the 20th February, 2009;

AND WHEREAS the State Governments concerned are required to coordinate and implement the river conservation activities at the State level, and take steps for comprehensive management of the river Ganga in their States;

NOW, THEREFORE, in exercise of the powers conferred by sub-sections (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (hereinafter referred to as the said Act), the Central Government hereby constitutes the Authority mentioned below for taking measures for effective abatement of pollution and conservation of the river Ganga in the State of West Bengal.

1. **Name of Authority.-** The authority so constituted by the Central Government shall be known as the West Bengal State Ganga River Conservation Authority (hereinafter referred to as the said Authority).

2. **Headquarters of the authority.-** The headquarters of the authority shall be at Kolkata.

3. **Composition of Authority.-** The Authority shall consist of the following Chairperson and members namely :-

(a)	Chief Minister, West Bengal	ex-officio Chairperson
(b)	Minister, Environment, Government of West Bengal	ex-officio Member
(c)	Minister, Finance, Government of West Bengal	ex-officio Member

(d)	Minister, Urban Development, Government of West Bengal	ex-officio Member
(e)	Minister, irrigation, Government of West Bengal	ex-officio Member
(f)	Chief Secretary, Government of West Bengal	ex-officio Member-Secretary

Provided that the Authority may co-opt one or more Ministers of the State Government as may be required, as ex-officio Member.

Provided further that the Authority may also co-opt upto five members who are experts in the fields of river conservation, hydrology, environmental engineering, social mobilization and such other fields.

4. Powers and functions of Authority.- (1) Subject to the provisions of the said Act, the Authority shall have the powers to take all such measures as it deems necessary or expedient for effective abatement of pollution and conservation of the river Ganga and for implementing the decisions or directions of the National Ganga River Basin Authority.

(2) In particular, and without prejudice to the generality of the provisions of sub-paragraph (1), such measures may include all or any of the following matters, namely:-

(a) coordination and implementation of the river conservation activities including augmentation of sewerage infrastructure, catchment area treatment, protection of floods, plains creating public awareness and such other measures at the State level and regulation of activities aimed at the prevention, control and abatement of pollution in the river Ganga to maintain its water quality, and to take such other measures relevant to river ecology and management in the State;

(b) implementation of the river basin management plan prepared by the National Ganga River Basin Authority;

(c) maintenance of minimum ecological flows in the river Ganga with the aim of ensuring water quality and environmentally sustainable development through implementing water conservation practices including recycling and reuse, rain water harvesting and decentralized sewage treatment systems and promoting water augmentation by storage projects in the catchment;

(d) monitoring and review of the implementation of various programmes or activities taken up by the implementing agencies for prevention, control and abatement of pollution in the river Ganga;

(e) address issues related to land acquisition, encroachment, contracts, power supply and other such issues for the purpose of implementing the decisions or directions of the National Ganga River Basin Authority.

(f) Power of entry and inspection under section 10 of the said Act and power to take sample under section 11 of the said Act for the purpose of exercising and performing the functions of the Authority; and

(g) issuance of directions under Section 5 of the said Act for the purpose of exercising and performing all or any of the above functions and to take such other measures as the Authority deems necessary or expedient or achievement of its objectives.

(3) The powers and functions of the Authority shall be without prejudice to any of the powers conferred upon the State under any Central or State Act, being not inconsistent with the provisions of the Environment (Protection) Act, 1986 (29 of 1986).

(4) The Authority shall combined regulatory and developmental functions as stated in the sub-paragraphs (1) and (2), keeping in view of the powers vested with the State Governments and their institutions.

5. Meeting of Authority.- The Authority may regulate its own procedures for transacting its business including its meetings.

6. Jurisdiction of Authority.- The jurisdiction of the Authority shall extend to the State of West Bengal.

7. Monitoring of effective abatement of pollution and conservation of river Ganga in the State of West Bengal.- The Authority may evolve its own mechanism for monitoring of effective abatement of pollution and conservation of the river Ganga in the State of West Bengal and issue directions thereof under Section 5 of the said Act for the said purpose.

8. Administrative and technical support to Authority.- The Authority shall be provided administrative and technical support including financial and other logistic support by the State Government in the Department of Environment & Forests, which shall be the nodal Department and shall also act as the Secretariat for the Authority.

9. State Executive Committee.- The Central Government, in consultation with the State Government of West Bengal, hereby constitutes the State Executive Committee of the Authority consisting of the following Chairperson and members namely:-

(a)	Chief Secretary, Government of West Bengal	ex-officio Chairperson
(b)	Secretary, Finance, Government of West Bengal	ex-officio Member
(c)	Secretary, Urban Development, , Government of West Bengal	ex-officio Member
(d)	Secretary, irrigation Government of West Bengal	ex-officio Member
(e)	Chairman, West Bengal Pollution Control Board	ex-officio Member
(f)	Managing Director, Project Implementing Agency, Government of West Bengal	ex-officio Member
(g)	Principal Chief Conservator of Forests, Govt. of West Bengal	ex-officio Member
(h)	Engineer-in-Chief, Irrigation Department, Government of West Bengal	ex-officio Member
(i)	Chief Executive Officer, Kolkata Metropolitan Development Authority	ex-officio Member
(j)	Chief Engineer, KMDA (dealing with Ganga Action Plan)	ex-officio Member
(k)	Chairman, Kolkata Port Trust	ex-officio Member
(l)	Municipal Commissioner, Kolkata Municipal Corporation	ex-officio Member
(m)	Three experts from relevant fields to be nominated by the Government of West Bengal	Members

(n)	Secretary, Department of Environment, Government of West Bengal	ex-officio Member-Secretary

10. Powers and functions of the State Executive Committee.- (1) The State Executive Committee shall oversee and monitor the implementation of various programmes and projects of the Authority and give necessary directions to the implementing agencies, and shall report to the Authority, the progress of implementation and seek its direction from time to time.

(2) The State Executive Committee shall convene its meetings atleast once in every three months time.

(3) The State Executive Committee shall exercise the powers and perform such other functions as may be delegated to it by the Authority for the purposes of implementing its decisions and directions.

[F.No.A-12011/7/2009-NRCD-II]
RAJIV GUABA, Jt. Secy.

BIHAR STATE GANGA RIVER CONSERVATION AUTHORITY

MINISTRY OF ENVIRONMENT & FORESTS

NOTIFICATION

New Delhi, the 8th February, 2010

S.O.287(E). WHEREAS a National Ganga River Basin Authority has been constituted vide notification of the Government of India in the Ministry of Environment & Forests number S.O.521(E), dated the 20th February, 2009;

AND WHEREAS the State Governments concerned are required to coordinate and implement the river conservation activities at the State level, and take steps for comprehensive management of the river Ganga in their States;

NOW, THEREFORE, in exercise of the powers conferred by sub-sections (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (hereinafter referred to as the said Act), the Central Government hereby constitutes the Authority mentioned below for taking measures for effective abatement of pollution and conservation of the river Ganga in the State of Bihar.

1. **Name of Authority.-** The Authority so constituted by the Central Government shall be known as the Bihar State Ganga River Conservation Authority (hereinafter referred to as the said Authority).

2. **Headquarters of Authority.-** The headquarters of the Authority shall be at Patna.

3. **Composition of Authority.-** The Authority shall consist of the following Chairperson and members namely :-

(a)	Chief Minister, Bihar	ex-officio Chairperson
(b)	Minister, Finance, Government of Bihar	ex-officio Member
(c)	Minister, Urban Development, Government of Bihar	ex-officio Member
(d)	Minister, Water Resources, Government of Bihar	ex-officio Member
(e)	Minister, Environment & Forests Government of Bihar	ex-officio Member
(f)	Minister, Public Health Engineering, Government of Bihar	ex-officio Member
(g)	Chief Secretary, Government of Bihar	ex-officio Member-Secretary

Provided that the Authority may co-opt one or more Ministers of the State Government as may be required, as ex-officio Member.

Provided further that the Authority may also co-opt upto five members who are experts in the fields of river conservation, hydrology, environmental engineering, social mobilization and such other fields.

4. Powers and functions of Authority.- (1) Subject to the provisions of the said Act, the Authority shall have the powers to take all such measures as it deems necessary or expedient for effective abatement of pollution and conservation of the river Ganga and for implementing the decisions or directions of the National Ganga River Basin Authority.

(2) In particular, and without prejudice to the generality of the provisions of sub-paragraph (1), such measures may include all or any of the following matters, namely:-

(a) coordination and implementation of the river conservation activities including augmentation of sewerage infrastructure, catchment area treatment, protection of floods, plains creating public awareness and such other measures at the State level and regulation of activities aimed at the prevention, control and abatement of pollution in the river Ganga to maintain its water quality, and to take such other measures relevant to river ecology and management in the State;

(b) implementation of the river basin management plan prepared by the National Ganga River Basin Authority;

(c) maintenance of minimum ecological flows in the river Ganga with the aim of ensuring water quality and environmentally sustainable development through implementing water conservation practices including recycling and reuse, rain water harvesting and decentralized sewage treatment systems and promoting water augmentation by storage projects in the catchment;

(d) monitoring and review of the implementation of various programmes or activities taken up by the implementing agencies for prevention, control and abatement of pollution in the river Ganga;

(e) address issues related to land acquisition, encroachment, contracts, power supply and other such issues for the purpose of implementing the decisions or directions of the National Ganga River Basin Authority.

(f) Power of entry and inspection under section 10 of the said Act and power to take sample under section 11 of the said Act for the purpose of exercising and performing the functions of the Authority; and

(g) issuance of directions under Section 5 of the said Act for the purpose of exercising and performing all or any of the above functions and to take such other measures as the Authority deems necessary or expedient or achievement of its objectives.

(3) The powers and functions of the Authority shall be without prejudice to any of the powers conferred upon the State under any Central or State Act, being not inconsistent with the provisions of the Environment (Protection) Act, 1986 (29 of 1986).

(4) The Authority shall combined regulatory and developmental functions as stated in the sub-paragraphs (1) and (2), keeping in view of the powers vested with the State Governments and their institutions.

5. Meeting of Authority.- The Authority may regulate its own procedures for transacting its business including its meetings.

6. Jurisdiction of Authority.- The jurisdiction of the Authority shall extend to the State of Bihar.

7. Monitoring of effective abatement of pollution and conservation of river Ganga in the State of Bihar.- The Authority may evolve its own mechanism for monitoring of effective abatement of pollution and conservation of the river Ganga in the State of Bihar and issue directions thereof under Section 5 of the said Act for the said purpose.

8. Administrative and technical support to Authority.- The Authority shall be provided administrative and technical support including financial and other logistic support by the State Government in the Department of Urban Development and Housing, which shall be the nodal Department and shall also act as the Secretariat for the Authority.

9. State Executive Committee.- The Central Government, in consultation with the State Government of Bihar, hereby constitutes the State Executive Committee of the Authority consisting of the following Chairperson and members namely:-

(a)	Chief Secretary, Government of Bihar	ex-officio Chairperson
(b)	Principal Secretary, Finance, Government of Bihar	ex-officio Member

(c)	Principal Secretary, Environment & Forests, Government of Bihar	ex-officio Member
(d)	Principal Secretary, Water Resources, Government of Bihar	ex-officio Member
(e)	Principal Secretary, Public Health Engineering Government of Bihar	ex-officio Member
(f)	Chairman, Bihar State Pollution Control Board	ex-officio Member
(g)	Managing Director, Bihar Urban Infrastructure Development Corporation	ex-officio Member
(h)	Managing Director, Bihar Rajya Jal Nigam	ex-officio Member
(i)	Principal Chief Conservator of Forests, Govt. of Bihar	ex-officio Member
(j)	Engineer-in-Chief, Water Resources Department, Government of Bihar	ex-officio Member
(k)	Not more than five experts from relevant fields to be nominated by the Government of Bihar	Members
(l)	Principal Secretary, Urban Development and Housing, Government of Bihar	ex-officio Member-Secretary

10. Powers and functions of the State Executive Committee.- (1) The State Executive Committee shall oversee and monitor the implementation of various programmes and projects of the Authority and give necessary directions to the implementing agencies, and shall report to the Authority, the progress of implementation and seek its direction from time to time.

(2) The State Executive Committee shall convene its meetings atleast once in every three months time.

(3) The State Executive Committee shall exercise the powers and perform such other functions as may be delegated to it by the Authority for the purposes of implementing its decisions and directions.

[F.No.A-12011/7/2009-NRCD-II]
RAJIV GUABA, Jt. Secy.

DELEGATION OF POWERS UNDER SECTION 20 OF THE ENVIRONMENT (PROTECTION) ACT, 1986

MINISTRY OF ENVIRONMENT & FORESTS

NOTIFICATION

New Delhi, the 21st November, 2009

WEST BENGAL

S.O.2964(E).- In exercise of the powers conferred by section 23 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby delegates the power vested in it under section 20 of the said Act to the West Bengal State Ganga River Conservation Authority constituted by it vide notification number S.O.2494(E), dated the 30th September, 2009 subject to the condition that the Authority shall require any person or officer or other authority to furnish to such Authority any reports, returns, statistics, accounts and other information in relation to its functions under the aforesaid Act.

[F.No.A-12011/7/2009-NRCD-II]

RAJIV GUABA, Jt. Secy.

NOTIFICATION

New Delhi, the 21st November, 2009

JHARKHAND

S.O.2966(E).- In exercise of the powers conferred by section 23 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby delegates the power vested in it under section 20 of the said Act to the Jharkhand State Ganga River Conservation Authority constituted by it vide notification number S.O.2495(E), dated the 30th September, 2009 subject to the condition that the Authority shall require any person or officer or other authority to furnish to such Authority any reports, returns, statistics, accounts and other information in relation to its functions under the aforesaid Act.

[F.No.A-12011/7/2009-NRCD-II]

RAJIV GUABA, Jt. Secy.

NOTIFICATION

New Delhi, the 21st November, 2009

UTTAR PRADESH

S.O.2968(E).- In exercise of the powers conferred by section 23 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby delegates the power vested in it under section 20 of the said Act to the Uttar Pradesh State Ganga River Conservation Authority constituted by it vide notification number S.O.2493(E), dated the 30th September, 2009 subject to the condition that the Authority shall require any person or officer or other authority to furnish to such Authority any reports, returns, statistics, accounts and other information in relation to its functions under the aforesaid Act.

[F.No.A-12011/7/2009-NRCD-II]
RAJIV GUABA, Jt. Secy.

DELEGATION OF POWERS UNDER SECTION 19 OF THE ENVIRONMENT (PROTECTION) ACT, 1986

NOTIFICATION

New Delhi, the 21st November, 2009

WEST BENGAL

S.O.2965(E).- In exercise of the powers conferred by clause (a) of section 19 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby authorizes the West Bengal State Ganga River Conservation Authority constituted by it vide notification number S.O.2494(E), dated the 30th September, 2009 or any authority or officer authorized by such Authority for the purpose of filing complaint for taking cognizance of any offence under the said Act.

[F.No.A-12011/7/2009-NRCD-II]
RAJIV GUABA, Jt. Secy.

NOTIFICATION

New Delhi, the 21st November, 2009

JHARKHAND

S.O.2967(E).- In exercise of the powers conferred by clause (a) of section 19 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby authorizes the Jharkhand State Ganga River Conservation Authority constituted by it vide notification number S.O.2495(E), dated the 30th September, 2009 or any authority or officer authorized by such Authority for the purpose of filing complaint for taking cognizance of any offence under the said Act.

[F.No.A-12011/7/2009-NRCD-II]
RAJIV GUABA, Jt. Secy.

NOTIFICATION

New Delhi, the 21st November, 2009

UTTAR PRADESH

S.O.2969(E).- In exercise of the powers conferred by clause (a) of section 19 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby authorizes the Uttar Pradesh State Ganga River Conservation Authority constituted by it vide notification number S.O.2493(E), dated the 30th September, 2009 or any authority or officer authorized by such Authority for the purpose of filing complaint for taking cognizance of any offence under the said Act.

[F.No.A-12011/7/2009-NRCD-II]
RAJIV GUABA, Jt. Secy.

DELEGATION OF POWERS TO THE CHAIRMAN, CENTRAL POLLUTION CONTROL BOARD UNDER SECTION 20 OF THE ENVIRONMENT (PROTECTION) ACT, 1986

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 10th July, 2002

S.O. 729(E): In exercise of the powers conferred by Section 23 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby delegates the powers vested in it under Section 20 of the said Act to the Chairman, Central Pollution Control Board subject to the condition that the Central Government may revoke such delegation of powers or may itself invoke the provisions of the said Section 20, if in the opinion of that Government, such a course of action is necessary in public interest.

[F. No. 1(5)/95-PL]
K.C. MISRA, Spl. Secy.

DELEGATION OF POWERS TO THE CHAIRMAN, CENTRAL POLLUTION CONTROL BOARD UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 10th July, 2002

S.O. 730(E): In exercise of the powers conferred by Section 23 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby delegates the powers vested in it under Section 5 of the said Act to the Chairman, Central Pollution Control Board to issue directions to any industry or any local or other authority for the violation of the standards and rules relating to hazardous waste, bio-medical waste, hazardous chemicals, industrial solid waste, municipal solid waste including plastic waste notified under the Environment (Protection) Act, 1986 subject to the condition that the Central Government may revoke such delegation of powers in respect of all the State Governments or any one of them or may itself invoke the provisions of Section 5 of the Act, if in the opinion of the Central Government such a course of action is necessary in public interest.

[F.No. 1(5)/95-PL]
K.C. MISRA, Spl. Secy.

DELEGATION OF POWERS TO THE STATE POLLUTION CONTROL BOARDS/POLLUTION CONTROL COMMITTEES

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 8th January, 1997

S.O. 23(E).- In exercise of the powers conferred by Section 23 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby delegates the powers vested in it under Section 5 of the said Act to the Chairman, State Pollution Control Boards/Committees as given in the Table below, to issue directions to any industry or any local or other authority for the violations of the standards and rules relating to hazardous wastes notified under the Environment (Protection) Act, 1986, subject to the conditions that the Central Government may revoke such delegation of powers or may itself invoke the provisions of Section 5 of the said Act, if in the opinion of the Central Government such a course of action is necessary in the public interest:-

TABLE

Sl. No.	Name of Board/Committee	Jurisdiction
1	2	3
1.	Andhra Pradesh State Pollution Control Board	Whole of State
2.	Arunanchal Pradesh State Pollution Control Board	Whole of State
3.	Assam State Pollution Control Board	Whole of State
4.	Bihar State Pollution Control Board	Whole of State
5.	Goa State Pollution Control Board	Whole of State
6.	Gujarat State Pollution Control Board	Whole of State
7.	Haryana State Pollution Control Board	Whole of State
8.	Himachal Pradesh State Pollution Control Board	Whole of State
9.	Jammu & Kashmir State Pollution Control Board	Whole of State
10.	Karnataka State Pollution Control Board	Whole of State
11.	Kerala State Pollution Control Board	Whole of State
12.	Maharashtra State Pollution Control Board	Whole of State

13.	Madhya Pradesh State Pollution Control Board	Whole of State
14.	Manipur State Pollution Control Board	Whole of State
15.	Meghalaya State Pollution Control Board	Whole of State
16.	Mizoram State Pollution Control Board	Whole of State
17.	Nagaland State Pollution Control Board	Whole of State
18.	Orissa State Pollution Control Board	Whole of State
19.	Punjab State Pollution Control Board	Whole of State
20.	Rajasthan State Pollution Control Board	Whole of State
21.	Sikkim State Pollution Control Board	Whole of State
22.	Tamil Nadu State Pollution Control Board	Whole of State
23.	Tripura State Pollution Control Board	Whole of State
24.	Uttar Pradesh State Pollution Control Board	Whole of State
25.	West Bengal State Pollution Control Board	Whole of State
26.	Committee, Andaman & Nicobar Union Territory	Whole of U.T.
27.	Committee, Chandigarh Union Territory	Whole of U.T.
28.	Committee, Dadra & Nagar Haveli Union Territory	Whole of U.T.
29.	Committee, Daman & Diu Union Territory	Whole of U.T.
30.	Committee, National Capital Territory of Delhi	Whole of N.C.T.
31.	Committee, Lakshadweep Union Territory	Whole of U.T.
32.	Committee, Pondicherry Union Territory	Whole of U.T.

[No.1(35)/96-PL]
VIJAY SHARMA, Jt. Secy.

DELEGATION OF POWERS TO THE STATE POLLUTION CONTROL BOARDS/POLLUTION CONTROL COMMITTEES

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 10th April, 2001

S.O. 327(E).- In exercise of the powers conferred by Section 23 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby delegates the powers vested in it under Section 5 of the said Act to the Chairman, State Pollution Control Boards/Committees as given in the Table below, to issue directions to any industry or any local or other authority for the violations of the standards and rules relating to Bio Medical Waste, Hazardous Chemicals, Industrial Solid Waste and Municipal Solid Waste including Plastic Waste notified under the Environment (Protection) Act, 1986, subject to the conditions that the Central Government may revoke such delegation of powers or may itself invoke the provisions of Section 5 of the said Act, if in the opinion of the Central Government such a course of action is necessary in the public interest:-

TABLE

Sl. No. (1)	**Name of Board/Committee** (2)	**Jurisdiction** (3)
1.	Andhra Pradesh State Pollution Control Board	Whole of State
2.	Arunanchal Pradesh State Pollution Control Board	Whole of State
3.	Assam State Pollution Control Board	Whole of State
4.	Bihar State Pollution Control Board	Whole of State
5.	Goa State Pollution Control Board	Whole of State
6.	Gujarat State Pollution Control Board	Whole of State
7.	Haryana State Pollution Control Board	Whole of State
8.	Himachal Pradesh State Pollution Control Board	Whole of State
9.	Jammu & Kashmir State Pollution Control Board	Whole of State
10.	Karnataka State Pollution Control Board	Whole of State
11.	Kerala State Pollution Control Board	Whole of State

12.	Maharashtra State Pollution Control Board	Whole of State
13.	Madhya Pradesh State Pollution Control Board	Whole of State
14.	Manipur State Pollution Control Board	Whole of State
15.	Meghalaya State Pollution Control Board	Whole of State
16.	Mizoram State Pollution Control Board	Whole of State
17.	Nagaland State Pollution Control Board	Whole of State
18.	Orissa State Pollution Control Board	Whole of State
19.	Punjab State Pollution Control Board	Whole of State
20.	Rajasthan State Pollution Control Board	Whole of State
21.	Sikkim State Pollution Control Board	Whole of State
22.	Tamil Nadu State Pollution Control Board	Whole of State
23.	Tripura State Pollution Control Board	Whole of State
24.	Uttar Pradesh State Pollution Control Board	Whole of State
25.	West Bengal State Pollution Control Board	Whole of State
26.	Committee, Andaman & Nicobar Union Territory	Whole of U.T.
27.	Committee, Chandigarh Union Territory	Whole of U.T.
28.	Committee, Dadra & Nagar Haveli Union Territory	Whole of U.T.
29.	Committee, Daman & Diu Union Territory	Whole of U.T.
30.	Committee, National Capital Territory of Delhi	Whole of N.C.T.
31.	Committee, Lakshadweep Union Territory	Whole of U.T.
32.	Committee, Pondicherry Union Territory	Whole of U.T.

[No.1(35)/96-PL]
VIJAY SHARMA, Jt. Secy.

UTILISATION OF FLYASH FROM COAL OR LIGNITE BASED THERMAL POWER PLANTS

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 14th September, 1999

S.O.763(E).- Whereas a draft notification containing rule (3) of rule 5 of the Environment (Protection) Rules, 1986 under the notification of the Government of India in the Ministry of Environment and Forests number S.O. 453(E) dated 22nd May, 1998 inviting objections and suggestions from all persons likely to be affected thereby, before the expiry of the period of sixty days from the date on which the copies of the Gazette of India containing the said notification are made available to the public;

And, whereas, copies of the said Gazette were made available to the public on the same date;

And, whereas, the objections and suggestions received from the public in respect of the said draft notification have been duly considered by the Central Government;

Whereas it is necessary to protect the environment, conserve top soil and prevent the dumping and disposal of fly ash discharged from coal or lignite based thermal power plants on land;

And, whereas, there is a need for restricting the excavation of top soil for manufacture of bricks and promoting the utilisation of fly ash in the manufacture of building materials and in construction activity within a specified radius of [1][one hundred kilometers] from coal or lignite based thermal power plants;

And, Whereas, the Hon'ble High Court of Judicature, Delhi vide its order dated 25th August, 1999 in CWP No. 2145/99: Centre for Public Interest Litigation, Delhi v/s Union of India directed that the Central Government to publish the final notification in respect of fly ash on or before 26th October, 1999;

Now, therefore, in exercise of the powers conferred by sub-section (1), read with clause (v) of sub-section (2) of section 3 and section 5 of the Environment (Protection) Act, 1986 (29 of 1986); and in pursuance of the orders of the Hon'ble High Court, Delhi stated above, the Central Government hereby issues the following directions which shall come into force on the date of the publication of this notification, namely:-

---

[1] Substituted by para 1 of the Notification S.O.979 (E), dated 27.8.2003.

1. Use of fly ash, bottom ash or pond ash in the manufacture of bricks and other construction activities.-

(1) No person shall within a radius of [1][one hundred kilometers] from coal or lignite based thermal power plants, manufacture clay bricks or tiles or blocks for use in construction activities without mixing at least 25 per cent of ash (fly ash, bottom ash or pond ash) with soil on weight to weight basis.

[2][(i) use of fly ash based products in construction activities];

[3][1(A) Every construction agency engaged in the construction of buildings within a radius of hundred kilometres from a coal or lignite based thermal power plant shall use only fly ash based products for construction, such as cement or concrete, fly ash bricks or tiles or clay fly ash bricks, or bricks, blocks or tiles or cement fly ash bricks or blocks or similar products or a combination or aggregate of them, in every construction project.

1(B) The provisions of sub-paragraph (1A) shall be applicable to all construction agencies of Central or State or Local Government and private or public sector and it shall be the responsibility of the agencies either undertaking construction or approving the design or both to ensure compliance of the provisions of sub-paragraph (1A) and to submit annual returns to the concerned Sate Pollution Control Board or Pollution Control Committee, as applicable.]

[4][1(C) Minimum fly ash content for building materials or products to qualify as "fly ash based products" category shall be given in the Table I below:

TABLE I

Serial No.	**Building Materials or Products**	**Minimum % of fly ash by weight**
(1)	(2)	(3)
1.	Fly ash bricks, blocks, blocks, tiles, etc. made with fly ash, lime, gypsum, sand, stone duct etc. (without clay).	50% of total input materials
2.	Paving blocks, paving tiles, checker tiles, mosaic tiles, roofing sheets, pre-cast elements, etc. wherein cement is used as binder.	Usage of PPC (IS-1489: Part-1) or PSC (IS-455) or 15% of OPC (IS-269/8112/12269) content.

1 Substituted by para 2 (a) of the Notification S.O.979 (E), dated 27.8.2003.

2 Substituted by para 2(a) of Amendment Notification S.O.2804 (E), dated 3.11.2009.

3 Substituted by para 2(b) of Amendment Notification S.O.2804 (E), dated 3.11.2009.

4 Inserted by para 2(c) of Amendment Notification S.O.2804 (E), dated 3.11.2009.

3.	Cement	15% of total raw materials
4.	Clay based building materials such as bricks, blocks, tiles, etc.	25% of total raw materials
5.	Concrete, mortar and plaster	Usage of PPC (IS-1489: Part-1) or PSC (IS-455) or 15% of OPC (IS-269/8112/12269) content.]

[1][[2]1(D) The authority for ensuring the use of specified quantity of ash as per sub-paragraph [3][(1C)] shall be the concerned Regional Officer of the State Pollution Control Board or the Pollution Control Committee, as the case may be.

1(E) The concerned State Government shall be the enforcing and monitoring authority for ensuring compliance of the provisions of sub- paragraph (lA)].

[4][(3) In case of non-availability of fly ash from thermal power plants in sufficient quantities as certified by the said power plants, within 100 km. of the site , the stipulation under sub-paragraph (1A) shall be suitably modified (waived or relaxed) by the concerned State Government or Union Territory Government level monitoring committee mentioned elsewhere in this notification .

(3A) A decision on the application for manufacture of fly ash bricks, blocks and tiles and similar other fly ash based products shall be taken within thirty days from the date of receipt of the application by the concerned State Pollution Control Board or Pollution Control Committee.]

[5][*****…….]

[6][(4) Each coal or lignite based thermal power plant shall constitute a dispute settlement committee which shall include the General Manager of the thermal power plant and representative of the relevant Construction and fly ash Brick Manufacturing Industry Association or Body, as the case may be and such a

---

1 Substituted by para 2(c), of the Notification S.O.979 (E), dated 27.8 2003.

2 Number of sub-paragraph (2) substituted as paragraph (ID) by para 2(d) of Amendment Notification S.O.2804 (E), dated 3.11.2009.

3 Substituted by para 2(d) of Amendment Notification S.O.2804 (E), dated 3.11.2009.

4 Substituted by para 2(f) of Amendment Notification S.O.2804 (E), dated 3.11.2009.

5 Sub-paragraphs (3B), (3C), and (3D) omitted by para 2(g) of Amendment Notification S.O.2804 (E), dated 3.11.2009.

6 Sub-paragraphs (4) and (5) substituted by para 2(h) of Amendment Notification S.O.2804 (E), dated 3.11.2009.

Committee shall ensure unhindered loading and transport of fly ash in an environmentally sound manner without any undue loss of time. An unresolved dispute shall be dealt with by the concerned State or Union territory Government level monitoring committee mentioned elsewhere in this notification.

(5) No agency, person or organisation shall, within a radius of hundred kilometres of a thermal power plant undertake construction or approve design for construction of roads or flyover embankments with top soil; the guidelines or specifications issued by the Indian Road Congress(IRC) as contained in IRC specification No.SP:58 of 2001 as amended from time to time regarding use of fly ash shall be followed and any deviation from this direction can only be agreed to on technical reasons if the same is approved by Chief Engineer (Design) or Engineer –in – Chief of the concerned agency or organisation or on production of a certificate of "fly ash not available" from the thermal power plant(s) (TPPs) located within hundred kilometres of the site of construction and this certificate shall be provided by the TPP within two working days from the date of receipt of a request for fly ash, if fly ash is not available.]

(6) Soil required for top or side covers of embankments of roads or flyovers shall be excavated from the embankment site and if it is not possible to do so, only the minimum quantity of soil required for the purpose shall be excavated from soil borrow area. In either case, the topsoil should be kept or stored separately. [1][Voids created at soil borrow area shall be filled up with ash with proper compaction and covered with topsoil kept separately as above and this would be done as an integral part of embankment project.]

[2][(7) No agency, person or organisation shall within radius of hundred kilometres of a coal or lignite based thermal power plant undertake or approve or allow reclamation and compaction of low lying areas with soil; only fly ash shall be used for compaction and reclamation and they shall also ensure that such reclamation and compaction is done in accordance with the specifications and guidelines laid down by the authorities mentioned in sub paragraph (1) of paragraph 3.

(8) (i) No person or agency shall within fifty kilometres (by road) from coal or lignite based thermal power plants, undertake or approve stowing of mines without using at least 25% of fly ash on weight to weight basis, of the total stowing materials used and this shall be done under the guidance of the Director General of Mines Safety (DGMS);

---

1 Substituted by para 2(i) of Amendment Notification S.O.2804 (E), dated 3.11.2009.

2 Sub-paragraphs (7), (8), (9), (10) and (11) substituted by para 2(j) of Amendment Notification S.O.2804 (E), dated 3.11.2009.

Provided that such thermal power stations shall facilitate the availability of required quality and quantity of fly ash as may be decided by the expert committee referred in sub paragraph (10) for this purpose.

(ii) No person or agency shall within fifty kilometres (by road) from coal or lignite based thermal power plants, undertake or approve without using at least 25% of fly ash on volume to volume basis of the total materials used for external dump of overburden and same percentage in upper benches of back filling of opencast mines and this shall be done under the guidance of the Director General of Mines Safety (DGMS);

Provided that such thermal power stations shall facilitate the availability of required quality and quantity of fly ash as may be decided by the expert committee referred in sub-paragraph (10) for this purpose.

(9) The provisions contained in clause (i) and (ii) of sub paragraph (8) shall be applicable to all mine agencies under Government, public and private sector and to mines of all minerals or metals or items and it shall be the responsibility of agencies either undertaking or approving the external dump of overburden, backfilling or stowing of mine or all these activities to ensure compliance of provisions contained in clause (i) and (ii) of sub-paragraph (8) and to submit annual returns to the concerned State Pollution Control Board or Pollution Control Committee as applicable.

(10) The Ministry of Coal for this purpose shall constitute an expert committee comprising of representatives from Fly Ash Unit, Department of Science and Technology, Ministry of Science and Technology, Director General of Mines Safety(DGMS), Central Mines Planning and Design Institute Limited(CMPDIL), Ministry of Environment and Forests, Ministry of Power, Ministry of Mines and the Central Institute of Mining and Fuel Research(CIMFR), Dhanbad; the Committee shall also guide and advise the back filling or stowing in accordance with the provisions contained in sub-paragraphs (8) (i), (8) (ii) and (9), and specifications and guidelines laid down by the concerned authorities as mentioned in sub-paragraph(1) of paragraph 3.

(11) The concerned State Government or Union Territory Government shall be the enforcing and monitoring authority for ensuring compliance of the provisions of sub-paragraphs (8) (i) and (8) (ii).]

2. [1][Responsibilities of Thermal Power Plants].

[2][Every coal or lignite based thermal power plant shall take the following steps to ensure the utilization of ash generated by it, namely: -]

[3][(1) All coal or lignite based thermal power stations would be free to sell fly ash to the user agencies subject to the following conditions, namely:-

(i) the pond ash should be made available free of any charge on "as is where basis " to manufacturers of bricks, blocks or tiles including clay fly ash product manufacturing unit(s),farmers, the Central and the State road construction agencies Public Works Department, and to agencies engaged in backfilling or stowing of mines.

(ii) at least 20% of dry ESP fly ash shall be made available free of charge to units manufacturing fly ash or clay –fly ash bricks, blocks and tiles on a priority basis over other users and if the demand from such agencies falls short of 20% of quantity, the balance quantity can be sold or disposed of by the power station as may be possible;

Provided that the fly ash obtained from the thermal power station should be utilized on for the purpose for which it was obtained from the thermal power station or plant failing which no fly ash shall be made available to the defaulting users.

(2) All coal and, or lignite based thermal power stations and, or expansion units in operation before the date of this notification are to achieve the target of fly ash utilization as per the TABLE-II given below:-

TABLE-II

Serial No.	Percentage Utilization of Fly Ash	Target Date
(1)	**(2)**	**(3)**
1.	At least 50% of fly ash generation	One year from the date of issue of this notification.
2.	At least 60% of fly ash generation	Two years from the date of issue of this notification.

1 Substituted by para 3(a), of Notification S.O.No.979 (E), dated 27.8.2003.

2 Substituted by para 3(b), ibid.

3 Sub-paragraphs (1), (2) and (3) substituted by para 3(a) of Amendment Notification S.O.2804 (E), dated 3.11.2009.

3.	At least 75% of fly ash generation	Three years from the date of issue of this notification.
4.	At least 90% of fly ash generation	Four years from the date of issue this notification.
5.	100% of fly ash generation	Five years from the date of issue of this notification.

The unutilised fly ash in relation to the target during a year, if any, shall be utilized within next two years in addition to the targets stipulated for those years and the balance unutilised fly ash accumulated during first five years (the difference between the generation and the utilization target) shall be utilized progressively over next five years in addition to 100% utilization of current generation of fly ash.

(3) New coal and, or lignite based thermal power stations and, or expansion units commissioned after this notification to achieve the target of fly ash utilization as per the TABLE-III given below:-

TABLE-III

Serial No.	**Fly Ash Utilization Level**	**Target Date**
(1)	**(2)**	**(3)**
1.	At least 50% of fly ash generation	One year from the date of commissioning.
2.	At least 70% of fly ash generation	Two years from the date of commissioning.
3.	90% of fly ash generation	Three years from the date of commissioning.
4.	100% of fly ash generation	Four years from the date of commissioning.

The unutilised fly ash in relation to the target during a year, if any, shall be utilized within next two years in addition to the targets stipulated for these years and the balance unutilised fly ash accumulated during first four years (the difference between the generation and the utilization target) shall be utilized progressively over next five years in addition to 100% utilization of current generation of fly ash.]

(4) All action plans prepared by coal or lignite based thermal power plants in accordance with sub-para (2) and (3) of para 2 of this notification, shall be submitted to the Central Pollution Control Board, concerned State Pollution Control Board/Committee and concerned regional office of the Ministry of Environment and Forests within a period of [1][four months] from the date of publication of this notification.

(5) The Central and State Government Agencies, the State Electricity Boards, the National Thermal Power Corporation and the management of the thermal power plants shall facilitate in making available land, electricity and water for manufacturing activities and provide access to the ash lifting area for promoting and setting up of ash-based production units in the proximity of the area where ash is generated by the power plant.

[2][(6) The amount collected from sale of fly ash and fly ash based products by coal and /or lignite based thermal power stations or their subsidiary or sister concern unit, as applicable should be kept in a separate account head and shall be utilised only for development of infrastructure or facilities, promotion and facilitation activities for use of fly ash until 100 percent fly ash utilization level is achieved, thereafter as long as 100% fly ash utilization levels are maintained, the thermal power station would be free to utilize the amount collected for other development programmes also and in case, there is a reduction in the fly ash utilization levels in the subsequent year(s), the use of financial return from fly ash shall get restricted to development of infrastructure or facilities and promotion or facilitation activities for fly ash utilization until 100 percent fly ash utilization level is again achieved and maintained.

(7) Annual implementation report (for the period 1st April to 31st March) providing information about the compliance of provisions in this notification shall be submitted by the 30th day of April, every year to the Central Pollution Control Board, concerned State Pollution Control Board or Committee and the concerned Regional Office of the Ministry of Environment and Forests by the coal or lignite based thermal power plants, and also be made a part of the annual report of the thermal power plant as well as thermal power plant wise information be provided in the annual report of thermal power producing agency owning more than one thermal power plant.]

---

1 Substituted by para 3(b) of the Amendment Notification S.O.2804 (E), dated 3.11.2009.

2 Sub-paragraphs (6) and (7) substituted by para 3(c) of the Amendment Notification S.O.2804 (E), dated 3.11.2009.

[1][**2A. Utilization of fly ash for reclamation of sea.**

Subject to the rules made under the Environment (Protection) Act, 1986, (29 of 1986) reclamation of sea shall be a permissible method of utilization of fly ash.]

3. Specifications for use of ash-based products.-

(1) Manufacture of ash-based products such as cement, concrete blocks, bricks, panels or any other material or the use of ash in construction activity such as in road laying, embankments or use as landfill to reclaim low lying areas including back filling in abandoned mines or pitheads or for any other use shall be carried out in accordance with specifications and guidelines laid down by the Bureau of Indian Standards, Indian Bureau of Mines, Indian Road Congress, Central Building Research institute, Roorkee, Central Road Research Institute, New Delhi, Building Materials and Technology Promotion Council, New Delhi, Central Public Works Department, State Public Works Departments and other Central and State Government agencies.

(2) The Central Public Works Department, Public Works Departments in the State/Union Territory Governments, Development Authorities, Housing Boards, National Highway Authority of India and other construction agencies including those in the private sector shall also prescribe the use of ash and ash-based products in their respective [2][tender documents, schedules of specifications and construction applications including appropriate standards and codes of practice within a period of four months from the publication of this notification.]

[3][(2A) Building construction agencies both in public and private shall prescribe the use of fly ash and fly ash based products in their respective tender documents, schedules of specifications and construction applications, including appropriate standards and codes of practice and make provisions for the use of fly ash and fly ash based bricks, blocks or tiles or aggregates of them in the schedule of approved materials and rates within a period of four months from the publication of this notification.]

---

1 Inserted by para 4 of the Notification S.O.No. 979(E), dated 27.8.2003.

2 Substituted by para 4(a) of the Amendment Notification S.O.2804 (E), dated 3.11.2009.

3 Substituted by para 4(b) of the Amendment Notification S.O.2804 (E), dated 3.11.2009.

[1][(2B)All agencies undertaking construction of roads or flyover bridges and reclamation and compaction of low lying areas, including Department of Road Transport and Highways (DORTH),National Highways Authority of India (NHAI),Central Public Works Department(CPWD),State Public Works Department and other State Government Agencies, shall within a period of four months from the publication of this notification:-

(a) make provisions in their tender documents, schedules of approved materials and rates as well as technical documents for implementation of this notification, including those relating to soil borrow area or pit as per sub-paragraph (6)of paragraph 1; and

(b) make necessary specifications or guidelines for road or fly over embankments that are not covered by the specifications laid down by the Indian Road Congress (IRC).

(3)All local authorities shall specify in their respective tender documents, building bye –laws and regulations, the use of fly ash and fly ash-based products and construction techniques in building materials, roads embankments or for any usage with immediate effect.

(4)The Central Electricity Authority and other approving agencies may permit the land area for emergency ash pond or fly ash storage area up to 50 hectares for a 500 MW unit, based on 45% ash content coal, or in the same proportion for units in other capacities taking into account the ash content in coal or lignite to be used.

(5) All Financial institutions and agencies which fund construction activities shall include a clause in their loan or grant document for compliance of the provisions of this notification.

(6) A Monitoring committee shall be constituted by the Central Government with Members from Ministry of Coal, Ministry of Mines, Ministry of Power, Central Pollution Control Board, Central Electricity Authority, Head Fly Ash Unit of Department of Science and Technology and Building Material Technology Promotion Council to monitor the implementation of the provisions of the notification and submit its recommendations or observations at least once in every six months to the Secretary, Ministry of Environment and Forests. Concerned Adviser or Joint Secretary in the Ministry of Environment and Forests will be the convener of this committee.

---

[1] Sub-paragraphs (2B), (3), (4), (5), (6) and (7) substituted by para 4(c) of the Amendment Notification S.O.2804(E), dated 3.11.2009.

(7)For the purpose of monitoring the implementation of the provisions of this notification the State Governments or Union Territory Government shall constitute a Monitoring Committee within three months from the date of issue of this notification under the Chairmanship of Secretary, Department of Environment with representatives from Department of Power, Department of Mining, Road and Building Construction Department and State Pollution Control Board and this Committee would deal with any unresolved issue by Dispute Settlement Committee as prescribed in sub-paragraph (4) of paragraph 1, in addition to monitoring and facilitating implementation of this notification at the respective State Government or Union Territory level and this Committee would also empowered to suitably modify (waive or relax) the stipulation under sub-paragraph (1) in case of non-availability of fly ash in sufficient quantities from thermal power plant as certified by the said power plants and the Committee will meet at least once in every quarter.]

[F.No.9-8/2005-HSMD]

G.V.SUBRAHMANYUM, Scientist 'G'

Foot Note:- The principal notification was published in the Gazette of India, Part II, Section 3, Sub-section (ii) *vide* notification number S.O.763(E), dated the 14th September, 1999 and was amended *vide* notification number S.O.979 (E), dated the 27th August, 2003.

THE ENVIRONMENT (PROTECTION) RULES, 1986

(As amended to date)

THE ENVIRONMENT (PROTECTION) RULES, 1986

MINISTRY OF ENVIRONMENT AND FORESTS

(Department of Environment, Forest and Wildlife)

NOTIFICATION

New Delhi, the 19th November, 1986

[1]S.O. 844(E) -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, namely:-

1. SHORT TITLE AND COMMENCEMENT

(i) These rules may be called the Environment (Protection) Rules, 1986.

(ii) They shall come into force on the date of their publication in the Official Gazette.

2. DEFINITIONS

In these rules, unless the context otherwise requires,-

(a) "Act" means the Environment (Protection) Act, 1986 (29 of 1986);

[2] [(aa) "areas" means all areas where the hazardous substances are handled;]

(b) "Central Board" means the Central Pollution Control Board constituted under section 3 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);

(c) "Form" means a form set forth in Appendix A to these rules;

(d) "Government Analyst" means a person appointed or recognized as such under section 13;

(e) "person" in relation to any factory or premises means a person or occupier or his agent who has control over the affairs of the factory or premises and includes in relation to any substance, the person in possession of the substance.

---

1 As published in Gazette of India, Extraordinary, Part II 3(ii), dt.19.11.1986.

2 Clauses (aa), (ee) and (ff) inserted by Notification NO. G.S.R. 931(E) dated 27.10.89 published in the Gazette No 564 dated 27.10.89. These rules are referred to as Principal Rules in all Notifications beginning with S.O. 32(E) published in the Gazette No. 66 dated 16.2.87.

[1][(ee) "prohibited substance" means the substance prohibited for handling;]

(f) "recipient system" means the part of the environment such as soil, water, air or other which receives the pollutants;

[1][(ff) "restricted substance" means the substance restricted for handling;]

(g) "section" means a section of the Act;

(h) "Schedule" means a Schedule appended to these rules;

(i) "Standards" means standards prescribed under these rules;

(j) "State Board" means a State Pollution Control Board constituted under section 4 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) or a State Pollution Control Board constituted under section 5 of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981);

3. STANDARDS FOR EMISSION OR DISCHARGE OF ENVIRONMENTAL POLLUTANTS

(1) For the purpose of protecting and improving the quality of the environment and preventing and abating environmental pollution, the standards for emission or discharge of environmental pollutants from the industries, operations or processes shall be as specified in [2][Schedule I to IV].

(2) Notwithstanding anything contained in sub-rule (1),the Central Board or a State Board may specify more stringent standards from those provided in [3][Schedule I to IV] in respect of any specific industry, operation or process depending upon the quality of the recipient system and after recording reasons therefore in writing.

[4][(3) The standards for emission or discharge of environmental pollutants specified under sub-rule (1) or sub-rule (2) shall be complied with by an industry, operation or process within a period of one year of being so specified.]

---

1 Clauses (aa), (ee) and (ff) inserted by Notification NO. G.S.R. 931(E) dated 27.10.89 published in the Gazette No 564 dated 27.10.89. These rules are referred to as Principal Rules in all Notifications beginning with S.O. 32(E) published in the Gazette No. 66 dated 16.2.87.

2 Substituted by notification G.S.R 422(E) dated 19.5.1993, published in the Gazette No. 174 dated 19.5.1993.

3 Substituted ibid

4 The sub-rule (3)of rule 3 inserted vide S.O.23(E), dt.16.01.1991.

[1][(3A) (i) Notwithstanding anything contained in sub-rules (1) and (2), on and from the 1st day of January, 1994, emission or discharge of environmental pollutants from the [2][industries, operations or processes other than those industries, operations or processes for which standards have been specified in Schedule-I] shall not exceed the relevant parameters and standards specified in schedule VI.

Provided that the State Boards may specify more stringent standards for the relevant parameters with respect to specific industry or locations after recording reasons therefore in writing.

(ii) The State Board shall while enforcing the standards specified in Schedule VI follow the guidelines specified in Annexure I and II in that Schedule.]

[3][(3B)] The combined effect of emission or discharge of environmental pollutants in an area, from industries, operations, processes, automobiles and domestic sources, shall not be permitted to exceed the relevant concentration in ambient air as specified against each pollutant [4][in columns (4) and (5) of Schedule VII.]

(4) Notwithstanding anything contained in sub-rule (3)-

(a) the Central Board or a State Board, depending on the local conditions or nature of discharge of environmental pollutants, may, by order, specify a lesser period than a period specified under sub-rule (3) within which the compliance of standards shall be made by an industry, operation or process.

(b) the Central Government in respect of any specific industry, operation or process, by order, may specify any period other than a period specified under sub-rule (3) within which the compliance of standards shall be made by such industry, operation or process.

(5) Notwithstanding anything contained in sub-rule (3) the standards for emission or discharge of environmental pollutants specified under sub-rule (1) or sub-rule (2) in respect of an industry, operation or process before the commencement of the Environment (Protection) Amendment Rules, 1991, shall be complied by such industry, operation or process by the 31st day of December 1991.

---

1 The sub-rule (3A) of rule 3 inserted by rule 2(a)(iii) of the Environment (Protection) Second Amendment Rules, 1993 notified vide GSR 422(E) dt.19.05.1993, published in the Gazette No.174 dated 19.05.1993.

2 Substituted by rule 2(a) of the Environment (Protection) Third Amendment Rules, 1993 notified vide Notification G.S.R 801(E), dt.31.12.1993, published in Gazette No.463 dt.31.12.1993.

3 Substituted by Rule 2(a) of the Environment (Protection) Second (Amendment) Rules, 1998 notified by notification GSR 7, dated 22.12.1998.

4 Substituted by Rule 2 of the Environment (Protection) Seventh Amendment Rules, 2009 notified by GSR 826(E), dated 16.11.2009.

[1][(6) Notwithstanding anything contained in sub-rule (3), an industry, operation or process which has commenced production on or before 16th day of May, 1981 and has shown adequate proof of atleast commencement of physical work for establishment of facilities to meet the specified standards within a time-bound programme, to the satisfaction of the concerned State Pollution Control Board, shall comply with such standards latest by the 31st day of December, 1993.

(7) Notwithstanding anything contained in sub-rule (3) or sub-rule (6) an industry, operation or process which has commenced production after the 16th day of May, 1981 but before the 31st day of December 1991 and has shown adequate proof of at least commencement of physical work for establishment of facilities to meet the specified standards within a time-bound programme, to the satisfaction of the concerned State Pollution Control Board, shall comply with such standards latest by the 31st day of December, 1992.]

[2][(8) On and from the 1st day of [3][June, 2002], the following coal based thermal power plants shall use [4][raw or blended or beneficiated coal with an ash content not exceeding thirty four per cent on an annual average basis.], namely:-

(a) any thermal power plant located beyond one thousand kilometers from the pit-head; and

(b) any thermal power plant located in urban area or sensitive area or critically polluted area irrespective of their distance from pit-head except any pit-head power plant.

[5][Provided that any thermal power plant using Circulating Fluidised Bed Combustion or Atmosphere Fluidised Bed Combustion or Pressurized Fluidised Bed Combustion or integrated Gasification Combined Cycle technologies or any other clean technologies as may be notified by the Central Government in the Official Gazette shall be exempted from Clauses (a) and (b)]

Explanation: For the purpose of this Rule :-

(a) µ E H Q H I L F L D W H G F R D O ¶ P H D Q V F R D O F R Q W D L Q L Q J K L J K than the original ash content in the raw coal obtained through physical separation or washing process.

---

1 Sub-rule (6) and (7) of rule 3 were added by the Environment (Protection) Amendment Rule, 1992 vide G.S.R. 95(E) dated 12.02.1992.

2 Inserted by Rule 2 of the Environment (Protection) Amendment Rules, 1997 vide G.S.R.560(E), dated 19.9.1997.

3 Substituted vide G.S.R.407(E), dated 31.5.2001.

4 Substituted vide G.S.R.378 (E), dated 30.6.1998.

5 Inserted vide G.S.R. 378 (E), dated 30.6.1998.

(b) µ SKWDG SRZHU SODQW¶ PHDQV SRZHU VWDWLRQV KD system for its exclusive use for transportation of coal from the loading point at the mining end upto the uploading point at the power station without using the normal public transportation system.;

(c) µ VHQVLWLYH DUHD¶ PHDQV DQ DUHD ZKRVH HFRORJLFI disturbed.

(d) µ FULWLFDOO\ SROOXWHG DUHD¶ PHDQV DQ DUHD ZKH likely to reach to the critical level and which has been identified as such by the Central Government or Central Pollution Control Board or a State Pollution Control Board.

[1] > H µXUEDQ DUHD¶ PHDQV DQ DUHD OH million according to 1991 census.]

4. DIRECTIONS

(1) Any direction issued under section 5 shall be in writing.

(2) The direction shall specify the nature of action to be taken and the time within which it shall be complied with by the person, officer or the authority to whom such direction is given.

[2][(3) (a) The person, officer or authority to whom any direction is sought to be issued shall be served with a copy of the proposed direction and shall be given an opportunity of not less than fifteen days from the date of service of a notice to file with an officer designated in this behalf the objections, if any, to the issue of the proposed direction.

(b) Where the proposed direction is for the stoppage or regulation of electricity or water or any other service affecting the carrying on any industry, operation or process and is sought to be issued to an officer or an authority, a copy of the proposed direction shall also be endorsed to the occupier of the industry, operation or process, as the case may be and objections, if any, filed by the occupier with an officer designated in this behalf shall be dealt with in accordance with the procedures under sub-rules (3a) and (4) of this rule:

Provided that no opportunity of being heard shall be given to the occupier if he had already been heard earlier and the proposed direction referred to in sub-rule (3b) above for the stoppage or regulation of electricity or

---

1 Inserted vide G.S.R.378(E), dated 30.6.1998.

2 Sub-rule (3) of rule 4 of the Principal Rules was re-numbered as sub-rule 3(a) and sub-rule 3(b) inserted vide Notification No. S.O. 64(E) published in the Gazette No. 42 dated 18.1.88.

water or any other service was the resultant decision of the Central Government after such earlier hearing.

(4) The Central Government shall within a period of 45 days from the date of receipt of the objections, if any or from the date up to which an opportunity is given to the person, officer or authority to file objections whichever is earlier, after considering the objections, if any, received from the person, officer or authority sought to be directed and for reasons to be recorded in writing, confirm, modify or decide not to issue the proposed direction.

(5) In case where the Central Government is of the opinion that in view of the likelihood of a grave injury to the environment it is not expedient to provide an opportunity to file objections against the proposed direction, it may, for reasons to be recorded in writing, issue directions without providing such an opportunity.

(6) Every notice or direction required to be issued under this rule shall be deemed to be duly served

(a) where the person to be served is a company, if the document is addressed in the name of the company at its registered office or at its principal office or place of business and is either-

(i) sent by registered post, or

(ii) delivered at its registered office or at the principal office or place of business;

(b) where the person to be served is an officer serving Government, if the document is addressed to the person and a copy thereof is endorsed to this Head of the Department and also to the Secretary to the Government, as the case may be, in-charge of the Department in which for the time being the business relating to the Department in which the officer is employed is transacted and is either-

(i) sent by registered post, or

(ii) is given or tendered to him;

(c) in any other case, if the document is addressed to the person to be served and-

(i) is given or tendered to him, or

(ii) if such person cannot be found, is affixed on some conspicuous part of his last known place of residence or business or is given or tendered to some adult member of his family or is affixed on some conspicuous part of the land or building, if any, to which it relates, or

(iii) is sent by registered post to that person;

Explanation.—For the purpose of this sub-rule:-

(a) "company" means any body corporate and includes a firm or other association of individuals;

(b) "a servant" is not a member of the family.

5. PROHIBITION AND RESTRICTION ON THE LOCATION OF INDUSTRIES AND THE CARRYING ON PROCESSES AND OPERATIONS IN DIFFERENT AREAS

(1) The Central government may take into consideration the following factors while prohibiting or restricting the location of industries and carrying on of processes and operations in different areas-

(i) Standards for quality of environment in its various aspects laid down for an area.

(ii) The maximum allowable limits of concentration of various environmental pollutants (including noise) for an area.

(iii) The likely emission or discharge of environmental pollutants from an industry, process or operation proposed to be prohibited or restricted.

(iv) The topographic and climatic features of an area.

(v) The biological diversity of the area which, in the opinion of the Central Government needs to be preserved.

(vi) Environmentally compatible land use.

(vii) Net adverse environmental impact likely to be caused by an industry, process or operation proposed to be prohibited or restricted.

(viii) Proximity to a protected area under the Ancient Monuments and Archaeological Sites and Remains Act, 1958 or a sanctuary, National Park, game reserve or closed area notified as such under the Wild Life (Protection) Act, 1972 or places protected under any treaty, agreement or convention with any other country or countries or in pursuance of any decision made in any international conference, association or other body.

(ix) Proximity to human settlements.

(x) Any other factor as may be considered by the Central Government to be relevant to the protection of the environment in an area.

(2) While prohibiting or restricting the location of industries and carrying on of processes and operations in an area, the Central Government shall follow the procedure hereinafter laid down.

(3) (a) Whenever it appears to the Central Government that it is expedient to impose prohibition or restrictions on the locations of an industry or the carrying on of processes and operations in an area, it may by notification in the Official Gazette and in such other manner as the Central Government may deem necessary from time to time, give notice of its intention to do so.

(b) Every notification under clause (a) shall give a brief description of the area, the industries, operations, processes in that area about which such notification pertains and also specify the reasons for the imposition of prohibition or restrictions on the locations of the industries and carrying on of process or operations in that area.

(c) Any person interested in filing an objection against the imposition of prohibition or restrictions on carrying on of processes or operations as notified under clause (a) may do so in writing to the Central Government within sixty days from the date of publication of the notification in the Official Gazette.

(d) The Central Government shall within a period of one hundred and twenty days from the date of publication of the notification in the Official Gazette consider all the objections received against such notification and may within [1][three hundred and sixty five days] from such day of publication] impose prohibition or restrictions on location of such industries and the carrying on of any process or operation in an area.

[2][(4) Notwithstanding anything contained in sub-rule (3), whenever it appears to the Central Government that it is in public interest to do so, it may dispense with the requirement of notice under clause (a) of sub-rule (3).]

[3][6. PROCEDURE FOR TAKING SAMPLES

The Central Government or the officer empowered to take samples under section 11 shall collect the sample in sufficient quantity to be divided into two uniform parts and effectively seal and suitably mark the same and permit to the person from whom the sample is taken to add his own seal or mark to all or any of the portions so sealed and marked. In case where the sample is made up in containers or small volumes and is likely to deteriorate or be otherwise damaged if exposed, the Central Government or the officer

---

1 6XEVWLWXWHG IRU WKH ZRUGV ³RQH KXQGUHG DQG HLJKW\ Deleted by Rule 2 of the Environment (Protection) Eighth Amendment Rules, 1992

2 Inserted by Rule 2 of the Environment (Protection) Amendment Rules, 1994 notified by G.S.R.320(E), dated 16.3.1994.

3 For rule 6 of the principal rules this rule was substitute vide S.O. 64(E) published in the Gazette No. 42 dated 18.1.88.

empowered shall take two of the said samples without opening the containers and suitably seal and mark the same. The Central Government or the officer empowered shall dispose of the samples so collected as follows:-

(i) One portion shall be handed over to the person from whom the sample is taken under acknowledgement; and

(ii) The other portion shall be sent forthwith to the environmental laboratory or analysts.]

7. SERVICE OF NOTICE

The Central Government or the officer empowered shall serve on the occupier or his agent or person in charge of the place a notice then and there in Form I of his intention to have the sample analysed.

8. PROCEDURE FOR SUBMISSION OF SAMPLES FOR ANALYSIS, AND THE FORM OF LABORATORY REPORT THEREON

(1) Sample taken for analysis shall be sent by the Central Government or the officer empowered to the environmental laboratory by registered post or through special messenger along with Form II.

(2) Another copy of Form II together with specimen impression of seals of the officer empowered to take samples along with the seals/marks, if any, of the person from whom the sample is taken shall be sent separately in a sealed cover by registered post or through a special messenger to the environmental laboratory.

(3) The findings shall be recorded in Form III in triplicate and signed by the Government Analyst and sent to the officer from whom the sample is received for analysis.

(4) On receipt of the report of the findings of the Government Analyst, the officer shall send one copy of the report to the person from whom the sample was taken for analysis, the second copy shall be retained by him for his record and the third copy shall be kept by him to be produced in the Court before which proceedings, if any, are instituted.

9. FUNCTIONS OF ENVIRONMENTAL LABORATORIES

The following shall be the functions of environmental laboratories:-

(i) to evolve standardized methods for sampling and analysis of various types of environmental pollutants;

(ii) to analyze samples sent by the Central Government or the officers empowered under sub-section (1) of section 11.

(iii) to carry out such investigations as may be directed by the Central Government to lay down standards for the quality of environment and discharge of environmental pollutants, to monitor and to enforce the standards laid down;

(iv) to send periodical reports regarding its activities to the Central Government;

(v) to carry out such other functions as may be entrusted to it by the Central Government from time to time.

10. QUALIFICATIONS OF GOVERNMENT ANALYST

A person shall not be qualified for appointment or recognized as a Government Analyst unless he is a:-

(a) graduate in science from a recognized university with five years experience in laboratory engaged in environmental investigation, testing or analysis; or

(b) post-graduate in science or a graduate in engineering or a graduate in medicine or equivalent with two years experience in a laboratory engaged in environmental investigations testing or analysis; or

(c) post-graduate in environmental science from a recognized university with two years experience in a laboratory engaged in environmental investigations, testing or analysis.

11. MANNER OF GIVING NOTICE

The manner of giving notice under clause (b) of section 19 shall be as follows, namely:-

(l) The notice shall be in writing in Form IV.

(2) The person giving notice may send notice to-

(a) if the alleged offence has taken place in a Union territory

(A) the Central Board and

(B) Ministry of Environment and Forests (represented by the Secretary to Government of India);

(b) if the alleged offence has taken place in a State:

(A) the State Board; and

(B) the Government of the State (represented by the Secretary to the State Government in-charge of environment); and

(C) the Ministry of Environment and Forests (represented by the Secretary to the Government of India);

(3) The notice shall be sent by registered post acknowledgement due; and

(4) The period of sixty days mentioned in clause (b) of section 19 of the Environment (Protection) Act, 1986 shall be reckoned from the date it is first received by one of the authorities mentioned above.

[1][12. FURNISHING OF INFORMATION TO AUTHORITIES AND AGENCIES IN CERTAIN CASES

Where the discharge of environmental pollutant in excess of the prescribed standards occurs or is apprehended to occur due to any accident or other unforeseen act or event, the person in charge of the place at which such discharge occurs or is apprehended to occur shall forth with intimate the fact of such occurrence or apprehension of such occurrence to all the following authorities or agencies, namely:-

(i) The officer-in-charge of emergency or disaster relief operation in a district or other region of a state or Union territory specified by whatever designation by the Government of the said State or Union territory, and in whose jurisdiction the industry, process or operation is located.

(ii) Central Board or a State Board as the case may be and its regional officer having local jurisdiction who have been delegated powers under section 20, 21, 23 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of l974) and section 24 of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981).

(iii) The statutory authorities or agencies specified in column 3 in relation to places mentioned in column 2 against thereof of the Schedule II.]

---

1 Rule 12 inserted vide Notification No. S.O. 32(E) dated 16.2.87 published in the Gazette No. 66 dated 16.2.87.

[1][13. PROHIBITION AND RESTRICTION ON THE HANDLING OF HAZARDOUS SUBSTANCES IN DIFFERENT AREAS

(1) The Central Government may take into consideration the following factors while prohibiting or restricting the handling of hazardous substances in different areas-

(i) The hazardous nature of the substance (either in qualitative or quantitative terms as far as may be) in terms of its damage causing potential to the environment, human beings, other living creatures, plants and property;

(ii) the substances that may be or likely to be readily available as substitutes for the substances proposed to be prohibited or restricted;

(iii) the indigenous availability of the substitute, or the state of technology available in the country for developing a safe substitute;

(iv) the gestation period that may be necessary for gradual introduction of a new substitute with a view to bringing about a total prohibition of the hazardous substance in question; and

(v) any other factor as may be considered by the Central Government to be relevant to the protection of environment.

(2) While prohibiting or restricting the handling of hazardous substances in an area including their imports and exports the Central Government shall follow the procedure hereinafter laid down-

(i) Whenever it appears to the Central Government that it is expedient to impose prohibition or restriction on the handling of hazardous substances in an area, it may, by notification in the Official Gazette and in such other manner as the Central Government may deem necessary from time to time, give notice of it intention to do so.

(ii) Every notification under clause (i) shall give a brief description of the hazardous substances and the geographical region or the area to which such notification pertains, and also specify the reasons for the imposition of prohibition or restriction on the handling of such hazardous substances in that region or area.

(iii) Any person interested in filing an objection against the imposition of prohibition or restrictions on the handling of hazardous substances as notified under clause (i) may do so in writing to the Central Government within sixty days from the date of publication of the notification in the Official Gazette.

---

[1] Rule 13 inserted vide Notification No G.S.R. 931(E) dated 27.10.89 published in the Gazette No. 564 dated 27.10.89.

(iv) The Central Government shall within a period of ninety days from the date of publication of the notification in the official Gazette consider all the objections received against such notification and may impose prohibition or restrictions on the handling of hazardous substances in a region or an area.]

[1][14. SUBMISSION OF ENVIRONMENTAL [2][STATEMENT]

Every person carrying on an industry, operation or process requiring consent under Section 25 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) or under section 21 of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981) or both or authorization under the Hazardous Wastes (Management and Handling) Rules, 1989 issued under the Environment (Protection) Act, 1986 (29 of 1986) shall submit an environmental [statement] for the financial year ending the 31st March in Form V to the concerned State Pollution Control Board on or before the [3][thirtieth day of September] every year, beginning 1993.]

---

1 Inserted by Rule 2 of the Environment (Protection) (second amendment) Rules, 1992 vide notification G.S.R. 329(E), dated 13.3.1992.

2 Substituted by Rule 2(a) (i) of the Environment (Protection) Amendment Rules, 1993 vide notification G.S.R. 386(E), dated 22.4.1993

3 Substituted by Rule 2(a) (ii), ibid

STANDARDS FOR EMISSION OR DISCHARGE OF ENVIRONMENTAL POLLUTANTS

[1]SCHEDULE ± I (See rule 3)

Sr. No.	Industry	Parameter	Standards
1	2	3	4
1.	CAUSTIC SODA INDUSTRY		Concentration not to exceed milligramme per lit. (except for pH and flow)
		Total concentration of mercury in the final effluent*	0.01
		Mercury bearing wastewater generation (flow)	10 kilolitres/ tonne of caustic soda produced.
		pH	5.5 to 9.0
		* Final effluent is the combined effluent from (a) cell house, (b) brine plant, (c) chlorine handling (d) hydrogen handling (e) hydrochloric acid plant.	
** 2.	MAN-MADE FIBRES (SYNTHETIC)		Concentration not to exceed milligramme per litre (except for pH)
		Suspended solids	100
		Bio-chemical oxygen demand [2][BOD 3 days at 27°C]	30
		pH	5.5 to 9.0
[3][3.	PETROLEUM OIL REFINERY	A. EFFLUENT	
		1. pH	6.0-8.5
		2. Oil & Grease	5.0
		3. $BOD_{3\ days,\ 27^{o}C}$	15.0
		4. COD	125.0
		5. Suspended Solids	20.0
		6. Phenols	0.35
		7. Sulphides	0.5
		8. CN	0.20
		9. Ammonia as N	15.0
		10. TKN	40.0
		11. P	3.0

1 The Environment (Protection) Rules, 1986 are referred to as principal rules in all subsequent Notifications beginning with S.O. 32(E), dated 16.2.1987 published in the Gazette no. 66, dated 16.2.1987. The Schedule to be principal rules was renumbered as Schedule-I vide S.O. 32(E), supra

** Standards notified at Sl. No. 60 may also be referred.

2 Substituted by Rule 2 of the Environment (Protection) Amendment Rules, 1996 notified by G.S.R.176(E), dated 2.4.1996 may be read as BOD (3 days at 27°C) wherever BOD 5 days 20°C occurred.

3 Substituted by Rule 2 (i) of the Environment (Protection) Amendment Rules, 2008 notified by G.S.R.186(E), dated 18.3.2008.

Sr. No.	Industry	Parameter	Standards
1	2	3	4
		12. Cr (Hexavalent)	0.1
		13. Cr (Total)	2.0
		14. Pb	0.1
		15. Hg	0.01
		16. Zn	5.0
		17. Ni	1.0
		18. Cu	1.0
		19. V	0.2
		20. Benzene	0.1
		21. Benzo (a) ± Pyrene	0.2

Notes:-

(i) Concentration limits shall be complied with at the outlet, discharging efflu (excluding discharge from sea water cooling systems) to rece environment (surface water Bodies, marine systems or public sewer case of application of treated effluent directly for irrigat horticulture purposes (within or outside the premises of refinery), make water for cooling systems, fire fighting, etc., the concentration limits shall als complied with at the outlet before taking the effluent for such applica However, any use in the process such as use of sour water in desal excluded for the purpose of compliance.

(ii) In case of circulating seawater cooling, the blow down from cooling system shall be monitored for pH and oil & grease (also hexavalent & chromium, if chromate treatment is given to cooling water) and s conform to the concentration limits for these parameters. In case of re treated effluent as cooling water make up, all the parameters (as applica for treated effluent) shall be monitored and conform to the prescribe standards.

(iii) In case of once through cooling with seawater, the oil & grease content effluent from cooling water shall not exceed 1.0 mg/l.

B. EMISSIONS

Limiting concentration in mg/Nm^3, unless stated

		Fuel Type	Existing refineries	New Refinery/ Furnace/ Boiler
(Furnace, Boiler and Captive Power Plant)	Sulphur Dioxide (SO_2)	Gas	50	50
		Liquid	1700	850
	Oxides of Nitrogen (NOx)	Gas	350	250
		Liquid	450	350
	Particulate Matter (PM)	Gas	10	5
		Liquid	100	50

Sr. No.	Industry	Parameter		Standards	
1	2	3		4	
		Carbon Monoxide (CO)	Gas	150	100
			Liquid	200	150
		Nickel and Vanadium (Ni+v)	Liquid	5	5
		Hydrogen Sulphide (H_2S) in fuel gas	Liquid / Gas	150	150
		Sulphur content in liquid fuel, weight%	Liquid / Gas	1.0	0.5

Notes:-

(i) In case of mixed fuel (gas and liquid) use, the limit shall be computed based heat supplied by gas and liquid fuels.

(ii) All the furnaces/boilers with heat input of 10 million kilo calories/hour or m shall have continuous systems for monitoring of $_2$ and NO_2. Manual monitoring for all the emission parameters in such furnaces or boilers sh carried out once in two months.

(iii) All the emission parameters in furnaces/boilers having heat input less th million kilo calories/hour will be monitored once in three months.

(iv) In case of continuous monitoring, one hourly average concentration value be complied with 98% of the time in a month. Any concentration value obta through manual monitoring, if exceeds the limiting concentration value, sha considered as non-compliance.

(v) Data on Nickel and Vanadium content in the liquid fuel (in ppm) shal reported. Nickel and Vanadium in the liquid fuel shall be monitored at least in six months, if liquid fuel source & quality are not changed. In cas changes, measurement is necessary after every change.

(FCC Regenerators)

	Limiting concentration in mg/Nm^3, unless stated		
	Existing refineries		New Refinery /FCC Commissioned
	Hydro processed FCC feed	Other than Hydro processed FCC feed	
Sulphur Dioxide (SO_2)	500	1700	500 (for hydro-processed feed) 850 for other feed)
Oxides of Nitrogen (NO_x)	400	450	350
Particulate Matter (PM)	100	100	50
Carbon Monoxide (CO)	400	400	300
Nickel and Vanadium (Ni+V)	2	5	2
Opacity, %	30	30	30

Sr. No.	Industry	Parameter	Standards
1	2	3	4

Notes:-

(i) In case part feed is hydroprocessed, the emission values shall be calcul proportional to the feed rates of untreated and treated feeds.

(ii) FCC regenerators shall have continuous systems for monitoring of SO_2 and NO_x. One hourly average concentration values shall be complied with 98% the time in a month, in case of continuous monitoring. Manual monito for all the emission parameters shall be carried out once in two months.

(iii) Any concentration value obtained through manual monitoring, if exceeds the limiting concentration value, shall be considered as non-compliance.

(iv) Data on Sulphur (weight in %), Nickel (PPM) and Vanadium (PPM) con in the feed to FCC shall be separated regularly.

(v) Limit of Carbon Monoxide emissions shall be complied with except during annual shut down of CO boiler for statutory maintenance.

		Plant Capacity (Tonnes/day)	Existing SRU	New SRU or Refinery Commissioned
{Sulphur, Recovery Units (SRU)}	Sulphur recovery, %	Above 20	98.7	99.5
	H_2S, mg/Nm^3		15	10
	Sulphur recovery, %	5-20	96	98
	Sulphur recovery, %	1-5	94	96
	Oxides of Nitrogen (NO_x), mg/Nm^3	All capacity	350	250
	Carbon Monoxide (CO), mg/Nm^3	All capacity	150	100

Notes:-

(i) Sulphur recovery units having capacity above 20 tonnes per day shall have continuous systems for monitoring of SO_2. Manual monitoring for all the emission parameters shall be carried out once in a month.

(ii) Data on Sulphur Dioxide emissions (mg/Nm^3) shall be reported regularly.

(iii) Sulphur recovery efficiency shall be calculated on monthly basis, using quantity of sulphur in the feed to SRU and quantity of sulphur recovered

C- FUGITIVE EMISSION

Storage of Volatile Liquids : General Petroleum Products

(1) Storage tanks with capacity between 4 to 75 m^3 and total vapour Pressure (TVP) of more than 10 kpa should have Fixed Roof Tank (FRT) with pressure valve vent.

(2) Storage tank with the capacity between 75 to 500 m^3 and total vapour Pressure (TVP) of 10 to 76 kpa should have Internal Floating Root Tank (IFRT) of External Floating Root Tank (EFRT) or Fixed Roof Tank with vapour control or vapour balancing system.

(3) Storage tanks with the capacity of more than 500 m^3 and total vapour Pressure (TVP) of 10 to 76 kpa should have Internal Floating Roof Tank or External Floating Roof Tank or Fixed Roof Tank with vapour control system.

(4) The tanks with the capacity of more than 75 m^3 and total vapour Pressure (TVP) of more than 76 kpa should have Fixed Root Tank with vapour control system.

(5) Requirement for seals in Floating Roof Tanks:

(i) (a) IFRT and EFRT shall be provided with double seals with minimum vapour recovery of 96%.

(b) Primary seal shall be liquid or shoe mounted for EFRT and vapour mounted for IFRT. Maximum seal gap width will be 4 cm and maximum gap area will be 200 cm^2/m of tank diameter.

(c) Secondary seal shall be rim mounted. Maximum seal gap width will be 1.3 cm and maximum gap area will be 20 cm^2/m of tank diameter.

(d) Material of seal and construction shall ensure high performance and durability.

(ii) Fixed Roof Tanks shall have vapour control efficiency of 95% and vapour balancing efficiency of 90%

(iii) Inspection and maintenance of storage tanks shall be carried out under strict control. For the inspection, API RP 575 may be adopted, In-service inspection with regard seal gap should be carried out once in every six months and repair to be implemented in short time. In future, possibility of on-stream repair of both seals shall be examined.

Storage of Volatile Liquids : Benzene Storage

(1) FRT with vapour to incineration with 99.9% of removal efficiency for volatile organic compounds (VOC) shall be provided.

(2) IFRT/EFRT with double seals, emission-reducing roof fitting and fitted with fixed roof with vapour removal efficiency of at least 99% shall be provided.

Solvents for Lube-Base Oil production (Furfural, NMP, MEK, Toluene and MIBK)

IFRT with double seals and inert gas blanketing with vapour removal efficiency of at least 97% shall be provided.

Emission control for Road tank truck/Rail tank wagon loading			
	Loading of Volatile Products	Gasoline and Naphtha: (i) VOC reduction, %. (ii) Emission, gm/m^3	(i) 99.5 (ii) 5
		Benzene: (i) VOC reduction, % (ii) Emission, mg/m^3	(i) 99.99 (ii) 20
		Toluene/Xylene: (i) VOC reduction, % (ii) Emission, mg/m^3	(i) 99.98 (ii) 150
		Note: (i) It shall be applicable for Gasoline, Naphtha Benzene, Toluene and Xylene loading (ii) Road tank Truck shall have Bottom loading a Roll tank wagon shall have Top submerg loading. (iii) Annual leak testing for vapour collection shall done.	

Standards for Equipment Leaks

(1) Approach: Approach for controlling fugitive emissions from equipment leaks shall have proper selection, installation and maintenance of non-leaking or leak-tight equipment. Following initial testing after commissioning, the monitoring for leak detection is to be carried out as a permanent on-going Leak Detection and Repair (LDAR) programme. Finally detected leaks are to be repaired within allowable time frame.

Component	Frequency of monitoring	Repair schedule
	Quarterly (semiannua after two consecutive periods with < 2% leaks and annual afte 5 periods with < 2% leaks)	Repair will be started within 5 working days and shall be complete within 15 working days after detection of leak fo general hydrocarbons. I case of benzene, the lea shall be attended immediately for epair.
Pump seals	Quarterly	
Compressor seals	Quarterly	
Pressure relief devices	Quarterly	
Pressure relief devices (after venting)	Within 24 hours	
Heat Exchangers	Quarterly	
Process drains	Annually	
Components tha are difficult to monitor	Annually	
Pump seals with visible liquid dripping	Immediately	Immediately
Any component with visible leaks	Immediately	Immediately
Any component after repair/ replacement	Within five days	-

(8) The percentage leaking components should not be more than 2% for any group of components monitored excluding pumps/compressors. In case of pumps/compressors it should be less than 10% of the total number of pumps/compressors or three pumps and compressors, whichever is greater.

(9) Emission inventory: Refinery shall prepare on inventory of equipment components in the plant. After the instrumental measurement of leaks, emission from the components will be calculated using stratified emission factor (USEPA) or any other superior factors. The total fugitive emission will be established.

(10) Monitoring following types of monitoring methods may be judiciously employed for detection of leaks: (i) instrumental method of measurement of leaks; (ii) Audio, visual and olfactory (AVO) leak detection; and (iii) Soap bubble method.

(11) Data on time of measurement and concentration value for leak detection; time of repair of leak; and time of measurement & concentration value after repair of leak should be documented for all the components.

(12) Pressure relief and blow down systems should discharge to a vapour collection and recovery system or to flare.

(13) Open-ended lines should be closed by a blind flange or plugged.

(14) Totally closed-loop should be used in all routine samples.

(15) Low emission packing should be used for valves.

(16) High integrity sealing materials should be used for flanges.

D. Emission Standards for VOC from Wastewater Collection and Treatment

(1) All contaminated and odorous wastewater streams shall be handled in closed systems from the source to the primary treatment stages (oil-water separator and equalization tanks).

(2) The collection system shall be covered with water seals (traps) on sewers and drains and gas tight covers on junction boxes.

(3) Oil-water separators and equalization tanks shall be provided with floating/fixed covers. The off-gas generated shall be treated to remove at least 90% of VOC and eliminate odour. The system design shall ensure safety (prevention of formation of explosive mixture, possible detonation and reduce the impact) by dilution with air/inert gas, installing LEL detector including control devices, seal drums, detonation arrestors etc. The system shall be designed and operated for safe maintenance of the collection and primary treatment systems.

(4) Wastewater from aromatics plants (benzene and xylene plants) shall be treated to remove benzene & total aromatics to a level of 10, 20 ppm respectively before discharge to effluent treatment system without dilution].

Sr. No.	Industry	Parameter	Standards
1	2	3	4
4.	SUGAR INDUSTRY		Concentration not exceed milligramme per litre
		Bio-chemical oxygen demand [1][3 days at 27°C]	100 for disposal on land 30 for disposal in surface water
		Suspended solids	100 for disposal on land. 30 for disposal in surface waters.
5.	THERMAL POWER PLANTS		Maximum limiting concentration milligrammes per litre (except for pH and temperature)
	Condenser Cooling waters (once through cooling system)	pH	6.5 ±8.5
		Temperature	Not more than 5°C higher than the intake water temperature
		Free available chlorine	0.5
	Boiler blowdowns	Suspended solids	100
		Oil and Grease	20
		Copper (total)	1.0
		Iron (total)	1.0
	Cooling tower blowdown	Free available chlorine	0.5
		Zinc	1.0
		Chromium (total)	0.2
		Phosphtate	5.0
		Other corrosion inhibiting material	Limit to be established on case by ca basis by Central Board in case Union territories and State Board case of States.
	Ash pond effluent	pH	6.5 ±8.5
		Suspended solids	100
		Oil and Grease	20

[1] Substituted by Rule 2 of the Environment (Protection) Amendment Rules, 1996 notified by G.S.R.176(E), dated 2.4.1996 may be read as BOD (3 days at 27°C) wherever BOD 5 days 20°C occurred.

Sr. No.	Industry	Parameter	Standards
1	2	3	4
6.	COTTON TEXTILE INDUSTRIES (COMPOSITE AND PROCESSING)		Concentration not to exceed milligramme per litre (except for pH and bioassay)
		Common	
		pH	5.5 to 9
		Suspended solids	100
		Bio-Chemical Oxygen Demand[1] [3 days at 27°C]	150
		Oil and grease	10
		Bio-assay test	90% survival of fish after 96 hours
		Special:	
		Total chromium as (Cr)	2
		Sulphide (as S)	2
		Phenolic compounds (as C_4H_2OH)	5

The special parameters are to be stipulated by the Central Board in case of Union te and State Boards in case of States depending upon the dye used in the industry. Where industry uses chrome dyes, sulphur dyes and/or phenolic compounds in the dyeing/ process, the limits on chromium of 2 mg/litre, sulphides of 2 mg/litre and phe compounds of 5 mg/litre respectively shall be imposed.

Where the quality requirement of the recipient system so warrants, the limit of BOD s be lowered upto 30 according to the requirement by the State Boards for the States Central Board for the union territories.

A limit on sodium absorption ratio of 26 should be imposed by the State Boards fo States and the Central Board for the Union territories if the disposal of effluent is to be on land.

[1] Substituted by Rule 2 of the Environment (Protection) Amendment Rules, 1996 notified by G.S.R.176(E), dated 2.4.1996 may be read as BOD (3 days at 27°C) wherever BOD 5 days 20 occurred.

Sr. No.	Industry	Parameter	Standards
1	2	3	4
7.	COMPOSITE WOOLLEN MILLS		Concentration not be excee milligramme per lite (except for pH and bioassay)
	Common :	Suspended Solids	100
		pH	5.5 to 9.0
		Bio-chemical oxygen demand[1] [3days at 27°C]	100
		Oil and grease	10
		Bio-assay	90% survival of fish after 96 hrs.
	Special :	Total chromium (as Cr)	2
		Sulphide (as S)	2
		Phenolic Compounds (as C_6H_5OH)	5

The special parameters are to be stipulated by the Central Board in case of Union te and State Boards in case of State depending upon the dye used in the industry. W industry uses chrome dyes, sulphur dyes and or/phenolic compounds in the dyeing/prin process, the limits on chromium of 2 mg/litre, sulphides of 2 mg./litre and phe compounds of 5 mg/litre respectively shall be imposed.

Where the quality requirement of the recipient system so warrants, the limit of BOD shoul be lowered upto 30 according to the requirement by the State Boards for the States Central Board for the Union territories.

A limit on sodium absorption ratio of 26 should be imposed by the State Boards f States and the Central Board for the Union Territories if the disposal of the effluent is made on land.

[#1]8	DYE AND DYE INTERMEDIATE INDUSTRY		Concentration not to excee milligrammes per litre (except for pH temperature and bioassay)
		Suspended Solids	100
		pH	6 to 8.5
		Temperature	Shall not exceed 5°C above the ambient temperature of the receivi body.

Standards notified at Sl. No. 45 may also be referred

1 Sl. No. 8,9 and 10 and entries relating thereto inserted vide S.O. 393(E) dt. 16.4.87 published in the Gazette No. 185 dt. 16.4.87

Sr. No.	Industry	Parameter	Standards
1	2	3	4
		Mercury (as Hg)	0.01
		Hexavalent (as Cr)	0.1
		Chromium (Total Chromium (as Cr)	2.0
		Copper (as Cu)	3.0
		Zinc (as Zn)	5.0
		Nickel (as Ni)	3.0
		Cadmium (as Cd)	2.0
		Chloride (as Cl)	1000
		Sulphate (as SO_4)	1000
		Phenolic Compounds (as C_6H_5OH)	1.0
		Oil and Grease	10
		Bio-assay Test (with 1:8 dilution of effluents)	90% survival of Test animals after 96 hours.

The standards for chlorides and sulphates are applicable or discharge into inland surface water courses. However, when discharged on land for irrigation, the lim chloride shall not be more than 600 milligrammes per litre and the sodium absorptio shall not exceed 26.

9.	ELECTROPLATING INDUSTRIES		Concentration not to excee milligrammes per litre (except for pH and temperature)
		pH	0.6 to 9.0
		Temperature	Shall not exceed $5^{o}C$ above the ambient temperature of the receivi body.
		Oil and Grease	10
		Suspended Solids	100
		Cynides (as CN)	0.2
		Ammonical Nitrogen (as N)	50
		Total Residual Chlorides (as Cl)	1.0

Sr. No.	Industry	Parameter	Standards
1	2	3	4
		Cadmium (as Cd)	2.0
		Nickei (as Ni)	3.0
		Zinc (as Zn)	5.0
		Hexavalent	0.1
		Chromium as (Cr) Total Chromium (as Cr)	2.0
		Copper (as Cu)	3.0
		Lead (as Pb)	0.1
		Iron (as Fe)	3.0
		Total Metal	10.0
[1][10.	CEMENT PLANTS		not to exceed mg/Nm^3
		A. TOTAL DUST	
		Plant Capacity	
		(i)200 tonnes/day (all sections)	400
		(ii) Greater than 200 tonnes/day (all sections)	250
		B. EMISSIONS	

(i) For Cement Plants, including Grinding Units, located in critically polluted urban areas with a population of one lakh and above (including 5 Km dis outside urban boundary):

Particulate Matter 100mg/Nm^3

(ii) New Cement Kilns, including Grinding Units to be installed after the date o notification:

Particulate Matter 50 mg/Nm^3

* As per the guidelines of the Central Pollution Control Board]

[1] Substituted by Rule 2(I) of the Environment (Protection) First Amendment Rules, 2006 notified by G.S.R.46(E), dated 3.2.2006.

Sr. No.	Industry	Parameter	Standards
1	2	3	4
[#1]11.	STONE CRUSHING UNIT	Suspended Particulate Matter	The suspended particulate mat measured between 3 metres and metres from any process equipment a stone crushing unit shall not exce 600 microgrammes per cubic metre.
[2]12.	COKE OVENS		Concentration in the effluents whe discharged into inland surface wate not be exceed milligramme per litr (except for pH)
		pH	5.5 ±9.0
		Biochemical Oxygen Demand (27°C for 3 days)	30
		Suspended Solids	100
		Phenolic Compounds (as C_6H_5OH)	5
		Cynides (as CN)	0.2
		Oil & Grease	10
		Ammonical Nitrogen (as N)	50
13.	SYNTHETIC RUBBER		Concentration in the effluents whe discharged into inland surface wate not be exceed milligramme per litr (except for colour and pH)
		Colour	Absent
		pH	5.5 ±9.0
		Biochemical Oxygen Demand[1] [BOD (3 days at 27°C]	50
		Chemical Oxygen Demand	250
		Oil and grease	10.0

[1] S.No.11 and entries relating thereto inserted vide SO 443(E)dt.18.4.87 published in the Gazette no. 286 dt. 18

[#] Standards notified at Sl. No. 37 may also be referred.

[2] S.Nos. 12 to 24 and entries relating thereto inserted vide S.O. 64(E) published in the Gazette No. 42 dt. 18.1.88.

Sr. No.	Industry	Parameter	Standards
1	2	3	4
14.	SMALL PULP AND PAPER INDUSTRY		Concentration not be exceed mg (except for pH and sodium absorptio ratio)
	*Discharge into inland surface water	pH	5.5 ±9.0
		Suspended Solids	100
		BOD	30
	Disposal on land	pH	5.5 ±9.0
		Suspended Solids	100
		BOD	100
		Sodium Absorption Ratio	26
		[1][Absorbable Organic Halogens (AOX) in effluent discharge	3.00 kg/ton of paper produced with effect from the date of publication of this notification. 2.00 kg/ton of paper produced with effect from the 1st day of March, 2006.

Explanation.- These standards shall apply to all small scale Pulp and Paper Mills l capacity below 24,000 MT per annum

[2]15.	FERMENTATION INDUSTRY (DISTILLERIES, MALTRIES AND BREWERIES)		Concentration in the effluents not exceed milligramme per litre (excep for pH and colour & odour)
		pH	5.5 ±9.0
		Colour & Odour	All efforts should be made to remov colour and unpleasant odour as far practicable.
		Suspended Solids	100
		[3][BOD (3 days at 27°C)]	
		[4][-disposal into inland surface waters or river streams]	30
		- disposal on land or for irrigation]	100
		** > « @	

1 Inserted by Rule 2 (i) of the Environment (Protection) Third Amendments Rules, 2005 notified vide Notification G.S.R.546(E), dated 30.8.2005.

2 Entries relating to S.No. 15 corrected in terms of SO 12(E), dt. 8.1.90 published in the Gazette no. 10 dt. 8.1.90.

3 Substituted by Rule 2 of the Environment (Protection) Amendment Rules, 1996 notified by G.S.R.176(E), dated 2.4.1996 may be read as BOD (3 days at 27°C) wherever BOD 5 days 20°C occurred.

4 Substituted vide Rule 3(a) of the Environment (Protection) (Amendments) Rules, 1996 notified vide G.S.R.186(E), dated 2.4.1996

Sr. No.	Industry	Parameter	Standards
1	2	3	4

Note : [1][(1)] *Wastewater generation shall not exceed 250 metre cube per tonne of paper produced.

[2][« « @

16. LEATHER TANNERIES

Concentration in the effluent not t exceed milligramme per litre (exce for pH and per cent sodium)

	Inland Surface Waters	Public Sewers	Land for Irrigation	Marine Coastal areas
	(a)	(b)	(c)	(d)
Suspended Solids	100	00	200	100
[3][BOD 3 days at 27°C]	30	350	100	100
pH	6.0 ±9.0	6.0 ±9.0	6.0 ±9.0	6.0 ±9.0
Chlorides (as Cl)	1000	1000	200	-
Hexavalent Chromium (Cr+6)	0.1	0.2	0.1	1.0
Total Chromium (as Cr)	2.0	2.0	2.0	2.0
Sulphides (as S)	2.0	5.0	-	5.0
Sodium percent	-	60	60	-
Boron (as B)	2.0	2.0	2.0	-
Oil & Grease	10	20	10	20

1 Renumbered as (1) by Notification No.S.O.12(E), dated 8.1.1990

2 Notes 2 to 7 inserted by Notification S.O.12(E), dated 8.1.1990 and omitted by G.S.R.176(E), dated 2.4.1996 w.e.f. 3.4.1996

3 Substituted by Rule 2 of the Environment (Protection) Amendment Rules, 1996 notified by G.S.R.176(E), dated 2.4.1996 may be read as BOD (3 days at 27°C) wherever BOD 5 days 20°C occurred.

Sr. No.	Industry	Parameter	Standards	
1	2	3	4	
17.	FERTILIZER INDUSTRY		Concentration in the effluent not t exceed milligramme per litre (exce for pH)	
		EFFLUENTS	Plants	Plants
		- Straight Nitrogeneous Fertilizers, Excluding theCalcium AmmoniumNitrate and Ammonium Nitrate Fertilizers	Commissioned January1, 1982 onwards	Commissioned Prior to January 1, 1982
			(a)	(b)
		pH	6.5 ±8.0	6.5 ±8.0
		Ammonical Nitrogen	50	75
		Total Kjeldahl Nitrogen	100	150
		Free Ammonical Nitrogen	4	4
		Nitrate Nitrogen	10	10
		Cynide as CN	0.2	0.2
		Vanadium as V	0.2	0.2
		Arsenic as As	0.2	0.2
		Suspended solids	100	100
		Oil and Grease	10	10
		*Hexavalent Chromium as Cr.	0.1	0.1
		*Total Chromium as Cr.	2.0	2.0
		Straight Nitrogenous Fertilizers, including CalciumAmmonium Nitrate and Ammonium Nitrate Fertilizers	Plants Commissioned January 1, 1982 onwards	Plants Commissioned prior to January 1, 1982

* To be complied with at the outlet of Chromate removal unit.

Sr. No.	Industry	Parameter	Standards	
1	2	3	4	
			(a)	(b)
		pH	6.5 ±8.0	6.5 ±8.0
		Ammonical Nitrogen	50	75
		Total Kjeidahl Nitrogen		150
		Free Ammonical Nitrogen	4	4
		Nitrate Nitrogen	20	20
		Cynide as CN	0.2	0.2
		Vanadium as V	0.2	0.2
		Arsenic as As	0.2	0.2
		Suspended solids	100	100
		Oil and Grease	10	10
		Hexavalent Chromium as Cr	0.1	0.1
		*Total Chromium as Cr	2.0	2.0
		Complex Fertilizers excluding Calcium AmmoniumNitrate, Ammonium Nitrate & Ammonium Nitrophosphate Feritilizers	Plants Commissioned January 1, 1982 onwards	Plants Commissioned prior to January 1, 1982
			(a)	(b)
		pH	6.5 ±8.0	6.5 ±8.0
		Ammonical Nitrogen	50	75
		Free Ammonical Nitrogen	4	4
		Total Kjeldahl Nitrogen	100	100
		Nitrate Nitrogen	10	10

To be complied with at the outlet of Chromate removal unit.

Sr. No.	Industry	Parameter	Standards	
1	2	3	4	
		Cynide as CN	0.2	0.2
		Vanadium as V	0.2	0.2
		Arsenic as As	0.2	0.2
		Phsophate as P	5	5
		Suspended solids	100	100
		Oil and Grease	10	10
		*Fluoride as F	10	10
		**Hexavalent Chromium as Cr	0.1	0.1
		**Total Chromium as Cr	2.0	2.0
		Complex Fertilizers including Calcium Ammonium Nitrate, Ammonium Nitrate & Ammonium Nitrophosphate Fertilizers	Plants Commissioned January 1, 1982 onwards	Plants Commissioned prior to January 1, 1982
			(a)	(b)
		pH	6.5 ±8.0	6.5 ±8.0
		Ammonical Nitrogen	50	75
		Free Ammonical Nitrogen	100	100
		Nitrate Nitrogen	20	20
		Cynide as CN	0.2	0.2
		Vanadium as V	0.2	0.2
		Arsenic as As	0.2	0.2

* To be complied with at the outlet of fluoride removal unit. If the recipient system so demand, fluoride as F shall be limited to 1.5 mg/l.

** To be complied with at the outlet of Chromate removal unit.

Sr. No.	Industry	Parameter	Standards	
1	2	3	4	
		Phosphate as P	5	5
		Oil and Grease	10	10
		Suspended Solids	10	100
		*Fluoride as F	10	10
		**Hexavalent Chromium as Cr.	0.1	0.1
		**Total Chromium as Cr	2.0	2.0
		Straight Phosphate Fertilizers		
		pH	7.0 – 9.0	
		Phosphate as P	5	
		Oil and Grease	10	
		Suspended Solids	100	
		*Fluoride as F	10	
		**Hexavalent Chromium as Cr	0.1	
		**Total Chromium as Cr	2.0	
	Emissions			
	Phosphatic Fertilizers (Fluorides and Particulate matter emission)	Phosphorice acid manufacturing unit Granulation mixing and grinding of rock phosphate	25 milligramme per normal cubic metre as total Fluoride 15 milligramme per normal cubic metre of particulate matter.	
	Urea (Particulate matter emission)	Pricing tower Commissioned prior to 01.01.1982	150 milligramme per normal cubic metre of 2 kilogramme per tone of product.	
		Commissioned after 1.1.1982	50 milligramme per normal cubic metre or 0.5 kilogramme per tonne of product	

* To be complied with at the outlet of fluoride removal unit. If the recipient system so demand, fluoride as F shall be limited to 1.5 mg/l

** To be complied with at the outlet of Chromate removal unit

Sr. No.	Industry	Parameter	Standards
1	2	3	4
[1][18.	OMITTED		
19.	CALCIUM CARBIDE	Particulate Matter Emission	
		- Kiln	250 milligramme per normal cubi metre.
		- Arc Furnace	150 milligramme per normal cubi metre.
20.	CARBON BLACK	Particulate matter Emission	150 milligramme per normal cubi metre.
21.	COPPER, LEAD AND ZINC SMELTING	Particulate Matter Emission in Concentrator	150 milligramme per normal cubic metre.
		Emission of Oxides of Sulphur in Smelter & convertor	Off-gases must be utilized fo sulphuric acid manufacture. Th limits of sulphur dioxide emission from stock shall not exceed kilogramme per tonne of concentrat (one hundred per cent acid produced).
22.	NITRIC ACID (EMISSION OXIDES OF NITROGEN)	Emission of Oxides of Nitrogen	3 kilogramme of oxides of nitroge per tonne of weak acid (for 60 per concentration) produced.
[2][23.	SULPHURIC ACID PLANT	Emission standards Limiting concentration in mg/Nm^3, unless stated	
		Plant capacity for 100% concentration of Sulphuric Acid (tonne/day)	

[1] Sr. No.18 relating to 3 $ O X P L Q and P entries relating thereto omitted by Rule 2(II) of the Environment (Protection) First Amendment Rules, 2006 notified by G.S.R. 46(E), dated 3.2.2006.

[2] Substituted by Rule 2(I) of the Environment (Protection) Third Amendment Rules, 2008 notified by G.S.R. 344(E), dated 7.5.2008.

Sr. No.	Industry	Parameter	Standards	
1	2	3	4	
			Existing Unit	New Unit
	Sulphur dioxide	(SO_2) upto 300	1370	1250
		Above 300	1250	950
	Acid Mist/Sulphur	Up to 300	90	70
	Trioxide	Above 300	70	50

Note:

(i) Scrubbing units shall have on line pH meters with auto recording facility.

(ii) The height of the stack emitting sulphur dioxide or acid mist shall be of minimum of 30 metre or as per the formula $H=14(Q)^{(0.3)}$ Z K L F K H Y H U L V P R U H K H L J K W R I V W D F N L Q P H W U H D Q G $^{3}/_{2}$ 4 (Expected to be emitted through the stack at 110 per cent rated capacity of the plants and calculated as per the norms of gaseous emission.

(iii) Plants having more than one stream or unit of sulphuric acid at one location combined capacity of all the streams and units shall be taken into consideration determining the stack height and applicability of emission standards.

(iv) Plants having separate stack for gaseous emission for the scrubbing unit, the height this stack shall be equal to main stack.

24.	IRON & STEEL (INTEGRATED)	Particulate Matter Emission	
		- Sintering Plant	150 milligramme per normal cubic metre
		- Steel making	
		-- during normal operations	150 milligramme per normal cubic metre.
		--during oxygen lancing	400 milligramme per normal cubic metre.
		- Rolling Mill	150 milligramme per normal cubic metre.
		- Carbon monoxide from coke oven	3 kilogramme per tonne of coke produced.

Sr. No.	Industry	Parameter	Standards
1	2	3	4
[1]25.	THERMAL POWER PLANTS	Particulate Matter Emissions :	
		- generation cpacity 210 MW or more	150 millogramme per normal cubi metre.
		- generation capacity less than 210 MW	350 milligramme per normal cubi metre.
26.	NATURAL RUBBER INDUSTRY		Concentrations in the effluents not exceed milligramme per litre (excep for pH) 44°C
	- Discharge into inland surface water	Colour & odour	Absent
		pH	6.0 ±9.0
		BOD	50
		COD	250
		Oil and Grease	10
		Sulphides	2
		Total Kjeldahl Nitrogen	100
		Dissolved phosphate (as P)	5
		Suspended Solids	100
		Dissolved solids (inorganic)	2100
		Ammonical Nitrogen as N	50
		Free ammonia (as NH_3)	5
	-Disposal on land for irrigation	Colour and Odour	Absent
		pH	6.0 ±8.0
		BOD	100
		COD	250
		Oil & Grease	10
		Suspended Solids	200
		Dissolved solids	2100

[1] S. No. 25 and 26 and entries relating thereto inserted vide S.O. 8(E) dt. 3.1.89 published in the Gazette No. 7 dated. 3.1.89.
Corrections in rule 2 against S.No. 26 made vide corrigendum No. S.O. 190 (E) dt. 15.3.89 published in the Gazette no. 126 dt. 15.3.89.

Depending upon the requirement of local situation, such as protected area, the State Pollution Control Board and other implementation agencies under the Environment (Protection) Act, 1986 may prescribed a limit of 150 milligramme per normal cubic meter, irrespective of generation capacity of the plant.

Sr. No.	Industry	Parameter	Standards
1	2	3	4
[1][2]27.	ASBESTOS MANUFACTURING UNITS (INCLUDING ALL PROCESSES INVOLVING THE USE OF ASBESTOS)	- Pure Asbestos material	0.5 fibre */cc for one year from the date of notification 0.2 fibre */cc after one year from the date of notification]
		- Total Dust	2 mg/m^3 (normal)
28.	CALOR ALKALI (CAUSTIC SODA)	EMISSIONS	Concentration in mg/m^3 (normal)
	(a) Mercury Cell	Mercury (from hydrogen gas holder stack)	0.2
	(b) All processes	Chlorine (from hypo tower)	15.0
	(c) All processes	Hydro chloric acid vapours and mist (from hydro chloric acid plant)	35.0
29.	LARGE PULP AND PAPER	EMISSIONS	Concentration in mg/m^3 (normal)
		Particulate matter	250**
		H_2S	10
30.	INTEGRATED IRON AND STEEL PLANTS:	I. EMISSIONS	
	(a) Coke Oven	Particulate mater	50
	(b) Refractory material plant	Particulate matter	150
		II. EFFLUENTS	Concentration in mg/l except for pH.
	(a) Coke oven By product plant.	pH	6.0 ±8.0
		Suspended Solids	100

1 Standards mentioned at Sl. No. 27 amended by Rule 2(i) of the Environment (Protection) First Amendment Rules, 2006 notified vide Notification G.S.R.46(E), dated 3.2.2006.

2 S.No. 27 to 31 and entries relating thereto inserted vide GSR 913(E) dt. 24.10.89 published in the Gazette No. 554 dt. 24.10.89.

** This standard of 250 mg/m^3 (normal) shall apply only for a period of 3 years with effect from the date on which the Environment (protection) Second Amendment Rules, 1989 came into force. After three years the standard to be applicable is 15 mg/m^3 (normal).

Sr. No.	Industry	Parameter	Standards
1	2	3	4
		Phenol	1.0
		Cynide	0.2
		BOD [1][(3 days at 27°C)]	30
		COD	250
		Ammonical Nitrogen	50
		Oil and Grease	10
	(b) Other plants such as sintering plant, blast furnace, steel melting and rolling mill:	pH	6.0 ±9.0
		Suspended Solids	100
		Oil and Grease	10
31.	RE-HEATING (REVERBERATORY) FURNACES:	EMISSIONS	Concentration in mg/m³ (normal)
	Capacity : All sizes		
	Sensitive area	Particulate matter	150
	Other area	Particulate matter	450
[2][32.	FOUNDRIES	EMISSIONS	
	(a) Cupola Capacity (Melting Rate) :		
	Less than 3 mt./hr.	Particulate Matter	450
	3 mt/hr. and above	Particulate Matter	150
	Note : It is essential that stack is constructed over the cupola beyond the charging and emissions are directed through the stack which should be at least six times diameter of cupola.		
	(b) Arc Furnaces :		
	Capacity: All sizes	Particulate Matter	150

1 Substituted by Rule 2 of the Environment (Protection) Amendment Rules, 1996 notified by GSR 176(E) dated 2.4.1996 may be read as BOD (3 days at 27°C) wherever BOD 5 days 20°C occurred

2 S.No. 32 to 47 and entries relating thereon inserted vide GSR 742(E) dt. 30.8.90 published in the Gazette No. 365 dated 30.8.90.

Sr. No.	Industry	Parameter	Standards
1	2	3	4
	(c) Induction Furnace		
	Capacity: All sizes	Particulate Matter	150
	Note : In respect of Arc Furnaces and Induction Furnaces provision has to be made for collecting the fumes before discharging the emissions through the stack.		
33.	THERMAL POWER PLANTS	STACK HEIGHT/LIMIT IN METERS*	
		Power generation capacity :	
		- 500 MW and above	275
		- 200 MW/210 MW and above to less than 500 MW	220
		- Less than 200 MW/210 MW	H-14(Q)$^{0.3}$ where Q is emission rate of SO_2 in *kg/hr. and *H Stack height in metres.
		Steam generation capacity:	½ times the neighbouring
		- Less than 2 ton/hr.	building height or 9 metres (whichever is more)
		- More than 2 ton/hr. to 5 ton/hr.	12
		- More than 5 ton/hr. to 10 ton/hr.	15
		- More than 10 ton./hr.	18
		- More than 15 ton/hr. to 20 ton/hr.	*21
		- More than 20 ton/hr. to 25 ton/hr	24
		- More than 25 ton/hr. to 30 ton/hr.	27
		- More than 30 ton/hr.	30 or using formula H-14(Q)$^{0.3}$ (whichever is more) Q is emission rate of SO_2 in kg/hr and *H-Stack height in meters.

* Correction have been made as per Corrigendum Notification no. S.O. 8(E) dt. 31.12.1990.

Sr. No.	Industry	Parameter	Standards
1	2	3	4
34.	SMALL BOILERS	EMISSIONS*	
	Capacity of Boiler	Particulate matter	
	- Less than 2 ton/hr.		1600
	- 2 to 5 ton/hr		1200
	More than 15 ton/hr.		150
[1][2]35.	COFFEE INDUSTRY	Instant/Dry Processing	
			Limiting value for concentration in mg/l except for pH
		pH	6.5-8.5
		BOD $_{3\ day,\ 27^{o}C}$	100
		Total Dissolved Solids	2100
		Wet/Parchment Coffee Processing	
		pH	6.5-8.5
		BOD $_{3\ day,\ 27^{o}C}$	1000

Notes:

(i) Coffee growers having plantation area less than 10 ha with wet processing sha primary treated effluent in lined lagoons for solar evaporation with a non-permeable system at the base and sides of lagoon.

(ii) Coffee growers having plantation area between 25 ha with wet processing sha store primary (equalization and neutralization) treated effluent in lined lagoon solar evaporation with a non-permeable system at the base and sides of lagoon.

(iii) Coffee growers having plantation area 25 ha or above with wet processing sha secondary treated effluent in conformity with above norms in lined lagoons w non-permeable lining system at the base and sides of lagoon and use the effluent f irrigation after dilution so as BOD of diluted effluent for land application is less 100 mg/l.

(iv) The minimum liner specifications for a non-permeably lining system shall be composite barrier having 1.5 mm High Density Polyethylene (HDPE) geomembran or equivalent, overlying 90 cm of soil (clay or amended soil) having permea coefficient not more than 1×10^{-5} cm/sec.

(v) The effluent storage facilities/lagoons/solar evaporation ponds shall be located high flood level mark of the nearby stream, rivulet etc. with below mentioned board and away from any water body/stream at a distance.

---

* All emissions normalized to 12 per cent carbon dioxide

1 Omitted entry relating to Oil Refineries (Sulphur Dioxide) by Rule 2 (i) (b) of the Environment (Protection) Amendment Rules, 2008 notified by G.S.R. 186 (E), dated 18.3.2008.

2 Inserted by Rule 2 of the Environment (Protection) Sixth Amendment Rules, 2008 notified by G.S.R.579(E), dated 6.8.2008

Sr. No.	Industry	Parameter	Standards
1	2	3	4
		Grower	Small (<10ha) / Medium (10-25ha) / Large (>25ha)
		Free Based (cm)	30 / 60 / 90
		Distance (m)	50 / 100 / 150
		(vi) Raw, Treated and/or diluted effluent shall be discharged into surface water body or used for recharging groundwater under any circumstances what so ever. [1]	
36.	ALUMINIUM PLANTS:	EMISSIONS	
	(a)Aluminia Plant:		
	(i) Raw Material Handling	Primary and Secondary Crusher Particulate Matter	150
	(ii) Precipitation Area		
	- Calcination	Particulate matter	250
		Carbon Monoxide	1% max.
		Stack Height	$H=14\ (Q)^{0.3}$ Where Q is emission rate of SO_2 in kg/hr and H-Stack height in meters.
	(b)Smelter Plant	Particulate Matter	
	(i)Green Anode Shop	Particulate Matter	150
	[1] [(ii)Anode Bake Oven	Particulate Matter	50 mg/Nm^3
		Total Fluoride (F)	0.3 kg/MT of Aluminium.
	(iii)Pot room	Particulate matter	150
		Total Fluoride For Soderberg* Technology	2.8 Kg/ton by 31st December 2006
		For Prebaked Technology	0.8 kg/t by 31st December 2006

[1] Substituted by Rule 2(iv) (a) amended by Rule 2(V) (a) of the Environment (Protection) First Amendment Rules, 2006 notified vide Notification G.S.R.46(E), dated 3.2.2006.

Sr. No.	Industry	Parameter	Standards
1	2	3	4

* Separate standards for VSS, HSS, PBSW & PBCW as given in column 4 stands abolish

[1][(c) Standards for forage fluoride

- Twelve consecutive month average - 40 ppm
- Two consecutive month average - 60 ppm
- One month average - 80 ppm]

[*]37.	STONE CRUSHING UNIT	Suspended Particulate Matter (SPM)	The Standards consist of tw paras : (i) Implementation of the following Pollution Control measures: (a) Dust containment cun suppression system fc the equipment. (b) Construction of wind breaking walls. (c) Construction of the metalled roads within the premises. (d) Regular cleaning an wetting of the ground within the premises. (e) Growing of a green bel along the periphery.

[1] Inserted by Rule 2(IV)(b) of the Environment (Protection) First Amendment Rules, 2006 notified by G.S.R.46(E), dated 3.2.2006.

[*] Standards notified at Sl. No. 11 may also be referred.

Sr. No.	Industry	Parameter	Standards
1	2	3	4
			(ii) Quantitative standard for SPM :
			[**] [measured between thre meters and ten metres fro any processes equipment of stone crushing unit shall nc exceed 600 microgramme per cubic metre] from a controlled isolated as well a from a unit located in a cluster should be less tha 600 mg/Nm^3 [1] > [[[« @
38.	PETROCHEMICALS (BASIC & INTERMEDIATES)	EFFLUENTS	
		Ph	6.5 ±8.5
		*BOD [2][(3days at 27°C)]	50
		**Phenol	5
		Sulphide (as S)	2
		COD	
		Cynide (as CN)	250
		*** Fluoride (as F)	
		Total suspended Solids	[3][100]
		Hexavalent Chromium [3][(as Cr)]	0.1
		**** Total Chromium [3][(as Cr)]	2.0

** Corrections have been made as per CORRIGENDUM Notification No. S.O. 8(E) dated 31.12.1990.

1 7KH VHQWHQFH µ7KH PHDVXUHPHQWV DUH WR EH FRQGXFWHG DW OHDVW W deleted as per CORRIGENDUM Notification S.O 8(E) dated 31.12.90.

2 Substituted by Rule 2 of the Environment (Protection) Amendment Rules, 1996 notified by G.S.R.176(E), dated 2.4.1996 may be read as BOD (3 days at 27°C) wherever BOD 5 days 20°C occurred.

3 Corrected as per CORRIGENDUM Notification S.O. 8(E) dated 31.12.1990.

Sr. No.	Industry	Parameter	Standards
1	2	3	4

* State Board may prescribed the BOD value of 30 mg/l if the recipient syste demands.

** The limit for phenol shall be conformed to at the outlet of effluent treatmer phenol plant. However, at the final disposal point, the limit shall be less th mg/l.

*** The limit for fluoride shall be confirmed to at the outlet of the chrome rem unit. However, at the disposal point fluoride concentration shall be lower 5mg/l.

**** The limits for total and hexavalent chromium shall be conformed to at the of the chromate removal. This implies that in the final treated effluent, total and hexavalent chromium shall be lower than prescribed herein.

[1][[2]39 HOTEL INDUSTRY

EFFLUENT STANDARDS

(i)Hotel with atleast 20 bedrooms

	limiting concentration in mg/1,	except for pH
	Inland Surface Water	On land for Irrigation
PH	5.5-9.0	5.5-9.0
BOD3 days, 27°C	30	100
Total Suspended Solids	50	100
Oil & Grease	10	10
Phosphate as P	1.0	-

(ii)Hotel with less than 20 bedrooms or a Banquet Hall v minimum floor area of 100 m^2

Sr. No.	Industry	Parameter	Standards
1	2	3	4
		Phorate	10
		Methyl Parathion	10
		Phenathoate	10
		Pyrethrums	10
		Copper Oxyghloride	9600
		Copper Sulphate	50
		Ziram	1000
		Sulphur	30
		Paraquat	2300
		Proponil	7300
		Nitrogen	780
		(b) Heavy Metals	
		Copper	1.00
		Managanese	1.00
		Zinc	1.00
		Mercury	0.01
		Tin	0.10
		Any other metal like Nickel etc.	Shall not exceed 5 times the drinking water standards of BIS.
		(c) Organics	
		Phenol and Phenolic compounds as C_6H_5OH	1.0
		(d) Inorganics	
		Arsenics (As As)	0.2
		Cyanide (as CN)	0.2
		Nitrate (as NO_3)	50.0
		Phosphate (as P)	5.0

Sr. No.	Industry	Parameter	Standards
1	2	3	4
		[1][EMISSIONS	Not to exceed mg/Nm^3
		HCl	20
		Cl_2	5
		H_2S	5
		P_2O_5 (as H_3PO_4)	10
		NH_3	30
		Particulate matter with pesticides compounds	20
		CH_3Cl	20
		HBr	5]

Note :

1. Limits should be complied with the end of the treatment plant be any dilution.

2. Bio-assay test should be carried out with available species of fis receiving water.

3. State Boards may prescribe limits of total dissolved solids (TDS) sulphates and chlorides depending on the uses of recipient water body.

4. State Board may prescribe COD limit correlated with BOD limit.

5. Pesticides are known to have metabolites and isomers. If they are insignificant concentration, standards may be prescribed for those in list by Central or State Board.

6. Industries are required to analyse pesticides in waste water by advanced analytical method such as GLC/HPLC.

7. All the parameters will be compulsory for formulators, for others, the 7th will be optional.

[1] Inserted entries relating to emissions by Rule 2(V) of the Environment (Protection) First Amendment Rules, 2006 notified vide G.S.R.46(E), dated 3.2.2006.

Sr. No.	Industry	Parameter	Standards
1	2	3	4
41.	TANNERY (AFTER PRIMARY TREATMENT) Disposal : Channel/ conduit	EFFLUENT	
	Carrying waste waters t Secondary Treatment Plants		
	Type of Tanners :		
	- chrome tanneries/ combined chrome & Vegetable tanneries.	pH	6.5 ±9.0
		SS	Not to exceed 600
		Chromium Concentration after treatment in the chrome waste water stream	45
	- Vegetable tanneries	pH	6.5 ±9.0
		SS	Not to exceed 600
	Note : The above standards will apply to those tannery units which have made contribution to a Common Effluent Treatment Plant (CETP) Compri secondary treatment. Those who have not contributed will be governed by Notification No. S.O.* 61 (E), dated January 8, 1988.		establi
42.	PAINT INDUSTRY WASTE WATER DISCHARGE	EFFLUENTS	
		pH	6.0 ±8.5
		Suspended Solids	100
		BOD_5 [1][(3 days at 27°C)]	50
		Phenolics as C_6H_5OH	1.0
		Oil and Grease	10.0
		Bio-assay test	90% survival in 96 hours
		Lead as Pb	0.1

* Corrected as per Notification No. S.O. 8(E) dated 31.12.1990.

1 Substituted by Rule 2 of the Environment (Protection) Amendment Rules, 1996 notified by G.S.R.176(E), dated 2.4.1996 may be read as BOD (3 days at 27°C) wherever BOD 5 days 20°C occurred

Sr. No.	Industry	Parameter	Standards
1	2	3	4
		Chromium as Cr Hexavalent	0.1
		Total	2.0
		Copper as Cu	2.0
		Nickle as Ni	2.0
		Zinc as Zn	5.0
		Total heavy metals	7.0
43.	INORGANIC CHEMICAL INDUSTRY (WASTE WATER DISCHARGE)	EFFLUENTS	
	part I (metal compounds of Chromium, Manganese, Nickel, Copper, Zinc, Cadmium Lead and Mercury)	pH	6.0 ±8.5
		Chromium as Cr Hexavalent	0.1
		Total	2.0
		Manganese as Mn	2.0
		Nickel as Ni	2.0
		Copper as Cu	2.0
		Zinc as Zn	5.0
		Cadmium as Cd	0.2
		Lead as Pb	0.1
		Mercury as Hg	.01
		Cynide as CN	0.2
		Oil & Grease	10.0
		Suspended Solids	30.0
		In addition to the above, total heavy metals are to be limited t 7 mg/l.	

Sr. No.	Industry	Parameter	Standards
1	2	3	4
44.	BULLION REFINING (WASTE WATER DISCHARGE)	EFFLUENTS	
		pH	6.5 ±8.5
		Cynide as CN	0.2
		Sulphide as S	0.2
		Nitrate as N	10.0
		Free $C1_2$ as C1	1.0
		Zinc as Zn	5.0
		Copper as Cu	2.0
		Nickel as Ni	2.0
		Arsenic as As	0.1
		Cadmium as Cd	0.2
		Oil and Grease	10.0
		Suspended Solids	100
*45.	DYE & DYE INTERMEDIATE INDUSTRY (WASTE WATER DISCHARGE)	EFFLUENTS	
		pH	6.0 ±8.5
		Colour Hazen Unit	400.0
		Suspended Solids	100.0
		BOD [1][(3 days at 27°C)]	100.0
		Oil and Grease	10.0
		Phenolics as C_6H_5OH	1.00
		Cadmium as Cd	0.2
		Copper as Cu	2.0
		Manganese as Mn	2.0
		Lead as Pb	0.1
		Mercury as Hg	0.01
		Nickel as Ni	2.0
		Zinc as Zn	5.0
		Chromium as Cr^{6+}	0.1
		Total Chromium	2.0
		Bio-assay test	90% survival in 96 hours.

* Standards Notified as Sl. No. 8 may also be referred.

1 Substituted by Rule2 of the Environment (Protection) Amendment Rules, 1996 notified by G.S.R.176(E), dated 2.4.1996 may be read as BOD (3 days at 27°C) wherever BOD 5 days 20°C occurred

Sl.No.	Category	Standards dB(A)
1	2	3
46.	NOISE LIMITS FOR AUTOMOBILE S (FREE FIELD) AT ONE METER IN dB (A) AT THE MANUFACTURING STAGE TO BE ACHIEVED BY THE YEAR 1992.	
	(a) Motorcycle, Scooters & Three wheelers	80
	(b) Passenger Cars	82
	(c) Passenger or Commercial Vehicles upto 4 MT	85
	(d) Passenger or Commercial Vehicles above 4 MT and upto 12 MT	89
	(e) Passenger or Commercial Vehicles exceeding 12 MT	91
47.	DOMESTIC APPLIANCES AND CONSTRUCTION EQUIPMENTS AT THE MANUFACTURING STAGE TO BE ACHIEVED BY THE YEAR, 1993	
	(a) Window Air Conditioner of 1 ton to 1.5 tons	68
	(b) Air Coolers	60
	(c) Refrigerators	46
	[1][(d) « « «	-]
	(e) Compactors (rollers) Front loaders, Concrete mixers, Cranes (movable), Vibrators and Saws.	75

[1] 7KH ZRUGV DQG ILJXUHV µ'LHVHO JHQHUDWRU VHWV WR RPLW WRHUG GER\P EHX/QWHL F SX UFSIR WHKVH Environment (Protection) Second Amendments Rules, 2002 published vide Notification No.G.S.R.371(E), dated 17.5.2005

Sr. No.	Industry	Parameter	Standards
1	2	3	4
[1]48.	GLASS INDUSTRY	EMISSIONS	
	A. Sodalime & Borosilicate and other special Glass (other than Lead)		
	(a)Furnace : Capacity		
	(i) Upto a product draw capacity of 60 MT/Day	Particulate Matter	2.0 kg/hr.
	(ii) Product draw capacity more than 6 MT/Day	Particulate Matter	0.8 kg/MT of product drawn
	(iii) For all capacities	Stack height	$H=14(Q)^{0.3}$ where Q is the emission rate of SO_2 in Kg/hr. & H is Stack height in meters.
		Total Fluorides	5.0 mg/NM^3
		Nox	Use of low Nox burners in new plants
	(b) Implementation of the following measures for fugitive emission control from c sections :		
	(i) Raw materials should be transported in leak proof containers.		
	(ii) Cullet preparation should be dustfree using water spraying.		
	(iii) Batch preparation section should be covered.		
	B. Lead Glass		
	(a) Furnaces : All capacities	Particulate Matter	50 mg/NM^3
		Lead	20 mg/NM^3
	(b) Implementation of the following measures for fugitive emission control from c sections:		
	(i) Batch mixing, proportioning section and transfer points should be covered a should be connected to control equipments to meet the following standards :		
		Particulate matter	50 mg/NM^3
		Lead	20 mg/NM^3
	(ii) Minimum Stack height should be 30 metres in lead glass units.		
	(c) Pot furnace at Firozabad Furnace :	Particulate matter	1200 mg/NM^3

Note : Depending upon local environmental conditions, State/UT Pollution Control Board can prescribe more stringent standards than those prescribed above.

[1] S.No. 48 to 55 and entries relating thereto inserted vide GSR 93(E) dt. 21.2.91 published in the Gazette No. 79 dated 27.2.91.

Sr. No.	Industry	Parameter	Standards
1	2	3	4
	Glass Industries (for all categories)	EFFLUENTS:	
		pH	6.5 – 8.5
		Total Suspended Solids	100 mg/l
		Oil & Grease	10 mg/l
49.	LIME KILN	Stack Height	
	Capacity :		
	Upto 5 T/day	Stack Height	A hood should be provided with a stack of 30 meters height from ground level (including kiln height).
	Above 5T/day	Stack height	$H=14(Q)^{0.3}$ where Q is emission rate of SO_2 in kg/hr and H=Stack Height in meters.
	More than 5T/day and up to 40 T/Day	Particulate matter	500 mg/Nm^3
	Above 40T/day	Particulate matter	150 mg/Nm^3
50.	SLAUGHTER HOUSE, MEAT & SEA FOOD INDUSTRY	EFFLUENTS	Concentration in mg/l
	Category		
	A. Slaughter House		
	(a) Above 70 TLWK/day	BOD [1][3 days at 27°C]	100
		Suspended Solids	100
		Oil and Grease	10
	(b) 70 TLWK/day below	BOD [1][3 days at 27°C]	500
	B. Meat Processing		
	(a) Frozen Meat	BOD [1][3 days at 27°C]	30
		Suspended Solids	50
		Oil & Grease	10
	(b) Raw Meat from own Slaughter House.	BOD [1][3 days at 27°C]	30
		Suspended Solids	50
		Oil & Grease	10
	(c) Raw Meat from other sources		Disposal via Screen and Septic Tank.
	C. Sea Food Industry	BOD [1][3 days at 27°C]	30
		Suspended Solids	50
		Oil and Grease	10

The emission standards from Boiler House shall conform to the standards already prescribed under E(P) Act, 1986 vide notification No.G.S.R.742(E), dated 30.8.90.

[1] Substituted by Rule 2 of the Environment (Protection) Amendment Rules, 1996 notified by G.S.R.176(E), dated 2.4.1996 may be read as BOD (3 days at 27°C) wherever BOD 5 days 20°C occurred.

Sr. No.	Industry	Parameter	Standards	
1	2	3	4	
Note : (i) TLWK ± Tonnes ofLive Weight Killed (ii) In case of disposal into municipal sew where sewage is treated the indust shall install screen and oil & grease separation u (iii) The industries having slaughter house along with meat processing units w considered in meat processing category as far as standards are concerned.				
51.	FOOD AND FRUIT PROCESSING INDUSTRY:	EFFLUENTS	Concentration not to exceed± mg/l except pH	Quantum gm/MT of product
	Category			
	A. Soft Drinks			
	(a) Fruit based/ Synthetic (more than 0.4 MT/Day) bottles and tetrapack			
		pH	6.5 ±8.5	-
		Suspended Solids	100	
		Oil andGrease	10	
		BOD[1][3days at 27°C]	30	
	(b) Synthetic (less than 0.4 MT/Day)		Disposal via septic Tank	-
	B. Fruit & Vegetables			
	(a) Above 0.4 MT/Day	pH	6.5 ±8.5	-
		Suspended Solids	50	
		Oil and Grease	10	
		BOD[1][3days at 27°C]	30	
	(b) 0.1-0.4 MT/day (10 MT/year)		Disposal via septic Tank	-
	C. Bakery			
	(a) Bread and Bread & Biscuit			
	(i) Continuous process (More than 20T/day)	pH	6.5 - 8.5	-
		BOD[1][3days at 27°C]	200	25

[1] Substituted by Rule 2 of the Environment (Protection) Amendment Rules, 1996 notified by G.S.R.176(E), dated 2.4.1996 may be read as BOD (3 days at 27°C) wherever BOD 5 days 20°C occurred.

Sr. No.	Industry	Parameter	Standards	
1	2	3	4	
	(ii) Non-continuous process (less than 20 MT/day)	-	Disposal via Septic tank	
	(b) Biscuit Production			
	(i) 10 T/day & above	pH	6.5 ±8.5	
		BOD[1][3days at 27°C]	300	35
	D. Confectioneries	EFFLUENTS		
	(a) 4 T/day and above	pH	6.5 ±8.5	-
		Suspended Solids	50	
		Oil and Grease	10	
		BOD [1][3days at 27°C]	30	
	(b) Below 4 T/day		Disposal via Septic Tank	

Note : 7 R D V F H U W D L Q W K H F D W H J R U \ R I µ X Q L W I D I water discharge for the preceding 30 operating days from the date of sai shall be considered.

* The emission from the boiler house shall conform to the standards al prescribed under E(P) Act, 1986 vide Notification No. GSR 742(E) date 30.8.90.

52.	*JUTE PROCESSING INDUSTRY :	EFFLUENTS	Concentration in mg/l except pH and Wate consumption
		pH	5.5 ±9.0
		BOD [1][3days at 27°C]	30
		Suspended Solids	100
		Oil and Grease	10
		Water Consumption	1.60 Cum/Ton of produc produced.

[1] Substituted by Rule 2 of the Environment (Protection) Amendment Rules, 1996 notified by G.S.R.176(E), dated 2.4.1996 may be read as BOD (3 days at 27°C) wherever BOD 5 days 20°C occurred.

Sr. No.	Industry	Parameter	Standards
1	2	3	4
	Note : 1. Water Consumption for the Jute processing industry will be 1.5 Cum/T product from January, 1992.		
	2. At the present no limit for colour is given for liquid effluent. However, far as possible colour should be removed.		
	* Stack emissions from boiler house shall conform to the standards a prescribed under Environment (Protection) Act, 1986, vide Notification No. GSR 742(E), dated 30.08.90.		
53.	LARGE PULP & PAPER NEWS PRINT/ RAYON GRADE PLANTS OF [1][CAPACITY ABOVE 24000 MT PER ANNUM]	EFFLUENTS	Concentration in mg/l except pH and TOCL
		pH	7.0 – 8.5
		BOD[2][3 days at 27°C]	30
		COD	350
		Suspended Solids	500
		[3][Absorbable Organic Halogens (AOX) in effluent discharge	1.5 kg/ton of product with effect from the date o publication of this notification. 1.0 kg/ton of product with effect from the 1st day of March, 2008.]
		Flow (Total Waste Water Discharge)	
		** (i) Large Pulp & Paper	200 Cum/Ton of Pape produced
		(ii) Large Rayon Grade Newsprint	150 Cum/Ton of Pape produced.
54.	SMALL PULP AND PAPER	EFFLUENT	
	Paper Plant of Capacity upto 24000 MT/Annum : Category :		
	A. *Agrobased	Total waste water discharge	200 cum/Ton of pape produced
	B. **Waste paper based	Total waste water discharge	75 cum/Ton of pape produced

[1] Substituted by Rule 2(ii) (a) of the Environment (Protection) Third Amendments Rules, 2005 notified vide Notification No.G.S.R.546(E), dated 30.8.2005.

[2] Substituted by Rule 2 of the Environment (Protection) Amendment Rules, 1996 notified by G.S.R.176(E), dated 2.4.1996 may be read as BOD (3 days at 27°C) wherever BOD 5 days 20°C occurred

[3] Substituted by Rule 2(ii) (b) of the Environment (Protection) Third Amendments Rules, 2005 notified vide Notification No.G.S.R.546(E), dated 30.8.2005

** The Standards with respect of total wastewater discharge for the large pulp and paper mills be established from 1992, will meet the standards of 100 cum/Ton of paper produced

Sr. No.	Industry	Parameter	Standards
1	2	3	4

* The agro based mills to be established from January, 1992 will meet the stand of 150 cum/Ton of paper produced.

** The waste paper mills to be established from January, 1992 will meet standards of 50 cum/Tom of paper produced.

55.	COMMON EFFLUENT TREATMENT PLANTS:	EFFLUENTS (Inlet effluent quality for CETP)	(Concentration in mg/l)
	A. Primary Treatment	pH	5.5 ±9.0
		Temperature°C	45
		Oil & Grease	20
		Phenolic Compounds (as C_6H_5OH)	5.0
		Ammonical Nitrogen (as N)	50
		Cynide (as CN)	2.0
		Chromium hexavalent (as Cr+6)	2.0
		Chromium (total)(as Cr)	2.0
		Copper (as Cu)	3.0
		Lead (as Pb)	1.0
		Nickel (as Ni)	3.0
		Zinc (as Zn)	15
		Arsenic (as As)	0.2
		Mercury (as Hg)	0.01
		Cadmium (as Cd)	1.0
		Selenium (as Se)	0.05
		Fluoride (as F)	15
		Boron (as B)	2.0
		Radioactive Materials	
		Alpha emitters, Hc/ml	10-7
		Beta emitters, He/ml	10-8

Sr. No.	Industry	Parameter	Standards
1	2	3	4

Note : 1. These Standards apply to the small scale industries, i.e. total discharge upto 25 KL/Day.

2. For each CETP and its constituent units, the State Board will prescribe standards as per the local needs and conditions; these can be more stringent than those prescribed above. However, in case of clusters of units, the State Board with the concurrence of CPCB in writing, may prescribe suitable limits.

B. Treated Effluent Quality of Common Effluent Treatment Plant Concentration in mg/l except pH & Temperature

	Into inland surface waters	On land for Irrigation	Into Marine Coastal areas
	(a)	(b)	(c)
pH	5.5 - 9.0	5.5 - 9.0	5.5 - 9.0
BOD[1] [3days at 27°C]	30	100	100
Oil & Grease	10	10	20
Temperature	Shall not exceed 40°C in any section of the stream within 15 metres down stream from the effluent outlet	-	45°C at the point of discharge.
Suspended Solids	100	200	(a) For process waste water - 100 (b) For cooling water effluents 10 percent above total suspended matter of effluent cooling water
Dissolved Solids (inorganic)	2100	2100	-

[1] Substituted by Rule 2 of the Environment (Protection) Amendment Rules, 1996 notified by G.S.R.176(E), dated 2.4.1996 may be read as BOD (3 days at 27°C) wherever BOD 5 days 20°C occurred.

Sr. No.	Industry	Parameter		Standards
1	2	3		4
		Total residual chlorine	1.0	-	1.0
		Ammonical nitrogen (as N)	50	-	50
		Kjeldahl nitrogen (asN)	100	-	100
		Chemical Oxygen Demand	250	-	250
		Arsenic (as As)	0.2	0.2	0.2
		Mercury (as Hg)	0.01	-	0.01
		Lead (as Pb)	0.1	-	1.0
		Cadmium (as Cd)	1.0	-	2.0
		Total Chromium (asCr)	2.0	-	2.0
		Copper (as Cu)	3.0	-	3.0
		Zinc (as Zn)	5.0	-	15
		Selenium (as Se)	0.05	-	0.05
		Nickel (as Ni)	3.0	-	5.0
		Boron (as B)	2.0	2.0	-
		Percent Sodium	-	60	-
		Cynide (as CN)	0.2	0.2	0.2
		Chloride (as Cl)	1000	600	-
		Fluoride (as F)	2.0	-	15
		Sulphate (as SO_4)	1000	1000	-
		Sulphide (as S)	2.8	-	5.0
		Pesticides	Absent	Absent	Absent
		Phenolic compounds (as C_6H_5OH)	1.0	-	5.0

Note : All efforts should be made to remove colour and unpleasant odour as far as possible.

Sr. No.	Industry	Parameter	Standards	
1	2	3	4	
[1]56.	DAIRY	EFFLUENTS	Concentration in mg/l except pH	Quantum per product processed
		pH	6.5 ±8.5	-
		*BOD [2][3 days at 27°C]	100	-
		** Suspended Solids	150	-
		Oil and Grease	10	-
		Waste Water generation	-	3 m^3/Kl of milk

Note :*BOD may be made stringent upto 30 mg/l if the recipient fresh water body is source for drinking water supply. BOD shall be upto 350 mg/l for the chilling plant effluent for applying on land provided the land is designed and operated as secondary treatment system with suitable monitoring facilities. The drainage water from the land after secondary treatment has to satisfy standard of 30 mg/l of BOD and P J O R I Q L W U D W H H [S U H V V H G D V µ 1 ¶ 7 K V K R X O G Q R W E H P R U H W K D Q P J O R I % 2 ' D Q limit for applying on land is allowed subject to the availability of adequate land. discharge under the control of industry, BOD value is relaxable upto 350 provided the wastewater is discharged into a town sewer leading to secondary treatment of the sewage.

** Suspended solids limit is relaxable upto 450 mg/l, provided the sewage is discharged into town sewer leading to secondary treatment of the sewage.

57.	TANNERIES	EFFLUENTS	Concentration in mg/l except pH	Quantum per raw hide processed
		pH	6.5 ±9.0	-
		*BOD [2][3 days at 27°C]	100	-
		Suspended Solids	100	-
		Sulphides (as S)	1	-
		Tototal Chromium (as Cr)	2	
		Oil and Grease	10	-
		Waste Water generation	-	28 m^3/T

* For effluent discharge into inland surface waters BOD limit shall be made stricter to mg/l by the concerned State Pollution Control Board.

[1] Sl. No. 56 to 61 and entries relating thereto inserted vide GSR 475(E) dated 5.5.92 published in the Gazette No. 202 dated. 5.5.92.

[2] Substituted by Rule 2 of the Environment (Protection) Amendment Rules, 1996 notified by G.S.R.176(E), dated 2.4.1996 may be read as BOD (3 days at 27°C) wherever BOD 5 days 20 occurred.

Sr. No.	Industry	Parameter	Standards		
1	2	3	4		
****58.	NATURAL RUBBER PROCESSING INDUSTRY	Centrifuging and creaming unit		Crape and crumb units	
		for disposal into inland surface water	for disposal on land for irrigation	for disposal into inland surface water	for disposal on land for irrigation
		(a)	(b)	(a)	(b)
		(Concentration in mg/l, except pH & quantum of waste water generation)		(Concentration in mg/l except pH & quantum of waste waster generation)	
	pH	6 ±9	6 ±8	6 ±8	6 ±8
	Total Kjeldahl nitrogen (as N)	200(100*)	***	50	***
	Ammonical Nitrogen as (N))	100 (50*)	***`	25	***
	BOD[1] [3 days at $27^{o}C$]	$20^{o}C$	100	30	100
	COD	250	***	250	***
	Oil & Grease	10	20	10	20
	Sulphide (as S)	2	***	2	***
	TDS	2100	NP**	2100	NP**
	SS	100	200	100	20
	Quantum of waste water generation	5 lit/kg of product processed	8 lit./kg of product processed	40 lit/kg of product processed	40 lit./kg of product processed

* To be achieved in three years.

** Not prescribed in case effluent is used for rubber plantation of their own. In cases suitable limit, as necessary may be prescribed by the State Board.

*** Not specified.

**** These standards supersede the standards notified as serial no. 26 vide Notification No. S.O. 8(E), dated 3rd June, 1989.

59.	BAGASSE-FIRED BOILERS		EMISSIONS	(Concentration in mg/Nm^3)
	(a)	Step Grate	Particulate Matter	250
	(b)	Horse shoe/pulsating grate	Particulate Matter	500 (12% CO_2)
	(c)	Spreader Stroker	Particulate Matter	800 (12% CO_2)

Note: In the case of horse shoe and spreader stroker boilers, if more than one b attached to a single stack, the Standard shall be fixed based on added cap all the boilers connected with the stack.

[1] Substituted by Rule 2 of the Environment (Protection) Amendment Rules, 1996 notified by G.S.R.176(E) dated 2.4.1996 may be read as BOD (3 days at 27°C) wherever BOD 5 days 20°C occurred.

Sr. No.	Industry	Parameter	Standards
1	2	3	4
60.	MAN-MADE FIBRE INDUSTRY (SEMI-SYNTHETIC)	EFFLUENTS	(Concentration in mg/l except for pH)
		pH	5.5 - 9.0
		Suspended Solids	100
		BOD[1] [3 days at 27°C]	30
		Zinc (as Zn)	1
61	CERAMIC INDUSTRY	EMISSIONS	(Concentration in mg/Nm^3)
	A. Kilns		
	(a) Tunnel, Top Hat, Chamber	Particulate Matter	150
		Fluoride	10
		Chloride	100
		Sulphur dioxide	**
	(b) Down-draft	Particulate Matter	1200
		Fluoride	10
		Chloride	100
		Sulphur dioxide	**
	(c) Shuttle	Particulate Matter	150
		Fluoride	10
		Chloride	100
		Sulphur dioxide	**
	(d) Vertical Shaft Kiln	Particulate Matter	250
		Fluoride	10
		Sulphur dioxide	**
	(e) Tank furnace	Particulate Matter	150
		Fluoride	10
		Sulphur dioxide	**
	B. Raw material handling, Processing and operations		
	(a) Dry raw materials handling and processing operations	Particulate Matter	150
	(b) Basic raw material and processing operations	Particulate Matter	*
	(c) Other sources of air pollution Generation	Particulate Matter	*
	C. Automatic Spray Unit		
	(a) Dryers		
	(i) Fuel fired dryers	Particulate matter	150
	(ii) For heat recovery dryer	Particulate matter	*
	(b) Mechanical finishing operation	Particulate matter	*
	(c) Lime/Plasters of Paris manufacture		

Standards notified at Sr. No.2 may also be referred.

[1] Substituted by Rule 2 of the Environment (Protection) Amendment Rules, 1996 notified by G.S.R.176(E), dated 2.4.1996 may be read as BOD (3 days at 27°C) wherever BOD 5 days 20°C occurred.

Sr. No.	Industry	Parameter	Standards
1	2	3	4
	Capacity :		
	Upto 5T/day	Stack Height	A. Hood should be provided with a stack o 30 meter height from ground level (including Kiln height)
	Above 5T/day	- do -	$H=14(Q)^{0.3}$ Where Q is emission rate of SO_2 in kg/hr and H=Stack ir meters
	More than 5T/day	Particulate matter	500 mg/NM^3
	and utp 40 T/day	Particulate matter	150 mg/NM^3

Note : Oxygen reference level for particulate matter emission calculations for kilns mentioned at A(c) is 18% and for those at A(b), A(d) and A(c) is 8%.

* All possible preventive measures should be taken to control pollution as practicable.

** The standard for sulphur dioxide in terms of stack height limits for kilns with various capacities of coal consumption shall be as indicated below :

Coal consumed per day	Stack height
Less than 8.5 MT	9 m
More than 8.5 to 21 MT	12 m
More than 21 to 42 MT	15 m
More than 42 to 64 MT	18 m
More than 64 to 104 MT	21 m
More than 104 to 105 MT	24 m
More than 105 to 126 MT	27 m
More than 126 MT	30 m or using formula

$H=14\ (Q_g)^{0.3}$ (whichever is more)

Note : In this notification

H ²Physical height of the stack
Q_g ²Emission of sulphurdioxide in Kg/hr.
MT ²Metric tones
m ² meters

S. No.	Indsutry	Parameter	Standards
1.	2.	3.	4.
[1][62.	VISCOSE FILAMENT YARN (Sub-sector of manmade fibre semi-Synthetic Industry)	EFFLUENTS	(Concentration in mg/l except for pH)
		pH	5.5-9.0
		Suspended solids	100
		BOD(3 days at 27°C)	30
		Zinc (as Zn)	5
[2][63.	STARCH INDUSTRY (Maize products)	EFFLUENTS:	Concentration not to exceed mg/l (except pH and waste water discharge)
		pH	6.5-8.5
		BOD (3 days at 27°C)	
		Suspended Solids	150
		Wastewater discharge	8 m^3 /tonne of maize Processed

Note : The prescribed limits for BOD and suspended solids shall be made more stringent or less stringent depending upon the conditions and local requirements as mentioned below :

(i) BOD shall be made stringent upto 30mg/l if the recipient fresh water body is a source for drinking water supply.

(ii) BOD shall be allowed upto 350 mg/l for applying on land provided the land is designed and operated as a secondary treatment system with the requisite monitoring facilities. The drainage water

[1] Sl. No. 62 and entries relating thereto inserted by Rule 2(b) of the Environment (Protection) Third Amendment Rules, 1993 by G.S.R. No. 801 (E), dated 31.12.1993.

[2] Sl.No.63 to 78 and entries relating thereto inserted by Rule 3 (a) of the Environment (Protection) (Amendment) Rules, 1996 notified by G.S.R.176(E), dated 2.4.1996.

* Substituted by Rule 2 of the Environment (Protection) Amendment Rules, 1996 notified by G.S.R.176(E), dated 2.4.1996 may be read as BOD (3 days at 27oC) wherever BOD 5 days 20°C occurred.

from the land after secondary treatment has to satisfy a limit of 30mg/l of BOD and P J O R I Q L W U D W H H [S U H V V H G D V ³1´ addition to ground water quality should not be more than 3 mg/l of BOD and 10mg/l of Q L W U D W H H [S U H V V H G D V ³1´

(iii) BOD shall be allowed upto 350 mg/l for discharge into a town sewer, if such sewer leads to a secondary biological treatment system.

(iv) Suspended solids shall be allowed upto 450 mg/l for discharge into a town sewer, if such sewer leads to a secondary biological treatment system.

(v) In the event of bulking of sludge, the industry shall immediately apprise the respective State Pollution Control Board.

64. BEEHIVE HARD COKE OVEN	EMISSION :	
(i) New unit	Particulate matter (corrected to 6% CO_2)	150 mg/Nm^3
	Hydrocarbons	25 ppm
(ii) Existing units	Particulate matter (corrected to 6% CO_2)	350 mg/Nm^3

Note : For control of emissions and proper dispensation of pollutants the following guidelines shall be followed:

(i) Units set up after the publication of this notification shall be treated as new units.

(ii) A minimum stack height of 20 meters shall be provide by each unit.

(iii) Emissions from coke ovens shall be channelised through a tunnel and finally omitted through a stack. Damper adjustment techniques shall be used to have optimum heat utilization and also to control the emission of unburnt carbon particles and combustible flue gases.

(iv) Wet scrubbing system or waste heat utilization for power generation or byproduct recovery systems should be installed preferably to achieve the prescribed standards.

(v) After four years from the date of this notification, all the existing units shall comply with the standards prescribed for the new units.

65. BRIQUETTE INDUSTRY (COAL)	EMISSIONS :	
(i) Units having capacity less than 10 tonnes	Particulate matter (corrected to 6% CO_2)	350 mg/Nm^3
(ii) Units having capacity 10 tonnes or more	Particulate matter (corrected to 6% CO_2)	150 mg/Nm^3

Note: For control of emissions/and proper dispersal of pollutants, the following guidelines shall be followed by the industry :-

(i) A minimum stack height of 20 metres shall be provided.

(ii) All ovens shall be modified to single chimney multi-oven systems.

(iii) Emissions from ovens shall be channelised through inbuilt draft stack. Optimum heat utilization technique shall be used.

(iv) In case of units having capacity 10 tonnes and above, wet scrubbing system shall be provided to control air pollution.

66. SOFT COKE INDUSTRY	Particulate matter (Corrected to 6% CO_2)	350 mg/Nm^3

Note: Wet scrubbing systems alongwith byproduct recovery system shall be provided.

GUIDELINES FOR EMISSION CONTROL TO IMPROVE WORK ZONE ENVIRONMENT (APPLICABLE FOR INDUSTRIES AT SERIAL NUMBERS 64, 65 AND 66):

(a) Water used for quenching and wet scrubbing shall be recalculated and reused through catch-pits.

(b) Leakages in the oven shall be sealed by bentonite or by any suitable paste and by proper maintenance to avoid fugitive emission.

GUIDELINES FOR COAL HANDLING AND CRUSHING PLANT (APPLICABLE TO INDUSTRIES AT SERIAL NUMBERS 64,65 AND 66)

(a) Unloading of coal trucks shall be carried out with proper care avoiding dropping of the materials from height. It is advisable to moist the material by sprinkling water while unloading.

(b) Pulverisation of coal shall be carried out in an enclosed place and water sprinkling arrangement shall be provided at coal heaps, crushing area and on land around the crushing unit.

(c) Work area surrounding the plant shall be asphalted or concreted.

(d) Green belt shall be developed along the boundary of the industry.

(e) Open burning of coal to manufacture soft coke shall be stopped.

67. EDIBLE OIL & VANASPATI INDUSTRY

EFFLUENTS :

Temperature	Not more than 5^{o}C above
ambient temperature	of the recipient waterbody
pH	6.5 ²8.5
Suspended solids	150 mg/l
Oil & grease	20 mg/l
BOD(3 days at 27^{o}C)	100 mg/l
COD	200 mg/l
Wastewater Discharge	
(i) Solvent extraction	2.0 cum/tonne of product (oil)
(ii) Refinery/Vanaspati	2.0 cum/tonne of product (refined oil/Vanaspati)
(iii) Integrated unit of extraction & refinery/ Vanaspati	4.0 cum/tonne of refined Vanaspati product
(iv) Barometric cooling water/De-odoriser water	15.0 cum/tonne of refined oil/vanaspati

Note :

(i) The above standards shall be applicable to waste water from processes and cooling.

(ii) BOD shall be made stringent upto 30 mg/l if the recipient fresh water body is source of drinking water supply

(iii) The standards for boiler emissions shall be applicable as prescribed under Schedule I of these rules.

68. ORGANIC CHEMICALS MANUFACTURING INDUSTRY

EFFLUENTS :

(a) Compulsory parameters	pH	6.5 ²8.5
	BOD(3 days at $27^{o}C$)	100 mg/l
	Oil & Grease	10mg/l
	Bioassay test	Minimum90% survival after 96 hours with at 100% effluent
(b) Additional parameters		(mg/l)
	Nitrate(as N)	10
	Arsenic	0.2
	Hexavalent Chormium	0.1
	Total Chormium	1.0
	Lead	0.1
	Cyanide as CN	0.2
	Zinc	0.5
	Mercury	0.01
	Copper	2.0
	Nickel	2.0
	Phenolies as C_6H_3OH	5.0
	Sulphide	2.0

Note :

(i) No limit for COD is prescribed but it shall be monitored. If the COD in a treated effluent is persistently greater than 250 mg/l, such industrial units are required to identify chemicals causing the same. In case these are found to be toxic as defined in Hazardous

Chemicals Rules,1989 in Part I of Schedule-I, the State Boards in such cases may direct the industries to install tertiary treatment system stipulated time limit. This may be done on case to case basis.

(ii) These standards are not applicable to small scale detergent (formulating units).

(iii) The standards for boiler emissions shall be applicable as per the existing emission regulations.

(iv) Industry covered under this group are halo-aliphatics, plasticizers, aromatics (alcohols, phenols, esters, acids and salts, aldehydes and ketone), substituted aromatics, aliphatic (alcohols, esters, acids, aldehydes, ketones, amines and amides) and detergents.

69. FLOUR MILLS

EFFLUENTS :

pH	6.5 ²8.5
BOD (3 days at 27^{o}C)	100 mg/l
Total Suspended Solids	100mg/l
Oil & Grease	10mg/l
Waste water discharge	2 cubic metre per tonne of wheat processed

Note :

(i) BOD shall be stringent upto 30 mg/l if the recipient freshwater body is a source for drinking water supply.

(ii) BOD shall be allowed upto 350 mg/l for applying on land, provided the land is designed and operated as a secondary treatment system with the requisite monitoring facilities. The drainage water from the land after secondary treatment has to satisfy a limit of 30 mg/l of BOD and 10 mg/l of nitrate H[SUHVVHG DV ³1´ 7KH QHW DGGLWLRQ water quality should not be more than 3mg/l of BOD and 10 mg/l of nitrate expressed as ³1´

(iii) BOD shall be allowed upto 350 mg/l for discharge into a town sewer, if such sewer leads to a secondary biological treatment system.

(iv) Suspended solids shall be allowed upto 450 mg/l for discharge into a town sewer, if such sewer leads to a secondary biological treatment system.

70. BOILERS(SMALL)

Steam generation capacity (ton/hour)	Particulate matters emission (mg/Nm^3)
less than 2	1200*
2 to less than 10	800*
10 to less than 15	600*
15 and above	150**

* to meet the respective standards, cyclone/multicyclone is recommended as control equipment with the boiler.

** to meet the standard, bag filter/ESP is recommended as control equipment with the boiler.

Note :

(i) 12% of CO_2 correction shall be the reference value for particulate matter emission standards for all categories of boilers.

(ii) These limits shall supercede the earlier limits notified under Schedule I at serial number 34 of Environment (Protection) Act, 1986 vide notification GSR 742(E), dated 30th August, 1990.

(iii) Stack Height for small Boilers.
For the small boilers using coal or liquid fuels, the required stack height with the boiler shall be calculated by using the formula.

$H=14\ Q^{0.3}$

Where H ² Total stack height in metres from the ground level.

$Q=SO_2$ emission rate in kg/hr.

In no case the stack height shall be less than 11 metres.

Where providing all stacks are not feasible using above formula the limit of 400 mg/Nm^3 for SO_2 emission shall be met by providing necessary control equipment with a minimum stack height of 11 metres.

71.PESTICIDES INDUSTRY

(i) Compulsory Parameters — mg/l except pH

pH	6.5 ²8.5
BOD (3 days at 27^oC)	100
Oil & Grease	10
Suspended solids	100
Bioassay test	Minimum 90% survival of fish after 96 hours with 90% effluent and 10% dilution water. Test shall be carried out as per IS : 6502-1971.

(ii) Additional Parameters — mg/l

(a) Heavy metal

(vi) In no circumstances, the liquid effluent shall be discharged without conforming to the minimal national standards or stored in a holding arrangement which is likely to cause pollution.

(vii) The sludge from the solar evaporation pans shall be incinerated or disposed as per the guidelines for management and handling of hazardous waste, published by the Ministry of Environment & Forests, Government of India, after obtaining authorization from the State Pollution Control Board under the hazardous Waste (Handling and Management)Rules,1989.

(viii) The facility shall be protected from flood and storm to prevent embankments from erosion or any other damage which may render any portion inoperable.

(ix) Facilities shall be protective enclosure to keep wildlife, domestic animals, unauthorized persons, etc. away.

72. OIL DRILLING AND GAS EXTRACTION INDUSTRY

A. STANDARDS FOR LIQUID EFFLUENT

1.0 On-Shore facilities(For Marine Disposal)

pH	5.5 ²9.0
Oil & Grease	10 mg/l
Suspended solids	100 mg/l
BOD(3 days at 27^{o}C)	30 mg/l

Note :

(i) For on-shore discharge of effluents, in addition to the standards prescribed above, proper marine outfall has to be provided to achieve the individual pollutant concentration level in sea water below their toxicity limits as given below, within a distance of 50 metre from the discharge point, in order to protect the marine aquatic life :

Parameter	Toxicity limit,mg/l
Chromium as Cr	0.1
Copper,as Cu	0.05
Cyanide,as CN	0.005
Fluoride,as F	1.5
Lead, as Pb	0.05
Mercury, as Hg	0.01
Nickel, as Ni	0.1
Zinc, as Zn	0.1

(ii) Oil and gas drilling and processing facilities, situated on land and away from saline water sink, may opt either for disposal of treated water by on-shore disposal of by re-injection in abandoned well, which is allowed only below a depth of 1000 metres from the ground level. In case of re-injection in abandoned well the effluent have to comply only with respect to suspended solids and oil and grease 100 mg/l and 10 mg/l, respectively. For on-shore disposal, the permissible limits are given below.

S.No.	Parameter	On-shore discharge standards (Not to exceed)
1.	2.	3.
1.	pH	5.5 ²9.0
2.	Temperature	40^{o}C
3.	Suspended Solids	100 mg/l
4.	Zinc	2 mg/l
5.	BOD	30 mg/l
6.	COD	100mg/l
7.	Chlorides	600 mg/l
8.	Sulphates	1000 mg/l
9.	TDS	2100 mg/l
10.	%Sodium	60 mg/l
11.	Oil and Grease	10 mg/l
12.	Phenolics	1.2 mg/l
13.	Cyanides	0.2 mg/l
14.	Fluorides	1.5 mg/l
15.	Sulphides	2.0 mg/l
16.	Chromium(Cr+6)	0.1 mg/l
17.	Chromium (Total)	1.0 mg/l
18.	Copper	0.2 mg/l
19.	Lead	0.1 mg/l
20.	Mercury	0.01 mg/l
21.	Nickel	3.0 mg/l

2.0 Off-shore facilities :

For off-shore discharge of effluents, the oil content of the treated effluent without dilution shall not exceed 40 mg/l for 95% of the observation and shall never exceed 100 mg/l. Three 8 ±hourly grab samples are required to be collected daily and the average value of oil and grease content of the three samples shall comply with these standards.

B. GUIDELINES FOR DISCHARGE OF GASEOUS EMISSION :

1.0 DG Sets

1.1 DG Sets at drill site as well as production station shall conform with the norm notified under the Environment (Protection) Act,1986.

2.0 Elevated/ground flares

2.1 Cold Venting of gases shall never be resorted to and all the gaseous emissions are to be flared.

2.2 All flaring shall be done by elevated flares except where there is any effect on crop production in adjoining areas due to the flaring. In such cases, one may adopt ground flaring.

2.3 In case of ground flare, to minimize the effects of flaring, the flare pit at Group Gathering Station(GGS)/Oil Collecting Station(OCS) and Group Collection Station(GCS) shall be made of RCC surrounded by a permanent wall (made of refractory brick) of minimum 5m height, to reduce the radiation and glaring effects in the adjoining areas.

2.4 A green belt of 100 m width may be developed around the flare after the refractory wall in case of ground flaring.

2.5 If the ground flaring with provision of green belt is not feasible, enclosed ground flare system shall be adopted, and be designed with proper enclosure height, to meet the ground level concentration(GLC) requirement.

2.6 In case of elevated flaring, the minimum stack height shall be 30m. Height of the stack shall be such that the max. GLC never exceeds the prescribed ambient air quality limit.

3.0 Burning of effluent in the pits shall not be carried out at any stage.

[1][C. GUIDELINES FOR DISPOSAL OF SOLID WASTE, DRILL CUTTING AND DRILLING FLUIDS FOR OFFSHORE AND ONSHORE DRILLING OPERATION-

1. Disposal of Drill Cutting and Drilling Fluids for On-shore Installations:

---

[1] Substituted paragraph C, for paragraph C relating to Guidelines For Disposal of Drill Cuttings and Drilling Fluids For Offshore and Onshore Drilling Operations, by rule 2(iii) of the Environment (Protection) Third Amendments Rules, 2005 notified vide Notification No.G.S.R.546(E), dated 30.8.2005.

(a) Drill Cuttings (DC) originating from on-shore or locations close to shore line and separated from Water Base Mud (WBM) should be properly washed and unusable drilling fluids (DF) such as WBM, Oil Base Mud (OBM), Synthetic Base Mud (SBM) should be disposed off in a well designed pit lined with impervious liner located off-site or on-site. The disposal pit should be provided additionally with leachate collection system.

Design aspects of the impervious waste disposal pit; capping of disposal pit should be informed by the oil industry to State Pollution Control Board (SPCB) at the time of obtaining consent.

(b) Use of diesel base mud is prohibited. Only WBM should be used for on-shore oil drilling operations.

(c) In case of any problem due to geological formation for drilling, low toxicity OBM having aromatic content< 1% should be used. If the operators intend to use such OBM to mitigate specific whole problem/ SBM it should be intimated to Ministry of Environment and Forests/State Pollution Control Board.

(d) The chemical additives used for the preparation of DF should have low toxicity i.e. 96 hr LC_{50} > 30,000 mg/l as per mysid toxicity or toxicity test conducted on locally available sensitive sea species. The chemicals used (mainly organic constituents) should be biodegradable.

(e) DC separated from OBM after washing should have oil content at < 10 gm/kg for disposal into disposal pit.

(f) The waste pit after it is filled up shall be covered with impervious liner, over which, a thick layer of native soil with proper top slope is provided.

(g) Low toxicity OBM should be made available at installation during drilling operation.

(h) Drilling wastewater including DC wash water should be collected in the disposal pit evaporated or treated and should comply with the notified standards for on-shore disposal.

(i) Barite used in preparation of DF shall not contain Hg> 1 mg/kg & Cd> 3mg/kg.

(j) Total material acquired for preparation of drill site must be restored after completion of drilling operation leaving no waste material at site. SPCB should be informed about the restoration work.

(k) In case, environmentally acceptable methods for disposal of drill waste such as (a) injection to a formation through casing annuals, if conditions allow (b) land farming at suitable location (c) bio-remediation (d) incineration or (e) solidification can be considered, in such cases oil industry is required to submit proposal to Ministry of Environment and Forests/State Pollution Control Board (MoEF/SPCB) for approval.

2. Disposal of Drill Cutting and Drilling Fluids for Off-shore Installations:

(a) Use of diesel base mud is prohibited. Only WBM is permitted for offshore drilling. If the operator intend to use low toxicity OBM or SBM to mitigate specific hole problems in the formation, it should be intimated to MoEF/SPCB. The low toxicity OBM should have aromatic content< 1%.

(b) The toxicity of chemical additives used in the DF (WBM or OBM or SBM) should be biodegradable (mainly organic constituents) and should have toxicity of 96 hr LC_{50} Value > 30,000 mg /l as per mysid toxicity or toxicity test conducted on locally available sensitive sea species.

(c) Hexavalent chromium compound should not be used in DF. Alternative chemical in place of chrome lignosulfonate should be used in DF. In case, chrome compound is used, the DF/ DC should not be disposed offshore.

(d) Bulk discharge of DF in offshore is prohibited except in emergency situations.

(e) WBM/OBM /SBM should be recycled to a maximum extent. Unusable portion of OBM should not be discharged into sea and shall be brought to on-shore for treatment & disposal in an impervious waste disposal pit.

(f) Thoroughly washed DC separated from WBM/SBM & unusable portion of WBM/SBM having toxicity of 96 hr LC_{50} > 30,000 mg/l shall be discharged off-shore into sea intermittently, at an average rate of 50 bbl/hr/well from a platform so as to have proper dilution & dispersion without any adverse impact on marine environment.

(g) Drill cutting of any composition should not be discharged in sensitive areas notified by the Ministry of Environment and Forests.

(h) In case of specific hole problem, use of OBM will be restricted with zero discharge of DC. Zero discharge would include re-injection of the DC into a suitable formation or to bring to shore for proper disposal. In such a case, use of OBM for re-injection should be recorded and made available to the regulatory agency. Such low toxic OBM having aromatic content < 1% should be made available at the installation.

(i) In case, DC is associated with high oil content from hydrocarbon bearing formation, then disposal of DC should not have oil content > 10 gm/kg.

(j) The DC wash water should be treated to confirm limits notified under EPA, before disposal into Sea. The treated effluent should be monitored regularly.

(k) Discharge of DC from the installation located within 5 km away from shore should ensure that there is no adverse impact on marine Eco-system and on the shore. If, adverse impact is observed, then the industries have to bring the DC on-shore for disposal in an impervious waste disposal pit.

(l) If any, environmental friendly technology emerges for substitution of DF and disposal technology, it may be brought to the notice of MoEF and regulatory agencies. If the operator desires to adopt such environment friendly technology a prior approval from Ministry of Environment and Forests is required.

(m) Barite used in preparation of DF shall not contain Hg> 1 mg/kg & Cd> 3 mg/kg.

(n) Oil drilling operators are required to record daily discharge of DC & DF to offshore and also to monitor daily the effluent quality, and submit the compliance report once in every six-month to Ministry of Environment and Forests.]

73. [1][PHARMACEUTICAL (MANUFACTURING AND FORMULATION) INDUSTRY]

S. No.	Industry	Parameter	Standards
1	2	3	4
		[2][Effluent Standards	Limiting concentration in mg/l, expect for pH
		i. Compulsory Paramters	
		pH	6.0-8.5
		Oil & grease	10
		BOD (3 days 27°C)	100*
		Total suspended Solids	100
		Bioassay test	90% survival of fish after first 96 hours in 100% effluent **
		ii. Additional Paramters	
		Mercury	0.01
		Arsenic	0.20
		Chromium (Cr^{6+})	0.10
		Lead	0.10
		Cyanide	0.10
		Phenolics (C_6H_5OH)	1.0
		Sulphides (as S)	2.0
		Phosphate (as P)	5.0

Note:

* The BOD and COD limits shall be 30mg/l and 25 mg/l respectively, if treated effluent is discharg directly into a fresh water body i.e., stream, can river or lake.

** The Bioassay Test shall be conducted as IS:6582-1971.

(i) 3 D U D P H W H U V O L V W H G L 3 D U D P H W H U V ¶ V K D O O E upon the process and product.

(ii) Limits for total dissolved solids in effluen shall be prescribed by the concern pollution control board/pollution contro committee depending upon the recipie water body].

---

1 Substituted by Rule 2(b)(i) of the Environment (Protection) Third Amendment Rules, 2009 notified by G.S.R.512(E), dated 9.7.2009

2 Substituted by Rule 2(b)(ii) of the Environment (Protection) Third Amendment Rules, 2009 notified by G.S.R.512(E), dated 9.7.2009

[1][A. Emission from Incinerator

		Limiting concentration in mg/Nm3, unless stated	Sampling duration in (minutes) unless stated
Particulate Matter		50	30 or more (for sampling about 300 litre emission)
HCI		50	30
SO_2		200	30
CO		100	Daily average
Total Organic Carbon		20	30
Total Dioxins and Furans *	Existing Incinerator	0.2 ngTEQ/Nm^3	8 hours
	New Incinerator	0.1 ngTEQ/Nm^3	8 hours
Sb+As+Pb+Cr+Co+Cu+ Mn+ Ni+V+Cd+Th+Hg and their compounds		1.5	2 hours

* The existing plant shall comply with norms for dioxins and furans as 0.1 ng/TEQ/Nm^3 within 5 years from the date of notification.

Notes:

i. All monitored values shall be corrected to 11 % oxygen on dry basis.

ii. The CO_2 concentration In tail gas shall not l less than 7%.

iii. In case, halogenated organic waste is less 1% by weight in input waste, all the facilities twin chamber incinerator shall be designed s to achieve a minimum temperature of 850°C 25 in primary chamber and 950°C in second combustionchamber and with a gas reside time in secondary combustion chamber not l than 2 (two) seconds,

or

all the facilities in single chamber incinerator f gaseous hazardous waste shall be designed to achieve a minimum temperature of 950°C the combustion chamber with a gas reside time not less than 2 (two) seconds.

---

[1] Inserted by Rule 2 of the Environment (Protection) Second Amendment Rules, 2009 notified by G.S.R.149 (E), dated 4.3.2009.

iv. In case halogenated organic waste is more t
l% by weight in input waste, waste shall
incinerated only in twin chamber incinerato
and all the facilities shall be designed to achieve
a minimum temperature of 850+25°C in prima
chamber and 1100°C in secondary combustio
chamber with a gas residence time in secon
combustion chamber not less than 2 (t
seconds).

v. Scrubber meant for scrubbing emissions sl
not be used as quencher.

vi. Incineration plants shall be operat
(combustion chambers) with such temperatu
retention time and turbulence, as to achi
Total Organic Carbon (TOC) content in tl
incineration ash and residue less than 3%,
their losson ignition is less than 5% of the d
weight. In case of non-conformity, ash and/o
residue shall be re-incinerated.

vii. The incinerator shall have a chimney of atle
thirty metre height.

B. Effluent from Incinerator

i. Effluent from scrubber(s) and floor washing
shall flow through closed conduit/pipe network

ii. Storm water shall not be allowed to mix wi
scrubber water and/or floor washings.

iii. Storm water shall be channelized throu
separate drains passing through a HDPE li
pit having holding capacity of 10 minute
(hourly average) of rainfall.

iv. The built up in Total Dissolved Solids (TDS)
wastewater of floor washings shall not exce
1000 mg/l over and above the TDS of raw wa
used.

v. Effluent shall not be stored in holding tank(s) ir
such manner which may cause pollution
groundwater.

vi. Effluent (scrubber water and floor washing shall be discharged into receiving wat conforming to the norms prescribed und Schedule VI:

General Standards for Dischargeof Environmen Pollutions (Part A: Effluents) notified under th Environment (Protection) Rules, 1986].

[1][74 BRICK KILNS

(i) Emission Standards

		Category*	Limiting concentration in mg/Nm^3
	Particulate matter	small	1000
		medium	750
		large	750
			minium (metre)
	Stack height	Small	22 or induced draft fan operating with minimum draft of 50 mm WG with 12 metre stack height.
		Medium	27 or induced draft fan operating with minimum draft of 50 mm WG with 15 metre stack height.
		Large	30 or induced draft fan operating with minimum draft 50 mm WG with 17 metre stack height.

*Category	Trench withdh (m)	Production (bricks/day)
Small BTK	<4.50	Less than 15,000
Medium BTK	4.50-6.75	15,000-30,000
Large BTK	Above 6.75	Above 30,000

---

[1] Substituted by Rule 2 of the Environment (Protection) Fourth Amendment Rules, 2009 notified by G.S.R.543(E), dated 22.7.2009

(ii) Down-Draft Kiln (DDK)

	Category++	Limiting concentration in mg/Nm^3
Particulate matter	small/large/medium	1200
		Minimum (metre)
Stack height	small	12
	medium	15
	large	18
++Category	Production (bricks/day)	
small DDK	Less than 15,000	
medium DDK	15,000-30,000	
large DDK	Above 30,000	

(iii) Vertical Shaft Kiln (VSK)

	Category**	Limiting concentraion in mg/l Nm^3
Particulate matter	small/large/medium	250
		Minimum (metre)
Stack height	small	11 (at least 5.5m from loading platform)
	medium	14 (at least 7.5 m from loading platform)
	large	16 (at least 8.5 m from loading platform)
**Category	No.of Shafts	Production (bricks/day)
small VSK	1-3	Less than 15,000
medium VSK	4-6	15,000-30,000
large VSK	7 or more	above 30,000

Notes

1. Gravitational Settling Chamber along with fixed chimney D S S U R S U L D W H K H L J K W V K D O O E kilns.

2. One chimney per shaft in Vertical Shaft Kiln shall be provided. The two chimneys emanating from a shaft s either be joined (at the loading platform in case of br chimney or at appropriate level in case of metal chimney from a single chimney.

3. The above standards shall be applicable for different kilns if coal, firewood and/or agricultural residues are used as fu

75. SODA ASH INDUSTRY (SOLVAY PROCESS)

PARAMETER	MINAS (Recipient body specified)		
	Marine	Brackish	Inland surface
pH	6.5 ²9	6.5²9	6.5 ²9
Temperature	45°C or less	45°C or less	45°C or less
Oil & Grease	2 mg/l	20 mg/l	10 mg/l
Suspended Solids(SS)	500 mg/l	200 mg/l	100 mg/l
Ammoniacal nitrogen	5 mg/l	50 mg/l	30 mg/l
Bio-assay	96 hours	96 hours	96 hours
	30% survival	90% survival	90% survival

Note :- MINAS for disposal in brackish and inland surface water are without any dilution.

Standards for Dual Process Soda Ash Plants :

Parameter	MINAS (Inland Surface Water)
pH	6.5 ²8.0
Ammoniacal nitrogen, as N(mg/l)	50
Nitrate nitrogen, as N(mg/l)	10
Cyanide, as CN(mg/l)	0.2
Hexavalent chromium(mg/l)	0.1
Total chromium(mg/l)	2.0
Suspended solids(mg/l)	100
Oil and Grease (mg/l)	10

Note : The Standards are to be implemented by the industry in a time targeted schedule [1][by December, 1999]. The progress on the time targeted implementation schedule shall be periodically submitted by the industry to the State Pollution Control Board and Central Pollution Control Board.

[1] Substituted by Rule 2 (ii) of the Environment (Protection) (Second Amendment) Rules, 1999 notified by Notification G.S.R.682(E), dated 5.10.1999.

76. EMISSION STANDARD FOR SO_2 FROM CUPOLA FURNACE :

Standard for Sulphur Dioxide emission from Cupola Furnace :

Characteristics	Emission limit
Sulphur dioxide (SO_2) emission	300 mg/Nm^3 at 12% CO_2 corrections

To achieve the standard, foundries may install scrubber, followed by a stack six times the diameter of the Cupola beyond the charging door.

Note : In case due to some technical reasons, installation of scrubber is not possible, then value of SO_2 to the ambient air has to be effected through the stack height.

77. SPECIFICATIONS OF MOTOR GASOLINE FOR EMISSION RELATED PARAMETERS :

Sl. No.	Characteristics	Requirement	Method of test ref.to P:of IS:1448
(i)	Reid Vapour Pressure at 38°C, Kpa	35 to 70	P : 39
(ii)	Benzeno, Percent by volume,Max	5.0 (4)	P : 104
(iii)	Lead Content(as Pb)g/l,Max	0.15(low leaded)(2) 0.013 (unleaded)	P : 38
(iv)	Sulphur, percent by mass, Max	0.10 (unleaded 0.20 (leaded)	P : 34
(v)	Potential Gum, g/m3, Max	50	ASTM 873 : 8
(vi)	Gum (Solvent Washed)g/m3 Max	40	P : 29
(vii)	Oxygenates Content Ether (MTBE, ETBE) Alcohol, percent by volume, Max	15	
(viii)	Phosphorus	See Foot Note (3)	ASTMD 3231

(1) 3.0 percent by volume maximum in metro cities by 2000 AD.

(2) 0.15 g/l by 31st December, 1996 (for entries country).
0.013 g/l by 1st April 1995 (in four metrocities);

by 1st December,1998(for all State capitals/UTs and major metro cities) and by 1st April,2000 for the entire country.

(3) Phosphorous containing additives shall be absent.

Note :

(a) Above specifications applied to leaded as well as unleaded petrol except lead content.

(b) For new refineries coming up during or after 1997 the specification applicable by 2000 for existing refineries shall be applicable by 1997.

78. SPECIFICATION OF DIESEL FUEL FOR EMISSION RELATED PARAMETERS :

Sl.No.	Characteristics	Requirement	Method of Test Ref. To P : of IS : 1448
(i)	Density at 15°C, Kg/m3	820 to 880(1)	P : 32
(ii)	Cetane Number, Min	45(2)	P : 9
(iii)	Distillation 85 percent by volume recovery at °C Max 95 percent by volume recovery at °C, Max	350 370	P : 18
(iv)	Sulphur, percent by mass	0.50(3)	P : 33

(1) 820 to 860 by 2000 AD

(2) 48 by 31st December,1998(except in the refineries- Digboi, Gauhati and Bongaigaon Refineries & Petrochemicals Ltd.)

(3) (i) 0.50 percent by mass by 1st April 1996 in four metros and Taj Trapezium;

(ii) 0.25 percent by mass by 1st October,1996 in Taj Trapezium;

(iii) 0.25 percent by mass by 1st April,1996 throughout the country.

Note :

(a) Above specifications apply to HSD only.

(b) For new refineries coming during or after 1997 specification applicable by 2000 for existing refineries shall be applicable by 1997.

(c) µ3¶ UHIHUV WR .SDUWV RI ,6

Sl. No.	Industry	Parameter	Standard		
			New Batteries (at Green Field Site)	Rebuild Batteries	Existing Batteries
		Fugitive Visible Emissions			
[[1][2]79	COKE OVEN PLANTS (by product recovery type)	(a) Leakage from door (b) Leakage from charging lid (c) Leakage from AP Covers (d) Charging emission (Second/charge)	5(PLD)* 1(PLL)* 4(PLO)* 16(with HPLA)*	10(PLD)* 1(PLL)* 4(PLO)* 50 (with HPLA)*	10(PLD)* 1 (PLL)* 4(PLO)* 75
	Stack Emission of Coke Oven				
		(a) SO_2 (mg/Nm^3) (b) NOx, (mg/ Nm^3) (c) SPM, (mg/Nm^3)	800 500 50	800 500 50	800 500 50
		(d) SPM emission during charging – for stamp charging batteries (stack emission) mg/Nm^3	25	25	25
		(e) SPM emission during coke pushing (stack emission) gm/ton of coke	5	5 (applicable to stationary land based system)	-
		(f) Sulphur in Coke Oven gas used for heating (mg/Nm^3)	800	-	-
	Emission for quenching operation				
		(a) Particulate matter gm/tonne of coke produced	50	50	-
	Benzo-Pyerine (BaP) concentration in work zone air (µg/m^3)				
		(a) Battery area (top of the battery) (b) Other units in coke oven plant (c) Ambient standards (gm/Nm^3)	5 2 10	5 2 10	5 2 10

[1] Substituted by Rule 2(vi) by Rule 2(VI) of the Environment (Protection) First Amendment Rules, 2006 notified vide Notification G.S.R.46(E), dated 3.2.2006.

[2] Sl. No. 79 and entries relating thereto inserted by the Environment (Protection) Second Amendment Rules, 1997 vide G.S.R. 631(E), dated 31.10.1997.

For control of emissions and to maintain environmental quality in work zone area, the following guidelines shall be followed, namely:-

(i) New coke oven units shall follow any of the low-emission procedures, such as, coke dry cooling, non-recovery coke-ovens. Indirect Quenching Process, Jumbo coke oven reactor, Modified Wet Quenching System with appropriate environmental controls (e.g. baffles, filtering media, collection and treatment of residual water from quench tower and recycling; Use of process water as quenching water shall not be permissible).

(ii) Effective pollution control measures (for e.g. Extensive maintenance and cleaning of oven doors and frame seals, ascension pipes, charging holes and lids and other equipment; On-main charging system(HPLA);

Luting charging holes with clay-suspension; Modified guide/transfer car with emission control system etc. shall be used to reduce coal charging and coke pushing emissions.

(iii) During rebuilding or installing new coke oven batteries, the following clean technology and pollution control measures be adopted:

(a) air-cooled self-sealing doors;

(b) the hydro-jet cleaning system shall be provided for the door and door frame cleaning with a facility of hydro jet pressure of 600 kg/cm^2;

(c) the charging should be accomplished with hermetically sealed charging sleeves and screw feeder in charging car. The charging car should also be equipped with magnetic lid lifter and lid and frame cleaning mechanism (applicable to top charging batteries);

(d) to provide aspiration through high-pressure ammonia liquor (HPLA) injection in goose neck and emission should be transferred directly to gas collecting mains;

(e) water sealed AP covers should be provided;

(f) computerized combustion control and moisture control systems.

(iv) In addition to the above the new coke oven batteries, which will be installed after the date of publication of this notification at green field site and rebuild batteries wherever technically feasible should also be equipped to treat their pushing emissions with stationary land-based system with collection hood and wet scrubbing units for gas cleaning.

(v) In the case of existing coke ovens with wet quenching, the new procedures as in (i) and (ii) shall be adopted.

(vi) The fugitive visible emission standards i.e. PLD*, PLL* and PLO*, charging emission (second/charge).

Note: Units set up after the publication of this notification shall be treated as new units.

*HPLA - Aspiration through high pressure liquor injection in gooseneck;
*PLD - Percent leaking doors;
* PLL - Percent leaking lids; and
* PLO - Percent leaking off takes.]

[1][80. SPECIFICATIONS OF TWO-STROKE ENGINE OIL :

Specification	Standard	Test Procedure
Two-stroke engine oil grade JASO-FC as per JASO M-345-93 specification And API TC as per specification No.ASTM D 4859	Minimum smoke Index of 85.	JASO-M342-92 for JASO-FC and ASTM D-4857 for API TC

The above specification shall be effective from the 1st day of April,1999.]

[2][81. BATTERY MANUFACTURING INDUSTRY

(i) Lead Acid Battery Manufacturing Industries. Emission Standards.

Source	Pollutant	Concentration based Standards (mg/Nm^3)
Grid casting	Lead Particulate matter	10 25
Oxide manufacturing	Lead Particulate matter	10 25
Paste mixing	Lead Particulate matter	10 25
Assembling	Lead Particulate matter	10 25
PVC Section	Particulate matter	150

1 Sl. No. 80 and entries relating thereto inserted by the Environment (Protection) Amendment Rules, 1998 vide G.S.R. 504 (E), dated 20.8.1998.

2 Sl. No. 81 to 87 and entries relating thereto inserted by the Environment (Protection) Amendment Rules, 1998 vide G.S.R. 7 (E), dated 22.12.1998.

- To comply with the respective standards, all the emissions from above-mentioned sources shall be routed through stack connected with hood and fan in addition to above, installation of control equipment viz. Bag filter/ventury scrubber, is also recommended.
- The minimum stack height shall be 30 m.

Liquid Effluent Discharge Standards

Pollutant	Concentration based standards
pH	6.5 ²8.5
Suspended solids	50 mg/1
Lead	0.1 mg/l

(ii) Dry Cell Manufacturing Industry : Emission Standards

Pollutant	Concentration based Standards (mg/Nm^3)
Particulate matter	50
Manganese as Mn	5

- To Comply with the respective standards, all the emissions from above-mentioned sources shall be routed through stack connected with hood and fan. In addition to above, installation of control equipment viz. bag filter/ventury scrubber, is also recommended.
- The minimum stack height shall be 30m.

Effluent Standards

Pollutant	Concentration based standards
pH	6.5---8.5
Total suspended solids	100 mg/l
Manganese as Mn	2 mg/l
Mercury as Hg	0.02 mg/l
Zinc as Zn	5 mg/l

(iii) Secondary Lead Smelters

Pollutant	Concentration based standards
Lead as Pb	10 mg/Nm^3
Particulate matter	50 mg/Nm^3
Minimum stack height	30 m

82. ENVIRONMENTAL STANDARDS FOR GAS/NAPTHA-BASED THERMAL POWER PLANTS

(i) Limit for emissions of NOx

(a) For existing units-150ppm (v/v) at 15% excess oxygen.

(b) For new units with effect from 1.6.1999.

Total generation of gas turbine		Limit for Stack NOx emission [v/v),at 15% excess oxygen]
(a)	400 MW and above	(i) 50 ppm for the units burning natural gas. (ii) 100 ppm for the units burning naphtha.
(b)	Less than 400 MW but Upto 100 MW	(i) 75 ppm for the units burning natural gas. (ii) 100 ppm for the units burning naphtha
(c)	Less than 100 MW	100 ppm for units burning natural gas or naphtha as fuel
(d)	For the plants burning gas in a conventional boiler.	100 ppm

(ii) Stack height H in m should be calculated using the formula $H=14.Q^{0.3}$, where Q is the emission rate of SO_2 in kg/hr, subject to a minimum of 30 mts.

(iii) Liquid waste discharge limit.

Parameter	Maximum limit of concentration (mg/l except for pH and temperature)
pH	6.5-8.5
Temperature	As applicable for other thermal power Plants
Free available chlorine	0.5
Suspended solids	100.0
Oil and grease	20.0
Copper (total)	1.0
Iron (total)	1.0
Zinc	1.0
Chromium (total)	0.2
Phosphate	5.0

[1][83. STANDARDS/GUIDELINES FOR CONTROL OF NOISE POLLUTION FROM STATIONARY DIESEL GENERATOR(DG) SETS

« « « «]

84. TEMPERATURE LIMIT FOR DISCHARGE OF CONDENSER COOLING WATER FROM THERMAL POWER PLANT

A . New thermal power plants commissioned after June 1,1999.

New thermal power plants, which will be using water from rivers/lakes./ reservoirs shall install cooling towers-irrespective location and capacity. Thermal power plants which will use sea water for cooling purposes, the condition below will apply.

B. New projects in coastal areas using sea water.

The thermal power plants using sea water should adopt suitable system to reduce water temperature at the final discharge point so that the resultant rise in the temperature of receiving water does not exceed 7°C over and above the ambient temperature of the receiving water bodies.

C. Existing thermal power plants.

Rise in temperature of condenser cooling water from inlet to the outlet of condenser shall not be more than 10°C.

D. Guidelines for discharge point :

1. The discharge point shall preferably be located at the bottom of the water body at mid-stream for proper dispersion of thermal discharge.

2. In case of discharge of cooling water into sea, proper marine outfall shall be designed to achieve the prescribed standards. The point of discharge may be selected in consultation with concerned State Authorities/NOI.

3. No cooling water discharge shall be permitted in estuaries or near ecologically sensitive areas such as mangroves, coral reefs/spawning and breeding grounds of acquatic flora and fauna.

85. ENVIRONMENTAL STANDARDS FOR COAL WASHERIES

1. Fugitive emission standards.

- The difference in the value of suspended particulate matter measured between 25 and 30 metre from the enclosure of coal crushing plant in the downward and leeward wind direction shall not exceed 150 microgram per cubic meter. Method of measurement shall be High Volume Sampling and Average flow rate, not less than 1.1 m^3 per minute, using upwind downwind method of measurement :

[1] Serial No..83 and entries relating thereto omitted by Rule 2 (b) of the Environment (Protection) Second Amendment Rules, 2002 notified vide notification G.S.R. 371(E), dated 17.5.2002.

2. Effluent discharge standards

- The coal washeries shall maintain the close circuit operation with zero effluent discharge.

- If in case due to some genuine problems like periodic cleaning of the system, heavy rainfall etc. it become necessary to discharge the effluent to sewer land stream then the effluent shall conform to the following standards at the final outlet of the coal washery.

S.No.	Parameter	Limits
1.	pH	5.5 – 9.0
2.	Total suspended solids	100 mg/l
3.	Oil & Grease	10 mg/l
4.	B.O.D (3 days 27°C)	30 mg/l
5.	COD	250 mg/l
6.	Phenolics	1.0 mg/l

3. Noise level standards

- Operational/Working zone not to exceed 85 dB(A) Leq for 8 hours exposure.

- The ambient air quality standards in respect of noise as notified under Environmental (Protection)Rules,1986 shall be followed at the boundary line of the coal washery.

4. Code of practice for Coal Washery.

- Water or Water mixed chemical shall be sprayed at all strategic coal transfer points such as conveyors, loading/unloading points etc. As far as practically possible conveyors, transfer points etc. shall be provided with enclosures.

- The crushers/pulverisers of the coal washeries shall be provided with enclosures, fitted with suitable air pollution control measures and finally emitted through a stack of minimum height of 30m. conforming particulate matter emission standard of 150 mg/Nm3 or provided with adequate water sprinkling arrangement.

- Water sprinkling by using fine atomizer nozzeles arrangement shall be provided on the coal heaps and on around the crushers/pulverisers.

- Area, in and around the coal washery shall be pucca either asphalted or concreted.

- Water consumption in the coal washery shall not exceed 1.5 cubic meter per tonne of coal.

- The efficiency of the setting ponds of the waste water treatment system of the coal washery shall not be less than 90%.

- Green belt shall be developed along the road side, coal handling plants, residential complex, office building and all around the boundary line of the coal washery.

- Storage bunkers, hoppers, rubber decks in chutes and centrifugal chutes shall be provided with proper rubber linings.

- Vehicles movement in the coal washery area shall be regulated effectively to avoid traffic congestion. High pressure horn shall be prohibited. Smoke emission from heavy duty vehicle operating in the coal washeries should conform the standards prescribed under Motor Vehicle Rules,1989.

86. WATER QUALITY STANDARDS FOR COASTAL WATERS MARINE OUTFALLS

In a coastal segment marine water is subjected to several types of uses. Depending of the types of uses and activities, water quality criteria have been specified to determine its suitability for a particular purpose. Among the various types of uses there is one use that GHPDQGV KLJKHVW OHYHO RI ZDWHU TXDOLW\ SXULW\ DQG in that stretch of the coastal segment. Based on this, primary water quality criteria have been specified for following five designated best uses :-

Class	Designated best use
SW-1(See Table 1.1.)	Salt pans, Shell fishing, Mariculture and Ecologica Sensitive Zone
SW-II (See Table 1.2)	Bathing, Contact Water Sports and Commercial fishing.
SW-III (See Table 1.3)	Industrial cooling, Recreation(non-contact) and Aesthetics
SW-IV (See Table 1.4)	Harbour
SW-V (See Table 1.5)	Navigation and Controlled Waste Disposal

The Standards alongwith rationale/remarks for various parameters for different designated best uses, given in Table 1.1 to 1.5

TABLE 1.1

PRIMARY WATER QUALITY CRITERIA FOR CLASS SW-1 WATERS

(For Salt pans, Shell fishing, Mariculture and Ecologically Sensitive Zone)

S. No.	Parameter	Standards	Rationale/Remarks
1.	2.	3.	4.
1.	pH range	6.5---8.5	General broad range, conducti for propagation of acquaitc live is given. Value largely dependa upon soil-water interation.
2.	Dissolved Oxygen	5.0 mg/l or 60 per cen saturation value whichever is higher	Not less than 3.5 mg/l at any tim of the year for protection o aquatic lives.
3.	Colour and Odour	No noticeable colour o offensive odour.	Specially caused by chemic compound like creosols, pheno naptha pyridine benzene, tolue etc. causing visible colouration salt crystal and fainting fish flesh
4.	Floating Matters	Nothing obnoxious o detrimental for use purpose	Surfactants should not exceed upper limit of 1.0 mg/l and th concentratic not to cause a visible foam.
5.	Suspended Solids	None from sewage o industrial waste origin	Settleable innert matters not such concentration that wou impair any usages special assigned to this class.
6.	Oil and Grease (including Petroleum Products)	0.1 mg/l	Concentration should not exceed 0.1 mg/l as because it has effe on fish eggs and larvae.
[1][7.	Heavy Metals : Mercury (as Hg) Lead (as Pb) Cadmium (as Cd)	 0.001 mg/l 0.001 mg/l 0.01 mg/l]	Values depend on : (i) Concentration in salt,fish an shell fish. (ii) Average pe capita consumption per day. (iii)Minimum ingestion rate tha induces symptoms of resultin diseases.

Note : SW-1 is desirable to be safe and relatively free from hazardous chemicals like pesticides, heavy metals and radionuclide concentrations. Their combined (synergistic or antagonistic) effects on health and aquatic lives are not yet clearly known. These chemicals undergo bio-accumulation, magnification and transfer to human and other animals through food chain. In areas where fisheries, salt pans are the governing considerations, and presence of such chemicals apprehended/reported, bioassay test should be performed following appropriate methods for the purpose of setting case specific limits.

[1] Substituted by Rule 2(iii) of the Environment (Protection) (Second Amendment) Rules, 1999 published in the Notification G.S.R.682(E), dated 5.10.1999.

TABLE 1.2

PRIMARY WATER QUALITY CRITERIA FOR CLASS SW-II WATERS

(For Bathing, Contact Water Sports and Commercial Fishing)

S.No.	Parameter	Standards	Rationale/Remarks
1.	2.	3.	4.
1.	pH range	6.5---8.5	Range does not cause skin eye irritation and is also conducive for propagation o aquatic lives.
2.	Dissolved Oxygen	4.0 mg/l or 50 per cent saturation valu whichever is higher.	Not less than 3.5 mg/l a anytime for protection o aquatic lives.
3.	Colour and Odour	No noticeable colou or offensive odour	Specially caused by chemic compound like creosol phenols, naptha, benzen pyridine toluene etc. causin visible colouration of wate and tainting of and odour i fish flesh.
4.	Floating Matters	Nothing obnoxious o detrimental for use purposes.	None in such concentratio that would impair usage specially assigned to this class
5.	Turbidity	30 NTU (Nephelo Turbidity Unit)	Measured at 0.9 depth
6.	Fecal Coliform	100/100 ml(MPN)	The average value no exceeding 200/100 ml in 2 per cent of samples in the ye and in 3 consecutive sampl in monsoonmonths.
7.	Biochemical Oxygen Demand (BOD) (3 days a $27^{o}C$)	3 mg/l	Restricted for bathing (aesthetic quality of water) Also prescribed by IS : 2296 1974.

TABLE 1.3
PRIMARY WATER QUALITY CRITERIA FOR CLASS SW-III WATERS
[For Industrial Cooling, Recreation (non-contact) and Aesthetics]

S.No.	Parameter	Standards	Rationale/Remarks
1.	2.	3.	4.
1.	pH range	6.5---8.5	The range is conducive fo propagation of aquati species and restoring natu system.
2.	Dissolved Oxygen	3.0 mg/l or 40 per cent saturation value whichever is higher.	To protect aquatic lives.
3.	Colour and Odour	No noticeable colou or offensive odour	None in such concentratio that would impair usage specifically assigned to thi class.
4.	Floating Matters	No visible, obnoxious floating debris, oil slick, scum.	As in (3) above.
5.	Fecal Coliform	500/100 ml(MPN)	Not exceeding 1000/100 m in 20 percent of samples i the year and in 3 consecutiv samples in monsoon months
6.	Turbidity	30 NTU	Reasonably clear water for Recreation Aesthetic appreciation and Industria cooling purposes.
*7.	Dissolved Iron (as Fe)	0.5 mg/l or less	It is desirable to have th collective concentration dissolved Fe and Mn less equal to 0.5 mg/l to avoi scaling effect.
*8.	Dissolved Manganese (as Mn)	0.5 mg/l or less	

* Standards included exclusively for Industrial Cooling purpose. Other parameters same.

TABLE 1.4

PRIMARY WATER QUALITY CRITERIA FOR CLASS SW-IV WATERS

(For Harbour Waters)

S.No.	Parameter	Standards	Rationale/Remarks
1.	2.	3.	4.
1.	pH range	6.0---9.0	To minimize corrosive and scaling effect.
2.	Dissolved Oxygen	3.0 mg/l or 40 per cent saturation value whichever is higher.	Considering biodegradation of oil and inhibition to oxygen production thorugh photosynthesis.
3.	Colour and Odour	No visible colour or offensive odour	None from reactive chemicals which may corrode paints/ metallic surfaces.
4.	Floating materials, Oil grease and scum (including Petroleum products)	10 mg/l	Floating matter should be free from excessive living organisms which may clog or coat operative parts of marine vessels/equipment.
5.	Fecal Coliform	500/100 ml(MPN)	Not exceeding 1000/100 ml in 20 per cent of samples in the year and in 3 consecutive samples in monsoon months
6.	Biochemical Oxygen Demand (3 days at 27°C)	5mg/l	To maintain water relatively free from pollution caused by sewage and other decomposable wastes.

TABLE 1.5

PRIMARY WATER QUALITY CRITERIA FOR CLASS SW-V WATERS

(For Navigation and Controlled Waste Disposal)

S.No.	Parameter	Standards	Rationale/Remarks
1.	2.	3.	4.
1.	pH range	6.0---9.0	As specified by New England Interstate Wate Pollution Control Commission.
2.	Dissolved Oxygen	3.0 mg/l or 40 per cent saturation valu whichever is higher.	To protect aquatic lives.
3.	Colour and Odour	None in such concentrations tha would impair any usages specifically assigned to this class	As in (i) above.
4.	Sludge deposits, Soli refuse floating solids, oi grease and scum.	None except for suc small amount tha may result from discharge of appropriately treate sewage and o industrial waste effluents.	As in (i) above.
5.	Fecal Coliform	500/100 ml (MPN)	Not exceeding 1000/100 m in 20 per cent of samples i the year and in 3 consecutiv samples in monsoon month.

87. EMISSION REGULATIONS FOR RAYON INDUSTRY

A. Existing Plants

Estimation of Uncontrolled Emission Quantity (EQ) of CS_2

For VSF,

EQ = 125 kg of CS_2/t of fibre

For VFY,

EQ = 225 kg of CS_2/t of fibre

Stack Height (H) requirement, m	Remarks
11 Q 0.41-3Vs D/u	A minimum of 80% of total emission shall pass through stack. If the calculated stack height is less than 30m, a minimum of height 30 m shall be provided

Where Q---CS_2 emission rate, kg/hr

VS---stack exit velocity, m/sec.

D---diameter of stack, m.

U ----annual average wind speed at top of stack, m/sec.

Multiple Stacks

1. If there are more than one stack existing in the plant, the required height of all stacks shall be based on the maximum emission rate in any of the stacks. In other words, all the stacks carrying CS_2 emission shall be of same heights (based on the maximum emission rate).

2. Number of stacks shall not be increased from the existing number. However, the number of stacks may be reduced. The existing stacks may be rebuilt and if stacks are to be relocated condition 3 below applies.

3. Spacing among the stacks (x) at the minimum shall be 3.0 H (in m). If distance, x, between two stacks is less than 3.0 H (in m), emission shall be considered as single point source and height of both the stacks shall be calculated considering all emission is going through one stack.

B. Ambient Air Quality Monitoring

The industry shall install three air quality monitoring stations for CS_2 and H_2S measurements in consultation with State Pollution Control Board (SPCB) to ensure attainment of WHO recommended ambient air quality norms (CS_2 = 100 ug/m^3 and H_2S = 150 ug/m^3, 24 = hr. average).

[1][C. For new plants/expansion projects being commissioned on or after 1.6.1999

For new plants or expansion projects, the emission standards for existing plants covered in (a) above shall apply subject to compliance of the ambient air quality norms for CS_2 and H_2S indicated in (b) above. The new plants or expansion projects shall provide adequate space for undertaking retrofittings.

(Note : a and b above also apply to new plants or expansion projects).]

[2][88. EMISSION STANDARDS FOR NEW GENERATOR SETS (UPTO 19 KILOWATT) RUN ON PETROL AND KEROSENE WITH IMPLEMENTATION SCHEDULE.

The emission standards for portable generator sets run on petrol and kerosene shall be follows :-

A. From June 1,2000

Class	Displacement (CC)	CO(g/kw-hr)		HC+NOx(g/kw-hr)	
		2-stroke engine	4-stroke engine	2-stroke engine	4-stroke engine
1.	”	603	623	166	65
2.	! ”	-	623	-	36
3.	! ”	-	623	-	19.3
4.	>225	-	623	-	16.1

1 Substituted by Rule 2(i) of the Environment (Protection) Second Amendment Rules, 2006 notified by G.S.R.640(E), dated 16.10.2006.

2 Sl. No. 88 and 89 and entries relating thereto inserted by the Environment (Protection) (Second Amendment) Rules, 1999 vide G.S.R. 682 (E), dated 5.10.1999.

B. From June 1,2001

Class	Displacement (CC)	CO(g/kw-hr)	HC+NOx(g/kw-hr)
1.	”	519	54
2.	! ”	519	30
3.	! ”	519	16.1
4.	>225	519	13.4

C. Test method shall be as specified in SAE J 1088. Measurement mode shall be D1 cycle specified under ISO 8178 (Weighting Factor of 0.3 for 100 % load, 0.5 for 75% load and 0.2 for 50% load).

D. Following organizations shall test and certify the generator sets :-

[1][(i) Automotive Research Association of India, Pune.

(ii) Indian Institute of Petroleum, Dehradun.

(iii) Indian Oil Corporation, R&D Centre, Faridabad.

(iv)]Vehicle Research Development Establishment, Ahmedbagar.

[2][(v)International Centre for Automotive Technology, Manesar (Haryana)]

These organizations shall submit the testing and certification details to the Central Pollution Control Board, annually. The Central Pollution Control Board may send the experts in the field to oversee the testing.

89 . NOISE STANDARDS FOR FIRE-CRACKERS

A. (i) The manufacture, sale or of fire-crackers generating noise level exceeding 125 dB(Al) of 145dB(C) at 4 metres distance from the point of bursting shall be prohibited.

(ii) For individual fire-cracker constituting the series (joined fire-crackers), the above mentioned limit be reduced by $5 \log_{10}(N)$ dB, where N= number of crackers joined together.

---

1 Renumbered as (i), (ii), (iii) and (iv) respectively by Rule 2(a) of the Environment (Protection) Second Amendment Rules, 2008 notified by G.S.R.280(E), dated 11.4.2008.

2 Inserted by Rule 2(a), ibid.

B. The broad requirements for measurement of noise from fire-crackers shall be-

(i) The measurements shall be made on hard concrete surface of minimum 5 metre diameter or equivalet.

(ii) The measurements shall be made in free field conditions i.e., there shall not be any reflecting surface upto 15 metre distance from the point of bursting.

(iii) The measurement shall be made with an approved sound level metre.

C. The Department of Explosive shall ensure implementation of these standards.

[1][D. The fire crackers for the purpose of export shall be exempted from the sub-paragraphs A, B and C above subject to the compliance of the following conditions, namely :-

(i) the manufacturer shall have an export order;
(ii) the fire crackers shall conform to the level prescribed in the country to which it is exported;
(iii) they shall have a different packing colour code, and
(iv) WKHUH VKDOO EH D GHFODUDWLRQ RQ WKH EI
[3]RQO\ IRU H[SRUW´.][1] LQ RWKHU FRXQWULHV

Note : dB(A1) : A-weighted impulse sound pressure level in decibel.

dB(C)$_{pk}$: C ±weighted peak sound pressure level in decibel]

Footnote : The Principal Rules were published in the Gazette of India vide Notification No.S.O.844 (E), dated the19th November, 1986 and subsequently amended vide :

(1)	S.O.82(E), dt. 16th February, 1987	(13)	S.O.136(E),dt.9th February, 1990
(2)	S.O393 (E), dt 16th April, 1987;	(14)	G.S.R.742(E),dt.13th August, 1990
(3)	S.O.443(E),dt 18th April, 1987	(15)	S.O.23(E),dt.16th January, 1991
(4)	S.O.64(E),dt. 18th January, 1988	(16)	S.O.80(E),dt. 8th February, 1991
(5)	G.S.R.919(E),dt.12th Sept., 1988	(17)	S.O.114(E),dt.19th February,1991
(6)	S.O.8(E),dt. 3rd January 1989	(18)	G.S.R.85(E),dt.20th February, 1991
(7)	G.SR.913(E),dt. 24th October 1989	(19)	G.S.R.93(E),dt 21th February, 1991
(8)	S.O.914(E),dt. 24th October, 1989	(20)	S.O.190(E),dt.18th March, 1991
(9)	G.S.R.931(E),dt.27th October, 1989	(21)	S.O.416(E),dt. 20th June, 1991
(10)	G.S.R.103(E),dt. 25th Dec.,1989	(22)	S.O.479(E), dt. 25th July, 1991
(11)	S.O.12(E),dt. 8th January, 1999	(23)	S.O.23(E),dt 9th January, 1992
(12)	G.S.R.54(E),dt.5th February, 1990		

[1] Inserted sub paragraph D by Rule 2(ii) of the Environment (Protection) Second Amendment Rules, 2006 notified by G.S.R.640(E), dated 16.10.2006.

[1][90. STANDARDS FOR COAL MINES

1. AIR QUALITY STANDARDS

The Suspended Particulate Matter (SPM), Respirable Particulate Matter (RPM), Sulphur dioxide (SO_2) and Oxides of Nitrogen (NOx) concentration in downwind direction considering predominant wind direction, at a distance of 500 metres from the following dust generating sources shall not exceed the standards specified in the Tables I, II and III given below:

Dust Generating Sources

Loading or unloading, Haul road, coal transportation road, Coal handling plant (CHP), Railway sliding, Blasting, Drilling, Overburden dumps, or any other dust generating external sources like coke ovens (hard as well as soft), briquette industry, nearby road etc.

Table-I

Category	Pollutant	Time weighted average	Concentration in Ambient Air	Method of Measurement
1	2	3	4	5
I New Coal Mines (Coal Mines commenced operation after the date of publication of this notification)	Suspended Particulate Matter (SPM)	Annual Average * 24 hours **	360 µg/m^3 500 µg/m^3	- High Volume Sampling (Average flow rate not less than 1.1 m^3/min)
	Respirable Particulate Matter (size less than 10 µm) (RPM)	Annual Average * 24 hours **	180 µg/m^3 250 µg/m^3	Respirable Particulate Matter sampling and analysis
	Sulphur Dioxide (SO_2)	Annual Average * 24 hours**	80 µg/m^3 120 µg/m^3	- Improved west and Gaek method - Ultraviolet fluorescene
	Oxide of Nitrogen as NO_2	Annual Average * 24 hours **	80 µg/m^3 120 µg/m^3	- Jacob & Hochheiser Modified (Na-Arsenic) Method - Gas phase Chemiluminescence

[1] Serial No.90 to 93 and entries relating thereto were inserted by Rule 2(1) of the Environment (Protection) Amendment Rules, 2000 notified vide notification G.S.R. 742(E), dated 25.9.2000.

Table-II

Category	Pollutant	Time weighted average	Concentration in Ambient Air	Method of Measurement
1	2	3	4	5
II Existing coal fields/mines given below: Karanpura, Ramgarh, Giridih, Rajhara, Wardha, Nagpur, Silewara, Pench Kanhan, Patharkhera, Umrer, Korba, Chirimiri, Central India Coalfields, (including Baikunthpur, Bisrampur), Singrauli, Ib Valley, Talcher, Godavary Valley and any other	Suspended Particulate Matter (SPM)	Annual Average * 24 hours **	430 µg/m^3 600 µg/m^3	- High Volume Sampling (Average flow rate not less than 1.1 m^3/minute)
	Respirable Particulate Matter (size less than 10 µm) (RPM)	Annual Average * 24 hours **	215 µg/m^3 300 µg/m^3	Respirable Particulate Matter sampling and analysis
	Sulphur Dioxide (SO_2)	Annual Average * 24 hours **	80 µg/m^3 120 µg/m^3	1. Improved west and Gaeke method 2. Ultraviolet fluorescene
	Oxide of Nitrogen as NO_2	Annual Average * 24 hours **	80 µg/m^3 120 µg/m^3	1. Jacob & Hochheiser Modified (Na-Arsenic) Method 2. Gas phase Chemilumine scence

Table-III

Category	Pollutant	Time weighted average	Concentration in Ambient Air	Method of Measurement
1	2	3	4	5
III Coal mines located in the coal fields of x Jharia x Raniganj x Bokaro	Suspended Particulate Matter (SPM)	Annual Average * 24 hours ** 24 hours **	500 µg/m^3 700 µg/m^3	- High Volume Sampling (Average flow rate not less than 1.1 m^3/minute)
	Respirable Particulate Matter (size less than 10 µm) (RPM)	Annual Average * 24 hours **	250 µg/m^3 300 µg/m^3	Respirable Particulate Matter sampling and analysis
	Sulphur Dioxide (SO_2)	Annual Average * 24 hours **	80 µg/m^3 120 µg/m^3	1. Improved west and Gaeke method 2. Ultraviolet fluorescene
	Oxide of Nitrogen as NO_2	Annual Average * 24 hours **	80 µg/m^3 120 µg/m^3	1. Jacob & Hochheiser Modified (Na-Arsenic) Method 2. Gas phase Chemilumine scence

Note:

* Annual Arithmetic mean for the measurements taken in a year, following the guidelines for frequency of sampling laid down in clause 2.

** 24 hourly / 8 hourly values shall be met 92% of the time in a year. However, 8% of the time it may exceed but not on two consecutive days.

Unauthorised construction shall not be taken as a reference of nearest residential or commercial place for monitoring.

In case any residential or commercial or industrial place falls within 500 metres of any dust generating sources, the National Ambient Air Quality Standards notified under schedule VII shall be applicable.

2. FREQUENCY OF SAMPLING

± Air quality monitoring at a frequency of once in a fortnight at the dust generating sources given in clause 1 shall be carried out.

± As a result of monthly monitoring, if it is found that the value of the pollutant is less than 50% of the specified standards for three consecutive months, then the sampling frequency may be shifted to two days in a quarter year (3 months).

± In case, the value has exceeded the specified standards, the air quality sampling shall be done twice a week. If the results of four consecutive weeks indicate that the concentration of pollutants is within the specified standards, then fortnight monitoring may be reverted to.

3. EFFLUENT STANDARDS

The standards for effluent discharge into sewer or stream or land, are given below:

pH	±	5.5 to 9.0
Chemical Oxygen Demand (COD)	±	250 mg/l
Total Suspended Solids (TSS)	±	100 mg/l 200 mg/l (Land for irrigation)
Oil & Grease (O & G)	±	10 mg/l

(Monitoring frequency of these parameters shall be once in a fortnight)

Optional parameters : All other parameters indicated in the general standards for discharge of environment pollutants under Schedule VI, shall be in addition to the effluent standards specified under clause 3. (Monitoring frequency shall be once in a year for the optional parameters)

4. NOISE LEVEL STANDARDS

	6.00 AM ± 10.00 PM	10.00 PM ± 6.00 AM
Noise level	Leq 75 dB(A)	Leq 70 dB(A)

(Monitoring frequency for noise level shall be once in a fortnight)
Occupational exposure limit of noise specified by Director General of Mines Safety (DGMS) shall be complied with by the local mines.

91. NOISE LIMIT FOR GENERATOR SETS RUN WITH PETROL OR KEROSENE

1. Noise limit

Noise limit for new generator sets run with petrol or kerosene shall be as given below:

	Noise Limit from	
	[1][September 1, 2002]	[2][September 1, 2003]
Sound Power level L_{wa}	90 dBA	86 dBA

2. Applicability

These rules shall apply to all new generator sets using petrol or kerosene as fuel, manufactured in or imported into India:

Provided that these rules shall not apply to:

a) any genset manufactured or imported for the purpose of exports outside India, or

b) the genset is intended for the purpose of sample only and not for sale in India.

3. Requirement of certification

Every manufacturer or importer (hereinafter referred to as "supplier) of genset (hereinafter referred to as "product") to which these rules apply must have a valid certificate of type approval for all the product models being manufactured or imported after the specified dates.

4. Verification of conformity of production (COP)

Every supplier shall subject its products to the verification for conformity of production, by certification body specified in clause 8, every year.

5. Sale of generator sets not complying with these rules

The sale of product model, not having valid type approval certificate, or not complying with the noise limits, as determined by the verification for conformity of production, shall be prohibited, in India.

---

[1] Substituted by Rule 2 of the Environment (Protection) Amendment Rules, 2001 published vide Notification 1R * 65 (GDWHG IURP µ6HSWHPEHU WR 6HSWHPEHU ¶

[2] Substituted by Rule 2 of the Environment (Protection) Amendment Rules, 2001 published vide Notification 1R * 65 (GDWHG IURP µ6HSWHPEHU WR 6HSWHPEHU ¶

6. Requirement of conformance labelling

6(1) 7KH VXSSOLHU RI WKH µSURGXFW¶ PXVW DIIL[D FRQI meeting the following requirements:

a) the label shall be durable and legible

b) the label shall be affixed on a part necessary for normal operation of the µSURGXFW¶ DQG QRW QRUPDOO\ UHTXLULQJ UHSODFH

6(2) The conformance label must contain the following information:

a) name & address of the supplier (if the address is described in the owners manual, it may not be included in the label)
b) statement that "this product conforms to the Environment (Protection) Rules, 1986
c) type approval certificate number and time phase (i.e. Sept 2001 or Sept 2002)

7. Nodal agency

(1) The Central Pollution Control Board shall be the nodal agency for implementation 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 shall constitute a Standing Committee to advise it on all matters; including the disputed matters, related to the implementation of these rules.

8. Certification body

The following agencies are authorised for type approval and for verification of conformity of production.

(1) Automative Research Association of India, Pune;
(2) National Physical Laboratory, New Delhi;
(3) Naval Science & Technology Laboratory, Visakhapatnam;
(4) Fluid Control Research Institute, Palghat; and
(5) National Aerospace Laboratory, Bangalore.

9. Compliance and testing procedure

The compliance and testing procedure shall be prepared and published by Central Pollution Control Board, with the help of the certification agencies.

92. STANDARDS FOR EFFLUENTS FROM TEXTILE INDUSTRY

Parameter	Concentration not to exceed, milligram per litre (mg/l), except pH
pH	5.5 ±9.0
Total suspended solids	100
Bio-chemical oxygen demand (BOD)	30
Chemical oxygen demand (COD)	250
Total residual chlorine	1
Oil and grease	10
Total chromium as Cr	2
Sulphide as S	2
Phenolic compounds as C_6H_5OH	1

Note:

1. Where the treated effluent is discharged into municipal sewer leading to terminal treatment plant, the BOD may be relaxed to 100 mg/l and COD to 400 mg/l

2. The quantity of effluent (litre per kilogram of product) shall not exceed 100, 250 and 80 in composite cotton textile industry, composite woolen textile industry and textile processing industry, respectively.

93. PRIMARY WATER QUALITY CRITERIA FOR BATHING WATER

In a water body or its part, water is subjected to several types of uses. Depending on the types of uses and activities, water quality criteria have been specified to determine its suitability for a particular purpose. Among the various types of users there is one use that demands highest level of water quality or purity and that is termed as "Designated Best Use" in that stretch of water body. Based on this, water quality requirements have been specified for different uses in terms of primary water quality criteria. The primary water quality criteria for bathing water are specified along with the rationale in Table 1.

Table 1

PRIMARY WATER QUALITY CRITERIA FOR BATHING WATER
(Water used for organised outdoor bathing)

CRITERIA		RATIONALE
1.Fecal Coliform MPN/100 ml:	500 (desirable) 2500 (Maximum Permissible)	To ensure low sewage contamination Fe coliform and fecal streptococci are considere they reflect the bacterial pathogenicity.
2.Fecal Streptococci MPN/100 ml:	100 (desirable) 500 (Maximum Permissible)	The desirable and permissible limits a suggested to allow for fluctuation environmental conditions such as seasc change, changes in flow conditions etc.
2. pH:	Between 6.5 and 8.5	The range provides protection to the skin delicate organs like eyes, nose, ears etc. w are directly exposed during outdoor bathing.
3.Dissolved Oxygen:	5 mg/l or more	The minimum dissolved oxygen concentrat of 5 mg/l ensures reasonable freedom fi oxygen consuming organic pollutic immediately upstream which is necessary preventing production of anaerobic ga (obnoxious gases) from sediment.
4.Biochemical Oxygen Demand 3 day, 27°C:	3 mg/l or less	The Biochemical Oxygen Demand of 3 mg/l less of the water ensures reasonable free from oxygen demanding pollutants and prev production of obnoxious gases.]

[1][94. NOISE LIMIT FOR GENERATOR SETS RUN WITH DIESEL

1. Noise limit for diesel generator sets (upto 1000 KVA) manufactured on or after the [2][1st January, 2005].

The maximum permissible sound pressure level for new diesel generator (DG) sets with rated capacity up to 1000 KVA, manufactured on or after [2][1st January, 2005] shall be 75 dB(A) at 1 metre from the enclosure surface

---

1 Serial No.94 and 95 and entries relating thereto were inserted by Rule 2(c) of the Environment (Protection) Second Amendment Rules, 2002 notified vide Notification G.S.R.371(E), dated 17.5.2002.

2 Substituted by Rule 2(a) (i) of the Environment (Protection) Second Amendment Rules, 2004 notified vide Notification No. G.S.R.448 (E), dated 12.7.2004 (Earlier it was 1st July 2003 as per the Environment (Protection) Second Amendment, Rules, 2002 notified vide G.S.R. 371 (E), dated 17.5.2002. Subsequently, substituted as 1st July, 2004 by the Environment (Protection) Amendment Rules, 2003 notified by G.S.R.520 (E), dated 1.7.2003 and later substituted as 1st January, 2005 by the Environment (Protection) Second Amendment Rules, 2004 notified by G.S.R. 448, dated 12.7.2004

The diesel generator sets should be provided with integral acoustic enclosure at the manufacturing stage itself.

The implementation of noise limit for these diesel generator sets shall be regulated as given in paragraph 3 below.

2. Noise limit for DG sets not covered by paragraph 1.

Noise limits for diesel generator sets not covered by paragraph 1, shall be as follows:

2.1 Noise from DG set shall be controlled by providing an acoustic enclosure or by treating the room acoustically, at the users end.

2.2 The acoustic enclosure or acoustic treatment of the room shall be designed for minimum 25 dB (A) insertion loss or for meeting the ambient noise standards, whichever is on the higher side (if the actual ambient noise is on the higher side, it may not be possible to check the performance of the acoustic enclosure/acoustic treatment. Under such circumstances the performance may be checked for noise reduction upto actual ambient noise level, preferably, in the night time). The measurement for Insertion Loss may be done at different points at 0.5 m from the acoustic enclosure/room, and then averaged.

2.3 The DG set shall be provided with proper exhaust muffler with insertion loss of minimum 25 dB(A).

2.4 These limits shall be regulated by the State Pollution Control Boards and the State Pollution Control Committees.

2.5. Guidelines for the manufacturers/users of Diesel Generator sets shall be as under:

1. The manufacturer shall offer to the user a standard acoustic enclosure of 25 dB(A) insertion loss and also a suitable exhaust muffler with insertion loss of 25 dB(A).

2. The user shall make efforts to bring down the noise levels due to the DG set, outside his premises, within the ambient noise requirements by proper siting and control measures.

3. Installation of a DG set must be strictly in compliance with the recommendations of the DG set manufacturer.

4. A proper routine and preventive maintenance procedure for the DG set should be set and followed in consultation with the DG set manufacturer which would help prevent noise levels of the DG set from deteriorating with use.

3. LIMITS OF NOISE FOR DG SETS (UPTO 1000 KVA) MANUFACTURED ON OR AFTER THE [1][1ST JANUARY, 2005].

3.1 Applicability

1. These rules apply to DG sets upto 1000 KVA rated output, manufactured or imported in India, on or after [1][1st January, 2005].

2. These rules shall not apply to:
   (a) DG sets manufactured or imported for the purpose of exports outside India; and
   (b) DG sets intended for the purpose of sample and not for sale in India.

3.2 Requirement of Certification

[2][Every manufacturer or assembler or importer (hereinafter referred to as "manufacturer")] of DG set (hereinafter referred to as "product") to which these regulations apply must have valid certificates of Type Approval and also valid certificates of Conformity of Production for each year, for all the product models being [3][manufactured or assembled or imported] from [1][1st January, 2005] with the noise limit specified in paragraph 1.

3.3 Sale, import or use of DG sets not complying with the rules prohibited

No person shall sell, import or use of a product model, which is not having a valid Type Approval certificate and Conformity of Production certificate.

---

1 Substituted by Rule 2(a) (i) of the Environment (Protection) Second Amendment Rules, 2004 notified vide Notification No. G.S.R.448 (E), dated 12.7.2004 (Earlier it was 1st July 2003 as per the Environment (Protection) Second Amendment, Rules, 2002 notified vide G.S.R. 371 (E), dated 17.5.2002. Subsequently, substituted as 1st July, 2004 by the Environment (Protection) Amendment Rules, 2003 notified by G.S.R.520 (E), dated 1.7.2003 and later substituted as 1st January, 2005 by the Environment (Protection) Second Amendment Rules, 2004 notified by G.S.R. 448, dated 12.7.2004)

2

(i) Automotive Research Association of India, Pune

(ii) National Physical Laboratory, New Delhi

(iii) Naval Science & Technology Laboratory, Visakhapatnam

(iv) Fluid Control Research Institute, Palghat

(v) National Aerospace Laboratory, Bangalore

3.7 Compliance and Testing Procedure

The compliance and testing procedure shall be prepared and published by the Central Pollution Control Board, with the help of the certification agencies.

[1][4.0 Exemption from the provisions of paragraph 1 and3, for the products (diesel generator sets upto 30 KVA) purchased by the Ministry of Defence, Govt. of India

The products manufactured in or imported into India [2][30th April, 2007] for the purpose of supplying to the Ministry of Defence, shall be exempted from the regulations given in paragraph 1 to 3 above, subject to the following conditions, namely:-

(i) The [3][manufacturer] shall manufacture or import the products only after getting purchase order from the ministry of Defence and shall maintain the record of receipts, production/import, dispatch, etc. for inspection by the Central Pollution Control Board.

(ii) The special dispensation for noise norms shall be only for the mobile Defence vehicles which, with the present design/configuration, cannot carry the gensets with acoustic enclosures.

(iii) Director, Ministry of Defence shall ensure and maintain the serial number of all gensets for the Army and he shall also direct the manufacturers of these genets to H P E R V V R Q W K H H Q J L Q H D Q G W K H P D L Q H V R G \ R I W K H J H R I $ U P \ .R Q O \ ¶

(iv) The genset serial number shall be specially assigned by Ministry of Defence with the request for proposal and contract purchase order and this information shall be forwarded to the Central Pollution Control Board for inspection as and when required.

---

1 Inserted by Rule 2 of the Environment (Protection) Second Amendment Rules, 2005 notified vide Notification G.S.R.315(E), dated 16.5.2005.

2 Substituted by Rule 2 of the Environment (Protection) Amendment Rules, 2006 notified by G.S.R.464(E), dated 7.8.2006.

3 Substituted by Rule 2(c) of the Environment (Protection) Eighth Amendment Rules, 2008 notified by G.S.R.752 (E), dated 24.10.2008.

(v) Registers shall be maintained at the manufacturers premises and in the Ministry of Defence to ensure that the number of gensets manufactured under special dispensation are not misused.

(vi) The gensets procured under this dispensation shall be operated in the remote areas and not in the cities.

(vii) This shall be a one time exemption during which the Army shall remodel its vehicles to contain the new gensets and also obtain the necessary Type Approval of the gensets.]

[1][5.0 Exemption from the provisions of paragraph 1 and 3 for sixteen Diesel Generator sets of 45 KVA purchased by the Ministry of Defence, Government of India

The 45 KVA DG sets manufactured in India for the purpose of their use in Mobile Decontamination System for use by the Ministry of Defence shall be exempted from the regulations given in paragraph 1 to 3 above subject to the following conditions, namely:-

(i) The special dispensation for the noise norms shall be only for the DG sets to be used in Mobile Decontamination System (MDS) by Army which, with the present design/configuration cannot carry the gensets with acoustic enclosures.

(ii) The Director, Ministry of Defence shall ensure and maintain the serial number for sixteen gensets and he shall also direct the manufacturers of these generator sets to emboss on the engine and main body of the gensets, the ZRUGV [3])RU WKH XVH RI $UP\ RQO\ LQ 0RELOH 'HF 0'6 ´

(iii) A register shall be maintained at the manufacturers premises and in the Ministry of Defence to ensure that only sixteen numbers of 45 KVA gensets are manufactured under special dispensation and are not misused elsewhere.]

[2][6.0 Transportation of Diesel Generator Sets (above 250 KVA)

(i) Diesel Generator set shall be transported after fulfilling the requirement of certification specified in paragraph 3.2 as a complete unit with acoustic enclosure, or dismantled, with relevant genset number specified on acoustic enclosure and silencer for reassembling of the site of its operation.

---

1 Inserted by Rule 2 of the Environment (Protection) Amendment Rules, 2007 notified by G.S.R. 566(E), dated 29.8.2007.

2 Inserted by Rule 2(d) of the Environment (Protection) Eighth Amendment Rules, 2008 notified by G.S.R.752 (E), dated 24.10.2008.

(ii) Compliance with the noise norms shall be monitored after reassembling the D.G. set at the location of the installation by the concerned State Pollution Control Board or, as the case may be, the Union Territory Pollution Control Committee.]

95. EMISSION LIMITS FOR NEW DIESEL ENGINES (UP TO 800 KW) FOR GENERATOR SETS (GENSETS) APPLICATIONS

[1][1. Emission Limits

The emission limits for new diesel engines upto 800 kW for gensets applications shall be as given in the Table below:

[2][TABLE

Capacity of diesel engines	Date of imple-mentation	Emission Limits (g/kw-hr) for				Smoke Limit (light absorption coefficient, m^{-1}) (at full load)	Test Cycle	
		NO_X	HC	CO	PM		Torque %	Weighting Factor
Upto 19 kW	1.7.2005	9.2	1.3	3.5	0.3	0.7	100	0.05
							75	0.25
>19 kW upto 176 kW	1.1.2004	9.2	1.3	5.0	0.5	0.7	50	0.30
	1.7.2004	9.2	1.3	3.5	0.3	0.7	25	0.30
>176 kW upto 800 kW	1.11.2004	9.2	1.3	3.5	0.3	0.7	10	0.10

Explanation: This extension [3][for engines upto 19 kW] shall be applicable only to those suppliers:

---

1 Substituted by Rule 2(b) (i) of the Environment (Protection) Amendment Rules, 2003 notified vide Notification G.S.R. 520 (E), dated 1.7.2003.

2 Substituted by Rule 2(b) of the Environment (Protection) Second Amendment Rule, 2004 notified vide Notification G.S.R.448(E), dated 12.7.2004.

3)RU WKH ZRUG µWKLV H[WHQVLRQ¶ WKH ZRUG µWKLV H[WHQVLRQ IRU HQJLQHV Notification G.S.R.520(E), dated 12.8.2004.

(I) Who have obtained Type Approval Certificate for atleast one of their engine models in this range upto 30th June, 2004.[1][or]

(II) Who have submitted the bank guarantee and also contributed towards the study being carried out by the Union Institute of Science, Bangalore, for development of gentset diesel engines to comply with emission limits.]

Note I:- The diesel engine [2][suppliers] in the category of engines upto 19 kW, who are unable to meet the emission limits fixed for such diesel engines for genstes applications vide the notification of the Government of India, in the Ministry of Environment and Forests number G.S.R. 371 (E) dated 17th May, 2002 (herein referred to as the said notification), may avail the benefit of extension of time provided under this notification subject to the condition that every such [1][supplier] shall submit (i) an affidavit to the Central Pollution Control Board or the respective State Pollution Control Board or Committees where they are located to the effect that the specified emission limits shall be compiled with by them as per the extended date of implementation given hereinabove for that category of engines without seeking further extension of time and (ii) a bank guarantee of Rs. 50,000 (Rupees Fifty Thousand) which in case of non compliance shall stand forfeited.

Note II:- The diesel engine [1][supplier] in the category of engines more than 19 kW and upto 800 kW, who are unable to meet the emission limits fixed for such diesel engines for gensets applications vide the said notification may avail the benefit of extension of time provided under this notification subject to the condition that every such [1][supplier] shall submit (i) an affidavit to the Central Pollution Control Board or the respective State Pollution Control Board or Committees where they are located to the effect that the specified emission limits shall be compiled with by them as per the extended date of implementation given hereinabove for that category of engines without seeking further extension of time and (ii) a bank guarantee of Rs 10,00,000/- (Rupees ten lakhs) per parent engine model which in case of non compliance shall stand forfeited.

Note III:- The diesel engine [1][supplier] in the category of engines of more than 176 kW and upto 800 kW shall, in addition to the conditions specified in Note II above, also give an affidavit to the Central Pollution Control Board or to the respective State Pollution Control Boards or Committees where they are located to the effect that they shall develop either individual or a common test facility and get the same approved by the certification agencies mentioned in paragraph 8 of serial number 95 of Schedule I.]

---

[1] 7KH ZRUG µRU¶ DGGHG E\ &RUULJHQGXP QRWLILHG YLGH 1RWLILFDWLRQ * 6 5

[2])RU WKH ZRUG µPDQXIDFWXUHUV¶ RU µPDQXIDFWXUHU¶ WKH ZRUG µVXSSOLH (Protection) Amendment Rules, 2004 notified vide Notification G.S.R.92(E), dated 29.1.2004.

[1][Explanation: - FRU WKH SXUSRVHV RI WKLV SDUDJUDSK µVXSSOL new diesel engines for genset applications in India and importer of such diesel engines for gensets applications and diesel gensets imported into India.]

2. Applicability

These rules shall apply to all new diesel engines for genset applications (herein after referred to as 'engine') manufactured in India and all diesel engines for genset applications and diesel gensets (herein after referred to as 'product'), imported into India, after the effective date:

Provided that these rules shall not apply to:

(i) any engine manufactured or engine or product imported for the purpose of export outside India, or;

(ii) any engine or product intended for the purpose of sample only and not for sale in India.

3. Requirement of certification

Every manufacturer of engine or every importer of engine or product must have valid certificates of Type. Approval and certificates of Conformity of Production for each year, for all engine models being manufactured or for all engine or product models being imported, after the effective date with the emission limit as specified in paragraph 1.

4. Sale, Import or use of engine or product not complying with these rules

No person shall sell, import or use of an engine or a product which is not having a valid Type Approval certificate and Conformity of Production certificate as per paragraph 3.

5. Requirement of conformance labelling

(i) All the engines (individually or as part of the product) shall be clearly engraved 'Genset Engine' on the cylinder block.

(ii) The engine or the product must be affixed with a conformance label meeting the following requirements:-

---

[1] Inserted by Rule 2 (ii) of the Environment (Protection) Amendment Rules, 2004 notified vide Notification G.S.R.92(E), dated 29.1.2004.

(a) the label shall be durable and legible;

(b) the label shall be affixed on a part necessary for normal operation of the engine or the product and not normally requiring replacement during the life of the engine or the product.

(iii) The conformance label must contain the following information:

(a) name and address of the engine manufacturer or the engine or product importer (if the address is given in the owner's manual, it may not be included in the label);

(b) statement that 'this engine or product conforms to the Environment (protection) Rules, 1986';

(c) type approval certificate number;

(d) date of manufacture of engine or in case of import, the date of import of the engine or the product.

6. Compliance with BIS specifications

All engines up to[1] [19 kw] (individually or as part of the product) shall carry ISI mark and meet relevant BIS specifications (IS 10001).

7. Nodal agency

(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 it on all matters, including the disputed matters, related to the implementation of these rules.

8. Authorized agencies for certification

The following agencies are authorized to carry out such tests as they deem necessary for giving certificates of Type Approval and Conformity of Production tests for Diesel engines and to give such certificates:-

(i) Automotive Research Association of India, Pune.
(ii) Vehicle Research and Development Establishment, Ahmednagar.

---

[1] Substituted by Rule 2(c) of the Environment (Protection) Amendment Rules, 2003 notified vide Notification G.S.R.520(E), dated 1.7.2003.

[1][(iii) International Centre for Automotive Technology, Manesar (Haryana)]

9. Compliance and testing procedure

The compliance and testing procedure shall be prepared and published by the Central Pollution Control Board with the help of the Certification Agencies.

10.Fuel Specification

The specification of commercial fuel applicable for -diesel gensets shall be the same as applicable for commercial HSD(High Speed Diesel) applicable for diesel vehicles in the area, from time to time.]

[2][96. EMISSION STANDARDS FOR DIESEL ENGINES (ENGINE RATING MORE THAN 0.8 MW (800 KW) FOR POWER PLANT, GENERATOR SET APPLICATIONS AND OTHER REQUIREMENTS

TABLE

Parameter		Area Category	Total engine rating of the plant (includes existing as well as new generator sets)	Generator sets commissioning da		
				Before 1.7.2003	Between 1.7.2003 and 1.7.2005	On or after 1.7.2005
NO_X (as NO_2) (At 15% O_2, dry basis, in ppmv		A	Up to 75 MW	1100	970	710
		B	Up to 150 MW			
		A	More than 75 MW	1100	710	360
		B	More than 150 MW			
NMHC (as C) (at 15% O_2), mg/Nm^3		Both A and B		150	100	
PM (at 15% O_2), mg/Nm^3	Diesel Fuels HSD & LDO	Both A and B		75	75	
	Furnace Oils- LSHS & FO	Both A and B		150	100	
CO (at 15% O_2), mg/Nm^3		Both A and B		150	150	

[1] Inserted by Rule 2(b) of the Environment (Protection) Second Amendment Rules, 2008 notified by G.S.R.280(E), dated 11.4.2008

[2] Serial No.96 and entries relating thereto inserted by Rule 2 of the Environment (Protection) Third Amendment Rules, 2002 notified vide Notification G.S.R.489(E), dated 9.7.2002.

Parameter	Area Category	Total engine rating of the plant (includes existing as well as new generator sets)	Generator sets commissioning da		
			Before 1.7.2003	Between 1.7.2003 and 1.7.2005	On or after 1.7.2005
Sulphur content in fue	A		<2%		
	B		<4%		
Fuel specification	For A only	Up to 5 MW	Only Diesel Fuels (HSD, LDO) shall be used.		
Stack height (for generator sets commissioned after 1.7.2003)	Stack height shall be maximum of the following, in metre: (i) 14 $Q^{0.3}$, Q=Total SO_2 emission from the plant in kg/hr. (ii) Minimum 6m. above the building where generator set is installed (iii) 30m.				

Note:

1. Acronyms used:

MW	:	Mega (10^6) Watt	FO	:	Furnace Oil
NO_X	:	Oxides of Nitrogen	HSD	:	High Speed Diesel
NO_2	:	Nitrogen Dioxide	LDO	:	Light Diesel Oil
O_2	:	Oxygen	LSHS	:	Low Sulphur Heavy Stock
NMHC	:	Non-Methane Hydrocarbon	kPa	:	Kilo Pascal
C	:	Carbon	mm	:	Milli (10^{-3}) metre
PM	:	Particulate Matter	kg/hr	:	Kilo (10^3) gram per hour
CO	:	Carbon Monoxide	mg/Nm^3	:	Milli (10^{-3}) gram per Normal metre cubic
SO_2	:	Sulphur Dioxide			
ppmv	:	Part per million (10^6) by volume			

2. Area categories A and B are defined as follow

Category A: Areas within the municipal limits of towns/cities having population more than 10 lakhs and also up to 5 km beyond the municipal limits of such towns/cities.

Category B: Areas not covered by category A.

3. The standards shall be regulated by the State Pollution Control Boards or Pollution Control Committees, as the case may be.

4. Individual units with engine ratings less than or equal to 800 KW are not covered by this notification.

5. Only following liquid fuels viz. High Speed Diesel, Light Diesel Oil, Low Sulphur Heavy Stock and Furnace Oil or liquid fuels with equivalent specifications shall be used in these power plants and generator sets.

6. For expansion project, stack height of new generator sets shall be as per total Sulphur Dioxide emission (including existing as well as additional load).

7. For multi engine plants, fuels shall be grouped in cluster to get better plume rise and dispersion. Provision for any future expansion should be made in planning stage itself.

8. Particulate matter, Non-Methane Hydrocarbon and Carbon Monoxide results are to be normalized to 25°C, 1.01Kilo Pascal (760 mm of mercury) pressure and zero percent moisture (dry basis).

9. Measurement shall be performed at steady load conditions of more than 85% of the rated load.

10. Continuous monitoring of Oxides of Nitrogen shall be done by the plants whose total engine capacity is more than 50 Mega Watt. However, minimum once in six month monitoring for other parameters shall be adopted by the plants.

11. Following methods may be adopted for the measurement of emission parameters:-

Sl No.	Emission Parameters	Measurement Methods
1.	Particulates	Gravimetric
2.	SO_2	Barium Perchlorate-Thorin indicator method
3.	NO_x	Chemiluminescence, Non Dispersive Infra Red, Non Dispersive Ultra Violet (for continuous measurement) Phenol disulphonic method
4.	CO	Non Dispersive Infra Red
5.	O_2	Paramagnetic, Electrochemical Sensor
6.	NMHC	Gas Chromatograph-Flame Ionisation Detector

[1][97.BOILERS USING AGRICULTURE WASTE AS FUEL

Step Grate Particulate matter	250 mg / Nm^3
Horse Shoe/ Pulsating Particulate matter	500 mg / Nm^3 (12% of CO_2)
Spreader stroker Particulate matter	500 mg / Nm^3 (12% of CO_2);

98. GUIDELINES FOR POLLUTION CONTROL IN GINNING MILLS

Measures for Noise Control

(i) Creating separate soundproof enclosures for the fans within the ginning area.

(ii) Keeping the fans outside the ginning room in separate enclosures.

(iii) Roller gins may be covered by sound proof enclosures and use of pneumatic feeding of raw cotton while suction of ginned cotton is introduced to considerably reduce the dust pollution level.

Measures for Dust Control

(i) The fugitive emission can be largely controlled by employing mechanical or pneumatic handling of raw material and ginned material through covered ducts and providing overhead hoods connected to exhaust through ducts and filters; use of lifting platforms for bale formers.

(ii) The overhead hoods with exhaust arrangement can be provided at:

(a) The saw-ginning machine where manual handling to maintain proper feeding in the machine.

(b) At the feeding point of the roller ginning machine when manual feeding is carried out.

(c) At the collection points of ginned cotton from saw ginning condenser]

---

[1] Entry 97 and 98 added by Rule 2 (iv) of the Environment (Protection) Third Amendment Rules, 2005 notified vide Notification G.S.R. 546(E), dated 30.8.2005.

[1][99. SPONGE IRON PLANT (ROTARY KILN)

A. Emission Standards*

	Particulate matter	Fuel Type	Limiting value for concentration
		Coal	100 mg/Nm^3
		Gas	50 mg/Nm^3
	Carbon Monoxide (Vol/Vol.)	Coal/gas	1%
	Stack Height** (minimum)	Coal/gas	30.0m

Note:-

* Emission shall be normalized at 12% CO_2 on stack emission,

** Stack height shall be calculated as $H=14.0(Q)^{0.3}$ where Q is emission of Sulphur Dioxide (SO_2) in kg/hr. i.e.

SO_2(kg/hr)	Height (Meter)
Upto 12.68	30
12.69-33.08	40
33.09-69.06	50
69.07-127.80	60
127.81-213.63	70

(De-dusting unit)	Particulate matter (mg/m^3)	Existing unit 100	New Unit 50

Note:-

(i) Stack attached to de-dusting unit l have minimum height of 30.0 metre.

(ii) If, De-dusting unit is connected t After Burner Chambe (ABC), emission shall be emitted throug common stack (minimum height 30 metre) having separate arrangeme for emission monitoring for de-dusting unit.

[1] Inserted by Rule 2 (i) of the Environment (Protection) Fourth Amendment Rules, 2008 notified by G.S.R.414(E), dated 30.5.2008.

(Rotary Kiln/De-dusting unit)	B. Fugitive Emission Standards	
	Particulate matter ($\mu g/m^3$)	Existing Unit: 3000
		New Unit: 2000

Note:-

(i) the existing industry shall compl with a standard of 2000 ($\mu g/m^3$) after one year from the date of notificatio

(ii) Fugitive emission shall be monitore at a distance 10.0 metre from t source of fugitive emission as per following:

Area	Monitoring location
Raw material handling area	Wagon tippler, Screen are Transfer points, Stock bi area
Crusher area	Crushing plant, vibratin screen, transfer points
Raw material feed area	Feeder area, Mixing area, Transfer Points
Cooler discharge area	Over size discharge are Transfer points
Product processing area	Intermediate stock bin are Screening plant, Magneti separation unit, Transfe points, Over size dischar area, Product separation area, Bagging area
Other areas	As specified by State Pollution Control Board/ Pollution Control Committees.

C. Effluent Standards	
pH	5.5-9.0
Total suspended solids	100mg/l
Oil & Grease	10 mg/l
Chemical oxygen demand	250mg/l

Note:-

(i) All effort shall be made to reuse ar re-circulate the water and to mainta µ = H U R G L V F K D U J H ¶

(ii) Stormwater drain shall be provide within the premises of the industry s as to avoid mixing with effluent].

[1][100. COMMON HAZARDOUS WASTE INCINERATOR

	A. Emission	
	Limiting concentration in mg/Nm^3 unless stated	Sampling Duration in (minutes) unless stated
Particulate Matter	50	30
HCL	50	30
SO_2	200	30
CO	100	30
	50	24 hours
Total Organic Carbon	20	30
HF	4	30
NOx (NO and NO_2, expressed as NO_2	400	30
Total dioxins and furans	0.1 ngETQ/Nm^3	8 hours
Cd+Th+their compounds	0.05	2 hours
Hg and its compounds	0.05	2 hours
Sb+As+Pb+Co+ Cr+Cu+Mn+Ni+ V+their compounds	0.50	2 hours

[1] Inserted by Rule 2 of the Environment (Protection) Fifth Amendment Rules, 2008 notified by S.O. 1515(E), dated 26.6.2008.

Notes

i. All monitored values shall be corrected t
11 % oxygen on dry basis.

ii. The CO_2 concentration in tail gas shall n
be less than 7%.

iii. In case, halogenated organic waste is
than 1% by weight in input waste, all th
facilities in twin chamber incinerators sha
be designed to achieve a minimur
temperature of 950°C in secondary
combustion chamber and with a g
residence time in secondary combust
chamber not less than 2 (two) seconds.

iv. In case halogenated organic waste is m
than 1% by weight in input waste, was
shall be incinerated only in twin chambe
incinerators and all the facilities shall b
designed to achieve a minimu
temperature of 1100°C in secondary
combustion chamber with a gas residen
time in secondary combustion chamber
less than 2 (two seconds)

v. Incineration plants shall be operat
(combustion chambers) with suc
temperature, retention time and turbulen
as to achieve Total Organic Carbon (TO
content in the slag and bottom ashes
than 3%, or their loss on ignition is le
than 5% of the dry weight.

[1][101. INCINERATOR FOR PESTICIDE INDUSTRY

A. EMISSION			
		Limiting concentration in mg/Nm^3 unless stated	Sampling Duration in (minutes) unless stated
Particulate Matter		50	30
HCL		50	30
SO_2		200	30
CO		100	Daily average
Total Organic Carbon		20	30
Total Dioxins and Furans*	Existing Incinerator	0.2 ngTEQ/Nm^3	8 hours
	New Incinerator	0.1	8 hours
Sb+As+Pb+Cr +Co+Cu+Mn+Ni +V+ their compounds		1.5	2 hours

* The existing plant shall comply with norms for dioxins and furans as 0.1 ng/TEQ/Nm^3 within a period of five years from the date of publication of this notification.

Notes

i. All monitored values shall be corrected to 11% oxygen dry basis.

ii The CO_2 concentration in tail gas shall not be less than 7%.

iii. In case, halogenated organic waste is less than 1% weight in input waste, all the facilities in single chamb incinerators shall be designed so as to achieve a minim temperature of 1100°C, in the incinerator. For fluidize bed technology Incinerator, temperature shall be maintained at 950°C.

[1] Inserted by Rule 2 of the Environment (Protection) Seventh Amendment Rules, 2008 notified by G.S.R.600(E), dated 18.8.2008.

iv. In case halogenated organic waste in more than 1% weight in input waste, waste shall be incinerated only twin chamber incinerators and all the facilities shall designed to achieve a minimum temperature of 1100°C in secondary combustion chamber with a gas residence in secondary combustion chamber not less than seconds.

v. Scrubber meant for scrubbing emissions shall not be used as quencher.

vi Incineration plants shall be operated (combustion chambers) with such temperature, retention time turbulence, as to achieve Total Organic Carbon (TOC) content in the slag and bottom ashes less than 3%, their loss on ignition is less than 5% of the dry weight.

vii The incinerators shall have a chimney of atleast th metre height.

B. Wastewater

i Wastewater (scrubber water and floor washings) shall discharged into receiving water conforming to the norms prescribed under Schedule VI: General Standards Discharge of Environment Pollutions (Part A : Effluents notified under the Environment (Protection) Rules, 1986

ii The built up in Total Dissolved Solids (TDS) in wastewater of floor washings shall not exceed 1000 mg over and above the TDS of raw water used.

[1][102. REFRACTORY INDUSTRY

A. Emission Standards		
(i) Down Draft Kiln (Fuel:Coal)		
	Category *	limiting concentration (mg/Nm^3)
Particulate matter	Small/ medium/large	350
		Minimum (metres)

[1] Inserted by Rule 2 of the Environment (Protection) Amendment Rules, 2009 notified by G.S.R.97(E), dated 18.2.2009.

Stack height	Small	15
	Medium	18
	Large	21

(ii) Other than Down Draft Kiln (Fuel:Coal)

	Category *	Limiting concentration (mg/Nm^3)
Particulate matter	Small	300
	Medium	200
	Large	150
		Minimum (metres)
Stack height	Small	15
	Medium	18
	Large	21

(iii) Box, Tunnel Down Draft Kiln, etc. (Fuel:Natural Gas/Producer Gas/LPG or a combination Fuels/Furnance Oil as Secondary Fuel)

	Category*	Limiting concentration (mg/Nm^3)
Particulate matter	Small	200
	Medium/ Large	150
		Minimum (metres)
Stack height	Small	12
	Medium	15
	Large	18
	Category*	Production (tpa)
	small kiln	<15,000
	Medium kiln	15,001-50,000
	Large kiln	above 50,000

(iv) Rotary Kiln (Fuel: Furnance Oil)

	Category**	Limiting concentration (mg/Nm^3)
Particulate matter	Small	200
	Medium/ Large	150
		Minimum (metres)
Stack height	Small	35
	Medium	45
	Large	60
	Category**	Production (tpd)
	Small/rotary kiln	<50
	medium rotary kiln	51-100
	large rotary kiln	Above 100

Note:-

(i) All values of particulate matter are to be corrected at 6 per cent Carbon Dioxide.

(ii) Fugitive emission shall not exceed 10 mg/Nm^3 from any process or plant

(iii) Each stack shall be at least 2 metre above the top most point of building, shed or plant in the industry excluding bucket elevator, house and vibrating screen.

(iv) If more than one kiln is connected to single stack, sum of production capacity of all the kilns would be considered determining the capacity of the kiln and accordingly depending u the total capacity, emission standard and stack height would implemented.

(v) Monitoring of stack shall be carried out at the time of charging after the completion of charging and average of these two results be considered as emission level.

B. EFFLUENT STANDARDS

		Limiting value for concentration (mg/l except for pH)	
	Inland Surface Water	Public Sewer	Land for Irrigation
pH	5.5 to 9.0	5.5 to 9.0	5.5 to 9.0
Oil and Grease	10	20	10
BOD $BOD_{3\ days,\ 27^{0}C}$	30	250	100
COD	250	-	-
Suspended Solids	100	600	200
Phenols	1.0	5.0	-
Cyanide as CN	0.2	2.0	0.2
Cr(Hexavalent)	0.1	2.0	1.0
Cr(Total)	2.0	2.0	2.0]

[1][103 CASHEW SEED PROCESSING INDUSTRY

A. EMISSION STANDARDS

	Process	Limiting concentration in mg/Nm^3
	Roasting	250
Particulate Matter	Cooking (roasted shell/deoiled cake as fuel)	150
	Borma Oven Heater (roasted shell/deoiled cake as fuel)	150

[1] Inserted by Rule 2 of the Environment (Protection) Amendment Rules, 2010 notified vide GSR 1(E), dated 1.1.2010.

		Minimum (metres)
Stack height	Roasting	20
	Cooking	15
	Borma Oven	15
	Heater	

Note:

- All values of particulate matter shall be corrected at 4% Carbon Dioxide.
- Each stack shall be at least 2 metres above the most point of the building, shed or plant in t industry.
- 7 K H H P L V V L R Q V R I X U Q H P ¶ µ V R D O O along with Roasting drum emissions and shall pas through wet scrubber.
- Bio-gasifier shall be installed if roasted shells are u as fuel in the unit.

B-EFFLUENT STANDARDS

Limiting concentration in mg/l, except for pH

	Inland surface Water	Public sewer	Land for Irrigation
pH	6.5 to 8.5	6.5 to 8.5	6.5 to 8.5
Oil & Grease	10	20	10
$BOD_{3days,\ 27^oC}$	30	250	100
Suspended Solids	100	600	200
Phenols	1.0	5.0	-]

[1][104 PLASTER OF PARIS INDUSTRY

A. Stack Emission Standards

Stack Production Capacity upto 30 tonnes per day (tpd)

	Source	Limiting concentration in mg/Nm^3
Particulate Matter	Crusher	500
	Calciner	500
	Furnace/Grinder	150
Production capacity above 30 tpd		
Particulate matte	Crusher/ Calciner/ Furnace Grinder	150

Notes

1. The units having production capacity up to 30 tpd s channelize their emission through a stack or chimne height at least ten metres above ground level or t metres above the top of shed or building of the indus whichever is more.

2. The units having production capacity above 30 tpd s channelize their emission through a stack or chimne height at least thirty metres above the ground leve three metres above the top of shed or building which is more.

B. FUGITIVE EMISSION STANDARDS ($\mu G/M^3$)

Particulate Matter	2,000

Note: Fugitive emission shall be monitored at a distanc 10 $\pm$ 1 metres from the source, irrespective production capacity.]

[1] Inserted by Rule 2 of the Environment (Protection) Second Amendment Rules, 2010 notified vide G.S.R..61(E), dated 5.2.2010.

(F. No. Q-15017/95/2000-CPW)

(R. K. VAISH)
JOINT SECRETARY TO THE GOVT. OF INDIA

Note :

The principal rules were published in the Gazette of India vide number S.O. 844(E), dated the 19th November, 1986 and subsequently amended vide S.O. 433(E), dated the 14th April, 1987, S.O.64(E) dated the 18th January, 1988, S.O. 3(E) dated the 3rd January, 1989, S.O. 190(E), dated the 15th March, 1989, G.S.R. 913(E), dated the 24th October, 1989, S.O. 12(E), dated the 8th January, 1990, G.S.R.742(E), dated the 30th August, 1990, S.O. 23(E), dated the 16th January, 1991, G.S.R. No.93(E), dated the 21st February, 1991, G.S.R. 95(E), dated the 12th February, 1992, G.S.R. 329(E), dated the 19th March, 1992, G.S.R. 475(E), dated the 15th May, 1992, G.S.R. 797 (E), dated the 1st October, 1992, G.S.R. 386(E), dated the 28th April, 1993, G.S.R. 422(E), dated the 19th May, 1993, G.S.R. 801(E), dated the 31st December, 1993, G.S.R. 176(E), dated the 3rd April, 1996, G.S.R. 631(E), dated the 31st October, 1997, G.S.R. 504(E), dated the 20th August, 1998, G.S.R.7 (E), dated the 2nd January, 1999, G.S.R. 682(E), dated the 5th October, 1999, G.S.R.742(E), dated the 25th September, 2000, G.S.R. 72(E), dated the 6th February, 2001, G.S.R. 54(E), dated the 22nd January, 2002, G.S.R. 371(E), dated the 17th May, 2002, G.S.R. 489(E), dated the 9th July, 2002, S.O.1088(E), dated the 10th October, 2002, G.S.R. 849(E), dated the 30th December, 2002, G.S.R. 520(E), dated the 1st July, 2003, G.S.R. 92(E), dated the 29th January, 2004, G.S.R.448(E), dated the 12th July, 2005, Corrigenda G.S.R. 520(E), dated the 12th August, 2004, G.S.R.272(E), dated the 17th May, 2005, G.S.R.315(E), dated the 16th May, 2005 and G.S.R.546(E), dated the 30th August, 2005 G.S.R.46(E), dated the 3rd February, 2006, G.S.R.464(E), dated the 7th August, 2006, G.S.R.640(E), dated the 16th October, 2006, G.S.R.566(E), dated the 29th August, 2007, G.S.R.704(E), dated the 12th November, 2007, G.S.R.186(E), dated the 18th March, 2008, G.S.R.280(E), dated the 11th April, 2008, G.S.R.344(E), dated the 7th May 2008, G.S.R.414(E), dated the 30th May, 2008, G.S.R.481(E), dated the 26th June, 2008, G.S.R.579(E), dated the 6th August, 2008, G.S.R.600(E), dated the 18th August, 2008, G.S.R.752(E), dated the 24th October, 2008, G.S.R.97(E), dated the 18th February, 2009, G.S.R.149(E), dated the 4th March, 2009, G.S.R.512(E), dated the 9th July, 2009, G.S.R.543(E), dated the 22nd July, 2009, G.S.R.595(E), dated the 21st August, 2009, G.S.R.794(E), dated the 4th November, 2009, G.S.R.826(E), dated the 16th November, 2009 G.S.R.1(E), dated the 1st January, 2010 and G.S.R.61(E), dated the 5th February, 2010.

APPENDIX A

FORM I

(See rule 7)

NOTICE OF INTENTION TO HAVE SAMPLE ANALYSED

To

« « « «

FORM III
(See Rule 8)

REPORT BY GOVERNMENT ANALYST

Report 1 R « « « « « « «
' D W H « « « « « « « « « «

, K H U H E \ F H U W L I \ W K D W , « « « « « « « « «

FORM IV
(See rule 11)

FORM OF NOTICE

By registered post
acknowledgement due

From (1)

6 K U L « « « « « « « « « « «
« « « « « « « « « « « « «
« « « « « « « « « « « « «

To

« « « « « « « « « « « « «
« « « « « « « « « « « « «
« « « « « « « « « « « « «

Notice under section 19(b) of Environment (Protection) Act, 1986

Whereas an offence under the Environment (Protection) Act, 1986 has been co P P L W W H G L V E H L Q J F R P P L W W H G E \ « « « « « « « « « « «

[1][FORM- V]

(See rule 14)

Environmental statement for the financial year ending the 31st 0 D U F K « « «

PART-A

(i) Name and address of the owner/occupier of the industry operation or process

(ii) Industry category Primary± (STC Code) Secondary± (SIC Code)

(iii) Production capacity± Units ----------

(iv) Year of Establishment

(v) Date of last environmental statement submitted

PART-B

Water and Raw Material Consumption

(i) Water consumption m3/d
Process
Cooling
Domestic

Name of Products	Process water consumption per unit of product outpu	
	During the previous financial year	During the current financial year
	(1)	(2)
(1)		
(2)		
(3)		

1 Substituted by Rule 2(b) of Environment (Protection) Amendment Rules, 1993 notified vide G.S.R. 386(E) dated 22.04.1993.

(ii) Raw material consumption

*Name of raw materials	Name of Products	Consumption of raw material per unit of outp	
		During the previous financial year	During the current financial year

* Industry may use codes if disclosing details of raw material would violate contractual obligations, otherwise all industries have to name the raw materials used.

PART-C

Pollution discharged to environment/unit of output
(Parameter as specified in the consent issued)

(1) Pollutants	Quality of Pollutants discharged (mass/day)	Concentrations of pollutants discharges (Mass/volume)	Percentage of variation from prescribed standards with reasons.
(a) Water (b) Air			

PART-D

HAZARDOUS WASTES

(As specified under[1] [Hazardous Wastes (Management, Handling and Transboundry Movement) Rules, 2008)]

Hazardous Wastes	Total Quantity (Kg)	
	During the previous financial year	During the current financial year
(a) From process		
(b) From pollution control facilities		

[1] The Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008 notified vide S.O.2265(E), dated 24.9.2008.

PART-E
Solid Wastes

	Total Quantity	
	During the previous financial year	During the current financial year

(a) From process

(b) From pollution control facilities

(c) (1) Quantity recycled or re-utilized within the unit.

(2) Sold

(3) Disposed

PART-F

Please specify the characterizations (in terms of composition of quantum) of hazardous as well as solid wastes and indicate disposal practice adopted for both these categories of wastes.

PART-G

Impact of the pollution abatement measures taken on conservation of natural resources and on the cost of production.

PART-H

Additional measures/investment proposal for environmental protection including abatement of pollution, prevention of pollution.

PART-I

Any other particulars for improving the quality of the environment.

[F.No. Q-15015/1/90-CPA]
MUKUL SANWAL, Jt. Secy.

[1][SCHEDULE II]
(See rule 3)
General standards for discharge of effluents

Sl. No.	Parameter	Standards			
		Inland surface water	Public sewers	Land for irrigation	Marine coastal areas
		(a)	(b)	(c)	(d)
1.	Colour and odour	See Note 1	-	See Note 1	See Note 1
2.	Suspended solids, mg/l, Max	100	600	200	(a) For process waste water-100 (b) For cooling water effluent-10 per cent above total suspended matter of influent cooling water.
3.	Particle size of suspended solids	Shall pass 850 micron IS Sieve			(a) Floatable solids, Max 3 mm (b) Settleable solids Max 850 microns.
4.	Dissolved Solids (inorganic), mg/a, max.	2100	2100	2100	
5.	PH value	5.5 to 9.0	5.5 to 9.0	5.5 to 9.0	5.5 to 9.0
6.	Temperature, °C, Max	Shall not exceed 40 in any section of the stream within 15 meters down stream from the effluent outlet	45 at the point of discharge	-	45 at the point of discharge.
7.	Oil and grease, mg/l max.	10	20	10	20
8.	Total residual chlorine, mg/l Max.	1.0	-	-	1.0
9.	Ammonical nitrogen (as N) mg/l, Max.	50	50	-	50
10.	Total kjeldahl nitrogen (as N) mg/l, Max.	100	-	-	100
11.	Free Ammonia (as NH_3), Mg/l, Max.	5.0	-	-	5.0
12.	Biochemical Oxygen Demand [3 days at 27°C] Max.	30	350	100	100

OMITTED

1 Schedule II inserted vide G.S.R. 919(E) dt. 12.9.88, published in the Gazette no. 488 dt. 12.9.88 and omitted by G.S.R.801(E), dated 31.12.1993.

2 Substituted by Rule2 of the Environment (Protection) Amendment Rules, 1996 notified by G.S.R.176, dated 2.4.1996 may be read as BOD (3 days at 27°C) wherever BOD 5 days 20°C occurred.

13.	Chemical Oxygen Demanc mg/l Max.	250	-	-	250
14.	Arsenic (as As), mg/l, Max.	0.2	0.2	0.2	0.2
15.	Mercury (As Hg), Mg/l Max.	0.01	0.01	-	0.01
16.	Lead (as Pb), Mg/l, Max.	0.1	1.0	-	1.0
17.	Cadmium (as Cd) Mg/l,Max.	2.0	1.0	-	2.0
18.	Hexavalent chromium (as Cr+6) mg/l, Max.	0.1	2.0	-	1.0
19.	Total chromium (as Cr), mg/l Max.	2.0	2.0	-	2.0
20.	Copper (As Cu) mg/l Max.	3.0	3.0	-	3.0
21.	Zinc. (as Zn), mg/l, Max.	5.0	15	-	15
22.	Selenium (as Se), mg/l, Max.	0.05	0.05	-	0.05
23.	Nickel (as Ni), mg/l, Max	3.0	3.0	-	5.0
24.	Boron (as B), mg/l, Max	2.0	2.0	2.0	-
25.	Percent sodium, Max.	-	60	60	-
26.	Residual Sodium carbonate mg/l, Max.	-	-	5.0	-
27.	Cynide (as CN), mg/l, Max.	0.2	2.0	0.2	0.2
28.	Chloride (asCl), mg/l, Max.	1000	1000	600	-
29.	Fluoride (as F), mg/l, Max.	2.0	15	-	15
30.	Dissolved Phosphates (as mg/l, Max.	5.0	-	-	-
31.	Sulphate (as SO_4), mg/l, Max.	1000	1000	1000	-
32.	Sulphide (as S), mg/l, Max.	2.0	-	-	5.0
33.	Pesticides	Absent	Absent	Absent	Absent
34.	Phenolic compounds (as C_6H_5OH) mg/l, Max.	1.0	5.0	-	5.0
35.	Radioactive materials :				
	(a) Alpha emitters MC/ml. Max.	$10 \pm^{7}$	$10 \pm^{7}$	$10 \pm^{8}$	$10 \pm^{7}$
	(b) Beta emitters PC/ml. Max	$10 \pm^{6}$	$10 \pm^{6}$	$10 \pm^{7}$	$10 \pm^{6}$

Note : 1. All efforts should be made to remove colour and unpleasant odocur as far as practicable.

2. The standards mentioned in this notification shall apply to all the effluents discharged such as industrial mining and mineral processing activities municipal sewage etc.

3. [1] > « @

1 Omitted by Rule 2 of the Environment (Protection) Fourth Amendment Rules, 1992 vide Notification GSR 797(E) dated 01.01.1992, Gazette No. 396 dated 01.01.1992.

OMITTED

[1][SCHEDULE III]

(See rule 3)

AMBIENT AIR QUALITY STANDARDS IN RESPECT OF NOISE

Area Code	Category of Area	Limits in dB(A) Leq.	
		Date Time	Night Times
(A)	Industrial Area	75	70
(B)	Commercial Area	65	55
(C)	Residential Area	55	45
(D)	Silence Zone	50	40

Note :

1. Day time is reckoned in between 6 a.m. and 9 p.m.

2. Night time is reckoned in between 9 p.m. and 6 a.m.

3. Silence zone is defined as areas upto 100 meters around such premises as hospitals, educational institutions and courts. The Silence zones are to be declared by the Competent Authority.

   Use of vehicular horns, loudspeakers and bursting of crackers shall be banned in these zones.

4. Mixed categories of areas should be declared as one of the four above mentioned categories by the Competent Authority and the corresponding standards shall apply.

---

1 Schedule III inserted vide GSR 1063(E), dt. 26.12.89, published in the Gazette No. 643 dt. 26.12.89

[1][SCHEDULE IV]
(See rule 3)

STANDARDS FOR EMISSION OF SMOKE, VAPOUR ETC. FROM MOTOR VEHICLES :

(1) Every motor vehicles shall be manufactured and maintained in such condition and shall be so driven that smoke, visible vapour, grit, sparks, ashes, cinders or oily substance do not emit therefrom.

(2) On and from the 1st day of March, 1990, every motor vehicle in use shall comply with the following standards :

(a) Idling CO (Carbon monoxide) emission limit for all four wheeled petrol driven vehicles shall not exceed 3 per cent by volume;

(b) Idling CO emission limit for all two and three wheeled petrol driven vehicles shall not exceed 4.5 per cent by volume;

(c) Smoke density for all diesel driven vehicles shall be as follows :

Method of Test	Maximum smoke density		
	Light absorption coefficient m-1	Bosch units	Harridge units
(a) Full load at a speed of 60% to 70% of maximum enginerated speed declared b the manufacturer.	3.1	5.2	75
(b) Free acceleration	2.3	-	65

(3) On and from the 1st day of April, 1991 all petrol driven vehicles shall be so manufactured that they comply with the mass emission standards as specified at $QQH[XUH µ,¶ 7KH EUHDNGRZQ RI WKH RSHUDWLQJ F\F VSHFLILHG DW $QQH[XUH µ,,¶ DQG WKH UHIHUHQFH IXH VSHFLILHG LQ $QQH[XUH µ,,,¶ WR WKLV 6FKHGXOH

(4) On and from the 1st day of April, 1991, all diesel driven vehicles shall be so manufactured that they comply with the mass emission standards based on H[KDXVW JDV FDSDFLW\ DV VSHFLILHG DW $QQH[XUH µ,9

(5) On and from the 1st day of April, 1992, all diesel driven vehicles shall be so manufactured that they comply with the following levels of emission under the Indian driving cycle :-

[1] Schedule IV inserted vide G.S.R. 54 (E) dt. 5.2.90 published in the Gazette No. 45 dt. 5.2.90.

Mass of Carbon Monoxide (CO) Maximum, Grams per KWH	Mass of Hydroxy carbons (HC) Maximum Grams per KHW	Massof Nitrogen Oxides (NC) Maximum Grams per KWH
14	3.5	18

(6) Each motor vehicle manufactured on and after the dates specified in paragraphs (2), (3), (4) and (5) shall be certified by the manufacturers to tbe conforming to the standards specified in the said paragraphs and the manufacturers shall further certify that the components liable to effect the emission of gaseous pollutants are so designed, constructed and assembled as to enable the vehicle, in formal use, despite the vibration to which it may be subjected, to comply with the provisions of the said paragraphs.

(7) Test for smoke emission level and carbon monoxide level for motor vehicles

(a) Any officer not below the ranks of a sub-inspector of police or an inspector of motor vehicles, who has reason to believe that a motor vehicle is by virtue of smoke emitted from it or other pollutants like carbon monoxide emitted from it, is likely to cause environmental pollution, endangering the health or safety of any other user of the road or the public, may direct the driver or any person incharge of the vehicle to submit the vehicle for undergoing a test to measure the standard of black smoke or the standard of any of the other pollutants.

(b) The driver or any person incharge of the vehicle shall upon demand by any officer referred to in sub-paragraph (a) submit the vehicle for testing for the purpose of measuring the standard of smoke or the levels of other pollutants or both.

(c) The measurement of standard of smoke shall be done with a smoke meter of a type approved by the State Government and the measurement of other pollutants like carbon monoxide shall be done with instruments of a type approved by the State Government.

ANNEXURE-I

(See paragraph 3)

MASS EMISSION STANDARDS FOR PETROL DRIVEN VEHICLES

1. Type Approval Tests :

Two and Three Wheeler Vehicles

Reference Mass, R (Kg)	CO (g/km)	HC(g/km)
1	2	3
R ≤ 150	12	8
150 < R ≤ 350	$12 + \frac{18 (R-150)}{200}$	$8 + \frac{4 (R-150)}{200}$
R > 350	30	12

Two and Three Wheeler Vehicles

Reference Mass, R (Kg)	CO (g/km)	HC(g/km)
1	2	3
rw ≤ 1020	14.3	2.0
1020 < rw ≤ 1250	16.5	2.1
1250 < rw ≤ 1470	18.8	2.1
1470 < rw ≤ 1700	20.7	2.3
1700 < rw ≤ 1930	22.9	2.5
1930 < rw ≤ 2150	24.9	2.7
rw > 2150	27.1	2.9

2. Conformity of Production tests :

Two and Three Wheeler vehicles :

Reference Mass, R (Kg)	CO (g/km)	HC(g/km)
1	2	3
R - 150	15	10
150<Rd350	$15 + \frac{25 (R-150)}{200}$	$10 + \frac{5 (R-150)}{200}$
R>350	40	15

Light Duty Vehicles :

Reference Mass, rw (Kg)	CO (g/km)	HC(g/km)
1	2	3
rw d1020	17.3	2.7
1020<rwd1250	19.7	2.7
1250<rwd1470	22.5	2.8
1470<rwd1700	24.9	3.0
1700<rwd1930	27.6	3.3
1930<rwd2150	29.9	3.5
rw>2150	32.6	3.7

For any of the pollutants referred to above of the three results obtained may exceed the limit specified for the vehicles by not more than 10 per cent.

Explanation : Mass emission standards refers to the gm. of Pollutants emitted per Km. run of the vehicle as determined by the chassis dynamometer test using the Indian Driving Cycle.

ANNEXURE- II
(See Paragraph 3)

BREAKDOWN OF THE OPERATING CYCLE, USED FOR THE TESTS

No. of Operation		Acceleration (m/acc^2)	Speed (Km/h)	Duration of each operation(s)	Cumulative time(s)
1		2	3	4	5
01.	Idling	-	-	16	16
02.	Acceleration	0.65	0-14	6	22
03.	Acceleration	0.56	14 ±22	4	26
04.	Declaration	-0.63	22 ±13	4	30
05.	Steady speed	-	13	2	32
06.	Acceleration	0.56	13 ±23	5	37
07.	Acceleration	0.44	23 ±31	5	42
08.	Deceleration	-0.56	31 ±25	3	45
09.	Steady Speed	-	25	4	49
10.	Deceleration	-0.56	25 ±21	2	51
11.	Acceleration	0.45	21 ±34	8	59
12.	Acceleration	0.32	34 ±42	7	66
13.	Deceleration	0.46	42 ±37	3	69
14.	Steady speed	-	37	7	76
15.	Deceleration	-0.42	37 ±34	2	78
16.	Acceleration	0.32	34 ±42	7	85
17.	Deceleration	-0.46	42 ±27	9	94
18.	Deceleration	-0.52	27 ±14	7	101
19.	Deceleration	-0.56	14 ±00	7	108

ANNEXURE-III
(See Paragraph 3)

REFERENCE FUEL FOR TYPE AND PRODUCTION CONFORMITY TESTS

S. No.	Characteristics	Requirements		Method of test (ref. of P: or IS: 1448*)
		87 Octane	93 Octane	
1	2	3	4	5
1.	Colour, visual	Orange	Red	-
2.	Copper strip corrosion for 3 hours at 50°C	Not worse than No. 1		P : 15 (1968)
3.	Density at 15°C	Not limited but to be reported		P : 16 (1967)
4.	Distillation :			P: 18 (1967)
	(a) Initial boiling point * methods for test for petroleum and its products.	Not limited but to be reported		
	(b) Recovery up to 200°C percent by volume min.	10	10	
	(c) Recovery upto 125°C 50 percent by volume	50	50	
	(d) Recovery upto 130°C percent by volume	90	90	
	(e) Final boiling point, Max.	215°C	215°C	
	(f) Residue percent by volume Max.	2	2	
5.	Octane number (Research method) Max.	87	94	P : 27 (1960)
6.	Oxidation stability in minutes, Min.	360	360	P : 28 (2966)
7.	Residue on evaporation mg/100 ml. Max.	4.0	4.0	P : 29 (1960) (Air-jat solvent washed)
8.	Sulphur, total, percent by weight Max.	0.25	0.20	P : 34 (1966)
9.	Lead content (as Pb), g/l Max.	0.56	0.80	P : 37 (1967) or P 38 (1967)
10	Reid Vapour pressure at 38 degree C. kg/C Max.	0.70	0.70	P : 39 (1967)

[1]ANNEXURE-IV
(See Paragraph 4)

LIMIT VALUES OF EXHAUST GAS CAPACITY APPLICABLE
FOR DIESEL DRIVEN VEHICLES
THE ENGINE TESTS AT STEADY SPEED

Nominal Flow G(l/s)	Absorption Coefficient (Km-1)	Nominal Flow G(l/s)	Absorption Coefficient (K9-1)
42	2.00	120	1.20
45	1,91	125	1.17
50	1.82	130	1.15
55	1.75	135	1.31
60	1.68	140	1.11
65	1.61	145	1.09
70	1.56	150	1.07
75	1.50	155	1.05
80	1.46	160	1.04
85	1.41	165	1.02
90	1.38	170	1.01
95	1.34	175	1.00
100	1.31	180	0.99
105	1.27	185	0.97
110	1.25	190	0.96
115	1.22	195	0.95
		> 200	0.93

[1] Annexure IV inserted vide G.S.R. 54 (E) dt. 5.2.90 published in the Gazette no. 45 dt. 5.2.90.

[1][SCHEDULE V]
(See rule 12)

S. No.	Place at which the discharge of an environmental Pollutant in excess of prescribed standards occurs or apprehended to occur	Authorities or agencies to be intimated	Appointed under
1	2	3	4
1.	Factories as defined under the Factories Act, 1948		
	(a) owned by Central Government and engaged in carrying out the purposes of the Atomic Energy Act, 1962;	(i) The Atomic Energy Regulatory Board (AERB)	The Atomic Energy Act, 1962
		(ii) The Ministry of Environment and Forests.	
	(b) Factories other than those mentioned in paragraph (a)	(i) The Chief Inspector of Factories	The Factories Act, 1948
		(ii) The Inspector of Factories having local jurisdiction.	- do -
		(iii) The Ministry of Environment and Forests	
2.	Mine as defined under the Mines and Minerals (Regulation and Development) Act, 1957	(i) The Controller General, Indian Bureau of Mines	The Mines and Mineral (Regulation & Development) Act, 1957

[1] Schedule II relating to rule 12 re-numbered as Schedule V vide G.S.R. 422 (E) dated 19.05.1993, published in the Gazette No. 174 dated 19.05.1993.
Entries relating to S.No. 2 corrected in terms of S.O. 64(E) published in Gazette No. 42 dt. 18.01.1988 and corrigendum No. G.S.R. 434(E) dt. 07.04.1988 published in the Gazette No. 181 dt. 07.04.1988.

		(ii)	Regional Controller of Mines having local jurisdiction	- do -
		(iii)	The Ministry of Environment and Forests.	-
3.	Port as defined under the India Ports Act, 1908	(i)	Conservator of Ports	The Indian Ports Act, 1908
		(ii)	The Ministry of Environment & Forests	-
4.	Plantation as defined under the Plantations Labour Act, 1951	(i)	The Chief Inspector of Plantations.	The Plantations Labour Act, 1951
		(ii)	The Inspector of Plantation having local jurisdiction.	- do -
		(iii)	The Ministry of Environment & Forests.	-
5.	Motor Vehicles as defined under the Motor Vehicles Act, 1939	(i)	State Transport Authority	The Motor Vehicles Act, 1939
		(ii)	Regional Transport Authority having regional jurisdiction.	- do -
		(iii)	The Ministry of Environment & Forests.	-
6.	Ship as defined under the Merchant Shipping Act, 1958	(i)	Director General of Shipping	The Merchant Shipping Act, 1958
		(ii)	Surveyor having jurisdiction.	- do -
		(iii)	The Ministry of Environment & Forests.	-

[1][SCHEDULE ±VI]

(See rule 3A)

GENERAL STANDARDS FOR DISCHARGE OF ENVIRONMENTAL POLLUTANTS PART-A : EFFLUENTS

S. No.	Parameter	Standards			
		Inland surface water	Public Sewers	Land for irrigation	Marine coastal areas
1	2			3	
		(a)	(b)	(c)	(d)
1.	Colour and odour	See 6 of Annexure-I	--	See 6 of Annexure -I	See 6 of Annexure-I
2.	Suspended solids mg/l, Max.	100	600	200	(a) For process waste water- 100 (b) For cooling water effluent 10 percent above total suspended matter of influent.
3.	Particulate size of suspended solids	Shall pass 850 micron IS Sieve	--	--	(a) Floatable solids, max. 3 mm. (b) Settleable solids, max. 850 microns.
[2]4.	***	*	--	***	--
5.	pH Value	5.5 to 9.0	5.5 to 9.0	5.5 to 9.0	5.5 to 9.0
6.	Temperature	shall not exceed 5^{o}C above the receiving water temperature	--	--	shall not exceed 5^{o}C above the receiving water temperature

[1] Schedule VI inserted by Rule 2(d) of the Environment (Protection) Second Amendment Rules, 1993 notified vide G.S.R. 422(E) dated 19.05.1993, published in the Gazette No. 174 dated 19.05.1993.

[2] Omitted by Rule 2(d)(i) of the Environment (Protection) Third Amendment Rules, 1993 vide Notification No.G.S.R.801(E), dated 31.12.1993.

S. No.	Parameter	Standards			
		Inland surface water	Public Sewers	Land for irrigation	Marine coastal areas
1	2	3			
		(a)	(b)	(c)	(d)
7.	Oil and grease mg/l Max.	10	20	10	20
8.	Total residual chlorin mg/l Max.	1.0	--	--	1.0
9.	Ammonical nitrogen (as N), mg/l Max.	50	50	--	50
10.	Total Kjeldahl Nitrogen (as NH_3) mg/l, Max.	100	--	--	100
11.	Free ammonia (as NH_3) mg/l, Max.	5.0	--	--	5.0
12.	Biochemical Oxygen demand [1][3 days at 27°C] mg/l max.	30	350	100	100
13.	Chemical Oxygen Demand, mg/l, max.	250	--	--	250
14.	Arsenic (as As), mg/l, max.	0.2	0.2	0.2	0.2
15.	Mercury (as Hg), mg/l, Max.	0.01	0.01	--	0.01
16.	Lead (as Pb) mg/l, Max.	0.1	1.0	--	2.0
17.	Cadmium (as Cd) mg/l, Max.	2.0	1.0	--	2.0
18.	Hexavalent Chromium (as Cr+6), mg/l max.	0.1	2.0	--	1.0

[1] Substituted by Rule2 of the Environment (Protection) Amendment Rules, 1996 notified by G.S.R.176, dated 2.4.1996 may be read as BOD (3 days at 27°C) wherever BOD 5 days 20°C occurred.

S. No.	Parameter	Standards			
		Inland surface water	Public Sewers	Land for irrigation	Marine coastal areas
1	2	3			
		(a)	(b)	(c)	(d)
19.	Total chromium (as Cr.) mg/l, Max.	2.0	2.0	--	2.0
20.	Copper (as Cu) mg/l, Max.	3.0	3.0	--	3.0
21.	Zinc (As Zn.) mg/l, Max.	5.0	15	--	15
22.	Selenium (as Se.) mg/l, Max.	0.05	0.05	--	0.05
23.	Nickel (as Ni) mg/l, Max.	3.0	3.0	--	5.0
[1]24.	* * *	*	*	*	*
[1]25.	* * *	*	*	*	*
[1]26.	* * *	*	*	*	*
27.	Cyanide (as CN) mg/l Max.	0.2	2.0	0.2	0.2
[1]28.	* * *	*	*	*	*
29.	Fluoride (as F) mg/l Max.	2.0	15	--	15
30.	Dissolved Phosphates (as P), mg/l Max.	5.0	--	--	--
[2]31.	* * *	*	*	*	*
32.	Sulphide (as S) mg/l Max.	2.0	--	--	5.0
33.	Phenoile compounds (as C_6H_5OH) mg/l, Max.	1.0	5.0	--	5.0

[1] Omitted by Rule 2(d)(i) of the Environment (Protection) Third Amendment Rules, 1993 vide Notification No.G.S.R.801(E), dated 31.12.1993.

S. No.	Parameter	Standards			
		Inland surface water	Public Sewers	Land for irrigation	Marine coastal areas
1	2	3			
		(a)	(b)	(c)	(d)
34.	Radioactive materials :				
	(a) Alpha emitter micro curie/ml.	10^{-7}	10^{-7}	10^{-8}	10^{-7}
	(b) Beta emitter micro curie/ml.	10^{-6}	10^{-6}	10^{-7}	10^{-6}
35.	Bio-assay test	90% survival of fish after 96 hours in 100% effluent	90% survival of fish after 96 hours in 100% effluent	90% survival of fish after 96 hours in 100% effluent	90% survival of fish after 96 hours in 100% effluent
36.	Manganese (as Mn)	2 mg/l	2 mg/l	--	2 mg/l
37.	Iron (as Fe)	3 mg/l	3 mg/l	--	3 mg/l
38.	Vanadium (as V)	0.2 mg/l	0.2 mg/l	--	0.2 mg/l
39.	Nitrate Nitrogen	10 mg/l	--	--	20 mg/l
[1]40.	* * *	*	*	*	*

[1] Omitted by Rule 2(d)(i) of the Environment (Protection) Third Amendment Rules, 1993 vide Notification No. G.S.R. 801(E) dated 31.12.1993

WASTE WATER GENERATION STANDARDS - PART-B

S.No.	Industry	Quantum
1.	Integrated Iron & Steel	16 m^3/tonne of finished steel
2.	Sugar	0.4 m^3/tonne of cane crushed
3.	Pulp & Paper Industries	
	(a) Larger pulp & paper	
	(i) Pulp & Paper	175 m^3/tonne of paper produced
	(ii) Viscose Staple Fibre	150 m^3/tonne of product
	(iii) Viscose Filament Yarn	500 m^3/tonne of product
	(b) Small Pulp & Paper :	
	(i) Agro residue based	150 m^3/tonne of paper produced
	(ii) Waste paper based	50 m^3/tonne of paper produced
4.	Fermentation Industries :	
	(a) Maltry	3.5 m^3/tonne of grain produced
	(b) Brewery	0,.25 m^3/KL of beer produced
	(c) Distillery	12 m^3/KL of alcohol produced
5.	Caustic Soda	
	(a) Membrane cell process	1 m^3/tonne of caustic soda produced excluding cooling tower blowdown
	(b) Mercury cell process	4 m^3/tonne of caustic soda produced (mercury bearing) 10% blowdown permitted for cooling tower
6.	Textile Industries : Man-made Fibre	
	(i) Nylon & Polyster	120 m^3/tonne of fibre produced
	(ii) Vixcose rayon	150 m^3/tonne of product
7.	Tanneries	28 m^3/tonne of raw hide
8.	Starch. Glucose and related products	8 m^3/tonne of maize crushed
9.	Dairy	3 m^3/KL of Milk

10.	Natural rubber processing industry	4 m^3/tonne of rubber
11.	Fertilizer	
	(a) Straight nitrogenous fertilizer	5 m^3/tonne of urea or equivalent produced
	(b) Straight phosphatic fertilizer (SSP & TSP) excluding manufacture of any acid	0.5 m^3/tonne of SSP/TSP
	(c) Complex fertilizer	Standards of nitrogenous and phosphatic fertilizers are applicable depending on the primary product

LOAD BASED STANDARDS - PART-C

[1][1. Petroleum Oil Refinery:

Parameter 1	Standard 2
	Quantum limit in Kg/l 1,000 tonne of crude processed
1. Oil & Grease	2.0
2. $BOD_{3\ days,\ 27^{o}C}$	6.0
3. COD	50
4. Suspended Solids	8.0
5. Phenols	0.14
6. Sulphides	0.2
7. CN	0.08
8. Ammonia as N	6.0
9. TKN	16
10. P	1.2
11. Cr (Hexavalent)	0.04
12. Cr(Total)	0.8
13. Pb	0.04
14. Hg	0.004
15. Zn	2.0
16. Ni	0.4
17. Cu	0.4
18. V	0.8
19. Benzene	0.04
20. Benzo (a) ±Pyrene	0.08

[1] Substituted by Rule 2(ii)(a) of the Environment (Protection) Amendment Rules, 2008 notified by G.S.R.186(E), dated 18.3.2008

Notes:

(i) Quantum limit shall be applicable for discharge of total effluent (process effluent, cooling water blow down including sea cooling water blow down, washings, etc.) to receiving environment (excluding direct application on land for irrigation/horticulture purposes within the premises of refinery).

(ii) In order to measure the quantity of effluent (separately for discharge to receiving environment, application for irrigation/horticulture purposes within the premises of refinery & blow-down of cooling systems), appropriate flow measuring devices (e.g. V-notch, flow meters) shall be provided with.

(iii) Quantum of pollutants shall be calculated on the basis of daily average of concentration values (one 24-hourly composite sample or average of three grab samples, as the case may be), average flow of effluent during the day and crude throughput capacity of the refinery.

(iv) Limit for quantity of effluent discharged (excluding blow-down from seawater cooling) shall be 400 m^3/1000 tonne of crude processed. However, for refineries located in high rain fall area, limit of quantity of effluent only during rainy days shall be 700 m^3/1000 tonne of crude processed].

2. Large Pulp & Paper, News Print/ Rayon grade Plants of capacity above 24000 tonne/ Annum

Parameter	Quantum
Total Organic Chloride (TOCI)	2 kg/tonne of product.

GENERAL EMISSION STANDARDS - PART-D

I. Concentration Based Standards

Sl. No.	Parameter	Standard Concentration not to exceed (in mg/Nm^3)
1.	Particulate Matter (PM)	150
2.	Total Fluoride	25
3.	Asbestos	4 Fibres/cc and dust should not be more than 2 mg/Nm^3

4.	Mercury	0.2
5.	Chlrine	15
6.	Hydrochloric acid vapour and mist	35
[1]7.	* * *	*
8.	Sulphuric acid mist	50
9.	Carbon monoxide	1% max. (v/v)
[1]10.	* * *	*
11.	Lead	10 mg/Nm^3
[1]12.	* * *	*

II. Equipment based Standards

[2][For dispersal of sulphur dioxide, in minimum stack height limit is accordingly prescribed as below]

Sl. No.	Parameter	Standard	
1.	Sulphur dioxide	Stack-height limit in metre	
	(i) Power generation capacity :		
	- 500 MW and more	275	
	- 200/210 MW and above to less than 500 MW	220	
	- less than 200/210 MW	$H=14(Q)^{0.3}$	
	(ii) Steam generation capacity		
	- Less than 2 tonne/h	Less than 8.5 MT	9
	- 2 to 5 tonne/h	8.5 to 21 MT	12
	- 5 to 10 tonne/h	21 to 42 MT	15
	- 10 to 15 tonne/h	42 to 64 MT	18
	- 15 to 20 tonne/h	64 to 104 MT	21
	- 20 to 25 tonne/h	104 to 105 MT	24
	- 25 to 30 tonne/h	105 to 126 MT	27
	- More than 30 tonne/h	More than 126 MT	30
		or using the formula $H=14(Q)^{0.3}$	

1 Omitted by Rule 2(g) (iv) of the Environment(Protection) Third Amendment Rules, 1993 vide G.S.R. 801(E) dated 31.12.1993.

2 Substituted by Rule 2(h)(i), ibid

Note : H ±Physical height of the stack in metre
Q ±Emission rate of SO_2 in kg/hr.

III. Load/Mass based Standar ds

Sl. No.	Industry	Parameter	Standard
1.	Fertiliser (Urea)		
	Commissioned Prior to 1.1.82	Particulate Matter (PM)	2 kg/tonne of product
	Commissioned after 1.1.82	Particulate Matter (PM)	0.5 kg/tonne of product
2.	Copper, Lead and Zinc Smelter/convetter	Sulphur dioxide	4 kg/tonne of concentrated (100% acid produced
3.	Nitric Acid	Oxides of Nitrogen	3 kg/tonne of weak acid (before concentration) produced
[1][4.	Sulphuric Acid Plant		Quantum Limit in kg/tonne Plant capacity for 100% concentration of Sulphuric Acid (tonne/day) Existing Unit: Upto 300: 2.5 New Unit: Upto 300: 2.0 Existing Unit: Above 100: 2.0 New Unit: Above 100: 1.5]
5.	Coke Oven	Carbon Monoxide	3 kg/tonne of coke produced.
[2][6.	Petroleum Oil Refinery (Sulphur Recovery)	Sulphur Dioxide	Kg/tonne of sulphur in the feed to SRU Installed Capacity of SRU* (tonne/day): Existing SRU / New SRU Above 20: 26 / 10 5 to 20: 80 / 40 Upto 5: 120 / 80

* SRU ± Sulphur Recovery Unit]

---

1 Substituted by Rule 2(ii) of the Environment (Protection) Third Amendment Rules, 2008 notified by G.S.R.344(E), dated 7.5.2008.

2 Substituted by Rule 2 of the Environment (Protection) Fifth Amendment Rules, 2009 notified by G.S.R.595(E), dated 21.8.2009.

7. Aluminium Plants :

(i)	Anode Bake Oven Total Fluoride		0.3 Kg/MT of Aluminium
(ii)	Pot room		
(a)	VSS	-do-	4.7 Kg/MT of Aluminium
(b)	HSS	-do-	6 Kg/MT of Aluminium
(c)	PBSW	-do-	2.5 Kg/MT of Aluminium
(d)	PBCW	-do-	1.0 Kg/MT of Aluminium

Note : VSS = Vertical Stud Soderberg
HSS = Horizontal Stud Soderberg
PBSW = Pre Backed Side Work
PBCW = Pre Backed Centre Work

8. Glass Industry :

(a) Furnace Capacity

(i)	Up in the product draw capacity of 60 MTD/Day	Particulate matter	2 Kg/hr
(ii)	Product draw capacity more than 60 MT/Day	-do-	0.8 Kg/MT of Product drawn

NOISE STANDARDS - PART-E

A. Noise Limits for Automobiles (Free Field Distance at 7.5 Metre in dB(A) at the manufacturing Stage

(a) Motorcycle, Scooters & Three Wheelers	80
(b) Passenger Cars	82
(c) Passenger or Commercial vehicles upto 4 MT	85
(d) Passenger or Commercial vehicles above 4 MT and upto 12 MT	89
(e) Passenger or Commercial vehicles exceeding 12MT	91

Standards notified at S. No. 46 may also be referred.

[1][AA. Noise limits for vehicles at manufacturing stage

The test method to be followed shall be IS:3028-1998.

(1) Noise limits for vehicles applicable at manufacturing stage from the year 2003

Serial Number	Type of vehicle	Noise limits dB(A)	Date of implementation
(1)	(2)	(3)	(4)
1.	Two wheeler		1st January,2003
	Displacement upto 80 cm^3	75	
	Displacement more than 80 cm^3 but upto 175 cm^3	77	
	Displacement more than 175 cm^3	80	
2.	Three wheeler		1st January,2003
	Displacement upto 175 cm^3	77	
	Displacement more than 175 cm^3	80	
3.	Passenger Car	75	1st January, 2003
4.	Passenger or Commercial Vehicles		1st July, 2003
	Gross vehicle weight upto 4 tonnes	80	
	Gross vehicle weight more than 4 tonnes upto 12 tonnes.	83	
	Gross vehicle weight more than 12 tonnes.	85	

(2)Noise limits for vehicles at manufacturing stage applicable on and from 1st April, 2005

Serial Number	Type of vehicles	Noise limits dB(A)
1.0	Two wheelers	
1.1	Displacement upto 80 cc	75
1.2	Displacement more than 80 cc but upto 175 cc	77
1.3	Displacement more than 175 cc	80
2.0	Three wheelers	
2.1	Displacement upto 175 cc	77
2.2	Displacement more than 175 cc	80
3.0	Vehicles used for the carriage of passengers and capable K D Y L Q J Q R W P R U H W K D Q Q L Q H V H D	74

[1] Substituted by Rule 2 of the Environment (Protection) Fourth Amendment Rules, 2002 notified vide Notification * 6 5 (G D W H G Noise limits for vehicles sold on or after 1st day of April, 2003 - D Q X D U \nserted by Rule 2 (2) of the Environment (Protection) Amendment Rules, 2000 notified vide Notification G.S.R. 742(E), dated 25.9.2000

4.0	Vehicles used for the carriage of passengers having more WKDQ QLQH VHDWV LQFOXGLQJ WKH GU Gross Vehicle Weight (GVW) of more than 3.5 tonnes	
4.1	With an engine power less than 150 KW	78
4.2	With an engine power of 150 KW or above.	80
5.0	Vehicles used for the carriage of passengers having more WKDQ QLQH VHDWV LQFOXGLQJ WKH GU the carriage of goods.	
5.1	With a maximum GVW not exceeding 2 tonnes	76
5.2	With a maximum GVW greater than 3 tonnes but not excee 3.5 tonnes	77
6.0	Vehicles used for the transport of goods with a maximum GVW exceeding 3.5 tonnes.	
6.1	With an engine power less than 75 KW	77
6.2	With an engine power of 75 KW or above but less than KW.	78
6.3	With an engine power of 150 KW or above.	80]

[1][Provided that for vehicles mentioned at serial numbers 3.0 to 6.3, the noise limits for the following States shall be applicable on and from the date specified against that State,-

(i) Himachal Pradesh with effect from 1st October, 2005
(ii) Jammu and Kashmir with effect from 1st October, 2005
(iii) Madhya Pradesh with effect from 1st September, 2005
(iv) Punjab with effect from 1st October, 2005
(v) Rajasthan with effect from 1st June, 2005
(vi) Uttar Pradesh (Mathura, Kannauj, Muzaffarnagar, Aligarh, Farukkabad, Saharanpur, Badaun, Barreily, Moradabad, Hathras, Rampur, Bijnor, Agra, Pilibhit, J.P. Nagar, Mainpuri, Lalitpur, Hardio, Ferozabad, Jhansi, Shahjahanpur, Etawah, Jalon, Lakhimpur, Kheri, Etah, Mahoba, and Sitapur) with effect from 1st June, 2005.
(vii) Uttranchal with effect from 1st July, 2005.]

B. Domestic appliances and construction equipments at the manufacturing stage to be achieved by 31st December,1993.

(a) Window Air Conditioners of 1 ton to 1.5 ton 68
(b) Air Coolers 60
(c) Refrigerators 46
[2] > G « « « @
(e) Compactors (rollers),Front Loaders,Concrete mixers,Cranes(moveable),Vibrators and Saws 75

---

[1] Inserted by the Environment (Protection) Amendment Rules, 2005 notified vide Notification G.S.R.272 (E), dated 5.5.2005.

[2] (QWU\ G UHODWLQJ WR µ'LHVHO *HQHUDWLQJ 6HWV 3XUSRVHV (QYLURQ (Protection) Second Amendment, Rules, 2002 notified vide Notification G.S.R. 371(E), dated 17.5.2002.

ANNEXURE-I

(For the purposes of Parts ±A, B and C)

The State Boards shall following guide-lines in enforcing the standards specified under the schedule VI :

(1) the waste waters and gases are to be treated with the best available technology (BAT) in order to achieve the prescribed standards.

(2) the industries need to be encouraged for recycling and reuse, of waste materials as far as practicable in order to minimize the discharge of wastes into the environments.

(3) the industries are to be encouraged for recovery of biogas, energy and reusable materials.

(4) while permitting the discharge of effluent and emission into the environment, State Boards have to take into account the assimilative capacities of the receiving bodies, especially water bodies so that quality of the intended use of the receiving waters is not affected. Where such quality is likely to be effected discharges should not be allowed into water bodies.

(5) the Central and State Boards shall put emphasis on the implementation of clean technologies by the industries in order to increase fuel efficiency and reduce the generation of environmental pollutants.

(6) All efforts should be made to remove colour and unpleasant odour as far as practicable.

(7) The standards mentioned in the Schedule shall also apply to all other effluents discharged such as industrial mining, and mineral processing activities and sewage.

(8) the limit given for the total concentration of mercury in the final effluent of caustic soda industry, is for the combined effluent from (a) Cell house, (b) Brine Plant, (c) Chlorine handling, (d) hydrogen handling and (e) hydro choleric acid plant.

(9) [1] > D « I @

(10) All effluents discharge including from the industries such as cotton textile, composite woolen mills, synthetic rubber, small pulp & paper, natural rubber, petro-chemicals, tanneries, point dyes,

---

[1] Omitted by Rule 4 of the Environment (Protection) Rules, 1996 notified by notification G.S.R. 176(E), dated 2.4.1996.

slaughter houses, food & fruit processing and diary industries into surface waters shall conform to be BOD limit specified above, namely 30 mg/l. For discharge an effluent having a BOD more than 30 mg./l, the standards shall conform to those given, above for other receiving bodies, namely, sewers, coastal waters, and land for irrigation.

(11) [1] > « « @

(12) In case of fertilizer industry the limits in respect of chromium and fluoride shall be complied with at the outlet of chromium and fluoride removal units respectively.

(13) In case of pesticides :

(a) The limits should be complied with at the end of the treatment plant before dilution.

(b) Bio-assay test should be carried out with the available species of fish in the receiving water, the COD limits to be specified in the consent conditions should be correlated with the BOD limits.

(c) In case metabolites and isomers of the Pesticides in the given list are found in significant concentration, standards should be prescribed for these also in the same concentration as the individual pesticides.

(d) Industries are required to analyze pesticides in waste water by advanced analytical methods such as GLC/HPLC.

([2]14) The chemical oxygen demands (COD) concentration in a treated effluent, if observed to be persistently greater than 250 mg/l before disposal to any receiving body (public sewer, land for irrigation, inland surface water and marine coastal areas), such industrial units are required to identify chemicals causing the same. In case these are found to be toxic as defined in the Schedule I of the Hazardous Rules 1989 the State Board in such cases shall direct the industries to install tertiary treatment stipulating time limit.

(15) Standards specified in Part A of Schedule ±VI for discharge of effluent into the public sewer shall be applicable only if such sewer leads to a secondary treatment including biological treatment system, otherwise the discharge into sewers shall be treated as discharge into inland surface waters].

---

1 Omitted by Rule, 2(k) (vii) of the Environment (Protection) Third amendment Rules, 1993 vide G.S.R. 801 (E), dated 31.12.1993.

2 Inserted by rule 2(k) (ix), ibid.

ANNEXURE-II

(For the purpose of Part-D)

The State Boards shall follow the following guidelines in enforcing the standards specified under Schedule VI:

(a) In case of cement plants, the total dust (from all sections) shall be within 400 mg/Nm^3 and 250 mg/Nm^3 for the plants upto 200 t/d and more than 200 t/d capacities respectively.

(b) In respect of calcinations process (e.g. Aluminum Plants) Kilns. and step Grate Bagasse fired-Boilers. Particulate Matter (PM) emissions shall be within 250 mg/Nm^3.

(c) In case of thermal power plants commissioned prior to 01.01.1982 and having generation capacity less than 62.5 MW, the PM emission shall be within 350 mg/Nm^3.

(d) In case of Lime Kilns of capacity more than 5 t/day and upto 40 t/day, the PM emission shall be within 500 mg/Nm^3.

(e) In case of horse shoe/pulsating Grate and Spreader Stroker Bagasse-fired-Boilders, the PM emission shall be within 500 (12% CO_2) and 800 (12% CO_2) mg/Nm^3 respectively. In respect of these boilers, if more than attached to a single stack, the emission standards shall be fixed, based on added capacity of all the boilers connected with the stack.

(f) In case of asbestos dust, the same shall not exceed 2mg/Nm^3.

(g) In case of the urea plants commissioned after 01.01.92, coke ovens and lead glass units, the PM emission shall be within 50 mg/Nm^3.

(h) In case of small boilers of capacity less than 2 tons/hour and between 2 to 5 tons/ hour, the PM emissions shall be within 1000 and 1200 mg/Nm^3.

(i) In case of integrated Iron and Steel Plants, PM emission upto 400 mg/Nm^3 shall be allowed during oxygen lancing.

(j) In case of stone crushing units, the suspended PM contribution value at a distance of 40 meters from a controlled, isolated as well as from a unit located in cluster should be less than 600 micrograms/Nm^3. [1][* * *] These units must also adopt the following pollution control measures :

(i) Dust containment cum suppression system for the equipment;

(ii) Construction of wind breaking walls;

(iii) Construction of the metalled roads within the premises;

(iv) Regular cleaning and wetting of the ground within the premises;

(v) Growing of a green belt along with periphery.

(k) In case of Ceramic industry, from the other sources of pollution, such as basic raw materials and processing operations, heat recovery dryers, mechanical finishing operation, all possible preventive measures should be taken to control PM emission as far as practicable.

2. The total fluoride emission in respect of Glass and Phosphatic Fertilizers shall not exceed 5 mg/Nm^3 and 25 mg/Nm^3 respectively.

[2]3. [In case of copper, lead and zinc smelting, the off-gases may, as far as possible, be utilized for manufacturing sulphuric acid]

[3]4. [In case of cupolas (Foundries) having capacity (melting rate) less than 3 tonne/hour, the particulate matter emission shall be within 450 mg/Nm^3. In these cases it is essential that stack is constructed over the cupolas beyond the charging door and the emissions are directed through the stack, which should be at least six times the diameter of cupola. In respect of Arc Furnaces and Induction Furnaces, provision has to be made for collecting the fumes before discharging the emissions through the stack].

[No. Q-15017/24/89-CPW]
MUKUL SANWAL, Jt. Secy.

---

1 Omitted by Rule 2(i)(iii) of the Environment (Protection) Third Amendment Rules, 1993, vide G.S.R. 801(E) dated 31.12.1993.

2 Substituted by Rule 2(1)(i); Ibid.

3 Added by Rule 2(1)(ii), Ibid.

[1][SCHEDULE VII]

[See Rule 3(3B)]

NATIONAL AMBIENT AIR QUALITY STANDARDS

S. No.	Pollutant	Time Weighted Average	Concentration in Ambient Air		
			Industrial, Residential, Rural and Other Area	Ecologically Sensitive Area (notified by Central Government)	Methods of Measurement
(1)	(2)	(3)	(4)	(5)	(6)
1	Sulphur Dioxide (SO_2), µg/m^3	Annual* 24 hours**	50 80	20 80	- Improved West and Gaeke - Ultraviolet fluorescence
2	Nitrogen Dioxide (NO_2), µg/m^3	Annual* 24 hours**	40 80	30 80	- Modified Jacob & Hochheiser (Na Arsenite) -Chemiluminescence
3	Particulate Matter (size less than 10µm) or PM_{10} µg/m^3	Annual* 24 hours**	60 100	60 100	- Gravimetric - TOEM - Beta attenuation
4	Particulate Matter (size less than 2.5µm) or $PM_{2.5}$ µg/m^3	Annual* 24 hours**	40 60	40 60	- Gravimetric - TOEM - Beta attenuation
5	Ozone (O_3) µg/m^3	8 hours** 1 hour**	100 180	100 180	- UV photometric - Chemilminescence - Chemical Method
6	Lead (Pb) µg/m^3	Annual* 24 hours**	0.50 1.0	0.50 1.0	- AAS /ICP method after sampling on EPM 2000 or equivalent filter paper - ED-XRF using Teflon filter
7	Carbon Monoxide (CO) mg/m^3	8 hours** 1 hour**	02 04	02 04	- Non Dispersive Infra Red (NDIR) spectroscopy
8	Ammonia (NH_3) µg/m^3	Annual* 24 hours**	100 400	100 400	- Chemiluminescence - Indophenol blue method

[1] Substituted by Rule 3 of the Environment (Protection) Seventh Amendment Rules, 2009 notified by G.S.R. 826 (E) dated 16.11.2009.

(1)	(2)	(3)	(4)	(5)	(6)
9	Benzene (C_6H_6) $\mu g/m^3$	Annual*	05	05	- Gas chromatography based continuous analyzer - Adsorption and Desorption followed by GC analysis
10	Benzo(a)Pyrene (BaP)-particulate phase only, ng/m^3	Annual*	01	01	- Solvent extraction followed by HPLC/GC analysis
11	Arsenic (As), ng/m^3	Annual*	06	06	- AAS /ICP method after sampling on EPM 2000 or equivalent filter paper
12	Nickel (Ni), ng/m^3	Annual*	20	20	- AAS /ICP method after sampling on EPM 2000 or equivalent filter paper

Annual arithmetic mean of minimum 104 measurements in a year at a particular site taken twice a week 24 hourly at uniform intervals.

** 24 hourly or 08 hourly or 01 hourly monitored values, as applicable, shall be complied with 98% of the time in a year. 2% of the time, they may exceed the limits but not on two consecutive days of monitoring.

Note. Š :KHQHYHU DQG ZKHUHYHU PRQLWRULQJ UHVXOWV R monitoring exceed the limits specified above for the respective category, it shall be considered adequate reason to institute regular or continuous monitoring and further investigation.]

[File No. Q-15017/43/2007-CPW]
RAJNEESH DUBE, Jr. Secretary

Note : The principal rules were published in the Gazette of India vide Number S.O. 844(E), dated the 19th November, 1986 and subsequently amended vide S.O. 433 (E) dated 18th April, 1987, S.O. 64 (E) dated the 18th January, 1988, S.O. 8(E) dated the 3rd January, 1989, S.O. 190 (E) dated the 15th March, 1989, G.S.R. 913 (E) dated the 24th October, 1989, S.O. 12(E), dated the 3rd January, 1990, GSR 742 (E), dated 30th August, 1990, S.O. 23(E), dated the 16th January, 1991, GSR 93(E), dated the 21st February, 1991, GSR 95(E) dated the 12th February, 1992, GSR 329 (E) dated the 13th March, 1992, GSR 475(E), dated the 5th May, 1992, GSR 797 (E) dated the 1st October, 1992, GSR 386(E), dated the 28th April, 1993, GSR 422(E), dated the 19th May, 1993, GSR 801(E) dated the 31st December, 1993, GSR 176(E), dated the 2nd April, 1996, GSR 97(E), dated the 18th February, 2009, GSR 149(E), dated the 4th March, 2009, GSR 512(E), dated the 3rd July, 2009, GSR 543(E), dated the 22nd July, 2009, GSR 595(E), dated the 21st August, 2009 and GSR 794(E), dated the 4th November, 2009.

NOTIFICATIONS

UNDER

THE ENVIRONMENT

(PROTECTION) RULES, 1986

PROHIBITION ON THE LOCATION OF ALL INDUSTRIES IN MURUD-JANJIRA AREA IN RAIGARH DISTRICT OF MAHARASHTRA

MINISTRY OF ENVIRONMENT & FORESTS

(Department of Environment, Forests & Wildlife)

New Delhi, the 6th January, 1989

NOTIFICATION

NOTIFICATION under section 3(2)(v) of Environment (Protection) Act, 1986 and Rule 5(3) (d) of Environment (Protection) Rules, 1986, Prohibiting Industries in Murud-janjira Area in the Raigarh District of Maharashtra.

S.O.20(E) ± Whereas a notification under sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, inviting objections against the imposition of prohibition on the location of all industries in Murud-Janjira area in Raigarh district of Maharashtra was published vide No. S.O. 851(E), dated the 7th September, 1988;

And Whereas all objections received have been duly considered by the Central Government;

Now, therefore in exercise of the powers conferred by clause (d) of sub-rule (3) of Rule 5 of the said rules, the Central Government hereby prohibits location of all industries, carrying on of operations or processes in a belt of one kilometer from the high tide mark from the Revdanda Creek (lat 19° X S W R ' H Y J D a u S h r a v a d h a n W 1 (lat 18° R ¶ D V Z H O O D V L Q R Q H N L O R P H W H U E H O W D O R Q J W K H Mhasia, except those industries, operations of processes which are in connection with the promotion and development of Tourism and those which are permitted by the Central Government after examining the environment impact.

[File No. J-19011/30/86-1A]
SUDHA SHROTRIA, Under Secy.

Published in the Gazette No. 465 dt. 28.7.89.

RESTRICTIONS ON LOCATION OF INDUSTRIES, MINING OPERATIONS AND OTHER DEVELOPMENT ACTIVITIES IN DOON VALLEY IN UTTAR PRADESH

MINISTRY OF ENVIRONMENT & FORESTS

(Department of Environment, Forests & Wildlife)

New Delhi, the 1st February, 1989

NOTIFICATION

NOTIFICATION under section 3(2)(v) of Environment (Protection) Act, 1986 and Rule 5(3) (d) of Environment (Protection) Rules, 1986 Restricting location of industries, mining operations and other development activities in the Doon Valley in Uttar Pradesh.

S.O.102(E) ± Whereas notification under sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, inviting objections against the imposition of restriction on location of industries, mining operation and other developmental activities in the Doon Valley, in Uttar Pradesh was published vide No. S.O. 923(E), dated the 6th October, 1988;

And Whereas all objections received have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-rule (3) of Rule 5 of the said rules, the Central Government hereby imposes restrictions on the following activities in Doon Valley, bounded on the North by Mussorie ridge, in the North-East by Lesset Himalayan range, on the South-West by Shivalik ranges, river Ganga in the South-East and river Yamuna in the North-West, except those activities which are permitted by the Central Government for examining the environmental impacts.

(i) Location, setting of industrial units ± It has to be as per guidelines, given in the annexure or guidelines as may be issued from time to time by the Ministry of Environment & Forests, Government of India.

(ii) Mining ± Approval of the Union Ministry of Environment & Forests must be obtained before starting any mining activity.

(iii) Tourism ± It should as per Tourism Development Plan (TDP), to be prepared by the State Department of Tourism and duly approved by the Union Ministry of Environment & Forests.

(iv) Grazing ± As per the plan to be prepared by the State Government and duly approved by the Union Ministry of Environment & Forests.

(v) Land Use ± As per Master Plan of development and Land Use Plan of the entire area, to be prepared by the State Government and approved by the Union Ministry of Environment & Forests.

[No. J-20012/38/86-1A]
K.P. GEETHAKRISHNAN, Secy.

ANNEXURE

Guidelines for permitting, restricting industrial units in the Doon Valley area

Industries will be classified under Green, Orange and Red categories as shown below for purposes of permitting/restricting such industrial units in the Doon Valley from the environmental and ecological considerations :

CATEGORY GREEN

A. LIST OF INDUSTRIES IN APPROVED INDUSTRInduSTUo9.13 -14(and)9(ec)-2(o)11(l)-4(og)1

35. Assembly of Bicycles, baby carriages and other small non-motorised vehicles
36. Electronics equipment (assembly)
37. Toys
38. Candles
39. Carpentary± excluded saw mill
40. Cold storage (small scale)
41. Restaurants
42. Oil-ginning/expelling (non-hydrogenation and no refining)
43. Ice Cream
44. Mineralized water
45. Jobbing & Machining
46. Manufacture of Steel units & suit cases
47. Paper pins & U clips
48. Block making for printing
49. Optical frames

CATEGORY ORANGE

B. LIST OF INDUSTRIES THAT CAN BE PERMITTED IN THE DOON VALLEY WITH PROPER ENVIRONMENTAL CONTROL ARRANGEMENT

1. All such industries which discharge some liquid effluents (below 500 kl/day) that can be controlled with suitable proven technology.
2. All such industries in which the daily consumption of coal/fuel is less than 24 mt/day and the particulars emissions from which can be controlled with suitable proven technology.
3. All such industries employing not more than 500 persons.
The following industries with adoption of proven pollution control technology subject to fulfilling the above three condition fall under this category:

1. Lime manufacture ± pending decision on proven pollution F R Q W U R O G H Y L F H D H F L V L R Q R Q S U R Y H Q S R O O X W L R Q & R X U W ¶ V G
2. Ceramics;
3. Sanitary ware;
4. Tyres and tubes;

5. Refuse incineration (controlled);
6. Flour mills;
7. Vegetable oils including solvent extracted oils;
8. Soap without steam boiling process and synthetic detergents formulation;
9. Steam generating plants;
10. Manufacture of office and house hold equipment and appliances involving use of fossil fuel combustion;
11. Manufacture of machineries and machine tools and equipments;
12. Industrial gases (only) Nitrogen, Oxygen and CO_2;
13. Miscellaneous glassware without involving use of fossil-fuel combustion;
14. Optical glass;
15. Laboratory ware
16. Petroleum storage & transfer facilities;
17. Surgical and medical products including & probabilities of latex products;
18. Foot wear (Rubber)
19. Bakery products, biscuits & Confectioners;
20. Instant tea/coffee; coffee processing;
21. Malted food;
22. Manufacture of power driven pumps, compressors, refrigeration units, fire fighting equipment etc;
23. Wire drawing (cold process) & bailing straps;
24. Steel furniture, fasteners etc;
25. Plastic processed goods;
26. Medical & surgical instruments;
27. Acetylene (synthetic);
28. Glue & Gelatine;
29. Potassium permanganse;
30. Metallic sodium;
31. Photographic films, papers & photographic chemicals
32. Surface coating industries;
33. Fragrances, fragours & food additives;
34. Plant nutrients (only manure);
35. aerated water/soft drink;

Note :

(a) Industries falling within the above identified list shall be assessed by the State Pollution Control Board and referred to the Union Department of Environment for consideration, before according No Objection Certificate.

(b) The total number of fuel burning industries that shall be permitted in the Valley will be limited by 8 tonnes per day or Sulphur Dioxides from all sources. (This corresponds to 400 tonnes per day Coal with 1% sulphur).

(c) Setting of Industrial areas should be based on sound criteria.

CATEGORY RED

C. LIST OF INDUSTRIES THAT CANNOT BE PERMITTED IN THE DOON VALLEY.

1. All those industries which discharge effluents of a polluting nature at the rate of more than 500 kl/day and for which the natural course for sufficient dilution is not available, and effluents from which cannot be controlled with suitable technology.

2. All such industries employing more than 500 persons/day.

3. All such industries in which the daily consumption of coal/fuel is more than 24 mt/day.

The following industries appear to fall under this category covered by all the points as above :

1. Ferrous and non-ferrous metal extraction, refining, casting, forging, alloy making processing etc.;
2. Dry Coal Processing/Mineral processing industries like Ore sintering benefication pollutization etc.;
3. Phosphate look processing plants;
4. Cement plants with horizontal rotary kilns;
5. Glass and glass products involving use of coal;
6. Petroleum refinery;
7. Petro-chemical industries;
8. Manufacture of lubricating oils and greases;

9. Synthetic rubber manufacture;
10. Coal, oil, wood or nuclear based thermal power plants;
11. Vanaspati, hydrogenated vegetable oils for industrial purposes;
12. Sugar mills (white and khandari);
13. Craft paper mills;
14. Coke oven by products and coaltar distillation products;
15. Alkalies;
16. Caustic soda;
17. Potash;
18. Electro thermal products (artificial abrasives, Calcium carbide etc.)
19. Phosphorous and its compounds;
20. Acids and their salts (organic & inorganic)
21. Nitrogen compounds (Cynides, cynamides and other nitroge compounds);
22. Explosive (including industrial explosives, detonators & fuses);
23. Pthalic anhydride;
24. Processes involving chlorinated hydrocarbon;
25. Chlorine, Fluorine, bromine, Iodine & their compounds;
26. Fertilizer industry;
27. Paper board and straw board;
28. Synthetics fibres;
29. Insecticides, fungicides, herbicides & pesticides (basic manufacture & formulations);
30. Basic drugs;
31. Alcohol (Industrial or potable);
32. Leather industry including tanning and processing;
33. Coke making, coal liquification and fuel gas making industries;
34. Fibre glass production and processing;
35. Manufacture of pulp-wood pulp, mechanical or chemical (including dissolving pulp);
36. Pigment dyes and their intermediates;
37. Industrial carbons (including graphite electrodes, anodes midget electrodes, graphite blocks, graphite crucibles, gas carbons activated carbon synthetic diamonds, carbon black, channel black, lamp black etc.);
38. Electro-chemicals (other than these covered under Alkali group);
39. Paints, enamels & varnishes;
40. Poly propylene;

41. Poly Vinyl chloride;
42. Cement with vertical shaft kiln technology penging certification of proven technology on pollution control;
43. Chlorates, perchlorates & peroxides;
44. Polishes
45. Synthetic resin & Plastic products.

Published in the Gazette No. 56 dt. 01.02.89

MINISTRY OF ENVIRONMENT & FORESTS

(Department of Environment, Forests and Wildlife)

NOTIFICATION

New Delhi, the 30th January, 1990

NOTIFICATION UNDER SECTION 6(2)(D) OF THE ENVIRONMENT (PROTECTION) ACT, 1986, READ WITH RULE 13 OF THE ENVIRONMENT (PROTECTION) RULES, 1986 FOR THE PROHIBITION AND RESTRICTION ON THE HANDLING OF HAZARDOUS SUBSTANCE IN DIFFERENT CASES.

S.O. 108(E)- Whereas a notification under clause (iii) of sub-rule (2) of the rule 13 of the Environment (Protection) Rules, 1986 inviting objections from the concerned quarters within a period of sixty days from the date of publication of the said notification, against governm H Q W ¶ V L Q W H Q W L R Q I R U W K H L P S R V L W L R benzidine-based dyes and its salts, was published in the Ministry of Environment and Forests, S.O. No. 881 (E) dated the 31st October, 1989.

And whereas no objection was received within the said period of sixty days.

Now, therefore, in exercise of the powers conferred by class (iv) of sub-rule (2) of rule 13 of the said rules, the Central Government hereby prohibits and restricts the use of benzidine-based dyes and its salts in the dying and colour processing industries. All dyes and dye-intermediates containing benzidine and its derivatives shall be prohibited I R U ³ K D Q G O L Q J ´ 7 K H X V H R I b e n z i d i n e - b a s e d d y e s , a l s o c a l l e d a s b e n z i d i n e - a z o dyes, shall be required to be discontinued within three years from the date of issue of this notification.

Published in Gazette No. 52 dt. 30.01.90.

PROHIBITION ON THE HANDLING OF AZODYES

MINISTRY OF ENIVORNMENT AND FORESTS

NOTIFICATION

New Delhi, the 26th March, 1997

S.O. 243(E) ±Whereas a draft notification proposing imposition of Prohibition on the Handling of Azodyes was published vide the notification of the Government of India in the Ministry of Environment & Forests Number S.O. 292(E), dated 29.03.1996 inviting objections and suggestions from all persons likely to be affected thereby, before the expiry of the period of sixty days from the date on which the copies of Gazette containing the said notification are made available to the public :

And whereas copies of the said Gazette were made available to the public on 26th April, 1996;

And whereas the objections and suggestions received from the public on the said draft within the said period of sixty days were duly considered by the Central Government;

And whereas the Central Government is of the opinion that the azodyes specified in the Schedule appended to this notification are cancer-causing and are detrimental to human health and it is, therefore, considered necessary to prohibit the handing of these azodyes;

Now, therefore, in exercise of the powers conferred by the 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, the Central Government hereby prohibits the handling of azodyes specified in the Schedule appended to this notification and the processes incidental thereto in the course of which these substances are formed or carried on through out India.

The prohibition on the handling of azodyes specified in the Schedule to this notification shall come into force on the expiry of a period of ninety days from the date of issue of this notification.

The prohibition on the handling of azodyes shall apply to the whole of India.

SCHEDULE

LIST OF AZODYES

Sl. No.	Colour Index Generic Number	Colour Index Number
1.	Acid Red 4	14710
2.	Acid Red 5	14905
3.	Acid Red 24	16140
4.	Acid Red 26	16150
5.	Acid Red 73	27290
6.	Acid Red 114	23635
7.	Acid Red 115	27200
8.	Acid Red 116	26660
9.	Acid Red 128	24125
10.	Acid Red 148	26665
11.	Acid Red 150	27190
12.	Acid Red 158	20530
13.	Acid Red 167	-
14.	Acid Red 264	18133
15.	Acid Red 265	18129
16.	Acid Red 420	-
17.	Acid Violet 12	18075
18.	Acid Brown 415	-
19.	Acid Black 131	-
20.	Acid Black 132	-
21.	Acid Black 209	-
22.	Basic Red 111	-
23.	Basic Red 42	-
24.	Basic Brown 4	21010
25.	Developer 14 = Oxidation Base 20	76035
26.	Direct Yellow 48	23660

27.	Direct Orange 6	23375
28.	Direct Orange 7	23380
29.	Direct Orange 10	23370
30.	Direct Orange 108	29173
31.	Direct Red 2	23500
32.	Direct Red 7	24100
33.	Direct Red 21	23560
34.	Direct Red 22	23565
35.	Direct Red 24	29185
36.	Direct Red 26	29190
37.	Direct Red 39	23630
38.	Direct Red 46	23050
39.	Direct Red 62	29175
40.	Direct Red 67	23505
41.	Direct Red 72	29200
42.	Direct Violet 21	23520
43.	Direct Blue 1	24410
44.	Direct Blue 3	23705
45.	Direct Blue 8	24140
46.	Direct Blue 9	24155
47.	Direct Blue 10	24340
48.	Direct Blue 14	23850
49.	Direct Blue 15	24400
50.	Direct Blue 22	24280
51.	Direct Blue 25	23790
52.	Direct Blue 35	24145
53.	Direct Blue 53	23850
54.	Direct Blue 76	24411
55.	Direct Blue 151	24175
56.	Direct Blue 160	-

57.	Direct Blue 173	-
58.	Direct Blue 192	-
59.	Direct Blue 201	-
60.	Direct Blue 215	24115
61.	Direct Blue 295	23820
62.	Direct Green 85	30387
63.	Direct Blue 222	30368
64.	Direct Black 91	30400
65.	Direct Black 154	-
66.	Disperse Yellow 7	26090
67.	Disperse Yellow 23	26010
68.	Disperse Yellow 56	-
69.	Disperse Orange 149	-
70.	Disperse Red 151	26130

[F.No. 17/3/95-HSMD]
VIJAY SHARMA, Jt. Secretary

PROHIBITION OF STORAGE OF CHEMICALS IN ANTOP HILL IN BOMBAY

MINISTRY OF ENVIRONMENT & FORESTS

(Department of Environment, Forests and Wildlife)

NOTIFICATION

New Delhi, the 9th February, 1990

Notification under section 3(2) (v) of the Environment (Protection) Act, 1986 and rule 5(3) (a) of the Environment (Protection) Rules, 1986 prohibiting storage of chemicals in Antop Hill in Bombay.

S.O. 136 (E) ± Whereas a notification under sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 (hereinafter referred to as the said rules) inviting objections against the imposition of prohibition on storage of chemicals in Antop Hill in Bombay was published vide S.O. 852(E), dated the 7th September, 1988;

And whereas an order under clause (a) of sub-rule (3) of rule 5 of the said rules could not be issued within 120 days of the notification under clause (a) of sub-rule (3) of rule 5 of the said rules because of the matter being sub judice under Writ Petition 12179/85, namely, M.C. Mehta vs. Union of India and others in Supreme Court of India and Writ Petition 3381 of 1987 in the Bombay High Court;

And whereas the Honourable Supreme Court in its order dated 05.12.1989 directed the Government of India in the Ministry of Environment and Forests to consider objection received in response to the Notification No. S.O. 852(E) dated the 7th September, 1988 and take decision without having any objection in respect of the fact that the matter is pending in that Court;

And whereas 138 objections were received which included 133 against and 5 for the prohibition;

And whereas 5 representations received in support of prohibition included suggestions by M/s Mount Steward Tea Estate, Bombay to develop Antop Hill Warehousing area into a semi wholesale Kirana Market and not for storage of hazardous chemicals. The Save Bombay Committee cities inappropriates of the complex in densely populated area and warned against the consequences of hazards in case of explosion or accident. The Institution of Industrial Managers India, the members of the Cooperative Housing Society Ltd. of the Bank of India and the Bombay Environmental Action Group have expressed the same views. However, the Save Bombay Committee have no objection to the storing of non-hazardous chemicals;

And whereas of the 133 representations against the prohibition the institutional ones are from :

(i) Secretary, Department of Environment, Government of Maharashtra.

(ii) Antop Hill Warehousing Company Ltd., through its solicitors (AHWC),

(iii) The Municipal Corporation of Greater Bombay,

(iv) The Indian Chemicals Manufacturers Association,

(v) The Indian Merchants Chamber, and

(vi) The Chemical and Alkali Merchant Association.

The rest of the representation against the prohibition were by individual traders who have booked offices or godown space in the warehouse complex. The representations from the traders are similar in nature and cite financial loss and need for storage spaces as the basis for opposing the notification. The main thrust of the view of the Government of Maharashtra and the Municipal Corporation of the Greater Bombay is that no environment pollution is likely by the storing of non-hazardous chemicals at Antop Hill Warehousing Company Limited (AHWC) complex. Such chemicals do not generate noxious gases or liquids in any manner injurious to environment. It is also emphasized the instrumentation conditions have been envisaged for storage of chemicals and the license granted by the Municipal Corporation of Greater Bombay to the AHWC will be conditional with safeguards for safety. The AHWC gave the genesis of the Warehousing Complex at the Antop Hills and highlighted the various construction features like the electrical fittings, fire protection features etc. The government of Maharashtra was anxious to remove the storage of chemicals from the congested residential and commercial areas of the Bombay city measures primarily to shift the chemical storage from Greater Bombay which are highly congested and selected after detailed studies conducted by the Government of Maharashtra and the Municipal Corporation of Greater Bombay. The usual land reclamation investment had been undertaken by the Government of Maharashtra and the Municipal Corporation of the Greater Bombay during 1975-79. The AHWC then obtained the approval of the Chief Fire Officer of the Municipal Corporation of the Greater Bombay, Chief Controller of Explosives, Government of India, Nagpur and other concerned authorities/ departments. The AHWC claims that they have given the complete list of safety measures incorporated in planning based on the stipulation imposed by the Chief Fire Officer and the Chief Controller of Explosives, Government of India in Write Petition No. 12179/85, namely, M.C. Mehta Versus Union of India and others in the Supreme Court of India. The AHWC also contested further that the storage is only for chemicals in their original packed condition and not meant for any bulk storage or repacking or storing of any gases/carcinogenic substances or explosives and that the total quantity of chemicals to be stored in the complex at any one time is not more than 5000 metric tones. Another main objection of AHWC was that the notification could not be issued since the matter was subjudice in another Writ Petition No. 3381 of 1987 pending in Bombay High Court. The Indian Chemical Manufacturers Association, the Indian Merchants Chamber and the Chemical and Alkali Merchant Association presented the same arguments.

And whereas it is difficult to conceive how the AHWC could ensure that only authorized chemicals would be stored in the individual godowns. It is also not clear how the traders storing different types of chemicals needs segregation would manage to store all these chemicals in the godowns allotted to them. In the pattern of trade in general and the chemical trade in particular the inherent nature of a trader is to keep his business information to himself. Considering that each business space for storage/office will be under the individual control of each trader and no single body could take full responsibility for safe storage of chemicals by over a thousand individual firms dealing in different quantities of chemicals at different rates of turn over, different different suppliers and widely varying terms of trade and methods of business, the AHWC or any other body will find it impossible to exercise complete control over the storage of chemicals belonging to a large number of individual trades in the same complex. There is no safety system to control flammability, toxicity, corrosivity, reactivity, instability and oxidizing nature of several of the hazardous chemicals. Public interest demands that under no circumstances should hazardous chemicals be allowed to be stored at the site in question;

And whereas the Government of Maharashtra appointed a committee headed by Dr. R.K. Garg to look into the pros and cons of the use of Antop Hill Warehousing complex for the purpose of storage of hazardous and non-hazardous chemicals. The Committee has gone into all the detail and visited the site to conduct site inspection at length. The Committee has concluded, among other things, that storage of hazardous chemicals at this site would make this storage a major hazard installation. The committee suggested shifting of the storage of hazardous chemicals to a different site. The same Committee later prepared a list of chemicals which could be stored in the proposed warehousing complex along with the quantities that could be stored. The 55 chemical listed by the Garg Committee in the context along with permissible quantity for storage are listed as per Annexure;

And whereas now all objections received have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-rule (3) of rule 5 of the said rules, the Central Government hereby imposes prohibition and restrictions that no hazardous chemicals as defined in clause (c) or rule 2 of the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989, not being a chemical in the quantity mentioned in Annexure shall be stored in Antop Hill Warehousing Complex and that the storage of approved chemical should be regulated in accordance with the recommendations of the Garg Committee.

ANNEXURE

Chemicals, with quantity that can be stored at the Warehousing Complex, Wadala

1.	Activated bleaching earth	2 te
2.	Aluminium sulphate	50 te
3.	Anhydride butile	25 te
4.	Aspirin powder	10 te
5.	Barium Sulphate	15 te
6.	Basic chrome sulphate	2 te
7.	Bitumen	10 te
8.	Borax	100 te
9.	C.M.C. (Carboxy Methyl Cellulose)	5 te
10.	Calcium chloride	100 te
11.	Calcium fluoride	3 te
12.	Calcium oxide	75 te
13.	Calcium sulphate	75 te
14.	China Clay	25 te
15.	Citiric acid	100 te
16.	Copper sulphate	6 te
17.	Cream of tartar	5 te
18.	Dipotasium phosphate	1 te
19.	Disodium phosphate	2 te
20.	Fatty alcohols	5 te
21.	Ferric chloride	10 te
22.	Glass wool	2 te
23.	Glauber salt	175 te
24.	Glucose liquid	25 te
25.	Hillo suspension	50 te
26.	Lactic acid	20 te
27.	Lactose	250 te
28.	Lithopone	105 te
29.	Magnesium chloride	10 te

30.	Magnesium oxide	2 te
31.	Manitol	5 te
32.	Mono sodium glutamate	3 te
33.	Oleic acid	2 te
34.	Potash alum	80 te
35.	Potassium bicarbonate	25 te
36.	Potassium chloride	45 te
37.	Pectin	10 te
38.	Polysorbate	5 te
39.	Salycylic acid	200 te
40.	Sodium acetate	5 te
41.	Sodium alginate	25 te
42.	Sodium bicarbonate	150 te
43.	Sodium Carbonte	150 te
44.	Sodium chloride	75 te
45.	Sarbitol	100 te
46.	Stearic acid	10 te
47.	Talcum Powder	50 te
48.	Tamarind seed	50 te
49.	Tannin extract	10 te
50.	Tartaric acid	50 te
51.	Titanium dioxide	25 te
52.	Tapioca	25 te
53	Trisodium Phosphate	50 te
54	Wax	35 te
55	Zinc Oxide	50 te

[F.No.180011/87-HSMD]
K.Madhva Sarma, Add. Secy.

Published in the Gazette No.76 dated 9.2.90

RESTRICTIONS ON THE SETTING UP OF INDUSTRIES IN DAHANU TALUKA, DISTRICT THANE (MAHARASHTRA)

MINISTRY OF ENVIRONMENT AND FORESTS

(Department of Environment, Forests and Wildlife)

NOTIFICATION

New Delhi, the 20th June 1991

(as amended on 24.2.1999)

S.O. 416 (E):-Whereas a notification under Clause (v) of Sub-section (2) of Section 3 of the Environment (Protection) Act, 1986, inviting objections from the concerned quarters within a period of sixty days from the date of publication of the said notification, against Govt.'s intention to declare Dahanu Taluka, District Thane (Maharashtra) as an ecologically fragile area and to impose restrictions on the setting up of industries which have detrimental effect on the environment was published vide S.O.No. 80 (E), dated 8th February, 1991 and Corrigendum (S.O. 147 (E) issued on 27th February, 1991). And whereas certain objections were received from Environmental Action Groups of Dahanu & Bombay, individuals of Dahanu, Govt. of Maharashtra, Dahanu Industries Association, Dahanu Taluka Krushak Samaj etc. These objections were duly considered and accordingly certain modifications have been incorporated in this notification.

NOTIFICATION

In exercise of powers conferred by clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986, the Central Government, in consultation with the Government of Maharashtra, after considering the need for protecting the ecologically sensitive Dahanu Taluka, and to ensure that the development activities are consistent with principles of environmental protection and conservation, hereby declare Dahanu Taluka, District Thane (Maharashtra) as an ecologically fragile area and to impose restrictions on the setting up of industries which have detrimental effect on the environment.

The location for siting of industries and industrial units shall be in conformity with the Guidelines given in the Annexure.

However, the industrial projects already approved or in existence in the said Taluka before the date of issue of this notification, will not be affected by this notification. The existing industries shall have to conform to the statutory standards.

The Government of Maharashtra will prepare a Master Plan or Regional Plan for the Taluka based on the existing land use of Dahanu Taluka within a period of 1 year from the date of this notification and get the plan approved by the Ministry of Environment & Forests. This Master Plan or Regional Plan will clearly demarcate all the existing green areas, orchards, tribal areas and other environmentally sensitive areas. No change of existing land use will be permitted for such areas in the Master Plan or

Regional Plan for the Taluka. A buffer zone of 25 km should be kept free of industries around the outer periphery of Dahanu Taluka for which provision may be made in the Master Plan. The total area within the Dahanu Taluka for location of permissible industries will be restricted to a maximum of 500 acres within the industrial areas earmarked in the Master Plan. The industrial units will be located at sites that are environmentally acceptable.

Industries, which are using chemicals above the limits/quantities, as prescribed in the Environment Protection Act Rules for hazardous chemicals, notified by the Government of India, should be considered hazardous industries. Hazardous waste may be disposed off in the identified areas after taking precautionary measures. The disposal areas have to be prescribed carefully monitored and enforced and the site(s) will be identified in the Master Plan and will be, as far as possible, within the premises of the 500 acres area identified for the Industrial estate.

The Government of Maharashtra will constitute a monitoring Committee to ensure the compliance of the conditions mentioned in the notification, in which local representatives may be included.

(No. J-13011/2487-IA)
R. RAJAMANI, SECRETARY

ANNEXURE

GUIDELINES FOR PERMITTING/RESTRICTING INDUSTRIES AND INDUSTRIAL UNITS IN THE DAHANU TALUKA, THANE DISTRICT IN MAHARASHTRA

Industries will be classified under three categories, viz, Green, Orange and Red as shown below for purposes of permitting/restricting such industrial activities in Dahanu Taluka on the basis of environmental and ecological considerations. In case of doubts as to the category in which the industry falls, a reference shall be made to the Ministry of Environment & Forests, Government of India, and such industry will not be permitted until cleared by the Ministry of Environment & Forests, Govt. of India. Expansion/modernisation of existing industries falling in green and orange categories only would be considered on merit. Some restriction in Volume of waste water generated, i.e. 2 to 3 CMD may be imposed for certain type of small-scale units falling under Green or Orange categories.

GREEN CATEGORY

List of industries that can be approved by the Maharashtra Government agencies for approval/rejection in approved industrial areas without prior approval of the Ministry

of Environment & Forests, Government of India (provided that all the following conditions are satisfied):

1. Only those industries that are non-obnoxious and non-hazardous will be permitted. (Obnoxious and hazardous industries include those using inflammable, explosive, corrosive or toxic substances).

2. Only those industries that do not discharge industrial effluents of a polluting nature will be permitted.

Note:- Industries that undertake any of the following processes or process of similar nature shall be regarded as industries that discharge industrial effluents of a polluting nature, namely: -

Electroplating

Galvanizing

Bleaching

Degreasing

Phosphating

Dyeing

Pickling

Tanning

Polishing

Cooking of fibres.

Digesting of hides.

Desizing of fabrics.

Removal of hair, soaking, deliming and washing of fabric.

Distillation of alcohol, stillage evaporation.

Crushing of sugarcane, filtration, centrifugation, distillation for extraction of sugar.

Manufacture of charcoal

Canning and processing of fruits and vegetables including production of Jam Jelly, Sauce etc.

Filtering backwash in D.M. Plants.

Pulp making, pulp processing and paper making.

Coking of coal

Stripping of oxides.

Washing of used sand by hydraulic discharge

Solvent extraction.

3. Only those industries that do not use coal in their manufacturing process will be permitted.

4. Only those industries that do not emit fugitive emissions of a diffused nature will be permitted.

Note:-(1) Some of the industries that ordinarily fall in the non-hazardous, non-obnoxious, and non polluting category, subject to fulfilment of the above conditions are: -

Rice Mills, Dal Mills, Grain Mills (for production of flour).

Manufacture of supari and masala grinding.

Groundnut decorticating (dry)

Chilling Plants and cold storages.

Ice making.

Preserving and processing of fish, crustaceous and similar foods.

Manufacture of milk and dairy products such as butter, ghee, etc.

Bookbinding.

Engraving, etching, block making.

Manufacture of structural stone goods, stone dressing and polishing (stone crushing/stone quarrying will not be permitted).

Manufacture of metal building component such as grills, gates, doors and window frames, water tanks, wire nets, etc. (use of coal not permitted).

Tool sharpening works.

Repairs of electrical appliances.

Manufacture of push carts, hand carts, bullock carts, etc.

Manufacture of jewellery and related articles (no power to be used).

Repairs of watches, clocks, jewellery.

Manufacture of bidis.

Handlooms, Power looms.

Embroidery and the making of laces and fringes.

Manufacture of made up textile goods such as, curtains, mosquito nets, mattresses, bedding material, pillowcases, bags, etc.

Ready-made garments and Apparel making (dry processing).

Cotton and woollen hosiery (dry processing).

Handloom weaving.

Manufacture of leather footwear and leather products (excluding tanning and hide processing).

Shoe lace manufacturing.

Manufacture of mirrors and photo frames.

Manufacture of musical instruments.

Manufacture of sports goods.

Manufacture of bamboo and cane products (dry operations only).

Manufacture of cardboard and paper products (Paper and pulp manufacture excluded).

Insulation and other coated papers (Paper and pulp manufacture excluded).

Manufacture of scientific and mathematical instruments.

Assembly of domestic electrical and electronic appliances.

Manufacture of writing instruments (pens, pencils, etc.)

Extrusion moulding of polythene, plastic and PVC goods.

Manufacture of surgical gauzes and bandages.

Manufacture of concrete railway sleepers.

Cotton spinning and weaving (dry processes only).

Manufacture of ropes (cotton, jute, plastic).

Carpet weaving.

Manufacture of wires and pipes (non-asbestos).

Extrusion of metal.

Assembly of electric and electronic equipment

Coir industries

Toys

Wax candles and agarbatis.

Oil ginning and expelling (no hydrogenation and no refining).

Manufacture of ice cream

Manufacture of mineral water.

Manufacture of trunks and suitcases.

Manufacture of stationery items (except paper and inks).

Manufacture of optical frames.

Manufacture of office and household furniture and appliances - both steel and wood.

Manufacture of machinery and machine tools and equipment (small-scale).

Wire drawing (cold process), Wire Nails, Baling straps.

Processing of instant Coffee/tea.

Glassware using fuel other than coal/coke.

Optical Glass.

Laboratory ware.

Bakery products, biscuits and confectionery.

Flour mills (excluding Roller flour mills).

(2) The inclusion of industries in this list is for convenience and if in a given case they do not fall in the above category they will be treated as in the Orange or Red Categories.

ORANGE CATEGORY

List of industries that can be permitted in Dahanu Taluka with proper Environmental Assessment and adequate Pollution Control Measures in sites that have been approved by the Ministry of Environment & Forests, Government of India.

Ceramics

Preservation of meat and canning

Manufacture of building materials, such as bricks, tiles, blocks, pipes etc. from fly ash generated from the approved/existing power plants.

Sanitary ware.

Vegetable oils including solvent extracted oils.

Soap (without steam boiling process).

Formulation of synthetic detergents (non-phosphatic).

Steam generating plants (without coal/coke).

Manufacture of industrial gases (only Nitrogen, oxygen and CO_2)

Surgical and Medical products, excluding prophylactics and latex products.

Rubber Foot wear.

Malt foods.

Manufacture of pumps/compressors, refrigeration units and fire fighting equipment.

Medical and surgical instruments

Fragrances, flavours and food additives.

Organic plant nutrients.

Aerated waters/soft drinks.

Industries falling within the above category with an outlay exceeding Rs.3 crores will have to be referred to the Ministry of Environment & Forests, Government of India for consideration.

Industries falling within the above category with an outlay not exceeding Rs.3 crores shall be granted environmental clearance by the State Government Environment Deptt. and the MPCB.

RED CATEGORY

List of industries that cannot be permitted in Dahanu Taluka.

The illustrative list of industries that fall within this category include: -

Metallurgical industries including foundries and alloy making processes.

Coal and other mineral processing industries.

Cement Plants.

Industries based on the use of coal/coke

Refineries.

Petrochemical industries

Synthetic Rubber Manufacture.

Thermal and nuclear power plants.

Manufacture of vanaspati, hydrogenated vegetable oils for industrial purposes.

Sugar Mills.

Manufacture of by-products of coke ovens and coal tar distillation products.

Alkalis and acids.

Electro-thermal products (such as artificial abrasives, calcium carbide, etc.).

Phosphorus and its compounds.

Nitrogen compounds.

Explosives.

Firecrackers.

Phthalic anhydride.

Processes involving chlorinated hydrocarbons.

Chlorine, fluorine, bromine, iodine and their compounds.

Chemical fertilizers.

Synthetic fibres and rayon.

Manufacture and formulation of synthetic

pesticides/insecticides/bactericides/fungicides etc.

Basic drugs.

Alcohol.

Slaughterhouse

Tanning and processing of animal, skins, hides, leather, etc.

Plastic or latex industry including manufacturing of Balloon.

Making of coke, liquefaction of coal.

Manufacture of fuel gas

Fibreglass production or processing.

Dyes and their intermediates.

Industrial carbon and carbon products.

Electro-chemicals and their products.

Paint, enamels and varnishes.

Poly vinyl chloride.

Polypropylene.

Chlorates, per chlorates and peroxides.

Polishes.

Synthetic resins.

Plastics.

Asbestos.

Stone Crushing Units.

Note: - The case of industries, which do not fall in any of the above-mentioned three categories, decision in regard to their classification will be taken by the State Government for those projects having an outlay not exceeding Rs. 3 crores and for others reference is to be made to the Ministry of Environment & Forests, Government of India.

Published in the Gazette No.359, dated 20.6.1991

RESTRICTING CERTAIN ACTIVITIES IN SPECIFIED AREA OF ARAVALLI RANGE

MINISTRY OF ENVIRONMENT & FORESTS

NOTIFICATION

New Delhi, the 7th May 1992

(Under Section 3(1) and 3(2) (v) of the Environment (Protection) Act, 1986 and rule 5 (3) (d) of the Environment (Protection) Rules, 1986 restricting certain activities in specified area of Aravalli Range, which are causing Environmental Degradation in the Region.

S.O. 319 (E) - Whereas a Notification under section 3 (1) and section 3 (2) (v) of the Environment (Protection) Act, 1986 (29 of 1986) inviting objections against restricting certain activities in specified area of Aravalli Range which are causing Environmental Degradation in the Region was published in the Gazette of India, Part II-Section 3 Sub-section (ii) vide S. O. 25 (E) dated 10th January, 1992;

And whereas all objections received have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2), of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), read with rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby prohibits the carrying on of the following process and operations, except with its prior permission, in the areas specified in the Table appended to this Notification:

(i) Location of any new industry including expansion modernisation;

(ii) [1][Mining processes and operations, except mining project (major minerals) with lease areas of more than five hectares covering:

(a) All new mining operations including renewals of mining leases, or
(b) Existing mining leases in sanctuaries or national Park and areas covered under Project Tiger, or
(c) Mining is being done without permission of the competent authority].

(iii) Cutting of trees;

(iv) Construction of any clusters of dwelling units, farms houses, sheds, community centres, information centres and any other activity connected with such construction (including roads a part of any infrastructure relating thereto);

(v) Electrification (laying of new transmission lines).

---

[1] Substituted vide Notification S.O.248(E), dated 28.2.2003.

2. Any person who desires to undertake any of the above mentioned processes or operations in the said areas, shall submit an application to the Secretary, Ministry of Environment and Forests, New Delhi, in the attached application for (Annexure) specifying, inter alia, details of the area and the proposed process or operation. He shall also furnish an Environment Impact Statement and an Environmental Management Plan along with the application and such other information as may be required by the Central Government for considering the application.

3. The Central Government in the Ministry of Environment and Forests shall, having regard to the guidelines issued by it from time to time for giving effect to the provisions of the said Act, grant permission within a period of three months from the date of receipt of the application or where further information has been asked for from the applicant, within a period of three months from the date of the receipt of such information, or refuse permission within the said time on the basis of the impact of the proposed process or operation on the environment in the said area.

4. For seeking permission under this Notification, an application in the prescribed form (see Annexure), duly filled in, may be submitted to the Secretary, Ministry of Environment and Forests, Paryavaran Bhavan, CGO Complex, Lodi Road, New Delhi.

[No. 17/1/91-PL/IA]
R. RAJAMANI, Secy.

TABLE

Areas where carrying on of processes and operations without permission is prohibited

(i) all reserved forests, protected forests or any other area shown as "forest in the land records maintained by the State Government as on the date of this notification in relation to Gurgaon District of the State of Haryana and the Alwar District of the State of Rajasthan.

(ii) All areas shown as: -

(a) Gair Mumkin Pahar, or
(b) Gair Mumkin Rada, or
(c) Gair Mumkin Behed, or
(d) Banjad Beed, or
(e) Rundh.

in the land records maintained by the State Government as on the date of this notification in relation to Gurgaon district of the State of Haryana and the Alwar district of the State of Rajasthan.

(iii) all areas covered by notifications issued under section 4 and 5 of the Punjab Land Preservation Act, 1900, as applicable to the State of Haryana in the district of Gurgaon up to the date of this Notification.

(iv) all areas of Sariska National Park and Sariska Sanctuary notified under the Wildlife (Protection) Act, 1972 (53 of 1972).

ANNEXURE

APPLICATION FORM

1. (a) Name & address of the project proposed:
   (b) Location of the project:
   Name of the Place:
   District, Tehsil:
   Location Map:
   (c) Alternate sites examined and the reasons for the site proposed:

2. Objectives of the project:

3. (a) Land Requirement:
   Agriculture land:
   Other (specify):

   (b) (i) Topography of the area indicating gradient, aspect & altitude.
   (ii) Erodability classification of the proposed land.

   (c) Pollution sources existing within 10 km. Radius.

   (d) Distance of the nearest National Park/Sanctuary/Biosphere Reserve/ Monuments/heritage site/ Reserve Forest:

   (e) Rehabilitation plan for Quarries/borrow areas :

   (f) Green belt plan.

   (g) Compensatory afforestation plan.

4. Climate & Air Quality*:

   (a) Wind rose at site:
   (b) Max. /Min./Mean annual temperature.
   (c) Ambient air quality data:
   (d) Nature & concentration of emission of SPM, Gases (CO_2, SO_2, NO_x etc.) from the project:

5.** (a) Water balance at site surface and ground water availability and demand:
(b) Lean season water availability:
(c) Water source to be tapped with details of competing users (Rivers, lake, Ground, Public supply):
(d) Water Quality:
(e) Changes observed in quantity and quality of water in the last 15 years and present charging and extraction details:

(f) (i) Quantum of waste water to be released with treatment details:
(ii) Quantum & Quality of water in the receiving water body:
(iii) Quantum of waste water to be released on land and the type of land:

6. Solid Wastes:

(a) Nature & quantity of solid wastes generated:

(b) Solid waste disposal method:

7. Noise & vibrations:

(a) Sources of noise & vibrations:
(b) Ambient noise level:
(c) Noise & vibration control measures proposed:
(d) Subsidence problem, if any, with control measures:

8. Power requirement indicating source of supply; complete environmental details to be furnished separately, if captive power unit proposed:

9. Total labour force to be deployed with details of:

- Endemic health problems in the area.
- Health care system proposed:

10. (a) Number of families and population to be displaced :
(b) Rehabilitation Master Plan:

11. Risk assessment report:

12. (a) Environmental Impact Assessment Report :
(b) Environmental Management Plan: Prepared as per Guidelines of MEF issued from time to time.
(c) Detailed Feasibility Report:
(d) Proposal for diversion of Forestland under Forest (Conservation) Act, 1980 including Benefit Cost analysis.

13. Recommendations of the State Pollution Control Board and/or the State Department of Environment & Forests.

Signature of the Applicant
Along with name, date and
full Postal address.

---

* Data may be obtained from India Meteorological Department and State Pollution Control Board.

** Ground water Board and the Irrigation Deptt. may be contacted for data.

N.B.:

A. Item Nos. 3(c), 4, 5, 6, 7, 8, 9, 10, 12 (b) and 12 (c) are not applicable to cutting of trees.

B. Item Nos. 3(c), 4, 7, 11 are not applicable to construction of cluster of dwelling units, farm sheds, community centre and any other activity connected with such construction including roads.

C. Item Nos. 3(b), 3(c) (3e), 3(f), 4, 5, 6, 7, 9, 12(a) & 12(b) are not applicable to electrification.

D. All items to be furnished in case of mining, industry, thermal power, transport projects.

E. Notwithstanding the above, any item(s) considered not applicable may be so indicated along with reasons.

Source: Gazette of India, Extraordinary Part-II Sub-section 3(iii)

Note: The Principal notification restricting certain activities in specified area of Aravalli range which are causing environmental degradation in the region was published in the Gazette of India vide number S.O. 319 (E) dated the 7th May, 1992 and subsequently amended vide number S.O. 1189(E) dated the 29th November, 1999.

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 29th November, 1999

S.O. 1189 (E):In exercise of the powers conferred by section 23 of the Environment (Protection) Act, 1986 (29 of 1986), (hereinafter referred to as the said Act), read with sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby delegates the powers conferred on it to take measures for protecting and improving the quality of the environment and preventing, controlling and abating environmental pollution, to be exercised also by the State Governments as notified in the Notification of the Government of India in the Ministry of Environment and Forests S.O. NO. 319 (E) dated 7th May 1992 subject to certain conditions which are as follows:-

(i) the State Governments concerned, namely, Haryana and Rajasthan shall constitute an Expert Committee for each state as per the composition given in the Schedule-I annexed to this Notification;

(ii) each State Government shall also constitute a Monitoring Committee, under the chairmanship of the District Collector concerned (Gurgaon in Haryana and Alwar in Rajasthan) as given in the Schedule-II annexed to this Notification which shall inter alia monitor the compliance of the conditions stipulated while according environmental clearance by such State Governments and report to such State Government about the violations, if any, and the action taken thereon;

(iii) the District Collectors of Gurgaon in Haryana and Alwar in Rajasthan shall be authorised by the respective State Governments to take necessary action under section 5 of the said Act in respect of cases where the project proponents fail to implement the conditions.

2. The State Government concerned shall initiate steps to prepare a Master Plan for the development of the area covered by the Notification S.O. 319 (E) dated 7th May, 1992 integrating environmental concerns and keeping in view the future land use of the area. This Master Plan shall be prepared by the concerned state agency, approved by the competent authority and finally published, within two years from the date of issue of this Notification, in accordance with the procedure laid down in the Town and Country Planning Act or any other similar Act of the respective State Government. The State Government concerned shall implement the Master Plan forthwith after its final publication.

3. Any person desirous of undertaking any of the activities mentioned in the Notification No. 319 (E) dated 7th May 1992 shall submit an application to the Secretary, Department of Environment of the Government of Haryana/Rajasthan, as the case may be. The applicant shall also furnish environment impact

statement and an environment management plan and such other information as may be prescribed by such State Governments. The application after due scrutiny shall be placed before the Expert Committee for its recommendations. Based on the recommendations of the Expert Committee, the Department of Environment in the State Government concerned shall take a final decision and convey the same to the applicant within three months from the date of receipt of application or when further information has been asked for from the applicant within three months from the date of receipt of such information.

4. The Ministry of Environment and Forests retains appellate power against rejection of any proposal and the National Environmental Appellate Authority constituted under the National Environment Appellate Authority Act, 1997 (22 of 1997) shall continue as an Appellate Authority against approval.

17/1/91-PL/IA
V. RAJAGOPALAN
JOINT SECRETARY TO THE GOVERNMENT OF INDIA

SCHEDULE-I

COMPOSITION OF THE EXPERT COMMITTEE

1.	Secretary, Department of Environment of the concerned Sta Government	Chairman
2.	Head of the Regional Office, Indian Bureau of Mines	Member
3.	Representative of Town and Country Planning Department of the concerned State Government	Member
4.	Representative of Sariska Tiger Reserve (for Rajasthan)/Dis Forest Officer concerned (for Haryana)	Member
5.	One expert on mining who is a qualified Mining Engineer	Member
6.	One expert on industry	Member
7.	One Representative each from two non-governmental organisations nominated by the Ministry of Environment and Forests, Government of India	Members
8.	Member Secretary of the State Pollution Control Board of th State	Member
9.	Representative of the Department of Environment of concerned State Government	Member Secretary

SCHEDULE-II

COMPOSITION OF THE MONITORING COMMITTEE

1.	District Collector of Gurgaon/Alwar	Chairman
2.	Representative of the Pollution Control Board of the concerned State	Member
3.	Representative of the Sariska Tiger Reserve (for Rajas /District Forest Officer (for Haryana)	Member
4.	Representative of the Regional Office of Indian Bureau Mines	Member
5.	Representative of a non-governmental organisation to b nominated by the respective State Governments.	Member
6.	Representative of Town and Country Planning Departme the concerned State Government	Member

Note 1: The Principal notification relating to Environmental Impact Assessment of Development Projects was published in the Gazette of India vide number : S.O. 60(E) dated the 27th January, 1994 and subsequently amended vide numbers S.O. 356(E) dated the 4th May, 1994, S.O. 318 (E) dated the 10th April, 1997, S.O. 73 (E) dated the 27th January, 2000, S.O. 119(E) dated the 13th December, 2000, S.O. 737 (E) dated the 1st August, 2001, S.O. 1148 (E) dated the 21st November, 2001 and S.O. 632 (E) dated the 13th June, 2002.

Note 2: The Principal notification restricting certain activities in specified area of Aravalli range which are causing environmental degradation in the region was published in the Gazette of India vide number S.O. 319 (E) dated the 7th May, 1992 and subsequently amended vide number S.O. 1189(E) dated the 29th November, 1999.

NOTIFICATION REGARDING NO DEVELOPMENT ZONE AROUND REFINERY SITE AT NUMALIGARH, EAST OF KAZIRANGA

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 5th July, 1996

S.O. 481(E).- Whereas anthropogenic activities cause air, water and land pollution thereby endangering forests, genepool reserves, vegetation and living creatures and these activities are required to be carried out at a safe distance so as to ensure that our natural reserves are not be affected adversely

And whereas the Kaziranga National Park with Headquarter at Bokhakat in the State of Assam in the home of three-fourth of the total population of Rhino and contains largest single concentration of endangered species wild animals liked swamp-deer, wild-buffallo, elephants, tigers and Genetic Dolphins and it is the only park of its kind with the viable lowland grassland ecosystem in South Asia;

And whereas M/s IBP Co. Ltd. Under the administrative control of the Central Government in the Ministry of Petroleum and Natural Gas is proposing to set-up a Petroleum Refinery at Numaligarh (East of Kaziranga) and the developmental activities for said refinery is likely to cause tremendous pressure on the natural resources and the wild-life habitat in the Kaziranga National Park and its surroundings;

And whereas it is proposed to create a "No Development Zone" within a radius of 15 km around the said refinery site except towards North West where the "No Development Zone" shall extend right up to the eastern boundary of the said park;

And whereas clause (a) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 provides that whenever the Central Government considers that prohibition or restrictions of any industry or carrying on any processes or operation in any area should be imposed, it shall give notice of its intention to do so;

And whereas sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986 provides that, notwithstanding anything contained in sub-rule (3), whenever it appears to the Central Government that it is in public interest to do so, it may dispense with the requirement of notice under clause (a) of sub-rule (3);

And whereas in view of the magnitude and the urgency of the threat to the environment the Central Government is of the opinion that it is in public interest to dispense with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986;

Now, therefore, in exercise of the powers conferred by sub-section (1) of clause (v) of sub-section (2) of Section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with clause (d) of sub-rule (3) read with sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby directs that on and from the date of the publication of this notification the expansion of industrial area, townships, infrastructure facilities and such other activities which could lead to pollution and congestion shall not be allowed within the "No Development Zone" specified in the Appendix to this notification, except with the prior approval of the Central Government.

APPENDIX

"No Development Zone "

The coordinates of the "No Development Zone" around Numaligarh refinery site are as follows : -

	Longitude	Latitude
1.	93° - 32' - 49"	26° -40'-30"
2.	93° - 33' - 15"	26° -41'-45"
3.	93° - 36' - 45"	26° -37'-30"
4.	93° - 40' - 30"	26° -40'-45"
5.	93° - 47' - 30"	26° -43'-40"
6.	93° - 47' - 10"	26° -26'-08"
7.	93° - 58' - 30"	26° -34'-20"

[No. J-11011/16/90-IA-II]
VISHWANATHA A NAND, Addl.Secy.

PROHIBITION OF THE IMPORT OF HAZARDOUS WASTES

MINISTRY OF ENVIRONMENT & FORESTS

(DEPARTMENT OF ENVIRONMENT, FORESTS & WILDLIFE)

NOTIFICATION

New Delhi, 15th April, 1997

S.O. 330(E)±Whereas a notification of the Government of India in the Ministry of Environment & Forests was published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (ii) vide No. S.O. 42(E), dated the 16th January, 1997 under clause (iii) of sub-rule (2) of Rule 13 of the Environment (Protection) Rules, 1986 inviting objections from the person likely to be affected within a period of sixty days from the GDWH RI SXEOLFDWLRQ RI WKH 1RWLILFDWLRQ ZLWK UHJDUG imposition prohibition on the imports of hazardous wastes specified in the Table given in the said notification.

And whereas objections received within the said period were duly considered by the Central Government.

And whereas the Central Government is of the opinion that the hazardous wastes specified in the table below are toxic and detrimental to human health and the environment. It is therefore, considered necessary to prohibit the import of the aforesaid hazardous wastes.

Now, therefore, in exercise of the powers conferred under 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, the Central Government hereby prohibits from the date of publication of this notification the import of hazardous wastes, listed in the Table below : -

TABLE

Wastes containing the following as constituents or the wastes bearing the following contaminants :	Beryllium; Selenium; Chromium (Hexavalent); Thallium
Wastes containing :	Pesticides, herbicides and insecticides and their intermediates/residues thereof including outdated pesticides.

As published in the Gazette of India, Extraordinary, Part II 3(ii), dated 15.4.1997.

PROHIBITION OF THE IMPORT OF HAZARDOUS WASTES

MINISTRY OF ENVIRONMENT & FORESTS

(DEPARTMENT OF ENVIRONMENT, FORESTS & WILDLIFE)

NOTIFICATION

New Delhi, 13th October, 1998

S.O.889 (E) -Whereas a draft notification of the Government of India in the Ministry of Environment & Forests number S.O.42(E), dated the 16th January, 1997 proposing prohibition on import of certain hazardous wastes in India was published as required by sub-rule (2) of rule 13 of the Environment (Protection) Rules, 1986 in the Gazette of India, Extraordinary Part II, Section 3 of Sub-Section (ii) inviting objections and suggestions from all persons likely to be affected thereby, before the expiry of the period of sixty days from the date of prohibition of the said notification;

And whereas the objections/suggestions received by the Central Government from the public have been duly considered;

And whereas the Central Government is of the opinion that all the wastes specified in the Table annexed are toxic and detrimental to human health and the environment;

And whereas the Central Government consider it necessary to prohibit the import of hazardous wastes specified in the said Table annexed to this notification.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 and clause (d) of sub-section (2) of section 6 of Environment (Protection) Act, 1986 (29 of 1986), read with rule 13 of the Environment (Protection) Rules, 1986, the Central Government hereby prohibit import of hazardous wastes specified in the said Table from the date and publication of this notification in the Official Gazette.

TABLE

1. Wastes containing or contaminated with Polychlorinated biphenyls (PCB), Polychlorinated terphenyls (PCT), Polychlorinated biphenyls (PBB) other than the wastes oil; and

2. Wastes asbestos (dust and fiber).

As published in the Gazette of India, Extraordinary, Part II 3(ii), dated 13.10.1998.

PROHIBITION OF THE OPEN BURNING OF WASTE OIL

NOTIFICATION

New Delhi, the 15th April, 1997

*S.O.329(E), ± Whereas a notification of the Government of India in the Ministry of Environment and Forests under clause (iii) of sub-rule(2) Rule 13 of the Environment (Protection) Rules, 1986 was published in the Gazette of India, Extraordinary Part II, Section 3, sub-section (ii), dated the 16th January, 1997 vide S.O.43(E), dated the 16th January, 1997 inviting objections or suggestions from the persons likely to be affected within a period of sixty days from the date of publication of the said notification in the PDWWHU RI *RYHUQPHQW¶V LQWHQWLRQ IRU LPSRVLWLRQ R waste oil;

And whereas no objections or suggestion were received within the said period by the Central Government;

And whereas the Central Government is of the opinion that open burning of waste oil is toxic and detrimental to human health and the environment and it is necessary to prohibit the open burning of waste oil;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (2) of Section 6 of the Environment (Protection) Act, 1986, read with Rule 13 of the Environment (Protection) Rules, 1986 the Central Government hereby prohibits the open burning of waste oil, throughout India from the date of publication of the notification.

---

* As published in the Government of India, Gazette Notification (E), Part II, 3 (ii), dated 15.4.1997.

MATHERAN ECO-SENSITIVE ZONE

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 4th February. 2003

S. O. 133(E).- Whereas a draft notification under sub-section (1) and clause (v) of subsection (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), inviting objections or suggestions against the proposal for notifying Matheran and surrounding region as an Eco-sensitive Zone and imposing restriction on industries, operations, processes and other developmental activities in the region which have detrimental effect on the environment was published in the Gazette of India vide notification of the Government of India in the Ministry of Environment and Forests number S.O. No. 167(E) dated the 6th February, 2002;

And whereas copies of the said Gazette were made available to the public on the 6th day of February, 2002;

And whereas all objections and suggestions received have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) read with clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) and clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby notifies Matheran and surrounding region in the State of Maharashtra as the Matheran Eco-sensitive Zone (herein after FDOOHG WKH (FRVHQVLWLYH =RQH´

2. The said Eco-sensitive Zone covers an area of 214.73 sq. kms. and a 200 mts. buffer zone[1][comprising of a total area of 251.56 sq. kms] and it shall consist of the area of the Matheran Municipal Council and its environs. The map of the Eco-sensitive Zone is at Annexure-A. A description of the boundary along with the list of villages is at Annexure-B and the exceptions and exemptions in the 200 mts. buffer zone are at Annexure-C.

3. All activities in the forest (both within and outside municipal areas) shall be governed by the provisions of the Indian Forest Act, 1927 (16 of 1927) and Forest (Conservation) Act, 1980 (69 of 1980). All activities in the protected areas shall be governed by the provisions of the Wildlife (Protection) Act, 1972 (53 of 1972).

[2][In particular, and without prejudice to the provisions of the said Acts, following steps shall also be taken:

---

1 Inserted by Para 1 of the Amendment Notification S.O.83(E), dated 16.1.2004.

2 Inserted by Para 2 of the Amendment Notification S.O.83(E), dated 16.1.2004.

(a) In any proposal for use of forest area for non-forestry purpose, the procedure laid down for National Parks and Sanctuaries shall be followed.

(b) Adequate fuel wood plantation shall be undertaken in the surrounding area to prevent illegal cutting of trees for firewood, etc.

(c) A specific Forest Protection Plan shall be prepared by the Maharashtra State Forest Department and necessary funds for implementation of the Protection Plan shall be provided by the State Government on priority basis.]

4. The following activities shall be regulated in the Eco-sensitive Zone namely:

(a) Zonal Master Plan for the Eco-sensitive Zone:-

(i) The Zonal Master Plan for the Eco-sensitive Zone shall be prepared by the State Government by following a procedure similar to that prescribed under the Maharashtra Regional and Town Planning Act, 1966 (Maharashtra Act XXXVII of 1966), within a period of two years from the date of publication of this notification in the Official Gazette and approved by the Ministry of Environment and Forests in the Government of India. The Zonal Master Plan shall be prepared with due involvement of all concerned Departments for integrating environmental considerations into it. The Zonal Master Plan shall provide for restoration of denuded areas, management of catchment areas, watershed management, groundwater management, soil and moisture conservation, provision for fuel wood, needs of local community and such other aspects of the ecology and environment that need attention.

(ii) The Zonal Master Plan shall demarcate all the existing gaothans, gaothan expansion areas, forests, green areas, horticultural areas, agricultural areas, orchards, tribal areas including tribal hamlets, natural springs, natural heritage sites, historic Neral-Matheran railway line and other environmentally and ecologically sensitive areas. No change of land use from green uses such as orchards, horticulture areas,

Explanation:- In this notification, "steep hill slope" means a hill slope with a gradient of 20 degrees or more.,

(d) Trees:- There shall be no felling of trees whether on Forest, Government, Revenue or private lands, without the prior permission of the State Government in case of forest land, and the respective District Collector in case of Government, Revenue and private land, as per procedure which shall be laid down by the State Government.

(e) Tourism:- (1) Tourism activities shall be as per a Tourism Master Plan, with emphasis on eco-tourism, eco-education and eco-development, to be prepared by the Department of Tourism of the State Government in consultation with the Ministry of Tourism of Government of India and approved by the Ministry of Environment and Forests. The Tourism Master Plan shall also form a component of the Zonal Master Plan. There shall be a ban on new and additional tourist facilities like hotels, restaurants, inns, lodging and boarding houses and the like within Matheran Municipal Council area till the Tourism Master Plan is approved by the Ministry of Environment and Forests. Pending the approval of the Tourism Master Plan by the Ministry of Environment and Forests, the use of existing heritage buildings for heritage hotels within Matheran Municipal Council area may be permitted by the Monitoring Committee only after it is approved by the Heritage Conservation Committee.

(2) The Tourism Master Plan shall be based on a detailed Carrying Capacity Study of the Eco-sensitive Zone which may be carried out by the State Government and submitted to the Ministry of Environment and Forests for approval within a period of two years from the date of publication of this notification. All new tourism activities, developments for tourism and expansion of existing tourism activities shall be permitted only within the parameters of the Tourism Master Plan and carrying capacity study. Till the Tourism Master Plan is approved by the Ministry of Environment and Forests, outside Matheran Municipal Council area, new tourism activities, development for tourism and expansion of existing tourism activities may be permitted only after a detailed analysis is carried out and approved by the Monitoring Committee subject to guidelines laid down by the Ministry of Environment and Forests.

(f) Natural Heritage:- The sites of valuable natural heritage in the Eco-sensitive Zone shall be identified, particularly rock formations, waterfalls, pools, springs, gorges, groves, caves, points, walks, rides and the like and plans for their conservation in their natural setting shall be incorporated in the Zonal Master Plan and Sub-zonal Master Plan. Strict guidelines shall be drawn up by the State Government to discourage construction activities at or near these sites including under the garb of providing tourist facilities. Development or construction activities at or around the heritage sites shall be regulated under the statutory provisions of the State Government, made in accordance with the Model Regulations for Conservation of Natural and Man-made Heritage Sites formulated by the Ministry of Environment

and Forests in 1995 and as amended from time to time. The State Government may draw up proper plans for their conservation or preservation within one year from the date of publication of this notification. These plans shall form a part of the Zonal Master Plan and Sub-zonal Master Plan.

(g) Man-made heritage:- Buildings, structures, artifacts, areas and precincts of historical, architectural, aesthetical, and cultural significance shall be identified in the Eco-sensitive Zone and plans for their conservation, particularly their exteriors (and wherever deemed appropriate their interiors also) shall be prepared and incorporated in the Zonal and Sub-zonal Master Plan within one year from the date of publication of this notification. Guidelines shall be issued by the State Government to regulate building and other activities in the Eco-sensitive Zone, particularly in Matheran Municipal Council area, so that the special character and distinct ambience of the town and the Eco-sensitive Zone are maintained. Development or construction activities at or around the heritage sites shall be regulated under the statutory provisions of the State Government, made in accordance with the Model Regulations for Conservation of Natural and Manmade Heritage Sites formulated by the Ministry of Environment and Forests in 1995 and as amended from time to time.

(h) Ground Water:- Extraction of ground water for the bona-fide agricultural and domestic consumption of the occupier of the plot is allowed. Extraction of ground water for industrial, commercial or residential complexes shall require prior written permission, including the amount that can be extracted, from the State Ground Water Board. No sale of ground water shall be permitted except with the prior approval of the Monitoring Committee constituted under paragraph [15][1] of this notification. All steps shall be taken to prevent contamination or pollution of water, including from agriculture activities.

(i) Use of plastics:-No person shall use plastic bags within Matheran Municipal Council area. The use of plastics, laminates and tetra-packs within the Eco-sensitive Zone shall be regulated by the Monitoring Committee.

(j) Protection of Hill Slopes:- (i) The Zonal Master Plan shall indicate areas on hill slopes where construction shall not be permitted.

(ii) No construction on existing steep hill slopes or slopes with a high degree of erosion shall be permitted.

(k) Discharge of effluents:-(i) The discharge of any untreated effluent is prohibited within the Eco-Sensitive Zone.

(ii) No effluent, either treated or untreated, shall be permitted to be discharged into any water body or water source within the Eco-sensitive Zone.

(l) Solid Wastes:-(i) The local authorities shall draw up plans for the segregation of solid wastes into biodegradable and non-biodegradable components.

---

[1] 6 X E V W L W X W H G E\ Para 3(k) of the Amendment Notification S.O.83(E), dated 16.1.2004.

(ii) The biodegradable material may be recycled preferably through composting or vermiculture and the inorganic material may be disposed of at environmentally acceptable locations.

(iii) No burning or incineration of solid wastes shall be permitted.

Explanation.- In this notification, "solid wastes" shall include domestic, industrial, commercial and garden wastes.

(m) Natural Springs:- (i) The catchment area of all natural springs shall be identified and plans for their conservation and rejuvenation of those that have run dry in their natural setting shall be incorporated in the Zonal Master Plan.

(ii) Strict guidelines shall be drawn up by the State Government to ban development activities at or near these areas.

(n) Traffic:- No vehicular traffic shall be permitted within the Matheran Municipal limits, [1][except one ambulance and one fire engine and in addition to one ambulance and one fire engine as standby.]

5. Monitoring Committee:-(1) In exercise of the powers conferred by sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby constitutes a Committee to be called the Monitoring Committee, to monitor and ensure compliance with the provisions of this notification.

(2) The Monitoring Committee shall consists of not more than ten members.

(3) The Monitoring Committee shall consist of a representative each from the Ministry of Environment and Forests, Central Pollution Control Board, Department of Environment of the Government of Maharashtra, Department of Urban Development of the Government of Maharashtra, subject expert knowledgeable about the Eco-sensitive Zone and at least two representatives of non-government organisations working in the field of environment (including heritage conservation) and the Collector of Raigad District, in the State of Maharashtra and any other persons or persons nominated by the Central Government.

(4) The Chairman of the Monitoring Committee shall be an eminent person with proven managerial or administrative experience and understanding of local problems.

(5) The Collector of Raigad District shall be the Convener of the Monitoring Committee.

6. Powers and functions of the Monitoring Committee:-(1) In exercise of the powers conferred by sub-section (3) of section 3 and read with Section 23 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby empowers the Monitoring Committee to discharge the functions specifically

---

[1] Substituted by Para 3(c) of the Amendment Notification S.O.83(E), dated 16.1.2004.

enumerated in the notification and to do all things incidental thereto (except the function as are required to be performed by the Central Government under the provisions of the Environment Impact Assessment Notification of 27th January, 1994, as amended from Lime to time).

(2) It shall be the duty of the Monitoring Committee to file complaints under section 19 of the Environment (Protection) Act, 1986 if commission of any offences under the said Act comes to its notice and in case of non-compliance of the directions issued by it.

(3) The Monitoring Committee or member of the Monitoring Committee authorised by it shall file complaints under the Environment (Protection) Act, 1986.

[1][(4) It shall be the duty of the Monitoring Committee to inquire into or review cases of alleged violations of the provisions of the Environment (Protection) Act, 1986, and the rules made thereunder, and if found necessary in a specific case, issue directions under section 5 of the said Act.

(5) The Monitoring Committee or any Officer or member of the Monitoring Committee authorised by it shall be authorised to take action under section 10 of the said Act to verify the facts concerning the issues arising from the above.]

[2][7. Appeal]:- (1) Any person aggrieved by a decision or order of the Monitoring Committee shall prefer an appeal against such decision or order to the Government of India in the Ministry of Environment and Forests.

(2) Every memorandum of appeal under this paragraph shall precisely state the fact of the case, the particulars of the decision or order appealed against and the reasons for being aggrieved by the decision or order and the remedy sought for and shall be addressed to the Secretary to the Government of India, Ministry of Environment and Forests, New Delhi.

(3) Every memorandum of appeal shall be made within ninety days from the date of receipt of the decision or order by the affected person.

(4) The Ministry of Environment and Forests shall, after giving the parties to the appeal an opportunity to present their case, dispose of the appeal within ninety days of date of receipt of the memorandum of appeal.

[F.No.J-20011/1/99-I.AIH]
Dr. V RAJAGOPALAN. Jt. Secy.

---

1 Inserted by Para 4 of the Amendment Notification S.O.83(E), dated 16.1.2004.

2 Substituted by Para 5 of the Amendment Notification S.O.83(E), dated 16.1.2004.

ANNEXURE-B

(see section 2)

BOUNDARY OF MATHERAN E CO-SENSITIVE ZONE

The boundary of the Eco-Sensitive Zone comprising area of Matheran Hill Station Municipal Council, contiguous Forest Zone of the Regional Plan[1] of Mumbai 0 H W U R S R O L W D Q and Buffer Zone around the Forest Zone shall be defined as follows:-

Dire-ction	Bounded By
North	Boundary of the Forest Zone passing through village Jambhivali, outer boundary of the buffer zone passing through Village Jambhiv Chikhaloli; then boundary of Forest Zone passing through villag Chikhabli of Ulhasnagar Tehsil
East	Boundary of the Forest Zone passing through Village Katrap; then boundary of the buffer zone passing through villages Shirgaon, Sav Varde, Bhoj, Bensil, Chinvali, Kasgaon, Goregaon; then boundary Forest Zone passing through villages Goregaon, Davle of Ulhasnaga Tehsil and Bedisagaon of Karjat Tehsil; then outer boundary buffer zone and Forest Zone passing through villages Bedisagaon; then boundary of buffer zone passing through villages Kushivali, Kalamboli, Damat, Bhadavali, Mamdapur, Neral, Mangaon Tarf Waredi, Bhika Asai, Bhutiwali, Pali Terf Varde; then boundary of Forest Zone passi through villages Pali Tarf Verde, Umroli, Asane, Kasarvenjale, Kariwali, Paliwali, Bhisegaon of Karjat Tehsil.
South	The outer boundary of buffer zone passing through village Bhisega Karjat Tehsil then outer boundary of buffer zone passing thro villages Warele, Wadvihar, Sondewadi, Boregaon Kh., Boregaon B then boundary of Forest Zone passing through villages Boregaon Bk. Warose Tarf Wankhal, Naniwal; then outer boundary of buffer zone passing through villages Chowk Maniwali, Nadhal, Lodhivali Khalapur Tehsil.

[1] Substituted by Para 6 of the Amendment Notification S.O.83(E), dated 16.1.2004.

West	Boundary of Forest Zone passing through villages Bhokarpada, Barwa then outer boundary of buffer zone passing through Villages Barv Pali Bk., Poyanje, Mohope, Bhingarwada, Bherle, Wardoli, Loniwal Wangani Tarf Waje, Ambivali, Vihighar, Nere, then boundary of Fores Zone Passing through village Nere; then outer boundary of buffer zone passing through villages Sangartoli, Cheravali, Wajapur, Waje, Ga then boundary of Forest Zone passing through village Gadhe; then boundary of buffer zone passing through villages Dehrang, Dhod Maldunge, Dhamani, Tamsai, Khairwadi, Karambeli, Dhundre, Usar Bk. Ritghar, Khairwadi, Kondale, Morbe, Ambhe Tarf Taloje, Shiriavali, Karambeli Tarf Taloje, Wangani Tarf Taloje, Kond Mohodar, Vavanje, Nitale, Chorme of Panvel Tehsil; then ou boundary of buffer zone passing through villages Wadi, Bandhanwad Khusavali, Ambhe, Shiravali, Bohonole, Jambhavali Ulhasnagar Tehsil.

Within the above bounded zone, the entire Municipal Area of Matheran Hill Station Municipal Council in Karjat Tehsil and entire village of Machi Prabhal, Maldunge in Panvel tehsil is included in the Eco-Sensitive Zone.

Note:

i. The Buffer Zone within the Eco -Sensitive Zone shall encompass only Green Zone 1 and Green Zone 2 of the sanctioned Regional Plan for Mumbai Metropolitan Region 1996-2011 and in 14 exceptional cases the Eco-Sensitive Zone Is restricted to Forest Zone.

ii. No area of Urbanisable Zone 1, Urban1sable Zone 2 and Industrial Zone shall fall within the Eco-Sensitive Zone or the Buffer Zone except the Urbanisable Zone 1 of Matheran Municipal Council

LIST OF VILLAGES OF MATHERAN ECO-SENSITIVE ZONE

DISTRICT: RAIGAD

TEHSIL: KARJAT

S No.	VILLAGE	STATUS
1.	Asai	Partial
2.	Ashane	Partial
3.	Bedisgaon	Partial
4.	Bekare	Partial
5.	Bhadwal	Partial
6.	Bhisegaon	Partial
7.	Bhutiwali	Partial
8.	Damat	Partial
9.	Halivali	Partial
10.	Kalamboli	Partial
11.	Kirwali	Partial
12.	Koshane	Partial
13.	Kushivali	Partial
14.	Mamdapur	Partial
15.	Mangaon Tarf Waredi	Partial
16.	Matheran	Full
17.	Neral	Partial
18.	Pali Tarf Waredi	Partial
19.	Umroli	Partial
20.	Wanjale	Partial

Note - The entire file Matheran Municipal Council area is included.

TEHSIL: KHALAPUR

S No.	VILLAGE	STATUS
21.	Borgaon Bk.	Partial
22.	Borgaon Kh.	Partial
23.	Chowk Maniwali	Partial
24.	Lodhivali	Partial
25.	Nadhal	Partial
26.	Naniwali	Partial
27.	Sondewadi	Partial
28.	Wad Vihar	Partial
29.	Warose Tarf Wankhal	Partial
30.	Wawarle	Partial

TEHSIL: PANVEL

S No.	VILLAG E	STATUS
31.	Ambhe Tarf Taloje	Partial
32.	Ambivali	Partial
33.	Barwai	Partial
34.	Bherle	Partial
35.	Bhingar	Partial
36.	Bhokarpada	Partial
37.	Cheravali	Partial
38.	Chorme	Partial
39.	Deharang	Partial
40.	Dhamani	Partial
41.	Dhodani	Partial
42.	Dundre	Partial
43.	Gadhe	Partial
44.	Karabeli	Partial
45.	Karambeli Tarf Taloje	Partial
46.	Khairwadi	Partial
47.	Kondale	Partial
48.	Kondap	Partial
49.	Luniwali	Partial
50.	Machiprabal	Full
51.	Mahoda	Partial
52.	Maldunge	Partial
53.	Mohope	Partial
54.	Morbe	Partial
55.	Nere	Partial
56.	Nitale	Partial
57.	Pali Bk.	Partial
58	Poyanje	Partial
59.	Ritghar	Partial
60.	Sangatoli	Partial
61.	Shriavali	Partial
62.	Tamsai	Partial
63.	Usarli Bk.	Partial
64.	Vavanje	Partial
65.	Vihighar	Partial
66.	Wajapur	Full
67.	Waje	Partial
68.	Wangani Tarf Taloje	Partial
69.	Wangani Tarf Waje	Partial
70.	Wardoli	Partial

DISTRICT : THANE

TEHSIL: ULHASNAGAR

S No.	VILLAGE	STATUS
71.	Ambhe	Partial
72.	Bandhanwadi	Partial
73.	Bendshil	Partial
74.	Bhoj	Partial
75.	Bohonoli	Partial
76.	Chikhaloli	Partial
77.	Chinchvali	Partial
78.	Dhavale	Partial
79.	Goregaon	Partial
80.	Jambhivali	Partial
81.	Kasgaon	Partial
82.	Katrap	Partial
83.	Kushavali	Partial
84.	Savaroli	Partial
85.	Shiravali	Partial
86.	Shirgaon	Partial
87.	Vangani	Partial
88.	Varade	Partial
89.	Wadi	Partial

ANNEXURE-C

(see section 2)

MODIFICATION TO THE BOUNDARY OF THE ESZ - EXCEPTIONS AND EXEMPTIONS IN THE 200 M. BUFFR ZONE

Reference Number corresponding with the map 1 and 2	Areas or villages for which exemptions are sought	Landuse	Remarks
Thane District			

10.	Bhingarwada, Bherle	Railway Line	The buffer Zone i restricted upto the railway line which acts as a physic buffer for development.
11.	Nere, Sangartoli	River Gadhe	River acts as the natu buffer, no additional buffer is therefore propsed.
12.	Gadhe	River Gadhe	River acts as the natu buffer, no additional buffer is therefore propose
13.	Khairwadi	River Lendhe	River acts as the natu buffer, no additional buffer is therefore propose '
14.	Mohodar	River Nande	River acts as the natur buffer, no additional buffer is therefore propose

ANNEXURE - D

[see section 4(a)(iv)(3)]

PERMISSIBLE DEVELOPMENTAL ACTIVITES IN MATHERAN ECO-SENSITIVE ZONE

1. FOREST ZONE

When any land is situated outside Reserve Forest, Protected Forest, Acquired Forest or Forests as defined as per the Supreme Courts Order dated 12th December 1996, the development of such land shall be regulated in accordance with the provisions for Green Zone-2.

2. GREEN ZONE-2

2.1 The permissible uses in Green Zone-2 (G-2 Zone) are as follows:-

(a) Dwelling Units for the bona fide use of the holder as per Revenue Department records of any cultivated land, held exclusively for the purpose of agricultureal activities.

(b) Horticulture, floriculture, and, agricultural and allied activities of rice and poha mill, poultry farms, cattle stables, piggeries and sheep farms.

(c) Religious places, crematorium and cemetery.

(d) Schools, pre-primary school and health centre.

(e) Clinics and dispensaries.

(f) Roads and bridges, railways, underground pipelines and cables, electricity transmission lines, communication towers, small check dams for watershed management, ropeways

2.2 The minimum plot size shall be 0.4 ha.

3. GREEN ZONE-1

3.1 The permissible uses in Green Zone-1 (G-1 Zone) are as follows:-

(a) Dwelling Units for the bona fide use of the holder as per Revenue Department records of any cultivated land, held exclusively for the purpose of agricultural activities.

(b) Holiday resort and holiday homes.

(c) Educational, medical, social, cultural and religious institutions along with residential quarters and shops for the staff on plots not be less than 2.5 ha.

(d) Schools, pre-primary school and health centre.

(e) Clinics, dispensaries and health centres.

(f) Storage of LPG cylinders.

(g) Horticulture, floriculture, and, agricultural and allied activities of rice and poha mill, poultry farms,cattle stables, piggeries and sheep farms.

(h) Religious places, crematorium and cemetery.

(i) Parks, gardens, play fields, camping grounds with public conveniences.

(j) Roads and bridges, railways, underground pipelines and cables, electricity transmission lines, communication towers, small check dams for watershed management

3.2 The minimum plot size shall be 0.4 ha.

4. URBANISABLE ZONE-2

4.1 The permissible activities in Urbanisable Zone-2 are :-

(a) Dwelling Units for the bona fide use of the holder as per Revenue Department records of any cultivated land, held exclusively for the purpose of agricultural activities.

(b) Non polluting scientific institutions

(c) Schools, pre-primary school and health centre

(d) Clinics, dispensaries and health centres

(e) With the prior approval of the Monitoring Committee, hotels, tourists resorts, holiday homes, motels and club houses

(f) Houses for residential purposes only

(g) Parks, gardens, play-fields and camping grounds with public conveniences

(h) Religious places, crematorium and cemetery.

(i) Horticulture, floriculture, and, agricultural and allied activities of rice and poha mill, poultry farms, cattle stables, piggeries and sheep farms

(j) Retail shops, whole sale shops, restaurants and banks

(k) Government offices

(l) Garages, petrol pumps, automobile repair workshops

(m) With prior approval of the Monitoring Committee, public services and utility establishment of water treatment plant, sewage treatment plant, solid waste treatment and disposal facilities electricity substation, gas works, fire brigade, police station, telephone exchange, bus shelters, terminals and depots

(n) Roads and bridges,, railways, underground pipelines and cables, electricity transmission lines, communication towers, small check dams for watershed management

4.2 The minimum plot size for item (b) to (f) of paragraph 4.1 shall be 2,000 sq. m.

URBANISABLE ZONE-1

5.1 In preparing the sub-Zonal Master Plan for Matheran Municipal Council area the recommendations of the report titled Matheran: A Comprehensive Heritage Listing Proposal commissioned by the Mumbai Metropolitan Region - Heritage Conservation Society shall be taken into account.

5.2 [1] > « « @

6. GOATHAN AND GAOTHAN EXPANSION

6.1 The following provisions irrespective of Zones shall regulate Gaothan and Gaothan Expansion.

6.2 The boundary of the Gaothan shall be as shown in the revenue maps when the Regional Plan came into force.

6.3 Gaothan Expansion may be permitted by the Monitoring Committee based on needs and requirements of and for existing gaothan residents only.

6.4 The lands in Gaothan and Gaothan Expansion may be used for any of the following purposes :

(a) Residential.
(b) Shops, garages, small eating places, banks and post offices.
(c) Schools.
(d) Community centres and other social institutions.
(e) Religious places.
(f) Clinics, dispensaries and health centres.
(g) Essential public services and utilities including local Government offices.
(h) Stables for domestic animals subject to limit of 5 animals on each plot.
(i) Traditional household industries.
(j) Storage of crop, fodder, manure, agricultural implements and other similar needs
(k) Parks, gardens and playgrounds.
(l) Public conveniences.
(m) Storage of fuels for domestic and commercial uses.

6.5 Floor Area Ratio and Ground Coverage

Area	FAR	Ground coverage
Gaothan	1.00	-
Gaothan Expansion	0.40	40%

Note: The classification of zones referred to above is as per the sanctioned Regional Plan of the Mumbai Metropolitan Region, September 1999.

[1] Sub-S D U D J U D S K [3] by Para 2 of the Amendment Notification S.O.83(E), dated 16.1.2004.

SULTANPUR NATIONAL PARK, HARYANA AS ECO-SENSITIVE ZONE

MINISTRY OF ENVIRONMENT & FORESTS

NOTIFICATION

New Delhi, the 27th January, 2010

S.O.191(E).-WHEREAS, the Sultanpur National Park (about 15 km from Gurgaon and about 45 km from Delhi) is important and known for aquatic avifauna where about 30,00 birds belonging to about 250 species have been listed in this park during winters and the important birds visiting this park are Pelican, Cormorants, Herons, Egrets, Storks, Flamingoes, Geese, Ducks, etc.

AND WHEREAS, a number of territorial birds of Indian origin stay here the year round; breeding of Saras, Crane and the Rare Black Necked Stork have been recorded in this park and as regards biodiversity of this National Park, the flora of this area is represented by semi and vegetation outside it, and a typical aquatic vegetation of the lakes in plains of North India.

AND WHEREAS, it is necessary to conserve and protect the area up to five kilometers from the boundary of the protected area of Sultanpur National Park as Eco-sensitive Zone from ecological and environmental point of view.

AND WHEREAS, a draft notification under sub-section (1) and clause (v) and (xiv) of sub-section (2) of Section 3 of the Environment (Protection) Act, 1986 (29 of 1986) was published in the Gazette of India, Extraordinary, vide notification of the Government of India in the Ministry of Environment & Forests, vide number S.O.364(E), dated the 29th January, 2009, as required under sub-rule (3) of rule 5 of the Environment (Protection) Act, 1986, inviting objections and suggestion from all persons likely to be affected thereby, within 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, copies of the Gazette containing the said notification were made available to the public on the 29th January, 2009.

AND WHEREAS, all objections and suggestions received in response to the said draft notification have been duly considered by the Central Government.

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) and clause (v) and (xiv) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 the Central Government hereby notifies the area up to five kilometers from the boundary of the protected area of Sultanpur National Park in the State of Haryana (as shown in the map annexed to this notification as Annexure), as the Eco-sensitive Zone (herein after called as the Eco-sensitive Zone), namely:-

2. Boundaries of Eco-sensitive Zone.- (1) The said Eco-sensitive Zone as the area up to five kilometers from the boundary of the protected area of Sultanpur National Park situated in the Gurgaon District of Haryana between 28° 24° 00° to 28° 32° 00° North latitude and between 76° 48° 00° to 76° 58° 00° East longitude.

(2) The map of the Eco-sensitive Zone is at Annexure and the list of the villages falling within five kilometers distance of the boundary of Sultanpur National Park in the Eco-sensitive Zone are s follows, namely:-

Mankraula, Jhanjraula, Mohammedpur, Patli, Dhanawas, Wazirpr, Dhani, Ramnagar, Sikhawala, Ghari Harsaru, Tughlakpur, Daya Bihar, Kaliawas, Iqbalpur, Saidpur, Khaintawas, Hamarpur, Chandu, Omnagar, Bidhera, Sultanpur, Harsinghwali, Dhani Mirchiwali Dhani, Sodhrana Barmripur.

(3) All activities in the Sultanpur National Park are being governed by the provisions of the Wildlife (Protection) Act, 1972 (53 of 1972).

3. Zonal Master Plan for the Eco-Sensitive Zone:-

(1) A Zonal Master Plan for the Eco-Sensitive Zone shall be prepared by the State Government within a period of one year from the date of publication of this notification in the Official Gazette and approved by the Ministry of Environment & Forests, Government of India.

(2) The Zonal Master Plan shall be prepared with the involvement of all concerned State Departments of Environment, Forest, Urban Development, Tourism, Municipal Department, Irrigation and PWD (Building & Roads) Department, Revenue Department and Haryana State Pollution Control Board for integrating environmental and ecological consideration into it.

(3) The Zonal Master plan shall provide for restoration of denuded areas, conservation of existing water bodies, management of catchment areas, watershed management, groundwater management, soil and moisture conservation, needs of local community and such other aspects of the ecology and environment that need attention.

(4) The Zonal Master Plan shall demarcate all the existing and proposed urban settlements, village settlements, types and kinds of forests, agricultural areas, fertile lands, green areas, horticultural areas, orchards, lakes and other water bodies.

(5) It shall exempt all canals and drainage works.

(6) No change of land use from green uses such as orchards, horticulture areas, agriculture parks and other like places to non green uses shall be permitted in the Zonal Master Plan, except that strictly limited conservation of agricultural lands may be permitted to meet the residential needs of the existing local residents together with natural

growth of the existing local populations, improvement of roads and bridges infrastructure, construction of public utility of community buildings without the prior approval of the State Government.

(7) The planned urbanization proposed in the development plans shall be approved by the State Government for the respective controlled areas.

(8) The Zonal Master Plan shall be a reference document for the State Level Monitoring Committee for any decision to be taken by them including consideration for relaxation.

(9) The Zonal Master Plan shall indicate measures and lay down stipulations for regulation of traffic.

(10) Pending the preparation of the Zonal Master Plan for Eco-sensitive Zone and approval thereof by the Ministry of Environment & Forests all new constructions shall be allowed only after the proposals are scrutinized and approved by the Monitoring Committee as referred in paragraph 5.

(11) There shall be consequential reduction in Forests area, Green area and Agricultural area.

(12) The State Government shall prescribe additional measures, if necessary, in furtherance of the objectives and for giving effect to the provisions of this notification.

4. Regulated or restrictive activities in the Eco-sensitive Zone.-The following activities in the Eco-sensitive Zone shall be regulated in the manner published herein namely:-

(a) Industrial units

(i) No establishment of new wood based industry within one kilometer from the boundary of the Sultanpur National Park.

(ii) No establishment of any new polluting or highly polluting industry within one kilometer from the boundary of the Sultanpur National Park.

(b) Construction Activities

(i) No construction of any kind shall be allowed from the boundary of Sultanpur National Park to a distance of three hundred meters, except tube well chamber of dimension not more than one thousand cubic inches.

(ii) The construction of any building more than two storey (twenty five feet) shall not be allowed to the area falling between three hundred meters to five hundred meters from the boundary of Sultanpur National Park.

(iii) The laying of new high tension transmission wires shall not be allowed from the boundary of Sultanpur National Park to a distance of five hundred meters.

(c) Quarrying and mining

(i) Mining up to one kilometer shall not be allowed from the boundary of the protected area of Sultanpur National Park.

(ii) Crushing activities up to one kilometer shall not be allowed from the boundary of the protected area of Sultanpur National Park.

(d) Trees:- Felling of trees on forests and revenue land shall be subject to the approved management plan by the Central Government or an authority nominated for that purpose.

(e) Water :-

(i) Extraction of ground water shall be permitted only for the bona-fide agricultural and domestic consumption of the occupier of the plot;

(ii) No sale of ground water shall be permitted except within the prior approval of the State Ground Water Board.

(iii) All steps shall be taken to prevent contamination or pollution of water including from agriculture.

(f) Noise Pollution:- The Environment Department of, as the case may be, State Forest Department of the Government of Haryana shall be the authority to draw up guidelines and regulation for the control of noise in the Eco-sensitive Zone.

(g) Discharge of effluents:-

(i) No untreated or industrial effluent shall be permitted to be discharged into any water body within the Eco-sensitive Zone.

(ii) Treated effluent must meet the provisions of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974).

(h) Solid Wastes :-

(i) The solid waste disposal shall be carried out as per the provisions of the Municipal Solid Waste (Management and Handling) Rules, 2000 issued by the Central Government vide notification number S.O.908(E), dated the 25th September, 2000 as amended from time to time.

(ii) The local authorities shall draw up plans for the segregation of solid wastes into biodegradable and non-biodegradable components.

(iii) The biodegradable material may be recycled preferably through composting or vermiculture.

(iv) The inorganic material may be disposed in an environmentally acceptable manner at the identified outside the Eco-sensitive Zone. No burning or incineration of solid waste shall be permitted in the Eco-sensitive Zone.

5. Monitoring Committee:-

(1) In exercise of the powers conferred by sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby constitutes a committee to be called the Monitoring Committee to monitor the compliance with the provisions of this notification.

(2) The Monitoring Committee referred to in sub-paragraph (1) shall consist of not more than ten members so as to represent the following, namely:-

(a)	Deputy Commissioner, Gurgaon	Chairman
(b)	A representative of the Ministry of Environment & Forests, Government of Ind	Member
(c)	A representative of non-governmental organization working in the field o environment (including heritage conservation) to be nominated by the Centr Government	Member
(d)	Regional Officer, Haryana State Pollutio Control Board, Gurgaon	Member
(e)	Senior Town Planner of the area.	Member
(f)	District Wildlife Warden, Gurgaon	Member Secretary

(3) The powers and functions of the Monitoring Committee shall be restricted to the monitoring of the compliance of the provisions of this notification only.

(4) In case of activities requiring prior permission or environmental clearance, such activities shall be referred to the State Level Environment Impact Assessment Authority constituted vide notification of the Government of India in the Ministry of Environment & Forests number S.O. 1533(E), dated September 14, 2006, which shall be the Competent Authority for grant of such clearances as per the provisions of the said notification.

(5) The Monitoring Committee may also invite representatives or experts from the concerned Department or associations to assist in its deliberation depending on the requirements on issue to issue basis.

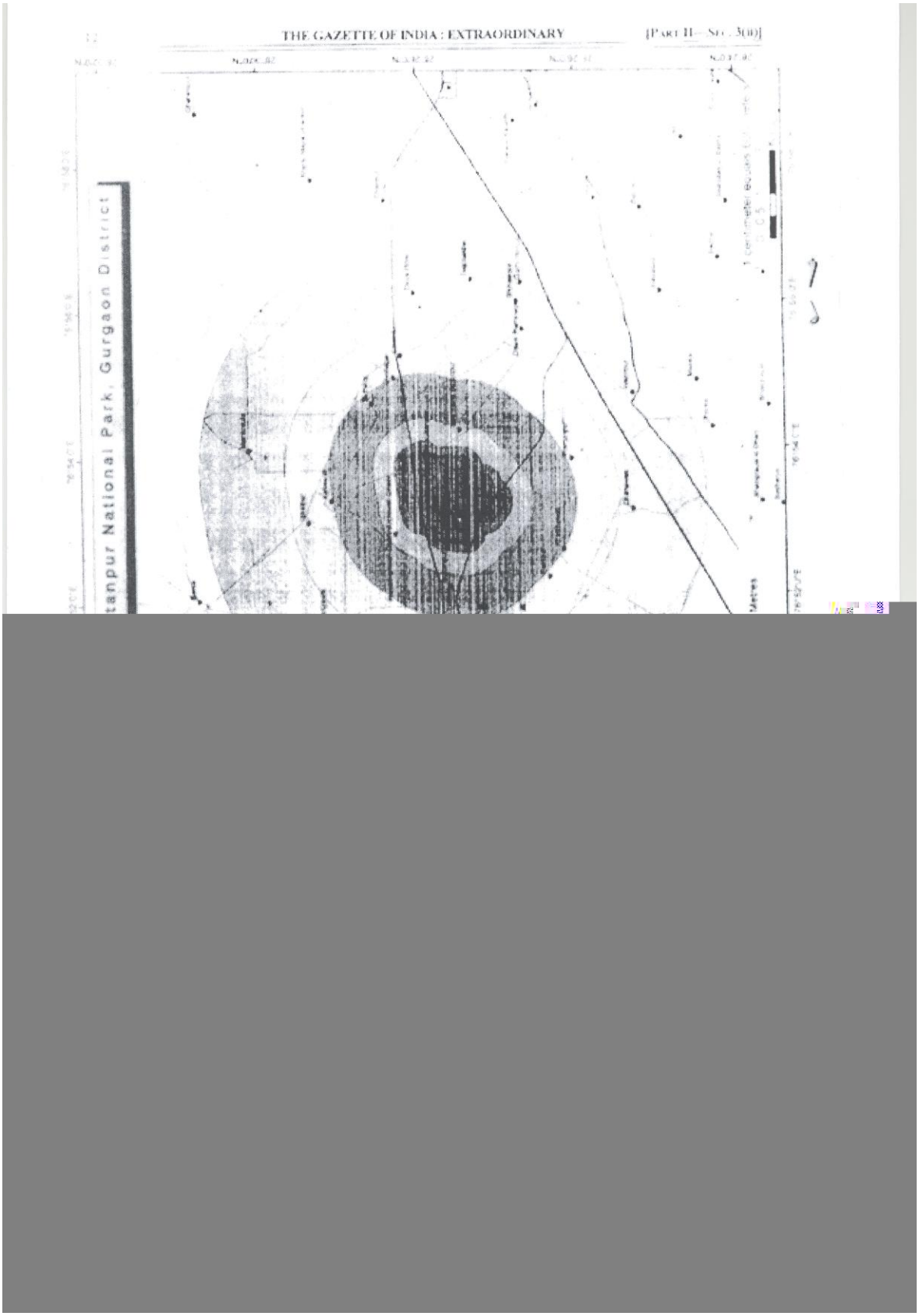
(6) The Chairman or Member Secretary, as the case may be, of the Monitoring Committee shall be competent to file complaints under section 19 of the Environment (Protection) Act, 1986, for non compliance of the provisions of this notification.

(7) The Monitoring Committee shall submit its annual action taken report by the 31st March of every year to the Ministry of Environment & Forests.

(8) The Ministry of Environment & Forests shall give directions, from time to time, to the Monitoring Committee for effective discharge of the functions of the Monitoring Committee.

[F.No.30/1/2008-ESZ]

'U * 9 68%5$+0$1<$0 6FLHQWLVW µ*


THE GAZETTE OF INDIA : EXTRAORDINARY
[PART II—SEC. 3(ii)]
tanpur National Park, Gurgaon District

MOUNT ABU ECO-SENSITIVE ZONE

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the June 25, 2009

S.O.1545(E) ± WHEREAS, Mount Abu area has significant ecological importance comprising of tropical dry deciduous forests at lower altitude and evergreen forests at higher altitude and the flora and fauna of the region comprise of several endemic and rare species; besides Mount Abu has natural heritage such as Nakki Lake and man-made heritage like Dilwara temples and other heritage buildings and structures;

AND WHEREAS, considerable adverse environment impact has been caused due to degradation of the environment with excessive soil erosion and water and air pollution on account of certain developmental activities, thereby endangering not only the natural resources, but also affecting the health and very survival of living beings;

AND WHEREAS, it is necessary to conserve and protect the area from ecological and environmental point of view;

AND WHEREAS, a draft notification under sub-section (1) read with clause (v) and clause (xiv) of sub± section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) was published in the Gazette of India, Extraordinary, vide Notification of Government of India in the Ministry of Environment and Forests vide number S.O. No.2497 (E), dated the 22nd October, 2008, as required under sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, inviting objections and suggestions from all persons likely to be affected thereby within 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, copies of the Gazette containing the said notification were made available to the public on the 22nd October, 2008;

AND WHEREAS, all objections and suggestions received in response to the above mentioned draft notification have been duly considered by the Central Government;

Now, THEREFORE, in exercise of the powers conferred by sub-section (1) read with clause (v) and clause (xiv) of sub± section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) and sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby notifies Mount Abu and surrounding region enclosed within the boundary described below in the State of Rajasthan as the Mount Abu Eco-sensitive Zone (hereinafter called "the E V H Q V L W L Y H = R Q H´

2. Boundaries of Eco-sensitive Zone

(a) The said Eco-sensitive Zone is situated in the southern area of Rajasthan in Sirohi District between 24o 33` 42`` and 24o 39` 00`` North latitude and between 72o 41` 36`` and 72o 48` 06`` East longitude and the configuration of land is hilly and rugged with high altitudinal variation ranging from 300 meter to 1727 meter. Gurushikar, the highest peak of the Aravali, is the highest peak between the Himalayas and the Nilgiris. The boundaries of the said Eco-sensitive Zone comprise:

North ± Southern Boundary of Abu Forest Block No. 3

South ± Northern Boundary of Abu Forest Block No. 1.

East ± Western and Southern Boundary of Abu Forest Block No. 2.

West ± Eastern Boundary of Abu Forest Block No. 3.

(b) The Eco-sensitive Zone covers the entire area of Notified Urban Area Limit, including Mount Abu Municipal Limits adjoining Forest Block Areas.

(c) The map of the Eco-sensitive Zone is at Annexure-A and the list of the villages in the Eco-sensitive Zone is at Annexure-B.

(d) All activities in the Forest Block Areas (both within and outside Municipal Areas) shall be governed by the provisions of the Rajasthan Forest Act, 1953 and the Forests (Conservation) Act, 1980 (69 of 1980) and all the activities in the Protected Areas (Sanctuary) shall be governed by the provisions of the Wildlife (Protection) Act, 1972 (53 of 1972).

3. The following activities are to be regulated in the Eco-sensitive Zone, namely:-

(1) Zonal Master Plan for the Eco-sensitive Zone:-

(i) A Zonal Master Plan for the Eco-sensitive Zone shall be prepared by the State Government within a period of two years from the date of publication of this notification and submitted for approval to the Central Government in the Ministry of Environment and Forests.

(ii) The Zonal Master Plan shall be prepared with due involvement of all concerned State Departments of Environment, Forest, Urban Development, Tourism, Municipal Department, Revenue Department and Rajasthan State Pollution Control Board for integrating environmental and ecological considerations into it.

(iii) The Zonal Master plan shall provide for restoration of denuded areas, conservation of existing water bodies including Nakki Lake, management of catchment areas, watershed management, groundwater management, soil and moisture conservation, needs of local community, conservation of heritage sites (both natural and cultural) and their surroundings and such other aspects of the ecology and environment that need attention.

(iv) The Zonal Master Plan shall demarcate all the existing village settlements, tribal areas including tribal hamlets, types and kinds of forests, agricultural areas, fertile lands, green areas, horticultural areas, orchards, lakes and other water bodies, natural heritage sites including points (such as Sunset Point) and man-made heritage sites, steep slopes, drainage channels, first order streams, ground water recharge areas and areas rich in ground water, spring recharge areas, spring lines and other environmentally and ecologically sensitive areas and no change of land use from green uses such as orchards, horticulture areas, agriculture parks and other like places to non green uses shall be permitted in the Zonal Master Plan, except that strictly limited conversion of agricultural lands may be permitted to meet the residential needs of the existing local residents together with natural growth of the existing local populations without the prior approval of the State Government and similarly, no change in use of land from tribal uses to non tribal uses shall be permitted without the prior approval of the State Government.

(v) The Zonal Master Plan shall indicate measures and lay down stipulations for regulation of traffic.

(vi) The area within and outside Mount Abu Municipal Council area shall have separate Sub-zonal Master Plans which may be prepared by the State Government as a component of the Zonal Master Plan which will be submitted for approval to the Ministry of Environment and Forests. The Zonal Master Plan shall also identify and demarcate the maximum expansion area of the village settlements and of Mount Abu Town.

(vii) Pending the preparation of the Zonal Master Plan for Eco-sensitive Zone and approval thereof by the Central Government in the Ministry of Environment and Forests, there shall be no increase in the existing parameters of permissible Floor Area Ratio, permissible ground coverage, maximum number of floors and maximum height and all new constructions shall be allowed only after the proposals are scrutinized and approved by the Monitoring Committee and all other development activities including additions, alterations, demolitions, repairs, renovations and restorations of buildings shall require prior approval of the Monitoring Committee provided that these do not involve structural changes and are on the existing authorised plinth areas in the Mount Abu Municipal Limits and there shall be no consequential reduction in Tribal area, Forest area, Green area and Agricultural area.

(viii) The State Government or the Ministry of Environment and Forests shall prescribe additional measures, if necessary, in furtherance of the objectives and for giving effect to the provisions of this notification.

(2) Industrial Units:

(i) Only non-polluting, non-hazardous cottage industries like ice cream, hosiery, embroidery on readymade garments, sewing works, ayurvedic drugs, etc. situated in the villages in the Notified area and service industries, agriculture, floriculture, horticulture or agro-based industries producing products from Mount Abu shall be permitted as per the guidelines drawn by the Government of Rajasthan.

(ii) Structures connected with small agro-based industries activities related to the needs of the local village economy and processing or storage of local agro-EDVHG SURGXFWV PD\ EH DOORZHG VXEMHFW WR W permission requirements and a maximum of 1/8th of the plot areas being EXLOW XS´

(3) Quarrying and Mining:

(i) The Quarrying and Mining activities shall be restricted in the Eco-sensitive Zone.

(ii) The Monitoring Committee shall have the authority to grant special permission for limited quarrying of materials required for the construction of local residential housing and traditional road making and maintenance work in Mount Abu, based on site evaluation.

(iii) No quarrying shall be permitted on steep hill slopes with a gradient of 20 degrees or more or areas with a high degree of erosion, or on forestland.

(4)Trees: There shall be no felling of trees whether on Forest, Government, Revenue or private lands within the Eco- sensitive Zone without the prior permission of the State Government in case of forest land and the respective District Collector in case of Government, Revenue and private land as per the procedure which shall be laid down by the State Government:

Provided that the District Collector shall not delegate this power to any subordinate officer below the rank of Sub-Divisional Officer.

Provided further that no building permission shall be granted on a plot where trees have been felled or otherwise destroyed without obtaining the requisite prior permission.

(5) Restriction for use of fuel wood: To restrict the commercial establishments from using fuel wood for cooking and bonfire, only Liquefied Petroleum Gas (LPG) shall be used and arrangements shall be ensured to provide Liquefied Petroleum Gas (LPG) or natural gas to meet such fuel requirements of commercial establishments including hotels. An action plan shall be prepared for phasing out use of fuel wood even in non-commercial establishments.

(6) Restriction on encroachment: All the existing encroachments within the Eco-sensitive Zone including the forest area shall be identified and necessary action shall be taken against such encroachments in a time bound manner subject to the provisions of the State Grant Act, 1961 and other existing State Laws.

(7) Tourism:

(i) The tourism activities shall be as per the Tourism Master Plan to be prepared by the Department of Tourism of the Rajasthan State Government.

(ii) The Tourism Master Plan shall also form a component of the Zonal Master Plan and shall be based on a detailed Carrying Capacity Study of the Eco-Sensitive Zone, which may be carried out by the State Government.

(iii) All new tourism activities, development for tourism or expansion of existing tourism activities shall be permitted only within the parameters of this Tourism Master Plan.

(iv) The Carrying Capacity Study shall be carried out based on the existing infrastructure and shall not be based on future projections of any project that requires environmental or forest clearance.

(v) Till the Zonal Master Plan is approved, development for tourism and expansion of existing tourism activities may be permitted by the Monitoring Committee only after a detailed analysis is carried out by the Monitoring Committee and shall be subject to the guidelines laid down by the State Government and the Central Government in this regard.

(8) Natural Heritage: Mount Abu has natural sites such as Nakki Lake, Toad rock, rock formations, waterfalls, pools, springs, gorges, groves, caves, points, walks, etc., and plans for their conservation in their natural setting shall be incorporated in the Zonal Master Plan and Sub-Zonal Master Plan and strict guidelines shall be drawn up by the State Government to discourage construction activities at or near these sites including under the garb of providing tourist facilities and all the general pool reserve areas in the Zone shall be reserved.

(9) Man-made Heritage: Mount Abu is famous for several temples, the most prominent being Dilwara Temples and the main heritage and historical buildings are Achalgarh Fort, Dilwara Jain Temples, Rishav Deo Temple, Neminath Temple, Adinath Temple, Parshwanath Temple, Mahaveer Temple, etc., and later heritage buildings, structures and precincts. The plans for their conservation shall be prepared and incorporated in the Zonal and Sub-Zonal Master Plan and the development or construction activities at or around the heritage sites shall be regulated under the statutory provisions of the Rajasthan Monuments, Archaeological Sites and Antiquities Act and in accordance with the Draft Model Regulations for Conservation of Natural and Manmade Heritage Sites formulated by the Central Government in the Ministry of Environment and Forests in 1995.

(10) Water:

(i) All future and existing buildings, where possible, in the Municipal Area shall provide roof-top rain water harvesting structures commensurate with their plinth area and the Institutional and commercial buildings shall not draw water from existing water supply schemes in a manner that adversely affects water supply especially to local villages or settlements.

(ii) In Non-Municipal Areas rain water harvesting shall be undertaken through such structures as percolation tanks and storage tanks and only other means. Ground water aquifer recharge structures shall be constructed wherever such structures do not lead to slope instabilities.

(iii) The rain water collected through storm water drains shall be used to recharge the ground water or to clean the waste disposal drains and sewers.

(iv) The extraction of ground water shall be permitted only for the bona-fide agricultural and domestic consumption of the occupier of the plot and the extraction of ground water for industrial or commercial or residential estates or complexes shall require prior written permission, including of the amount that can be extracted, from the State Ground Water Department. However, the areas rich in ground water may not be diverted for construction activities.

(v) No sale of ground water shall be permitted except with the prior approval of the State Ground Water Department and all steps shall be taken to prevent contamination or pollution of water including from agriculture.

(vi) The area has three big water bodies namely Upper Kodra dam, Lower Kodra dam and Nakki Lake and in addition to this the area has around 25 water places, where water remains through out the year, which include natural nalla, dams, anicuts, seepage and baoris that are spread over entire area and must be protected.

(11) Use of Plastics: No person shall use plastic carry bags within the notified area.

(12) Noise pollution: The Environment Department, Rajasthan shall be the authority to draw up guidelines and regulations for the control of noise and the Monitoring Committee shall ensure adherence to these guidelines.

(13) Development on and protection of hill slopes:

(i) The Zonal Master Plan shall indicate areas on hill slopes where development shall not be permitted.

(ii) No development shall be undertaken in areas having a steep slope or areas which fall in fault or hazard zones or areas falling on the spring lines and first order streams or slopes with a high degree of erosion as identified by the State Government on the basis of available scientific evidence.

(iii) No development on existing steep hill slopes or slopes with a high degree of erosion shall be permitted.

(14) Discharge of sewage and effluents: No untreated sewage or effluent shall be permitted to be discharged into any water body or forests within the Eco-sensitive Zone and the local authority shall provide proper drainage and treatment system for collection, treatment and disposal of untreated / and treated effluent in accordance with the provisions of the Water (Prevention and Control of Pollution) Act, 1974. Moreover, the treated sewage and treated effluent shall be disposed only at or into a point(s) identified and approved by the local authorities and the Monitoring Committee.

(15) Solid Wastes:

(i) The solid waste disposal shall be carried out as per the provisions of the Municipal Solid Waste (Management and Handling) Rules, 2000 and the local authorities shall draw up plans for the segregation of solid wastes into biodegradable and nonbiodegradable components.

(ii) The biodegradable material may be recycled preferable through composting or vermiculture and the inorganic material may be disposed in an environmentally acceptable manner at the site identified outside the Eco-sensitive Zone. No burning or incineration of solid wastes shall be permitted.

Explanation:- ,Q W K L V Q R W L I L F D W L R Q ³V R O L G Z D V W H V ´ V industrial commercial and garden wastes.

(16) Natural Springs: The catchment areas of all springs shall be identified and plans for their conservation and rejuvenation of those that have run dry, in their natural setting shall be incorporated in the Zonal Master Plan and the strict guidelines shall be drawn up by the State Government to ban development activities at or near these areas.

(17) Hill Roads: Guidelines shall be framed for the construction and maintenance of hill roads and incorporated in the Zonal Master Plan:

(i) for construction of any road including untarred in the Eco-sensitive Zone of more than 5 km length (including the extension or widening of existing roads);

(ii) provision shall be made in the design of the road for treatment of hill slope instabilities resulting from road cutting cross drainage works and culverts using bioengineering and other appropriate techniques and by including the cost of such measures in the cost estimate of the proposed road;

(iii) the debris shall not be dumped down the khud or slopes but shall be subsumed in the construction of roads and the provision shall also be made for disposal of unused debris in appropriate manner at suitable and identified locations so as not to affect the ecology of the area adversely and the debris shall be treated and landscaped using bioengineering and other appropriate techniques and the cost of such measures shall be included in the cost estimate of the proposed road;

(iv) whenever hot mix plants are used they shall be se up at least 2 kilometer away from the settlements and a minimum area of 200 square meter surrounding the site shall be devoid of vegetation;

(v) all roads shall be provided with adequate number of road side drains and these drains shall be kept free form blockage for runoff disposals. This run off from the road side drainage shall be connected with the natural drainage system in the area;

(vi) alignment shall be selected so as to minimise loss of vegetal cover;

(vii) appropriate design standards shall be followed while designing the roads including mass balancing of cut and fill and avoidance of unnecessary cutting;

4. Monitoring Committee:

(1) Under the provisions of sub-section (3) of section 3 of the Environment (protection) Act, 1986 (29 of 1986), the Central Government shall constitute a committee to be called the Monitoring Committee to monitor the compliance of the provisions of this notification.

(2) The Chairman of the Monitoring Committee shall be an eminent person with proven managerial or administrative experience and understanding of local issues and the other members shall be:

(1) a representative of the Ministry of Environment and Forests, Government of India;

(2) senior Town Planner of the Area;

(3) one expert, on the Eco-sensitive Zones nominated by Government of India;

(4) two local residents / people knowledgeable about the region to be nominated by the Government of India.

(5) two representatives of Non-governmental Organizations working in the field of environment (including heritage conservation) to be nominated by the Government of India;

(6) Assistant Director (Tourism), Mount Abu;

(7) Regional Officer, Rajasthan State Pollution Control Board, Pali;

(8) Deputy Conservator of Forests (Wild Life), Mount Abu;

(9) the District Collector, Sirohi as the Member Secretary.

(3) In case of activities requiring prior permission or environmental clearance, such activities shall be referred to the State Level Environment Impact Assessment Authority, which shall be the Competent Authority for grant of such clearances.

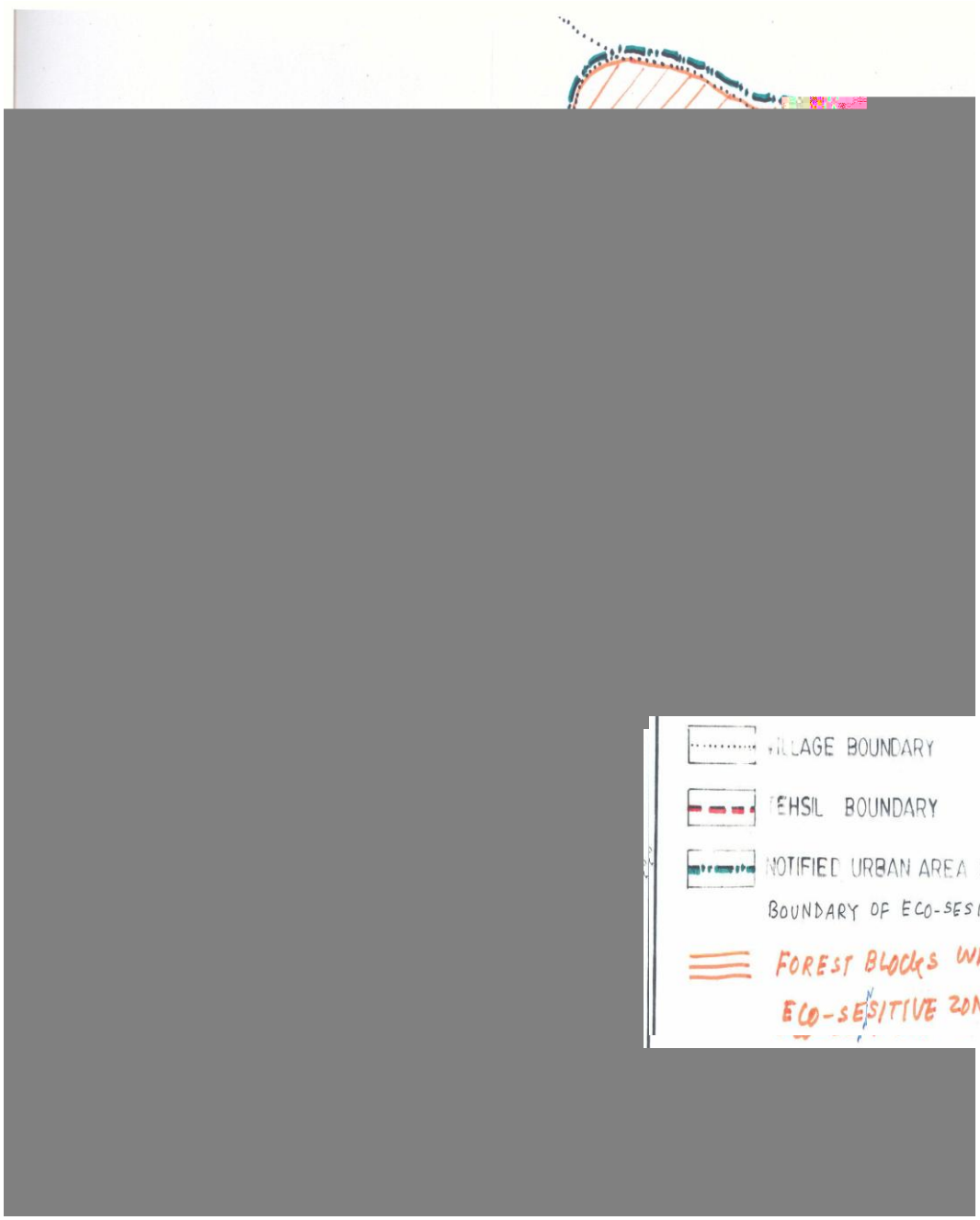
(4) The Monitoring Committee may also invite the representatives or experts from concerned Departments or Associations to assist in its deliberations depending on the requirement of the issues.

(5) The Chairman or Member Secretary of the Monitoring Committee or any officer authorised by the Monitoring Committee shall be competent to file complaints under section 19 of the Environment (Protection) Act, 1986 (29 of 1986) for non-compliance of the provisions of this notification.

5. The Monitoring Committee shall submit its annual action taken reports by the 31st March of every year to the Ministry of Environment and Forests.

6. The Central Government in the Ministry of Environment and Forests Ministry shall give directions to the Monitoring Committee from time to time for effective discharge of the function of the Monitoring Committee.

Annexure ±A
[See photograph 2(c)]



ANNEXURE ± B
[See paragraph 2(c)]

LIST OF VILLAGES FALLING UNDER ECO SENSITIVE ZONE

Serial Number	Name of village
1.	Sanigaon
2.	Machgaon
3.	Goagaon
4.	Delwara
5.	Oriya
6.	Jawal
7.	Achalgarh
8.	Salgaon
9.	Torna
10.	Dudhai
11.	Hetamji
12.	Arna

[F.No. 20-1/2005-RA-III]

(Dr. G. V. Subrahmanyam)
6 F L H Q W L V W µ * ¶

MAHABLESHWAR PANCHGANI ECO -SENSITIVE ZONE

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

NEW DELHI, 17th January, 2001

S.O 52(E).±Whereas a notification under sub section (1) and clause (v) of sub section (2) of Section 3 of the Environment Protection Act, 1986, inviting objection or suggestion against the notification notifying the Mahableshwar Panchgani as an Eco sensitive region and imposing restriction on industries, operations, processes and other developmental activities in the region which have detrimental effect on the environment was published in S.O. No. 693(E) dated the 25th July, 2000;

And whereas all objections or/and suggestions received have been duly considered by the Central Government.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, and all other powers vesting in its behalf, the Central Government hereby notify the Mahableshwar Panchgani Region (as defined in the Government of Maharashtra notification of 29th April, 1983 as an Eco Sensitive Zone. (Copy attached as Annexure). The Region shall include the entire area within the boundaries of the Mahableshwar Tehsil and the villages of Bondarwadi, Bhuteghar, Danwali, Taloshi and Umbri of Jaoli Tehsil of the Satara District in the Maharashtra state.

1. All activities in the forests (both within and outside municipal areas) shall be governed by the provisions of the Indian Forests Act, 1927 (16 of 1927) and Forest (Conservation) Act, 1980 (69 of 1980). All activities in the sanctuaries and national parks shall be governed by the provisions of the Wildlife (Protection) Act, 1972 (53 of 1972).

2. The following activities are proposed to be regulated in the Eco-Sensitive Zone.

(a) Zonal Master Plan: -

(i) A Master plan for the entire Zone shall be prepared by the State Government and approved by the Ministry of Environment and Forests in the Government of India within a period of two years from the date of publication of this notification. The Master Plan shall be published by following a procedure similar to that prescribed under the Maharashtra Regional and Town Planning Act 1966. The Master Plan shall clearly indicate those limited areas where industries may be permitted.

(ii) The said Master Plan shall clearly demarcate all the existing forests, green areas, horticultural areas such as strawberry farms, raspberry farms, orchards, tribal areas, and other environmentally sensitive areas. No change of land use from green uses such as horticultural areas, agriculture, parks and other like places to non-green uses shall be permitted in the Master Plan. The Master Plan shall indicate measures and lay down stipulations for regulating traffic, especially through traffic in the Eco sensitive zone.

(iii) The areas within and outside Mahableshwar and Panchgani municipal areas shall have Sub-Zonal Master Plans which may be prepared by the State Government as a component of the Zonal Master Plan and concurrence of the Ministry of Environment and Forests shall be obtained on this.

This Sub-Zonal Master Plan shall include building regulations for the gaothan areas.

(iv) Pending the preparation of and approval by the Ministry of Environment and Forests to the Zonal Master Plan and Sub-Zonal Master Plans referred to above, there shall be no increase in the existing parameters of permissible Floor Area Ratio, permissible height, permissible maximum number of storeys and permissible ground coverage; and there shall also be no reduction in the Forest Zone/Green Zone/Agricultural Zone. Absolute height of buildings shall not exceed 9 metres and number of storeys shall not exceed ground plus one.

(b) Industrial Units: -

(i) Location of industries shall be only in the designated industrial areas or estates and has to be as per guidelines drawn up by the Government of Maharashtra as well as the guidelines issued from time to time by the Ministry of Environment and Forests. However this would not apply to all those units which have obtained Consent to establish and all other statutory permissions and have commenced construction at site on or before the date of issue of this notification.

(ii) In future only non polluting non hazardous service industries, units making footwear from processed and ready made leather, floriculture, horticulture based or agro based industries producing products from indigenous goods from the Eco Sensitive Zone shall be permitted in this zone:

Provided that these do not result in polluting effluent, emission or impacts.

(iii) In the non municipal areas, the following shall also be permitted:

(a) Larger dairy, poultry, mush-room-rearing and other units in the nature of allied agricultural activities and structures connected therewith may be allowed with the prior permission of the competent authority subject to a maximum of 1/8th built up area, relaxable by the Monitoring Committee.

(b) Structures connected with small agro-based industries, activities related to the needs of the local village economy, and processing or storage of local agro-based products may be allowed subject to the usual [illegible] built up area of 1/8th.

(c) Quarrying and Mining: - Quarrying and Mining activities shall be banned in this area. No fresh mining lease shall be granted in the Eco Sensitive Zone. However, the Monitoring Committee shall be the authority to give special permission for limited quarrying of materials required for the construction of local residential housing and traditional road maintenance work only; provided that such quarrying is not done on forestlands.

(d) Trees: -There shall be no felling of trees whether on Forest, Government, Revenue or private lands within the Eco-Sensitive Zone, without the prior permission of the State Government in case of forest land, and the respective District Collector in case of Government, Revenue and private land, as per procedure which shall be prescribed by the State Government, provided that the District Collector shall not delegate this power to any subordinate officer below the rank of Sub-Divisional Officer.

(e) Tourism :-Tourism activities shall be as per a Tourism Master Plan to be prepared by the Department of Tourism of the State Government in consultation with the Ministry of Tourism of Government of India and approved by the Ministry of Environment and Forests. The Tourism Master Plan shall also form a component of the Zonal Master Plan. The Tourism Master Plan shall be based on a detailed Carrying Capacity Study of the Eco-Sensitive Zone, which may be carried out by the State Government and submitted to the Ministry of Environment and Forests for approval within two years of the date of this notification. All new tourism activities, developments for tourism or expansion of existing tourism activities shall be permitted only within the parameters of this tourism plan or carrying capacity study. Till the Tourism Master Plan is submitted to Ministry of Environment and Forests for approval, new tourism activities and developments for tourism or expansion of existing tourism activities shall be permitted only after a detailed analysis is carried out and approved by the Monitoring Committee subject to guidelines laid down by Ministry of Environment and Forests.

(f) Natural Heritage: - The sites of valuable natural heritage in the zone shall be identified, particularly rock formations, waterfalls, pools, gorges, groves, caves, points, walks, rides etc. and plans for their conservation in their natural setting shall be incorporated in the Zonal Master Plan and Sub Zonal Master Plans. Strict guidelines shall be drawn up by the State Government to discourage construction activities at or near these sites including under the garb of providing tourist facilities. All the gene pool reserve areas in the zone shall be preserved. The State Government may draw up proper plans for their conservation or preservation within one year from the date of publication of this notification. These plans shall form a part of the Zonal Master Plan and Sub-Zonal Master Plans.

(g) Man-made heritage: - Buildings, structures, artifacts, areas and precincts of historical, architectural, aesthetical, and cultural significance shall be identified and plans for their conservation, particularly their exteriors (and wherever deemed appropriate their interiors also) shall be prepared and incorporated in the Zonal Master Plan and Sub-Zonal Master Plans within one year from the date of publication of this notification. Guidelines may be drawn up by the State Government to regulate building and other activities in the Zone, particularly in Mahableshwar and Panchgani municipal limits and in Kshetre Mahableshwar, so that the special character and distinct ambience of the towns and the eco sensitive zone is maintained.

(h) Development or construction activity at or around heritage sites (both natural and man-made) shall be regulated in accordance with the Draft Model Regulations for Conservation of Natural and Man-made Heritage formulated by the Ministry of Environment and Forests in 1995 as amended from time to time and circulated to all State Governments and Union territory Administrations.

(i) Ground Water: - Extraction of ground water shall be permitted only for the bona fide agricultural and domestic consumption of the occupier of the plot. Extraction of ground water for private industrial/commercial/residential estates/complexes shall require prior permission from the State Ground Water Board. No sale of ground water shall be permitted except with prior approval of the Monitoring Committee.

(j) Use of plastics: -The use of plastics within the Eco Sensitive Zone shall be regulated by the Monitoring Committee.

(k) Protection of Hill Slopes: - The Master Plan shall indicate areas on hill slopes where construction shall not be permitted.

(l) Discharge of effluents: -The discharge of any untreated effluent is prohibited within the Eco Sensitive Zone. No effluent, either treated or untreated, shall be permitted to be discharged into water body/s and water source/s within the zone.

(m) Solid Wastes: -The local authorities shall draw up plans for the segregation of solid wastes into biodegradable and non-biodegradable components. The biodegradable material may be recycled preferably through composting or vermiculture; the inorganic material may be disposed of at environmentally acceptable locations. It is clarified that the term solid wastes include domestic, industrial, commercial and garden wastes.

3 (a) The Government of India shall constitute a High Level Monitoring Committee to ensure compliance with the provisions of this notification. Besides the above provisions of the notification, the monitoring committee shall have the powers to regulate and control noise pollution within the Eco sensitive zone. The monitoring committee shall also have powers to regulate traffic especially through traffic within the Eco sensitive zone; once the Master Plan is approved by the Ministry of Environment and Forests in Government of India such regulation shall be in conformity with the provisions of the Master Plan. The monitoring committee shall include representative(s) of the Ministry of Environment and Forests, Central pollution Control Board and at least two representatives of non-government organisations working in the field of environment (including heritage conservation) (to be nominated by the Ministry of Environment and Forests, Government of India). The membership of the committee including Chairman shall not exceed ten.

(b) It shall be the duty of the Monitoring Committee to file complaints under section 19 of the Environment (Protection) Act, 1986 if offences under the said Act come to its notice.

(c) The Committee or any officer or member of the Monitoring Committee authorised by the Committee shall be authorised to file complaints under the Environment (Protection) Act, 1986.

4. In exercise of the powers conferred by sub-section (3) of section 3 of the Environment (Protection) Act, 1986, read with section 23 of the said Act, the Ministry of Environment and Forests, Government of India empowers the Urban Development Department, Government of Maharashtra and the High Level Monitoring Committee to discharge the functions specifically enumerated in this notification and to do all things incidental thereto, (except the functions as are required to be performed by the Central Government under the provisions of the Environment Impact Assessment notification of 27th January, 1994 as amended from time to time).

5. Provided that in respect of functions delegated under this notification, an appeal from any order shall lie to the Ministry of Environment and Forests.

[File No. J-20011/7/98/IA‑III]
Dr. V. Rajagopalan, Jt. Secy.

ANNEXURE

URBAN DEVELOPMENT DEPARTMENT

NOTIFICATION

Bombay, the 29th April, 1983

Maharashtra Regional and Town Planning Act, 1966.-No. TPS. 1982/4507 (a)-UD 7:

In exercise of powers conferred by sub-section (1) of Section (3) of Maharashtra Regional and Town Planning Act, 1966 (Maharashtra XXXVII of 1966) (herinafter U H I H U U H G W R D E W ´ 3 W W K H V R Y L S U Q P H Q W R I 0 D K D U D V K W U D k region for the purpose of the said Act R E H Q D P H G D V W K H 3 0 D K D E O H V K Z D 5 H J L R Q ´ Z K L F K V K D O O Lwqfoxgh the boundaries of Mahableshwar Tehsil and villages of:-

(1) Bondarwadi
(2) Bhuteghar
(3) Danwali
(4) Taloshi
(5) Umbri

Of Jaoli Tehsil of Satara District in the Maharashtra State. A Copy of the plan showing boundaries of Mahableshwar Panchgani Region showing the area included as aforesaid is available for inspection at offices of the following officers namely:

(1) The Director of Town Planning, Maharastra State, Pune
(2) The Collector of Satara
(3) The Tahasildars of Mahableshwar and Jhaoli
(4) The Municipal Council, Mahableshwar
(5) The Municipal Council, Panchgani
(6) The Assistant Director of Town Planning, Satara

By Order and in the Name of the Governor of Maharashtra
Sd/-
R.B. DONALD, Dy. Secy.

A. Area of Mahableshwar Panchgani Region	=	237.28 sq. kms
B. Of the above		
(1) Mahableshwar Municipal Area	=	19.55 sq. kms
(2) Panchgani Municipal Area	=	6.16 sq. kms
(3) Gaothans outside Municipal limits	=	0.95 sq. kms
C. Residential Zone outside Municipal limits	=	1.66 sq. kms
D. Forest Zone	=	123.96 sq. kms
E. Green Zone	=	83.72 sq. kms

COASTAL REGULATION ZONE

(CRZ)

(As amended to date)

COASTAL REGULATION ZONE (CRZ)

MINISTRY OF ENVIRONMENT & FORESTS

(Department of Environment, Forests and Wildlife)

NOTIFICATION

New Delhi, the 19th February, 1991

Notification under Section 3(1) and section 3(2) (v) of the Environment (Protection) Act, 1986 and rule 5(3) (d) of the Environment (Protection) Rules, 1986 declaring Coastal Stretches as Coastal Regulation Zone (CRZ) and Regulating Activities in the CRZ.

S.O.114(E).-Whereas a Notification under Section 3(1) and Section 3(2) (v) of the Environment (Protection) Act, 1986 inviting objections against the declaration of Coastal Stretches as Coastal Regulation Zone (CRZ) and imposing restrictions on industries, operations and processes in the CRZ was published vide S.O. No. 944 (E), dated 15th December, 1990.

And whereas all objections received have been duly considered by the Central Government.

Now, therefore, in exercise of the powers conferred by Clause (d) of sub-rule (3) of Rule 5 of the Environment (Protection) Rules, 1986 and all other powers vesting in its behalf of, the Central Government hereby declares the coastal stretches of seas, bays, estuaries, creeks, rivers and backwaters which are influenced by tidal action (in the landward side) upto 500 meters from the High Tide Line (HTL) and the land between the Low Tide Line and the HTL of Coastal Regulation Zone; and imposes with effect from the date of this Notification, the following restrictions on the setting up and expansion of industries, operations or processes etc. in the said Coastal Regulation Zone (CRZ).

[1][(i) [2][For the purposes of this notification, the High Tide Line means the line on the land upto which the highest water line reaches during the spring tide. The high tide line shall be demarcated uniformly in all parts of the country by the demarcating authority or authorities so authorised by the Central Government, in accordance with the general guidelines issued in this regard.]

---

1 Para (i) numbered as Clause (i) vide Notification S.O.550(E), dated 21.5.2002.

2 Substituted vide Notification S.O.595(E), dated 18.8.1994 and also vide Notification S.O.1122(E), dated 29.12.1998.

[1][(ii) The distance from the High Tide Line shall apply to both sides in the case of rivers, creeks and backwaters and may be modified on a case to case basis for reasons to be recorded in writing while preparing the Coastal Zone Management Plans provided that this distance shall not be less than 100 meters or the width of the creek, river or backwaters, which ever is less. The distance up to which development along rivers, creeks and backwaters is to be regulated shall be governed by the distance up to which the tidal effects are experienced which shall be determined based on salinity concentration of 5 parts per thousand (ppt). For the purpose of this notification, the salinity measurements shall be made during the driest period of the year and the distance upto which tidal effects are experienced shall be clearly identified and demarcated accordingly in the Coastal Zone Management Plans.]

[2][Note *** « «]

2. Prohibited Activities

The following activities are declared as prohibited within the Coastal Regulation Zone namely :

[3][(i) Setting up of new industries and expansion of existing industries, except (a) those directly related to water front or directly needing foreshore facilities] [4][***] (b) Projects of Department of Atomic Energy [5][and] [6][(c) non-polluting industries in the field of information technology and other service industries in the Coastal Regulation Zone of Special Economic Zones (SEZ).]

[7][Provided that (a) facilities for generating power by non conventional energy sources and setting up of desalination plants may be permitted within the said zone in areas not classified as CRZ-I(i); and (b) construction of airstrips in the said zone in areas not classified as CRZ-I(i) may also be permitted in the Islands of Lakshadweep and Andaman & Nicobar by Government of India in the Ministry of Environment & Forests.]

[8][Provided further that the development of green field Airport at Navi Mumbai shall be undertaken subject to detailed scientific study for incorporating adequate environmental safeguard measures required for neutralizing damage to coastal environment as may be appropriate to the Navi Mumbai region.]

---

1 Clause (ii) inserted vide Notification S.O.550(E), dated 21.5.2002.

2 The Note omitted vide Notification S.O.550(E), dated 21.5.2002.

3 Substituted by Notification S.O.329(E), dated 12.4.2001.

4 7 K H Z R U G µ D Q G Q R W L ¿ F D W L R Q V R P L W W H G vide Notification S.O.550(E), dated 21.5.2002.

5 7 K H : R U G V D Q G Q R W L ¿ F D W L R Q V R P L W W H G vide Notification S.O.550(E), dated 21.5.2002.

6 Sub-clause (c) inserted vide Notification S.O.550(E), dated 21.5.2002.

7 The proviso inserted vide Notification S.O.1100(E), dated 19.10.2002.

8 Inserted by para (a) of the amendment Notification S.O.1243(E), dated 15.5.2009.

(ii) Manufacture or handling or storage or disposal of hazardous substances as specified in the Notifications of the Government of India in the Ministry of Environment & Forests No. S.O. 594(E), dated 28th July, 1989, S.O. 966 (E), dated 27th November, 1989 and GSR 1037(E) dated 16th December, 1989; except transfer of hazardous substances from ships to ports, terminals and refineries and vice versa, in the port areas ;

[1][Provided that, facilities for receipt and storage of petroleum products and Liquefied Natural Gas as specified in Annexure-III appended to this notification and facilities for regasification of Liquefied Natural Gas, may be permitted within the said Zone in areas not classified as CRZ-I (i), subject to implementation of safety regulations including guidelines issued by the Oil Industry Safety Directorate in the Government of India, Ministry of Petroleum and Natural Gas and guidelines issued by the Ministry of Environment and Forests and subject to such further terms and conditions for implementation of ameliorative and restorative measures in relation to the environment as may be stipulated by the Government of India in the Ministry of Environment and Forests;];

(iii) Setting up and expansion of fish processing units including warehousing (excluding hatchery and natural fish drying in permitted areas);

Provided that existing fish, processing units for modernisation purposes may utilise twenty five per cent additional plinth area required for additional equipment and pollution control measures only subject to existing Floor Space Index/Floor Area Ratio norms and subject to the condition that the additional plinth area shall not be towards seaward side of existing unit and also subject to the approval State Pollution Control Board or Pollution Control Committee.

(iv) Setting up and expansion of units/mechanism for disposal of waste and effluents, except facilities required for discharging treated effluents into the water course with approval under the Water (Prevention and Control of Pollution) Act, 1974; and except for storm water drains;

(v) Discharge of untreated wastes and effluents from industries, cities or towns and other human settlements. Schemes shall be implemented by the concerned authorities for phasing out the existing practices, if any, within a reasonable time period not exceeding three years from the date of this notification.

(vi) Dumping of city or town waste for the purposes of landfilling or otherwise; the existing practice, if any, shall be phased out within a reasonable time not exceeding three years from the date of this Notification.

(vii) Dumping of ash or any wastes from thermal power stations;

---

1 Substituted vide Notification S.O.329(E), dated 12.4.2001.

[1][(viii) Land reclamation, bunding or disturbing the natural course of sea water except those required for construction or modernisation or expansion of ports, harbours, jetties, wharves, quays, slipways, bridges and sea-links and for other facilities that are essential for activities permissible under the notification or for control of coastal erosion and maintenance or clearing of water ways, channels and ports or for prevention of sandbars or for tidal regulators, storm water drains or for structures for prevention of salinity ingress and sweet water recharge:

Provided that reclamation for commercial purposes such as shopping and housing complexes, hotels and entertainment activities shall not be permissible;];

[2][(ix) Mining of sands, rocks and other substrata materials, except those (a) rare minerals not available outside the CRZ areas and (b) exploration and extraction of Oil and Natural Gas;]

[3][Provided that in the Union territory of the Andaman and Nicobar Islands, mining of sand may be permitted by a committee constituted by the Lieutenant Governor of the Andaman and Nicobar Islands consisting of (1) the Chief Secretary Andaman & Nicobar Administration; (2) Secretary, Department of Environment; (3) Secretary, Department of Water Resources; and (4) Secretary, Andaman Public Works Department:

Provided further that the Committee may permit mining of sand upto 44,102 cu.m. for construction purposes on a case to case basis, for the period on and from the 1st day of April, 2003 to the 31st day of March, 2004 from sites selected, inter-alia, based on rate of replenishment or deposition of sand:

Provided also that the permission as may be granted under this sub-paragraph for mining of sand shall be based on mining plans and shall stipulate sufficient safeguards to prevent damage to the sensitive coastal eco-system including corals, turtles, crocodiles, birds nesting sites and protected areas.]

(x) Harvesting or drawal of ground water and construction of mechanisms therefore within 200 m of HTL; in the 200 m to 500m zone it shall be permitted only when done manually through ordinary wells for drinking, horticulture, agriculture and fisheries;

[4][Provided that drawal of ground water is permitted, where no other source of water is available and when done manually through ordinary wells or hand pumps, for drinking and domestic purposes, in the zone between 50 to 200 m from High Tide Line in case of seas, bays and estuaries and within 200m or the

---

1 Substituted vide Notification S.O.329(E), dated 12.4.2001.

2 Substituted vide Notification S.O.329(E), dated 12.4.2001.

3 Inserted by notification No. S.O.73(E), dated 31.1.1997, subsequently .substituted by Notification No.635(E), dated 30.5.2003.

4 Inserted by notification No. S.O.73(E), dated 31.1.1997

CRZ, whichever is less, from High Tide Line in case of rivers, creeks and backwaters subject to such restrictions, as may be deemed necessary, in areas affected by sea water intrusion, that may imposed be imposed by an authority designated by State Government/Union Territory Administration.]

[1][(xi) construction activities in CRZ -I except as specified in Annexure -I of this notification;]

(xii) any construction activity between the Low Tide Line and High Tide Line except facilities for carrying treated effluents and waste water discharges into the sea, facilities for carrying sea water for cooling purposes, oil, gas and similar pipelines and facilities essential activities permitted under this Notification; and

(xiii) dressing or altering of sand duens, hills natural features including landscape charges for beautification, recreational and other such purpose, except as permissible under the Notification.

3. Regulation of Permissible Activities :

All other activities, except those prohibited in para 2 above, will be regulated as under :

(1) Clearance shall be given for any activity within the Coastal Regulation Zone only if it requires water front and foreshore facilities.[2][The assessment shall be completed within a period of ninety days from receipt of the requisite documents and data from the project authorities, and the decision shall be conveyed within thirty days thereafter.]

(2) The following activities will require environmental clearance from the Ministry of Environment & Forests, Government of India, namely :

[3][(i) Construction activities related to projects of Department of Atomic Energy or Defence requirements for which foreshore facilities are essential such as. slipways, jetties, wharves, quays; except for classified operational component of defence projects for which a separate procedure shall be followed. (Residential buildings, office buildings, hospital complexes, workshops shall not come within the definition of operational requirements except in very special cases and hence shall not normally be permitted in the CRZ);]

[4][(ia) the clearance granted shall be valid for a period of five years for the commencement of the construction or operation.]

---

1 Substituted vide Notification S.O. 329(E), dated 12.4.2001.

2 Inserted vide Notification S.O.550(E). dated 21.5.2002.

3 Substituted vide Notification S.O. 329(E), dated 12.4.2001.

4 Sub-clause (ia) inserted vide Notification S.O.1100(E), dated 19.10.2002.

[1][(ii) operational constructions for ports, harbours and light houses and construction activities of jetties, wharves, quays, slip ways, pipelines and conveying system including transmission lines, provided that, environmental clearance in case of constructions or modernization or expansion of jetties and wharves in the Union territory of Lakshadweep for providing embarkation and disembarkation facilities shall be on the basis of a report of scientific study conducted by the Central Government or any agency authorized or recognized by it suggesting environmental safeguard measures required to be taken for minimizing damage to corals and associated biodiversity.]

[2] > « @

(iii) Thermal power plants (only foreshore facilities for transport of raw materials facilities for in-take of cooling water and outfall for discharge of treated waste water/cooling water); and

[3][(iiia) Housing schemes in CRZ area as specified in sub-paragraph (2) of paragraph 6;

(iiib) Mining of rare minerals;

(iiic) Specified activities/facilities in SEZ subject to one time approval by the Government of India in the Ministry of Environment and Forests to such activities based on the Master Plan of SEZ, spatial distribution of projects to be located in CRZ and such other information as may be required for the purpose.]

[4][(iiid) facilities for generating power by non conventional energy sources, desalination plants and weather radars;

(iiie) airstrips and associated facilities in Lakshadweep and Andaman and Nicobar Islands.]

[5][(iv) Demolition or reconstruction of -

(i) buildings of archaeological or historical importance

(ii) heritage buildings; and

(iii) buildings under public use.

---

1 Substituted vide Notification S.O.329(E), dated 12.4.2001 and further amended by substituting sub-clause (ii) vide Notification S.O.636(E), dated 30.5.2003.

2 [3 U R Y Inserted vide Notification S.O.329(E), dated 12.4.2001.

3 Sub-clause µ LLL D LLL E DQG LLL F ¶ LQVHUWHG YLGH 1RWLILFDWLRQ 6 2 (G

4 Sub-clause µ LLLG DQG LLL H LQVHUWHG YLGH 1RWLILFDWLRQ 6 2 (GDWHG

5 Substitute vide Notification S.O.460(E), dated 22.4.2003.

Explanation : - For the purpose of this clause iv, 'public use' shall include use for purposes of worship, education, medical care and cultural activities.

(iv) All other activities with investment of five crore rupees or more:

Provided that activities involving investment of less than five crore rupees shall be regulated by the concerned authorities at the State or Union territory level in accordance with the provision of sub-paragraph (2) of paragraph 6 of Annexure-I of this notification.]

(3) (i) The coastal States Union Territory Administrations shall prepare, within a period of one year from the date of this Notification, Coastal Zone Management Plans identifying and classifying the CRZ areas within their respective territories in accordance with the guidelines given in Annexure ±I and II of the Notification and obtain approval (with or without modifications) of the Central Government in the Ministry of Environment & Forests;

(ii) Within the framework of such approved plans, all development and activities within the CRZ other than those covered in para 2 and para 3(2) above shall be regulated by the State Government, Union Territory Administration or the local authority as the case may be in accordance with the guidelines given in Annexures I and II of the Notification; and

(iii) In the interim period till the Coastal Zone Management Plans mentioned in para 3(3) (i) above are prepared and approved, all developments and activities within the CRZ shall not violate the provisions of this Notification. State Governments and Union Territory Administrations shall ensure adherence to these regulations and violations, if any, shall be subject to the provisions of the Environment (Protection) Act, 1986.

4. Procedure for monitoring and enforcement :

The Ministry of Environment & Forests and the Government of State or Union Territory and such other authorities at the State or Union Territory levels, as may be designated for this purpose, shall be responsible for monitoring and enforcement of the provisions of this notification within their respective jurisdictions.

[N.K-15019/1/84/IA-III(Vol.II)
R.RAJAMANI, Secy.

ANNEXURE ± I

COASTAL AREA CLASSIFICATION AND DEVELOPMENT REGULATIONS

Classification of Coastal Regulation Zone :

6(1) For regulating development activities, the coastal stretches within 500 metres of High Tide Line on the landward side are classified into four categories, namely:

Category I (CRZ-I)

(i) Areas that are ecologically sensitive and important, such as national parks/marine parks, sanctuaries, reserve forests, wildlife habitats, mangroves, corals/coral reefs, areas close to breeding and spawning grounds of fish and other marine life, areas of outstanding natural beauty/historically/heritage areas, areas rich in genetic diversity, areas likely to be inundated due to rise in sea level consequent upon global warming and such other areas as may be declared by the Central Government or the concerned authorities at the State/Union Territory level from time to time.

(ii) Area between the Low Tide Line and the High Tide Line.

Category II (CRZ-II)

The areas that have already been developed upto or close to the shore-line. For WKLV SXUSRVH ³GHYHORSHG DUHD´ LV UHIHUUHG WR DV or in other legally designated urban areas which is already substantially built up and which has been provided with drainage and approach roads and other infrastructural facilities, such as water supply and sewerage mains.

Category ± III (CRZ-III) :

Areas that are relatively undisturbed and those which do not belong to either Category-I or II. These will include coastal zone in the rural areas (developed and undeveloped) and also areas within Municipal limits or in other legally designated urban areas which are not substantially built up.

Category-IV (CRZ-IV)

Coastal stretches in the Andaman & Nicorbar, Lakshadweep and small islands, except those designated as CRZ-I, CRZ-II or CRZ-III.

Norms for Regulation of Activities.

6(2) The development or construction activities in different categories of CRZ area shall be regulated by the concerned authorities at the State/Union Territory level, in accordance with the following norms :

CRZ-I

[1][No new construction shall be permitted in CRZ- I except (a) Projects relating to Department of Atomic Energy and (b) Pipelines, conveying systems including transmission lines[2][*** (c) facilities] that are essential for activities permissible under CRZ-I.[3][and (d) installation of weather radar for monitoring of cyclone movement and prediction by Indian Meteorological Department.] Between the LTL and the HTL, activities as specified under paragraph 2 (xii) may be permitted. In addition, between LTL and HTL in areas which are not ecologically sensitive and important, the following may be permitted: (a) Exploration and extraction of Natural Gas, (b) activities as specified under provisions[4][sub-paragraphs (i) and (ii)] of paragraph 2[5][*** (c) Construction] of dispensaries, schools, public rain shelters, community toilets, bridges, roads, jetties, water supply, drainage, sewerage which are required for traditional inhabitants of the Sunderbans Bio-sphere reserve area, West Bengal, on a case to case basis, by the West Bengal State Coastal Zone Management Authority][6][***] [7][(d) salt harvesting by solar evaporation of sea water,][8][(e) desalination plants, and (f) storage of non hazardous cargo such as edible oil, fertilizers and food grain within notified ports.] [(g) development of green field airport and related activities at Navi Mumbai][9].

Provided that construction of dispensaries, schools, public rain shelters, community toilets, bridges, roads, jetties, water supply, drainage, sewerage which are required for traditional inhabitants of the Sunderbans Bio-sphere reserve area, West Bengal, may be permitted, on a case to case basis, by an authority designated by the State Government.

CRZ-II

(i) Building shall be permitted only on the landward side of the existing road (or roads proposed in the approved Coastal Zone Management Plan of the area) or on the landward side of existing authorised structures. Buildings permitted on the

---

1 Substituted by Notification S.O. 329(E), dated 12.4.2001.

2)RU WKH ZRUGV µDQG F IDFLOLWLHV¶ WKH ZRUG µ F IDFLOLWLHV¶ VXEVWLWXW

3 Sub-clause (d) inserted vide Notification S.O.1100(E), dated 19.10.2002.

4)RU WKH ZRUGV µXQGHU SURYLVLRQV¶ WKH ZRUGV µXQGHU Lfication V.O.1100(E) dated 19.10.2002.

5)RU WKH ZRUGV µDQG F FRQVWUXFWLRQ¶ WKH ZRUG µ F FRQVWUXFWLRQ¶ V 21.5.2002.

6)RU WKH ZRUGV µDQG G VDOW¶ WKH ZRUG (E), dated 19.10.2002 XEVWLWXWHG YLGH 1RW

7 Sub-clause (d) inserted vide Notification S.O.550(E), dated 21.5.2002 .

8 Sub-clause (e) inserted vide Notification S.O.1100(E), dated 19.10.2002.

9 Inserted by para (b) (i) of the amendment Notification S.O.1243(E), dated 15.5.2009.

landward side of the existing and proposed roads/existing authorised structures shall be subject to the existing local town and Country Planning Regulations including the existing norms of Floor Space Index/Floor Area Ratio.

Provided that no permission for construction of buildings shall be given on landward side of any new roads (except roads proposed in the approved Coastal Zone Management Plan) which are constructed on the seaward side of an existing road.

[1][Provided further that the above restrictions on construction, based on existing roads/authorised structures, roads proposed in the approved Coastal Zone Management Plans, new roads shall not apply to the housing schemes of State Urban Development Authorities implemented in phases for which construction activity was commenced prior to 19th February, 1991 in atleast one phase and all relevant approvals from State/Local Authorities were obtained prior to 19th February, 1991; in all such cases specific approval of the Ministry of Environment and Forests would be necessary on a case to case basis.]

(ii) Reconstruction of the authorised buildings to be permitted subject to the existing FSI/FAR norms and without change in the existing use.

(iii) The design and construction of building shall be consistent with the surrounding landscape and local architectural style.

CRZ ± III

(i) 7KH DUHD XSWR PHWUHV IURP WKH +LJK 7LGH /LQH
'HYHORSPHQW RQ [2]Q[ZKHUH VXFK area does not fall within any notified port limits or any notified Special Economic Zone.] No construction shall be permitted within this zone except for repairs of existing authorised structures not exceeding existing FSI, existing plinth area and existing density and for permissible activities under the notification including facilities essential for such activities. [3]> « « However, the following [4][uses/activities] may be permissible in this zone- agriculture, horticulture, gardens, pastures, parks, play fields, forestry [5][projects relating to the Department of Atomic Energy] [6][mining [6][mining of rare minerals] and salt manufacture from sea water [7][facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-III appended to this notification and facilities for regasification of

---

1 Proviso inserted vide Notification S.O.550(E), dated 21.5.2002.

2 Inserted vide Notification S.O.550(E), dated 21.5.2002.

3 7KH ZRUGV µDQ DXWKRULW\ GHVLJQDWHG« « UHTXLUHPHQWV RI ORFDO LQKDEL dated 21.5.2002. S.O.(E),

4 7KH ZRUG µXVHV¶ WKH ZRUGV µXVHV DFWLYLWLHV¶ .UHSODFHG YLGH 1RWLILFDW

5 Inserted vide Notification S.O.838(E), dated 24.7.2003.

6 Inserted vide Notification S.O.550(E), dated 21.5.2002.

7 Inserted vide Notification S.O.1100(E), dated 19.10.2002.

liquefied natural gas subject to the conditions as mentioned in para 2(ii), facilities for generating power by non conventional energy sources, desalination plants, weather radars and construction of airstrips and associated facilities in the Islands of Lakshadweep and Andaman and Nicobar.]

[1][ia) Construction of dispensaries, schools, public rain shelters, community toilets, bridges, roads and provision of facilities for water supply, drainage, sewerage which are required for the local inhabitants may be permitted, on a case to case basis, by the Central Government or Coastal Zone Management Authority constituted for the State/Union Territory.

Provided that construction of units or ancillary thereto for domestic sewage treatment and disposal shall be permissible notwithstanding anything contained in sub-paragraph (iv) of paragraph 2 of this notification.]

[2][(ib) The No Development Zone may be reduced to a minimum of 50 mts in the identified stretches of the Islands in the Union Territory of Andaman and Nicobar Islands selected and declared by the Central Government for promotion of tourism, based on an integrated coastal zone management study conducted or commissioned by the Ministry of Environment & Forests.]

(ii) Development of vacant plots between 200 and 500 metres of High Tide Line in designated areas of CRZ-III with prior approval of Ministry of Environment & Forests(MEF) permitted for construction of hotels/beach resorts for temporary occupation of tourists/visitors subject to the conditions as stipulated in the guidelines at Annexure-II.

[3][(iia) facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-III appended to this notification and facilities for regasification of liquefied natural gas subject to the conditions as mentioned in para 2(ii).

(iib) storage of non hazardous cargo such as edible oil, fertilizers and food grain in notified ports.

(iic) desalination plants

(iid) facilities for generating power by non conventional energy sources.

(iie) construction of airstrips and associated facilities in the Islands of Lakshadweep and Andaman & Nicobar.]

---

1 Sub-clause (ia) inserted vide Notification S.O.550(E), dated 21.5.2002.

2 Sub-clause (ib) inserted vide Notification S.O.838(E), dated 24.7.2003.

3 Sub clause (iia) to (iie) inserted vide Notification S.O.1100(E), dated 19.10.2002.

[1][(iif) construction and operation of jetties in the Union territory of Lakshadweep.]

(iii) Construction/reconstruction of dwelling units between 20 and 500 metres of the High Tide Line permitted so long it is within the ambit of traditional rights and customary uses such as existing fishing villages and gothans. Building permission for such construction/reconstruction will be subject to the conditions that the total number of dwelling unit shall not be more than twice the number of existing unit, total covered area on all floors shall not exceed 33 per cent of the plot size; the overall height of construction shall not exceed 9 metres and construction shall not be more than 2 floors (ground floors plus not floor).

Construction is allowed for permissible activities under the notification including facilities essential for such activities. An authority designated by State Government/Union Territory Administration may permit construction of public rain shelters, community toilets, water supply, drainage, sewerage, roads and bridges. The said authority may also permit construction of schools and dispensaries for local inhabitants of the area for those panchayats the major part of which falls within CRZ if no other area is available for construction of such facilities.

(iv) Reconstruction/alternations of an existing authorised building permitted subject to (i) to (iii) above.

[2][v) In notified SEZ, construction of non-polluting industries in the field of information technology and other service industries, desalination plants, beach resorts and related recreational facilities essential for promotion of SEZ as approved in its Master Plan by SEZ Authority may be permitted.]

[3][(vi) development of green field airport and related activities at Navi Mumbai.]

CRZ-IV

Andaman & Nicobar Islands :

(i) No new construction of buildings shall be permitted within 200 metres of the HTL,[4][except facilities for generating power by non conventional energy sources, desalination plants and construction of airstrips and associated facilities.]

---

1 Sub-clause (iif) inserted vide Notification S.O.636(E), dated 30.5.2003.

2 Clause (v) inserted vide Notification S.O.550(E), dated 21.5.2002

3 Inserted by para (b)(i) of the amendment Notification S.O.1243(E), dated 15.5.2009.

4 Inserted vide Notification S.O.1100(E), dated 19.10.2002.

(ii) The buildings between [1][50] and 500 meters from the High Tide Line shall not have more than 2 floors, (ground floor and Ist floor) the total covered area on all floors, shall not be more than 50 per cent of the plot size and the total height of construction shall not exceed 9 metres;

(iii) The design and construction of buildings shall be consistent with the surrounding landscape and local architectural style.

[2][(iv) (a) Corals from the beaches and coastal waters shall not be used for construction and other purposes;

(b) sand may be used from the beaches and coastal waters, only for construction purpose upto [3][31st day of March, 2004] and thereafter it shall not be used for construction and other purposes].

(v) Degrading and underwater blasting in and around coral formations shall not be permitted; and

(vi) However, in some of the Islands, coastal stretches may also be classified into categories CRZ-I or II or III with the prior approval of Ministry of Environment & Forests and in such designated stretches, the appropriate regulations given for respective categories shall apply

Lakshdweep and small Islands :

(i) For permitting construction of buildings and distance from the High Tide Line shall be decided depending on the size of the Islands. This shall be laid down for each Island [4][on the basis of integrated coastal zone management study] and with approval of the Ministry of Environment & Forests, keeping in view the land use requirements for specific purposes vis-a-vis local conditions including hydrological aspects erosion and ecological sensitivity.

---

1)RU WKH ILJXUHV µ ¶ WKH ILJXUHV µ ¶ VXEVWLWXWHG YLGH 1RWLILFDWLRQ 6

2 Inserted by notification No. S.O.73(E), dated 31.1.1997.

3 Substituted vide Notification S.O.635(E), dated 30.5.2003.

4)RU WKH ZRUGV µ LQ FRQVXOWDWLRQ ZLWK WKH H[SHUWV¶ WKH ZRUGV µRQ W S.O.838(E), dated 24.7.2003.

[1][(ia) facilities for generating power by non conventional energy sources;

(ib) desalination plants;

(ic) construction of airstrips and associated facilities]

[2][(id) operational construction of jetties and wharves or construction, development or modernization of jetties and wharves on the basis of a scientific study conducted by the Central Government or any agency authorized or recognized by it on a case to case basis suggesting environmental safeguard measures required to be taken for minimizing damage to corals and associated biodiversity.]

(ii) The buildings within 500 meters from the HTL shall not have more than 2 floors, (ground floor, and 1st floor) the total covered area on all floors shall not be more than 50 per cent of the plot size and the total height of construction shall not exceed 9 metres;

(iii) The design and construction of buildings shall be consistent with the surroundings landscape and local architectural style.

(iv) Corals and sand from the beaches and coastal waters shall not be used for construction and other purposes.

(v) Degrading and underwater blasting in and around coral formations shall not be permitted; and

(vi) However, in some of the Islands, coastal stretches may also be classified into categories CRZ-I or II or III, with the prior approval to the Ministry of Environment & Forests and in such designated stretches, the appropriate regulations given for respective Categories shall apply.

---

1 Sub-clause (ia) to (ic) inserted vide Notification S.O.1100(E), dated 19.10.2002.

2 Sub-clause (id) inserted vide Notification S.O.636(E), dated 30.5.2003.

ANNEXURE ±II

Guidelines for Development of Beach Resorts/Hotels in the Designated areas of CRZ-III for Temporary Occupation of Tourist/Visitors, with prior approval of the Ministry of Environment & Forests.

7(1) Construction of beach resorts/hotels with prior approval of the MEF in the designated areas of CRZ-III for temporary occupation of tourists/visitors shall be subject to the following conditions :

[1][(i) The project proponent shall not undertake any construction within 200 metres in the land-ward side from the High Tide Line and within the area between the Low Tide and High Tide Lines:

Provided that the Central Government may, after taking into account geographical features and overall Coastal Zone Management Plans, and for reasons to be recorded in writing, permit any construction subject to such conditions and restrictions as it may deem fit;

[2][Provided further that construction for the purpose of tourism development may be permitted beyond 50 mts on the landward side of the High Tide Line in the Union Territories of the Andaman and Nicobar Islands and Lakshadweep Islands based on integrated coastal zone management study conducted by the Ministry of Environment & Forests by itself or through any agency authorized by it in this behalf.]

(ia) live fencing and barbed wire fencing with vegetative cover may be allowed around private properties subject to the condition that such fencing shall in no way hamper public access to the beach;

(ib) no flattening of sand dunes shall be carried out;

(ic) no permanent structures for sports facilities shall be permitted except construction of goal posts, net posts and lamp posts;

(id) construction of basements may be allowed subject to the condition that no objection certificate is obtained from the State Ground Water Authority to the effect that such construction will not adversely affect free flow of ground water in that area. The

---

1 Substituted by Notification S.O.595(E), dated 18.8.1994.

2 Inserted vide Notification S.O.838(E), dated 24.7.2003.

State Ground Water Authority shall take into consideration the guidelines issued by the Central Government before granting such no objection certificate.

EXPLANATION :

Though no construction is allowed in the no development zone for the purpose of calculation of FSI, the area of entire plot including the portion which falls within the no development zone shall be taken into account.]

(ii) the total plot size shall not be less than 0.4 hectares and the total covered area on all floors shall not exceed 33 per cent of the plot size i.e. the FSI shall not exceed 0.33.[1][Further, the total covered area of all the floors shall not be more than 50% of the plot size both in the Union Territory of Andaman and Nicobar Islands and the Union Territory of Lakshadweep Islands.] The open area shall be suitably landscaped with appropriate vegetal cover.

(iii) The construction shall be consistent with the surrounding landscape and local architectural style;

(iv) The overall height of construction upto highest ridge of the roof, shall not exceed 9 metres and the construction shall not be more than 2 floors (ground floor plus one upper floor);

(v) Ground water shall not be tapped within 200 m of the HTL; within the 200 metres 500 metre zone it can be tapped only with the concurrence of the Central/State Ground Water Board;

(vi) Extraction of sand, leveling or digging of sandy stretches except for structural foundation of building swimming pool shall not be permitted within 500 metres of the High Tide Line;

(vii) The quality of treated effluents, solids wastes, emission and noise levels etc. from the project area must conform to the standards laid down by the competent authorities including the Central/State Pollution Control Board and under the Environment (Protection) Act, 1986.

---

1 Inserted vide Notification S.O.838(E), dated 24.7.2003.

(viii) Necessary arrangements for the treatment of the effluents and solid wastes must be made. It must be ensured that the untreated effluent and solid wastes are not discharged onto the water or on the beach; and no effluent, solid waste shall be discharged on the beach.

(ix) To allow public access to the beach, atleast a gap of 20 metres width shall be provided between any two hotels/beach resorts; and in no case shall gaps be less than 500 metres apart; and

(x) If the project involves diversion of forest land for non-forest purposes, clearance as required under the Forests (Conservation) Act, 1980 shall be obtained. The requirements of other Central and State laws as applicable to the project shall be met with.

(xi) Approval of the State/Union Territory Tourism Department shall be obtained.

7(2) In ecologically sensitive areas (such as marine parks, mangroves, coral reefs, breeding and spawning grounds of fish, wildlife habitats and such other areas as may notified by the Central/State Government/Union Territories) construction of beach resorts/hotels shall not be permitted.

ANNEXURE ± III

(See paragraph 2, sub-paragraph (ii)]

LIST OF PETROLEUM PRODUCTS PERMITTED FOR STORAGE IN [1][COASTAL REGULATION ZONE EXCEPT CRZ I ± (i)]

(i) Crude Oil
(ii) Liquefied Petroleum Gas
(iii) Motor Spirit
(iv) Kerosene
(v) Aviation: Fuel
(vi) High Speed Diesel
(vii) Lubricating Oil
(viii) Butane
(ix) Propane
(x) Compressed Natural Gas
(xi) Naptha
(xii) Furnace Oil
(xiii) Low Sulphur Heavy Stock
[2][(xiv) Liquefied Natural Gas (LNG)

Note : Environmental clearances accorded by the Ministry of Surface Transport from 9th July 1997 till the publication of this notification are valid. All proposals for environmental clearance pending with the Ministry of Surface Transport stand transferred to Ministry of Environment and Forests from the date of publication of this notification.]

Published in the Gazette No. 105,dated 20.2.1991 and subsequently corrected by corrigendum S.O.190(E), dt18.3.1991 and amended by S.O.595(E), dt.13.8.1994, .w.e.f.16.8.1994; S.O.494(E), dt.9.7.1997; S.O.73(E), dt.31.1.1997, S.O.334(E), dt.20.4.1998, S.O.873(E), dated 30.9.1998, S.O.1122(E), dt.29.12.1998 and S.O.998(E), dt.29.9.1999, S.O. 730(E), dated 4.8.2000, S.O. 900(E), dated 29.9.2000, S.O. 329(E), dated 12.4.2001, S.O.988(E), dated 3.10.2001, S.O.550(E), dated 21.5.2002, S.O.1100(E), dated 19.10.2002, S.O.52(E), dated 16.1.2003, S.O.460(E), dated 22.4.2003, S.O.635(E), dated 3.5.2003, S.O.66(E), dated 30.5.2003, S.O.563(E), dated 24.6.2003, S.O.838(E), dated 24.7.2003, S.O.86(E), dated 25.1.2005, S.O.451(E), dated 26.3.2007.

---

1) R U W K H Z R U G V µ 3 R U W V $ U H D V ¶ W K H Z R U G V µ3RUWV $UHDV¶ Wsubstituted vide Notification Except CRZ (i) inserted vide Notification S.O329 (E), dated 12.4.2001.

2 µ(Q W U \ [L Y D Q G 1 R W H ¶ Inserted vide Notification S.O.329(E), dated 12.4.2001.

NATIONAL COASTAL ZONE MANAGEMENT AUTHORITY

MINISTRY OF ENVIRONMENT & FORESTS

ORDER

New Delhi, the 8th January, 2001

S.O.17(E):- Whereas by a notification of the Government of India in the Ministry of Environment and forest number S.O.991(E), dated the 26th November, 1998, the Central Government constituted the National Coastal Zone Management Authority for a period of two years and the term of the said Authority has expired;

And whereas, the Central Government is of the view that such an Authority must be reconstituted for a period of two years;

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (hereinafter referred to as the said Act), the Central Government hereby re-constitutes the National Coastal Zone Management Authority (hereinafter referred to as the Authority) consisting of the following persons, for a period of two years, with effect from the date of publication of this Order in the Official Gazette, namely:-

1	Additional Secretary (Impact Assessment), Ministry of Environment and Forests, New Delhi.	Chairman
2	Shri Pranabes Sanyal, Chief Conservator of Forests, Wildlife Forest Directorate, Government of West Bengal, Calcutta.	Member
3	Chief Town Planner Ministry of Urban Affairs and Employment, New Delhi.	Member
4	Dr. Sinha Ray, Member, Central Ground Water Board, New Delhi.	Member
5	Director General (Tourism) or his representative, Ministry of Tourism, New Delhi.	Member

Reconstituted by Notification S.O.17(E), dated 8.1.2001.

6	Dr. Mohan Joseph, Director, Central marine Fisheries Research Institute, Cochin.	Member
7	Shri A.K. Shangle, Member, Central Water Commission, New Delhi.	Member
8	Dr. Shailesh Nayak, Senior Scientist, Space Applications Centre, Ahmedabad, Gujarat	Member
9	Dr. S. Ramachandran, Director, Institute of Ocean Management, Anna University, Chennai.	Member
10	Dr. M. Baba, Director, Centre for Earth Science Studies, Akkulam, Thiruvananthapuram.	Member
11	Deputy Secretary/Officer of an equivalent rank (Impact Assessment), Ministry of Environment and Forests, New Delhi.	Member-Secretary

II. The Authority shall have the power to take the following measures for protecting and improving the quality of the coastal environment and preventing, abating and controlling environmental pollution in coastal areas, namely : -

(i) Co-ordination of actions by the State Coastal Zone Management Authorities and the Union Territory Coastal Zone Management Authorities under the said Act and the rules made thereunder, or under any other law which is relatable to the objects of the said Act.

(ii) Examination of the proposals for changes and modifications in classification of Coastal Regulation Zone areas in the Coastal Zone Management Plans received from the State Coastal Zone Management Authorities and the Union Territory Coastal Zone Management Authorities, and making specific recommendations to the Central Government therefor.

(iii) (a) Review of cases involving violations of the provisions of the said Act and the rules made thereunder, or under any other law which is relatable to the objects of the said Act and, if found necessary, issue directions under section 5 of the said Act

(b) Review of cases under (iii) (a) either suo-moto or on the basis of the complaint made by an individual, or a representative body, or an organisation functioning in the field of environment.

(iv) File complaints, under section 19 of the said Act in cases of non-compliance of the directions issued by it under sub-paragraph (iii) (a) of paragraph II of the Order.

(v) To take action under section 10 of the said Act to verify the facts concerning the issues arising from sub-paragraphs (i), (ii) and (iii) of paragraph II of the Order.

III. The Authority shall provide technical assistance and guidance to the concerned State Government, Union Territory Governments/Administrations, the State Coastal Zone Management Authorities, the Union Territory Coastal Zone Management Authorities, and other institutions/organizations as may be found necessary, in matters relating to the protection and improvement of the coastal environment.

IV. The Authority shall examine and accord its approval to area specific management plans, integrated Coastal Zone Management plans and modifications thereof Zone Management plans and modifications thereof submitted by the State Coastal Zone Management Authorities and the Union Territory Coastal Zone Management Authorities.

V. The Authority may advise the Central Government on policy, planning, research and development, setting up of Centres of Excellence and funding, in matters relating to Coastal Regulation Zone Management.

VI. The Authority shall deal with all environmental issues relating to Coastal Regulation Zone which may be referred to it by the Central Government.

VII. The Authority shall furnish report of its activities and the activities of the State Coastal Zone Management Authorities and Union Territory Coastal Zone Management Authorities at least once in six months to the Central Governments.

VIII. The foregoing powers and functions of the Authority shall be subject to the supervision and control of the Central Government.

IX. The Authority shall have its headquarters at New Delhi.

X. Any matter specifically not falling within in scope and jurisdiction of the Authority as sore-constituted shall be dealt with by the statutory authorities concerned.

[No. J-17011/18/1996-IA-III]
V. RAJAGOPALAN, Jt. Secy.

COASTAL ZONE MANAGEMENT AUTHORITIES

ANDAMAN & NICOBAR ISLANDS COASTAL ZONE MANAGEMENT AUTHORITY

MINISTRY OF ENVIRONMENT & FORESTS

ORDER

New Delhi, the 4th January, 2002

S.O.28(E):- In exercise of the powers conferred by sub-sections (1) and (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (hereinafter referred to as the said Act), and in supersession of the Notification of the Government of India in the Ministry of Environment and Forests Number 992(E) dated, the 26th November, 1998, expect as respects things done or omitted to be done before such supersession, the Central Government hereby constitutes an authority to be known as the Andaman and Nicobar Coastal Zone Management Authority (hereinafter referred to as the Authority) consisting of the following persons, for a period of three years, with effect from the date of publication of this Order in the Official Gazette, namely:

1	Chief Secretary, Andaman and Nicobar Administration, Andaman and Nicobar Islands, Port Blair.	Chairman
2	Chief Engineer & Administrator, Andaman and Lakshadweep Harbour Works, Ministry of Surface Transport, Port Blair.	Member
3	Secretary, Department of Environment, Andaman and Nicobar, Port Blair.	Member
4	Director, Department of Fisheries, Port Blair.	Member
5	Dr. S. Ramachandran, Director, Institute of Ocean Management, Chennai.	Member
6	Dr. P. S. N. Rao, Botanical Survey of India, Port Blair.	Member

Reconstituted vide Notification S.O.28(E), dated 4.1.2002.

7	C. Servator of Forests, Andaman and Nicobar Islands, Port Blair.	MemberSecretary

II The Authority shall have the power to take the following measures for protecting and improving the quality of the coastal environment and preventing, abating and controlling environmental pollution in the coastal areas of the Union Territory of Andaman and Nicobar, namely:

(i) Examination of proposals for changes or modifications in classification of Coastal Regulation Zone areas and in the Coastal Zone Management Plan (CZMP) received from the of Andaman and Nicobar Union Territory Administration and making specific recommendations to the National Coastal Zone Management Authority therefor.

(ii) (a) Inquire into cases of alleged violations of the provisions of the said Act or the rules made thereunder, or under any other law which is related to the objects of the said Act and, if found necessary in a specific case, issuing directions under section 5 of the said Act, insofar as such directions are not inconsistent with any direction issued in that specific case by the National Coastal Zone Management Authority or by the Central Government;

(b) Review of cases involving violations of the provisions of the said Act, and the rules made thereunder, or under any other law which is related to the objects of the said Act, and if found necessary referring such cases, with comments, for review to the National Coastal Zone Management Authority:

Provided that the cases under sub-clauses (a) and (b) of this sub-paragraph may either be taken up suo-moto.or on the basis of complaint made by an individual or a representative body or an organisation.

(iii) Filing complaints under section 19 of the said Act in cases of non-compliance of the directions issued by it under sub-clause (a) of sub-paragraph (ii) of paragraph 11 of the Order.

(iv) To take action under section 10 of the said Act to verify the facts concerning the issues arising from sub-paragraphs (i) and (ii) of paragraph II of this Order.

III The Authority shall deal with environmental issues relating to Coastal Regulation Zone which may be referred to it by the Andaman and Nicobar Union Territory Administration the National Coastal Zone Management Authority or the Central Government.

IV The Authority shall identify ecologically sensitive areas in the Coastal Regulation Zone and formulate area-specific management plans for such identified areas.

V The Authority shall identify coastal areas highly vulnerable to erosion or degradation and formulate area specific management plans for such identified areas.

VI The Authority shall identify economically important stretches in Coastal Regulation Zone and prepare Integrated Coastal Zone Management Plans for the same.

VII The Authority shall submit the plans prepared by it under paragraphs IV, V and VI above and modifications thereof to the National Coastal Zone Management Authority for examination and its approval.

VIII The Authority shall examine all projects proposed in Coastal Regulation Zone areas and give their recommendations before the project proposals are referred to the Central Government or the agencies who have been entrusted to clear such projects under the notification, of the Government of India in the Ministry of Environment and Forests vide number S.O. 144 (E) dated 19th February, 1991.

IX The Authority shall ensure compliance of all specific conditions that are stipulated and laid down in the approved Coastal Zone Management Plan of Andaman and Nicobar.

X The Authority shall ensure that atleast two-third members of the Authority are present during the meetings.

XI The Authority shall furnish report of its activities at least once in six months to the National Coastal Zone Management Authority.

XII The foregoing powers and functions of the Authority shall be subject to the supervision and control of the Central Government.

XIII The Authority shall have its headquarters at Port Blair.

XIV The Authority shall open an account in any of the nationalized banks in the name of the Authority for the purpose of receiving funds provided for undertaking the activities and functions listed in this order.

XV Any matter specifically not falling within the scope and jurisdiction of the Authority so constituted shall be dealt with by the statutory authorities concerned.

[F. No. 17011/18/96-IA-III]
Dr. V. RAJAGOPALAN, Jt. Secy.

ANDHRA PRADESH COASTAL ZONE MANAGEMENT AUTHORITY

MINISTRY OF ENVIRONMENT & FORESTS

ORDER

New Delhi, the 4th January, 2002

(iii) Filing complaints under section 19 of the said Act in cases of non-compliance of the directions issued by it under sub-clause (a) of sub-paragraph (ii) of paragraph II of the Order.

(iv) To take action under section 10 of the said Act to verify the facts concerning the issues arising from sub-paragraphs (i) and (ii) of paragraph II of this Order.

III The Authority shall deal with environmental issues relating to Coastal Regulation Zone which may be referred to it by the Andhra Pradesh State Government, the National Coastal Zone Management Authority or the Central Government.

IV The Authority shall identify ecologically sensitive areas in the Coastal Regulation Zone and formulate area-specific management plans for such identified areas.

V The Authority shall identify coastal areas highly vulnerable to erosion or degradation and formulate area specific management plans for such identified areas.

VI The Authority shall identify economically important stretches in Coastal Regulation Zone and prepare Integrated Coastal Zone Management Plans for the same.

VII The Authority shall submit the plans prepared by it under paragraphs IV, V and VI above and modifications thereof to the National Coastal Zone Management Authority for examination and its approval.

VIII The Authority shall examine all projects proposed in Coastal Regulation Zone areas and give their recommendations before the project proposals arc referred to the Central Government or the agencies who have been entrusted to clear such projects under the notification, of the Government of India in the Ministry of Environment and Forests vide number S.O. 144 (E) dated 19th February, 1991.

IX The Authority shall ensure compliance of all specific conditions that arc stipulated and laid down in the approved Coastal Zone Management Plan of Andhra Pradesh.

X The Authority shall ensure that atleast two-third members of the Authority are present during the meetings.

XI The Authority shall furnish report of its activities at least once in six months to the National Coastal Zone Management Authority.

XII The foregoing powers and functions of the Authority shall be subject to the supervision and control of the Central Government.

XIII The Authority shall have its headquarters at Hyderabad.

XIV The Authority shall open an account in any of the nationalized banks in the name of the Authority for, the purpose of receiving finds provided for undertaking th activities and functions listed in this order.

XV Any matter specifically not falling within the scope and jurisdiction of the Authority so constituted shall be dealt with by the statutory authorities concerned.

[F. No. 17011/18/96-IA-III]
Dr. V. RAJAGOPALAN, Jt. Secy.

TAMIL NADU COASTAL ZONE MANAGEMENT AUTHORITY

MINISTRY OF ENVIRONMENT & FORESTS
ORDER

New Delhi, the 4th January, 2002

S.O.23(E):- In exercise of the powers conferred by Sub-sections (1) and (3) of Section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (hereinafter referred to as the said Act), and in supersession of the Notification of the Government of India in the Ministry of Environment and Forests Number 994(E) dated, the 26th November, 1998, expect as respects things done or omitted to be done before such supersession, the Central Government hereby constitutes an authority to be known as the Tamil Nadu State Coastal Zone Management Authority (hereinafter referred to as the Authority) consisting of the following persons, for a period of three years, with effect from the date of publication of this Order in the Official Gazette, namely:-

1	The Secretary of Government Environment and Forests Departmen Government of Tamil Nadu.	Chairman
2	The Director of Town and Country Planning, Government of Tamil Nadu, Chennai.	Member
3	Dr. M. Ravindran, Director, National Institute of Ocean Technology, Chennai.	Member
4	Dr. S. Ramachandran, Director, Institute of Ocean Management Chennai	Member
5	Dr. L. Kannan, Project Director, Centre for Advanced Studies in Marine Biolog Annarnalai University	Member
6	Regional Director Central Ground Water Board, Chennai.	Member

Reconstituted vide Notification S.O.23(E), dated 4.1.2002.

7	Member-Secretary, Tamil Nadu Pollution Board, Chennai-32.	Member
8	The Director of Environment, Government of Tamil Nadu, Chennai,	Member Secretary

II The Authority shall have the power to take the following measures for protecting and improving the quality of the coastal environment and preventing, abating and controlling environmental pollution in the coastal areas of the State of Tamil Nadu, namely:-

(i) Examination of proposals for changes or modifications in classification of Coastal Regulation Zone areas and in the Coastal Zone Management Plan (CZMP) received from-the Tamil Nadu, State Government and making specific recommendations to the National Coastal Zone Management Authority therefor.

(ii) (a) Inquire into cases of alleged violations of the provisions of the said Act or the rules made thereunder, or under any other law which is related to the objects of the said Act and, if found, necessary in a specific case, issuing directions under section 5 of the said Act, insofar as such directions are not inconsistent with any direction issued in that specific case by the National Coastal Zone Management Authority or by the Central Government;

(b) Review of cases involving violations of the provisions of the said Act, and the rules made thereunder, or under any other law which is related to the objects of the said Act, and if found necessary referring such cases, with comments, for review to the National Coastal Zone Management Authority:

Provided that the cases under sub-clauses (a) and (b) of this sub-paragraph may either be taken up suo-moto or on the basis of complaint made by an individual or a representative body or an organisation.

(iii) Filing complaints under section 19 of the said Act in cases of non-compliance of the directions issued by it under sub-clause (a) of sub-paragraph (ii) of paragraph 11 of the Order.

(iv) To take action under section 10 of the said Act to verify the facts concerning the issues arising from sub-paragraphs (i) and (ii) of paragraph II of this Order.

III The Authority shall deal with environmental issues relating to Coastal Regulation Zone which may be referred to it by the Tamil Nadu State Government, the National Coastal Zone Management Authority or the Central Government.

IV The Authority shall identify ecologically sensitive areas in the Coastal Regulation Zone and formulate area-specific management plans for such identified areas.

V The Authority shall identify coastal areas highly vulnerable to erosion or degradation and formulate area specific management plans for such identified areas.

VI The Authority shall identify economically important stretches in Coastal Regulation Zone and prepare Integrated Coastal Zone Management Plans for the same

VII The Authority shall submit the plans prepared by it under paragraphs IV, V and VI above and modifications thereof to the National Coastal Zone Management Authority for examination and its approval.

VIII The Authority shall examine all projects proposed in Coastal Regulation Zone areas and give their recommendations before the project proposals are referred to the Central Government or the agencies who have been entrusted to clear such projects under the, notification, of the Government of India in the Ministry of Environment and Forests vide number S.O. 144 (E) dated 19th February, 1991.

IX The Authority shall ensure compliance of all specific conditions that are stipulated and laid down in the approved Coastal Zone Management Plan of Tamil Nadu,

X The Authority shall ensure that atleast two third members of the Authority are present during the meetings.

XI The Authority shall furnish report of its activities at least once in six months to the National Coastal Zone Management Authority.

XII The foregoing powers and functions of the Authority shall be subject to the supervision and control of the Central Government.

XIII The Authority shall have its headquarters at Chennai.

XIV The Authority shall open an account in any of the nationalized banks in the name of the Authority for the purpose of receiving funds provided for undertaking the activities and functions listed in this order.

XV Any matter specifically not falling within the scope and jurisdiction of the Authority so constituted shall be dealt with by the statutory authorities concerned.

[F. No. 17011/18/96-IA-III]

Dr. V. RAJAGOPALAN, Jt. Secy.

GOA STATE COASTAL ZONE MANAGEMENT AUTHORITY

MINISTRY OF ENVIRONMENT AND FORESTS

ORDER

New Delhi, the 4th January, 2002

S.O.19(E):- In exercise of the powers conferred by sub-sections (1) and (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (hereinafter referred to as the said Act), and in supersession of the Notification of the Government of India in the Ministry of Environment and Forests Number 995 (E) dated, the 26th November, 1998, expect as respects things done or omitted to be done before such supersession, the Central Government hereby constitutes an authority to be known as the Goa State Coastal Zone Management Authority (hereinafter referred to as the Authority) consisting of the following persons, for a period of three years, with effect from the date of publication of this Order in the Official Gazette, namely:-

1	Chief Secretary, Government of Goa.	Chairman
2	Secretary Dept. of Environment Government of Goa.	Member
3	Conservator of Forests, Government of Goa.	Member
4	Director, Department of Tourism, Government of Goa.	Member
5	Dr. Arvind Untawale, Ex. National Institute of Oceanography, Panjim	Member
6	Dr. B.R. Subrahmanyam, Director, Integrated Coastal and Marine, Area Management (ICMAM), Department of Ocean Technology, Chennai.	Member
7	Shri Claude Alvares, Goa Foundation, Panjim.	Member

Reconstituted vide Notification S.O.19(E), dated 4.1.2002.

8	Director and Joint Secretary, Department of Science, Technology and Environment. Government of Goa.	MemberSecretary

II The Authority shall - have the power to take the following measures for protecting and improving the quality of the coastal environment and preventing, abating and controlling environmental pollution in the coastal areas of the State of Goa, namely:-

(i) Examination of proposals for changes or modifications in classification of Coastal Regulation Zone areas and in the Coastal Zone Management Plan (CZMP) received from the Goa State Government and making specific recommendations to the National Coastal Zone Management Authority therefor.

(ii) (a) Inquire into cases of alleged violations of the provisions of the said Act or the rules made thereunder, or under any other law which is related to the objects of the said Act and, if found necessary in a specific case, issuing directions under section 5 of the said Act, insofar as such directions are not inconsistent with any direction issued in that specific case by the National Coastal Zone Management Authority or by the Central Government;

(b) Review of cases involving violations of the provisions of the said Act, and the rules made thereunder, or under any other law which is related to the objects of the said Act, and if found necessary referring such-cases, with comments, for review to the National Coastal Zone Management Authority:

Provided that the cases under sub-clauses (a) and (b) of this sub-paragraph may either be taken up suo-moto or on the basis of complaint made by an individual or a representative body or an organisation.

(iii) Filing complaints under section 19 of the said Act in cases of non-compliance of the directions issued by it under sub-clause (a) of sub-paragraph (ii) of paragraph 11 of the Order.

(iv) To take action under section 10 of the said Act to verify the facts concerning the issues arising from sub-paragraphs (i) and (ii) of paragraph 11 of this Order.

III The Authority shall deal with environmental issues relating to Coastal Regulation Zone which may be referred to it by the Goa State the National Coastal Zone Management Authority or the Central Government.

IV The Authority shall identify ecologically sensitive areas in the Coastal Regulation Zone and formulate area-specific management plans for such identified areas.

V The Authority shall identify coastal areas highly vulnerable to erosion or degradation and formulate area specific management plans for such identified areas.

VI The Authority shall identify economically important stretches in Coastal Regulation Zone and prepare Integrated Coastal Zone Management Plans for the same.

VII The Authority shall submit the plans prepared by it under paragraphs IV, V and VI above and modifications thereof to the National Coastal Zone Management Authority for examination and its approval.

VIII The Authority shall examine all projects proposed in Coastal Regulation Zone areas and give their recommendations before the project proposals are referred to the Central Government or the agencies who have been entrusted to clear such projects under the notification, of the Government of India in the Ministry of Environment and Forests vide number S.O. 144 (E) dated 1.9th February, 1991.

IX The Authority shall ensure compliance of all specific conditions that are stipulated and laid down in the approved Coastal Zone Management Plan of Goa.

X The Authority shall ensure that at least two-third members of the Authority arc present during the meetings.

XI The Authority shall furnish report of its activities at least once in six months to the National Coastal Zone Management Authority.

XII The foregoing powers and functions of the Authority shall be subject to the supervision and control of the Central Government.

XIII The Authority shall have its headquarters at Panjim.

XIV The Authority shall open an account in any of the nationalized banks in the name of the Authority for the purpose of receiving funds provided for undertaking the activities and functions listed in this order.

XV Any matter specifically not falling within the scope and jurisdiction of -the Authority so constituted shall be dealt with by the statutory authorities concerned.

[F. No. 17011/18/96-IA-III]
Dr. V. RAJAGOPALAN, Jt. Secy.

PONDICHERRY COASTAL ZONE MANAGEMENT AUTHORITY

MINISTRY OF ENVIRONMENT AND FORESTS

ORDER

New Delhi, the 4th January, 2002

S.O.22(E):-In exercise of the powers conferred by sub-sections (1) and (3) of section 3 of the Environment (Protection) Act 1986 (29 of 1986) (hereinafter referred to as the said Act), and in supersession of the Notification of the Government of India in the Ministry of Environment and Forests Number 996 (E) dated, the 26th November, 1998, expect as respects things done or omitted to be done before such supersession, the Central Government hereby constitutes an authority to be known as the Pondicherry Coastal Zone Management Authority (hereinafter referred to as the Authority) consisting of the following persons, for a period of three years, with effect from the date of publication of this Order in the Official Gazette, namely:-

1	Secretary, Department of Environment Pondicherry.	Chairman
2	Director, Department of Fisheries, Pondicherry.	Member
3	Chief Town Planner, Town and Country, Planning Department.	Member
4	Dr. R. Mahadevan, National Institute of Ocean Technology, Indian Institute of Technology, Chennai.	Member
5	Dr. L. Kannan, Director, Centre for Advanced Studies in Marine Biology, Annamalai University	Member
6	Dr. M. Ravindran, Director, Department of Ocean Development, Chennai.	Member
7	Member Secretary, Pondicherry Pollution Control Committee, Pondicherry.	Member-Secretary

Reconstituted vide Notification S.O.22(E), dated 4.1.2002.

II The Authority shall have the power to take the following measures for protecting and improving the quality of the coastal environment and preventing, abating and controlling environmental pollution in the coastal areas of the State of Pondicherry namely:-

(i) Examination of proposals for changes or modifications in classification of Coastal Regulation Zone areas and in the Coastal Zone Management Plan (CZMP) received from the Pondicherry State Government and making specific recommendations to the National Coastal Zone Management Authority therefor.

(ii) (a) Inquire into cases of alleged violations of the provisions of the said Act or the rules made thereunder, or under any other law which is related to the objects of the said Act and, if found necessary in a specific case, issuing directions under section 5 of the said Act, insofar as such directions are not inconsistent with any direction issued in that specific case by the National Coastal Zone Management Authority or by the Central Government;

(b) Review of cases involving violations of the provisions of the said Act, and the rules made thereunder, or under any other law which is related to the objects of the said Act, and if found necessary referring such cases, with comments, for review to the National Coastal Zone Management Authority:

Provided that the cases under sub-clauses (a) and (b) of this sub-paragraph may either be taken up suo-moto or on the basis of complaint made by an individual or a representative body or an organisation.

(iii) Filing complaints under section 19 of the said Act in cases of non-compliance of the directions issued by it under sub-clause (a) of sub-paragraph (ii) of paragraph 11 of the Order.

(iv) To take action under section 10 of the said Act to verify the facts concerning the issues arising from sub-paragraphs (i) and (ii) of paragraph II of this Order.

III The Authority shall deal with environmental issues relating to Coastal Regulation Zone which may be referred to it by the Pondicherry State Government the National Coastal Zone Management Authority or the Central Government.

IV The Authority shall identify ecologically sensitive areas in the Coastal Regulation Zone and formulate area-specific management plans for such identified areas.

V The Authority shall identify coastal areas highly vulnerable to erosion or degradation and formulate area specific management plans for such identified areas.

VI The Authority shall, identify economically important stretches in Coastal Regulation Zone and prepare Integrated Coastal Zone Management Plans for the same.

VII The Authority shall submit the plans prepared by it under paragraphs IV, V and VI above and modifications thereof to the National Coastal Zone Management Authority for examination and its approval.

VII The Authority shall examine all projects proposed in Coastal Regulation Zone areas and give their recommendations before the project proposals are referred to the Central Government or the agencies who have been entrusted to clear such projects under the notification, of the Government of India in the Ministry of Environment and Forests vide number S.O. 144 (E) dated 19th February, 1991.

IX The Authority shall ensure compliance of all specific conditions that arc stipulated and laid down in the approved Coastal Zone Management Plan of Pondicherry.

X The Authority shall ensure that atleast two-third members of the Authority are present during the meetings.

XI The Authority shall furnish report of its activities at least once in six months to the National Coastal Zone Management Authority.

XII The foregoing powers and functions of the Authority shall be Subject to the supervision and control of the Central Government.

XIII The Authority shall have its headquarters at Pondicherry.

XIV The Authority shall open an account in any of the nationalized banks in the name of the Authority for the purpose of receiving funds provided for undertaking the activities and functions listed in this order.

XV Any matter specifically not falling within the scope and jurisdiction of the Authority so constituted shall be dealt with by the statutory authorities concerned.

[F. No. 17011/18/96-IA-III]
Dr. V. RAJAGOPALAN, Jt. Secy.

WEST BENGAL STATE COASTAL ZONE MANAGEMENT AUTHORITY

MINISTRY OF ENVIRONMENT AND FORESTS

ORDER

New Delhi, the 4th January, 2002

S.O.25(E):- In exercise of the powers conferred by sub-sections (1) and (3) of section 3 of the Environment (Protection) Act, 19S6 (29 of 1986) (hereinafter referred to as the said Act), and in supersession of the Notification of the Government of Indiæ in th Ministry of Environment -in Forests Number 997(E) dated, the 26th November, 1998, expect as respects things done or omitted to be done before such supersession, the Central Government hereby constitutes an authority to be known as the West Bengal State Coastal Zone Management Authority (hereinafter referred to as the Authority) consisting of the following persons, for a period of three years, with effect from the date of publication of this Order in the Official Gazette, namely:-

1	Principal Secretary, Department of Environment, Government of West Bengal.	Chairman
2	Principal Secretary, Department of Forests, Government of West Bengal.	Member
3	Director, Fisheries Department, Government of West Bengal.	Member
4	Member Secretary, West BengaPollution Control Board.	Member
5	Shri Pranabes Sanyal Chief Conservator of Forests, Government of West Bengal.	Member
6	Prof. Sugata Hazara, Department of Zoology, Jadavpur University.	Member
7	Director, Sunderbans Development Authority, Goverɔnment of West Bengal.	Member

Reconstituted vide Notification S.O.25(E), dated 4.1.2002.

8	Director Department Environment Government of West Benga	Member Secretary

II The Authority shall have the power to take the following measures for protecting and improving the quality of the coastal environment and preventing, abating and controlling environmental pollution in the coastal areas of the State of West Bengal namely:-

(i) Examination of proposals for changes or modifications in classification of Coastal Regulation Zone areas and in the Coastal Zone Management Plan (CZMP) received from the West Bengal State Government and making specific recommendations to the National Coastal Zone Management Authority therefor.

(ii) (a) Inquire into cases of alleged violations of the provisions of the said Act or the rules made thereunder, or under any other law which is related to the objects of the said Act and, if found necessary in a specific case, issuing directions under section 5 of the said Act, insofar as such directions are not inconsistent with any direction issued in that specific case by the National Coastal Zone Management Authority or by the Central Government;

(b) Review of cases involving violations of the provisions of the said Act, and the rules made thereunder, or under any other law which is related to the objects of the said Act, and if found necessary referring such cases, with comments, for review to the National Coastal Zone Management Authority:

Provided that the cases under sub-clauses (a) and (b) of this sub-paragraph may either be taken up suo-moto or on the basis of complaint made by an individual or a representative body or an organisation.

(iii) Filing complaints under section 19 of the said Act in cases of non-compliance of the directions issued by it under sub-clause (a) of sub-paragraph (ii) of paragraph II of the Order.

(iv) To take action under section 10 of the said Act to verify the facts concerning the issues arising from sub-paragraphs (i) and (ii) of paragraph II of this Order.

III The Authority shall deal with environmental issues relating to Coastal Regulation Zone which may be referred to it by the West Bengal State Government, the National Coastal Zone Management Authority or the Central Government.

IV The Authority shall identify, ecologically sensitive areas in the Coastal Regulation Zone and formulate area-specific management plans for such identified areas.

V The Authority shall identify coastal areas highly vulnerable to erosion or degradation and formulate area specific management plans for such- identified areas.

VI The Authority shall identify economically important stretches in Coastal Regulation Zone and prepare Integrated Coastal Zone Management Plans for the same.

VII The Authority shall submit the plans prepared by it under paragraphs IV V and VI above and modifications thereof to the National Co8tal Zone Management Authority for examination and its approval.

VIII The Authority shall examine all projects proposed in Coastal Regulation Zone areas and give their recommendations before the project proposals are referred to the Central Government or the agencies who have been entrusted to clear such projects under the notification, of the Government of India in the Ministry, of Environment and Forests vide number S.O. 144(E) dated 19th February, 1991.

IX The Authority shall ensure compliance of all specific conditions that are stipulated and laid down in the approved Coastal Zone Management Plan of West Bengal.

X The Authority shall ensure that atleast two-third members of the Authority are present during the meetings.

XI The Authority shall furnish report of its activities at least once in six months to the National Coastal Zone Management Authority.

XII The foregoing powers and functions of the Authority shall be subject to the supervision and control of the Central Government.

XIII The Authority shall have its headquarters at Kolkata.

XIV The Authority shall open an account in any of the nationalized banks in the name of the Authority for the purpose of receiving funds provided for undertaking the activities and functions listed in this order.

XV Any matter specifically not falling within the scope and jurisdiction of the Authority so constituted shall be dealt with by the statutory authorities concerned.

[F No. 17011/18/96-IA-III]
Dr. V. RAJAGOPALAN, Jt. Secy.

DAMAN AND DIU COASTAL ZONE MANAGEMENT AUTHORITY

MINISTRY OF ENVIRONMENT AND FORESTS

ORDER

New Delhi, the 4th January, 2002

S.O.17(E):- In exercise of the powers conferred by sub-sections (1) and (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (hereinafter referred to as the said Act), and in supersession of the Notification of the Government of India in the Ministry of Environment and Forests Number 998 (E) dated, the 26th November, 1998, expect as respects things done or omitted to be done before such supersession, the Central Government hereby constitutes an authority to be known as the Daman and Diu Coastal Zone Management Authority (hereinafter referred to as the Authority) consisting of the following persons, for a period of three years, with effect from the date of publication of this Order in the Official Gazette, namely:-

1	Administrator, Daman and Diu, Dadra and Nagar Havali, Secretariat, Moti Daman.	Chairman
2	Chief Town and Country Planner, Town Country Planning Department, Moti Daman.	Member
3	Chief Conservator of Forests, Moti Daman.	Member
4	Dr. Shailesh Nayak, Space Application Centre, Ahmedabad.	Member
5	Head of Department, Environmental Engineering, Regional Engineering College, Surat.	Member
6	Collector, Daman.	Member

Reconstituted vide Notification S.O.17(E), dated 4.1.2002.

7	Collector Diu.	Member
8	Member Secretary, Pollution Control Committee, Moti Daman.	Member-Secretary

II The Authority shall have the power to take the following measures for protecting and improving the quality of the coastal environment and preventing, abating and controlling environmental pollution in the coastal areas of the Union Territory (U.T.) of Daman and Diu, namely:-

(i) Examination of proposals for changes or modifications in classification of Coastal Regulation Zone areas and in the Coastal Zone Management Plan (CZMP) received from the Daman and Diu Union Territotry Administration and making specific recommendations to the National Coastal Zone Management Authority therefor.

(ii) (a) Inquire into cases of alleged violations of the provisions of the said Act or the rules made thereunder, or under any other law which is related to the objects of the said Act and, if found necessary in a specific case, issuing directions under section 5 of the said Act, insofar as such directions are not inconsistent with any direction issued in that specific case by the National Coastal Zone Management Authority or by the Central Government;

(b) Review of cases involving violations of the provisions of the said Act, an the rules made thereunder, or under any other law which is related to the objects of the said Act, and if found necessary referring such cases, with comments, for review to the National Coastal Zone Management Authority:

Provided that the cases under subclauses (a) and (b) of this sub-paragraph may either be taken up suo-moto or on the basis of complaint made by an individual or a representative body or an organisation.

(iii) Filing complaints under section 19 of the said Act in cases of non-compliance of the directions issued by it under sub-clause (a) of sub-paragraph (ii) of paragraph II of the Order.

(iv) To take action under section 10 of the said Act to verify the facts concerning the issues arising from sub-paragraphs (i) and (ii) of paragraph II of this Order.

III The Authority shall deal with environmental issues relating to Coastal Regulation Zone which may be referred to it by the Union Territory, Daman and Diu, the National Coastal Zone Management Authority or the Central Government.

IV The Authority shall identify ecologically sensitive areas in the Coastal Regulation Zone and formulate area-specific management plans for such identified areas.

V The Authority shall identify coastal areas highly vulnerable to erosion or degradation and formulate area specific management plans for such identified areas.

VI The Authority shall identify economically important stretches in Coastal Regulation Zone and prepare Integrated Coastal Zone Management Plans for the same.

VII The Authority shall submit the plans prepared by it under paragraphs IV, V and VI above and modifications thereof to the National Coastal Zone Management Authority for examination and its approval.

VIII The Authority shall examine all projects proposed in Coastal Regulation Zone areas and give their recommendations before the project proposals are referred to the Central Government or the agencies who have been entrusted to clear such projects under the notification, of the Government of India in the Ministry of Environment and Forests vide Number S.O. 144 (E) dated 19th February, 199 1.

IX The Authority s1fall ensure compliance of all specific conditions that are stipulated and laid down in the approved Coastal Zone Management Plan of Daman and Diu.

X The Authority shall ensure that atleast two-third members of the Authority are present during the meetings.

XII The Authority shall furnish report of its activities at least once in six months to the National Coastal Zone Management Authority.

XII The foregoing powers and functions of the Authority shall be subject to the supervision and control of the Central Government.

XIII The Authority shall have its headquarters at Moti Daman.

XIV The Authority shall open an account in any of the nationalized banks in the name of the Authority for the purpose of receiving funds provided for undertaking the activities and functions listed in this order.

XV Any matter specifically not falling within the scope and jurisdiction of the Authority so constituted shall be dealt with by the statutory authorities concerned.

[F. No. 17011/18/96-IA-III]
Dr. V. RAJAGOPALIAN, Jt. Secy.

GUJARAT STATE COASTAL ZONE MANAGEMENT AUTHORITY

MINISTRY OF ENVIRONMENT AND FORESTS

Order

New Delhi, the 4th January, 2002

S.O.16(E):- In exercise of the powers conferred by sub-sections (1) and (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (hereinafter referred to as the said Act), and in supersession of the Notification of the Government of India in the Ministry of Environment and Forests Number 999 (E) dated, the 26th November, 1998, expect as respects things done or omitted to be done before such supersession, the Central Government hereby constitutes an authority to be known as the Gujarat State Coastal Zone Management Authority (hereinafter referred to as the. Authority) consisting of the following persons, for a period of three years, with effect from the date of publication of this Order in the Official Gazette, namely:-

1	The Principal Secretary, Forests and Environment Department, Government of Gujarat.	Chairman
2	The Principal Chief Conservator of Forests, Government of Gujarat	Member
3	The Principal Secretary Industries Department, Government of Gujarat	Member
4	The Chief Town Planner, Government of Gujarat.	Member
5	Prof. Nikhil Desai, Maharaja Sayaji Rao University, Baroda	Member
6	Prof. Anil Gupta, Indian Institute of Management, Ahmedabad.	Member
7	Dr. Shailesh Nayak, Space Application Center, Ahmedabad.	Member
8	Director (Environment), Forests and Environment Department, Government of Gujarat.	Member-Secretary

Reconstituted vide Notification S.O.16(E), dated 4.1.2002.

II The Authority shall have the power to take the following measures for protecting and improving the quality of the coastal environment and preventing, abating and controlling environmental pollution in the coastal areas of the State of Gujarat namely:-

(i) Examination of proposals for changes or modifications in classification of Coastal Regulation Zone areas and in the Coastal Zone Management Plan (CZMP) received from the Gujarat State Government and making specific recommendations to the National Coastal Zone Management Authority therefor.

(ii) (a) Inquire into cases of alleged violations of the provisions of the said Act or the rules made there under, or under any other law which is related to the objects of the said Act and, if found necessary in a specific case, issuing directions under section 5 of the said Act, insofar as such directions are not inconsistent with any direction issued in that specific case by the national Coastal Zone Management Authority or by the Central Government;

(b) Review of cases involving violations of the provisions of the said Act, and the rules made there under, or under any other law which is related to the objects of the said Act, and if found necessary referring such cases, with comments, for review to the National Coastal Zone Management Authority:

Provided that the cases under sub-clauses (a) and (b) of this sub-paragraph may either be taken up suo-moto or on the basis of complaint made by an individual or a representative body or an organisation.

(iii) Filing complaints under section 19 of the said Act in cases of non-compliance of the directions issued by it under sub-clause (a) of sub-paragraph (ii) of paragraph 11 of the Order.

(iv) To take action under section 10 of the said Act to verify the facts concerning the issues arising from sub-paragraphs (i) and (ii) of paragraph II of this Order.

III The Authority shall deal with environmental issues relating to Coastal Regulation Zone which may be referred to it by the Gujarat State Government, the National Coastal Zone Management Authority or the Central Government.

IV The Authority shall identify ecologically sensitive areas in the Coastal Regulation Zone and formulate area-specific management plans for such identified areas.

V The Authority shall identify coastal areas highly vulnerable to erosion or degradation and formulate area specific management plans for such identified areas.

VI The Authority shall identify economically important stretches in Coastal Regulation Zone and prepare Integrated Coastal Zone Management Plans for the same.

VII The Authority shall submit the plans prepared by it under paragraphs IV, V and VI above and modifications thereof to the National Coastal Zone Management Authority for examination and its approval.

VIII The Authority shall examine all projects proposed in Coastal Regulation Zone areas and give their recommendations before the project proposals are referred to the Central Government or the agencies who have been entrusted to clear such projects under the notification, of the Government of India in the Ministry of Environment and Forests vide number S.O. 144 (E) dated 19th February, 1991.

IX The Authority shall ensure compliance of all specific conditions that are stipulated and laid down in the approved Coastal Zone Management Plan of Gujarat.

X The Authority shall ensure that atleast two-third members of the Authority are present during the meetings.

XI The Authority shall furnish report of its activities at least once in six months to the National Coastal Zone Management Authority.

XII The foregoing powers and functions of the Authority shall be subject to the supervision and control of the Central Government.

XIII The Authority shall have its headquarters at Gandhinagar.

XIV The Authority shall open an account in any of, the nationalized banks in the name of the Authority for the purpose of receiving funds provided for undertaking the activities and functions-listed in this order.

XV Any matter specifically not falling within the scope and jurisdiction of the Authority so constituted shall be dealt with by the statutory authorities concerned.

[F. No. 17011/18/96-IA-III]
Dr. V. RAJAGOPALAN, Jt. Secy.

KARNATAKA STATE COASTAL ZONE MANAGEMENT AUTHORITY

MINISTRY OF ENVIRONMENT AND FORESTS

ORDER

New Delhi, the 4th January, 2002

S.O.21(E):-In exercise of the powers conferred by Sub-sections (1) and (3) of Section 3 of the Environment (Protection) Act 1986 (29 of 1986) (hereinafter referred to as the said Act), and in supersession of the Notification of the Government of India in the Ministry of Environment and Forests Number 1000 (E) dated, the 26th November, 1998, expect as respects things done or omitted to be done before such supersession, the Central Government hereby constitutes an authority to be known as the Karnataka State Coastal Zone Management Authority (hereinafter referred to as the Authority) consisting of the following persons, for a period of three years, with effect from the date of publication of this Order in the Official Gazette, namely:-

1	Principal Secretary, Department of Environment and Forests, Government of Karnataka.	Chairman
2	Director, Department of Industries, Government of Karnataka.	Member
3	Chairman, Karnataka State Pollution Control Board, Government of Karnataka.	Member
4	Father C.J. Saldhana, Ex-Director, Taxonomic Studies, Department of Botany, St. Joseph's College, Bangalore.	Member
5	St. Pranabes Sanyal, Chief Conservator of Forests, Government of West Bengal, Kolkata.	Member

Reconstituted vide Notification S.O.21(E), dated 4.1.2002.

6	Director, Department of Fisheries, Government of Karnataka, Bangalore.	Member
7	Dr. H. Honne Gowda, Director, Karnataka Remote Sensing Unit, Bangalore.	Member
8	Chief Conservator of Forests, Regional Office, Ministry of Environment and Forests, Kendriya Sadan, Koramangala, Bangalore.	Member
9	Director, Environment Technical Cell, Department of Forest, Ecology and Environment, Government of Karnataka.	Member Secretary

II The Authority shall have the power to take the following measures for protecting and improving the quality of the coastal environment and preventing, abating and controlling environmental pollution in the coastal areas of the State of Karnataka namely:-

(i) Examination of proposals for changes or modifications in classification of Coastal Regulation Zone areas and in the Coastal Zone Management Plan (CZMP) received from the Karnataka State Government and making specific recommendations to the National Coastal Zone Management Authority therefor.

(ii) (a) Inquire into cases of alleged violations of the provisions of the said Act or the rules made thereunder, or under any other law which is related to the objects of the said Act and, if found necessary in a specific case, issuing directions under Section 5 of the said Act, insofar as such directions are not inconsistent with any direction issued in that specific case by the National Coastal Zone Management Authority or by the Central Government;

(b) Review of cases involving violations of the provisions of the said Act, and the rules made thereunder, or under any other law which is related to the objects of the said Act, and if found necessary referring such cases, with comments, for review to the National Coastal Zone Management Authority:

Provided that the cases under sub-clauses (a) and (b) of this sub-paragraph may either be taken up suo-moto or on the basis of complaint made by an individual or a representative body or an organisation.

(iii) Filing complaints under Section 19 of the said Act in cases of non-compliance of the directions issued by it under sub-clause (a) of sub-paragraph (ii) of paragraph 11 of the Order.

(iv) To take action under Section 10 of the said Act to verify the facts concerning the issues arising from sub-paragraphs (i) and (ii) of paragraph 11 of this Order.

III The Authority shall deal with environmental issues relating to Coastal Regulation Zone which may be referred to it by the Karnataka State Government, the National Coastal Zone Management Authority or the Central Government.

IV The Authority shall identify ecologically sensitive areas in the Coastal Regulation Zone and formulate area-specific management plans for such identified areas.

V The Authority shall identify coastal areas highly vulnerable to erosion or degradation and formulate area specific management plans for such identified areas.

VI The Authority shall identify economically important stretches in Coastal Regulation Zone and prepare Integrated Coastal Zone Management Plans for the same.

VII The Authority shall submit the plans prepared by it under paragraphs IV, V and VI above and modifications thereof to the National Coastal Zone Management Authority for examination and its approval.

VIII The Authority shall examine all projects proposed in Coastal Regulation Zone areas and give their recommendations before the, project proposals are referred to the Central Government or the agencies who have been entrusted to clear such projects under the notification, of the Government of India in the Ministry of Environment and Forests vide number S.O.144(E) dated 19th February, 1991.

IX The Authority shall ensure compliance of all specific conditions that are stipulated and laid down in the approved Coastal Zone Management Plan of Karnataka.

X The Authority shall ensure that at least two-third members of the Authority are present during the meetings.

XI The Authority shall furnish report of its activities at least once in six months to the National Coastal Zone Management Authority.

XII The foregoing powers and functions of the Authority shall be subject to the supervision and control of the Central Government.

XIII The Authority shall have its headquarters at Bangalore.

XIV The Authority shall open an ac6otint in any of the nationalized banks in the name of the Authority for the purpose of receiving funds provided for undertaking the activities and functions listed in this order.

XV Any matter specifically not falling within the scope and jurisdiction of the Authority so constituted shall be dealt with by the statutory authorities concerned.

[F. No. 17011/18/964A-III]
Dr. V. RAJAGOPALAN, Jt. Secy.

KERALA STATE COASTAL ZONE MANAGEMENT AUTHORITY

MINISTRY OF ENVIRONMENT AND FORESTS

ORDER

New Delhi, the 4th January, 2002

S.O.20(E):- In exercise of the powers conferred by sub-sections (1) and (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (hereinafter referred to as the said Act), and in supersession of the Notification of the Government of India in the Ministry of Environment and Forests Number 100 1 (E) dated, the 26th November, 1998, expect as respects things done or omitted to be done before such supersession, the Central Government hereby constitutes an authority to be known as the Kerala State Coastal Zone Management Authority (hereinafter referred to as the Authority) consisting of the following persons, for a period of three years, with effect from the date of publication of this Order in the Official Gazette, namely:-

1	Chairman, STEC and Ex-officio Principal Secretary, STED, Government of Kerala	Chairman
2	Secretary, Department of Fisheries, Government of Kerala.	Member
3	Secretary, Department of Local Self Government of Kerala.	Member
4	Secretary, Department of Tourism.	Member
5	Principal Secretary to Chief Minister, Government of Kerala.	Member
6	Dr. M. Baba, Director, Centre for Earth Science Studies, Thiruvananthapuram.	Member
7	Director, Central Marine Fisheries Research Institute, Cochin.	Member
8	Prof. N. Balakrishnan Nair, Emeritus Scientist and Former Chairman, STEC.	Member

Reconstituted vide Notification S.O.20(E), dated 4.1.2002.

9	Dr. N.R. Menon, Former Dean, Sciences Division, CUSAT, Cochin.	Member
10	Director, STED, Government of Kerala.	Member Secretary

II The Authority shall have the power to take the following measures for protecting and improving the quality of the coastal environment and preventing, abating and controlling environmental pollution in the coastal areas of the State of Kerala namely:

(i) Examination of proposals for changes or modifications in classification of Coastal Regulation Zone areas and in the Coastal Zone Management Plan (CZMP) received from the Kerala State Government and making specific recommendations to the National Coastal Zone Management Authority therefor.

(ii) (a) Inquire into cases of alleged violations of the provisions of the said Act or the rules made thereunder, or under any other law which is related to the objects of the said Act and, if found necessary in a specific case, issuing directions under section 5 of the said Act, insofar as such directions are not inconsistent with any direction issued in that specific case by the National Coastal Zone Management Authority or by the Central Government;

(b) Review of cases involving violations of the provisions of the said Act, and the rules made thereunder, or under any other law which is related to the objects of the said Act, and if found necessary referring such cases, with comments, for review to the National Coastal Zone Management Authority:

Provided that the cases under subclauses (a) and (b) of this sub-paragraph may either be taken up suo-moto or on the basis of complaint made by an individual or a representative body or an organisation.

(iii) Filing complaints under section 19 of the said Act in cases of non-compliance of the directions issued by it under sub-clause (a) of sub-paragraph (ii) of paragraph II of the Order.

(iv) To take action under section 10 of the said Act to verify the facts concerning the issues arising from sub-paragraphs (i) and (ii) of paragraph 11 of this Order.

III The Authority shall deal with environmental issues relating to Coastal Regulation Zone which may be referred to it by the Kerala State Government the National Coastal Zone Management Authority or the Central Government.

IV The Authority shall identify ecologically sensitive areas in the Coastal Regulation Zone and formulate area-specific management plans for such identified areas.

V The Authority shall identify coastal areas highly vulnerable to erosion or degradation and formulate area specific management plans for such identified areas.

VI The Authority shall identify economically important stretches in Coastal Regulation Zone and prepare Integrated Coastal Zone Management Plans for the same.

VII The Authority shall submit the plans prepared by it under paragraphs IV, V and VI above and modifications thereof to the National Coastal Zone Management Authority for examination and its approval. ,

VIII The Authority shall examine all projects proposed in Coastal Regulation Zone areas and give their recommendations before the project proposals are referred to the Central Government or the agencies who have been entrusted to clear such projects under the notification of the Government of India in the Ministry of Environment and Forests vide number S.O. 144 (E) dated 19th February, 199 1.

IX The Authority shall ensure compliance of all specific conditions that are stipulated and laid down in the approved Coastal Zone Management Plan of Kerala.

X The Authority shall ensure that atleast two-third members of the Authority are present during the meetings.

XI The Authority shall furnish report of its activities at least once in six months to the National Coastal Zone Management Authority.

XII The foregoing powers and functions of the Authority shall be subject to the supervision and control of the Central Government.

XIII The Authority shall have its headquarters at Thiruvananthapuram.

XIV The Authority shall open an account in any of the nationalized banks in the name of the Authority for the purpose of receiving funds provided for undertaking the activities and functions listed in this order.

XV Any matter specifically not falling within the scope and jurisdiction of the Authority so constituted shall be dealt with by the statutory authorities concerned.

[F. No. 17011/18/96-IA-III]
Dr. V. RAJAGOPALAN, Jt. Secy.

LAKSHADWEEP COASTAL ZONE MANAGEMENT AUTHORITY

MINISTRY OF ENVIRONMENT AND FORESTS

Order

New Delhi, the 4th January, 2002

S.O.26(E):- In exercise of the powers conferred by sub-sections (1) and (3) of section 3 of the Environment (Protection) Act 1986 (29 of 1986) (hereinafter referred to as the said Act), and in supersession of the Notification of the Government of India in the Ministry of Environment and Forests Number 1002 (E) dated, the 26th November, 1998, expect as respects things done or omitted to be done before such supersession, the Central Government hereby constitutes an authority to be known as the Lakshadweep Coastal Zone Management Authority (hereinafter referred to as the Authority) consisting of the following persons, for a period of three years, with effect from the date of publication of this Order in the Official Gazette, namely:-

1	Administrator cum Secretary, (Environment and Forests), Union Territory of Lakshadweep, Kavarati.	Chairman
2	Deputy Conservator of Forests, Kavarati.	Member
3	Superintending Engineer, Lakshadweep Public Works Department, Kavarati.	Member
4	Dr. M. Baba, Director or his representative, Centre for Earth Sciences Studies, Thiruvananthapuram.	Member
5	Director, Central Marine Fisheries, Research Institute, Cochin.	Member
6	Chief Engineer and Administrator, Andaman Lakshadweep, Harbour, Works, Ministry of Surface Transport, Port Blair.	Member
7	Member Secretary, Pollution Control Committee Lakshadweep.	Member-Secretary

---

Reconstituted vide Notification S.O.26(E), dated 4.1.2002.

May be read as Committee instead of Board.

II The Authority shall have the power to take the following measures for protecting and improving the quality of the coastal environment and preventing, abating and controlling environmental pollution in the coastal areas of the Union Territory of Lakshadweep, namely:

(i) Examination of proposals for changes or modifications in classification of Coastal Regulation Zone areas and in the Coastal Zone Management Plan (CZMP) received from the Lakshadweep Union Territory Administration and making specific recommendations to the National Coastal Zone Management Authority therefor.

(ii) (a) Inquire into cases of alleged violations of the provisions of the said Act or the rules made thereunder, or under any other law which is related to the objects of the said Act and, if found necessary in a specific case, issuing directions under section 5 of the said Act, insofar as such directions are not inconsistent with any direction issued in that specific case by the National Coastal Zone Management Authority or by the Central Government;

(b) Review of cases involving violations of the provisions of the said Act, and the rules made thereunder, or under any other law which is related to the objects of the. said Act, and if found necessary referring such cases, with comments, for review to the National Coastal Zone Management Authority:

Provided that the cases under sub-clauses (a) and (b) of this sub-paragraph may either be taken up suo-moto or on the basis of complaint made by an individual or a representative body or an organisation.

(iii) Filing complaints under section 19 of the said Act in cases of non-compliance of the directions issued by it under sub-clause (a) of sub-paragraph (ii) of paragraph II of the Order.

(iv) To take action under section 10 of the said Act to verify the facts concerning the issues arising from sub-paragraphs (i) and (ii) of paragraph II of this Order.

III The Authority shall deal with environmental issues relating to Coastal Regulation Zone which may be referred to it by the Lakshadweep Union Territory Administration, the National Coastal Zone Management Authority or the Central Government.

IV The Authority shall identify ecologically sensitive areas in the Coastal Regulation Zone and formulate area-specific management plans for such identified areas.

V The Authority-shall identify coastal areas highly vulnerable to erosion or degradation and formulate area specific management plans for such identified areas.

VI The Authority shall identify economically important stretches in Coastal Regulation Zone and prepare Integrated Coastal Zone Management Plans for the same.

VII The Authority shall submit the plans prepared by it under paragraphs IV, V and VI above and modifications thereof to the National Coastal Zone Management Authority for examination and its approval.

VIII The Authority shall examine all projects proposed in Coastal Regulation Zone areas and give their recommendations before the project proposals are referred to the Central Government or the agencies who have been entrusted to clear such projects under the notification, of the Government of India in the Ministry of Environment and Forests vide number S.O. 144 (E) dated 19th February, 1991.

IX The Authority shall ensure compliance of all specific conditions that are stipulated and laid down in the approved Coastal Zone Management Plan of Lakshadweep.

X The Authority shall ensure that at least two-third members of the Authority are present during the meetings.

XI The Authority shall furnish report of its activities at least once in six months to the National Coastal Zone Management Authority.

XII The foregoing powers and functions of the Authority shall be subject to the supervision and control of the Central Government.

XIII The Authority shall have its headquarters at Kavarathi.

XIV The Authority shall open an account in any of the nationalized banks in the name of the Authority for the purpose of receiving funds provided for undertaking the activities and functions listed in this order.

XV Any matter specifically not falling within the scope and jurisdiction of the Authority so constituted shall be dealt with by the statutory authorities concerned.

[F. No. 17011/18/96-IA-III]
Dr. V. RAJAGOPALAN, Jt. Secy.

MAHARASHTRA STATE COASTAL ZONE MANAGEMENT AUTHORITY

MINISTRY OF ENVIRONMENT AND FORESTS

ORDER

New Delhi, the 4th January, 2002

S.O.18(E):- In exercise of the powers conferred by sub-sections (1) and (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (hereinafter referred to as the said Act), and in supersession of the Notification of the Government of India in the Ministry of Environment and Forests Number 1003 (E) dated, the 26th November, 1998, expect as respects things done or omitted to be done before such supersession, the Central Government hereby constitutes an authority to be known as the Maharashtra State Coastal Zone Management Authority (hereinafter referred to as the Authority) consisting of the following persons, for a period of three years, with effect from the date of publication of this Order in the Official Gazette, namely:-

1	Principal Secretary, Department of Environment, Government of Maharashtra, Mumbai.	Chairman
2	Principal Secretary, Department of Revenue and Forests, Government of Maharashtra, Mumbai.	Member
3	Principal Secretary, Urban Development, Government of Maharashtra, Mumbai.	Member
4	Dr. Leela Bhosle, Department of Botany, Kolhapur University, Kolhapur.	Member
5	Mr. S. Ayyappan, Director, Central Institute of Fisheries Education Mumbai	Member
6	Mr. S.K. Gupta, Head of the Department, C.E.S.E., Indian Institute of Technology, Mumbai.	Member

Reconstituted vide Notification S.O.18(E), dated 4.1.2002.

7	Dr. Hrishikesh Samant, Lecturer, Department of Zoology, St. Xavier's College, Mumbai.	Member
8	Member-Secretary, Mharashtra Pollution Control Board, Mumbai.	Member Secretary

II. The Authority shall have the power to take the following measures for protecting and improving the quality of the coastal environment and preventing, abating and controlling environmental pollution in the -coastal areas of the State of Maharashtra, namely:-

(i) Examination of proposals for changes or modifications in classification of Coastal Regulation Zone areas and in the Coastal Zone Management Plan (CZMP) received from the Maharashtra State Government and making specific recommendations to the National Coastal Zone Management Authority therefor.

(ii) (a) Inquire into cases of alleged violations of the provisions of the said Act or the rules made thereunder, or under any other law which is related to the objects of the said Act and, if found necessary in a specific case, issuing directions under section 5 of the said Act, insofar as such directions are not inconsistent with any direction issued in that specific case by the National Coastal Zone Management Authority or by the Central Government;

(b) Review of cases involving violations of the provisions of the said Act, and the rules made thereunder, or under any other law which is related to the objects of the said Act, and if found necessary referring such cases, with comments, for review to the National Coastal Zone Management Authority:

Provided that the cases under sub-clauses (a) and (b) of this Sub-paragraph may either be taken up suo-moto or on the basis of complaint made by an individual or a representative body or an organisation.

(iii) Filing complaints under section 19 of the said Act in cases of non-compliance of the directions issued by it under sub-clause (a) of sub-paragraph (ii) of paragraph II of the Order.

(iv) To take action under section 10 of the said Act to verify the facts concerning the issues arising from sub-paragraphs (i) and (ii) of paragraph II of this Order.

III The Authority shall deal with environmental issues relating to Coastal Regulation Zone which may be referred to it by the Maharashtra State Government the National Coastal Zone Management Authority or the Central Government.

IV The Authority shall identify ecologically sensitive areas in the Coastal Regulation Zone and formulate area-specific management plans for such identified areas.

V The Authority shall identify coastal areas highly vulnerable to erosion or degradation and formulate area specific management plans for such identified areas.

VI The Authority shall identify economically important stretches in Coastal Regulation Zone and prepare -Integrated Coastal Zone Management Plans for the same.

VII The Authority shall submit the plans prepared by it under paragraphs IV, V and VI above and modifications thereof to the National Coastal Zone Management Authority for examination and its approval.

VIII The Authority shall examine all projects proposed in Coastal Regulation Zone areas and give their recommendations before the project proposals are referred to the Central Government or the agencies who have been entrusted to clear such projects under the notification, of the Government of India in the Ministry of Environment and Forests vide number S.O. 144 (E) dated 19th February, 1991.

IX The Authority shall ensure compliance of all specific conditions that are stipulated and laid down in the approved Coastal Zone Management Plan of Maharashtra.

X The Authority shall ensure that atleast two third members of the Authority are present during the meetings.

XI The Authority shall furnish report of its activities at least once in six months to the National Coastal Zone Management Authority.

XII The foregoing powers and functions of the Authority shall be subject to the supervision and control of the Central Government.

XIII The Authority shall have its headquarters at Mumbai.

XIV The Authority shall open an account in any of the nationalized banks in the name of the Authority for the purpose of receiving funds provided for undertaking the activities and functions listed in this order.

XV Any matter specifically not falling within the scope and jurisdiction of the Authority so constituted shall be dealt with by the statutory authorities concerned.

[F. No. 17011/18/96-IA-III]
Dr. V. RAJAGOPALAN, Jt. Secy.

ORISSA STATE COASTAL ZONE MANAGEMENT AUTHORITY

MINISTRY OF ENVIRONMENT AND FORESTS

Order

New Delhi, the 4th January, 2002

S.O.24(E):-In exercise of the powers conferred by sub-sections (1) and (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (hereinafter referred to as the said Act), and in supersession of the Notification of the Government of India in the Ministry of Environment and Forests Number 1004 (E) dated, the 26th November, 1998, expect as respects things done or omitted to be done before such supersession, the Central Government hereby constitutes an authority to be known as the Orissa State Coastal Zone Management Authority (hereinafter referred to as the Authority) consisting of the following persons, for a period of three years, with effect from the date of publication of this Order in the Official Gazette, namely:-

1	Principal Secretary, Forests and Environment, Government of Orissa.	Chairman
2	Chief Conservator of Forests Regional Office, Ministry of Environment ad Forests, Bhubaneswar.	Member
3	Principal Secretary Department of Urban Development, Government of Orissa.	Member
4	Dr. B.R. Subrahamaniam, Director, Iterated Coastal and Marine Area Management, Deptt. of Ocean Development, Chennai.	Member
5	Chief Executive, Chilka Development Authority & Government of Orissa	Member
6	Shri Pranabes Sanyal, Chief Conservator of Forests, Government of West Bengal	Member

Reconstituted vide Notification S.O.24(E), dated 4.1.2002.

7	Prof. A. V Raman, Head of Department, Department of Zoology and Marine Science	Member
8	Director Department Environment Government of Orissa.	Member-Secretary

II The Authority shall have the power to take the following measures for protecting and improving the quality of the coastal environment and preventing, abating and controlling environmental pollution in the coastal areas of the State of Orissa, namely:

(i) Examination of proposals for changes or modifications in classification of Coastal Regulation Zone areas and in the Coastal Zone Management Plan (CZMP) received from the Orissa State Government and making specific recommendations to the National Coastal Zone Management Authority therefor.

(ii) (a) Inquire into cases of alleged violations of the provisions of the said Act, or the rules made thereunder, or under any other law which is related to the objects of the said Act and, if found necessary in a specific case, issuing directions under section 5 of the said Act, insofar as such directions are not inconsistent with any direction issued in that specific case by the National Coastal Zone Management Authority or by the Central Government;

(b) Review of cases involving violations of the provisions of the said Act, and the rules made thereunder, or under any other law which is related to the objects of the said Act, and if found necessary referring such cases, with comments, for review to the National Coastal Zone Management Authority:

Provided that the cases under sub-clauses (a) and (b) of this sub-paragraph may either be taken up suo-moto or on the basis of complaint made by an individual or a representative, body or an organisation.

(iii) Filing complaints under section 19 of the said Act in cases of non-compliance of the directions issued by it under sub-clause (a) of sub-paragraph (ii) of paragraph II of the Order.

(iv) To take action under section 10 of the said Act to verify the facts concerning the issues arising from sub-paragraphs (i) and (ii) of paragraph II of this Order.

III The Authority shall deal with environmental issues relating to Coastal Regulation Zone which may be referred to it by the Orissa State Government, the National Coastal Zone Management Authority or the Central Government.

IV The Authority shall identify ecologically sensitive areas in the Coastal Regulation Zone and formulate area specific management plans for such identified areas.

V The Authority shall identify coastal areas highly vulnerable to erosion or degradation and formulate area specific management plans for such identified areas.

VI The Authority shall identify economically important stretches in Coastal Regulation Zone and prepare Integrated Coastal Zone Management Plans for the same.

VII The Authority shall submit the plans prepared by it under paragraphs IV, V and VI above and modifications thereof to the National Coastal Zone Management Authority for examination and its approval.

VIII The Authority shall examine all projects proposed in Coastal Regulation Zone areas and give their recommendations before the project proposals are referred to the Central Government or the agencies who have been entrusted to clear such projects under the notification of the Government of India in the Ministry of Environment and Forests vide number S.O. 144 (E) dated 19th February, 1991.

IX The Authority shall ensure compliance of all specific conditions that are stipulated and laid down in the approved Coastal Zone Management Plan of Orissa.

X The Authority shall ensure that atleast two-third members of the Authority are present during the meetings.

XI The Authority shall furnish report of its activities at least once in six months to the National Coastal Zone Management Authority.

XII The foregoing powers and functions of the Authority shall be subject to the supervision and control of the Central Government.

XIII The Authority shall have its headquarters at Bhubaneswar.

XIV The Authority shall open an account in any of the nationalized banks in the name of the Authority for the purpose of receiving funds provided for undertaking the activities and functions listed in this order.

XV Any matter specifically not falling within the scope and jurisdiction of the Authority so constituted shall be dealt with by the statutory authorities concerned.

[F. No. 17011/18/96-IA-III]
Dr. V. RAJAGOPALAN, Jt. Secy.

2. Requirements of prior Environmental Clearance (EC):- The following projects or activities shall require prior environmental clearance from the concerned regulatory authority, which shall hereinafter referred to be as the Central Government in WKH 0LQLVWU\ RI (QYLURQPHQW DQG)RUHVWV IRU PDWWV Schedule and at State level the State Environment Impact Assessment Authority (SEIAA) fRU PDWWHUV IDOOLQJ XQGHU &DWHJRU\ µ%¶ LQ V construction work, or preparation of land by the project management except for securing the land, is started on the project or activity:

(i) All new projects or activities listed in the Schedule to this notification;

(ii) Expansion and modernization of existing projects or activities listed in the Schedule to this notification with addition of capacity beyond the limits specified for the concerned sector, that is, projects or activities which cross the threshold limits given in the Schedule, after expansion or modernization;

(iii) Any change in product - mix in an existing manufacturing unit included in Schedule beyond the specified range.

3. State Level Environment Impact Assessment Authority:-(1) A State Level Environment Impact Assessment Authority hereinafter referred to as the SEIAA shall be constituted by the Central Government under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 comprising of three Members including a Chairman and a Member-Secretary to be nominated by the State Government or the Union territory Administration concerned.

(2) The Member-Secretary shall be a serving officer of the concerned State Government or Union territory administration familiar with environmental laws.

[1][(3) The Chairman shall be an expert in terms of the eligibility criteria given in APPENDIX VI in one of the specified fields, with sufficient experience in environmental policy or management.

(4) The other member shall be an expert fulfilling the eligibility criteria given in Appendix VI in one of the specified fields.]

(5) The State Government or Union territory Administration shall forward the names of the Members and the Chairman referred in sub- paragraph 3 to 4 above to the Central Government and the Central Government shall constitute the SEIAA as an authority for the purposes of this notification within thirty days of the date of receipt of the names.

(6) The non-official Member and the Chairman shall have a fixed term of three years (from the date of the publication of the notification by the Central Government constituting the authority).

---

1 Substituted by para I of the Amendment Notification issued by S.O.1737 (E), dated 11.10.2007.

[1](7) All decisions of the SEIM shall be taken in a meeting and shall ordinarily be unanimous:

Provided that, in case a decision is taken by majority, the details of views, for and against it, shall be clearly recorded in the minutes and a copy thereof sent to MoEF].

4. Categorization of projects and activities:-

(i) All projects and activities are broadly categorized in to two categories - Category A and Category B, based on the spatial extent of potential impacts and potential impacts on human health and natural and man made resources.

(ii) All projects or activities included as & D W H J R U \ µ $ ¶ in the Schedule, including expansion and modernization of existing projects or activities and change in product mix, shall require prior environmental clearance from the Central Government in the Ministry of Environment and Forests (MoEF) on the recommendations of an Expert Appraisal Committee (EAC) to be constituted by the Central Government for the purposes of this notification;

(iii) $ O O S U R M H F W V R U D F W L Y L W L H V L Q F O X G L Q J G D V & D W H J R U \ µ $ ¶ including expansion and modernization of existing projects or activities as specified in sub paragraph (ii) of paragraph 2, or change in product mix as specified in sub paragraph (iii) of paragraph 2, but excluding those which fulfill the General Conditions (GC) stipulated in the Schedule, will require prior environmental clearance from the State/Union territory Environment Impact Assessment Authority (SEIAA). The SEIAA shall base its decision on the recommendations of a State or Union territory level Expert Appraisal Committee (SEAC) as to be constituted for in this notification.[2][In the absence of a duly constituted SEIAA R U 6 ($ & D & D W H J R U \ µ % ¶ S U R M H F W V consideration by the Central Level Expert & D W H J R U \ µ $ ¶ S U R M H F W

5. Screening, Scoping and Appraisal Committees-

The same Expert Appraisal Committees (EACs) at the Central Government and SEACs (hereinafter referred to as the (EAC) and (SEAC) at the State or the Union territory level shall screen, scope and appraise projects or activities & D W H J R U \ µ $ ¶ D Q G & D W H J R U \ µ % ¶ U H V S H F W L Y H O \ ($ & D Q G 6 ($ & ¶ V V K D O O P H H

(a) The composition of the EAC shall be as given in Appendix VI. The SEAC at the State or the Union territory level shall be constituted by the Central Government in consultation with the concerned State Government or the Union territory Administration with identical composition;

(b) The Central Government may, with the prior concurrence of the concerned State Governments or the Union territory Administrations, constitutes one SEAC for more than one State or Union territory for reasons of administrative convenience and cost;

---

1 Substituted by para I of the Amendment Notification issued by S.O.3067(E), dated 1.12.2009.

2 Substituted by para II of the Amendment Notification issued by S.O.3067(E), dated 1.12.2009.

(c) The EAC and SEAC shall be reconstituted after every three years;

(d) The authorised members of the EAC and SEAC concerned, may inspect any site(s) connected with the project or activity in respect of which the prior environmental clearance is sought, for the purposes of screening or scoping or appraisal, with prior notice of at least seven days to the applicant, who shall provide necessary facilities for the inspection;

(e) The EAC and SEACs shall function on the principle of collective responsibility. The Chairperson shall endeavour to reach a consensus in each case, and if consensus cannot be reached, the view of the majority shall prevail.

6. Application for Prior Environmental Clearance (EC):-

An application seeking prior environmental clearance in all cases shall be made in the prescribed Form 1 annexed herewith and Supplementary Form 1A, if applicable, as given in Appendix II, after the identification of prospective site(s) for the project and/or activities to which the application relates, before commencing any construction activity, or preparation of land, at the site by the applicant. The applicant shall furnish, along with the application, a copy of the pre-feasibility project report except that, in case of construction projects or activities (item 8 of the Schedule) in addition to Form 1 and the Supplementary Form 1A, a copy of the conceptual plan shall be provided, instead of the pre-feasibility report.

7. Stages in the Prior Environmental Clearance (EC) Process for New Projects:

7(i) The environmental clearance process for new projects will comprise of a maximum of four stages, all of which may not apply to particular cases as set forth below in this notification. These four stages in sequential order are:

- Stage (1) Screening / Categorisation of projects or activities
- Stage (2) Scoping
- Stage (3) Public Consultation
- Stage (4) Appraisal

I. Stage (1) - Screening

In case of category A projects or activities and category B projects and activities listed in sub-clause (ii) of clause 7 of this notification, an application seeking prior environmental clearance made in Form 1 by the concerned State level Expert Appraisal Committee (SEAC) for determining whether or not the project or activity requires further environmental studies for preparation of an Environmental Impact Assessment (EIA) for its appraisal prior to the grant of environmental clearance depending up on the nature and location specificity of the project. The projects requiring an Environmental Impact Assessment report shall be categorized as Category A and remaining projects shall be Category B projects which require an Environment Impact Assessment report. For categorization of projects into B1 or B2 except item 8 (b), the Ministry of Environment and Forests shall issue appropriate guidelines from time to time.

II. Stage (2) - Scoping

L ³6FRSLQJ´ UHIHUV WR WKH SURFHVV LQ WKH ZKLFK WK
FDVH RI &DWHJRU\ µ$¶ SURMHFWV RU DFWLYLWLHV DQG 6
WKH FDVH RI &DWHJRU\ µ%¶ SURMHFWV RU DFWLYLWLHV
and/or modernization and/or change in product mix of existing projects or activities, determine detailed and comprehensive Terms Of Reference (TOR) addressing all relevant environmental concerns for the preparation of an Environment Impact Assessment (EIA) Report in respect of the project or activity for which prior environmental clearance is sought. The Expert Appraisal Committee or State level Expert Appraisal Committee concerned shall determine the Terms of Reference on the basis of the information furnished in the prescribed application Form1/Form 1A including Terms of Reference proposed by the applicant, a site visit by a sub- group of Expert Appraisal Committee or State level Expert Appraisal Committee concerned only if considered necessary by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, Terms of Reference suggested by the applicant if furnished and other information that may be available with the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned. All projects and activities listed as Category µ%¶ LQ ,WHP RI W Schedule (Construction/Township/Commercial Complexes /Housing) shall not require Scoping and will be appraised on the basis of Form 1/ Form 1A and the conceptual plan.

(ii) The Terms of Reference (TOR) shall be conveyed to the applicant by the Expert Appraisal Committee or State Level Expert Appraisal Committee as concerned within sixty days of the receipt of Form 1. In the case of Category A Hydroelectric projects Item 1(c) (i) of the Schedule the Terms of Reference shall be conveyed along with the clearance for pre-construction activities .If the Terms of Reference are not finalized and conveyed to the applicant within sixty days of the receipt of Form 1, the Terms of Reference suggested by the applicant shall be deemed as the final Terms of Reference approved for the EIA studies. The approved Terms of Reference shall be displayed on the website of the Ministry of Environment and Forests and the concerned State Level Environment Impact Assessment Authority.

(iii) Applications for prior environmental clearance may be rejected by the regulatory authority concerned on the recommendation of the EAC or SEAC concerned at this stage itself. In case of such rejection, the decision together with reasons for the same shall be communicated to the applicant in writing within sixty days of the receipt of the application.

III. Stage (3) - Public Consultation

L ³3XEOLF &RQVXOWDWLRQ´ UHIHUV WR WKH SURFHVV
persons and others who have plausible stake in the environmental impacts of the project or activity are ascertained with a view to taking into account all the material concerns in the project or activity design as appropriate. $OO &DWHJRU\ µ$¶ DQG &DWHJRU\
activities shall undertake Public Consultation, except the following:-

(a) Modernization of irrigation projects (item 1(c) (ii) of the Schedule).

(b) all projects or activities located within industrial estates or parks (item 7(c) of the Schedule) approved by the concerned authorities, and which are not disallowed in such approvals.

(c) expansion of Roads and Highways (item 7 (f) of the Schedule) which do not involve any further acquisition of land.

[1][(cc) maintenance dredging provided the dredged material shall be disposed within port limits.]

[2][(d) All Building or construction projects or Area Development projects (which do not contain any category A projects and activities) and Townships (item 8(a) and 8(b) in the schedule to the notification)].

(e) all CaWHJRU\ µ% ¶ SURMHFWV DQG DFWLYLWLHV

(f) all projects or activities concerning national defence and security or involving other strategic considerations as determined by the Central Government.

(ii) The Public Consultation shall ordinarily have two components comprising of:

(a) a public hearing at the site or in its close proximity district wise, to be carried out in the manner prescribed in Appendix IV, for ascertaining concerns of local affected persons;

(b) obtain responses in writing from other concerned persons having a plausible stake in the environmental aspects of the project or activity.

(iii) the public hearing at, or in close proximity to, the site(s) in all cases shall be conducted by the State Pollution Control Board (SPCB) or the Union territory Pollution Control Committee (UTPCC) concerned in the specified manner and forward the proceedings to the regulatory authority concerned within [45 (forty five) days][3] of a request to the effect from the applicant.

(iv) in case the State Pollution Control Board or the Union territory Pollution Control Committee concerned does not undertake and complete the public hearing within the specified period, and/or does not convey the proceedings of the public hearing within the prescribed period directly to the regulatory authority concerned as above, the regulatory authority shall engage another public agency or authority which is not subordinate to the regulatory authority, to complete the process within a further period of forty five days,.

(v) If the public agency or authority nominated under the sub paragraph (iii) above reports to the regulatory authority concerned that owing to the local situation, it is not possible to conduct the public hearing in a manner which will enable the views of the concerned local persons to be freely expressed, it shall report the facts in detail to the

---

1 Inserted by Para III (i) of the Amendment Notification issued by S.O,3067(E), dated 1.12.2009.

2 Substituted by Para III (ii) of the Amendment Notification issued by S.O,3067(E), dated 1.12.2009

3 , Q V H U W as per para (i) of the corrigendum issued by Notification S.O.1939(E), dated 13.11.2006

concerned regulatory authority, which may, after due consideration of the report and other reliable information that it may have, decide that the public consultation in the case need not include the public hearing.

(vi) For obtaining responses in writing from other concerned persons having a plausible stake in the environmental aspects of the project or activity, the concerned regulatory authority and the State Pollution Control Board (SPCB) or the Union territory Pollution Control Committee (UTPCC) shall invite responses from such concerned persons by placing on their website the Summary EIA report prepared in the format given in Appendix IIIA by the applicant along with a copy of the application in the prescribed form , within seven days of the receipt of a written request for arranging the public hearing . Confidential information including non-disclosable or legally privileged information involving Intellectual Property Right, source specified in the application shall not be placed on the web site. The regulatory authority concerned may also use other appropriate media for ensuring wide publicity about the project or activity. The regulatory authority shall, however, make available on a written request from any concerned person the Draft EIA report for inspection at a notified place during normal office hours till the date of the public hearing. All the responses received as part of this public consultation process shall be forwarded to the applicant through the quickest available means.

(vii) After completion of the public consultation, the applicant shall address all the material environmental concerns expressed during this process, and make appropriate changes in the draft EIA and EMP. The final EIA report, so prepared, shall be submitted by the applicant to the concerned regulatory authority for appraisal. The applicant may alternatively submit a supplementary report to draft EIA and EMP addressing all the concerns expressed during the public consultation.

IV. Stage (4) - Appraisal

(i) Appraisal means the detailed scrutiny by the Expert Appraisal Committee or State Level Expert Appraisal Committee of the application and other documents like the Final EIA report, outcome of the public consultations including public hearing proceedings, submitted by the applicant to the regulatory authority concerned for grant of environmental clearance. This appraisal shall be made by Expert Appraisal Committee or State Level Expert Appraisal Committee concerned in a transparent manner in a proceeding to which the applicant shall be invited for furnishing necessary clarifications in person or through an authorized representative. On conclusion of this proceeding, the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall make categorical recommendations to the regulatory authority concerned either for grant of prior environmental clearance on stipulated terms and conditions, or rejection of the application for prior environmental clearance, together with reasons for the same.

(ii) The appraisal of all projects or activities which are not required to undergo public consultation, or submit an Environment Impact Assessment report, shall be carried out on the basis of the prescribed application Form 1 and Form 1A as applicable, any other relevant validated information available and the site visit wherever the same is considered as necessary by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned.

(iii) The appraisal of [1][an application shall be] completed by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned within sixty days of the receipt of the final Environment Impact Assessment report and other documents or the receipt of Form 1 and Form 1 A, where public consultation is not necessary and the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee shall be placed before the competent authority for a final decision within the next fifteen days .The prescribed procedure for appraisal is given in Appendix V ;

7(ii). Prior Environmental Clearance (EC) process for Expansion or Modernization or Change of product mix in existing projects:

All applications seeking prior environmental clearance for expansion with increase in the production capacity beyond the capacity for which prior environmental clearance has been granted under this notification or with increase in either lease area or production capacity in the case of mining projects or for the modernization of an existing unit with increase in the total production capacity beyond the threshold limit prescribed in the Schedule to this notification through change in process and or technology or involving a change in the product mix shall be made in Form I and they shall be considered by the concerned Expert Appraisal Committee or State Level Expert Appraisal Committee within sixty days, who will decide on the due diligence necessary including preparation of EIA and public consultations and the application shall be appraised accordingly for grant of environmental clearance.

8. Grant or Rejection of Prior Environmental Clearance (EC):

(i) The regulatory authority shall consider the recommendations of the EAC or SEAC concerned and convey its decision to the applicant within forty five days of the receipt of the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned or in other words within one hundred and five days of the receipt of the final Environment Impact Assessment Report, and where Environment Impact Assessment is not required, within one hundred and five days of the receipt of the complete application with requisite documents, except as provided below.

(ii) The regulatory authority shall normally accept the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned. In cases where it disagrees with the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, the regulatory authority shall request reconsideration by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned within forty five days of the receipt of the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned while stating the reasons for the disagreement. An intimation of this decision shall be simultaneously conveyed to the applicant. The Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, in turn, shall consider the observations of the regulatory authority and furnish its views on the same within a further period of sixty days. The decision of the regulatory authority after considering the views of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall be final and conveyed to the applicant by the regulatory authority concerned within the next thirty days.

---

[1] Corrected as per para (iv) of the corrigendum issued by Notification S.O.1939(E), dated 13.11.2006

(iii) In the event that the decision of the regulatory authority is not communicated to the applicant within the period specified in sub-paragraphs (i) or (ii) above, as applicable, the applicant may proceed as if the environment clearance sought has been granted or denied by the regulatory authority in terms of the final recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned.

(iv) On expiry of the period specified for decision by the regulatory authority under paragraph (i) and (ii) above, as applicable, the decision of the regulatory authority, and the final recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall be public documents.

(v) Clearances from other regulatory bodies or authorities shall not be required prior to receipt of applications for prior environmental clearance of projects or activities, or screening, or scoping, or appraisal, or decision by the regulatory authority concerned, unless any of these is sequentially dependent on such clearance either due to a requirement of law, or for necessary technical reasons.

(vi) Deliberate concealment and/or submission of false or misleading information or data which is material to screening or scoping or appraisal or decision on the application shall make the application liable for rejection, and cancellation of prior environmental clearance granted on that basis. Rejection of an application or cancellation of a prior environmental clearance already granted, on such ground, shall be decided by the regulatory authority, after giving a personal hearing to the applicant, and following the principles of natural justice.

9. Validity of Environmental Clearance (EC):

7 K H ³ 9 D O L G L W \ R I (QYLU R Q P H Q W D O &O H D U D Q F H´ L V P H D Q W W K H environmental clearance is granted by the regulatory authority, or may be presumed by the applicant to have been granted under sub paragraph (iv) of paragraph 7 above, to the start of production operations by the project or activity, or completion of all construction operations in case of construction projects (item 8 of the Schedule), to which the application for prior environmental clearance refers. The prior environmental clearance granted for a project or activity shall be valid for a period of ten years in the case of River Valley projects (item 1(c) of the Schedule), project life as estimated by Expert Appraisal Committee or State Level Expert Appraisal Committee subject to a maximum of thirty years for mining projects and five years in the case of all other projects and activities. However, in the case of Area Development projects and Townships [item 8(b)], the validity period shall be limited only to such activities as may be the responsibility of the applicant as a developer. This period of validity may be extended by the regulatory authority concerned by a maximum period of five years provided an application is made to the regulatory authority by the applicant within the validity period, together with an updated Form 1, and Supplementary Form 1A, for Construction projects or activities (item 8 of the Schedule). In this regard the regulatory authority may also consult the Expert Appraisal Committee or State Level Expert Appraisal Committee as the case may be.

10. Post Environmental Clearance Monitoring:

[1][(i) (a) In respect of & D W H J R U ojects $ ll shall be mandatory for the project proponent to make public the environmental clearance granted for their project along with the environmental conditions and safeguards at their cost by prominently advertising it at least in two local newspapers of the district or State where the project is located and in addition, this shall also be displayed project proponent's website permanently.

(b) In respect of category 'B' projects, irrespective of its clearance by MoEF/SEIAA, the project proponent shall prominently advertise in the newspapers indicating that the project has been accorded environment clearance and the details of MoEF website where it is displayed.

(c) The Ministry of Environment and Forests and the State/Union Territory Level Environmental Impact Assessment Authorities (SEIAAs), as the case may be, shall also place the environmental clearance in the public domain on Government portal.

(d) The copies of the environmental clearance shall be submitted by the project proponents to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn has to display the same for 30 days from the date of receipt.]

[2][(ii) It shall be mandatory for the project management to submit half yearly compliance reports in respect of the stipulated prior environmental clearance terms and conditions in hard and soft copies to the regulatory authority concerned, on 1st June and 1st December of each calendar year.

(iii) All such compliance reports submitted by the project management shall be public documents. Copies of the same shall be given to any person on application to the concerned regulatory authority. The latest such compliance report shall also be displayed on the web site of the concerned regulatory authority.]

11. Transferability of Environmental Clearance (EC):

A prior environmental clearance granted for a specific project or activity to an applicant maybe transferred during its validity to another legal person entitled to undertake the project or activity on application by the transferor, or by the transferee with D Z U L W W H Q ³ Q R Ra E Mo H F W, to, and by the E \ regulatory authority concerned, on the same terms and conditions under which the prior environmental clearance was initially granted, and for the same validity period. No reference to the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned is necessary in such cases.

---

1 Inserted by Para IV(a) of the Amendment Notification notified by S.O.3067(E), dated 1.12.2009.

2 Renumbered sub-para (i) and sub-para (ii) as sub-para (ii) and sub-para (iii) respectively by Para IV(a) & (b) of the Amendment Notification notified by S.O.3067(E), dated 1.12.2009.

12. Operation of EIA Notification, 1994, till disposal of pending cases:

From the date of final publication of this notification the Environment Impact Assessment (EIA) notification number S.O.60 (E) dated 27th January, 1994 is hereby superseded,[1] [except in supression of the things done or omitted to be done before such suppression] to the extent that in case of all or some types of applications made for prior environmental clearance and pending on the date of final publication of this notification, the Central Government may relax any one or all provisions of this notification except the list of the projects or activities requiring prior environmental clearance[2] [as in the Schedule], or continue operation of some or all provisions of the said notification, for a period not exceeding[3] [twenty four months] from the date of issue of this notification.

[No. J-11013/56/2004-IA-II (I)]

(R.CHANDRAMOHAN)
JOINT SECRETARY TO THE GOVERNMENT OF INDIA

---

1 Corrected vide Para (i)(a) of the Corrigendum issued by Notification S.O.1939(E), dated 13.11.2006.

2 Corrected vide Para (i)(b) of the Corrigendum issued by Notification S.O.1939(E), dated 13.11.2006.

3 Substituted by Para II of the Amendment Notification issued by S.O.1737 (E), dated 11.10.2007.

SCHEDULE
(See paragraph 2 and 7)

LIST OF PROJECTS OR ACTIVITIES REQUIRING PRIOR ENVIRONMENTAL CLEARANCE

Project or Activity		Category with threshold limit		Conditions if any
		A	B	
1		Mining, extraction of natural resources and power generation (for a specified production capacity)		
(1)	(2)	(3)	(4)	(5)
[1]1(a)	Mining of minerals	≥ 50 ha. of mining lease area in respect of non-coal mine lease. > 150 ha of mining lease area in respect of coal mine lease. Asbestos mining irrespective of mining area	< 50 ha. ≥ 5 ha of mining lease area in respect of non-coal mine lease. ≤ 150 ha ≥ 5 ha of mining lease area in respect of coal mine lease.	[General Condition shall apply Note: Mineral prospecting is exempted]
	(ii) Slurry pipelines (coal, lignite and other ores) passing through national parks/sanctuaries, coral reefs, ecologically sensitive areas	All projects		
1(b)	Offshore and onshore oil and gas exploration, development & production	All projects		[2][Note Seismic surveys which are part of Exploration Surveys are exempted provided the concession areas have got previous clearance for physical survey]
1(c)	River Valley projects	(i) ≥ 50 MW hydroelectric power generation; (ii) ≥ 10,000 ha. of culturable command area	(i) < 50 MW ≥ 25 MW hydroelectric power generation; (ii) < 10,000 ha. of culturable command area	[3][General Condition shall apply Note: Irrigation projects not involving submergence or inter-state domain shall be appraised by the SEIAA as category 'B' projects]

---

1 Substituted by Para V(i) of the Amendment Notification notified by S.O.3067(E), dated 1.12.2009

2 Substituted by Para IV(ii) of the Amendment Notification issued by S.O.1737 (E), dated 11.10.2007

3 Substituted by Para V(ii) of the Amendment Notification notified by S.O.3067(E), dated 1.12.2009

1(d)	Thermal Powe Plants	[1][t 500 MW (coal/ lignite/[2][naphtha] and gas based); t 50 MW (Pet coke diesel and all othe fuels including refinery residual oi waste excep biomass) ≥ 20 MW (based o biomass or no hazardous munipal solid waste as fuel]	[3][<500 MW (coal/ lignite/[2][naphtha] and gas based); <50 MW t 5 MW (Pet coke, diesel ar other all fuels including refinery residual oil waste except biomass); < 20 MW >15 MW (based on biomas or non hazardou municipal solid waste as fuel]	[4][General Condition sha apply Note: (i) Power plants up to 1 MW, based on biomas and using auxiliary fue such as coal/lignite/ petroleum products upto 15% are exempt. (ii) Power plants up to 1 MW, based on non hazardous municipa wasteand using auxiliary fuel such as coal/ lignite / petroleum products up t 15% are exempt. (iii) Power plants using waste heat boiler withou any auxiliary fuel are exempt]
1(e)	Nuclear powe projects and processing o nuclear fuel	All projects	-	
2		Primary Processing		
2(a)	Coal washeries	t 1 million ton/annum throughput of coal	<1million ton/annum throughput of coal	General Condition sha apply (If located within mining area the proposal shall be appraised together wit the mining proposal)
2 (b)	Mineral beneficiation	t 0.1million ton/annum mineral throughput	< 0.1million ton/annum mineral throughput	General Condition shall apply (Mining proposal with Mineral beneficiation shall be appraised together for grant of clearance)

1 Substituted by Para iv)(a) of the Amendment Notification notified by S.O.3067(E), dated 1.12.2009

2 &RUUHFWHG WKH ZRUGV µQDSKWKDµ Para (ii) of the Corrigendum issued by Notification WKDW DSSHDUHG LQ S.O.1939(E), dated 13.11.2006

3 Substituted by Para iv)(b) of the Amendment Notification notified by S.O.3067(E), dated 1.12.2009

4 Substituted by Para iv)(c) of the Amendment Notification notified by S.O.3067(E), dated 1.12.2009

3		Materials Production		
3(a)	Metallurgical industries (ferrous & non ferrous)	a)Primary metallurgica industry All projects b) Sponge iron manufacturing • 7 3 ' c)Secondary metallurgical processin industry All toxic and heavy metal producing units t 20,000 tonnes /annum -	Sponge iron manufacturing <200TPD Secondary metallurgical processing industry i.)All toxic andheavymetal producing units <20,000 tonnes /annum ii.)All other non ±toxic secondary metallurgical processing industries >5000 tonnes/annum	[1][General Condition shall apply Note: (i) The recycling industrial units registered under the HSM Rules, are exempted. (ii) In case of secondary. metallurgical processing industrial units, those projects involving operation of furnaces, only such as induction and electric arc furnace, submerged arc-furnace, and cupola with capacity more than 30,000 tonnes per annum (TPA) would require environmental clearance. (iii) Plant / units other than power plants (given against entry No. 1(d) of the schedule), based on municipal solid waste (non-hazardous) are exempted]
3(b)	Cement plants	t 1.0 million tonnes/annum productio capacity	<1.0 million tonnes/annum production capacity All Stand alone grinding units	General Condition shall apply
4		Materials Processing		
4(a)	Petroleum refining industry	All projects	-	-

[1] Substituted by Para V(iv) of the Amendment Notification notified by S.O.3067(E), dated 1.12.2009

4(b)	Coke oven plants	t2,50,000 tonnes/annu -	<2,50,000 & t25,000 tonnes/annum	[1][General condition shall apply]
4(c)	Asbestos milling and asbesto based products	All projects	-	-
4(d)	Chlor-alkali industry	t300 TPD production capacityor a unitocated out side the notifie industrial area/ estate	[2][(i) All projects irrespective of the size, if it is located i a notified industria area/ Estate. (ii) <300 tonnes pe day (TPD) and located outside a notified industrial area/ estate]	[3][General as well a specific condition shall apply No new Mercury Cel based plats will be permitted and existin units converting t membrane cell technology are exempt from the Notification]
4(e)	Soda ash Industry	All projects	-	-
4(f)	Leather/skin/hide processing industry	New projects outside th industrial area o expansion of existing units out side th industrial area	All new or expansion of project located within a notified industrial area/ estate	[4][General as well a specific condition shall apply]

5(j)	Sugar Industry	- -	t 5000 tcd cane crushing capacity	General Condition shall apply
[1]5(k)	« .			
6		Service Sectors		
6(a)	Oil & gas transportation pipe line (crude and refinery/ petrochemical products) passing through nationa parks /sanctuaries/coral reefs /ecologically sensitive area including LNG Terminal	All projects -		-
6(b)	Isolated storage & handling of hazardous chemicals (As pe threshold planning quantity indicated in column 3 of schedule 2 & 3 o MSIHC Rules 1989 amende 2000)	-	All projects	General Condition shall apply
7		Physical Infrastructure including Environmental Services		
7(a)	Air ports	[2][All projects including air strip, which are fo commercial use]	-	[3][Note: Air strips which do no involve bunkering/ refueling facility and or Air Traffic Control are exempted]
7(b)	All ship breaking yards including ship breaking units	All projects	-	-

1 Omitted by Para V(xi) of the Amendment Notification notified by S.O.3067(E), dated 1.12.2009

2 Substituted by Para V(xii)(a) of the Amendment Notification notified by S.O.3067(E), dated 1.12.2009

3 Substituted by Para V(xii)(b) of the Amendment Notification notified by S.O.3067(E), dated 1.12.2009

7(c)	Industrial estates parks/ complexes areas, expor processing Zone (EPZs), Specia Economic Zones (SEZs), Biotech Parks, Leathe Complexes.	If at least one industry i the proposed industri estate falls under the Category A, entire industrial area shall b treated as Category A irrespective of the area Industrial estates wit area greater than 500 h and housing at least o Category B industry.	-Industrial estate housing at least or Category B industry and area <500 ha. Industrial estates o area> 500 ha. an not housing any industry belonging t Category A or B.	[1][General as well a Special conditions shall apply Note: (i) Industrial Estate o area below 500 ha and not housing any industry of category ¶A¶ or ¶B¶ does not require clearance (ii) If the area is les than 500 ha. bu contains building an construction project less than 2000 hq,mt and or developmen area more than 50 h it will be treated as activity listed at Serial No.8(a) or 8(a) in the Schedule, as the ca may be]
7(d)	Common hazardous wast treatment, storag and disposa facilities (TSDFs)	All integrated facilities having incineration &landfill or incineration alone	All facilities having land fill only	General Condition shall apply
7(e)	[2][Ports, Harbours, break waters dredging]	t 5 million TPA of cargo handling capacity (excluding fishing harbours)	<5 million TPA of cargo handling capacity and/or ports/ harbours t10,000 TPA of fish handling capacity	[3][General condition shall apply. Note: 1. capital dredging inside and outside the port or harbors and channels are included; 2. Maintenance dredging is exempt provided it formed part of the original proposal for which Environment Management plan (EMP) was prepared and environmental clearance obtained

1 Substituted by Para V(xiii) of the Amendment Notification notified by S.O.3067(E), dated 1.12.2009

2 Substituted by Para V(xiv)(a) of the Amendment Notification notified by S.O.3067(E), dated 1.12.2009

3 Substituted by Para V(xiv)(b) of the Amendment Notification notified by S.O.3067(E), dated 1.12.2009

7(f)	Highways	[1][(i) New National Highways; and ii) Expansion of National Highways greater than 30 KM, involving additional right of way greater than 20m involving land acquisition]	[2][(i) All State Highway Projects and ii) State Highway expansion projects in hilly terrain (above1,000 m AMSL) and or ecologically sensitive areas]	[3][General Condition shall apply Note: Highways included expressways
7(g)	Aerial ropeways	[4][(i) All projects located at altitude of 1,000 mtr. and above. (ii) All projects located in notified ecologically sensitive areas.]	[5][All projects except those covered in Column(3)]	General Condition shall apply
7(h)	Common Effluent Treatment Plant (CETPs)		All projects	General Condition shall apply
7(i)	Common Municipal Solid Waste Management Facility (CMSWMF)		All projects	General Condition shall apply
8		Building /Construction projects/Area Development projects and Townships		
8(a)	Building and Construction projects		• V T P W <1,50,000 sq.mtrs of built-up area#	#(built up area for covered construction in the case of facilities open to the sky, it will be the activity area)
8(b)	Townships and Area Development projects.		& R Y H U L Q J 50 ha and or built up D U H D • .mtrs ++	[++]All projects under Item 8(b) shall be appraised as Category B1

1 Substituted by para III(iii) of the Amendment Notification issued by S.O.1737 (E), dated 11.10.2007

2 Substituted by Para V(xv)(a) of the Amendment Notification notified by S.O.3067(E), dated 1.12.2009

3 Substituted by Para V(xv)(b) of the Amendment Notification notified by S.O.3067(E), dated 1.12.2009

4 Substituted by Para V(xvi)(a) of the Amendment Notification notified by S.O.3067(E), dated 1.12.2009

5 Substituted by Para V(xvi)(b) of the Amendment Notification notified by S.O.3067(E), dated 1.12.2009

Note:-

[1][General Condition (GC):

$ Q \ S U R M H F W R U D F W L Y L W \ V S H F L I L H G L Q & D W H J R U \ µ % ¶ in whole or in part within 10 km from the boundary of: (i) Protected Areas notified under the Wild Life (Protection) Act, 1972, (ii) [2][Critically Polluted areas as identified by the Central Pollution Control Board] from time to time, (iii) Notified Eco-sensitive areas as notified under Section 3 of the Environment (Protection) Act, 1986, such as Mahableshwar Panchgani, Matheran, Pachmarhi, Dahanu, Doon Valley, and (iv) inter-State boundaries and international boundaries

Provided that the requirement regarding distance of 10 km of the inter-State boundaries can be reduced or completely done away with by an agreement between the respective States or U.Ts sharing the common boundary in case the activity does not fall within 10 kilometres of the areas mentioned at item (i), (ii) and (iii) above.]

Specific Condition (SC):

If any Industrial Estate/Complex / Export processing Zones /Special Economic Zones/Biotech Parks / Leather Complex with homogeneous type of industries such as Items 4(d), 4(f), 5(e), 5(f), or those Industrial estates with predefined set of activities (not necessarily homogeneous, obtains prior environmental clearance, individual industries including proposed industrial housing within such estates /complexes will not be required to take prior environmental clearance, so long as the Terms and Conditions for the industrial estate/complex are complied with (Such estates/complexes must have a clearly identified management with the legal responsibility of ensuring adherence to the Terms and Conditions of prior environmental clearance, who may be held responsible for violation of the same throughout the life of the complex/estate).

---

1 Substituted by Para V(xvii) of the Amendment Notification notified by S.O.3067(E), dated 1.12.2009

2 Corrected as per para (v) of the Corrigendum by Notification S.O.1939(E), dated 13.11.2006

APPENDIX I

(See paragraph ± 6)

FORM 1

[1][(I) Basic Information

Serial Number.	Item	Details
1.	Name of the project/s	
2	S.No. in the schedule	
3.	Proposed capacity/area/length/tonnage to handled/command area/lease area/ numbe wells to be drilled.	
4.	New/Expansion/Modernization	
5.	Existing Capacity/Area etc.	
6.	& D W H J R U \ R I 3 U R M H F W L	
7.	Does it attract the general condition? If yes, please specify.	
8	Does it attract the specific condition? If yes please specify.	
9.	Location	
	Plot/Survey/Khasra No	
	Village	
	Tehsil	
	District	
	State	
10.	Nearest railway station/airport along with distance in kms.	
11.	Nearest Town, city, District Headquarters along with distance in kms.	
12.	Village Panchayats, Zilla Parishad, Municip Corporation, Local body (complete pos addresses with telephone nos. to be given)	
13.	Name of the applicant	

[1] Substituted by Para VI(a) of the Amendment Notification notified by S.O.3067(E), dated 1.12.2009

14.	Registered Address	
15.	Address for correspondence :	
	Name	
	Designation (Owner/Partner/CEO)	
	Address	
	Pin Code	
	E-mail	
	Telephone No.	
	Fax No.	
16.	Details of Alternative Sites examined, if any Location of these sites should be shown on a topo sheet.	Village-District-State 1. 2. 3
17.	Interlinked Projects	
18.	Whether separate application of interlinked project has been submitted?	
19.	If yes, date of submission	
20.	If no, reason	
21.	Whether the proposal involves approval/ clearance under: If yes, detail of the same and their status to be given (a) The Forests(Conservation) Act, 1980? (b) The Wild Life (Protection) Act, 1972? (c) The C.R.Z. Notification, 1990?	
22.	Whether there is any Government order/ policy relevant/relating to the site?	
23.	Forests Land Involved (Hectares)	
24.	Whether there is any litigation pending against the project and/or land in which the project is proposed to be setup? (a) Name of the Court (b) Case No. (c) Orders/directions of the Court, if any and its relevance with the proposed project.]	

(II) Activity

1. Construction, operation or decommissioning of the Project involving actions, which will cause physical changes in the locality (topography, land use, changes in water bodies, etc.)

S. No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
1.1	Permanent or temporary change in land land cover or topography including increa in intensity of land use (wit respect to local land use plan)		
1.2	Clearance of existing land, vegetation a buildings?		
1.3	Creation of new land uses?		
1.4	Pre-construction investigations e.g. bo houses, soil testing?		
1.5	Construction works?		
1.6	Demolition works?		
1.7	Temporary sites used for construction wo or housing of construction workers?		
1.8	Above ground buildings, structures earthworks including linear structures, andfill or excavations		
1.9	Underground works including mining tunneling?		
1.10	Reclamation works?		
1.11	Dredging?		
1.12	Offshore structures?		
1.13	Production and manufacturing processes?		
1.14	Facilities for storage of goods or materials		
1.15	Facilities for treatment or disposal of so waste or liquid effluents?		
1.16	Facilities for long term housing operational workers?		
1.17	New road, rail or sea traffic durin construction or operation?		
1.18	New road, rail, air waterborne or oth transport infrastructure including new altered routes and stations, ports, airpo etc?		

1.19	Closure or diversion of existing transp routes or infrastructure leading to change traffic movements?		
1.20	New or diverted transmission lines pipelines?		
1.21	Impoundment, damming, culverting, realignment or other changes to hydrology of watercourses or aquifers?		
1.22	Stream crossings?		
1.23	Abstraction or transfers of water form grou or surface waters?		
1.24	Changes in water bodies or the land sur affecting drainage or run-off?		
1.25	Transport of personnel or materials construction, operation or decommissionir		
1.26	Long-term dismantling or decommissioni or restoration works?		
1.27	Ongoing activity during decommissionir which could have an impact on t environment?		
1.28	Influx of people to an area in eith temporarily or permanently?		
1.29	Introduction of alien species?		
1.30	Loss of native species or genetic diversity		
1.31	Any other actions?		

2. Use of Natural resources for construction operation of the Project (such as land, water, materials or energy, especially any resources which are non renewable or in short supply):

S. No.	Information/checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
2.1	Land especially undeveloped or agricultural land (ha)		
2.2	Water (expected source & competing users) unit: KLD		
2.3	Minerals (MT)		
2.4	Construction material – stone, aggregates, sand / soil (expected source – MT)		

2.5	Forests and timber (source, MT)		
2.6	Energy including electricity and fuels (source, competing users) Unit: fuel (MT), energy (MW)		
2.7	Any other natural resources (use appropriate standard units)		

3. Use, storage, transport, handling or production of substances or materials, which could be harmful to human health or the environment or raise concerns about actual or perceived risks to human health.

S. No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
3.1	Use of substances or materials, which hazardous (as per MSIHC rules) to hur health or the environment (flora, fauna, and water supplies)		
3.2	Changes in occurrence of disease or affec disease vectors (e.g. insect or water bo diseases)		
3.3	Affect the welfare of people e.g. by chang living conditions?		
3.4	Vulnerable groups of people who could affected by the project e.g. hospital patie children, the elderly etc.,		
3.5	Any other causes		

4. Production of solid wastes during construction or operation or decommissioning (MT/month)

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
4.1	Spoil, overburden or mine wastes		

4.2	Municipal waste (domestic and commercial wastes)		
4.3	Hazardous wastes (as per Hazardous W Management Rules)		
4.4	Other industrial process wastes		
4.5	Surplus product		
4.6	Sewage sludge or other sludge from efflu treatment		
4.7	Construction or demolition wastes		
4.8	Redundant machinery or equipment		
4.9	Contaminated soils or other materials		
4.10	Agricultural wastes		
4.11	Other solid wastes		

5. Release of pollutants or any hazardous, toxic or noxious substances to air (Kg/hr)

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
5.1	Emissions from combustion of fossil fue from stationary or mobile sources		
5.2	Emissions from production processes		
5.3	Emissions from materials handling includi storage or transport		
5.4	Emissions from construction activiti including plant and equipment		
5.5	Dust or odours from handling of materi including construction materials, sewage waste		
5.6	Emissions from incineration of waste		
5.7	Emissions from burning of waste in open (e.g. slash materials, construction debris)		
5.8	Emissions from any other sources		

6. Generation of Noise and Vibration, and Emissions of Light and Heat:

S. No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data with source of information data
6.1	From operation of equipment e.g. engir ventilation plant, crushers		
6.2	From industrial or similar processes		
6.3	From construction or demolition		
6.4	From blasting or piling		
6.5	From construction or operational traffic		
6.6	From lighting or cooling systems		
6.7	From any other sources		

7. Risks of contamination of land or water from releases of pollutants into the ground or into sewers, surface waters, groundwater, coastal waters or the sea:

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
7.1	From handling, storage, use or spillage hazardous materials		
7.2	From discharge of sewage or other efflue to water or the land (expected mode place of discharge)		
7.3	By deposition of pollutants emitted to into the land or into water		
7.4	From any other sources		
7.5	Is there a risk of long term build up pollutants in the environment from the sources?		

8. Risk of accidents during construction or operation of the Project, which could affect human health or the environment

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
8.1	From explosions, spillages, fires etc fr storage, handling, use or production hazardous substances		
8.2	From any other causes		
8.3	Could the project be affected by natural disasters causing environmental dam (e.g. floods, earthquakes, landslid cloudburst etc)?		

9. Factors which should be considered (such as consequential development) which could lead to environmental effects or the potential for cumulative impacts with other existing or planned activities in the locality

S. No.	Information/Checklist confirmation

12	Areas susceptible to natural hazard wh could cause the project to prese environmental problems (earthquakes subsidence, landslides, erosion, flooding or extreme or adverse climatic conditi ns)		

(IV). Proposed Terms of Reference for EIA studies

[1][I hereby given undertaking that the data and information given in the application and enclosures are true to the best of my knowledge and belief and I am aware that if any part of the data and information submitted is found to be false or misleading at any stage, the project will be rejected and clearance give, if any to the project will be revoked at our risk and cost.

Date:

Place:

Signature of the applicant
With Name and Full Address
(Project Proponent / Authorized Signatory

NOTE:

1. The projects involving clearance under coastal Regulation Zone Notification, 1991 shall submit with the application a C.R.Z. map duly demarcated by one of the authorized agencies, showing the project activities, w.r.t. C.R.Z (at the stage of TOR) and the recommendations of the State Coastal Zone Management Authority (at the stage of EC). Simultaneous action shall also be taken to obtain the requisite clearance under the provisions of the C.R.Z Notification, 1991 for the activities to be located in the CRZ.

2. The projects to be located within 10 km or the National Parks, Sanctuaries, Biosphere Reserves, Migratory Corridors of Wild Animals, the project proponent shall submit the map duly authenticated by Chief Wildlife Warden showing these features vis-a-vis the project location and the recommendations or comments of the Chief Wildlife Warden thereon (at the V W D J H R I (&

3. All correspondence with the Ministry of Environment & Forests including submission of application for TOR/Environmental Clearance, subsequent clarifications, as may be required from time to time, participation in the EAC Meeting on behalf of the project proponent shall be made by the authorized signatory only. The authorized signatory should also submit a document in support of his claim of being an authorized signatory for the specific project.]

[1] Inserted by Para VI(b) of the Amendment Notification notified by S.O.3067(E), dated 1.12.2009

APPENDIX II

(See paragraph 6)

FORM-1 A (only for construction projects listed under item 8 of the Schedule)

CHECK LIST OF ENVIRONMENTAL IMPACTS

(Project proponents are required to provide full information and wherever necessary attach explanatory notes with the Form and submit along with proposed environmental management plan & monitoring programme)

1. LAND ENVIRONMENT

(Attach panoramic view of the project site and the vicinity)

1.1. Will the existing landuse get significantly altered from the project that is not consistent with the surroundings? (Proposed landuse must conform to the approved Master Plan / Development Plan of the area. Change of landuse if any and the statutory approval from the competent authority be submitted). Attach Maps of (i) site location, (ii) surrounding features of the proposed site (within 500 meters) and (iii)the site (indicating levels & contours) to appropriate scales. If not available attach only conceptual plans.

1.2. List out all the major project requirements in terms of the land area, built up area, water consumption, power requirement, connectivity, community facilities, parking needs etc.

1.3. What are the likely impacts of the proposed activity on the existing facilities adjacent to the proposed site? (Such as open spaces, community facilities, details of the existing landuse, disturbance to the local ecology).

1.4. Will therebe any significant land disturbance resulting in erosion, subsidence & instability? (Details of soil type, slope analysis, vulnerability to subsidence, seismicity etc may be given).

1.5. Will the proposal involve alteration of natural drainage systems? (Details on a contour map showing the natural drainage near the proposed project site)

1.6. What are the quantities of earthwork involved in the construction activity, cutting, filling, reclamation etc. (Give details of the quantities of earthwork involved, transport of fill materials from outside the site etc.)

1.7. Give details regarding water supply, waste handling etc during the construction period.

1.8. Will the low lying areas & wetlands get altered? (Provide details of how low lying and wetlands are getting modified from the proposed activity)

1.9. Whether construction debris & waste during construction cause health hazard? (Give quantities of various types of wastes generated during construction including the construction labour and the means of disposal)

2. WATER ENVIRONMENT

2.1. Give the total quantity of water requirement for the proposed project with the breakup of requirements for various uses. How will the water requirement met? State the sources & quantities and furnish a water balance statement.

2.2. What is the capacity (dependable flow or yield) of the proposed source of water?

2.3. What is the quality of water required, in case, the supply is not from a municipal source? (Provide physical, chemical, biological characteristics with class of water quality)

2.4. How much of the water requirement can be met from the recycling of treated wastewater? (Give the details of quantities, sources and usage)

2.5. Will there be diversion of water from other users? (Please assess the impacts of the project on other existing uses and quantities of consumption)

2.6. What is theincremental pollution load from wastewater generated from the proposed activity? (Give details of the quantities and composition of wastewater generated from the proposed activity)

2.7. Give details of the water requirements met from water harvesting? Furnish details of the facilities created.

2.8. What would be the impact of the land use changes occurring due to the proposed project on the runoff characteristics (quantitative as well as qualitative) of the area in the post construction phase on a long term basis? Would it aggravate the problems of flooding or water logging in any way?

2.9. What are the impacts of the proposal on the ground water? (Will there be tapping of ground water; give the details of ground water table, recharging capacity, and approvals obtained from competent authority, if any)

2.10. What precautions/measures are taken to prevent the run-off from construction activities polluting land & aquifers? (Give details of quantities and the measures taken to avoid the adverse impacts)

2.11. How is the storm water from within the site managed?(State the provisions made to avoid flooding of the area, details of the drainage facilities provided along with a site layout indication contour levels)

2.12. Will the deployment of construction labourers particularly in the peak period lead to unsanitary conditions around the project site (Justify with proper explanation)

2.13. What on-site facilities are provided for the collection, treatment & safe disposal of sewage? (Give details of the quantities of wastewater generation, treatment capacities with technology & facilities for recycling and disposal)

2.14. Give details of dual plumbing system if treated waste used is used for flushing of toilets or any other use.

3. VEGETATION

3.1. Is there any threat of the project to the biodiversity? (Give a description of the ORFDO HFRV\VWHP ZLWK LW¶V XQLTXH IHDWXUHV LI DQ

3.2. Will the construction involve extensive clearing or modification of vegetation? (Provide a detailed account of the trees & vegetation affected by the project)

3.3. What are the measures proposed to be taken to minimize the likely impacts on important site features (Give details of proposal for tree plantation, landscaping, creation of water bodies etc along with a layout plan to an appropriate scale)

4. FAUNA

4.1. Is there likely to be any displacement of fauna- both terrestrial and aquatic or creation of barriers for their movement? Provide the details.

4.2. Any direct or indirect impacts on the avifauna of the area? Provide details.

4.3. Prescribe measures such as corridors, fish ladders etc to mitigate adverse impacts on fauna

5. AIR ENVIRONMENT

5.1. Will the project increase atmospheric concentration of gases & result in heat islands? (Give details of background air quality levels with predicted values based on dispersion models taking into account the increased traffic generation as a result of the proposed constructions)

5.2. What are the impacts on generation of dust, smoke, odorous fumes or other hazardous gases? Give details in relation to all the meteorological parameters.

5.3. Will the proposal create shortage of parking space for vehicles? Furnish details of the present level of transport infrastructure and measures proposed for improvement including the traffic management at the entry & exit to the project site.

5.4. Provide details of the movement patterns with internal roads, bicycle tracks, pedestrian pathways, footpaths etc., with areas under each category.

5.5. Will there be significant increase in traffic noise & vibrations? Give details of the sources and the measures proposed for mitigation of the above.

5.6. What will be the impact of DG sets & other equipment on noise levels & vibration in & ambient air quality around the project site? Provide details.

6. AESTHETICS

6.1. Will the proposed constructions in any way result in the obstruction of a view, scenic amenity or landscapes? Are these considerations taken into account by the proponents?

6.2. Will there be any adverse impacts from new constructions on the existing structures? What are the considerations taken into account?

6.3. Whether there are any local considerations of urban form & urban design influencing the design criteria? They may be explicitly spelt out.

6.4. Are there any anthropological or archaeological sites or artefacts nearby? State if any other significant features in the vicinity of the proposed site have been considered.

7. SOCIO-ECONOMIC ASPECTS

7.1. Will the proposal result in any changes to the demographic structure of local population? Provide the details.

7.2. Give details of the existing social infrastructure around the proposed project.

7.3. Will the project cause adverse effects on local communities, disturbance to sacred sites or other cultural values? What are the safeguards proposed?

8. BUILDING MATERIALS

8.1. May involve the use of building materials with high-embodied energy. Are the construction materials produced with energy efficient processes? (Give details of energy conservation measures in the selection of building materials and their energy efficiency)

8.2. Transport and handling of materials during construction may result in pollution, noise & public nuisance. What measures are taken to minimize the impacts?

8.3. Are recycled materials used in roads and structures? State the extent of savings achieved?

8.4. Give details of the methods of collection, segregation & disposal of the garbage generated during the operation phases of the project.

9. ENERGY CONSERVATION

9.1. Give details of the power requirements, source of supply, backup source etc. What is the energy consumption assumed per square foot of built-up area? How have you tried to minimize energy consumption?

9.2. What type of, and capacity of, power back-up to you plan to provide?

9.3. What are the characteristics of the glass you plan to use? Provide specifications of its characteristics related to both short wave and long wave radiation?

9.4. What passive solar architectural features are being used in the building? Illustrate the applications made in the proposed project.

9.5. Does the layout of streets & buildings maximise the potential for solar energy devices? Have you considered the use of street lighting, emergency lighting and solar hot water systems for use in the building complex? Substantiate with details.

9.6. Is shading effectively used to reduce cooling/heating loads? What principles have been used to maximize the shading of Walls on the East and the West and the Roof? How much energy saving has been effected?

9.7. Do the structures use energy-efficient space conditioning, lighting and mechanical systems? Provide technical details. Provide details of the transformers and motor efficiencies, lighting intensity and air-conditioning load assumptions? Are you using CFC and HCFC free chillers? Provide specifications.

9.8. What are the likely effects of the building activity in altering the micro-climates? Provide a self assessment on the likely impacts of the proposed construction on creation of heat island & inversion effects?

9.9. What are the thermal characteristics of the building envelope? (a) roof; (b) external walls; and (c) fenestration? Give details of the material used and the U-values or the R values of the individual components.

9.10. What precautions & safety measures are proposed against fire hazards? Furnish details of emergency plans.

9.11. If you are using glass as wall material provides details and specifications including emissivity and thermal characteristics.

9.12. What is the rate of air infiltration into the building? Provide details of how you are mitigating the effects of infiltration.

9.13. To what extent the non-conventional energy technologies are utilised in the overall energy consumption? Provide details of the renewable energy technologies used.

10. Environment Management Plan

The Environment Management Plan would consist of all mitigation measures for each item wise activity to be undertaken during the construction, operation and the entire life cycle to minimize adverse environmental impacts as a result of the activities of the project. It would also delineate the environmental monitoring plan for compliance of various environmental regulations. It will state the steps to be taken in case of emergency such as accidents at the site including fire.

APPENDIX III

(See paragraph 7)

GENERIC STRUCTURE OF ENVIRONMENTAL IMPACT ASSESSENT DOCUMENT

S. NO	EIA STRUCTURE	CONTENTS
1.	Introduction	‡ 3XUSRVH RI WKH UHSRUW ‡ ,GHQWLILFDWLRQ RI SURMHF ‡ %ULHI GHVFULSWLRQ RI QDWX and its importance to the country, region ‡ 6FRSH RI ±Details of Regulatory scoping carri out (As per Terms of Reference)
2.	Project Description	‡ Condensed description of those aspects of the pr (based on project feasibility study), likely to ca environmental effects. Details should be provide give clear picture of the following: ‡ Type of project ‡ Need for the project ‡ Location (maps showing general location, spe location, project boundary & project site layout) ‡ Size or magnitude of operation (incl. Associa activities required by or for the project ‡ Proposed schedule for approval and implementatio ‡ Technology and process description ‡ Project description. Including drawings show project layout, components of project etc. Schem representations of the feasibility drawings which g information important for EIA purpose ‡ Description of mitigation measures incorporated the project to meet environmental standa environmental operating conditions, or other E requirements (as required by the scope) ‡ $VVHVVPHQW RI 1HZ Technology for the WH of technological failure

3.	Description of the Environment	‡ Study area, period, components & methodology ‡ Establishment of baseline for valued environme components, as identified in the scope ‡ Base maps of all environmental components
4.	Anticipated Environmental Impacts & Mitigation Measures	‡ Details of Investigated Environmental impacts du project location, possible accidents, project des project construction, regular operations, fi decommissioningor rehabilitation of a complete project ‡ Measures for minimizing and / or offsetting adve impacts identified ‡ Irreversible and Irretrievable commitments environmental components ‡ Assessment of significance of impacts (Criteria determining significance, Assigning significance) ‡ Mitigation measures
5.	Analysis of Alternatives (Technology & Site)	‡ , Q F D V H W K H V F R S L Q J H [alternatives: ‡ ' H V F U L S W L R Q R I H D F K D O W ‡ 6 X P P D U \ R I D G Y D Q W D J H V D Q G D Z H D N Q H V V R I H D F K D O W H U Q D W L Y H S D F ‡ Mitigation measures proposed for each alternative ‡ Selection of alternative
6.	Environmental Monitoring Program	‡ Technical aspects of monitoring the effectiveness mitigation measures (incl. Measurem methodologies, frequency, location, data analys reporting schedules, emergency procedures, de budget & procurement schedules)
7.	Additional Studies	‡ 3 X E O L F & R Q V X O W D W L R Q ‡ 5 L V N D V V H V V P H Q W ‡ 6 R F L D O , P S D F W $ V V H V V P H Q W
8.	Project Benefits	x Improvements in the physical infrastructure x Improvements in the social infrastructure x Employment potential ± skilled; semi-skilled and unskilled x Other tangible benefits

9.	Environmental Cos Benefit Analysis	If recommended at the Scoping stage
10.	EMP	‡ Description of the administrative aspects of ensu that mitigative measures are implemented and effectiveness monitored, after approval of the EIA
11	Summary & Conclusion (This will constitute the summary of th EIA Report)	‡ 2 Y H U D O O M X V W L I L F D W L R Q for implementation of the project ‡ ([S O D Q D W L R Q R I K R Z D G Y H U V
12.	Disclosure of Consultants engage	‡The names of the Consultants engaged with their resume and nature of Consultancy rendered

APPENDIX III A
(See paragraph 7)

CONTENTS OF SUMMARY ENVIRONMENTAL IMPACT ASSESSMENT

The Summary EIA shall be a summary of the full EIA Report condensed to ten A-4 size pages at the maximum. It should necessarily cover in brief the following Chapters of the full EIA Report:

1. Project Description
2. Description of the Environment
3. Anticipated Environmental impacts and mitigation measures
4. Environmental Monitoring Programme
5. Additional Studies
6. Project Benefits
7. Environment Management Plan

[1][APPENDIX IV

(See paragraph 7)

PROCEDURE FOR CONDUCT OF PUBLIC HEARING

1.0 The Public Hearing shall be arranged in a systematic, time bound and transparent manner ensuring widest possible public participation at the project site(s) or in its close proximity District-wise, by the concerned State Pollution Control Board (SPCB) or the Union Territory Pollution Control Committee (UTPCC).

2.0 The Process:

2.1 The applicant shall make a request through a simple letter to the Member Secretary of the SPCB or Union Territory Pollution Control Committee, in whose jurisdiction the project is located, to arrange the public hearing within the prescribed statutory period. In case the project site is covering more than one district or State or Union Territory, the public hearing is mandated in each District, State or Union Territory in which the project is located and the applicant shall make separate requests to each concerned SPCB or UTPCC for holding the public hearing as per this procedure.

2.2 The applicant shall enclose with the letter of request, at least 10 hard copies and an equivalent number of soft (electronic) copies of the draft EIA Report with the generic structure given in Appendix III including the Summary Environment Impact Assessment report in English and in the official language of the state/local language, prepared strictly in accordance with the Terms of Reference communicated after Scoping (Stage-2). Simultaneously the applicant shall arrange to forward copies, one hard and one soft, of the above draft EIA Report along with the Summary EIA report to the following authorities or offices, within whose jurisdiction the project will be located:

(a) District Magistrate/District collector/Deputy Commissioner/s

(b) Zila Parishad or Municipal Corporation or Panchayats Union

(c) District Industries Office

(d) Urban Local Bodies (ULBs) /PRIs Concerned/Development authorities

(e) Concerned Regional Office of the Ministry of Environment and Forests

[1] Substituted by Para VI of the Amendment Notification issued by S.O.3067(E), dated 1.12.2009

2.3 On receiving the draft Environmental Impact Assessment report, the above-mentioned authorities except the Regional Office of MoEF, shall arrange to widely publicize it within their respective jurisdictions requesting the interested persons to send their comments to the concerned regulatory authorities. They shall also make available the draft EIA Report for inspection electronically or otherwise to the public during normal office hours till the Public Hearing is over.

2.4 The SPCB or UTPCC concerned shall also make similar arrangements for giving publicity about the project within the State/Union Territory and make available the Summary of the draft Environmental Impact Assessment report (Appendix III A) for inspection in select offices or public libraries or any other suitable location etc. They shall also additionally make available a copy of the draft Environmental Impact Assessment report to the above five authorities/offices as given in para 2.2.

3.0 Notice of Public Hearing:

3.1 The Member-Secretary of the concerned SPCB or UTPCC shall finalize the date, time and exact venue for the conduct of public hearing within 7 (seven) days of the date of receipt of the draft Environmental Impact Assessment report from the project proponent, and advertise the same in one major National Daily and one Regional vernacular Daily / Official State Language. A minimum notice period of 30 (thirty) days shall be provided to the public for furnishing their responses;

3.2 The advertisement shall also inform the public about the places or offices where the public could access the draft Environmental Impact Assessment report and the Summary Environmental Impact Assessment report before the public hearing. In places where the newspapers do not reach, the Competent Authority should arrange to inform the local public about the public hearing by other means such as by way of beating of drums as well as advertisement / announcement on radio/television.

3.3 No postponement of the date, time, venue of the public hearing shall be undertaken, unless some untoward emergency situation occurs and then only on the recommendation of the concerned District Magistrate/District collector/Deputy commissioner, the postponement shall be notified to the public through the same National and Regional vernacular dailies and also prominently displayed at all the identified offices by the concerned SPCB or Union Territory Pollution Control Committee;

3.4 In the above exceptional circumstances, fresh date, time and venue for the public consultation shall be decided by the Member Secretary of the concerned SPCB or UTPCC only in consultation with the District Magistrate/ District Collector/Deputy Commissionerand notified afresh as per procedure under 3.1 above.

4.0 Supervision and presiding over the Hearing:

4.1 The District Magistrate / District Collector / Deputy Commissioner or his or her representative not below the rank of an Additional District Magistrate assisted by a representative of SPCB or UTPCC, shall supervise and preside over the entire public hearing process.

5.0 Videography

5.1 The SPCB or UTPCC shall arrange to video film the entire proceedings. A copy of the videotape or a CD shall be enclosed with the public hearing proceedings while forwarding it to the Regulatory Authority concerned.

6.0 Proceedings

6.1 The attendance of all those who are present at the venue shall be noted and annexed with the final proceedings.

6.2 There shall be no quorum required for attendance for starting the proceeding.

6.3 A representative of the applicant shall initiate the proceedings with a presentation on the project and the Summary EIA report.

6.4 Persons present at the venue shall be granted the opportunity to seek information or clarifications on the project from the applicant. The summary of the public hearing proceedings accurately reflecting all the views and concerns expressed shall be recorded by the representative of the SPCB or UTPCC and read over to the audience at the end of the proceedings explaining the contents in local/vernacular language and the agreed minutes shall be signed by the District Magistrate/District Collector/Deputy Commissioner or his or her representative on the same day and forwarded to the SPCB/UTPCC concerned.

6.5 A Statement of the issues raised by the public and the comments of the applicant shall also be prepared in the local language or the Official State language, as the case may be, and in English and annexed to the proceedings

6.6 The proceedings of the public hearing shall be conspicuously displayed at the office of the Panchyats within whose jurisdiction the project is located, office of the concerned Zila Parishad, District Magistrate / District collector / Deputy Commissioner, and the SPCB or UTPCC. The SPCB or UTPCC shall also display the proceedings on its website for general information. Comments, if any, on the proceedings, may be sent directly to the concerned regulatory authorities and the applicant concerned

7.0 Time Period For Completion of Public Hearing

7.1 The public hearing shall be completed within a period of forty five days from date of receipt of the request letter from the applicant. Thereafter the SPCB or UTPCC concerned shall sent the public hearing proceedings to the concerned regulatory authority within eight days of the completion of the public hearing. Simultaneously, a copy will also be provided to the project proponent. The applicant may also directly forward a copy of the approved public hearing proceedings to the regulatory authority concerned along with the final Environmental Impact Assessment report or supplementary report to the draft EIA report prepared after the public hearing and public consultations incorporating the concerns expressed in the public hearing along with action plan and financial allocation, item-wise, to address those concerns."

7.2 If the SPCB or UTPCC fails to hold the public hearing within the stipulated 45 (forty five) days, the Central Government in Ministry of Environment and Forests for Category 'A' project or activity and the State Government or Union Territory Administration for Category 'B' project or activity at the request of the SEIAA, shall engage any other agency or authority to complete the process, as per procedure laid down in this Notification.]

APPENDIX ±V
(See paragraph 7)

PROCEDURE PRESCRIBED FOR APPRAISAL

1. The applicant shall apply to the concerned regulatory authority through a simple communication enclosing the following documents where public consultations are mandatory:

- Final Environment Impact Assessment Report [20(twenty) hard copies and 1 (one) soft copy)]
- A copy of the video tape or CD of the public hearing proceedings
- A copy of final layout plan (20 copies)
- A copy of the project feasibility report (1 copy)

2. The Final EIA Report and the other relevant documents submitted by the applicant shall be scrutinized in office within 30 days from the date of its receipt by the concerned Regulatory Authority strictly with reference to the TOR and the inadequacies noted shall be communicated electronically or otherwise in a single set to the Members of the EAC /SEAC enclosing a copy each of the Final EIA Report including the public hearing proceedings and other public responses received along with a copy of Form 1 or Form 1A and scheduled date of the EAC /SEAC meeting for considering the proposal .

[1][3. Where a public consultation is not mandatory, the appraisal shall be made on the basis of the prescribed application Form 1 and EIA report, in the case of all projects and activities other than Item B of the Schedule. In the case of Item 8 of the Schedule, considering its unique project cycle, the EAC or SEAC concerned shall appraise all Category B projects or activities on the basis of Form 1, Form 1A and the conceptual plan and make recommendations on the project regarding grant of environmental clearance or otherwise and also stipulate the conditions for environmental clearance.]

4. Every application shall be placed before the EAC /SEAC and its appraisal completed within 60 days of its receipt with requisite documents / details in the prescribed manner.

5. The applicant shall be informed at least 15 (fifteen) days prior to the scheduled date of the EAC /SEAC meeting for considering the project proposal.

6. The minutes of the EAC /SEAC meeting shall be finalised within 5 working days of the meeting and displayed on the website of the concerned regulatory authority. In case the project or activity is recommended for grant of EC, then the minutes shall clearly list out the specific environmental safeguards and conditions. In case the recommendations are for rejection, the reasons for the same shall also be explicitly stated.

---

[1] Substituted by Para VIII of the Amendment Notification issued by S.O.3067(E), dated 1.12.2009

APPENDIX VI

(See paragraph 5)

COMPOSITION OF THE SECTOR/ PROJECT SPECIFIC EXPERT APPRAISAL COMMITTEE (EAC) FOR CATEGORY A PROJECTS AND THE STATE/UT LEVEL EXPERT APPRAISAL COMMITTEES (SEACs) FOR CATEGORY B PROJECTS TO BE CONSTITUTED BY THE CENTRAL GOVERNMENT `

1. The Expert Appraisal Committees (SEACs) and the State/UT Level Expert Appraisal Committees (SEACs) shall consist of only professionals and experts fulfilling the following eligibility criteria:

Professional: The person should have at least (i) 5 years of formal University training in the concerned discipline leading to a MA/MSc Degree, or (ii) in case of Engineering /Technology/Architecture disciplines, 4 years formal training in a professional training course together with prescribed practical training in the field leading to a B.Tech/B.E./B.Arch. Degree, or (iii) Other professional degree (e.g. Law) involving a total of 5 years of formal University training and prescribed practical training, or (iv) Prescribed apprenticeship/article ship and pass examinations conducted by the concerned professional association (e.g. Chartered Accountancy),or (v) a University degree , followed by 2 years of formal training in a University or Service Academy (e.g. MBA/IAS/IFS). In selecting the individual professionals, experience gained by them in their respective fields will be taken note of.

Expert: A professional fulfilling the above eligibility criteria with at least 15 years of relevant experience in the field, or with an advanced degree (e.g. Ph.D.) in a concerned field and at least 10 years of relevant experience.

Age: Below 70 years. However, in the event of the non-availability of /paucity of experts in a given field, the maximum age of a member of the Expert Appraisal Committee may be allowed up to 75 years

[1][2. The Members of the EAC shall be Experts with the requisite expertise and experience in the following fields or disciplines. In the event that persons fulfilling the FULWHULD RI ³([SHUWV´ DUH QRW DYDLODEOH 3URIHVVLRQDOV with adequate experience may be considered:

‡ Environment Quality: Experts in measurement, monitoring, analysis and interpretation of data in relation to environmental quality

‡ Sectoral Project Management Experts in Project Management or Management of Process or Operations or Facilities in the relevant sectors.

‡ Environmental Impact Assessment Process: Experts in conducting and carrying out Environmental Impact Assessments (EIAs) and preparation of Environmental Management Plans (EMPs) and other Management Plans and who have wide expertise and knowledge of predictive techniques and tools used in the EIA process

[1] Substituted by para IV(i) of the Amendment Notification issued by S.O.1737 (E), dated 11.10.2007

‡ Risk Assessment

x Life Science(Floral and Faunal Management)

x Forestry and Wildlife

x Environmental Economics with experience in project appraisal

x Public Administration or Management]

3. The Membership of the EAC shall not exceed 15 (fifteen) regular Members. However the Chairperson may co-opt an expert as a Member in a relevant field for a particular meeting of the Committee.

[1][4. ****]

5. The Chairperson shall nominate one of the Members as the Vice Chairperson who shall preside over the EAC in the absence of the Chairman /Chairperson.

6. A representative of the Ministry of Environment and Forests shall assist the Committee as its Secretary.

7. The maximum tenure of a Member, including Chairperson, shall be for 2 (two) terms of 3 (three) years each.

8. The Chairman / Members may not be removed prior to expiry of the tenure without cause and proper enquiry.

[1] Omitted by para IV(ii) of the Amendment Notification issued by S.O.1737 (E), dated 11.10.2007

STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY (SEIAA), WEST BENGAL

GOVERNMENT OF INDIA

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 13th April, 2007

S.O. 582 (E)In exercise of the powers conferred by sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) and in pursuance of the Government of India notification number S.O. 1533(E) dated the 14th September, 2006, the Central Government hereby constitutes the State Level Environment Impact Assessment Authority (SEIAA), West Bengal (hereinafter referred to as the Authority, West Bengal) comprising of three members namely, Chairman, Member and Member Secretary nominated by the State Government of West Bengal as under:

1. Prof. Subimal Sen — Chairman, EIA Process & Project Management
2. Prof. Arunava Majumdar — Member, Environment Quality
3. Chief Environment Officer, Government of West Bengal — Member-Secretary (Ex-Officio)

2. The Chairman and Members shall have the term of three years from the date of publication of this notification in the Official Gazette.

3. The Authority, West Bengal shall exercise such powers and follow such procedures as enumerated in the notification number S.O. 1533(E) dated the 14th September, 2006.

4. The Authority, West Bengal shall base its decision on the recommendations of the State Level Expert Appraisal Committee (SEAC) constituted for the State of West Bengal in this order.

5. The State Government of West Bengal shall notify the agency to act as secretariat for the Authority and shall provide all financial and logistic support including accommodation, transportation and such other facilities in respect of all its statutory functions. Sitting fee, Travelling Allowance / Dearness Allowance to the Chairman and Member of the Authority shall be paid by the State Government of West Bengal as per rules.

6. To assist the said Authority, the Central Government, in consultation with the State Government of West Bengal, hereby constitutes the State Level Expert Appraisal Committee, West Bengal (hereinafter referred to as SEAC which shall comprise the following Members:

1. Prof. Kumar Jyoti Nath	Chairman, Environment Quality Risk Assessment
2. Prof. Shyamal Kanti Sanyal	Member, Environment Impart Assessment Process, Project Management
3. Prof. Siddhartha Datta	Member, Project Management, Risk Assessment
4. Shri B.K. Sengupta	Member, Environment Quality, Project Management,
5. Prof. Joyashree Ray	Member, Environments Economics
6. Shri Somnath Bhattacharyya	Member, Environment Quality
7. Dr. Tapan Kumar Mishra	Member Life Science, Forestry
8. Member Secretary West Bengal Pollution Control Board	Secretary

7. The Chairman and Members shall have the term of three years from the date of publication of this notification in the Official Gazette and SEAC, West Bengal shall be reconstituted after every three years.

8. The SEAC, West Bengal shall exercise such powers and follow such procedures as enumerated in the notification number S.O. 1533(E) dated the 14th September, 2006.

9. The SEAC, West Bengal shall function on the principle of collective responsibility. The Chairperson shall endeavour to reach a consensus in each case, and if consensus cannot be reached, the view of the majority shall prevail.

10. The State Government of West Bengal shall notify the agency to act as secretariat for the SEAC, West Bengal and shall provide all financial and logistic support including accommodation, transportation and such other facilities in respect to all its statutory functions. Sitting fee, Travelling Allowance / Dearness Allowance, to the Chairman and Members of the SEAC shall be paid by the State Government of West Bengal as per State rules.

No. J-11013/8/2007-IA.II(I)
(J.M. MAUSKAR)
JOINT SECRETARY TO THE GOVT. OF INDIA

STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY (SEIAA), KARNATAKA

GOVERNMENT OF INDIA

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 11th June, 2007

S.O. 945 (E)In exercise of the powers conferred by sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) and in pursuance of the Government of India notification number S.O. 1533(E) dated the 14th September, 2006, the Central Government hereby constitutes the State Level Environment Impact Assessment Authority (SEIAA), Karnataka (hereinafter referred to as the Authority, Karnataka) comprising of three members namely, Chairman, Member and Member Secretary nominated by the State Government of Karnataka as under:

1.	Prof. Srinikethan Department of Chemical Engineering, NITK, Surathkal, Mangalore±575025	Chairman Environmenta Impact Assessment proces Risk Assessment
2.	Sri A.C.Lakshmana, IFS(Rtd.) House No.1, 7th Main, IIIrd Stage, Gokulam, Mysore±570002	Member, Forestry an wildlife, Environmental Policy, Public Administration
3.	Secretary to Government (Ecology a Environment), Forest, Ecology ar Environment Department, Government Karnataka, M.S. Building, Bangalore±560001	Member Secretary

2. The Chairman and Members shall have the term of three years from the date of publication of this notification in the Official Gazette.

3. The Authority, Karnataka shall exercise such powers and follow such procedures as enumerated in the notification number S.O. 1533(E) dated the 14th September, 2006.

4. The Authority, Karnataka shall base its decision on the recommendations of the State Level Expert Appraisal Committee (SEAC) constituted for the State of Karnataka in this order.

5. The Department of Ecology and Environment, Government of Karnataka, M.S. Building, Bangalore ± 560001 shall act as secretariat for the Authority and State Government shall provide all financial and logistic support including accommodation, transportation and such other facilities in respect of all its statutory functions. Sitting fee, Travelling Allowance / Dearness Allowance to the Chairman and Member of the Authority shall be paid by the State Government of Karnataka as per rules.

6. To assist the said Authority, the Central Government, in consultation with the State Government of Karnataka, hereby constitutes the State Level Expert Appraisal Committee, Karnataka (hereinafter referred to as SEAC) which shall comprise the following Members:

1.	Dr. R. Raghavendra Rao, CSIR Emerit Scientist, Central Institute of Medical ar Aromatic plants, Resource Centr Allalasandra, GKVK Post, Bangalore	Chairman, Life science (floral management)
2.	Dr. S.Manjappa, Professor and Hea Chemistry and Environmental Science Technology Study Centre, Bapaji Institu of Engineering & Technology, Davangere 577004	Member, Environmen Quality, Environmental Impact Assessment Proces
3.	Dr. H.R. Rajmohan, Officer Incharge, Regional Occupational Health Centr (Indian Council of Medical Research Bangalore Medical College Campu Bangalore-560002	Member, Project Management Risk Assessment
4.	Dr. S.Suryaprakash, Professor Agricultural Economics, University of Agricultural Sciences, GKVK, Bangalore-560065	Member, Environmenta Economics
5.	Dr. T.V.Ramachandra, Coordinator, Ener and Wetlands Research Group (SE Centre for Ecological Sciences, India Institute of Science, Bangalore-560012	Member Environmenta Impact Assessment Proces Project Management.
6.	Prof. E.T. Puttaiah, Professor and Chairm Dept. of Environmental Science and De of Water Management & Water Harvestin Kuvempu University, Shankaraghatt Shimoga-577451	Member, Life Science (floral and faunal management)
7.	Prof. R.J.Katti, professor and Hea Department of Fisheries Environment a Ecology, College of Fisheries, Kankanad Mangalore-575002	Member, Environmen Quality, Life science (faunal management)
8.	Dr. Sangamesh Amarappa Patil, Professor of Chemistry, P.G.Dept. Chemistry, Karnataka University, Dharwa -588003	Member, Environmen Quality
9.	Prof. D.L.Manjunath, Tunga, Near Eshwa Temple, Gowri Kopal Road, Hassan-573201	Member, Environmental Impact Assessment Process, Environmer Quality
10.	Senior Director (Technical Cell), Ecolog and Environment Department, Governme of Karnataka, M.S.Building, Bangalore-560001	Secretary

7. The Chairman and Members shall have the term of three years from the date of publication of this notification in the Official Gazette and SEAC, Karnataka shall be reconstituted after every three years.

8. The SEAC, Karnataka shall exercise such powers and follow such procedures as enumerated in the notification number S.O. 1533(E) dated the 14th September, 2006.

9. The SEAC, Karnataka shall function on the principle of collective responsibility. The Chairperson shall endeavour to reach a consensus in each case, and if consensus cannot be reached, the view of the majority shall prevail.

10. The State Government of Karnataka, M.S. Building, Bangalore - 560001 shall act as secretariat for the SEAC, Karnataka and State Government shall provide all financial and logistic support including accommodation, transportation and such other facilities in respect to all its statutory functions. Sitting fee, Travelling Allowance / Dearness Allowance, to the Chairman and Members of the SEAC shall be paid by the State Government of Karnataka as per State rules.

No. J-11013/16/2007-(A.II(I)
(J.M. MAUSKAR)
JOINT SECRETARY TO THE GOVT. OF INDIA

STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY (SEIAA), GUJARAT

GOVERNMENT OF INDIA

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 12th June, 2007

S.O. 948 (E)In exercise of the powers conferred by sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) and in pursuance of the Government of India notification number S.O. 1533(E) dated the 14th September, 2006, the Central Government hereby constitutes the State Level Environment Impact Assessment Authority (SEIAA), Gujarat (hereinafter referred to as the Authority, Gujarat) comprising of three members namely, Chairman, Member and Member Secretary nominated by the State Government of Gujarat as under:

1.	Shri P.K.Ghosh, IAS (Retd.) Trustee in Consumer Education a Research Centre, Ahmedabad	Chairman, Environmen Policy, Management an Public Administration
2.	Dr. P.A.Joshi Dean Faculty of Technolog DDIT University, Nadiyad	Member, Project Management and Environment Quality
3.	Shri Sanjiv Tyagi IFS Member Secretary, Gujarat Pollutic Control Board, Gandhi Nagar	Member Secretary

2. The Chairman and Members shall have the term of three years from the date of publication of this notification in the Official Gazette.

3. The Authority, Gujarat shall exercise such powers and follow such procedures as enumerated in the notification number S.O. 1533(E) dated the 14th September, 2006.

4. The Authority, Gujarat shall base its decision on the recommendations of the State Level Expert Appraisal Committee (SEAC) constituted for the State of Gujarat in this order.

5. The State Government of Gujarat shall notify the agency to act as secretariat for the Authority and shall provide all financial and logistic support including accommodation, transportation and such other facilities in respect of all its statutory functions. Sitting fee, Travelling Allowance / Dearness Allowance to the Chairman and Member of the Authority shall be paid by the State Government of Gujarat as per rules.

6. To assist the said Authority, the Central Government, in consultation with the State Government of Gujarat, hereby constitutes the State Level Expert Appraisal Committee, Gujarat (hereinafter referred to as SEAC which shall comprise the following Members:

1.	Dr. K.U.Mistry Head of Deptt. & Professor, Institute of Scier & Technology for Advance Studies Research, Vallabha Vidyanagar	Chairman, Risk Assessment EIA and Process Management
2.	Shri C.N.Pandey, Director Gujarat Ecological Education & Resear Foundation, Gandhi Nagar	Member, Forestry and wildlife, Flora and Fauna Conservation and Management
3.	Dr. T.P.Singh, Director Bhakarcharya Institute of Space Application & Geo-Informatics, Gandhi Nagar	Member, Project Management in Environment and Natura Resources
4.	Shri Bharat P.Jain Member Secretary, Gujarat Cleaner Product Centre Gandhi Nagar	Member, Environmen Quality
5.	Dr. M.I.Patel Principal M.N. College Vishagat, North Gujarat District Mehsana	Member, Life Science
6.	Shri Hardik Shah Jr. Technical Officer & Under Secretary Forests and Environment Departme Government of Gujarat Sachivalaya, Gandhi Nagar	Secretary

7. The Chairman and Members shall have the term of three years from the date of publication of this notification in the Official Gazette and SEAC, Gujarat shall be reconstituted after every three years.

8. The SEAC, Gujarat shall exercise such powers and follow such procedures as enumerated in the notification number S.O. 1533(E) dated the 14th September, 2006.

9. The SEAC, Gujarat shall function on the principle of collective responsibility. The Chairperson shall endeavour to reach a consensus in each case, and if consensus cannot be reached, the view of the majority shall prevail.

10. The State Government of Gujarat shall notify the agency to act as secretariat for the SEAC, Gujarat and shall provide all financial and logistic support including accommodation, transportation and such other facilities in respect to all its statutory functions. Sitting fee, Travelling Allowance / Dearness Allowance, to the Chairman and Members of the SEAC shall be paid by the State Government of Gujarat as per State rules.

No. J-11011/23/2007-IA.II(I)
(J.M. MAUSKAR)
JOINT SECRETARY TO THE GOVT. OF INDIA

STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY (SEIAA), ANDHRA PRADESH

GOVERNMENT OF INDIA

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 4th July, 2007

S.O. 1105(E).—In exercise of the powers conferred by sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) and in pursuance of the Government of India notification number S.O. 1533(E) dated the 14th September, 2006, the Central Government hereby constitutes the State Level Environment Impact Assessment Authority (SEIAA), Andhra Pradesh (hereinafter referred to as the Authority, Andhra Pradesh) comprising of three members namely, Chairman, Member and Member Secretary nominated by the State Government of Andhra Pradesh as under:

1.	Shri V. Bhaktavatsalam Chandgi Ram Block, 334, Asian Games Village New Delhi – 110049	Chairman, Project Management in Energy & Environment
2.	Shri L.Krishna Bhoopal Rao IFS (Rtd) House No.556, Plot.111 Phase-3 Kamalapuri Colony Srinagar Colony, Hyderabad 500073	Member, Forestry and Wildlife
3.	Member Secretary A.P.Pollution Control Board, Hyderabad A.P.	Member Secretary

2. The Chairman and Members shall have the term of three years from the date of publication of this notification in the Official Gazette.

3. The Authority, Andhra Pradesh shall exercise such powers and follow such procedures as enumerated in the notification number S.O. 1533(E) dated the 14th September, 2006.

4. The Authority, Andhra Pradesh shall base its decision on the recommendations of the State Level Expert Appraisal Committee (SEAC) constituted for the State of Andhra Pradesh in this order.

5. The State Government of Andhra Pradesh shall notify the agency to act as secretariat for the Authority and shall provide all financial and logistic support including accommodation, transportation and such other facilities in respect of all its statutory functions. Sitting fee, Travelling Allowance / Dearness Allowance to the Chairman and Member of the Authority shall be paid by the State Government of Andhra Pradesh as per rules.

6. To assist the said Authority, the Central Government, in consultation with the State Government of Andhra Pradesh, hereby constitutes the State Level Expert Appraisal Committee, Andhra Pradesh (hereinafter referred to as SEAC which shall comprise the following Members:

1.	Prof. Anji Reddy Mareddy 103, Saikiran Apartments Srinagar Colony, Hyderabad	Chairman, Environment Quality, EIA Process
2.	Prof. M.Samba Siva Rao Flat No.302, Maharaja Towers, Srinivasanag Anantapur 515003	Member, EIA Process Environment Quality
3.	Dr. Y.Venkatarami Reddy (SVU), Flat No.402, Sripada Kesava Towers, 13-35, S.V.Nagar Tirupati 517502	Member Environment Quality
4.	Prof. K.Bayapu Reddy, (N.U) B-49, S.V.N. Colony Guntur 522006	Member, Life Science
5.	Shri Sunkari Ramakrishna Rao Deptt. of (Civil) Engineering Andhra Pradesh Visakhapatnam 530017	Member, Environment Quality
6.	Shri Choppala Ratnam (S.U.) 109/8, M.V.P. Colony Visakhapatnam 530017	Member Environment Economics
7.	Dr. Rudramadevi Kanapuram (O.U.) w/o Shri K.Narayan Reddy H.NO.2-2-18/41/A/5, B-40 Durgabhai Deshmukh Colony Hyderabad 13	Member, Life Sciences
8.	Shri Manda Venkat Reddy 503 Venkateswar Archade Plot No.178, Near Indian Overseas Bank, Moti Nagar Hyderabad 18	Member Project Management in Pharm Sector

9.	Shri P.Venkat Rama Rao Flat No.204, Sri Sai Home Apartments, Str No.7 Vidyanagar, Hyderabad 500044	Member Project Management in Irrigatior Sector
10.	Member Secretary, A.P. Pollution Contr Board Government of Andhra Pradesh, Hyderabad	Member

7. The Chairman and Members shall have the term of three years from the date of publication of this notification in the Official Gazette and SEAC, Andhra Pradesh shall be reconstituted after every three years.

8. The SEAC, Andhra Pradesh shall exercise such powers and follow such procedures as enumerated in the notification number S.O. 1533(E) dated the 14th September, 2006.

9. The SEAC, Andhra Pradesh shall function on the principle of collective responsibility. The Chairperson shall endeavour to reach a consensus in each case, and if consensus cannot be reached, the view of the majority shall prevail.

10. The State Government of Andhra Pradesh shall notify the agency to act as secretariat for the SEAC, Andhra Pradesh and shall provide all financial and logistic support including accommodation, transportation and such other facilities in respect to all its statutory functions. Sitting fee, Travelling Allowance / Dearness Allowance, to the Chairman and Members of the SEAC shall be paid by the State Government of Andhra Pradesh as per State rules.

No. J-11011/36/2007-IA.II(I)
(J.M. MAUSKAR)
JOINT SECRETARY TO THE GOVT. OF INDIA

STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY (SEIAA), UTTAR PRADESH

GOVERNMENT OF INDIA

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 12th July, 2007

S.O. 1134(E).—In exercise of the powers conferred by sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) and in pursuance of the Government of India notification number S.O. 1533(E) dated the 14th September, 2006, the Central Government hereby constitutes the State Level Environment Impact Assessment Authority (SEIAA), Uttar Pradesh (hereinafter referred to as the Authority, Uttar Pradesh) comprising of three members namely, Chairman, Member and Member Secretary nominated by the State Government of Uttar Pradesh as under:

1.	Prof. Mukesh Sharma, Professo Department of Civil Engineering IIT Kanpur, Kanpur 208016	Chairman, Environmen Quality
2.	Dr. Kunwar Pal Singh, Scientist & Hea Environmental Chemistry Division Industrial Toxicology Research Centra Post Box No.80, M.G. Marg, Luknow	Member, EIA Process Environment Quality
3.	Dr.C.S.Bhatt, Member Secretary U.P. Pollution Control Board, PICUI Bhawan, IIIrd Floor, Vibhuti Khand Gomti Nagar, Lucknow	Member Secretary

2. The Chairman and Members shall have the term of three years from the date of publication of this notification in the Official Gazette.

3. The Authority, Uttar Pradesh shall exercise such powers and follow such procedures as enumerated in the notification number S.O. 1533(E) dated the 14th September, 2006.

4. The Authority, Uttar Pradesh shall base its decision on the recommendations of the State Level Expert Appraisal Committee (SEAC) constituted for the State of Uttar Pradesh in this order.

5. The State Government of Uttar Pradesh shall notify the agency to act as secretariat for the Authority and shall provide all financial and logistic support including accommodation, transportation and such other facilities in respect of all its statutory functions. Sitting fee, Travelling Allowance / Dearness Allowance to the Chairman and Member of the Authority shall be paid by the State Government of Uttar Pradesh as per rules.

6. To assist the said Authority, the Central Government, in consultation with the State Government of Uttar Pradesh , hereby constitutes the State Level Expert Appraisal Committee, Uttar Pradesh (hereinafter referred to as SEAC which shall comprise the following Members:

1.	Dr. S.K.Bhargav, Deputy Director and HO Environment Monitoring Division, ITRC Lucknow	Chairman, Environmen Quality
2.	Dr. Saria Sinha, Scientist EI and Group Leac Ecotoxicology and Bioremediation, Nation Botanical Research Institute, Lucknow 2200	Member, Risk Assessmer and Environment Quality
3.	Dr. S.P.Sharma, Asst. Professor (Civ Institute of Engineering & Technology Lucknow, Type IV A & IET Campus, Sitapu Road, Lucknow 226021	Member EIA Proces Environment Quality
4.	Dr. Rajeev Kumar Srivastava, Astt. Profess Dept. of Environment Science, G.B. Par University of Agriculture and Technology, Pa Nagar Distt. U.S.Nagar, Uttrakhand	Member EIA Proces Environment Quality, Risk Assessment
5.	Dr. Dharmendra Singh Sengar, Professor Legal Management, Chairman, Leg Management Group IIM, Lucknow 226013	Member, Project Management
6.	Dr. Sushil Kumar (Retd. From U.P. Pollutic Control Board, Lucknow as Chief Env. Offic 437, NI Aliganj, Lucknow	Member Environmen Quality

7.	Dr. Uday Mohan, Professor, Upgraded Dept. Community Medicine, K.G. Medical University Lucknow 226003	Member, Risk Assessment
8.	Dr. Krishna Gopal, Head, Aquatic Toxicolog Division Industrial Toxicology Researc Centre, M.G.Marg, Post Box No. 80, Lucknow	Member, EIA Process
9.	Dr. Yashpal Singh, Director (Environment) Environment Directorate, Govt. of U.P. Dr. Bhimrao Ambedkar Paryavaran Paris Vineet Khand, I Gomti Nagar, Lucknow 226010	Secretary

7. The Chairman and Members shall have the term of three years from the date of publication of this notification in the Official Gazette and SEAC, Uttar Pradesh shall be reconstituted after every three years.

8. The SEAC, Uttar Pradesh shall exercise such powers and follow such procedures as enumerated in the notification number S.O. 1533(E) dated the 14th September, 2006.

9. The SEAC, Uttar Pradesh shall function on the principle of collective responsibility. The Chairperson shall endeavour to reach a consensus in each case, and if consensus cannot be reached, the view of the majority shall prevail.

10. The State Government of Uttar Pradesh shall notify the agency to act as secretariat for the SEAC, Uttar Pradesh and shall provide all financial and logistic support including accommodation, transportation and such other facilities in respect to all its statutory functions. Sitting fee, Travelling Allowance / Dearness Allowance, to the Chairman and Members of the SEAC shall be paid by the State Government of Uttar Pradesh as per State rules.

No. J-11011/43/2007-IA.II(I)
R. ANANDAKUMAR, ADVISOR

STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY (SEIAA), MEGHALAYA

GOVERNMENT OF INDIA

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 23rd July, 2007

S.O. 1203 (E).—In exercise of the powers conferred by sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) and in pursuance of the Government of India notification number S.O. 1533(E) dated the 14th September, 2006, the Central Government hereby constitutes the State Level Environment Impact Assessment Authority (SEIAA), Meghalaya (hereinafter referred to as the Authority, Meghalaya) comprising of three members namely, Chairman, Member and Member Secretary nominated by the State Government of Meghalaya as under:

1.	Shri H.W.T.Syem, IAS (Retd.) Elysium, Upper Motinagar Shillong 793014, Meghalaya	Chairman, Project Management in Power and Road Transport Sector
2.	Sh. Ivan Roy, IFS (Retd.) Windermere, Rngjynnew Nongthymmai, Shillong 793014	Member, Forestry and Wildlife
3.	Sh. H. Prasad Chairma, Meghalaya State Pollution Control Board Arden Lumpyagngad, Shillong 793014	Member Secretary

2. The Chairman and Members shall have the term of three years from the date of publication of this notification in the Official Gazette.

3. The Authority, Meghalaya shall exercise such powers and follow such procedures as enumerated in the notification number S.O. 1533(E) dated the 14th September, 2006.

4. The Authority, Meghalaya shall base its decision on the recommendations of the State Level Expert Appraisal Committee (SEAC) constituted for the State of Meghalaya in this order.

5. The State Government of Meghalaya shall notify the agency to act as secretariat for the Authority and shall provide all financial and logistic support including accommodation, transportation and such other facilities in respect of all its statutory functions. Sitting fee, Travelling Allowance / Dearness Allowance to the Chairman and Member of the Authority shall be paid by the State Government of Meghalaya as per rules.

STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY (SEIAA), UTTARAKHAND

GOVERNMENT OF INDIA

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 22nd September, 2008

S.O. 2244 (E).—In exercise of the powers conferred by sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) and in pursuance of the Government of India notification number S.O. 1533(E) dated the 14th September, 2006, the Central Government hereby constitutes the State Level Environment Impact Assessment Authority (SEIAA), Uttarakhand (hereinafter referred to as the Authority, Uttarakhand) comprising of three members namely, Chairman, Member and Member Secretary nominated by the State Government of Uttarakhand as under:

1.	Dr. Bhagat Singh Burfal Village –Daanti,P.O. Ranthi Munsiari, District Pithoragarh, Uttarakhand	Chairman, Forestry and Wildlife Environment Impact Assessment Process etc.
2.	Dr. Ramesh C. Sharma Prof. and Head, Department of Environmental Sciences, H.N.B. Garhwal University P.O.Box 67, Srinagar Garhwal –246174, Uttrakhand	Member (non-official) Life Science
3.	Member Secretary Uttarakhand Environment Protection and Pollution Control Board, Dehradun Uttarakhand	Member Secretary

2. The Chairman and Members shall have the term of three years from the date of publication of this notification in the Official Gazette.

3. The Authority, Uttarakhand shall exercise such powers and follow such procedures as enumerated in the notification number S.O. 1533(E) dated the 14th September, 2006.

4. To assist the said Authority, the Central Government, in consultation with the State Government of Uttarakhand , hereby constitutes the State Level Expert Appraisal Committee, Uttarakhand (hereinafter referred to as SEAC) which shall comprise the following Members:

1.	Dr. Govind Joseph Chakrapani Department of Earth Science Indian Institute of Technology Roorkee 247667	Chairman, Environmen Quality
2.	Dr. Karan Kumar Singh Bhatia 166/8, Friends Lane, Solani Puram Roorkee	Member, Environment Impact Assessment Proce and Environment Quality
3.	Dr.Devendra Kumar Agarwal Scientist and Head, Eco Economics a Environment Impact Analysis Core G.B. Pa Institute of Himalayan Environment ar Development Kosi, Katarmal Almora 263643, Uttarakhand	Member, Environmen Assessment Process a Risk Assessment
4.	Shri Mohamad Ayub Khan Ex-principal Chief Conservator of Forests, Tripura 66 Prakash Vihar, Dharamput P./O.Araghar Dehradun, Uttarakhand	Member, Forestry an Wildlife, Environment Impact Assessment Proce etc.
5.	Member ±Secretary, Uttarakhand Environme Protection and Pollution Control Boar Dehradun, Uttarakhand	Secretary

5. The Authority said Authority, shall base its decision on the recommendations of the State Level Expert Appraisal Committee (SEAC) constituted for the State of Uttarakhand in this order.

6. The State Government of Uttarakhand shall notify the agency to act as secretariat for the Authority and shall provide all financial and logistic support including accommodation, transportation and such other facilities in respect of all its statutory functions. Sitting fee, Travelling Allowance / Dearness Allowance to the Chairman and Member of the Authority shall be paid by the State Government of Uttarakhand as per rules.

7. The Chairman and Members shall have the term of three years from the date of publication of this notification in the Official Gazette and SEAC, Uttarakhand shall be reconstituted after every three years.

8. The SEAC, Uttarakhand shall exercise such powers and follow such procedures as enumerated in the notification number S.O. 1533(E) dated the 14th September, 2006.

9. The SEAC, Uttarakhand shall function on the principle of collective responsibility. The Chairperson shall endeavour to reach a consensus in each case, and if consensus cannot be reached, the view of the majority shall prevail.

10. The State Government of Uttarakhand shall notify the agency to act as secretariat for the SEAC, Uttarakhand and shall provide all financial and logistic support including accommodation, transportation and such other facilities in respect to all its statutory functions. Sitting fee, Travelling Allowance / Dearness Allowance, to the Chairman and Members of the SEAC shall be paid by the State Government of Uttarakhand as per State rules.

No. J-110113/55/2008-IA.II(I)
1 $ / , 1 , % + $ 7 6 F L H Q W L V W µ *

STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY (SEIAA), ORISSA

GOVERNMENT OF INDIA

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 17th November, 2008

S.O. 2674(E).—In exercise of the powers conferred by sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) and in pursuance of the Government of India notification number S.O. 1533(E) dated the 14th September, 2006, the Central Government hereby constitutes the State Level Environment Impact Assessment Authority (SEIAA), Orissa (hereinafter referred to as the Authority, Orissa) comprising of three members namely, Chairman, Member and Member Secretary nominated by the State Government of Orissa as under:

1.	Prof. (Dr.) Chittaranjan Das Retd. Principal, BJB College and former Chief Executive, Chilk Development Authority, 42, Surya Nagar Bhubaneswar–751003	Chairman, Environment Impact Assessment Proce and Environment Quality
2.	Shri Pramod Chandra Rath Retd. Chief Engineer, Public Health Engineer and Member, Sta Pollution Control Board, 23, Roya Garden, Near BSNL Telephone Exchan Aiginia, Bhubneshwar-751019	Member (non-official) Project management and Environment Quality
3.	Director Environment-cum-Special Secretary t Government of Orissa, Forest a Environment Department	Member Secretary

2. The Chairman and Members shall have the term of three years from the date of publication of this notification in the Official Gazette.

3. The Authority, Orissa shall exercise such powers and follow such procedures as enumerated in the notification number S.O. 1533(E) dated the 14th September, 2006.

4. To assist the said Authority, the Central Government, in consultation with the State Government of Orissa , hereby constitutes the State Level Expert Appraisal Committee, Orissa (hereinafter referred to as SEAC) which shall comprise the following Members:

1.	Dr. Gagan Bihar Nityananda Chainy, Professor and Head of Departm Zoology and Biotechnology, Utkal University Vani Vihar Bhubneswar 751004	Chairman, Life Science
2.	Professor (Dr.) Swoyam Prakash Rout Prof. of Chemistry, Utkal University, Vani Vihar A/261, Sahid Nagar, Bhubaneswar 751007	Member, Environmen Quality and Environmen Impact Assessment proces
3.	Dr. Harekrishna Nayak Professor of Civil Engineering Gandhi Institute of Technology Plot No.N-I/244, I.R.C. Village Bhubaneswer	Member, Environmen Quality and Projec management
4.	Dr. Moheshwar Patra Royal College of Science and Technology, 3/110, Nayapali, I.R.C. Village, Bhubaneswar 751015	Member, Environmen Quality
5.	Shri Sasanka Sekhar Patnaik Retd. IFS Aranyaka VI-H-99, Sailashri Vihar Bhubaneswar 21	Member, Forestry an Wildlife
6.	Professor Kumar Das Professor of Economics, A-7, Utkal University Campus Bhubaneswar 751004	Member, Environmen Economics
7.	Dr. Surendra Nath Das Emeritus Scientist, Institute of Minerals and Materials Technology (CSIR) Bhubaneswar 751013	Member, Environmen Impact Assessment Proces Environment Quality
8.	Dr. R.C. Mohanty Prof. of Botany Utkal University Vani Vihar ±751004	Member, Life Science
9.	Member Secretary StatePollution Control Board Orissa Bhubaneswar	Secretary

5. The Authority said Authority, shall base its decision on the recommendations of the State Level Expert Appraisal Committee (SEAC) constituted for the State of Orissa in this order.

6. The State Government of Orissa shall notify the agency to act as secretariat for the Authority and shall provide all financial and logistic support including accommodation, transportation and such other facilities in respect of all its statutory functions. Sitting fee, Travelling Allowance / Dearness Allowance to the Chairman and Member of the Authority shall be paid by the State Government of Orissa as per rules.

7. The Chairman and Members shall have the term of three years from the date of publication of this notification in the Official Gazette and SEAC, Orissa shall be reconstituted after every three years.

8. The SEAC, Orissa shall exercise such powers and follow such procedures as enumerated in the notification number S.O. 1533(E) dated the 14th September, 2006.

9. The SEAC, Orissa shall function on the principle of collective responsibility. The Chairperson shall endeavour to reach a consensus in each case, and if consensus cannot be reached, the view of the majority shall prevail.

10. The State Government of Orissa shall notify the agency to act as secretariat for the SEAC, Orissa and shall provide all financial and logistic support including accommodation, transportation and such other facilities in respect to all its statutory functions. Sitting fee, Travelling Allowance / Dearness Allowance, to the Chairman and Members of the SEAC shall be paid by the State Government of Orissa as per State rules.

No. J-110113/49/2008-IA.II(I)
1 $ / , 1 , % + $ 7 6 F L H Q W L V W µ *

THE MANUFACTURE, USE, IMPORT, EXPORT AND STORAGE OF HAZARDOUS MICRO-ORGANISMS GENETICALLY ENGINEERED ORGANISMS OR CELLS RULES, 1989

THE MANUFACTURE, USE, IMPORT, EXPORT AND STORAGE OF HAZARDOUS MICRO-ORGANISMS GENETICALLY ENGINEERED ORGANISMS OR CELLS RULES, 1989

MINISTRY OF ENVIRONMENT & FORESTS

NOTIFICATION

New Delhi, the 5th December, 1989

G.S.R. 1037(E).—In exercise of the powers conferred by sections 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986) and with a view to protecting the environment, nature and health, in connection with the application of genetechnology and micro-organisms, the Central Government hereby makes the following rules, namely:-

1. SHORT TITLE, EXTENT AND COMMENCEMENT

(1) These rules may be called the Rules for Manufacture, Use, Import, Export and Storage of Hazardous Micro-Organisms Genetically Engineered Organisms or Cells.

[1](2) These rules shall come into operation on the date to be notified for this purpose in the Official Gazette.

2. APPLICATION

(1) These rules are applicable to the manufacture import and storage of micro-organisms and Gene-Technological products.

(2) These shall apply to genetically engineered organisms micro-organisms and cells and correspondingly to any substances and products and food stuffs, etc. of which such cells, organisms or tissues hereof form part.

(3) These rules shall also apply to new genetechnologies apart from those referred to in clauses (ii) and (iv) of rule 3 and these rules shall apply to organisms/micro-organisms and cells generated by the utilisation of such other gene-technologies and to substances and products of which such organisms and cells form part.

(4) These rules shall be applicable in the following specific cases;

(a) sale, offers for sale, storage for the purpose of sale, offers and any kind of handling over with or without a consideration;

---

[1] Rules came into force w.e.f.1.10.1993 vide Notification S.O.677(E), dated 13.9.1993.

(b) exportation and importation of genetically engineered cells or organisms;

(c) production, manufacturing, processing, storage, import, drawing off, packaging and repacking of the Genetically Engineered Products;

(d) Production, manufacture etc. of drugs and pharmaceuticals and food stuffs distilleries and tanneries, etc. which make use of micro-organisms genetically engineered micro-organisms one way or the other.

(5) These rules shall be applicable to the whole of India.

3. DEFINITIONS

In these rules unless the context requires,

(i) "Biotechnology" means the application of scientific and engineering principles to the processing of materials by biological agents to produce goods and services;

(ii) "Cell hybridisation" means the formation of live cells with new combinations of genetic material through the fusion of two or more cells by means of methods which do not occur naturally;

(iii) "Gene Technology" means the application of the gene technique called genetic engineering, include self-cloning and deletion as well as cell hybridisation;

(iv) "Genetic engineering" means the technique by which heritable material, which does not usually occur or will not occur naturally in the organism or cell concerned, generated outside the organism or the cell is inserted into said cell or organism. It shall also mean the formation of new combinations of genetic material by incorporation of a cell into a host cell, where they occur naturally (self cloning) as well as modification of an organism or in a cell by deletion and removal of parts of the heritable material;

(v) "microorganisms" shall include all the bacteria, viruses, fungi, mycoplasma, cells lines, algae, protodones and nematotes indicated in the schedule and those that have not been presently known to exist in the country or not have been discovered so far.

4. COMPETENT AUTHORITIES

(1) Recombinant DNA Advisory Committee (RDAC)

This committee shall review developments in Biotechnology at national and international levels and shall recommend suitable and-appropriate safety regulations for India in recombinant research, use and applications from time to time. The committee shall function in the Department of Biotechnology.

(2) Review Committee on Genetic Manipulation (RCGM).

This committee shall function in the Department of Biotechnology to monitor the safety related aspect in respect of on-going research projects and activities involving genetically engineered organisms/hazardous microorganisms. The Review Committee on Genetic Manipulation shall include representatives of (a) Department of Biotechnology (b) Indian Council of Medical Research (c) Indian Council of Agricultural Research (d) Council of Scientific and Industrial Research (e) other experts in their individual capacity. Review Committee on Genetic Manipulation may appoint sub groups.

It shall bring out Manuals of guidelines specifying procedure for regulatory process with respect to activities involving genetically engineered organisms in research use and applications including industry with a view to ensure environmental safety. All ongoing projects involving high risk category and controlled field experiments shall be reviewed to ensure that adequate precautions and containment conditions are followed as per the guidelines.

The Review Committee on Genetic Manipulation shall lay down procedures restricting or prohibiting production sale importation and use of such genetically engineered organisms of cells as are mentioned in the Schedule.

(3) Institutional Biosafety Committee (IBSC).

This committee shall be constituted by an occupier or any person including research institutions handling microorganisms/genetically engineered organisms. The committee shall comprise the Head of the Institution Scientists engaged in DNA work a medical expert and a nominee of the Department of Biotechnology. The occupier or any person including research institutions having microorganisms/genetically engineered organisms shall prepare with the assistance of the Institutional Biosafety Committee (IBSC) an uptodate on-site emergency plan according to the manuals/guidelines of the RCGM and make available copies to the District Level Committee/State Biotechnology Co-ordinating Committee and the Genetic Engineering Approval Committee.

(4) Genetic Engineering Approval Committee (GEAC)

This committee shall function as a body under the Department of Environment Forests and Wildlife for approval of activities involving large scale use of hazardous microorganisms and recombinants in research and industrial production from the environmental angle. The Committee shall also be responsible for approval of proposals relating to release of genetically engineered organisms and products into the environment including experimental Field trials.

The composition of the Committee shall be

(i) Chairman-Additional Secretary Department of Environment Forests and Wild life

Co-Chairman Representative of Department of Bio-technology

(ii) Members: Representatives of concerned Agencies and departments namely Ministry of Industrial Development, Department of Biotechnology and the Department of Atomic Energy.

(iii) Expert members: Director General-Indian Council of Agricultural Research, Director General-Indian Council of Medical Research, Director General-Council of Scientific and Industrial Research, Director General Health Services, Plant Protection Adviser, Directorate of Plant Protection, Quarantine and storage, Chairman, Central Pollution Control Board and three outside experts in individual capacity.

(iv) Member Secretary: An official of the Department of Environment, Forest and Wildlife.

The Committee may co-opt other members/experts as necessary.

The committee or any person/s authorised by it shall have powers to take punitive actions under the Environment (Protection) Act, 1986.

(5) State Biotechnology Co-ordination Committee (SBCC).

There shall be a State Biotechnology Coordination Committee in the States wherever necessary. It shall have powers to inspect, investigate and take punitive action in case of violations of statutory provisions through the Nodal Department and the State Pollution Control Board/Directorate of Health/Medical Services. The Committee shall review periodically the safety and control measures in the various industries/institutions handling genetically engineered Organisms/Hazardous microorganisms. The compositions of the Coordination Committee shall be:

(i)	Chief Secretary	- Chairman
(ii)	Secretary, Department of Environment	- Member Secretary
(iii)	Secretary, Department of Health	- Member
(iv)	Secretary, Department of Agriculture	- Member
(v)	Secretary, Department of Industries and Commerce	- Member
(vi)	Secretary, Department of Forests	- Member

(vii) Secretary, Department of Public Works/ Chief Engineer, Department of Public Health Engineering. - Member

(viii) State Microbiologists and Pathologists - Member

(ix) Chairman of State Pollution Control Board

The Committee may co-opt other members/experts as necessary.

(6) District Level Committee (DLC)

There shall be a District Level Biotechnology Committee (DLC) in the districts wherever necessary under the District Collectors to monitor the safety regulations in installations engaged in the use of genetically modified organisms/ hazardous microorganisms and its applications in the environment.

The District Level Committee/or any other person/s authorised in this behalf shall visit the installation engaged in activity involving genetically engineered organisms, hazardous microorganisms, formulate information chart, find out hazards and risks associated with each of these installations and coordinate activities with a view to meeting any emergency. They shall also prepare an off-site emergency plan. The District Level Committee shall regularly submit its report to the State Biotechnology Co-ordination Committee/Genetic Engineering Approval Committee.

The District Level Committee shall comprise of:-

(i) District Collector - Chairman

(ii) Factory Inspector - Member

(iii) A representative of the Pollution Control Board - Member

(iv) Chief Medical Officer (District Health Officer) - Member (Convenor)

(v) District Agricultural Officer - Member

(vi) A representative of the Public Health Engineering Department - Member

(vii) District Microbiologists/Pathologist (technical expert) - Member

(viii) Commissioner Municipal Corporation - Member

The Committee may co-opt other members/experts as necessary.

5. CLASSIFICATION OF MICROORGANISMS OR GENETICALLY ENGINEERED PRODUCT

(1) For the purpose of these rules, microorganisms or genetically engineered organisms, products or cells shall be dealt with under two major heads; animal, pathogens and plant pests and these shall be classified in the manner specified in the Schedule.

(2) If any of the microorganisms, genetically engineered organism or cell falls within the limits of more than one risk class as specified in the Schedule, it shall be deemed to belong exclusively to the last in number of such classes.

6. ANIMAL PATHOGENS AND PLANT PESTS

Microorganisms laid down in the Schedule are divided into the following:-

(i) Bacterial Agents;

(ii) Fungal Agents;

(iii) Parasitic Agents;

(iv) Viral, Rickettsial and Chlamydial Agents;

(v) Special Category.

7. APPROVAL AND PROHIBITIONS ETC.

(1) No person shall import, export, transport, manufacture, process, use or sell any hazardous microorganisms of genetically engineered organisms/substances or cells except with the approval of the Genetic Engineering Approval Committee.

(2) Use of pathogenic microorganisms or any genetically engineered organisms or cells for the purpose of research shall only be allowed in laboratories or inside laboratory area notified by the Ministry of Environment and Forests for this purpose under the Environment (Protection) Act, 1986.

(3) The Genetic Engineering Approval Committee-shall give directions to the occupier to determine or take measures concerning the discharge of microorganisms/genetically engineered organisms or cells mentioned in the Schedule from the laboratories, hospitals and other areas including prohibition of such discharges and laying down measures to be taken to prevent such discharges.

(4) Any person operating or using genetically engineered organisms/ microogranisms mentioned in the schedule for scale up or pilot operations shall have to obtain licence issued by the Genetic Engineering Approval Committee for any such activity. The possessor shall have to apply for licence in prescribed proforma.

(5) Certain experiments for the purpose of education within the field of gene technology or microorganism may be carried out outside the laboratories and laboratory areas mentioned in sub-rule (2) and will be looked after by the Institutional Biosafety Committee.

8. PRODUCTION

Production in which genetically engineered organisms or cells or micro-organisms are generated or used shall not be commenced except with the consent of Genetic Engineering Approval Committee with respect of discharge of genetically engineered organisms or cells into the environment. This shall also apply to production taking place in connection with development, testing and experiments where such production, etc., is not subject to rule 7.

9. DELIBERATE OR UNINTENTIONAL RELEASE

(1) Deliberate or unintentional release of genetically engineered organisms/hazardous microorganisms or cells, including deliberate release for the purpose of experiment shall not be allowed.

Note: Deliberate release shall mean any intentional transfer of genetically engineered organisms/hazardous, microorganisms or cells to the environment or nature, irrespective of the way in which it is done.

(2) The Genetic Engineering Approval Committee may in special cases give approval of deliberate release.

10. PERMISSION AND APPROVAL FOR CERTAIN SUBSTANCES

Substances and products, which contain genetically engineered organisms or cells or microorganisms shall not be produced, sold, imported or used except with the approval of Genetic Engineering Approval Committee.

11. PERMISSION AND APPROVAL FOR FOOD STUFFS

Food stuffs, ingredients in food stuffs and additives including processing and containing or consisting of genetically engineered organisms or cells, shall not be produced, sold, imported or used except with the approval of the Genetic Engineering Approval Committee.

12. GUIDELINES

(1) Any person who applies for approval under rules 8-11 shall, as determined by the Genetic Engineering Approval Committee submit information and make examinations or cause examinations to be made to eradicate the case, including

examinations according to specific directions and at specific laboratories. He shall also make available an on-site emergency plan to GEAC before obtaining the approval. If the authority makes examination itself, it may order the applicant to delay the expenses incurred by it in so doing.

(2) Any person to whom an approval has been granted under rules 8-11 above shall notify the Genetic Engineering Approval Committee of any change in or addition to the information already submitted

13. GRANT OF APPROVAL

(1) In connection with the granting of approval under rules 8 to 11 above, terms and conditions shall be stipulated, including terms and conditions as to the control to be exercised by the applicant, supervision, restriction on use, the layout of the enterprise and as to the submission of information to the State Biotechnology Co-ordination Committee or to the District Level Committee.

(2) All approvals of the Genetic Engineering Approval Committee shall be for a specific period not exceeding four year at the first instance renewable for 2 years at a time. The Genetic Engineering Approval Committee shall have powers to revoke such approval in the following situations:-

(a) If there is any new information as to the harmful effects of the genetically engineered organisms or cells.

(b) If the genetically engineered organisms or cells cause such damage to the environment, nature or health as could not be envisaged when the approval was given, or

(c) Non compliance of any condition stipulated by Genetic Engineering Approval Committee.

14. SUPERVISION

(1) The Genetic Engineering Approval Committee may supervise the implementation of the terms and conditions laid down in connection with the approvals accorded by it.

(2) The Genetic Engineering Approval Committee may carry out this supervision through the State Biotechnology Coordination Committee or the State Pollution Control Boards/District Level Committee or through any person authorised in this behalf.

15. PENALTIES

(1) If an order is not complied with, the District Level Committee or State Biotechnology Co-ordination Committee may take measures at the expense of the person who is responsible.

(2) In case where immediate intervention is required in order to prevent any damage to the environment, nature or health, the District level Committee or State Biotechnology Coordination Committee may take the necessary steps without issuing any order or notice. The expenses incurred for this purpose will be repayable by the person responsible for such damage.

(3) The State Biotechnology Co-ordination Committee/District Level Committee may take samples for a more detailed examination of organisms and cells.

(4) The State Biotechnology Co-ordination Committee/District Level Committee shall be competent to ask for assistance from any other government authority to carry out its instructions.

16. RESPONSIBILITY TO NOTIFY INTERRUPTIONS OR ACCIDENTS

(1) Any person who under rule 7-11 is responsible for conditions or arrangements shall immediately notify the District Level Committee/State Biotechnology Co-ordination Committee and the state medical officer of any interruption of operations or accidents that may lead to discharges of genetically engineered organisms or cells which may be harmful to the environment, nature or health or involve any danger thereto.

(2) Any notice given under sub-rule (I) above shall not lessen the duty of the person who is responsible to try effectively to minimise or prevent the effects of interruptions of operations or accidents.

17. PREPARATION OFF-SITE EMERGENCY PLAN BY THE DLC

(1) It shall be the duty of the DLC to prepare an off-site emergency plan detailing how emergencies relating to a possible major accident at a site will be dealt with and in preparing the plan, the DLC shall consult the occupier and such other person as it may deem necessary.

(2) For the purpose of enabling the DLC- to prepare. the emergency plan required under sub-rule (1), the occupier shall provide the DLC with such information relating to the handling of hazardous microorganisms/ genetically engineered organisms under his control as the DLC may required including the nature, extent and likely off-site affects of a possible major accident and the DLC shall provide the occupier with any information from the off-site emergency plan which relates to his duties under rule 16.

18. INSPECTIONS AND INFORMATIONS REGARDING FINANCE

(1) The State Biotechnology Co-ordination Committee or the Genetic Engineering Approval Committee/the DLC or any person with special knowledge duly authorised by the State Biotechnology Co-ordination Committee or the Genetic Engineering Approval Committee or the DLC where it is deemed necessary, at any time on due production of identity be admitted to public as well as to private promises and localities for the purpose of carrying out supervision.

(2) Any person who is responsible for activities subject to rules 7-11 above shall at the request of District level Committee or State Biotechnology Coordination Committee or the GEAC submit all such information including information relating to financial conditions and accounts, as is essential to the authority's administration under these rules He shall also allow supervision or inspection by the authorities or persons indicated in sub-rule (1).

(3) The Genetic Engineering Approval Committee may fix fees to cover, in whole or in part, the expenses incurred by the authorities in connection with approvals, examinations, supervisions and control.

19. APPEAL

(l) Any person aggrieved by a decision made by Genetic Engineering Approval Committee/State Biotechnology Co-ordination Committee in pursuance of these rules may within thirty days from the date on which the decision is communicated to him, prefer an appeal to such authority as may be appointed by Ministry of Environment and Forests provided that the appellate authority may entertain the appeal after the expiry of the said period of thirty days if such authority is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

20. EXEMPTION

The Ministry of Environment and Forests shall, wherever necessary, exempt an occupier handling a particular microorganism/genetically engineered organism from rule 7-11.

ANIMAL AND HUMAN PATHOGENS

SCHEDULE

BACTERIAL

Risk Group II

Acinetobacter calcoacetieus

Actinobacillus all species except A mallei, which in Risk Group III

Acromonoas hydrophila

Arzona hinshawii-all serotypes

Baciluss anthracis

Bordetella-all species

Borrelia recurrentis B. vincenti

Campylobacter fetus

Camphylobacter jejuni

Chalarmydia psittaci

Cheamydia trachomatis

Clostridium hauvoci, Cl, Difficle Cl. fallax, Clhaemolyticum Cl histolyticum, Cl, novyi, (Cl. perfringes), Cl. speticum, Cl. sordeili

Cornylebacterium diptheriae, C. equi, C. haemolyticum, C. pseudo tuberculosis, C. pyogenes, C. renale

Diplococcus (Streptococcus) pneumoniae

Edwardsiila tarda

Erysipelothix insidiosa

Escherichia Coli-all enteropathogenic serotypes enterotaxigenic

Haemophilus ducrevi, H. influenzae, H. pneumoniae

Herellea vaginicola

Klebsiella- all species and all serotypes

Legionlla pneumophila

Letionella

Leptospira interrogans all serotypes reported in India

Listeria, all species

Mima polymorpha

Moraxella-All species

Mycobacteria-all species including Mycobacterium avium

M. bovis M. tuberculosis, M. lepreae

Mycoplasma-all species except M. mycoides and M. angalactiae

Neisseric gonorrhoea, N. meningitis

Pasteurella all species except those listed in Risk Group III

Salmonella-all species and all serotypes

Shigella all species and all serotypes

Shpacrophorus necrophorus

Staphylococcus aureus

Straptobacillus moniformis

Streptococcus pneumoniae

Streptococcus pyogenes, S. equi

Streptomyces madurae, s. pelleteri, s. somaliensis

Treponema carateum, T. palidum and T. pertenue

Vibrio foctus, V. comma including biotype El Tor and

V. parahemolyticus.

Vibrio cholerae

Risk Group III:

Actinobacillus mallei

Bartonella-all species

Brucella all species

Clostridium botulium, Cl. tetani

Francisella tularensis

Mycobacterium avium, M. bovis, M. tuberculosis, m. leprae

Paseturella multocida type B ("buffalo" and other foreign virulent strains)

Pseudomonas pseudomallai

Yersinia pestis

FUNGAL

Risk Group II

Actinomycetes (including Nocardia Sp, Actinomyces species and Arachina prpinica)

Aspergilus fumigatus

Blastomyces dermatitis

Cryptococcus neoformans C. fersiminosos

Epidermophyton madurella, microsporon

Paracoccidiodes brasiliensis

Sporothrix

Trichoderma

Trichophyton

Risk Group III

Coccidioaes immitis Histoplasma capulatum

Histoplasma capsulalum var duboissl

PARASITIC

Risk Group II

Entanoeba histolytica

Leishmania species

Naegeleria gruberia

Plasmodium theilera, P. babesia P. falcoparum

Plasmodium babesia

Schistosoma

Toxoplasma gondii

Toxocara canis

Trichinella spiralis

Trichomanas

Trypanosoma cruzi

Risk Group III

Schisistosoma mansoni

VIRAL RICKETTSIAL AND CHAIMYDIAL

Risk Group II

Adenoviruses-Human, all types
Avian loukosis
Cache Valley virus
CELO (avain adenovirus)
Cosackie A and B viruses
Corona viruses
Cytomegalo viruses
Dengue virus, when used for transmission experiments
Echo viruses-all types
Encephalomyocarditis virus (EMC)
Flanders virus
Hart Past virus
Hepatitis-associated antigen material-hepatitis A and B viruses, non A and non B HDV
Herpes viruses-except herpes virus simiae (monkey B virus) which is in Risk Group IV.
Infections Bovine Rhinotraechitis virus (IBR).
Infections Bursal diesaes of poultry and Infectious Bronchitus
Infections Laryngotraechitis (ILT)
Influenza virus-all types, except A/PR8/34 which in Risk Group I
Langat virus Leucosis Complex
Lymphogranuloma venereum agent
Mark's Disease virus
Measles virus
Mumps virus
Newcastle disease virus (other than licenced strain for vaccine use)

Parainfluenza viruses-all types except parainfluenza virus 3, SF4 strain, which is in Risk Group I

Polio viruses-all types wild and attenuated

Poxvirus-all typcs except Mastrim, monkey pox, sheep pox and white pox, which depending on experiments are in Risk Group III or IV.

Rabies virus-all strains except rabies stret virus, which should be classified in Risk Group III when inoculated into carnivores

Reoviruses-all types

Respiratory syncital virus

Rhinoviruses-all types

Rinderpest (other than vaccine strain in use)

Rubella virus

Stimian virues-all types except herpeavirus simae (Monkey Virus) which is in Risk Group IV.

Simian virus 40

Ad 7 SV 40 (defective)

Sindbis virus

Tensaw virus

Turlock virus

Vaccinia virus

Varicella virus

Vole rickettsia

Yellow fever virus, 17 D vaccine strain

Risk Group III

African House Sickness (attenuated strain except animal passage)

Alastrim, monkey pox and whitepox, when used into vitro

Arboviruses-All strains except those in Risk Group II and IV

Blue tongue virus (only serotypes reported in India)

Ebola fever Virus

Epstiein-Barr virus

Feline Leukemia

Feline sarcoma

Foot and Mouth Disease virus (all seritypes and subtypes)

Gibbon Ape Lymphosarcoma

herpesvirus ateles

herpevirus saimiri

herpes Simplex 2

HIV-1 & HIV-2 and strains of SIV

Infcctious Equine Anaemia

Lymphocylic choriomeningitis virus (LCM)

Monkey pox, when used in vitro

Non-defective Adeno-2 SV-40 hybrids

Psettacosis-ornithosis-trachoma group of agents

Pseudorabies virus

Rabies street virus, when used inoculations of carnivores

Rickttsia-all species except Vole rickeitsia dn Coxiell burnetti when used for vector transmission or animal inoculatin experiments

Sheep pox (field strain)

Swine Fever virus

Vesiculat stomatitis virus

Woolly monkey Fibrosarcoamm

Yaba pox virus

Risk Group IV

Alastrim, monkeypox, whitepox, when used for transmission or animal inoculation experiments

Hemorrhagic fever agents, including Crimean hemorrhagic fever (congo)

Korean hemorrhagic fever and others as yet undefiened

Herpesvirus simlae (monkey B virus)

Tick-borne encephalitis virus complex, including-Russian Spring Summer Encephalifs, Kyasanur Forest Diseast, omsk hemorrhagic fever and Central European encephalitis viruses

SPECIAL CATEGORY

BACTERIAL

Contagious Equine Metritis (H. equinilais) Pestis-petit de ruminantium

VIRAL RICKE TTSIAL AND CHLAMYDIAL:

African Horse Sickness virus (serotypes not reported in Indian and challenge strains)

African Swine Fever

Bat rabies virus

Blue tongue virus (serotypes not reported in India)

Exoitic FMD virus types and sub-types

Junin and Machupo viruses

Lassa virus

Marburg virus

Murrey valley encephalitis virus

Rift Valley Fever virus

Smallpox virus-Archieval storage and propagation Swine Vesicular Disease

Veneseulan equine encephalitis virus epidemic strains

Western Equine encephalitis virus

Yellow fever virus-Wild strain

Other Arboviruses causing eizootics and so far not recorded in India.

B: PLANT PESTS

Any living stage (including active and dormant forms) of insects, mites, nematodes, slugs, snails, bacteria, fungi, protozoa, other parasitic plants or reproductive parts thereof: viruses or any organisms similar to or allied with any of the foregoing; or any infectious agents or substances, which can directly or indirectly injure or cause disease or damage in or to any plants or parts thereof, or any processed, manufactured, or other products of plants are considered plant pests.

Organisms belonging to all lower Taxa contained within the group listed are also included.

1. Viruses
All viruses

All bacteria, fungal, algal, plant, insect and neumatode viruses; special care should be taken for-

(i) Geminiviruses,
(ii) Calulimoviruscs,
(iii) Nuclear Polyhedrosis viruses,
(iv) Grandulosis viruses, and
(v) Cyloplasmic polyhedrosis viruses

2. Bacteria

Family Pseudomonadaceae
Genus Pscudomonas
Genus Xanthomonas
Genus Azotobacter

Family Rhizobiaceae

Genus Rhizobium/Azorhizobium
Genus Bradyrhizobium
Genus Agrobacterium
Genus Phyllobacterium
Genus Erwinia
Genus Enterobacter
Genus Klebzieller

Family Spirollaceae

Genus Azospirillum
Genus Acqaspirillum
Genus Occeonospirillum
Family Slreplomycetaceae
Genus Streplomyces
Genus Nocardia

Family Actionmycetaceas

Genus Actinomyces

Coryneform Group

Genus Clavibacter
Genus Arthrobacter
Genus Curtobacterium
Gcnus Bdellovibro
Family Rickettsiaceae

Rickeltsial like organisms associated with insect diseases

Gram-negative phloem-limited bacteria associated with plant diseases

Gram-negative xylem-limited bacteria associated with plant diseases

Cynobacteria-all members of blue-green algae

Mollicutes

Family Spiroplasmataceae

Mycoplasma-like organisms associated with plant diseases

Mycoplasma-like organisms associated with insect diseases

Algae

Family Chlomphyceae

Family Euglenophyceae

Family Pyrophyceae

Family Chrysophaceae

Family Phacphyceae

Family Rhodophyceae

Fungi

Family Plasmodiophoraceae

Family Chytridiaceae

Family Oldipiopsidaceae

Family Synchytriaceae

Family Catenariaceae

Family Coelomomycetaceae

Family Saprologniaceae

Family Zoopagaceae

Family Albuginaceae

Family Peronosporaceae

Family Pythiaceae

Family Mucoraceae

Family Choanephoraceae

Family Mortierellaceae

Family Endogonaceae

Family Syneephalastraceae

Family Dimargaritaceae

Family Kickxellaceae

Family Saksenaeaceae

Family Entomophthoraceae

Family Ecerinaceae

Family Taphrinaceae

Family Endomycetaceae

Family Saceharamyeetacea

Family Eutotiaceae

Family Gymnoascaceae

Family Aseophaeriaceae

Family Onygenaceae

Family Microascaceae

Family Protomycetaceae

Family Elsinoeaceae

Family Myriaginaceae

Family Dothidiaceae

Family Chaetothyriaceae

Family Pharmularieaceae

Family Phillipsicllaceae

Family Gysteriaceae

Family Pleosporaceae

Family Melamomataceae

Family Ophiostomataceae

Family Aseosphaeriaceae

Family Erysiphaceae

Family Meliolaceae

Family Xylariaceae

Family Diaporthaceae

Family Hypoercaceae

Family Clavicipataceae

Family Phacidiaceae

Family Ascocorticiaceae

Family Hemiphacidiaceae

Family Dermataceae

Family Selerotimiaceae

Family Cyttariaceae

Family Helosiaceae

Family Sarocostomataceae

Family Sarcoscyphaceae

Family Auricolariaceae

Family Ceratobasidiaceae

Family Corticiaceae

Family Hymenochaetaceae

Family Echiondintiaceae

Family Eistuliniaceae

Family Clavariaceae

Family Polyporaceae

Family Tricholomataceae

Family Ustilaginaceae

Family Sporobolomycetaceae

Family Uredinaceae

Family Agaricaceae

Family Graphiolaceae

Family Pucciniaceae

Family Melampsoraceae

Family Gandodermataceae

Family Labonlbeniaceae

Family Sphaeropsidaceae

Family Mclabconiaceae

Family Tuberculariaceae

Family Dermatiaceae

Family Moniliaceae

Family Aganomucetaceae

Parasitic Weeds

Family Balanophoraceae-parasitic species

Family Cuscutaceae-parasitic species

Family Thydonoraceae-parasilic species

Family Lauraceae-parasitic species Genus Cassytha

Family Lennoaceae-parasitic species

Family Loranthaceae-parasitic species

Family Myzodendraceae-parasitic species

Family Olacaceae-parasitic species

Family Orobanchaceae-parasitic species

Family Rafflesiaceae-parasitic species

Family Santalaceae-parasitic species

Family Scrophulariaceae-parasitic species

Protozoa

Genus Phytomonas
And all Protozoa associated with insect dest

Nematodes

Family Anguinidae

Family Belonolaimidae

Family caloosiidae

Family Cariconematidae

Family dolichodoridae

Family Fergusbbiidae

Family hemicycliophoridae

Family Heteroderidae

Family Hoplolaimidae

Family Mcloidogynidae

Family Neotylenchidae

Family Nothotylenchaidae

Family Paratlenchidae

Family Pratyenchidae

Family Tylenchidae

Family Tylenchulidae

Family Aphelenchoidae

Family Longdoridae

Family Trichodoridae

Mollusca

Super family Planorbacca

Super family Achatinacca

Super family Arionacca

Super family Limacacca

Super family Helicacea

Super family Veronicellacea

Arthropoda

Super family Ascoidea

Super family Dermanyssoidea

Super family Erjophyoidea

Super family Tetranychoidea

Super family Tetranychoidea

Super family Eupododca

Super family Tydcoidea

Super family Erythraenoidca

Super family Trombidioidea

Super family Hydryphantoidea

Super family Tarasonemoidea

Super family Pyemotoiodea

Super family Hcmisaracoptoidea

Super family Acaroidea

Order Polydesmida

Family Sminthoridao

Family Forficulidzo

Order Isptera

Order Thysanoptera

Family Acredidea

Family Gryllidae

Family Gryllacridiedae

Family Gryllotalpidae

Family Phasmatidao

Family Ronalcidao

Family Tettigoniidao

Family Tatragidao

Family Thaumastocoridae

Super family Piesmatoidca

Super family Lygacoidea

Super family Idiostoloidea

Super family Careoidea

Super family Penatomoidea

Super family Pyrrhoeomidea

Super family Tingoidea

Super family Miroidea

Order Homoplara

Family Anobiidae

Family Apionidae

Family Anthrididae

Family Bostrichidae

Family Brentidae

Family Bruchidae

Family Buprestodae

Family Byturidae

Family Cantharidae

Family Carabidae

Family Ceambiccidae

Family Chrysomelidae

Family Coecinellidae

Family Curculionidae

Family Dermestidae

Family Elateridae

Family Hydrophilidae

Family Lyctidae

Family Meloidae

Family Moredellidae

Family Platypodiadae

Family Scarabaeldae

Family Scolytidae

Family Selbytidae

Order Lepidoptera

Family Agromyidae

Family Anthomidae

Family Cecidomidae

Family Chioropidae

Family Ephydridae

Family Lonchacidae

Family Musicdae

Family Otitidae

Family Syrphidae

Family Tephritidae

Family Tipulidae

Family Apidae

Family Caphidae

Family Chalcidae

Family Cynipidae

Family Eurytomidae

Family formisidae

Family Psilidae

Family Sircidae

Family Tenthredinidae

Family Torymidae

Family Xyloiopidae

and

also unclassified organism and/or organisms whose classification is unknown, and all other organisms associated with plant and insect disease.

Published in the Gazette No. 621 dt. 12-5-89

Corrections made in terms of corrigendum No. S.O. 137(E) dt. 2-2-90 published in the Gazette.

DELEGATION OF POWERS TO THE SEED ANALYST UNDER SECTION 14 OF THE ENVIRONMENT (PROTECTION) ACT, 1986

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 1st September, 2006

G.S.R.589(E).-In exercise of the powers conferred by Section 23 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby delegates the power vested in it under Section 14 of the said Act to the Seed Analyst, notified under Section 12 of the Seeds Act, 1966 (54 of 1966) to use the signed document purporting to be reported of Genetically modified crop as evidence of the facts stated therein in any proceedings conferred under the Environment (Protection) Act, 1986 subject to the condition the Central Government may revoke such delegation of powers if in the opinion of the Central Government such a course of action is necessary in public interest.

[F.No.10/40/2003-CS]
Desh Deepak Verma, Jt. Secy.

Note: Principal Notification published in the Gazette of India vide Notification No.G.S.R.1198(E), dated 12.11.1986 and subsequently amended vide S.O.152(E), dated 10.2.1988, S.O.289(E), dated 14.4.1988, S.O.488(E), dated 17.5.1988, S.O.881(E), dated 22.9.1988, S.O.408(E), dated 6.6.1989, S.O.479(E), dated 25.7.1999, S.O.157(E), dated 27.2.1996, S.O.730(E), dated 10.7.2002.

EXEMPTIONS TO THE OCCUPIER HANDLING A PARTICULAR MICROORGANISM/ GENETICALLY ENGINEERED ORGANISM

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 20th September, 2006

G.S.R.616(E).- Whereas the Ministry of Environment and Forests has notified the rules for the Manufacture, Use, Import, Export and Storage of Hazardous Microorganism/ Genetically Engineered Organisms or Cells Rules, 1989 hereinafter referred to as Rules vide No.GSR1037(E), dated 5th December, 1989.

And Whereas rule 20 of the rules for the Manufacture, Use, Import, Export and Storage of Hazardous Microorganism/Genetically Engineered Organism or Cells Rules, 1989 empowers the Ministry of Environment and Forests to exempt an occupier handling a particular microorganism/genetically engineered organism from the application of the provisions of Rules 7 to 11 (both inclusive).

Now, therefore, in pursuance of rule 20 of the rules for the Manufacture, Use, Import, Export and Storage of Hazardous Microorganisms /Genetically Engineered Organisms or Cells Rules, 1989, the Central Government hereby consider it necessary that the manufacture and/or importer of recombinant pharmaceuticals falling in the following categories may be exempted from the provisions of rules 7 to 10 (both inclusive) of the above said Rules with effect from the date of publication of this notification in the official gazette.

(a) Indigenous product development, manufacture and marketing of pharmaceutical products derived from organisms, falling under Risk Group I and Group II as specified in the Recombinant DNA Safety Guidelines, 1990.

(b) Import and marketing of products derived from Living Modified Organisms (LMOs) as Drugs and Pharmaceuticals in bulk and/or finished formulations where the end product being imported is not a Living Modified Organisms.

[F.No.12/7/2004-CS]
DESH DEEPAK VERMA, JT. SECY.

Note: The principal rules were published in the Gazette of India vide number GSR 1037(E), dated 5.12.1989, which came into force vide notification SO 677(E), dated 13th September, 1993 and amended vide notification GSR 493(E), dated 14th July, 2005.

EXEMPTION S TO THE OCCUPIER OF THE PROCESSED FOOD DERIVED FROM LIVING MODIFIED ORGANISMS

MI NISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 23rd August, 2007

S.O.1519(E).-Whereas, the Central Government with a view to protecting the environment, nature and health in connection with the application of gene technology and micro-organisms, has notified the Manufacture, Use, Import, Export and Storage of Hazardous micro-organisms/Genetically engineered organisms or Cells Rules, 1989 (hereinafter referred to as the said Rules) vide number G.S.R.1037(E), dated the 5th December, 1989.

And, whereas, rule 20 of the said Rules empowers the Ministry of Environment and Forests to exempt an occupier handling a particular micro-organism/Genetically engineered organisms from the application of the provisions of rule 7 to 11 of the said Rules.

And, whereas, the Ministry of Environment and Forests consider it necessary that the occupier or processed food derived from living modified organisms specified in column (1) of the Table below may be exempted from the provisions of the rule specified in column (2) of the said Table;

Now, therefore, in pursuance of rule 20 of the Manufacture, Use, Import, Export and Storage of Hazardous micro-organisms/Genetically engineered organisms or Cells Rules, 1989, the Ministry of Environment and Forests, hereby exempts the occupier of the processed food derived from living modified organisms specified in the Table with effect from the date of publication of this notification in the Official Gazette, namely:-

TABLE

Processed food items derived from living modified organisms	Rule from which exempted
(1)	(2)
Food stuffs, ingredients in food stuffs and additives Including processing aids derived from living Modified Organisms where the end product is not a Living Modified Organisms.	Rule 11

[F.No.13/16/2007-CS-III]
A.K.Goyal, Jt. Secy.

Note:- The Manufacture, Use, Import, Export and Storage of Hazardous micro-organisms/Genetically engineered organisms or Cells Rules, 1989 were published in the Gazette of India, Extraordinary, vide number G.S.R.1037(E), dated the 5th December, 1989, which came into force vide notification S.O.677(E), dated the 13th September, 1993 and were subsequently amended vide notification numbers G.S.R.493(E), dated the 14th July, 2005 and G.S.R.616(E), dated the 28th September, 2006.

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 25th February, 2008

S.O.411(E).-Notification No.S.O.1519(E), dated 23rd August, 2007 is kept in abeyance for a period of six months i.e. up to 30th September, 2008 or until issue of further notification by the Ministry of Health and Family Welfare regarding regulation of GM processed foods by the Food Safety and Standards Authority, whichever is earlier.

[F.No.13/16/2007-CS-II]
A.K.Goyal, Jt. Secy.

Note: The Manufacture, Use, Import, Export and Storage of Hazardous micro-organisms/Genetically engineered organisms or Cells Rules, 1989 were published in the Gazette of India, Extraordinary, vide number G.S.R.1037(E), dated the 5th December, 1989, which came into force vide notification S.O.667(E), dated the 13th September, 1993, and subsequently were amended vide notification numbers G.S.R.493(E), dated 14th July, 2005, G.S.R.616(E), dated the 20th September, 2006 and No.S.O.519(E), dated 23.8.2007

THE HAZARDOUS WASTES (MANAGEMENT, HANDLING AND TRANSBOUNDARY MOVEMENT) RULES, 2008

(As amended to date)

THE HAZARDOUS WASTES (MANAGEMENT, HANDLING AND TRANSBOUNDARY MOVEMENT) RULES, 2008

MINISTRY OF ENVIRONMENT & FORESTS

NOTIFICATION

New Delhi, the 24th September, 2008

S.O. 2265(E).- Whereas the draft rules, namely, the Hazardous Material (Management, Handling & Transboundary Movement) Rules, 2007 was published by the Government of India in the Ministry of Environment & Forests vide number S.O.1676(E), dated 28th September, 2007 in the Gazette of India, Extraordinary of the same date inviting objection and suggestions from all persons likely to be affected thereby, before the expiry of the 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 copies of the said Gazette were made available to the public on the 28th day of September, 2007;

AND WHEREAS the objections and suggestions received within the said period from the public in respect of the said draft rules have been duly considered by the Central Government.

NOW, THEREFORE, in exercise of the powers conferred by sections 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), and in supersession of the Hazardous Wastes (Management and Handling) Rules, 1989, excepts in respect of things done or omitted to be done before such supersession, the Central Government hereby makes the following rules, namely:-

CHAPTER-I

PRELIMINARY

1. SHORT TITLE AND COMMENCEMENT :- (1) These rules may be called the Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008.

(2) They shall come into force on the date of their publication in the official Gazette.

2. APPLICATION: - These rules shall apply to the handling of hazardous wastes as specified in Schedules and shall not apply to-

(a) waste-water and exhaust gases as covered under the provisions of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) and the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981) and the rules made thereunder;

(b) wastes arising out of the operation from ships beyond five kilometers of the relevant baseline as covered under the provisions of the Merchant Shipping Act, 1958 (44 of 1958) and the rules made thereunder;

(c) radio-active wastes as covered under the provisions of the Atomic Energy Act, 1962 (33 of 1962) and the rules made thereunder;

(d) bio-medical wastes covered under the Bio-Medical Wastes (Management and Handling) Rules, 1998 made under the Act; and

(e) wastes covered under the Municipal Solid Wastes (Management and Handling) Rules, 2000 made under the Act;

3. DEFINITIONS :- (1) in these rules, unless the context otherwise requires,-

(a) ³ $ F W´ means the Environment (Protection) Act, 1986 (29 of 1986) ;

(b) ³authorisation´ means permission for generation, handling, collection, reception, treatment, transport, storage, recycling, reprocessing, recovery, reuse and disposal of hazardous wastes granted under sub-rule (4) of rule 5;

(c) ³ % D V H O & R´QY HQWLR Q L W H G 1 D W L R Q V (Q Y L U Q P H Q W 3 U on the Control of Transboundary Movement of Hazardous Wastes and their Disposal.

(d) ³ & H Q W U D O 3 R O O X W L R Q & R Q W U R O % R D U G´ means the Central Pollution Control Board constituted under sub-section (1) of section 3 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);

(e) ³ G L V S R V D O´ means any operation which does not lead to recycling, recovery or reuse and includes physico chemical, biological treatment, incineration and disposal in secured landfill;

(f) ³ H [S R U W´ with its grammatical variations and cognate expressions, means taking out of India to a place outside India;

(g) ³ H [S R U W H U´ means any person under the jurisdiction of the exporting country who exports hazardous waste including the country, which exports hazardous waste;

(h) ³ H Q Y L U R Q P H Q W D O O \ V R X Q G P D Q D J H P H Q W´ means taking all steps required to ensure that the hazardous wastes are managed in a manner which shall protect health and the environment against the adverse effects which may result from such waste;

(i) ³environmentally sound technologie´ means any technology approved by the Central Government from time to time;

(j) ³ I D F L O means ´any establishment wherein the processes incidental to the handling, collection, reception, treatment, storage, recycling, recovery, reuse and disposal of hazardous wastes are carried out;

(k) ³) R U P means a form appended to these rules;

(l) ³ K D] D U G R X V Z D V W H means any waste which by reason of any of its physical chemical, reactive, toxic, flammable, explosive or corrosive characteristics causes danger or is likely to cause danger to health or environment, whether alone or when in contact with other wastes or substances and shall include.

(i) waste specified under column (3) of Schedule-

(ii) wastes having constituents specified in Schedule-II if their concentration is equal to or more than the limit indicated in the said Schedule, and

(iii) wastes specified in Part A or Part B of the Schedule-III in respect of import or export of such wastes in accordance with rules 12, 13 and 14 or the wastes other than those specified in Part A or Part B if they possess any of the hazardous characteristics specified in Part C of the Schedule;

(m) ³h D] D U G R X V Z D V W H means a place of collection, reception, treatment, storage of hazardous wastes and its disposal to the environment which is approved by the competent authority;

(n) ³ L P S R U W ´ with its grammatical variations and cognate expressions, means brining into India from a place outside India;

(o) ³ L P S R U H U ´ means an occupier or any person who imports hazardous waste;

(p) ³ P D Q L I H V W ´ means a transporting document prepared and signed by the occupier or his representative authorized in accordance with the provisions of these rules;

(q) ³ R F F X S L H U ´ in relation to any factory or premises, means a person who has, control over the affairs of the factory or the premises and includes in relation to any hazardous waste the person in possession of the hazardous waste;

(r) ³ R S H U D W R U R I D I D F L O L W \ ´ means a person who owns or operates a facility for collection, reception, treatment, storage or disposal of hazardous wastes;

[1][(ra) ³other wastes´ wastes specified in Part D of Schedule III shall not be Hazardous waste unless they posses any of the Hazardous characteristics specified in Part C of the Schedule in respect of import or export of such wastes in accordance with rules 12,13 and 14.]

(s) ³ U H F \ F O H U R U H S U R F H V V R U ´ means actual user who procures and processes hazardous waste for recycling or recovery or re-use;

(t) ³ U H F \ F O L Q J ´ means reclamation and reprocessing of hazardous waste in an environmentally sound manner for the original purpose or for other purposes;

(u) ³ U H X V H ´ means use of hazardous waste for the purpose of its original use or other use;

(v) ³ U H F R Y H U \ ´ means any operation in the recycling activity wherein specific materials are recovered;

(w) ³ 6 F K H G X O H ´ means a Schedule appended to these rules;

(x) ³ 6 W D W H * R Y H U Q P H Q W ´ in relation to a Union territory means, the Administrator thereof appointed under article 239 of the Constitution;

(y) ³ 6 W D W H 3 R O O X W L R Q & R Q W U R O % R D U G ´ means the State Pollution the Pollution Control Committee constituted under sub-section (1) of section 4 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);

(z) ³ V W R U D J H ´ means storing any hazardous waste for a temporary period at the end of which such waste is processed or disposed of;

(za) ³ W U D Q V E R X Q G D U \ ´ means any movement of hazardous wastes from an area under the jurisdiction of one country to or through an area under the jurisdiction of another country or to or through an area not under the jurisdiction of any country, provided at least two countries are involved in the movement.

(zb) ³ W U D Q V S R U W ´ means off-site movement of hazardous wastes by air, rail, road or water;

(zc) ³transporter´ means a person engaged in the off-site transportation of hazardous waste by air, rail, road or water.

(zd) ³ W U H D W P H Q W ´ means any method, technique or process, designed to modify the physical, chemical or biological characteristics or composition of any hazardous waste so as to reduce its potential to cause harm;

---

[1] Inserted clause (ra) by Rule 2 of the Hazardous Wastes (Management, Handling and Transboundary Movement) Third Amendment Rules, 2010 notified vide Notification S.O.710(E), dated 30.3.2010.

(ze) ³ X VHG R L O ´ means any oil-

(a) derived from crude oil or mixtures containing synthetic oil including used engine oil, gear oil, hydraulic oil, turbine oil, compressor oil, industrial gear oil, heat transfer oil, transformer oil, spent oil and their tank bottom sludges; and

(b) suitable for reprocessing, if it meets the specification laid down in Part-A of Schedule±V but doest not include waste oil;

(zf) ³ Z D V W H R L O ´ means any oil which includes spills of crude oil, emulsions, tank bottom sludge and slop oil generated from petroleum refineries installations or ships and can be used as fuel in furnaces for energy recovery, if it meets the specifications laid down in Part±B of Schedule-5 either as such as or after reprocessing.

Words and expressions used in these rules and not defined but defined in the Act shall have the meanings respectively assigned to them in the Act.

CHAPTER-II

PROCEDURE FOR HANDLING HAZARDOUS WASTES

4. RESPONSIBILITIES OF THE OCCUPIER FOR HANDLING OF HAZARDOUS WASTES.-

(1) The occupier shall be responsible for safe and environmentally sound handling of hazardous wastes generated in his establishment.

(2) The hazardous wastes generated in the establishment of an occupier shall be sent or sold to a recycler or re-processor or re-user registered or authorized under these rules or shall be disposed of in an authorized disposal facility.

(3) 7 K H K D] D U G R X V Z D V W H V W U D Q V S R U W H G W R D U H F \ F O H U R U D Q R W K H U U H J L V W H U H G R U D X W K R U L] H G G L V S R V D O I D F L O L W \ for recycling or reuse or reprocessing or to an authorized facility for disposal shall be transported in accordance with the provisions of these rules.

(4) The occupier or any other person acting on his behalf who intends to get his hazardous wastes treated and disposed of by the operator of a Treatment Storage and Disposal Facility shall give to the operator of a facility, such information as may be determined by the State Pollution Control Board.

(5) The occupier shall take all adequate steps while handling hazardous wastes to :

(i) contain containments and prevent accidents and limt their consequences on human beings and the environment; and

(ii) provide persons working on the site with the training, equipment and the information necessary to ensure their safety.

5. GRANT OF AUTHORIZATION FOR HANDLING HAZARDOUS WASTES

(1) Every person who is engaged in generation, processing, treatment, package, storage, transportation, use, collection, destruction, conversion, offering for sale, transfer or the like of the hazardous waste shall require to obtain an authorization from the State Pollution Control Board.

(2) The hazardous waste shall be collected, treated, re-cycled, re-processed, stored or disposed of only in such facilities as may be authorized by the State Pollution Control Board for the purpose.

(3) Every person engaged in generation, processing, treatment, package, storage, transportation, use, collection, destruction, conversions, offering for sale, transfer or the like of the hazardous waste or occupier of the facility shall make an application in Form 1 to the State Pollution Control Board for authorization within a period of sixty days from the date of commencement of these rules.

Provided that any person authorized under the provisions of the Hazardous Wastes (Management & Handling) Rules, 1989 prior to the date of coming into force of these rules, shall not require to make an application for authorization till the period of expiry of such authorization.

(4) On receipt of the application complete in all respects for the authorization, the State Pollution Control Board may, after such inquiry as it considers necessary and on being satisfied that the applicant possesses appropriate facilities, technical capabilities and equipment to handle hazardous waste safely, grant within a period of one hundred and twenty days an authorization in Form 2 to the applicant which shall be valid for a period of five years and shall be subject to such conditions as may be laid down therein.

(5) The State Pollution Control Board may after giving reasonable opportunity of being heard to the applicant refuse to grant any authorization.

(6) Every person authorized under these rules shall maintain the record of hazardous wastes handled by him in Form 3 and prepare and submit to the State Pollution Control Board, an annual return containing the details specified in Form 4 on or before the 30th day of June following to the financial year to which that return relates.

(7) An application for the renewal of an authorization shall be made in Form 1, before its expiry and the State Pollution Control Board may renew the authorization after examining each case on merit subject to the condition that there has been no report of violation of the provisions of the Act or the rules made thereunder or conditions specified in the authorization.

(8) The occupier or operator of the facility shall take all the steps, wherever required, for reduction and prevention of the waste generated or for recycling or reuse and comply the conditions specified in the authorization.

(9) The State Pollution Control shall maintain a register containing particulars of the conditions imposed under these rules for management of hazardous waste, and it shall be open for inspection during office hours to any person interested or affected or a person authorized by him on his behalf.

6. POWER TO SUSPEND OR CANCEL AN AUTHORIZATION

(1) The State Pollution Control Board, may, if in its opinion the holder of the authorization has failed to comply with any of the conditions of the authorization or with any provisions of the Act or these rules and after giving him a reasonable opportunity of being heard and after recording reasons thereof in writing cancel or suspend the authorization issued under rule-4 for such period as it considers necessary in the public interest.

(2) Upon suspension or cancellation of the authorization the State Pollution Control Board may give directions to the person whose authorization has been suspended or cancelled for the safe storage of the hazardous wastes, and such person shall comply with such directions.

7. STORAGE OF HAZARDOUS WASTE.

(1) The occupiers, recyclers, re-processors, re-users, and operators of facilities may store the hazardous wastes for a period not exceeding ninety days and shall maintain a record of sale, transfer, storage, recycling and reprocessing of such wastes and make these records available for inspection:

Provided that the State Pollution Control Board may extend the said period in following cases, namely:-

(i) small generators up to ten tones per annum;

(ii) recyclers, re-processors and facility operators up to six months of their annual capacity;

(iii) generators who do not have access to any Treatment, Storage, Disposal Facility in the concerned State; or

(iv) the waste which needs to be specifically stored for development of a process for its recycling, reuse.

9. CONDITIONS FOR SALE OR TRANSFER OF HAZARDOUS WASTES FOR RECYCLING.-

The occupier generating the hazardous wastes specified in Schedule-IV may sell it only to the recycler having a valid registration from the Central Pollution Control Board for recycling or recovery.

10. STANDARDS FOR RECYCLING.-

The Central Government and Central Pollution Control Board may issue the guidelines for standards of performance for recycling processes from time to time.

11. UTILIZATION OF HAZARDOUS WASTES.-

The utilization of hazardous wastes as a supplementary resource or for energy recovery, or after processing shall be carried out by the units only after obtaining approval from the Central Pollution Control Board.

CHAPTER ± IV

IMPORT AND EXPORT OF HAZARDOUS WASTES

12. IMPORT AND EXPORT (TRANSBOUNDARY MOVEMENT) OF HAZARDOUS WASTES.-

The Ministry of Environment and Forests shall be the nodal Ministry to deal with the trans-boundary movement of the hazardous wastes and to grant permission for transit of the hazardous wastes through any part of India.

13. IMPORT AND EXPORT OF HAZARDOUS WASTES.-

(1) No import of the hazardous wastes from any country to India for disposal shall be permitted.

(2) The import of Hazardous Waste from any country shall be permitted only for the recycling or recovery or reuse.

(3) The export of hazardous wastes from India may be allowed to an actual user of the wastes or operator of a disposal facility with the Prior Informed Consent of the importing country to ensure environmentally sound management of the hazardous waste in question.

(4) No import or export of the hazardous wastes specified in Schedule VII shall be permitted.

14. IMPORT OR EXPORT OF HAZARDOUS WASTE FOR RECYCLING, RECOVERY AND REUSE.

(1) The import and export of the hazardous wastes specified in Schedule-III, shall be regulated in accordance with the conditions laid down in the said schedule;

(2) Subject to the provisions contained in sub-rule (1).-

(i) the import or export of the Hazardous wastes specified in Part A of Schedule-III shall require Prior Informed Consent of the country from where it is imported or exported to, and shall require the license from the Directorate General of Foreign Trade and the prior written permission of the Central Government;

(ii) the import of the hazardous wastes specified in Part B of Schedule III shall not require Prior Informed Consent of the country from where it is imported;

(iii) the import and export of the hazardous wastes not specified in Part A and Part B of the Schedule III but having the hazardous characteristics outlined in Part C of the said Schedule shall require the prior written permission of the Central Government, before it is imported into or exported from India, as the case may be.

15. PROCEDURE FOR EXPORT OF HAZARDOUS WASTES FROM INDIA.-

(1) Any person intending to export hazardous wastes specified in Schedule-III shall apply in Form 7 and Form 8 along with full cover insurance policy for consignment to the Central Government for the proposed transboundary movement of the hazardous wastes together with the Prior Informed Consent in writing from the importing country.

(2) On receipt of such application the Central Government may grant permission from the date of submission of the application and may impose conditions as it may consider necessary.

(3) The Central Government shall forward a copy of the application, referred to in sub-rule (2), to the Central Pollution Control Board, the concerned State Pollution Control Board and the concerned Port and Customs authorities for ensuring compliance of the conditions, if any, of the export and to take appropriate steps for the safe handling of the waste shipment.

(4) 7KH H[SRUWHU VKDOO HQVXUH WKDW QR FRQVLJQPH
2EMHFWLRQ &HUWLILFDWH¶ LV UHFHLYHG IURP WKH L

(5) The exporter shall also ensure that the shipment is accompanied with the Movement Document in Form 9.

(6) The exporter shall inform the Ministry of Environment & Forests upon completion of the trans-boundary movement.

(7) The exporter of the hazardous wastes shall maintain the records of the hazardous wastes exported by him in Form 10 and the record so maintained shall be available for inspection.

16. PROCEDURE FOR IMPORT OF HAZARDOUS WASTE.-

(1) A person intending to import or transit for trans-boundary movement of hazardous wastes specified in Schedule III shall apply in Form 7 and Form 8 to the Central Government of the proposed import wherever applicable, together with the Prior Informed Consent, which ever applicable and shall send a copy of the application, simultaneously, to the concerned State Pollution Control Board to enable them to send their comments and observations, if any, to the Ministry of Environment and Forests within a period of thirty days.

(2) On receipt of the application in complete, the Ministry of Environment and Forests shall examine the application considering the comments and observations, if any, received from the State Pollution Control Boards, and may grant the permission for import within a period of sixty days subject to the condition that the importer has

(i) the environmentally sound recycling, recovery or reuse facilities.

(ii) Adequate facilities and arrangement for treatment and disposal of wastes generated; and

(iii) a valid registration from the Central Pollution Control Board and a proof of being an actual user, if required under these rules.

(3) The Ministry of Environment & Forests shall forward a copy of the permission granted under sub-rule (2) to the Central Pollution Control Board, the concerned State Pollution Control Board and the concerned Port and Customs authorities for ensuring compliance of the conditions of imports and safe handling of the hazardous waste.

(4) The Ministry of Environment and Forests shall communicate the permission to the importer.

(5) The Port and Customs authorities shall ensure that shipment is accompanied by the Movement Document in Form 9 and the test report of analysis of the hazardous waste consignment in question, from a laboratory accredited by the exporting country.

[1][Provided that the Port or Customs authorities shall, in case of import of [2][Metal scrap, paper waste and other wastes] covered under Basel numbers B1010, B1040, B1050, B1100, B1230 and B3020 as specified in [3][Part D] of the Schedule III, ensure that shipment is accompanied by the Movement Document in Form 9 and preshipment inspection certificate issued by the inspection agency certified by the exporting country [4][or the inspection and certification agency approved by the Director General of Foreign Trade].

(6) The Customs authorities shall collect three randomly drawn samples of the consignment (prior to clearing the consignment as per the provisions laid down under the Customs Act, 1962) for analysis and retain the report for the period of two years, in order to ensure that in the event of any dispute, as to whether the consignment conforms or not to the declaration made in the application and Movement Document.

(6A) [5][Nothing contained in sub-rule (6) shall apply to the [6][Metal scrap, paper waste and other waste] covered under the Basel numbers B1010. B1040, B1050, B1100, B1230 and B3020 as specified in [7][Part D] of the Schedule III:

Provided that the Customs authority may, at any time if it considers necessary, make random inspection of the consignment prior to clearing the consignment.]

(7) The importer of the hazardous waste shall maintain records of the hazardous waste imported by him in Form 10 and the record so maintained shall be available for inspection.

---

1 Inserted by Rule 2(a) of the Hazardous Wastes (Management, Handling and Transboundary Movement) Amendment Rules, 2009, published vide Notification No.S.O.1799(E), dated 21.7.2009

2 6XEVWLWXWHG ³0HWDO VFUDS SDSHU ZDVWH DQG RWKHU ZDVWHV IRU WKH Hazardous Wastes (Management, Handling and Transboundary Movement) Third Amendment Rules, 2010 notified vide Notification S.O.710(E), dated 30.3.2010.

3 6XEVWLWXWHG ³3DUW ´ IRU ³3DUW ´ ZRUGV DQG OHWWHUV [Part D] DUG RXV Handling and Transboundary Movement) Third Amendment Rules, 2010 notified vide Notification S.O.710(E), dated 30.3.2010.

4 Inserted by Rule 2 of the Hazardous Wastes (Management, Handling and Transboundary Movement) Amendment Rules, 2009, published vide Notification No.S.O.2447 (E), dated 23.9.2009.

5 Inserted by Rule 2(b) of the Hazardous Wastes (Management, Handling and Transboundary Movement) Amendment Rules, 2009, published vide Notification No.S.O.1799(E), dated 21.7.2009

6 SuEVWLWXWHG ³0HWDO VFUDS SDSHU ZDVWH DQG RWKHU ZDVWHV IRU WKH Hazardous Wastes (Management, Handling and Transboundary Movement) Third Amendment Rules, 2010 notified vide Notification S.O.710(E), dated 30.3.2010.

7 6XEVWLWXWHG ³3DUW ´ IRU ³3DUW ´ ZRUGV DQG OHWWHUV [Part D] DUG RXV Handling and Transboundary Movement) Third Amendment Rules, 2010 notified vide Notification S.O.710(E), dated 30.3.2010.

(8) The importer shall also inform the concerned State Pollution Control Board and the Central Pollution Control Board, the date and time of the arrival of the consignment of the hazardous waste ten days in advance.

17. ILLEGAL TRAFFIC .-

(1) The export and import of hazardous wastes from and into India shall be deemed illegal if -

(i) it is without permission of the Central Government in accordance with these rules, or

(ii) the permission has been obtained through falsification, mis-representation or fraud; or

(iii) it does not conform to the shipping details provided in the movement documents; or

(iv) it results in deliberate disposal (i.e. dumping) of hazardous wastes in contravention of the Basel Convention and of general principles of International or National Law.

(2) In case of illegal import of the hazardous wastes, the importer shall re-export the wastes in question at his cost within a period of ninety days from the date of its arrival into India and its implementation will be insured by the concerned State Pollution Control Board.

CHAPTER ± V

TREATMENT, STORAGE AND DISPOSAL FACILITY FOR HAZARDOUS WASTES

18. TREATMENT, STORAGE AND DISPOSAL FACILITY FOR HAZARDOUS WASTES.-

(1) The State Government, occupier, operator of a facility or any association of occupiers shall individually or jointly or severally be responsible for, and identify sites for establishing the facility for treatment, storage, and disposal of the hazardous wastes in the State.

(2) The operator of common facility or occupier of a captive facility, shall design and set up the Treatment Storage and Disposal Facility as per technical guidelines issued by the Central Pollution Control Board in this regard from time to time and shall obtain approval from the State Pollution Control Board for design and layout in this regard from time to time.

(3) The State Pollution Control Board shall monitor the setting up and operation of the Treatment, Storage, and Disposal Facilities regularly.

(4) The operator of the Treatment, Storage and Disposal Facility shall be responsible for safe and environmentally sound operation of the Treatment, the Storage and Disposal Facility and its closure and post closure phase, as per guidelines issued by the Central Pollution Control Board from time to time.

(5) The operator of the Treatment, Storage and Disposal Facility shall maintain records of hazardous wastes handled by him [in Form 3].[1]

CHAPTER ± VI

PACKAGING, LABELLING AND TRANSPORT OF HAZARDOUS WASTE.

19. PACKAGING AND LABELING.-

(1) The occupier or operator of the Treatment, Storage and Disposal Facility or recycler shall ensure that the hazardous waste are packaged and, labeled based on the composition in a manner suitable for safe handling, storage and transport as per the guidelines issued by the Central Pollution Control Board from time to time.

(2) The labeling and packaging shall be easily visible and be able to withstand physical conditions and climatic factors.

20. TRANSPORTATION OF HAZARDOUS WASTE,-

(1) The transport of the hazardous wastes shall be in accordance with the provisions of these rules and the rules made by the Central Government under the Motor Vehicles Act, 1988 and other guidelines issued from time to time in this regard.

(2) The occupier shall provide the transporter with the relevant information in Form 11, regarding the hazardous nature of the wastes and measures to be taken in case of an emergency and shall mark the hazardous wastes containers as per Form 12.

(3) In case of transport of hazardous wastes for final disposal to a facility for treatment, storage, and disposal existing in a State other than the State where the hazardous waste is generated, the occupier VKDOO REWDLQHG µ1R 2EMH &HUWLILFDWH¶ IURP WKH 6WDWH 3ROOXWLRQ &RQWUR

[1] Substituted ³)RUP IRU WKH ZRUG DQG ILJXUH Hazardous Wastes (Management, Handling and Transboundary Movement) Amendment Rules, 2009, published vide Notification No.S.O.1799(E), dated 21.7.2009

(4) In case of transportation of hazardous wastes through a State other than the State of origin or destination, the occupier shall intimate the concerned State Pollution Control Boards before he hands over the hazardous wastes to the transporter.

21. MANIFEST SYSTEM (MOVEMENT DOCUMENT TO BE USED WITHIN THE COUNTRY ONLY).-

(1) The occupier shall prepare six copies of the manifest in Form 13 comprising of colour code indicated below and all six copies shall be signed by the transporter.

Copy number with colour code (1)	Purpose (2)
Copy 1 (White)	To be forwarded by the occupier to t State Pollution Control Board c Committee
Copy 2 (Yellow)	To be carried by the occupier after takin signature on it from the transporter and t rest of the four copies to be carried by t transporter
Copy 3 (Pink)	To be retained by the operator of t facility after signature
Copy 4 (Orange)	To be returned to the transporter by the operator of facility/recycler after acceptin waste.
Copy 5 (Green)	To be returned by the operator of the facility to State Pollution Contro Board/Committee after treatment a disposal of wastes.
Copy 6 (Blue)	To be returned by the operator of the facility to the occupier after treatment a disposal of hazardous materials/wastes.

(2) The occupier shall forward copy 1 (white) to the State Pollution Control Board, and in case the hazardous wastes is likely to be transported through any transit State, the occupier shall prepare and additional copy each for intimation to such State and forward the same to the concerned State Pollution Control Board before he hands over the hazardous wastes to the transporter.

(3) No transporter shall accept hazardous wastes from an occupier for transport unless it is accompanied by copies 3 to 6 of the manifest.

(4) The transporter shall submit copies 3 to 6 of the manifest duly signed with date to the operator of the facility along with the waste consignment.

(5) Operator of the facility upon completion of the treatment and disposal operations of the hazardous wastes shall forward copy 5 (green) to the State Pollution Control Board and copy (blue) to the occupier and the copy 3 (pink) shall be retained by the operator of the facility.

CHAPTER-VII

MISCELLANEOUS

22. RECORDS AND RETURNS.-

(1) The occupier generating hazardous wastes and operator of the facility for disposal of hazardous waste shall maintain records of such operations in Form 3.

(2) The occupier and operator of a facility shall send annual returns to the State Pollution Control Board in Form 4.

(3) The State Pollution Control Board shall prepare an inventory of the hazardous wastes within its jurisdiction and compile other related information like recycling of the hazardous wastes and treatment and disposal of the hazardous wastes based on the returns filed by respective occupier and operator of the facility.

23. RESPONSIBILITY OF AUTHORITIES.- The Authority specified in column 2 of the Schedule-VII shall perform the duties as specified in column 3 of the Schedule subject to the provisions of these rules.

24. ACCIDENT REPORTING AND FOLLOW UP.- Where an accident occurs at the facility or on a hazardous waste site or during transportation of the hazardous waste, the occupier or operator of the facility or the transporter, as the case may be, shall report immediately to the State Pollution Control Board about the accident in Form 14.

25. LIABILITY OF OCCUPIER, TRANSPORTER, OPERATOR OF A FACILITY AND IMPOR TER.-

(1) The occupier, importer, transporter and operator of the facility shall be liable for all damages caused to the environment or third party due to improper handling of the hazardous wastes or disposal of the hazardous wastes.

(2) The occupier and the operator of the facility shall be liable to pay financial penalties as levied for any violation of the provisions under these rules by the State Pollution Control Board with the prior approval of the Central Pollution Control Board.

26. APPEAL.-

(1) Any person aggrieved by an order of suspension or cancellation or refusal of authorization or its renewal passed by the State Pollution Control Board, may, within a period of thirty days from the date on which the order is communicated to him, prefer an appeal in Form 15. to the Appellate Authority comprising of the Environment Secretary of the State.

(2) Any person aggrieved by an order of suspension or cancellation or refusal of registration or its renewal passed by the Central Pollution Control Board, may, within a period of thirty days from the date on which the order is communicated to him, prefer an appeal in Form 15 to the Appellate Authority comprising of the Secretary, to the Government of India in the Ministry of Environment and Forests.

(3) The Appellate Authority may entertain the appeal after the expiry of the said period of thirty days if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(4) Every appeal filed under this rule shall be disposed of within a period of sixty days from the date of its filing.

SCHEDULE I

(see rule 3(l)]

LIST OF PROCESSES GENERATING HAZARDOUS WASTES

S. No.	Processes	Hazardous Wastes*
1.	Petrochemical processes and pyrolytic operations	1.1 Furnace/reactor residue and debris 1.2 Tarry residue 1.3 Oily sludge emulsion 1.4 Organic residues 1.5 Residues from alkali wash of fuels 1.6 Still bottoms from distillation process 1.7 Spent catalyst and molecular sieves 1.8 Slop oil from wastewater
2.	Drilling operation for oil and gas production	2.1 Drill cutting containing oil. 2.2 Sludge containing oil 2.3 Drilling mud and other drilling waste
3.	Cleaning emptying and maintenance of petroleum oil storage tanks including ships	3.1 Oil-containing cargo residue, washing water and sludge 3.2 Chemical-containing cargo residues and sludge 3.3 Sludge and filters contaminated with oil 3.4 Ballast water containing oil from ships
4.	Petroleum refining/ reprocessing of used oil/recycling of waste oil	4.1 Oily sludge/emulsion 4.2 Spent catalyst 4.3 Slop oil 4.4 Organic residues from process 4.5 Spend clay containing oil
5.	Industrial operations using mineral/synthetic oil as lubricant in hydraulic systems or other applications	5.1 Used/spent oil 5.2 Wastes/residues containing oil
6.	Secondary production and/or industrial use of zinc	6.1 Sludge and filter press cake arising out of production of Zinc Sulphate and other Zinc Compounds 6.2 Zinc fines/dust/ash/skimmings (dispersible form) 6.3 Other residues from processing of zinc ash/skimmings 6.4 Flue gas dust and other particulates

7.	Primary production of zinc/lead/copper and other non-ferrous metals except aluminium	7.1 Flue gas dust from roasting 7.2 Process residues 7.3 Arsenic bearing sludge 7.4 Non ferrous metal bearing sludge a residue 7.5 Sludge from scrubbers
8.	Secondary production of copper	8.1 Spend electrolytic solutions 8.2 Sludges and filter cakes 8.3 Flue gas dust and other particulates
9.	Secondary production of lead	9.1 Lead bearing residues 9.2 Lead ash/particulate from flue gas
10.	Production and/or industrial use of cadmium and arsenic and their compounds	10.1 Residues containing cadmium a arsenic
11.	Production of primary and secondary aluminium	11.1 Sludges from off gas treatment 11.2 Cathode residues including pot lining wastes 11.3 Tar containing wastes 11.4 Flue gas dust and other particulates 11.5 Wastes from treatment of salt sla and black drosses
12.	Metal surface treatment such as etching, staining polishing, galvanising cleaning degreasing plating etc.	12.1 Acid residues 12.2 Alkali residues 12.3 Spent bath/sludge containi sulphide, cyanide and toxic metals 12.4 Sludge from bath containing organ solvents 12.5 Phosphate sludge 12.6 Sludge from staining bath 12.7 Copper etching residues 12.8 Plating metal sludge
13.	Production of iron and steel including other ferrous alloys (electric furnaces; steel rolling and finishing mills, Coke oven and by product plant)	13.1 Sludge from acid recovery unit 13.2 Benzol acid sludge 13.3 Decanter tank tar sludge 13.4 Tar storage tank residue

14.	Hardening of steel	14.1 Cyanide, nitrate, or nitrite-containing sludge 14.2 Spent hardening salt
15.	Production of asbestos or asbestos-containing materials	15.1 Asbestos-containing residues 15.2 Discarded asbestos 15.3 Dust/particulates from exhaust gas treatment
16.	Production of caustic soda and chlorine	16.1 Mercury-bearing sludge 16.2 Residue/sludges and filter cakes 16.3 Brine sludge containing mercury
17.	Production of mineral acids	17.1 Residues, dusts or filter cakes 17.2 Spent catalyst
18.	Production of nitrogenous and complex fertilizers	18.1 Spent catalyst 18.2 Spent carbon 18.3 Sludge/residue containing arsenic 18.4 Chromium sludge from water cooling tower.
19.	Production of phenol	19.1 Residue/sludge containing phenol
20.	Production and/or industrial use of solvents	20.1 Contaminated aromatic, aliphatic napthenic solvents may or may not be fit for reuse. 20.2 Spent solvents 20.3 Distillation residues
21.	Production and/or industrial use of paints, pigments, lacquers, varnishes, plastics and inks	21.1 Process wastes, residues & sludge 21.2 Fillers residues
22.	Production of plastic raw materials	22.1 Residues of additives used in plastic manufacture like dyestuffs stabilizers, flame retardants, etc. 22.2 Residues and waste plasticizers 22.3 Residues from vinylchloride monomer production 22.4 Residues from acrylonitrile production 22.5 Non-polymerised residues

23.	Production and/or industrial use of glues, cements, adhesive and resins	23.1 Wastes/residues (not made w vegetable or animal materials)
24.	Production of canvas an textiles	24.1 Chemical residues
25.	Industrial production and formulation of wood preservatives	25.1 Chemical residues 25.2 Residues from wood alkali bath
26.	Production or industria use of synthetic dyes, dye intermediates and pigments	26.1 Process waste sludge/resid containing acid or other toxic meta or organic complexes 26.2 Dust from air filtration system
27.	Production of organo silicone compounds	27.1 Process residues
28.	Production/formulation of drugs/pharmaceuticals health care product	28.1 Process Residues and wastes 28.2 Spent catalyst/spent carbon 28.3 Off specification products 28.4 Date-expired, discarded and off specification drugs/medicines 28.5 Spent organic solvents.
29.	Production and formulation of pesticides including stockpiles	29.1 Process wastes/residues 29.2 Chemical sludge containing residu pesticides 29.3 Date-expired and off-specification pesticides.
30.	Leather tanneries	30.1 Chromium bearing residues a sludges
31.	Electronic Industry	31.1 Process residues and wastes 31.2 Spent etching chemicals and solve
32.	Pulp & Paper Industry	32.1 Spent chemicals 32.2 Corrosive wastes arising from use strong acid and bases 32.3 Process sludge containing absorbable organic halides (AOX)

33.	Disposal of barrels containers used for handling of hazardous wastes chemicals	33.1 Chemical containing residue arising from decontamination 33.2 Sludge from treatment of waste water arising out of cleaning disposal of barrels /containers 33.3 Discarded containers/barrels/liners contaminated with hazardous wastes/chemicals
34.	Purification and treatment of exhaust, air water & waste water from the processes in this schedule and common industrial effluent treatment plants (CEPTs)	34.1 Flue gas cleaning residue 34.2 Spent ion exchange resin containing toxic metals 34.3 Chemical sludge from waste water treatment. 34.4 Oil and grease skimming residues 34.5 Chromium sludge from cooling water
35.	Purification process for organic compounds/ solvents	35.1 Filters and filter material which have organic liquids in them, e.g. mineral oil synthetic oil and organic chlorinated compounds 35.2 Spent catalyst 35.3 Spent carbon
36.	Hazardous waste treatment processes, e.g. incineration, distillation, separation and concentration techniques	36.1 Sludge from wet scrubbers 36.2Ash from incineration of hazardous waste, flue gas cleaning residues 36.3 Spent acid from batteries 36.4Distillation residues from contaminated organic solvents.

* The inclusion of wastes contained in this Schedule does not preclude the use of Schedule 2 to demonstrate that the waste is not hazardous. In case of dispute, the matter would be referred to the Technical Review Committee constituted by MoEF.

Note- The High volume low effect wastes such as fly ash, phosphogypsum, red mud, slags from pyrometallurgical operations, mine tailings and ore beneficiation rejects are excluded from the category of hazardous wastes. Separate guidelines on the management of these wastes shall be issued by CPCB.

SCHEDULE II

[See rule 3(I)]

List of Waste Constituents with Concentration Limits*

Class A

Concentration limit ‘ 50 mg/kg

A1	Antimony and antimony compounds
A2	Arsenic and arsenic compounds
A3	Beryllium and beryllium compounds
A4	Cadmium and cadmium compounds
A5	Chromium (VI) compounds
A6	Mercury and mercury compounds
A7	Selenium and selenium compounds
A8	Tellurium and tellurium compounds
A9	Thallium and thallium compounds
A10	Inorganic cyanide compounds
A11	Metal carbonyls
A12	Napthalene
A13	Anthracene
A14	Phenanthrene
A15	Chrysene, benzo (a) anthracene, fluoranthene, benzo (a) pyrene, benzo (K) fluranthene, indeno (1, 2, 3-cd) pyrene and benzo (ghi) perylene
A16	halogenated compounds of aromatic rings, e.g. polychlorinated biph polychloroterphenyls and their derivatives
A17	Halogenated aromatic compounds
A18	Benzene
A19	Organochlorine pesticides
A20	Organotin Compounds
Class B Concentration limit: 5,000 mg/kg	
B1	Chromium (III) compounds
B2	Cobalt compounds

B3	Copper compounds
B4	Lead and lead compounds
B5	Molybdenum compounds
B6	Nickel compounds
B7	Inorganic Tin compounds
B8	Vanadium compounds
B9	Tungsten compounds
B10	Silver compounds
B11	Halogenated aliphatic compounds
B12	Organo phosphorus compounds
B13	Organic peroxides
B14	Organic nitro- and nitroso-compounds
B15	Organic azo- and azoxy compounds
B16	Nitriles
B17	Amines
B18	(Iso- and thio-) cyanates
B19	Phenol and phenolic compounds
B20	Mercaptans
B21	Asbestos
B22	Halogen-silanes
B23	Hydrazine(s)
B24	Flourine
B25	Chlorine
B26	Bromine
B27	White and red phosphorus
B 28	Ferro-silicate and alloys
B29	Manganese-silicate
B30	Halogen-containing compounds which produce acidic vapours on co with humid air or water, e.g. silicon tetrachloride, aluminium chlor titanium tetrachloride

Class C Concentration limit; ‘ 20,000 mg/kg	
C1	Ammonia and ammonium compounds
C2	Inorganic peroxides
C3	Barium compounds except barium sulphate
C4	Fluorine compounds
C5	Phosphate compounds except phosphates of aluminium, calcium and i
C6	Bromates, (hypobromites)
C7	Chlorates, (hypochlorites)
C8	Aromatic compounds other than those listed under A12 to A18
C9	Organic silicone compounds
C10	Organic sulphur compounds
C11	Iodates
C12	Nitrates, nitrites
C13	Sulphides
C14	Zinc compounds
C15	Salts of per-acids
C16	Acid amides
C17	Acid anhydrides
Class D Concentration limit;‘ 50,000 mg/kg	
D1	Total Sulphur
D2	Inorganic acids
D3	Metal hydrogen sulphates
D4	Oxides and hydroxides except those of hydrogen, carbon, silicon, aluminium, titanium, manganese, magnesium, calcium
D5	Total hydrocarbons other than those listed under A12 to A18
D6	Organic oxygen compounds
D7	Organic nitrogen compounds expressed as nitrogen
D8	Nitrides
D9	Hydrides

Class E Regardless of concentration limit, Classified as hazardous wastes if the exhibits any of the following Characteristics.	
E1	Flammable Flammable wastes with flesh point 65.6°C or below.
E2	Explosive Wastes which may explode under the effect of flame, heat or photoche conditions. Any other wastes of explosive materials included in the In Explosive Act
E3	Corrosive Wastes which may be corrosive, by chemical action, will cause s damage when in contact with living tissue.
E4	Toxic Wastes containing or contaminated with established toxic and ecotoxic constituents.
E5	Carcinogenicity, Mutagenicity and Endocrine disruptively Wastes contaminated or containing established carcinogens, mutage endocrine disruptors

* Waste constituents and their concentration limits given in this list are based on erstwhile BAGA (the Netherlands Environment Protection Agency) List of Hazardous Substances. In order to decide whether specific wastes listed above is hazardous or not, following points be taken into consideration.

(i) If a component of the waste appears in one of the five risk classes listed above (A, B, C, D, or E) and the concentration of the component is equal to or more than the limit for the relevant risks class, the material is then classified as hazardous waste.

(ii) If a chemical compound containing a hazardous constituent is present in the waste, the concentrations limit does not apply to the compound, but only to the hazardous constituents itself.

(iii) If multiple hazardous constituents from the same class are present in the waste the concentrations are added together.

(iv) If multiple hazardous constituents from different classes are present in the waste, the lowest concentration limit corresponding to the constituent(s) applies.

(v) For determining the concentration of the hazardous constituents L Q W K H Z D V W H 3 7 R [L F L W \ & K D U D F W H U L V W L F V (TCLP) as per ASTM± D5233-92 should be adopted.

SCHEDULE III

[See rules 3(I), 14(1), 14(2) (i), (iii) and 15(1)]

PART A

Part A: List of Hazardous Wastes Applicable for Import with Prior Informed Consent (Annexure VIII of the Basel Convention*]

Basel No.	Description of Hazardous Wastes
AI	Metal and Metal bearing wastes
A1010	Metal wastes and waste consisting of alloys of any of the followi
	- Antimony
	- Cadmium
	- Tellurium
	- Lead
A1020	Waste having as constituents or contaminants, excluding metal wastes in massive form as listed in B1020, any of the following:
	- Cadmium, cadmium compounds
	- Antimony, antimony compounds
	- Tellurium, tellurium compounds
	- Lead, lead compounds
A1040	Wastes having metal carbonyls as constituents
A1050	Galvanic sludge
A1060	Wastes Liquors from the pickling of metals
A1070	Leaching residues from zinc processing, dusts and sludges su jarosite, hematite etc.,
A1080	Waste Zinc residues not included on list B containing lead cadmium in concentrations sufficient to exhibit haza characteristics indicated in Part C of Schedule 3
A1090	Ashes from the incineration of insulated copper wire
A1100	Dusts and residues from gas cleaning systems of copper smelte
A1110	Spent electrolytic solutions from copper electroplating an electrowinning operations

A1120	Wastes sludges, excluding anode slimes, from electrolytic purification systems in copper electrorefining and electrowinning operations
A1130	Spent etching solutions containing dissolved copper.
A1150	Precious metal ash from incineration of printed circuit boards L Q F O X G H G L Q O L V W µ % ¶
A1160	Waste Lead acid batteries whole or crushed
A1170	Unsorted waste batteries excluding mixtures of List B batteries
A1180	Waste Electrical and electronic assembles or scrap containing components such as accumulators and other batteries included on List A, mercury-switches, activated glass cullets from cathode-ray tubes and other activated glass and PCB-Capacitors, or contaminated with Schedule 2 constituents (e.g. cadmium, mercury, lead, polychlorinated biphenyl) to an extent that they exhibit hazard characteristics indicated in part C of this Schedule (refer B1110)
A2	Wastes containing principally inorganic constituents, which may contain metals and organic materials
A2010	Activated Glass cullets from cathode ray tubes and other activated glasses
A2030	Waste catalysts but excluding such wastes specified on List A of Schedule 3
A3	Wastes containing principally organic constituents which may contain metals and inorganic materials
A3010	Waste from the production or processing of petroleum coke and bitumen
A3020	Waste mineral oils unfit for their originally intended use
A3050	Wastes from production, formulation and use of resins, latex, plasticizers, glues/adhesives excluding such wastes specified in List B (B4020)
A3070	Waste phenol, phenol compounds including chlorophenol in the form of liquids or sludges
A3080	Waste ethers not including those specified in List B
A3120	Fluff: light fraction from shredding

A3130	Waste organic phosphorus compounds
A3140	Waste non-halogenated organic solvents but excluding such wa specified on List B
A3160	Waste halogenated or unhalogenated aqueous distillation residues arising from organic solvent recovery operations
A3170	Waste arising from the production of aliphatic halogena hydrocarbons (such as chloromethanes, dichloroetha vinylchloride, vinylidene chloride, allyl chloride and epichlorhydri
A4	Wastes which may contain either inorganic or organic constituents
A4010	Wastes from the production and preparation and use pharmaceutical products but excluding such wastes specified i B
A4040	Wastes from the manufacture formulation and use of wood preserving chemicals
A4070	Waste from the production, formulation and use of inks, d pigments, paints, lacquers, varnish excluding those specified i B (B4010)
A4080	Waste of an explosive nature excluding such wastes specifie List B
A4090	Waste acidic or basic solutions excluding those specified in Lis (B2120)
A4100	Wastes from industrial pollution control devices for cleaning industrial off-gases excluding such wastes specified on List B
A4120	Wastes that contain, consist of or are contaminated with peroxides
A4130	Waste packages and containers containing any of the consti mentioned in Schedule 2 to the extent of concentration li specified therein
A4140	Waste consisting of or containing off specification or out-dated chemicals containing any of the constituents mentioned in Sche 2 to the extent of concentration limits specified therein.
A4150	Waste chemical substances airings from research and develo or teaching activities which are not identified and/or are new whose effects on human health and/or the environment ar known.
A4160	Spent activated carbon not included on List B (2060)

* This List is based on Annex. VIII of the Basel Convention on Transboundary Movement of Hazardous Wastes and comprises of wastes characterized as hazardous under Article I, paragraph 1(a) of the Convention. Inclusion of wastes on this list does not preclude the use of hazard characteristics given in Annex.VIII of the Basel Convention (Part C of this Schedule) to demonstrate that the wastes are not hazardous. Certain waste categories listed in the Schedule 3 (Part-A) have been prohibited for import. Hazardous wastes in the Schedule 3 (Part-A) are restricted and cannot be allowed to be imported without permission from Ministry of Environment & Forests and DGFT license.

[1][PART B

List of Hazardous Wastes applicable for Import and Export Not Requiring Prior Informed Consent

[Annex IX of the Basel Convention]

Basel No.	Description of Wastes
B1	Metal and metal bearing wastes
B1010	Metal and metal alloy wastes in metallic, non dispersible form:
	- Thorium scrap
	- Rare earths scrap
B1020	Clean, uncontaminated metal scrap, including alloys, in finished form (sheet, plates, beams, rods, etc.), of:
	- Antimony scrap***
	- Cadmium scrap
	- Lead scrap (excluding lead acid batteries)
	- Tellurium scrap****
B1030	Refractory metals containing residues ****
B1031	Molybdenum, tungsten, titanium, tantalum, niobium and rhen metal and metal alloy wastes in metallic dispersible form (meta powder), excluding such wastes as specified in list A under A1050, Galvanic sludges****
B1060	Waste selenium and tellurium in metallic elemental form includ powder****

[1] Substituted by Rule 5 of the Hazardous Wastes (Management, Handling and Transboundary Movement) Third Amendment Rules, 2010 notified vide Notification S.O.710(E), dated 30.3.2010.

B1070	Waste of copper and copper alloys in dispersed form, unless they contain any of the constituents mentioned in Schedule 2 to the e of concentration limits specified therein***
B1080	Zinc ash and residues including zinc alloys residues in disper form unless they contain any of the constituents mentioned in Schedule 2 to the extent of concentration limits specified therein
B1090	Waste batteries conforming to a standard battery specifica excluding those made with lead, cadmium or mercury****
B1100	Metal bearing wastes arising from melting, smelting and refining o metals:
	Slags from copper processing for further processing or refi containing arsenic, lead or cadmium***
	- Wastes of refractory linings, including crucibles, originating fr copper smelting
	- Tantalum-bearing tin slags with less than 0.5% tin****
B1110	Electrical and electronic assemblies
	- Electronic assemblies consisting only of metals or alloys****
	- Waste electrical and electronic assemblies scrap (inclu printed circuit boards) not containing components such a accumulators and other batteries included on list A, mer switches, glass from cathode-ray tubes and other activate glass and PCB-capacitors, or not contaminated wi constituents such as cadmium, mercury, le polychlorinated biphenyl) or from which these have be removed, to an extent that they do not possess any o constituents mentioned in Schedule 2 to the exten concentration limits specified therein****
	- Electrical and electronic assemblies (including prin circuit boards, electronic compounds and wires) destined direct reuse and not for recycling or final disposal
B1120	Spent catalysts excluding liquids used as catalysts, containing a Transition metals, excluding waste catalysts (spent catalysts, liquid used catalysts or other catalysts) on list A:

	Scandium	Titanium
	Vanadium	Chromium
	Manganese	Iron
	Cobalt	Nickel
	Copper	Zinc
	Yttrium	Zirconium
	Niobium	Molybdenum
	Hafnium	Tantalum
	Tungsten	Rhenium
	Lanthanaides (rare earth metals)	
	Lanthanum	Cerium
	Praseodymuim	Neody
	Samarium	Europium
	Gadolinium	Terbium
	Dysprosium	Holmium
	Erbium	Thulium
	Ytterbium	Lutetium
B1130	Cleaned spent precious metal bearing catalysts	
B1140	Precious metal bearing residues in solid form which contain traces of inorganic cyanides	
B1150	Precious metals and alloy wastes (gold, silver, the platinum grou a dispersible form	
B1160	Precious metal ash from the incineration of printed circuit boa (note the related entry on list A A1150)	
B1170	Precious metal ash from the incineration of photographic film.	
B1180	Waste photographic film containing silver halides and metallic si	
B1190	Waste photographic paper containing silver halides and me silver	
B1200	Granulated slag arising from the manufacture of iron and steel.	
B1210	Slag arising from the manufacture of iron and steel including sla a source of Titanium dioxide and Vanadium	

B1220	Slag from zinc production, chemically stabilized, having a high contents (above 20%) and processed according to industr specifications mainly for construction
B1240	Copper Oxide mill-scale***
B2	Wastes containing principally inorganic constituents, which m contain metals and organic materials
B2010	Wastes from mining operations in non-dispersible form
	- Natural graphic waste - Slate wastes - Mica wastes - Leucite, nepheline and nepheline syenite waste - Feldspar waste - Fluorspar waste - Silica wastes in solid from excluding those used in foun operations
B2020	Glass wastes in non-dispersible from: - Glass Cullets and other wastes and scrap of glass e activated glass cullets from cathode ray tubes and a activated glasses.
B2030	Ceramic wastes in non-dispersible form:
	Cermet wastes and scrap (metal ceramic composites) - Ceramic based fibres.
B2040	Other wastes containing principally inorganic constituents:
	- Partially refined calcium sulphate produced from flue desulphurization (FGD) - Wastes gypsum wallboard or plasterboard arising from demolition of buildings. - Sulphur in solid form - Limestone from production of calcium cyanamide (pH<9) - Sodium, potassium, calcium chlorides - Carborundum (silicon carbide) - Broken concrete - Lithium tantalum & Lillium-niobium containing glass scraps
B2060	Spent activated carbon resulting from the treatment of potable wast and processes of the food industry and vitamin production (not related entry on list A A4160)

B2070	Calcium fluoride sludge
B2080	Waste gypsum arising from chemical industry processes unle contains any fo the constituents mentioned in Schedule 2 to extent of concentration limits specified therein
B2090	Waste anode butts from steel or aluminum production mad petroleum coke or bitumen and cleaned to normal indu specifications (excluding anode uts from chlor alkali electrolyse and from other metallurgical industry)
B2100	Waste hydrates of aluminum and waste alumina and residues alumina production, arising from gas cleaning, flocculation filtration process
B2110	% D X [L W H UHG V P Ø X Ø H 3U+ P R G H U D W H G V
B2120	Waste acidic or basic solutions with a pH greater than 2 and less 11.5, which are not corrosive or otherwise hazardous (note related entry on list A A4090)
B3	Wastes containing principally organic constituents, which may contain metals and inorganic materials
B3010	Solid plastic waste The following plastic or mixed plastic waste, provided they are mixed with other wastes and are prepared to a specification: - Scrap plastic of non-halogenated polymers and copolymer including but not limited to the following:
	Ethylene Styrene Polypropylene Polyethylene terephthalate Acrylonitrile Butadiene Polyacetals Polyamides Polybutylene terephthalate Polycarbonates Polyethers Polyphenylene sulphides

	Acrylic polymers Alkanes C10 - C13 (plasticizer) 3 R O \ X U H W K D Q H Q R W F R Q W D L Q L Q J &) Polysiloxanes Polymethyl methacrylate Polyvinyl alcohol Polyvinyl butyral Polyvinyl acetate
	- Cured waste resins or condensation products including following: urea formaldehyde resins phenol formaldehyde resins melamine formaldehyde resins epoxy resins alkyd resins polyamides
	- The following fluorinated polymers wastes (excluding po consumer wastes): Perfluoroethylene/propylene Perfluoroalkoxy alkane Metafluoroalkoxy alkane Polyvinylidenefluoride
B3130	Waste polymer ethers and waste non-hazardous monomer ethe incapable of forming peroxides
B3140	Waste pneumatic tyres, excluding those which do not lea resource recovery, recycling, reclamation or direct reuse.
B4	Wastes, which may contain either inorganic or organic constitue
B4010	Wastes consisting mainly of water-based/latex paints, inks an hardened varnishes not containing organic solvents, heavy met biocides to an extent to render them hazardous (note the related on list A A4070)
B4020	Wastes from production, formulation and use of resins, la plasticizers, glues/adhesives, not listed on list A, free of solvents other contaminants to an extent that they do not exhibit Part C Schedule 3 characteristics
B4030	Used single-use cameras, with batteries not included on list A.]

[1][** Import permitted in the country by the actual users without any license or restriction][2][or by importer registered with the State Pollution Control Board on behalf of the actual user who shall furnish the details of such import and particulars of the actual users along with quantities to the concerned State Pollution Control Board on a quarterly basis]

*** Import permitted in the country for recycling/reprocessing by units registered with MoEF/CPCB and having DGFT license.

All other wastes in this Schedule-3 (Part 'B' KDYLQJ QR µ6WDU V¶ « FDQ RQ imported in to the country with the permission of MoEF.

Notes:

(1) Copper dross containing copper greater than 65% and lead and cadmium equal to or less than 1.25% and 0.1% respectively; spent cleaned metal catalyst containing copper; and Cooper reverts, cake and residues containing lead units (actual users) registered with MoEF upto an annual quantity limit indicated in the Registration letter. Copper reverts, cake and residues containing lead and cadmium greater than 1.25% and 0.1% respectively are under restricted category for which import is permitted only against DGFT licence for the purpose of processing or resuse by units registered with MoEF (actual users).

(2) Zinc ash/skimmings in dispersible form containing zinc more than 65% and lead and cadmium equal to or less than 1.25% and 0.1% respectively and spent cleaned metal catalyst containing zinc are allowed for import without DGFT licence to units registered with MoEF (actual users) upto an annual quantity limit indicated in Registration Letter. Zinc ash and skimmings containing less than 65% zinc and lead and cadmium equal to or more than 1.25% and 0.1% respectively and hard zinc spelter and brass dross containing lead greater than 1.25% are under restricted category for which import is permitted against DGFT licence and only for purpose of processing or reuse by units registered with MoEF (actual users).

---

1 Substituted by Rule 4(ii) of the Hazardous Wastes (Management, Handling and Transboundary Movement) Amendment Rules, 2009, published vide Notification No.S.O.1799(E), dated 21.7.2009

2 Inserted by Rule 3 of the Hazardous Wastes (Management, Handling and Transboundary Movement) Amendment Rules, 2009, published vide Notification No.S.O.2447 (E), dated 23.9.2009

PART ± C

List of Hazardous Characteristics

Code	Characteristic
H1	Explosive An explosive substance or waste is a solid liquid substanc waste (or mixture of substances or wastes) whic is itself capable by chemical reaction of producing gas at suc temperature and pressure and at such speed as to cause d to the surroundings (UN Class-H1).
H 3	Flammable Liquids 7KH ZRUG ³IODPPDEOH´ KDV WKH V Flammable liquids are liquids, or mixtures of liquids or liquids containing solids in solution or suspension (for example, pa varnishes, lacquers, etc, but not including substances or w otherwise classified on account of their danger characteristics) which give off a flammable vapour at temperatures of not more than 60.5°C, closed-cup test, or not more than 65.5°C, open-cut test. (Since the results of open-cup tests and of closed-cup tests are not strictly comparable and e individual results by the same test are often variable, regulation varying from the above figures to make allowance for s differences would be within the spirit of this definition).
H 4.1	Flammable Solids Solids, or waste solids, other than those classed as explo which under conditions encountered in transport are rea combustible, or may cause or contribute to fire through friction
H 4.2	Substances or wastes liable to spontaneous combustion Substances or wastes which are liable to spontaneous h under normal conditions encountered in transport, or to hea up on contact with air, and being then liable to catch fire.
H 4.3	Substances or wastes which, in contact with water em flammable gases Substances or wastes which, by interaction with water are liable to become spontaneously flammable or to give off flamma gases in dangerous quantities.
H 5.1	Oxidizing Substances or wastes which, while in themselves not neces combustible, may, generally by yielding oxygen cause, contribute to, the combustion of other materials

H 5.2 Organic Peroxides
Organic substances or wastes which contain the bivalent -O-O- structure are thermally unstable substances which may un exothermic self-accelerating decomposition.

H 6.1 Poisons (Acute)
Substances or wastes liable either to cause death or serious or to harm health if swallowed or inhaled or by skin contact.

H 6.2 Infectious substances
Substances or wastes containing viable micro organisms or toxins which are known or suspected to cause disease in anin or humans.

H 8 Corrosives
Substances or wastes which, by chemical action, will c severe damage when in contact with living tissue, or, in the of leakage, will materially damage, or even destroy, other g or the means of transport; they may also cause other hazard

H 10 Liberation of toxic gases in contact with air or water
Substances or wastes which, by interaction with air or wate liable to give off toxic gases in dangerous quantities

H 11 Toxic (Delayed or chronic)
Substances or wastes which, if they are inhaled or ingested or if they penetrate the skin, may involve delayed or chronic or toff including carcinogenicity).

H 12 Ecotoxic
Substances or wastes which if released present or may present immediate or delayed adverse impacts to the environment means of bioaccumulation and/or toxic effects upon bi systems.

H 13 Capable by any means, after disposal, of yielding anot material, e.g. Leachate, which possesses any of characteristics listed above.

[1][PART D

PART D : LIST OF METAL SCRAP, PAPER WASTE AND OTHER WASTES APPLICABLE FOR IMPORT/EXPORT

Basel No.	Description of Wastes
B1	Metal and metal bearing wastes
B1010	Metal and metal alloy wastes in metallic, non-dispersible form:
	-Precious metals (gold, silver, platinum)**
	- Iron and steel scrap**
	- Nickel scrap**
	- Aluminum scrap**
	- Zinc scrap**
	- Tin scrap**
	- Tungsten scrap**
	-Molybdenum scrap**
	- Tantalum scrap**
	- Cobalt scrap**
	- Bismuth scrap**
	- Titanium scrap**
	- Zirconium scrap**
	- Manganese scrap**
	- Germanium scrap**
	- Vanadium scrap**
	- Hafnium scrap**
	- Indium scrap**
	- Niobium scrap**
	- Rhenium scrap**
	- Gallium scrap**

[1] Inserted by Rule 6of the Hazardous Wastes (Management, Handling and Transboundary Movement) Third Amendment Rules, 2010 notified vide Notification S.O.710(E), dated 30.3.2010.

	- Magnesium scrap**
	- Copper scrap**
	- Chromium scrap**
B1040	Scrap assemblies from electrical power generation contaminated with lubricating oil, PCB or PCT to an extent to render them hazardous * *
B1050	Mixed non-ferrous metal, heavy fraction scrap, not containing any of the constituents mentioned in Schedule II to the extent concentration limits specified therein * *
B1100	Metal bearing wastes arising from melting, smelting and refining of metals except:
	- Hard Zinc Spelter ** - Zinc containing drosses ** - Galvanizing slab zinc top dross (>90% Zn) - Galvanizing slab zinc bottom dross (>92% Zn) - Zinc die casting dross (>85% Zn) - Hot dip galvanizers slab zinc dross (batch) (>92% Zn) - Zinc skimmings (>90% Zn)
	- Slags from precious metals processing for further refining **
	- Aluminium skimming's (or skims) excluding salt slag **
B1230	Mill scaling arising from manufacture of iron and steel**
B3020	Paper, paperboard and paper product wastes ** The following materials, provided they are not mixed with hazardous wastes: Waste and scrap of paper or paperboard of: x Unbleached paper or paperboard or corrugated paper or paperboard x Other paper or paperboard, made mainly of bleached chemical pulp, not coloured in the mass x Paper or paperboard made mainly of mechanical pulp (for example, newspapers, journals and similar printed matter) x Other, including but not limited to 1) laminated paperboard 2) unsorted scrap.

* This List is based on Annex, IX of the Basel Convention on Transboundary Movement of Hazardous Wastes and comprises of wastes no characterized as hazardous under Article I of the Basel Convention.]

SCHEDULE IV

[(See rules), 8(1)and 9]

List of Hazardous Wastes requiring Registration for Recycling/Reprocessing

Sl. No.	Wastes
1.	Brass Dross
2.	Copper Dross
3.	Copper Oxide mill scale
4.	Copper reverts, cake and residue
5.	Waste Copper and copper alloys in dispersible form
6.	Slags from copper processing for further processing or refining
7.	Insulated Copper Wire Scrap/copper with PVC sheathing including ISRI- F R G H P D W H U L D O Q D P H O \ ³ ' U X L G ´
8.	Jelly filled copper cables
9.	Spent cleared metal catalyst containing copper
10.	Spent catalyst containing nickel, cadmium, zinc, copper, arsenic, vanadium and cobalt
11.	Zinc Dross-Hot dip Galvanizers SLAB
12.	Zinc Dross-Bottom Dross
13.	Zinc ash/skimming arising from galvanizing and die casting operations
14.	Zinc ash/skimming/other zinc bearing wastes arising from smelting and refining
15.	Zinc ash and residues including zinc alloy residues in dispersible form
16.	Spent cleared metal catalyst containing zinc
17.	Lead acid battery plates and other lead scarp/ashes/residues covered under Batteries (Management and Handling) Rules, 2001 (*Battery scrap, namely: Lead battery plates covered by ISRI, Code Z R U G ³ 5 D L O V ´ % D W W H U \ O X J V F R Y H U Scrap drained dry while intact, lead batteries covered by ISRI, Code Z R U G ³ 5 D L Q V ´
18.	Components of wastes electrical and electronic assembly comprising accumulators and other batteries included on list A, mercury-switches, activated glass cullets from cathode-ray tubes and other activated glass and PCB capacitors, or any other components contaminated with Schedule 2 constituents (e.g. cadmium, mercury, lead, polychlorinated biphenyl) to an extent that they exhibit hazard characteristics indicated in Part C of this Schedule.
19.	Paint and ink Sludge/residues
20.	Used Oil and Waste Oil- As per specifications prescribed from time to time.

SCHEDULE V
[See rule 3 (ze) and (zf)]

PART A

Specifications of used oil suitable for reprocessing/recycling

S. No.	Parameter	Maximum permissible Limits
(1)	(2)	(3)
1.	Polychlorinated biphenyl (PCBs)	<2 ppm*
2.	Lead	100 ppm
3.	Arsenic	5 ppm
4.	Cadmium Chromium+Nickel	500 ppm
5.	Polyaromatic hydrocarbons (PAH)	6%

PART B

Specifications of fuel derived from Waste Oil

S. No.	Parameter	Maximum permissible Limits
(1)	(2)	(3)
1.	Sediment	0.25%
2.	Lead	100 ppm
3.	Arsenic	5 ppm
4.	Cadmium +Chromium+Nickel	500 ppm
5.	Polyaromatic hydrocarbons (PAH)	6%
6.	Total halogens	4000 ppm
7.	Polychlorinated biphenyl (PCBs)	<2 ppm*
8.	Sulphur	4.5%
9.	Water Content	1%

The detection limit is 2 ppm by Gas Liquid Chromatography (GLC) using Electron Capture detector (ECD)

SCHEDULE VI

[See rule 13(4)]

Hazardous Wastes Prohibited for Import and Export

S. No.	Basel No.	Description of Hazardous Wastes
1.	A1010	Mercury hearing wastes
2.	A1030	Waste having Mercury: Mercury Compounds constituents or contaminants
3.	A1010	Beryllium bearing wastes
4.	A1020	Waste having Beryllium: Beryllium Compounds constituents or contaminants
5.	A1010	Arsenic bearing wastes
6.	A1030	Waste having Arsenic : Arsenic compounds constituents or contaminants
7.	A1010	Selenium bearing wastes
8.	A1020	Waste having Selenium; SeleniumCompounds as constituents or contaminants
9.	A1010	Thallium bearing wastes
10.	A1030	Waste having Thallium: Thallium Compounds as constituents or contaminants
11.	A1040	Hexavalent Chromium Compounds bearing wastes
12.	A1140	Wastes Cupric Chloride and Copper Cyanide Catal bearing wastes
13.	A1190	Waste metal cables coated or insulated with plas F R Q W D L Q L Q J R U F R Q W D P L Q D W cadmium, other organohalogen compounds other constituents as mentioned in schedule 2 to the exte concentration limits specified therein.
14.	A2020	Waste inorganic fluorine compounds in the form liquids or sludge but excluding calcium fluoride sludg
15.	A2040	Waste gypsum arising from chemical industry process if it contains any of the constituents mentioned Schedule 2 to the extent of concentration lim specified therein.
16.	A2050	Waste Asbestos (Dust and Fibres)
17.	A3030	Waste that consist of or are contaminated with lead anti-knock compound sludge or leaded petrol (gasol sludges.
18.	A3040	Waste Thermal (heat transfer) fluids
19.	A3060	Waste Nitrocellulose

20.	A3090	Waste Leather dust, ash, sludges or flours w containing hexavalent chromium compounds or biocides
21.	A3100	Waste paring and other wastes of leather or composition leather not suitable for the manufacture leather articles, containing hexavalent chromi compounds and biocides
22.	A3110	Fellmongery wastes containing hexavalent chromium compounds or biocides or infectious substances
23.	A3150	Halogenated organic solvents
24.	A3180	Waste, Substances and articles containing, consisti or contaminated with polychlorinated biphenyls (PC and/or polychlorinated terphenyls, (PCT) and polychlorinated naphthalenes (PCN) and polybrominated biphyenyles (PBB) or any oth polybrominated analogues of these compounds
25.	A3190	Waste tarry residues (excluding asphalt cements) ar from refining, distillation and pyrolitic treatment o organic materials)
26.	A4020	Clinical and related wastes; that is wastes arising f medical, nursing, dental, veterinary, or similar practi and wastes generated in hospital or other facilities during the investigation or treatment of patients, research projects.
27.	A4030	Waste from the production, formulations and use biocides and phyto-pharmaceuticals, including waste pesticides and biocides which are off-specifications, out-dated, and/or unfit for their originally intended use
28.	A4050	Waste that contain, consist of, or are contaminated any of the following: Inorganic cyanides, excepting precious metal bea residue in solid form containing traces of inorga cyanides. Organic cyanides
29.	A4060	Waste oil/water, hydrocarbons/water mixtures, emulsions
30.	A4110	Wastes that contain, consist of or are contaminated any of the following: x Any congenor of polychlorinated dibenzofuran x Any congenor of polychlorinated dibenzo-dioxin.

SCHEDULE VII
[See rule ± 23]

List of Authorities and Corresponding Duties

S. No.	Authority	Corresponding Duties
1.	Ministry of Environment & Forests under the Environment (Protection) Act, 1986	i. Identification of hazardous wastes ii. Permission to exporters of hazardous wastes iii. Permission to importers of hazardous wastes iv. Permission for transit of hazardous waste through India v. Sponsoring of training and Awareness programme on Hazardous Waste Management related activities
2.	Central Pollution Control Board constituted under the Water (Prevention and Control of Pollution) Act, 1974	i. Co-ordination of activities of State Pollution Control Boards/Committees ii. Conduct training courses for authorities dealing with management of hazardous wastes iii. Recommend standards and specifications for treatment and disposal of wastes and leachates Recommend procedures for characterization of hazardous wastes iv. Sector specific documentation to identify waste for inclusion in Hazardous Waste (Management Handling and Transboundary Movement) Rules, 2008 v. Prepare, guidelines to prevent/reduce/minimize the generation and handling of hazardous wastes vi. Registration and renewal of registration of Recyclers/reprocessors vii. Any other function under Rules delegated by the Ministry of Environment & Forests
3.	State Government/Union Territory Government/ Administration	i. Identification of site(s) for common Hazardous Waste Treatment Storage & Disposal Facility (TSDF) ii. Assess EIA reports and convey the decision of approval of site or otherwise iii. Acquire the site or inform operator of facility or occupier or association of

		occupiers to acquire the site. iv. Notification of sites v. Publish periodically an inventory of a disposal sites in the State/Union Territor
4.	State Pollution Contro Boards or Pollution Control Committees constituted under the Water (Prevention an Control of Pollution) Act, 1974	i. Inventorisation of hazardous wastes ii. Grant and renewal of authorization iii. Monitoring of compliance of variou provisions and conditions o authorization including conditions o permissionfor issued by MoEF export and imports. iv. Examining the applications for impor submitted by the importers an forwarding the same to Ministry o Environment and Forests v. Implementation of programmes prevent/reduce/minimize the generati of hazardous wastes vi. Action against violations of Hazardou Wastes (Management, Handling a Transboundary Movement) Rules, 2008 vii. Any other function under these Rul assigned by MoEF from time to time
5.	Directorate General o Foreign Trade constituted under the Foreign Trade (Development and Regulation) Act, 1992	i. Grant of licence for import of hazardou wastes ii. Refusal of licence for hazardous was prohibited for imports and export
6.	Port Authority under Indian Ports Act, 1908 (15 of 1908) and Customs Authority under the Customs Act, 196 (52 of 1962)	i. Verify the documents. ii. Inform the Ministry of Environment an Forests of any illegal traffic iii. Analyse wastes permitted for imports a exports iv. Train officials on the provisions of th (Management Handling an Transboundary Movement) Rules, 2008 v. Take action against exporter/importer violations under the Indian Ports Ac 1908/Customs Act, 1962

FORM 1

[See rules 5(3) and (7)]

APPLICATION FOR OBTAINING AUTHORIZATION FOR COLLECTION/RECEPTION/TREATMENT/TRANSPORT/STORAGE/DISPOSAL OF HAZARDOUS WASTE*

) U R P « « « « « « « «
« « « « « « « «

To

The Member Secretary,
« « « 3 R O O X W L R Q & R Q W U R O % R D U G « « « « « « « 3 R O O X W L R Q
« « « « « « « « « « «

Sir,

I/we hereby apply for authorization/renewal of authorization under sub-rule (3) of Rule 5 of the Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2008 for collection/reception/treatment/transport/storage/disposal of hazardous wastes.

For Office Use Only

1. Code No.

2. Whether the unit is situated in a critically polluted area as identified by Ministry of Environment and Forests;

To be filled in by Applicant

Part A : General

3. (a) Name and address of the unit and location of activity:

(b) Authorisation required for (Please tick mark) appropriate activity/activities:
(i) collection
(ii) reception
(iii) treatment
(iv) transport
(v) storage
(vi) disposal

(c) In case of renewal of authorization previous authorization number and date

* delete whichever is not applicable

4. (a) Whether the unit is generating hazardous waste as defined in these Rules :

   (b) If so the type and quantity of wastes (in Tonnes/KL) :

5. (a) Total capital invested on the project (in Rupees) :

   (b) Year of commencement of production :

   (c) Whether the industry works general/2 shifts/round the clock :

6. (a) List and quantum of products and by-products (in Tonnes/KL) :

   (b) List and quantum of raw material used in (Tonnes/KL) :

7. Furnish a flow diagram of manufacturing process showing input and output in terms of products, waste generated including for captive power generation and demineralised water.

Part B : Hazardous Waste

8. Hazardous Wastes:

   (a) Type of hazardous wastes generated as defined under these rules :

   (b) Quantum of hazardous waste generated :

   (c) Sources and waste characteristics :
   (Also indicate waste amenable to recycling, re-processing and reuse)

   (d) Mode of storage within the plant, method of disposal and capacity :
   (provide details).

9. Hazardous Wastes generated as per these Rules from storage of hazardous chemicals as defined under the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989

Part C : Treatment, Storage and Disposal Facility

10. Detailed proposal of the facility (to be attached) to include :

   (i) Location of site (provide map) :
   (ii) Name of waste processing technology :
   (iii) Details of processing technology

(iv) Type and Quantity of waste to be processed per day :

(v) Site clearance (from local authority, if any)

(vi) Utilization programme for waste processed (Product Utilization) :

(vii) Method of disposal (details in brief be given) :

(viii) Quantity of waste to be disposed per day :

(ix) Nature and composition of waste :

(x) Methodology and operational details of land filling Incineration :

(xi) Measures to be taken for prevention and control of environmental Pollution including treatment of leachate :

(xii) Investment on Project and expected returns :

(xiii) Measures to be taken for safety of workers working in the plant :

Place: 6 L J Q D W X U H « « « « «

Date : ' H V L J Q D W L R Q « « « «

FORM 2

[See rule 5(4)]

FORM FOR GRANT/RENEWAL OF AUTHORIZATION BY SPCB/PCC

5. Details of transpiration of hazardous waste

Name and address of the consignee of package	Mode of packing of the waste for transportation	Mode of transportation to site of disposal	Date of transportation

6. Details of disposal of hazardous waste :

Date of disposal	Concentration of hazardous constituents in the final waste form	Site of disposal (identify the location on the relevant layout drawing for reference)	Method of disposal	Persons involved in disposal

7. Date on environmental surveillance :

Date of measurement	Analysis of ground water			Analysis of soil samples			Analysis of air samples		Analysis of any other samples (give details)
	Location of sampling	Depth of sampling	Data	Location of sampling	Depth of sampling	Data	Location of sampling	Data	

8. Details of hazardous waste sold/auctioned to the recyclers or reprocessors or re-users:

9. Details of hazardous waste reused or recycled.

Date	Total Quantity of Hazardous Wastes generated	Details of hazardous waste minimization activity	Materials received	Final Quantity of waste generated	Net reduction in waste generation quantity and percentage

Date: Name and signature of the Head of facility

Place :

FORM 4
[See rules 5(6) and 22(2)]

FORM FOR FILING ANNUAL RETURNS
BY THE OCCUPIER OR OPERATOR OF FACILITY

[To be submitted by occupier/operator of disposal facility to State Pollution Control Board/Pollution Control Committee by 30th June of every year for the preceding period April to March]

1.	Name and address of the generator/operator of facility	:				
2.	Name of the authorized person and full address with telephone and fax number	:				
3.	Description of hazardous waste	:	Physical form with description		Chemical form	
4.	Quantity of hazardous wastes (in MTA)	:	Type of hazardous waste		Quantity (in Tonnes/KL)	
			(a)			
			(b)			
			(c)			
			« « «		« « « «	
5.	Description of Storage	:				
6.	Description of Treatment	:				
7.	Details of transportation	:	Name & address of consignee	Mode of packing	Mode of transportation	Date of transportation

8.	Details of disposal o hazardous waste	:	Name & address of consignee	Mode of packing	Mode of transportation	Date of transportation
9.	Quantity of useful materials sent back t the manufacturers and others#	:	Name and Type o material sent bac to Manufacturers* Others#		Quantity in Tonnes/KL	

* delete whichever is not applicable

enclose list of other agencies

Signature :

Designation :

Date : « « « « « « «

Place : « « « « « « «

FORM 5
[See rule 8(1)]

FORM OF APPLICATION FOR

GRANT/RENEWAL OF REGISTRATION OF INDUSTRIAL UNITS

POSSESSING ENVIRONMENTALLY SOUND MANAGEMENT FACILITIES

FOR REPROCESSING/RECYCLING

[To be submitted to the Central Pollution Control Board in triplicate by the Reprocessor/Recycler]

1.	Name and Address of the unit			
2.	Name of the occupier or owner the unit with designation. Tel/Fax			
3.	Date of commissioning of the unit			
4.	No. of workers (including contrac laborers) :			
5.	Consent Validity	a) Water (Prevention and Control o Pollution) Act, 1974 valid up W R « « « b) Air (Prevention and Control o Pollution) Act, 1981 valid up W R « « « « « «		
6.	Product Manufactured during th last three years (Tonnes/Year)	Year	Name of the product	Quantity of Metric Tonnes or KL
			a)	
			b)	
			c)	
7.	Raw material consumption durin last three years (Tonnes/year)	Year	Name of the Raw Material consumed	Quantity in Metric Tonnes or KL
			a)	
			b)	
			c)	
8.	Manufacturing Process	Please attach manufacturing pro flow diagram for each product(s)		pes

9.	Water Consumption	, Q G X V W U L D O « m^3/day « « « P ' R P H V W L F « « « « m^3/day P	
10.	Water Cess paid upto (date)	« « « « « « « «	
11.	Waste water generation as p F R Q V H Q W « m^3/day P	Industrial/Domestic $ F W X D O « « « « m^3/day P (avg. of last 3 months)	
12.	Waste water treatment (provid flow diagram of the treatmer scheme)	Industrial Domestic	
13.	Waste water discharge	4 X D Q W L W \ « « « « « « m^3/day P / R F D W L R Q « « « « « « « « « «	
		Analysis of treated waste water f parameters such as pH, BOD, C SS O&G and any other as stipulat by the SPCB/PCC (attach details)	
14.	Air Pollution Control		
	a. Flow diagram for emissio control system(s) installe for each process uni utilities etc.		
	b. Details of facilities provided control of fugitive emission due t material handling proces utilities etc.		
	c. Fuel consumption	Name of fuel	Quantity per Day/Month:
		a)	
		b)	
	d. Stack emission monitorin results	Stack attache to:	Emissions (for SPM, SO_2 NO_x and Metals (like Pb etc.) in particulates in mg/Nm^3
	e. Ambient air quality	Ambient air quality location	Parameters (SPM SO_2 NO_x Pb, any other) in µg/m^3

15.	Hazardous waste management				
	a. Waste generation :	S. No.	Name	Category	Quantity (last 3 years)
	b. Details on collection, treatment and transport				
	c. Disposal				
	(i) Please attach Details of th disposal facilities				
	(ii) Please attach analysis report of characterization of hazardous waste generated (including leachate test if applicable)				
16.	Details of hazardous waste proposed to be acquired through sale/ negotiation/ contract or import as the case may be for u as raw material	1. Name 2. Quantity required per year 3. Waste listing & No. in Annex VIII (List A)/Annex IX (List B) of Basel Convention (BC) 4. Hazard Characteristic as per Ann III of BC			
17.	Occupational safety and Health aspects	Please provide details of facilitie provided			
18.	Remarks				
	(i) whether industry has provide adequate pollution control syster equipment to meet the standards o emission/effluent.	Yes/No			
	(ii) whether HW collection and Treatment, Storage and Dispos Facility (TSDF) are operatin satisfactorily.	Yes/No			

	(iii) Whether conditions exists o likely to exists of the hazardou waste being handled/processed o posing immediate or delaye adverse impacts on th Environment	Yes/No
	(iv) Whether conditions exists or likely to exists of the wastes beir handled/ processed by any mea capable of yielding anothe material eg, leachate which ma possess ecotoxicity.	Yes/No
19	Any other Information i) ii) iii)	
20.	List of enclosures as per rule	

Signature :

Designation

' D W H « « « «

3 O D F H « « « «

FORM 6

[see rules 8(7)]

FORM FOR FILING ANNUAL RETURNS AND RECORDS
ON RECYCLABLE, HAZARDOUS WASTES BY THE RECYCLERS

[To be submitted by recyclers to State Pollution Control Board/Pollution Control Committee by 30th June of every year for the preceding period April to March]

<table>
<tr><td>1.</td><td>Name and address of the recycler</td><td colspan="4"></td></tr>
<tr><td>2.</td><td>Name of the authorized person and full address with telephone and fax number.</td><td colspan="4"></td></tr>
<tr><td>3.</td><td>Installed annual capacity to recycle or dispose the hazardous waste (in MTA) :</td><td colspan="4"></td></tr>
<tr><td rowspan="3">4.</td><td rowspan="3">Quantity hazardous waste (in MTA purchased/sold</td><td>Type of wastes</td><td colspan="2">Source of purchase/ sold</td><td>Quantity (in MTA)</td></tr>
<tr><td></td><td colspan="2"></td><td></td></tr>
<tr><td></td><td colspan="2"></td><td></td></tr>
<tr><td rowspan="3">5.</td><td rowspan="3">Quantity of hazardous wastes processed.</td><td colspan="2">Type of wastes processed</td><td colspan="2">Quantity (in MTA)</td></tr>
<tr><td colspan="2"></td><td colspan="2"></td></tr>
<tr><td colspan="2"></td><td colspan="2"></td></tr>
<tr><td rowspan="3">6.</td><td rowspan="3">Quantity and type of material recovered MTA)</td><td colspan="2">Type of material recovered</td><td colspan="2">Quantity (in MTA)</td></tr>
<tr><td colspan="2"></td><td colspan="2"></td></tr>
<tr><td colspan="2"></td><td colspan="2"></td></tr>
<tr><td rowspan="3">7.</td><td rowspan="3">Quantity of useful materials sent back to the generators/manufactures* and others#</td><td colspan="2">Name and type of material sent back to</td><td colspan="2">Quantity in Tonnes/KL</td></tr>
<tr><td colspan="2">Manufactures*</td><td colspan="2"></td></tr>
<tr><td colspan="2">Others#</td><td colspan="2"></td></tr>
<tr><td rowspan="3">8.</td><td rowspan="3">Quantity of hazardous waste generated MTA) and its disposal methods.</td><td colspan="2">Type of wastes</td><td>Quantity (in MTA)</td><td>Method of Disposal</td></tr>
<tr><td colspan="2"></td><td></td><td></td></tr>
<tr><td colspan="2"></td><td></td><td></td></tr>
</table>

* delete whichever is not applicable
# enclose list of other agencies

Signature :

Designation:

Place :
Date :

FORM 7

[See rule 15 (1) and 16 (1)]

APPLICATION FOR IMPORT OR EXPORT OF HAZARDOUS WASTE FOR REPROCESSING/RECYCLING/REUSE

From

« « « « « «
« « « « « «

TO BE MAILED BY IMPORTER

To

The Member Secretary
« « « « 6 W D W H 3 R O O X W L R Q & R Q W U R O % R D U G « « « 3 R O O X W
« « « « « « « « « «

Sir,

I/we apply for permission for import of recyclable hazardous wastes.

FOR OFFICE USE ONLY

1. Code No. :

2. Whether the unit is situated in a critically Polluted area as identified by the Ministry of Environment & Forests : If yes provide details

TO BE FILLED IN BY APPLICANT

1. Name and Address of the Exporter with telephone number

2. Details of hazardous waste to be exported/imported for recycling/ reprocessing/ reuse:

S.No.	Particulars Hazardous wastes	Six digit Code No.*	Constituent (s) expected	Quantity MT/KL	Any special handling requirement?

* (Here enter as reference nomenclature, the equivalent six digit code no. from European Waste Catalogue EWC, issued pursuant to the Article 1(a) of Council Directive 75/442/EEC on waste or its equivalent as-the case may be).

3. The hazardous waste permitted shall be fully insured for transit as well as for any accidental occurrence and its cleanup operation.

4. The exported wastes shall be taken back, if it creates a genuine environmental hazard or shall take all such measures to treat and dispose in an environmentally benign manner upto the satisfaction of concerned SPCB/PCC. All such costs involved in such operation shall be borne by Exporter and/or Importer

5. Name and Address of the importer with telephone number :

6. Whether authorization obtained : (Enclose the copy).

7. Whether you have received such imported hazardous waste in the past and if yes give details:

S. No.	Description of hazardous wastes	Country of Export	Year	Quantity in tones

8. Whether the importer has :

(a) Adequate facility to handle imported hazardous waste : (if yes furnish details)
(b) Adequate facility to handle the hazardous wastes generated by the use of such imported hazardous wastes (Provide details)

9. Break-up of the imported wastes :

a. The total quantity applied for : « « 7 R Q Q H V
b. Out of (a) above, how much quantity after initial In-situ purification, will be available as raw material : « « 7 R Q Q H V
c. Out of (b) above, how much quantity will be converted into the useful product or co-product : « « 7 R Q Q H V

10. Means of Transport (Road. Rail, inland waterway, sea, air) including country of export, transit and import, also point of entry and exit where these have been designated.

11. Information on special handling requirements including emergency provision in case of accident : (Attach details)

12. Undertaking :

I hereby solemnly undertake that

(i) The full consignment shall be cleared in one lot by arranging authorised transporter under my supervision with due prior intimation to the SPCB/PCC, District Collector and Police Station and the imported waste shall be admitted in an enclosure especially provided in the premises.
(ii) The waste permitted shall be fully insured for transit as well as for any accidental occurrence and its clean-up operation.
(iii) The record of consumption and fate of the imported waste shall be monitored and report sent to the SPCB/PCC every fortnight.
(iv) At every step of consumption of 25, 50, 75 and 100% of the imported waste the situation in the store shall be shown to the SPCB/PCC at our cost.
(v) The hazardous waste which gets generated in our premises by the use of imported hazardous wastes in the form of raw material shall be treated and disposed of and only as per conditions of authorisation.
(vi) I agree to bear the cost of export and mitigation of damages if any.
(vii) I am aware that there arc significant penalties for submitting a false certificate/undertaking/ disobedience of the rules and lawful orders including the possibility of fine and imprisonment.

Signature of the Applicant

Designation

' D W H « « « « «

3 O D F H « « « « «

FORM 8
[See rules 15(1)and 16(1)]

APPLICATION FOR TRANSBOUNDARY MOVEMENT OF HAZARDOUS WASTE

S. No.	Description	Details to be furnished by the Exporter/Importer
1.	Exporter (Name & Address) :	
	Contact person :	
	Tel/Fax :	
	Reason for export :	
2.	Importer/Recycler (Name & Address):	
	Contact Person :	
	Tel/Fax :	
3.	Application concerning[1] :	
	Applicants reference number :	
	A. Single/Multiple movement :	
	B. Recovery/Reprocessing Operation :	
	C. Preauthorised recovery/ reprocessing facility[1] :	
4.	Total intended number of shipments :	
5.	Estimated quantity[3] in Kg/Litres :	
6.	Intended date(s) or period of time shipment(s) :	
7.	Intended carrier(s) (name, address)[2] :	
	Contact Person: Tel/Fax :	
8.	Waste generator (s) (Name, address)[2] :	
	Contact Person Tel/Fax :	
	Site of generation & process :	
9.	Method(s) of recycling[4] :	
	R. Code :	
	Technology employed :	
10.	Means of transport[4] :	
11.	Packaging Type(s)[4] :	
12.	(i) Designation and complete chemi composition of waste (attach details) :	
	(ii) Special handling requirements :	
13.	Physical characteristics[4] :	
14.	Waste identification Code :	
	Basel No. :	
	OECD No. :	
	UN No. :	
	ITC (HS) :	

	Customs Code (H.S.) :		
	Other (specify) :		
15.	OECD classification[1] (attach details) :		
	(a) amber/red/other		
	(b) Number		
16.	Y-Number[4] :		
17.	H-Number[4] :		
18.	(a) UN Identification Number :		
	(b) UN shipping name :		
	(c) UN Class[4] :		
	(d) Other :		
19.	Concerned states,code number c competent authorities, and specific po of entry and exit :		
	State of Export :		
	State of Transit :		
	State of Import :		
20.	Customs offices of entry and/or depart :		
	Entry:	Departure :	
21.	([S R U W H U ¶ V * H Q H U D W I I certify that the information is comple and correct to my best knowledge. I a certify that Legally enforceable writt contractual obligations have been ent into and that any applicable insurance other financial guarantees are or shal in force covering the transbounda movement. Name: Signature : Date :		
22.	Number of annexes attached		
FOR USE BY COMPETENT AUTHORITIES			
23.	To be completed by competent autho of Import :		
	Notification Received on :		
	Transit (Basel) :		
	a) Acknowledgement sent on :		
	b) Name of Competent authority, Stamp and/or signature :		

24.	Consent to the movement provided by competent authority of (Country) :			
	a) Consent given on :			
	b) Consent expires on :			
	c) Specific condition :	(Yes/No) (Please attach)		
	d) Name of Competent authority, Sta and/or signature :			
FOR USE BY CUSTOMS OFFICES				
25.	COUNTRY OR EXPORT/DISPATCH OR CUSTOMS OFFICE OF EXIT			
	The waste described overleaf has left th country on :			
	Stamp :			
	Signature :			
26.	COUNTRY OFIMPORT/ DESTINATION :			
	The waste described overleaf has ent the country on :			
	Stamp :			
	Signature :			
27.	STAMPS OF CUSTOMS OFFICES C TRANSIT COUNTRIES :	Name of country	Entry	Departure

Notes (1) Enter X in appropriate box; (2) Attach list if more than one; (3) Attach detailed list of multiple shipment; (4) See following codes

List of abbreviation used in the Movement Document

RECOVERY OPERATIONS (S.NO.9)	
R1	Use as a fuel (other than in direct incineration) or other means to generate
R2	Solvent reclamation/regeneration
R3	Recycling/reclamation of organic substances which are not used as solvents
R4	Recycling/reclamation of metals and metal compounds
R5	Recycling/reclamation of other organic materials
R6	Regeneration of acids or bases
R7	Recovery of components used for pollution abatement
R8	Recovery of components from catalyst
R9	Used oil refining or other reuses of previously used oil.
R10	Land treatment resulting in benefit to agriculture or ecological improvement
R11	Uses of residual materials obtained from any of the operations numbered R
R12	Exchange of wastes for submission to any of the operations numbered R1 to
R13	Accumulation of material intended for any operation numbered R1 to 12

Means of Transport (S.No.10)	Packaging (S.NO.11)	H Number (S. NO.17) and UN Class (S.No.18)		
R=Road	1. Drum	UN Class	H Number	Designation
T= Train/Rail	2. Wooden barrel	1	H1	Explosive
S= Sea	3. Jerrican	3	H3	Inflammable liquids
A=Air	4. Box	4.1	H4.1	Inflammable solids
W=Inland Waterways	5. Bag	4.2	H4.2	Constituents or wastes liable to spontaneous combustion
	6. Composite packaging	4.3	H4.3	Constituents or wastes which, in contact with Water em inflammable gases.
	7. Pressure receptacle			
	8. Bulk			
	9. Other (specify)	5.1	H5.1	Oxidizing
		5.2	H5.2	Organic peroxides
		6.1	H6.1	Poisonous (acute)
		6.2	H6.2	Infectious wastes
		8	H8	Corrosives
		9	H10	Liberation of toxic gases in contact with air or water
		9	H11	Toxic (delayed or chronic)
		9	H12	Ecotoxic
		9	H13	Capable, by any means, after disposal of yielding another material e.g. leachate, which Possesses any of the characteristics listed above
PHYSICAL CHARACTERISTICS (SL.NO.13)				1. Powdery/Powder 2. Solid 3. Viscous/Paste 4. Sludge 5. Liquid 6. Gaseous 7. Other (specify)

[1][FORM 9
[See rules 15(5), 16(5), 16(6)]

TRANSBOUNDARY MOVEMENT-MOVEMENT DOCUMENT

S. No.	Description	Details to be furnished by the Exporter/Importer
1.	(i) Exporter (Name and Address) : Contact Person Tel/Fax	
	(ii) Waste Generator/Exporter for ** category (name and address) : Contact person with Tel/Fax :	
	(iii) Site of generation (excluded for* category) :	
2.	Importer/recycler (name and address) : Contact person with Tel/Fax Movement subject to single/multiple	
3.	Corresponding to applicant Ref. No. if any :	
4.	Bill of lading (attach copy) :	
5.	Designation and chemical composition of t wastes :	
6.	Physical characteristics[3] :	
7.	Actual quantity kg/litre	
8.	Waste Identification Code :	
	Basel No. :	
	OECD No. :	
	UN No. :	
	ITC (HS) :	
	Customs Code (H.S.) :	
	Other (Specify) :	
9.	OECD Classification (2) : (a) amber/red/other (attach details) (b) number	
10.	Packaging Type (3) :	
	Number :	

[1] 6XEVWLWXWHG [3])RUP DQG WKH HQWULHV UHODWLQJ WKHUHWR´ E\ 5XOH Handling and Transboundary Movement) Amendment Rules, 2009, published vide Notification No.S.O.1799(E), dated 21.7.2009

11.	UN Classification :	
	UN Shipping name :	
	UN Identification No. :	
	UN Class(3) :	
	H Number(3) :	
	Y Number(3) :	
12.	Special handling requirements	
13.	([S R U W H U ¶ V G H F O D U D W L R waste : I certify that the information in Sl.No.1 to 1 above is complete and correct to my b knowledge. I also certify that legally enforceable written contractual obligatio have been entered into and are in fo covering the transboundary moveme regulations/Rules. Date: Signature : Name: ([S R U W H U ¶ V G H F O D U D W L R I certify that the information in Sl.No.1 to 1 above is correct to the best of my knowledg also certify that legally enforceable writte contractual obligations have been entered i I also certify that the consignment does have any Hazardous waste, Municipal waste or Biomedical waste. Signature : Date:	
TO BE COMPLETED BY IMPORTER/RECYCLERS Item No.7		
14.	Shipment received by Importer/Recycler	
	4 X D Q W L W \ U H F H L Y H G « « « « Date: Signature: Name :	
15.	Method of Recovery R Code if applicable Technology employed (Attached details necessary)	

16.	I certify that nothing other than declare goo covered as per HW(M, H and TM) Rules intended to b imported in the above referre consignment and will be recycled. Date: Signature : Name :	
17.	SPECIFIC CONDITIONS ON CONSENTING TO THE MOVEMENT if applicable.	(attach details)

Notes: (1) Attach list, if more than one; (2)Enter X in appropriate box; (3) See Codes on the reverse (x) Immediately contact Competent Authority; (4) if more than three carriers, attach information as required in Sl. No.5.

List of abbreviations used in the Movement Document

RECOVERY OPERATIONS (S.No.7)	
R1	Use as a fuel (other than a direct incineration)(or other means to generate e
R2	Solvent reclamation./regeneration
R3	Recycling/reclamation of organic substances which are not used as solvents
R4	Recycling/reclamation of metals and metal compounds
R5	Recycling/reclamation of other inorganic materials
R6	Regeneration of acids or bases
R7	Recovery of components used for pollution abatement
R8	Recovery of components from catalysts
R9	Used oil re-refining or other reuses of previously used oil
R10	Land treatment resulting in benefit to agriculture or ecological improvement
R11	Uses of residual materials obtained from any of the operations numbered R1
R12	Exchange of wastes for submission to any of the operations numbered R1 to R11
R13	Accumulation of material intended for any operation numbered R1 to R12

MEANS OF TRANSPORT (Sl.NO.5)	PACKAGING TYPES (Sl.NO.13)	H NUMBER (S. NO.14) AND UN CLASS (SL.NO.14)		
1	2	3		
R=Road	1. Drum	UN Class	H Number	Designation
T= Train/Rail	2. Wooden barrel	1	H1	Explosive
S= Sea	3. Jerrican	3	H3	Inflammable liquids
A=Air	4. Box	4.1	H4.1	Inflammable solids
W=Inland Waterways	5. Bag	4.2	H4.2	Constituents or wastes liable spontaneous combustio
	6. Composite packaging	4.3	H4.3	Constituents or wastes which, contact with Water em inflammable gases.
	7. Pressure receptacle			
	8. Bulk			
	9. Other (specify)	5.1	H5.1	Oxidizing
		5.2	H5.2	Organic peroxides
		6.1	H6.1	Poisonous (acute)
		6.2	H6.2	Infectious wastes
		8	H8	Corrosives
		9	H10	Liberation of toxic gases contact with air or water
		9	H11	Toxic (delayed or chronic)
		9	H12	Ecotoxic
		9	H13	Capable, by any means, a disposal of yielding anoth material e.g. leachate, whic Possesses any of t characteristics listed above
PHYSICAL CHARACTERISTICS (SL.NO.9)				(1) Powdery/Powder (2) Solid (3) Viscous/Paste (4) Sludge (5) Liquid (6) Gaseous (7) Other (specify)
Y Number (S.No.13) refer to categories of waste listed in Annexure I and the Base Convention as well as more detailed information can be found in an instruction man available from the Secretariat of Basel Convention				

FORM 10
[1][See rule 15(6)]

FORMAT FOR MAINTAINING RECORDS
OF HAZARDOUS WASTE IMPORTED AND EXPORTED

1. Name and address of the importer/exporter :

2. Date and reference number of issuance of Permission to import/export hazardous waste :

3. Description of hazardous waste :

S. No.	Dates of import/export and relevant consignment numbers	Origin/ destination of waste	Total volume and weight (in kilograms)	Physical form	Chemical form	Test report

4. Description of storage, treatment and reuse of hazardous waste :

S. No.	Dates of import/export and relevant consignment numbers	Total volume and weight (in kilograms)	Test Report	Method of Storage	Method of treatment and reuse (give details)

[1] Substituted by Rule 7 of the Hazardous Wastes (Management, Handling and Transboundary Movement) Amendment Rules, 2009, published vide Notification No.S.O.1799(E), dated 21.7.2009

FORM 11
[See rule 20(2)]

TRANSPORT EMERGENCY (TREM) CARD

[To be carried by the transporter during transportation of hazardous wastes, provided by the Occupier or Operator of a Facility]

1. Characteristics of hazardous wastes :

S. No.	Type of waste	Physical properties	Chemical Constituents	Exposure Hazards	First Aid Requirements

2. Procedure to be followed in case of fire :

3. Procedure to be followed in case of spillage/accident/explosion :

4. For expert services, please contact :

i) Name & Address :

ii) Telephone No. :

(Name and Signature of Occupier/authorized representative)

FORM 12
[See rule 20(2)]

MARKING OF HAZARDOUS WASTE CONTAINER

HAZARDOUS WASTE*

Handle with care

: D V W H & D W H J R U \ 1 R « «	& R P S D W L E O H * U R X S « « «
7 R W D O 4 X D Q W L W \ « « « «	Date of St R U D J H « « « « « « « «
Contents and State of the Waste :	
6 H Q G H U ¶ V 1 D P H $ G G U	5 H F H L Y H U ¶ V 1 D P H $ G
3 K R Q H « « « « «	3 K R Q H « « « « « «
E- P D L O « « « « « «	E- P D L O « « « « «
7 H O) D [1 R « « « « «	7 H O) D [1 R « « « « «
& R Q W D F W 3 H U V R Q « « « «	& R Q W D F W 3 H U V R Q « « « «
In ca V H R I H P H U J H Q F \ S O H D V H F R Q W D F W « « « « « « «	

Note:

1. Background colour of lab I fluorescent yellow.

2. 7 K H Z R U G V µ + $ = $ 5 ' 2 8 6 : $ 6 7 (6 ¶ µ + $ 1 ' / (: , 7 + & $ 5 (¶ W F prominent and written: in red in Hindi, English and in Vernacular Language

3. Label should be of non-washable material.

* delete whichever is not applicable.

FORM 13

[See rule 21(1)]

HAZARDOUS WASTE MANIFEST

1.	2 F F X S L H U ¶ V 1 D P H 0 I (including phone No.) :		
2.	2 F F X S L H U ¶ V 5 H J L V W U D W L		
3.	Manifest Document No. :		
4.	7 U D Q V S R U W H U ¶ V 1 D P H phone No.) :		
5.	Type of Vehicle :		(Truck/Tanker/SpecialVehicle)
6.	7 U D Q V S R U W H U ¶ V 5 H J L V W		
7.	Vehicle Registration No. :		
8.	Designated Facility Name & Site Address :		
9.	) D F L O L W \ ¶ V 5 H J L V W U D W		
10.	) D F L O L W \ ¶ 3 K R Q H :		
11.	Waste Description :		
12.	Total Quantity :	« « « ^{3} or MT	
13.	Consistency :	(Solid/Semi-Solid Sludge/ Oily /Tarry/Slurry)	
14.	Transport Description of Wastes :		
15.	Containers :	Number	Type
16.	Total Quantity :	« « « ^{3} or MT	
17.	Unit Wt/Vol. :	« « « ^{3} or MT	
18.	Waste Category Number :		
19.	Special HandlingInstructions & Additional Information :		
20.	2 & & 8 3 , (5 ¶ 6 & (5 7 ,) , & $ 7 (	I hereby declare that the contents of the consignme are fully and accurately described above by prop shipping name and ar categorized, packed, marke and labeled, and are in a respects in proper condition fo transport by road according t applicable national government regulations	

	Typed Name & Stamp: Signature :	Month	Day	Years
21.	Transporter acknowledgement of Receipt Wastes			
		Month	Day	Years
	Typed Name & Stamp: Signature :			
22.	Discrepancy Note Space			
23.	Facility Owner R U 2 S H U D W R U ¶ V Receipt of Hazardous Waste			
		Month	Day	Years
	Typed Name & Stamp: Signature :			

FORM 14

(See rule 24)

FORMAT OF ACCIDENT REPORT

[To be submitted by the occupier of a facility and the transporter to the SPCB/PCC]

1. The date and time of the accident :

2. Sequence of events leading to accident :

3. The hazardous waste involvement in accident :

4. The date for assessing the effects of the accident on health or the environment :

5. The emergency measures taken :

6. The steps taken to alleviate the effects of accidents :

7. The steps taken to prevent the recurrence of such an accident :

[Place : Signature:

Date: Designation]

FORM 15

[See rule 26(1) and (2)]

APPLICATION FOR FILING APPEAL
AGAINST THE ORDER PASSED BY CPCB/SPCB/PCC OF THE UNION TERRITORY

1. Name and address of the person making the appeal :
2. Number, date of order and address of the authority to which passed the order, against which appeal is being made : (certified copy of the order be attached)
3. Ground on which the appeal is being made :
4. Relief sought for :
5. List of enclosures other than the order referred In para 2 against which the appeal is being filed :

SignaW X U H « « « « « « «

1 D P H D Q G D G G U H V V « « « «

Date :

[1][FORM 16

FORM FOR REGISTRATION OF TRADERS FOR SCHEDULE III, PART (D).

[To be submitted by trader to the State Pollution Control Boards/Pollution Control Committees]

1 Name and Address of the Trader with Teleph

THE MANUFACTURE, STORAGE AND IMPORT OF HAZARDOUS CHEMICAL RULES, 1989

MINISTRY OF ENVIRONMENT & FORESTS

(Department of Environment, Forests and Wildlife)
NOTIFICATION

New Delhi, the 27th November 1989

*S.O.966(E) - In exercise of the powers conferred by Section 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby makes the following rules, namely :

1. SHORT TITLE AND COMMENCEMENT ±

(1) These rules may be called the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. DEFINITIONS - In these rules, unless the context otherwise requires, -

(a) "Act" means the Environment (Protection) Act, 1986 (29 of 1986);

(b) "Authority" means an authority mentioned in Column 2 of Schedule 5;

(c) "export" with its grammatical variations and cognate expression, means taking out of India to a place outside India;

(d) "exporter" means any person under the jurisdiction of the exporting country and includes the exporting country, who exports hazardous chemical;

(e) "Hazardous Chemical " means -

(i) any chemical which satisfies any of the criteria laid down in Part I of [1][Schedule 1 or] listed in Column 2 of Part II of this Schedule ;

(ii) any chemical listed in Column 2 of Schedule 2;

(iii) any chemical listed in Column 2 of Schedule 3;

---

* The principal rules were published in the Gazette of India vide number S.O. 966(E), dated 27.11.1989 and subsequently amended vide: S.O.115 (E), dated 05.02.1990; GSR 584, dated 09.09.1990; S.O.2882, dated 03.10.1994; and S.O. 57(E), dated 19.01.2000.

1 Substituted by Rule 2(i) of the Manufacture, Storage and Import of Hazardous Chemical(Amendment) Rules, 2000 notified vide S.O. 57(E), dated 19.1.2000.

(f) "import" with its grammatical variations and cognate expression, means brining into India from a place outside India;

(g) [3]LPSRUWHU PHDQV DQ RFFXSLHU RU DQ\ S hazardous chemicals;

(h) "industrial activity" means-

i. an operation or process carried out in an industrial installation referred to in Schedule 4 involving or likely to involve one or more hazardous chemicals and includes on-site storage or on-site transport which is associated with that operation or process, as the case may be; or

ii. isolated storage; or

iii. pipeline ;

(i) "isolated storage" means storage of a hazardous chemical, other than storage associated with an installation on the same site specified in Schedule 4 where that storage involves atleast the quantities of that chemical set out in Schedule 2;

[1][(j) "major accident" means -an incident involving loss of life inside or outside the installation, or ten or more injuries inside and/or one or more injuries outside or release of toxic chemicals or explosion or fire or spillage of hazardous chemicals resulting in on-site or off-site emergencies or damage to equipment leading to stoppage of process or adverse affects to the environment ;

(ja) "major accident hazards (MAH) installations" means - isolated storage and industrial activity at a site handling (including transport through carrier or pipeline) of hazardous chemicals equal to or, in excess of the threshold quantities specified in, Column 3 of schedule 2 and 3 respectively;]

(k) "pipeline" means a pipe (together with any apparatus and works associated therewith) or system of pipes (together with any

---

1 Substituted by Rule 2(ii) of the Manufacture, Storage and Import of Hazardous Chemical (Amendment)Rules, 2000 notified vide S.O.57(E), dated 19th January, 2000.

apparatus and work associated therewith) for the conveyance of a hazardous chemical other than a flammable gas as set out in Column 2 of Part II of Schedule 3 at a pressure of less than 8 bars absolute; the pipeline also includes inter - state pipelines;

(l) "Schedule" means Schedule appended to these rules;

(m) "site" means any location where hazardous chemicals are manufactured or processed, stored, handled, used, disposed of and includes the whole of an area under the control of an occupier and includes pier, jetty or similar structure whether floating or not;

(n) "Threshold quantity" means, -

(i) in the case of a hazardous chemical specified in Column 2 of Schedule 2, the quantity of that chemical specified in the corresponding entry in Columns 3 and 4 ;

(ii) in the case of a hazardous chemical specified in Column 2 of Part I of Schedule 3, the quantity of that chemical specified in the corresponding entry in Columns 3 & 4 of that part;

(iii) in the case of substances of a class specified in Column 2 of Part II of Schedule 3, the total quantity of all substances of that class specified in the corresponding entry in Columns 3 and 4 of that part.

[1][3. DUTIES OF AUTHORITIES ±

The concerned authority shall, -

(a) inspect the industrial activity at least once in a calendar year;

(b) except where such authority is the Ministry of Environment and Forests, annually report on the compliance of the rules by the occupiers to the Ministry of Environment and Forests through appropriate channel ;

---

[1] Substituted by Rule 2 of the MSIHC (Amendment) Rules, 1994 notified vide S.O.2882, dated 3.10.1994.

(c) subject to the other provisions of these rules, perform the duties specified in column 3 of Schedule 5.]

4. GENERAL RESPONSIBILITY OF THE OCCUPIER DURING INDUSTRIAL ACTIVITY -

(1) these rules shall apply to, -

(a) an industrial activity in which a hazardous chemical, which satisfies any of the criteria laid down in Part I of Schedule 1 [or listed] in Column 2 of Part II of this Schedule is, or may be, involved; and

[2][(b) isolated storage of a hazardous chemical listed in Schedule 2 in a quantity equal to or more than the threshold quantity specified in Column 3, thereof.]

(2) An occupier who has control of an industrial activity in terms of sub-rule (1) shall provide evidence to show that he has, -

(a) identified the major accident hazards; and

(b) taken adequate steps to -

(i) prevent such major accidents and to limit their consequences to persons and the environment;

(ii) provide to the persons working on the site with the information, training and equipment including antidotes necessary to ensure their safety.

4. NOTIFICATION OF MAJOR ACCIDENT -

(1) Where a major accident occurs on a site or in a pipe line, the occupier shall [3][within 48 hours notify] the concerned authority as identified in Schedule 5 of that accident, and furnish thereafter to the concerned authority a report relating to the accidents in installments, if necessary, in Schedule 6.

(2) The concerned authority shall on receipt of the report in accordance with sub-rule 1 of this rule, shall undertake a full analysis of the major accident and sent the [4][requisite information within 90 days to the Ministry] of Environment and Forests through appropriate channel.

---

1 Substituted by Rule 3(i) of the MSIHC (Amendment) Rules, 1994 notified vide S.O.2882, dated 3.10.1994.

2 Substituted by Rule 3(ii), ibid.

3 Substituted by Rule 3(a) of the MSIHC (Amendment) Rules, 1994 notified vide S.O.2882, dated 3.10.1994.

4 Substituted by Rule 3(b) ibid.

[1][(3) An occupier shall notify to the concerned Authority, steps taken to avoid any repetition of such occurrence on a site.]

[2][(4) The concerned Authority shall compile information regarding major accidents and make available a copy of the same to the Ministry of Environment & Forests through appropriate channel.

(5) The concerned Authority shall in writing inform the occupier, of any lacunae which in its opinion needs to be rectified to avoid major accidents.]

6. INDUSTRIAL ACTIVITY TO WHICH RULES 7 TO 15 APPLY -

(1) Rules 7 to 15 shall apply to, -

(a) an industrial activity in which there is involved a quantity of hazardous chemical listed in Column 2 of Schedule 3 which is equal to or more than the quantity specified in the entry for that chemical in Column 3 & 4 (Rules 10-12 only for Column 4); and

(b) isolated storage in which there is involved a quantity of a hazardous chemical listed in Column 2 of Schedule 2 which is equal to or more than the quantity specified in the entry for that chemical in Column [3][3 & 4 (rules 10-12 only for column 4).]

(2) For the purpose of rules 7 to 15,

(a) "new industrial activity" means an industrial activity which,

(i) commences after the date of coming into operation of these rules; or

(ii) if commenced before that date, is an industrial activity in which a modification has been made which is likely to cover major accident hazards, and that activity shall be deemed to have commenced on the date on which the modification was made;

---

1 Substituted by Rule 3(c) of the Manufacture, Storage and Import of Hazardous Chemical (Amendment) Rules, 1994 notified vide S.O. No.2882, dated 3.10.1994.

2 Inserted by Rule 3(d); ibid.

3 Substituted by Rule 4; ibid.

(b) an "existing industrial activity" means an industrial activity which is not a new industrial activity.

7. [1][APPROVAL AND] NOTIFICATION OF SITES -

(1) An occupier shall not undertake any industrial activity [2][unless he has been granted an approval for undertaking such an activity and has submitted] a written report to the concerned authority containing the particulars specified in Schedule 7 at least 3 months before commencing that activity or before such shorter time as the concerned authority may agree and for the purpose of this paragraph, an activity in which subsequently there is or is liable to be a threshold quantity or more of an additional hazardous chemical shall be deemed to be a different activity and shall be notified accordingly.

[3][(2) The concerned Authority within 60 days from the date of receipt of the report shall approve the report submitted and on consideration of the report if it is of the opinion that contravention of the provisions of the Act or the rules made thereunder has taken place, it shall issue notice under rule 19].

8. UPDATING OF THE SITE NOTIFICATION FOLLOWING CHANGES IN THE THRESHOLD QUANTITY -

Where an activity has been reported in accordance with rule 7(1) and the occupier makes a change in it (including an increase or decrease in the maximum threshold quantity of a hazardous chemical to which this rule applies which is or is liable to be at the site or in the pipeline or at the cessation of the activity) which affects the particulars specified in that report or any subsequent report made under this rule, the occupier shall forthwith furnish a further report to the concerned authority.

9. TRANSITIONAL PROVISIONS-

Where. ±

(a) at the date of coming into operation of these rules, an occupier is in control of an existing industrial activity which is required to be reported under rule 7(1); or

---

1 Substituted by Rule 5 of the MSIHC (Amendment) Rules, 2000 notified vide S.O.57(E), dated 19.1.2000.

2 Substituted by Rule 4 (a) of MSIHC (Amendment) Rules, 1994 notified vide S.O.2882, dated 3.10.1994.

3 Substituted by Rule 4(b), ibid.

(b) within 6 months after that date, an occupier commence any such new industrial activity;

it shall be a sufficient compliance with that rule if he reports to the concerned authority as per the particulars in Schedule 7 within 3 months after the date of coming into operation of these rules or within such longer time as the concerned authority may agree in writing.

10. SAFETY REPORTS[1][AND SAFETY AUDIT REPORTS] -

(1) Subjects to the following paragraphs of this rule, an occupier shall not undertake any industrial activity to which this rule applies, unless he has prepared a safety report on that industrial activity containing the information specified in Schedule 8 and has sent a copy of that report to the concerned authority at least ninety days before commencing that activity.

(2) In the case of a new industrial activity which an occupier commences, or by virtue of sub-rule (2) (a) (ii) of rule 6 is deemed to commence, within 6 months after coming into operation of these rules, it shall be a sufficient compliance with sub-rule (1) of this rule if the occupier sends to the concerned authority a copy of the report required in accordance with that sub-rule within ninety days after the date of coming into operation of these rules.

[2][(3) In case of an existing industrial activity, the occupier shall prepare a safety report in consultation with the concerned authority and submit the same within one year from the date of commencement of the Manufacture, Storage and Import of Hazardous Chemicals (Amendment) Rules, 1994 to the concerned Authority.]

[3][(4) After the commencement of the Manufacture, Storage and Import of Hazardous Chemicals (Amendment) Rules, 1994, the occupier of both the new and the existing industrial activities shall carry out an independent safety audit of the respective industrial activities with the help of an expert, not associated with such industrial activities.

(5) The occupier shall forward a copy of the auditor's report along with his comments to the concerned Authority within 30 days after the completion of such Audit.]

---

1 Substituted by Rule 6 of the MSIHC (Amendment) Rules, 2000 notified vide S.O.57(E), dated 19.1.2000.

2 Substituted by Rule 5(a) of the MSIHC (Amendment) Rules, 1994 notified vide S.O.2882, dated 3.10.1994.

3 Inserted by Rule 5(b), ibid.

[1][(6) The occupier shall update the safety audit report once a year by conducting a fresh safety audit and forward a copy of it with his comments thereon within 30 days to the concerned Authority.

(7) The concerned Authority may if it deems fit, issue improvement notice under rule 19 within 45 days of the submission of the said report.]

11. UPDATING OF REPORTS UNDER RULE 10-

(1) Where an occupier has made a safety report in accordance with sub-rule (1) of rule 10 he shall not make any modification to the industrial activity to which that safety report relates which could materially affect the particulars in that report, unless he has made a further report to take account of those modifications and has sent a copy of that report to the concerned authority at least 90 days before making those modifications.

(2) Where an occupier has made a report in accordance with rule 10 and sub - rule (1) of this rule and that industrial activity is continuing the occupier shall within three years of the date of the last such report, make a further report which shall have regard in particular to new technical knowledge which has affected the particulars in the pervious report relating to safety and hazard assessment and shall within 30 days [2][***] send a copy of the report to the concerned authority.

[3][12. REQUIREMENT FOR FURTHER INFORMATION TO BE SENT TO THE AUTHORITY -

Where, in accordance with rule 10, an occupier has sent a safety report and the safety audit report relating to an industrial activity to the concerned Authority, the concerned Authority may, by a notice served on the occupier, require him to provide such additional information as may be specified in the notice and the occupier shall send that information to the concerned Authority within 90 days].

13. PREPARATION TO ON-SITE EMERGENCY PLAN BY THE OCCUPIER -

(1) An occupier shall prepare and keep up-to-date [4][an on-site emergency plan containing details specified in Schedule II and detailing] how major accidents will be dealt with on the site on which the industrial activity is carried

---

1 Inserted by Rule 5(b) of the MSIHC (Amendment) Rules, 1994 notified vide S.O.2882, dated 3.10.1994.

2 Omitted by Rule 6, ibid.

3 Substituted by Rule 7, ibid.

4 Substituted by Rule 8(a), ibid.

on and that plan shall include the name of the person who is responsible for safety on the site and the names of those who are authorized to take action in accordance with the plan in case of an emergency.

(2) The occupier shall ensure that the emergency plan prepared in accordance with sub-rule (1) takes into account any modification made in the industrial activity and that every person on the site who is affected by the plan is informed of its relevant provisions.

(3) The occupier shall prepare the emergency plan required under sub-rule (1),-

(a) in the case of a new industrial activity, before that activity is commenced;

(b) in the case of an existing industrial activity within 90 days of commencing into operation of these rules.

[1][(4) The occupier shall ensure that a mock drill of the on-site emergency plan is conducted every six months;

(5) A detailed report of the mock drill conducted under sub-rule (4) shall be made immediately available to the concerned Authority.]

14. PREPARATION OF OFF-SITE EMERGENCY PLAN BY THE AUTHORITY -

(1) It shall be the duty of the concerned authority as identified in Column 2 of Schedule 5 to prepare and keep up-to-date [2][an adequate off-site emergency plan containing particulars specified in Schedule 12 and detailing] how emergencies relating to a possible major accident on that site will be dealt with and in preparing that plan the concerned authority shall consult the occupier, and such other persons as it may deem necessary.

(2) For the purpose of enabling the concerned authority to prepare the emergency plan required under sub-rule (1), the occupier shall provide the concerned authority with such information relating to the industrial activity under his control as the concerned authority may require, including the nature, extent and likely effects off-site of possible major accidents and the authority shall

---

1 Inserted by Rule 8(b) of the MSIHC (Amendment) Rules, 1994 notified vide S.O.2882, dated 3.10.1994.

2 Substituted by Rule 9 (a), ibid.

provide the occupier with any information from the off-site emergency plan which relates to his duties under rule 13.

(3) The concerned authority shall prepare its emergency plan required under sub-rule (1),-

(a) In the case of a new industrial activity, before that activity is commenced;

(b) In the case of an existing industrial activity, within six months of coming into operation to these rules.

[1][(4) The concerned authority shall ensure that a rehearsal of the off-site emergency plan is conducted at least once in a calendar year.]

15. INFORMATION TO BE GIVEN TO PERSONS LIABLE TO BE AFFECTED BY A MAJOR ACCIDENT -

(1) The occupier shall take appropriate steps to inform persons outside the site either directly or through District Emergency Authority who are likely to be in an area which may be affected by a major accident about, -

(a) the nature of the major accident hazard; and

(b) the safety measures and the "Do's' and 'Don'ts" which should be adopted in the event of a major accident.

(2) The occupier shall take steps required under sub-rule (1) to inform persons about an industrial activity, before that activity is commenced, except, in the case of an existing industrial activity in which case the occupier shall comply with the requirements of sub-rule (1) within 90 days of coming into operation of these rule.

16. DISCLOSURES OF INFORMATION -

Where for the purpose of evaluating information notified under rule 5 or 7 to 15, the concerned authority discloses that information to some other person, that other person shall not use that information for any purpose except for the purpose of the concerned authority disclosing it, and before disclosing the information the concerned authority shall inform that other person of his obligations under this paragraph.

---

1 Inserted by Rule 9(b) of the MSIHC (Amendment) Rules, 1994 notified vide S.O.2882, dated 3.10.1994.

17. COLLECTION, DEVELOPMENT AND DISSEMINATION OF INFORMATION -

(1) This rule shall apply to an industrial activity in which a hazardous chemical which satisfies any of the criteria laid down in part I of Schedule 1 [or listed][1] in Column 2 of Part II of this Schedule is or may be involved.

(2) An occupier, who has control of an industrial activity in term of sub-rule 1 of this rule, shall arrange to obtain or develop information in the form of safety data sheet as specified in Schedule 9. The information shall be accessible upon request for reference.

(3) The occupier while obtaining or developing a safety data sheet as specified in Schedule 9 in respect of a hazardous chemical handled by him shall ensure that the information is recorded accurately and reflects the scientific evidence used in making the hazard determination. In case, any significant information regarding hazard of a chemical is available, it shall be added to the material safety data sheet as specified in Schedule 9 as soon as practicable.

(4) Every container of a hazardous chemical shall be clearly labelled or marked to identify -

(a) the contents of the container ;

(b) the name and address of manufacturer or importer of the hazardous chemical ;

(c) the physical, chemical and toxicological data as per the criteria given at Part I of Schedule 1.

(5) In terms of sub rule 4 of this rule where it is impracticable to label a chemical in view of the size of the container or the nature of the package, provision should be made for other effective means like tagging or accompanying documents.

18. IMPORT OF HAZARDOUS CHEMICALS -

(1) This rule shall apply to a chemical which satisfies any of the criteria laid down in Part I of Schedule 1 [or listed][2] in Column 2 of Part II of this Schedule.

---

1 Substituted by Rule 7 of the MSIHC (Amendment) Rules, 2000 notified vide S.O.57(E), dated 19.1.2000.

2 Substituted by Rule 8(a), ibid.

(2) Any person responsible for importing hazardous chemicals in India shall provide[1][before 30 days or as reasonably possible but not later than] the date of import to the concerned authorities as identified in Column 2 of Schedule 5 the information pertaining to, -

(i) the name and address of the person receiving the consignment in India;

(ii) the port of entry in India;

(iii) mode of transport from the exporting country to India;

(iv) the quantity of chemical (s) being imported; and

(v) complete product safety information.

[2](3) If the Concerned Authority of the State is satisfied that the chemical being imported is likely to cause major accidents, it may direct the importer to take such safety measures as the concerned Authority of the State may deem appropriate.]

[3][(3A) In case the concerned Authority of the State is of the opinion that the chemical should not be imported on safety or on environmental considerations, such Authority may direct stoppage of such import.]

(4) The concerned Authority at the State shall simultaneously inform the concerned Port Authority to take appropriate steps regarding safe handling and storage of hazardous chemicals while off-loading the consignment within the port premises.

(5) Any person importing hazardous chemicals shall maintain the records of the hazardous chemicals imported as specified in Schedule 10 and the records so maintained shall be open for inspection by the concerned authority at the State or the Ministry of Environment and Forests or any officer appointed by them in this behalf.

(6) The importer of the hazardous chemical or a person working on his behalf shall ensure that transport of hazardous chemicals from port of entry to the ultimate destination is in accordance with the Central Motor Vehicles Rules, 1989 framed under the provisions of the Motor Vehicles Act, 1988.

---

1 Substituted by Rule 10(a) of the MSIHC (Amendment) Rules, 1994 notified vide S.O.2882, dated 3.10.1994.

2 Substituted by Rule 10(b), ibid.

3 Inserted by Rule 10(c), ibid.

19. IMPROVEMENT NOTICES -

(1) if the concerned authority is of the opinion that a person has contravened the provisions of these rules, the concerned authority shall serve on him a notice (in this para referred to as " an improvement notice") requiring that person to remedy the contravention or, as the case may[1][be, matters occasioning it within 45 days.]

(2) A notice served under sub-rule (1) shall clearly specify the measures to be taken by the occupier in remedying said contraventions.

20. POWER OF THE CENTRAL GOVERNMENT TO MODIFY THE SCHEDULES -

The Central Government may, at any time, by notification in the Official Gazette, make suitable changes in the Schedules.

[1] Substituted by Rule 11 of MSIHC Rules, 1994 notified vide S.O.2882, dated 3.10.1994.

[1][SCHEDULE 1]

[See rule 2e (i), 4 (1)(a), 4(2), 17 and 18]

[Part - I]

(a) Toxic Chemicals: Chemicals having the following values of acute toxicity and which owing to their physical and chemical properties, are capable of producing major accident hazards:

S.No.	Toxicity	Oral toxicity LD_{50}(mg/kg)	Dermal toxicity LD_{50}(mg/kg)	Inhalation toxicity LC_{50}(mg/l)
1.	Extremely toxic	>5	<40	<0.5
2.	Highly toxic	>5-50	>40-200	<0.5-2.0
3.	Toxic	>50-200	>200-1000	>2-10

(b) Flammable Chemicals :

(i) flammable gases: Gases which at 20°C and at standard pressure of 101.3KPa are :-

(a) ignitable when in a mixture of 13 percent or less by volume with air, or ;

(b) have a flammable range with air of at least 12 percentage points regardless of the lower flammable limits.

Note : The flammability shall be determined by tests or by calculation in accordance with methods adopted by International Standards Organization ISO Number 10156 of 1990 or by Bureau of Indian Standard ISI Number 1446 of 1985.

(ii) extremely flammable liquids: chemicals which have flash point lower than or equal to 23°C and boiling point less than 35°C.

(iii) very highly flammable liquids: chemicals which have a flash point lower than or equal to 23°C and initial boiling point higher than 35°C.

---

1 Substituted by Rule 9 of the MSIHC (Amendment) Rules, 2000 notified vide S.O.57(E), dated 19.1.2000.

(iv) highly flammable liquids: chemicals which have a flash point lower than or equal to 60°C but higher than 23°C.

(v) flammable liquids: chemicals which have a flash point higher than 60°C but lower than 90°C.

(c) Explosives : explosives mean a solid or liquid or pyrotechnic substance (or a mixture of substances) or an article.

(a) which is in itself capable by chemical reaction of producing gas at such a temperature and pressure and at such a speed as to cause damage to the surroundings ;

(b) which is designed to produce an effect by heat, light, sound, gas or smoke or a combination of these as the result of non-detonative self sustaining exothermic chemical reaction.

PART II
LIST OF HAZARDOUS AND TOXIC CHEMICALS

S. No.	NAME OF HAZARDOUS CHEMICALS	S. No.	NAME OF HAZARDOUS CHEMICALS
1.	Acetaldehyde	41.	Antimycin A
2.	Acetic acid	42.	ANTU
3.	Acetic anhydride	43.	Arsenic pentoxide
4.	Acetone	44.	Arsenic trioxide
5.	Acetone cyanohydrin	45.	Arsenous trichloride
6.	Acetone thiosemicarbazide	46.	Arsine
7.	Acetonitrile	47.	Asphalt
8.	Acetylene	48.	Azinpho-ethyl
9.	Acetylene tetra chloride	49.	Azinphos methyl
10.	Acrolein	50.	Bacitracin
11.	Acrylamide	51.	Barium azide
12.	Acrylonitrile	52.	Barium nitrate
13.	Adiponitrile	53.	Barium nitride
14.	Aldicarb	54.	Benzal chloride
15.	Aldrin	55.	Benzenamine,3-Trifluoromethyl
16.	Allyl alcohol	56.	Benzene
17.	Allyl amine	57.	Benzene sulfonyl chloride
18.	Allyl chloride	58.	Benzene. 1- (chloromethyl)-4 Nitro
19.	Aluminium (powder)	59.	Benzene arsenic acid
20.	Aluminium azide	60.	Benzidine
21.	Aluminium borohydride	61.	Benzidine salts
22.	Aluminium chloride	62.	Benzimidazole. 4, 5-Dichloro-2 (Trifluoromethyl)
23.	Aluminium fluoride		
24.	Aluminium phosphide	63.	Benzoquinone-P
25.	Amino diphenyl	64.	Benzotrichloride
26.	Amino pyridine	65.	Benzoyl chloride
27.	Aminophenol-2	66.	Benzoyl peroxide
28.	Aminopterin	67.	Benzyl chloride
29.	Amiton	68.	Beryllium (Powder)
30.	Amiton dialate	69.	Bicyclo (2, 2, 1) Heptane -2-carbonitrile
31.	Ammonia		
32.	Ammonium chloro platinate	70.	Biphenyl
		71.	Bis (2-Chloroethyl) sulphide
33.	Ammonium nitrate	72.	Bis (Chloromethyl) Ketone
34.	Ammonium nitrite	73.	Bis (Tert-butyl peroxy) cyclohexane
35.	Ammonium picrate	74.	Bis (Terbutylperoxy) butane
36.	Anabasine	75.	Bis(2,4, 6-Trimitrophenylamine)
37.	Aniline	76.	Bis (Chloromethyl) Ether
38.	Aniline2,4, 6-Trimethyl	77.	Bismuth and compounds
39.	Anthraquinone	78.	Bisphenol-A
40.	Antimony pentafluoride	79.	Bitoscanate

80. Boron Powder
81. Boron trichloride
82. Boron trifluoride
83. Boron trifluoride comp. With methylether, 1:1
84. Bromine
85. Bromine pentafluoride
86. Bromo chloro methane
87. Bromodialone
88. Butadiene
89. Butane
90. Butanone-2
91. Butyl amine tert
92. Butyl glycidal ether
93. Butyl isovalarate
94. Butyl peroxymaleate tert
95. Butyl vinyl ether
96. Butyl-n-mercaptan
97. C.I.Basic green
98. Cadmium oxide
99. Cadmium stearate
100. Calcium arsenate
101. Calcium carbide
102. Calcium cyanide
103. Camphechlor (Toxaphene)
104. Cantharidin
105. Captan
106. Carbachol chloride
107. Carbaryl
108. Carbofuran (Furadan)
109. Carbon tetrachloride
110. Carbon disulphide
111. Carbon monoxide
112. Carbonphenothion
113. Carvone
114. Cellulose nitrate
115. Chloroacetic acid
116. Chlordane
117. Chlorofenvinphos
118. Chlorinated benzene
119. Chlorine
120. Chlorine oxide
121. Chlorine trifluoride
122. Chlormephos
123. Chlormequat chloride
124. Chloroacetal chloride
125. Chloroacetaldehyde
126. Chloroaniline -2
127. Chloroaniline -4
128. Chlorobenzene
129. Chloroethyl chloroformate
130. Chloroform
131. Chloroformyl morpholine
132. Chloromethane
133. Chloromethyl methyl ether
134. Chloronitrobenzene
135. Chlorophacinone
136. Chlorosulphonic acid
137. Chlorothiophos
138. Chloroxuron
139. Chromic acid
140. Chromic chloride
141. Chromium powder
142. Cobalt carbonyl
143. Cobalt Nitrilmethylidyne compound
144. Cobalt (Powder)
145. Colchicine
146. Copper and Compounds
147. Copperoxychloride
148. Coumafuryl
149. Coumaphos
150. Coumatetralyl
151. Crimidine
152. Crotenaldehyde
153. Crotonaldehyde
154. Cumene
155. Cyanogen bromide
156. Cyanongen iodide
157. Cyanophos
158. Cyanothoate
159. Cyanuric fluoride
160. Cyclo hexylamine
161. Cyclohexane
162. Cyclohexanone
163. Cycloheximide
164. Cyclopentadiene
165. Cyclopentane
166. Cyclotetramethyl enetetranitramine
167. Cyclotrimethylen etrinnitranine

168. Cypermethrin
169. DDT
170. Decaborane (1 :4)
171. Demeton
172. Demeton S-Methyl
173. Di-n-propyl peroxydicarbonate (Conc = 80%)
174. Dialifos
175. Diazodinitrophenol
176. Dibenzyl peroxydicarbonate (Conc>= 90%)
177. Diborane
178. Dichloroacetylene
179. Dichlorobenzalkonium chloride
180. Dichloroethyl ether
181. Dichloromethyl phenylsilane
182. Dichlorophenol± 2, 6
183. Dichlorophenol± 2, 4
184. Dichlorophenoxy acetic acid
185. Dichloropropane± 2, 2
186. Dichlorosalicylic acid-3, 5
187. Dichlorvos (DDVP)
188. Dicrotophos
189. Dieldrin
190. Diepoxy butane
191. Diethyl carbamazine citrate
192. Diethyl chlorophosphate
193. Diethyl ethtanolamine
194. Diethyl peroxydicarbonate (Conc=30%)
195. Diethyl phenylene diamine
196. Diethylamine
197. Diethylene glycol
198. Diethylene glycol dinitrate
199. Diethylene triamine
200. Diethleneglycol butyl ether
201. Diglycidyl ether
202. Digitoxin
203. Dihydroperoxypropane (Conc >=30%)
204. Diisobutyl peroxide
205. Dimefox
206. Dimethoate
207. Dimethyl dichlorosilane
208. Dimethyl hydrazine
209. Dimethyl nitrosoamine
210. Dimethyl P phenylene diamine
211. Dimethyl phosphoramidi cyanidic acid (TABUM)
212. Dimethyl phosphorochloridothioate
213. Dimethyl sufolane (DMS)
214. Dimethyl sulphide
215. Dimethylamine
216. Dimethylaniline
217. Dimethylcarbonyl chloride
218. Dimetilan
219. Dinitro O-cresol
220. Dinitrophenol
221. Dinitrotoluene
222. Dinoseb
223. Diniterb
224. Dioxane-p
225. Dioxathion
226. Dioxine N
227. Diphacinone
228. Diphosphoramide octamethyl
229. Diphenyl methane di-isocynate (MDI)
230. Dipropylene Glycol Butyl ether
231. Dipropylene glycolmethyl ether
232. Disec-butyl peroxydicarbonate (Conc.>80%)
233. Disufoton
234. Dithiazamine iodide
235. Dithiobiurate
236. Endosulfan
237. Endothion
238. Endrin
239. Epichlorohydrine
240. EPN
241. Ergocalciferol
242. Ergotamine tartarate
243. Ethanesulfenyl chloride, 2 chloro
244. Ethanol 1-2 dichloracetate
245. Ethion
246. Ethoprophos
247. Ethyl acetate
248. Ethyl alcohol
249. Ethyl benzene
250. Ethyl bis amine

251. Ethyl bromide
252. Ethyl carbamate
253. Ethyl ether
254. Ethyl hexanol -2
255. Ethyl mercaptan
256. Ethyl mercuric phosphate
257. Ethyl methacrylate
258. Ethyl nitrate
259. Ethyl thiocyanate
260. Ethylamine
261. Ethylene
262. Ethylene chlorohydrine
263. Ethylene dibromide
264. Ethylene diamine
265. Ethylene diamine hydrochloride
266. Ethylene flourohydrine
267. Ethylene glycol
268. Ethylene glycol dinitrate
269. Ethylene oxide
270. Ethylenimine
271. Ethylene di chloride
272. Femamiphos
273. Femitrothion
274. Fensulphothion
275. Fluemetil
276. Fluorine
277. Fluoro2-hyrdoxy butyric acid amid salt ester
278. Fluoroacetamide
279. Fluoroacetic acid amide salts and esters
280. Fluoroacetylchloride
281. Fluorobutyric acid amide salt esters
282. Fluorocrotonic acid amides salts esters
283. Fluorouracil
284. Fonofos
285. Formaldehyde
286. Formetanate hydrochloride
287. Formic acid
288. Formoparanate
289. Formothion
290. Fosthiotan
291. Fuberidazole
292. Furan
293. Gallium Trichloride
294. Glyconitrile (Hydroxyacetonitrile)
295. Guanyl-4-nitrosaminoguynyl-1-tetrazene
296. Heptachlor
297. Hexamethyl terta-oxyacyclononate (Conc 75%)
298. Hexachlorobenzene
299. Hexachlorocyclohexan (Lindane)
300. Hexachlorocyclopentadiene
301. Hexachlorodibenzo-p-dioxin
302. Hexachloronapthalene
303. Hexafluoropropanone sesquihydrate
304. Hexamethyl phosphoromide
305. Hexamethylene diamine N N dibutyl
306. Hexane
307. Hexanitrostilbene 2, 2, 4, 4, 6, 6
308. Hexene
309. Hydrogen selenide
310. Hydrogen sulphide
311. Hydrazine
312. Hydrazine nitrate
313. Hydrochloric acid (Gas)
314. Hydrogen
315. Hydrogen bromide
316. Hydrogen cyanide
317. Hydrogen fluoride
318. Hydrogen peroxide
319. Hydroquinone
320. Indene
321. Indium powder
322. Indomethacin
323. Iodine
324. Iridium tetrachloride
325. Ironpentacarbonyl
326. Iso benzan
327. Isoamyl alcohol
328. Isobutyl alcohol
329. Isobutyro nitrile
330. Isocyanic acid 3, 4-dichlorophenyl ester
331. Isodrin

332. Isofluorophosphate
333. Isophorone diisocyanate
334. Isopropyl alcohol
335. Isopropyl chlorocarbonate
336. Isopropyl formate
337. Isopropyl methyl pyrazolyl dimethyl carbamate
338. Juglone (5-Hydroxy Naphthalene-1,4 dione)
339. Ketene
340. Lactonitrile
341. Lead arsenite
342. Lead at high temp (molten)
343. Lead azide
344. Lead styphanate
345. Leptophos
346. Lenisite
347. Liquified petroleum gas
348. Lithium hydride
349. N-Dinitrobenzene
350. Magnesium powder or ribbon
351. Malathion
352. Maleic anhydride
353. Malononitrile
354. Manganese Tricarbonyl cyclopentadiene
355. Mechlor ethamine
356. Mephospholan
357. Mercuric chloride
358. Mercuric oxide
359. Mercury acetate
360. Mercury fulminate
361. Mercury methyl chloride
362. Mesitylene
363. Methaacrolein diacetate
364. Methacrylic anhydride
365. Methacrylonitrile
366. Methacryloyl oxyethyl isocyanate
367. Methanidophos
368. Methane
369. Methanesulphonyl fluoride
370. Methidathion
371. Methiocarb
372. Methonyl
373. Methoxy ethanol (2-methyl cellosolve)
374. Methoxyethyl mercuric acetate
375. Methyacrylol chloride
376. Methyl 2-chloroacrylate
377. Methyl alcohol
378. Methyl amine
379. Methyl bromide (Bromomethane)
380. Methyl chloride
381. Methyl chloroform
382. Methyl chloroformate
383. Methyl cyclohexene
384. Methyl disulphide
385. Methyl ethyl ketone peroxide (Conc.60%)
386. Methyl formate
387. Methyl hydrazine
388. Methyl isobutyl ketone
389. Methyl isocyanate
390. Methyl isothiocyanate
391. Methyl mercuric dicyanamide
392. Methyl Mercaptan
393. Methyl Methacrylate
394. Methyl phencapton
395. Methyl phosphonic dichloride
396. Methyl thiocyanate
397. Methyl trichlorosilane
398. Methyl vinyl ketone
399. Methylene bis (2-chloroaniline)
400. Methylene chloride
401. Methylenebis-4,4(2-chloroaniline)
402. Metolcarb
403. Mevinphos
404. Mezacarbate
405. Mitomycin C
406. Molybdenum powder
407. Monocrotophos
408. Morpholine
409. Muscinol
410. Mustard gas
411. N-Butyl acetate
412. N.-Butyl alcohol
413. N-Hexane
414. N- Methyl-N, 2, 4, 6-Tetranitroaniline

415. Naphtha
416. Nephtha solvent
417. Naphthalene
418. Naphthyl amine
419. Nickel carbonyl/nickel tetracarbonyl
420. Nickel powder
421. Nicotine
422. Nicotine sulphate
423. Nitric acid
424. Nitric oxide
425. Nitrobenzene
426. Nitrocellulose (dry)
427. Nitrochlorobenzene
428. Nitrocyclohexane
429. Nitrogen
430. Nitrogen dioxide
431. Nitrogen oxide
432. Nitrogen trifluouide
433. Nitroglycerine
434. Nitropropane-1
435. Nitropropane-2
436. Nitroso dimethyl amine
437. Nonane
438. Norbormide
439. O-Cresol
440. O-Nitro Toluene
441. O-Toludine
442. O-Xylene
443. O/P Nitroaniline
444. Oleum
445. OO Diethyl S ethyl suph. methyl phos
446. OO Diethyl S propythio methyl phosdithioate
447. OO Diethyl s ethtylsulphinyl methylphosphorothioate
448. OO Diethyl s ethylsulphonyl methylphosphorothioate
449. OO Diethyls ethylthiomethylphospho-rothioate
450. Organo rhodium complex
451. Orotic acid
452. Osmium tetroxide
453. Oxabain
454. Oxamyl
455. Oxetane, 3, 3-bis(chloromethyl)
456. Oxidiphenoxarsine
457. Oxy disulfoton
458. Oxygen (liquid)
459. Oxygen difluoride
460. Ozone
461. P-nitrophenol
462. Paraffin
463. Paraoxon (Diethyl 4 Nitrophenyl phosphate)
464. Paraquat
465. Paraquat methosulphate
466. Parathion
467. Parathion methyl
468. Paris green
469. Penta borane
470. Penta chloro ethane
471. Penta chlorophenol
472. Pentabromophenol
473. Pentachloro naphthalene
474. Pentadecyl-amine
475. Pentaerythaiotol tetranitrate
476. Pentane
477. Pentanone
478. Perchloric acid
479. Perchloroethylene
480. Peroxyacetic acid
481. Phenol
482. Phenol, 2, 2-thiobis (4, 6-Dichloro)
483. Phenol, 2, 2-thiobis (4 chloro 6-methyl phenol)
484. Phenol, 3(1-methyl ethyl) methylcarbamate
485. Phenyl hydrazine hydrochloride
486. Phenyl mercury acetate
487. Phenyl silatrane
488. Phenyl thiourea
489. Phenylene P-diamine
490. Phorate
491. Phosazetin
492. Phosfolan
493. Phosgene
494. Phosmet
495. Phosphamidon

496. Phosphine
497. Phosphoric acid
498. Phosphoric acid dimethyl (4-methyl thio)phenyl
499. Phosphorthioic acid dimethyl S(2-Bis) Ester
500. Phosphorothioic acid methyl (ester)
501. Phosphorothioic acid, OO Dimethyl S{2-methyl)
502. Phosphorothioic, methyl-ethyl ester
503. Phosphorous
504. Phosphorous oxychloride
505. Phosphorous pentaoxide
506. Phosphorous trichloride
507. Phosphorous penta chloride
508. Phthalic anhydride
509. Phylloquinone
510. Physostignine
511. Physostignine salicylate (1:1)
512. Picric acid (2, 4, 6- trinitrophenol)
513. Picrotoxin
514. Piperdine
515. Piprotal
516. Pirinifos-ethyl
517. Platinous chloride
518. Platinum tetrachloride
519. Potassium arsenite
520. Potassium chlorate
521. Potassium cyanide
522. Potassium hydroxide
523. Potassium nitride
524. Potiassium nitrite
525. Potassium peroxide
526. Potassium silver cyanide
527. Powdered metals and mixtures
528. Promecarb
529. Promurit
530. Propanesultone
531. Propargyl alcohol
532. Propargyl bromide
533. Propen-2-chloro-1 ,3-diou diacetate
534. Propiolactone beta
535. Propionitrile
536. Propionitrile, 3-chloro
537. Propiophenone, 4-amino
538. Propyl chloroformate
539. Propylene dichloride
540. Propylene glycol, allylether
541. Propylene imine
542. Propylene oxide
543. Prothoate
544. Pseudosumene
545. Pyrazoxon
546. Pyrene
547. Pyridine
548. Pyridine, 2-methyl-3-vinyl
549. Pyridine, 4-nitro-1-oxide
550. Pyridine, 4-nitro-1-oxide
551. Pyriminil
552. Quinaliphos
553. Quinone
554. Rhodium trichloride
555. Salcomine
556. Sarin
557. Selenious acid
558. Selenium Hexafluoride
559. Selenium oxychloride
560. Semicarbazide hydrochloride
561. Silane (4-amino butyl) diethoxy-meth
562. Sodium
563. Sodium anthra-quinone-1-sulphonate
564. Sodium arsenate
565. Sodium arsenite
566. Sodium azide
567. Sodium cacodylate
568. Sodium chlorate
569. Sodium cyanide
570. Sodium fluoro-acetate
571. Sodium hydroxide
572. Sodium pentachloro-phenate
573. Sodium picramate
574. Sodium selenate
575. Sodium selenite
576. Sodium sulphide
577. Sodium tellorite

578. Stannane acetoxy triphenyl
579. Stibine (Antimony hydride)
580. Strychnine
581. Strychnine sulphate
582. Styphinic acid (2, 4,6-trinitroresorcinol)
583. Styrene
584. Sulphotec
585. Sulphoxide, 3-chloropropyl octyl
586. Sulphur dichloride
587. Sulphur dioxide
588. Sulphur monochloride
589. Sulphur tetrafluoride
590. Sulphur trioxide
591. Sulphuric acid
592. Tellurim (powder)
593. Tellurium hexafluoride
594. TEPP (Tetraethyl pyrophosphate)
595. Terbufos
596. Tert-Butyl alcohol
597. Tert-Butyl peroxy carbonate
598. Tert-Butyl peroxy isopropyl
599. Tert-Butyl peroxyacetate (Conc >=70%)
600. Tert-Butyl peroxypivalate (Conc >=77%)
601. Tert-Butyl peroxyiso-butyrate
602. Tetra hydrofuran
603. Terta methyl lead
604. Tetra nitromethane
605. Tetra-chlorodibenzo-p-dioxin, 1, 2, 3, 7, 8(TCDD)
606. Tetraethyl lead
607. Tetrafluoriethyne
608. Tetramethylene disulphotetramine
609. Thallic oxide
610. Thallium carbonate
611. Thallium sulphate
612. Thallous chloride
613. Thallous malonate
614. Thallous sulphate
615. Thiocarbazide
616. Thiocynamicacid, 2(Benzothiazolyethio) methyl
617. Thiofamox
618. Thiometon
619. Thionazin
620. Thionyl chloride
621. Thiophenol
622. Thiosemicarbazide
623. Thiourea (2 chloro-phenyl)
624. Thiourea (2-methyl phenyl)
625. Tirpate (2,4-dimethyl-1,3-dithiolane)
626. Titanium powder
627. Titanium tetra-chloride
628. Toluene
629. Toluene -2,4-di-isocyanate
630. Toluene 2,6-di-isocyanate
631. Trans-1,4-di chloro-butene
632. Tri nitro anisole
633. Tri (Cyclohexyl) methylstannyl 1,2,4 triazole
634. Tri (Cyclohexyl) stannyl-1H-1, 2, 3-triazole
635. Triaminotrinitrobenzene
636. Triamphos
637. Triazophos
638. Tribromophenol 2, 4, 6
639. Trichloro napthalene
640. Trichloro chloromethyl silane
641. Trichloroacetyl chloride
642. Trichlorodichlorophenylsilane
643. Trichloroethyl silane
644. Trichloroethylene
645. Trichloromethane sulphenyl chloride
646. Trichloronate
647. Trichlorophenol 2, 3, 6
648. Trichlorophenol 2, 4, 5
649. Trichlorophenyl silane
650. Trichlorophon
651. Triethoxy silane
652. Triethylamine
653. Triethylene melamine
654. Trimethyl chlorosilane
655. Trimethyl propane phosphite
656. Trimethyl tin chloride
657. Trinitro aniline
658. Trinitro benzene

659. Trinitro benzoic acid
660. Trinitro phenetole
661. Trinitro-m-cresol
662. Trinitrotoluene
663. Tri-orthocreysyl phosphate
664. Triphenyl tin chloride
665. Tris(2-chloroethyl)amine
666. Turpentine
667. Uranium and its compounds
668. Valino mycin
669. Vanadium pentaoxide
670. Vinyl acetate mononer
671. Vinyl bromide
672. Vinyl chloride
673. Vinyl cyclohexane dioxide
674. Vinyl fluoride
675. Vinyl norbornene
676. Vinyl toluene
677. Vinyledene chloride
678. Warfarin
679. Warfarin Sodium
680. Xylene dichloride
681. Xylidine
682. Zinc dichloropentanitrile
683. Zink phosphide
684. Zirconium & compounds

SCHEDULE 2

[See rule 2(e)(ii),4(1)(b), 4(2) (1) and 6 (1) (b)]

ISOLATED STORAGE AT INSTALLATIONS OTHER THAN THOSE COVERED BY SCHEDULE 4

(a) The threshold quantities set out below relate to each installation or group of installation belonging to the same occupier where the distance between installation is not sufficient to avoid, in foreseeable circumstances, any aggravation of major accident hazards. These threshold quantities apply in any case to each group of installations belonging to the same occupier where the distance between the installations is less than 500 metres.

(b) For the purpose of determining the threshold quantity of a hazardous chemical at an isolated storage, account shall also be taken of any hazardous chemical which is :-

(i) in that part of any pipeline under the control of the occupier having control of the site, which is within 500 metres of that site and connected to it;

(ii) at any other site under the control of the same occupier any part of the boundary of which is within 500 meters of the said site; and

(iii) in any vehicle, vessel, aircraft or hovercraft, under the control of the same occupier which is used for storage purpose either at the site or within 500 metres of it;

but no account shall be taken of any hazardous chemical which is in a vehicle, vessel, aircraft or a hovercraft used for transporting it.

S.No	Chemicals	Threshold Quantities (tonnes) [1][For application of rules 4,5,7 to 9 and 13 to 15	[2][For application of rule 10 to 12]
1	2	3	4
1.	Acrylonitrile	350	5,000
2.	Ammonia	60	600
3.	Ammonium nitrate (a)	350	2,500
4.	Ammonium nitrate fertilizers (b)	1,250	10,000
5.	Chlorine	10	25
6.	Flammable gases as defined in Schedul paragraph (b) (i)	50	300
[3][7.	Extremely flammable liquids as defined Schedule 1, paragraph (b) (ii)	5000	50,000]
8.	Liquid oxygen	200	2000
9.	Sodium chlorate	25	250
10.	Sulphur dioxide	20	500
11.	Sujphur trioxide	15	100
[4][12.	Carbonyl chloride	0.750	0.750
13.	Hydrogen Sulphide	5	50
14.	Hydrogen Fluoride	5	50
15.	Hydrogen Cyanide	5	50
16.	Carbon disulphide	20	200
17.	Bromine	50	500
18.	Ethylene oxide	5	501
19.	Propylene oxide	5	50

[1] Substituted by Rule 10(i) (a) of the MSIHC (Amendment) Rules, 2000 notified by S.O.57(E), dated 19.1.2000 ;
[2] Substituted by Rule 10(i) (b), ibid;
[3] Substituted entry 7 by Rule 10(ii), ibid
[4] Inserted entries 12 to 27 by Rule 11 of the MSIHC (Amendment) Rules, 1994 notified vide S.O.2882,dated 3.10.1994.

S.No	Chemicals	Threshold Quantities (tonnes) [1][For application of rules 4,5,7 to 9 and 13 to 15	[2][For application of rule 10 to 12]
1	2	3	4
20.	2-Propenal (Acrolein)	20	200
21.	Bromomethane (Methyl bromide)	20	200
22.	Methyl isocyanate	0.150	0.150
23.	Tetraethyl lead or tetramethyl lead	5	50
24.	1,2 Dibromoethane (Ethylene dibromide)	5	50
25.	Hydrogen chloride (liquefied gas)	25	250
26.	Diphenyl methane diisocyanate (MDI)	20	200
27.	Toluene diisocyanate (TDI)	10	100]
[1][28.	Very highly flammable liquids as defined in Schedule 1, paragraph (b) (iii)	7,000	7,000]
29.	Highly flammable liquids as defined in Schedule 1, paragraph (b) (iv)	10,000	10,000
30.	Flammable liquids as defined in Schedule 1, paragraph (b) (v)	15,000	1,00,000]

(a) This applies to ammonium nitrate and mixtures of ammonium nitrates where the nitrogen content derived from the ammonium nitrate is greater than 28 per cent by weight and to aqueous solutions of ammonium nitrate where the concentration of ammonium nitrate is greater than 90 per cent by weight.

(b) This applies to straight ammonium nitrate fertilizers and to compound fertilizers where the nitrogen content derived from the ammonium nitrate is greater than 28 per cent by weight (a compound-fertilizer contains ammonium nitrate together with phosphate and/or potash).

[1] Inserted entries 28, 29 and 30 by 10(iii) of the HSIHC (Amendment) Rules, 2000 notified by S.O.57(E), dated 19.1.2000.

SCHEDULE 3

[See Rule 2(e)(iii), 5 and 6(1) (a)]

LIST OF HAZARDOUS CHEMICALS FOR APPLICATION OF RULES 5 AND 7 TO 15

(a) The quantities set-out-below relate to each installation or group of installations belonging to the same occupier where the distance between the installations is not sufficient to avoid, in foreseeable circumstances, any aggravation of major-accident hazards. These quantities apply in any case to each group of installations belonging to the same occupier where the distance between the installations is less than 500 metres.

(b) For the purpose of determining the threshold quantity of a hazardous chemical in an industrial installation, account shall also be taken of any hazardous chemicals which is :-

(i) in that part of any pipeline under the control of the occupier have control of the site, which is within 500 metres off that site and connected to it;

(ii) at any other site under the control of the same occupier any part of the boundary of which is within 500 metres of the said site ; and

(iii) in any vehicle, vessel, aircraft or hovercraft under the control of the same occupier which is used for storage purpose either at the site or within 500 metres of if;

but no account shall be taken of any hazardous chemical which is in a vehicle, vessel, aircraft or hovercraft used for transporting it.

PART -I
NAMED CHEMICALS

S. No.	Chemicals	Threshold for application of Rules 5, 7-9 and 13-15	Quantity for application of Rules 10-12	CAS Number
(1)	(2)	(3)	(4)	(5)
GROUP 1-TOXIC SUBSTANCES				
1.	Aldicarb	100kg		116-06-3
2.	4-Aminodiphenyl	1 kg		96-67-1
3.	Amiton	1 kg		78-53-5
4.	Anabasine	100 kg		494-52-0
5.	Arseinc pentoxide, Arsenic (V) acid & salts	500 kg		
6.	Arsenic trioxide, Arsenic (III) acid & salts	100 kg		
7.	Arsine (Arsenic hydride)	10kg		7784-42-1
8.	Azinphos-ethyl	100kg		2642-71-9
9.	Azinphosmethyl	100 kg		86-50-0
10.	Benzidine	1 kg		92-87-5
11.	Bezidine salts	1 kg		
12.	Beryllium (powders, compounds)	10 kg		
13.	Bis (2-chloroethyl) sulphide	1 kg		505-60-2
14.	Bis (chloromethyl) ether	1 kg		542-88-1
15.	Carbophuran	100 kg		1563-66-2
16.	Carbophenothion	100 kg		786-19-6
17.	Chlorefenvinphos	100 kg		470-90-6
18.	4-(Chloroformyl) morpholine	1 kg		1515-40-7
19.	Chloromethyl methyl ether	1 kg		107-30-2
20.	Cobalt (metal, oxide, carbonate sulphides, as powders)	1 t		
21.	Crimidine	100 kg		535-89-7
22.	Cynthoate	100 kg		3734-95-0
23.	Cycloheximide	100 kg		66-81-9
24.	Demeton	100 kg		8065-48-3
25.	Dialifos	100 kg		10311-84-9
26.	OO-Diethyl S-ethylsulphinylmethyl phosphorothiate	100 kg		2588-05-8
27.	OO-Diethyl S-ethylsulphonylmethyl phosphorothiate	100 kg		2588-06-9
28.	OO-Diethyl S-ethylthiomethyl Phosphorothioate	100 kg		2600-69-3

S. No.	Chemicals	Threshold quantity for application of Rules 5, 7-9 and 13-15	Quantity for application of Rules 10-12	CAS Number
(1)	(2)	(3)	(4)	(5)
29.	OO-Diethyl S-isoprophylthiomethyl phosphorothiate	100 kg		78-52-4
30.	OO-Diethyl S-isopropylthiomethyl phosphorodithioate	100 kg		3309-68-0
31.	Dimefox	100 kg		115-26-4
32.	Dimethylcarbamoyl chloride	1 kg		79-44-7
33.	Dimethylnitrosamine	1 kg		62-75-9
34.	Dimethyl phosphoromidocynicidic acid	1 t		6391-41-9
35.	Diphacinone	100 kg		82-66-6
36.	Disulfoton	100 kg		298-04-4
37.	EPN	100 kg		2104-64-5
38.	Ethion	100 kg		563-12-2
39	Fensulfothion	100 kg		115-90-2
40.	Fluenetil	100 kg		4301-50-2
41.	Fluoroacetic acid	1 kg		144-49-0
42.	Fluoroacetic acid, salts	1 kg		
43.	Fluoroacetic acid, esters	1 kg		
44.	Fluoroacetic acid, amides	1 kg		
45.	4-Fluorobutyric acid	1 kg		462-23-7
46.	4-Fluorobutyric acid, salts	1 kg		
47.	4-Fluorobutyric acid, esters	1 kg		
48.	4-Fluorobutyric acid, amides	1 kg		
49.	4-Fluorobutyric acid	1 kg		3775-972-1
50.	4-Fluorocrotonic acid, salts	1 kg		
51.	4-Fluorocrotonic acid, esters	1 kg		
52.	4-Fluorocrotonic acid, amides	1 kg		
53.	4-Fluoro-2-hydroxybutyric acid, amides	1 kg		
54.	4-Fluoro-2-hydroxybutyric acid, salts	1 kg		
55.	4-Fluoro-2-hydroxybutyric acid, esters	1 kg		
56.	4-Fluoro-2-hydroxybutyric acid, amides	1 kg		
57.	Glycolonitrile (Hydroxyacetonitrile)	100 kg		107-16-4
58.	1,2,3,7,8,9-Hexachlorodibenzo-p-dioxin	100 kg		194-8-74-3
59.	Hexmathylphosphoramide	1 kg		680-31-9
60.	Hydrogen selenide	10 kg		7783-07-5
61.	Isobenzan	100 kg		297-78-9
62.	Isodrin	100 kg		465-73-6
63.	Juglone (5-Hydroxynaphithalene 1,4 dione)	100 kg		481-39-0

S. No.	Chemicals	Threshold Quantity for application of Rules 5, 7-9 and 13-15	for application of Rules 10-12	CAS Number
(1)	(2)	(3)	(4)	(5)
64.	4,4-Methylene-bis (2-chloroniline)	10 kg		101-14-4
65.	Mthyl isocynate	150 kg	150kg	624-83-9
66.	Mevinphos	100 kg		7786-34-7
67.	2-Naphthylamine	1 kg		91-59-8
68.	2-Nickel (metal, oxides, carbonates sulphides, as powers)	1 t		
69.	Nickel tetracarbonyl	10 kg		1346-339-3
70.	Oxygendisulfoton	100 kg		2497-07-6
71.	Oxygen difluoride	10 kg		7783-41-7
72.	Paraxon (Diethyl 4-nitrophenyl phosphate)	100 kg		311-45-5
73.	Parathion	100 kg		56-38-2
74.	Parathion-methyl	100 kg		298-00-0
75.	Pentaborane	100 kg		1962-422-7
76.	Phorate	100 kg		298-02-2
77.	Phosacetim	100 kg		4104-14-7
78.	Phosgene (carbonyl chloride)	750 kg	750kg	75-44-5
79.	Phosphamidon	100 kg		13171-21-6
80.	Phosphine (Hydrogen phosphide)	100 kg		7803-51-2
81.	Promurit (1-(3,4 dichlorophenyl)-3-triazenthiocarboxamide)	100 kg		5836-73-7
82.	1,3-Propanesultone	1 kg		1120-71-4
83.	1-Propen-2-chloro-1,3diol diacetate	10 kg		10118-72-6
84.	Pyrazoxon	100 kg		108-34-9
85.	Selenium hexafluoride	10 kg		7783-79-1
86.	Sodium selenite	100 kg		10102-18-8
87.	Stibine (Antimony hydride)	100 kg		7803-52-3
88.	Sulfotep	100 kg		3689-24-5
89.	Sulphur dichloride	1 t		10545-99-0

S. No.	Chemicals	Threshold for application of Rules 5, 7-9 and 13-15	Quantity for application of Rules 10-12	CAS Number
(1)	(2)	(3)	(4)	(5)
GROUP 3-HIGHLY REACTIVE SUBSTANCES				
125	Acetylene (ethyne)	5 t		74-86-2
126	a. Ammonium nitrate (1) b. Ammonium nitrate in form o fertilizer (2)	350t 1250 t	2500t	6484-52-2
127	2,2 Bis (tert-butylperoxy) butane (concentration >70%)	5 t		2167-23-9
128	1, 1-Bis(tert-butylperoxy) cyclohexane (concentration > 80%)	5 t		3006-86-8
129	tert-Butyle proxyacetate F R Q F H Q W U D W L R Q ”	5 t		107-71-1
130	tert-Butyle peroxy isobutyrate (concentration >80%)	5 t		109-13-7
131	Tert-Butyl peroxy isopropyl carbonate (concentration 80%)	5 t		2372-21-6
132	Tert-Butyl peroxymaletate F R Q F H Q W U D W L R Q •	5 t		1931-62-0
133	Tert-Butyl peroxypivalate F R Q F H Q W U D W L R Q •	50 t		927-07-1
134	Dibenzyl peroxydicarbonate F R Q F H Q W U D W L R Q •	5 t		2144-45-8
135	Di-sec-butyl peroxydicarbonate F R Q F H Q W U D W L R Q •	5 t		19910-65-7
136	Diethyl peroxydicarbonate F R Q F H Q W U D W L R Q •	50 t		14666-78-5
137	2,2-dihydroperoxypropane F R Q F H Q W U D W L R Q •	5 t		2614-76-08
138	di-isobutyrl peroxide F R Q F H Q W U D W L R Q •	50 t		3437-84-1
139	Di-n-propyl peroxydicarbonate F R Q F H Q W U D W L R Q •	5 t		16066-38-9
140	Ethyene oxide	5 t	50t	75-21-8
141	Ethyl nitrate	50 t		625-58-1
142	3,3,6,6,9,9 Hexamethyl 1,2,4 5-tert oxacyclononane F R Q F H Q W W D W L R Q •	50 t		22397-33-7
143	Hydrogen	2 t	50 t	1333-74-0

S. No.	Chemicals	Threshold quantity for application of Rules 5, 7-9 and 13-15	Quantity for application of Rules 10-12	CAS Number
(1)	(2)	(3)	(4)	(5)
144	Liquid Oxygen	200 t	[1][2000t]	7782-41-7
145	Methyl ethyl ketone peroxide F R Q F H Q W U D W L R Q •	5 t		1338-23-4
146	Methyl isobutyl ketone peroxid F R Q F H Q W U D W L R Q •	50 t		3720620-5
147	Peracetic acid (concentration•60%)	50 t		79-21-0
148	Propylene oxide	5 t	[1][50t]	75-56-9
149	Sodium chlorate	25 t		7775-09-9
GROUP 4-EXPLOSIVE SUBSTANCES				
150	Barium azide	[1][100] kg		1881058-7
151	Bis(2,4,6-trinitrophenyl) amine	50 t		131-073-7
152	Chlorotrinitro benzene	50 t		2826061-9
153	Cellulose nitrate (containing 12.6% Nitrogen)	50 t		9004-70-0
154	Cyclotetramethyleneteranitramine	50 t		2691-41-0
155	Cyclotrimethylenetiraniramine	50 t		121-82-1
156	Diazodinitrophenol	10 t		7008-81-3
157	Diethylene glycol dinitrate	10 t		693-21-0
158	Dinitrophenol, salts	50 t		
159	Enthylene glycol dinitrate	10 t		628-96-6
160	1-Gyanyl-4-nitrosaminoguanyl-1-tetrazene	[1][100 kg]		109-27-3
161	2, 2, 4, 4, 6, 6,-Hexanitositibene	50 t		2006-22-0
162	Hydrazine nitrate	50 t		1346497-6
163	Lead azide	[1][100 kg]		1342446-9
164	Lead Styphnate (Lead 2,4, trinitroresorcinoxide)	50 t		1524544-0
165	Mercury fuliminate	10 t		2082045-5 628-86-4
166	N-Methyl-N,2,4,6-tetranitroaniline	50 t		497-45-8
167	Nitroglycerine	10 t	10t	55-63-0
168	Pentacrythritol tetra nitrate	50 t		78-11-5

[1] Substituted by Rule 11(i) of the MSIHC (Amendment) Rules, 2000 notified vide S.O.57(E), dated 19.1.2000.

S. No.	Chemicals	Threshold for application of Rules 5, 7-9 and 13-15	Quantity for application of Rules 10-12	CAS Number
(1)	(2)	(3)	(4)	(5)
169	Picric acid, (2,3,6-Trinitrophenol)	50 t		88-89-1
170	Sodium picramate	50 t		831-52-7
171	Styphnic acid (2,4,6-Trinitroresorcinol)	50 t		82-71-3
172	1,3,5-Triamino-2,4,6-Trinitrobezene	50 t		3058-38-6
173	Trinitroaniline-	50 t		2695-42-1
174	2,4,6-Trinitroanisole	50 t		606-35-9
175	Trinitrobenze	50 t		2537-32-6
176	Trinitrobenzoic acid	50 t		3586-50-5 129-66-8
177	Trinitrocresol	50 t		2890-71-7
178	2,4,6-Trinitrophenitole	50 t		4732-4-3
179	2,4,6-Trinitrotoluene	50 t	50 t	118-96-7

[1][PART II

CLASSES OF SUBSTANCES AS DEFINED IN PART± I, SCHEDULE ±1 AND NOT SPECIFICALLY NAMED IN PART ±I OF THIS SCHEDULE

1	2	3	4
GROUP 5- Flammable substances			
1.	Flammable Gases	15t	200t
2.	Extremelyflammable liquids	1000t	5000t
3.	Very highly flammable liquids	1500t	10000t
4.	Highly Flammable liquids which remains liquid under pressure	25t	200t
5.	Highly Flammable liquids	2500t	20000t
6.	Flammable liquids	5000t	50000t]

(1) This applies to ammonium nitrate and mixtures of ammonium nitrate where the nitrogen content derived from the ammonium nitrate is greater than 28% by weight and aqueous solutions of ammonium nitrate where the concentration of ammonium nitrate is greater than 90% by weight.

(2) This applied to straight ammonium nitrate fertilizers and to compound fertilizers where the nitrogen content derived from the ammonium nitrate is greater than 28% by weight (a compound fertilizer contains ammonium nitrate together with phosphate and/or potash).

[1] Substituted by Rule 11(ii) of the MSIHC (Amendment) Rules, 2000 notified by S.O.57(E), dated 19.1.2000.

SCHEDULE -4

(See Rule 2(h) (i)

1. Installation for the production, processing or treatment of organic or inorganic chemicals using for this purpose, among others;
   - (a) alkylation
   - (b) Amination by ammonolysis
   - (c) carbonylation
   - (d) condensation
   - (e) dehydrogenation
   - (f) esterification
   - (g) halogenation and manufacture of halogens
   - (h) hydrogenation
   - (i) hydrolysis
   - (j) Oxidation
   - (k) Polymerziation
   - (l) Sulphonation
   - (m) desulphurization, manufacture and transformation of sulphur containing compounds
   - (n) nitration and manufacture of nitrogen containing compounds
   - (o) manufacture of phosphorous-containing compounds
   - (p) formulation of pesticides and of pharmaceutical products
   - (q) distillation
   - (r) extraction
   - (s) solvation
   - (t) mixing

2. Installation for distillation, refining or other processing of petroleum or petroleum products.

3. Installations for the total or partial disposal of solid or liquid substances by incineration or chemical decomposition.

4. Installations for production, processing[,use][1] or treatment of energy gases, for example, LPG, LNG, SNG.

5. Installation for the dry distillation of coal or lignite.

6. Installations for the production of metals or non-metals by a wet process or by means of electrical energy.

---

[1] Inserted by Rule 12 of the MSIHC (Amendment) Rules, 2000 notified vide S.O.57(E), dated 19.1.2000.

SCHEDULE -5
(See Rules, 2(b) and 3)

S. No.	Authority(ies) with legal backing	Duties and corresponding Rule
(1)	(2)	(3)
1.	Ministry of Environment and Forests under Environmen (Production) Act, 1986.	1. Notification of hazardous chemicals as Rules 2(e)(i), 2(e) (ii) & 2(e) (iii)
2.	Chief Controller Imports & Exports under Import & Exports (Control) Act, 1947.	Import of hazardous chemicals as per Rule 1
3.	Central Pollution Control Boar or State Pollution Contro Board [1][or Committee] under Environment (Protection) Act 1986 as the case may be.	(1) Enforcement of directions and procedure in respect of isolated storage of hazard chemicals, regarding (i) Notification of major accidents as p Rules 5(1) and 5(2) (ii) Notification of sites as per Rules 7 to 9 (iii) Safety reports in respect of isolat storages as per Rule 10 to 12. (iv) Preparation of on-site emergency plan as per Rule 13. (2) Import of hazardous Chemicals a enforcement of directions and procedures import of hazardous chemicals as per Rule 1
4.	Chief Inspector of Factorie appointed under the Factori Act, 1948.	Enforcement of directions and procedures respect of industrial installations and isolat storages covered under the Factories Act, 1 dealing with hazardous chemicals and pipeli including inter-state pipelines regarding (i) Notification of major accidents as pe Rule 5(1) and 5 (2). (ii) Notification of sites as per Rules, 7 9. (iii) Safety reports as per Rules, 10 to 12. (iv) Preparation of on-site emergency plan as per Rule 13. Preparation of off-site emergency plans i consultation with District Collector or District Emergency Authority as per S. No. 9 of th schedule.

[1] Inserted by Rule 13(i) of the MSIHC (Amendment) Rules, 2000 notified vide S.O.57(E), dated 19.1.2000.

S. No.	Authority(ies) with legal backing	Duties and corresponding Rule
(1)	(2)	(3)
5.	Chief Inspector of Dock Safet appointed under the Doc Workers (Safety, Health an Welfare) Act, 1986.	Enforcement of directions and procedures respect of industrial installations and isolated storages dealing with hazardous chemicals pipelines [1][inside a port covered under t Dock Workers (Safety, Health and Welfar Act, 1986] regarding- (i) Notification of major accidents as p Rules 5(1) and 5(2). (ii) Notification of sites as per Rules 7 to 9 (iii) Safety reports as per Rules 10 to 12. (iv) Preparation of on-site emergency plan as per Rule 13. (v) Preparation of off-site emergency plan in consultation with District Collecto or District Emergency Authority as pe S. No.9 of this Schedule.
6.	Chief Inspector of Mines appointed under the Mines Ac 1952	Enforcement of directions and procedures respect of industrial installations and isolat storages dealing with hazardous chemicals [2][***] regarding- (i) Notification of major accidents as pe Rules 5(1) and 5(2). (ii) Notification of sites as per Rules 7 to (iii) Safety reports as per Rules 10 to 12. (iv) Preparation of on-site emergency plan as per Rule 13. (v) Preparation of off-site emergency plan in consultation with District Collecto or District Emergency Authority as pe S. No.9 of this Schedule.
7.	Atomic Energy Regulatory Board appointed under th Atomic Energy Act, 1972.	[3][Enforcement of directions and procedu regarding :- (a) Notification of major accidents a per rule 5(1) and 5(2) (b) Approval and Notification of Site as per rule 7; (c) Safety report and safety aud

[1] Substituted by Rule 13(ii) of the MSIHC (Amendment) Rules, 2000 notified vide S.O.57(E), dated 19.1.2000

[2] Omitted by Rule 13(iii), ibid;

[3] Substituted by Rule 13(iv), ibid.

S. No.	Authority(ies) with legal backing	Duties and corresponding Rule
(1)	(2)	(3)
		repots as per rule 10 to 12; (d) Acceptance of On-site Emergency plans as per rule 13; (e) Assisting the District Collector in the preparation of Off-Site emergency plans as per serial number 9 of this Schedule]
8.	Chief Controller of Explosives appointed under the India Explosive Act and Rules, 1983	Enforcement of directions and procedures per the provisions of [1][(i) The Explosives Act, 1884(4 of 1884) and the rules made thereunder, namely: (a) The Gas Cylinders Rules, 1981; (b) The Static and Mobile Pressure Vessel (Unified) Rules, 1981; (c) The Explosive Rules, 1984 (ii) The petroleum Act, 1934 (30 of 1934) and the Rules made thereunder, namely; (a) The Petroleum Rules, 1976; (b) The Calcium Carbide Rules, 1987]; [2][and in respect of Industrial installation and isolated storages dealing with hazardous chemicals and pipelines including inter-state pipelines regarding.-: (a) Notification of major accident as per rule 5; (b) Approval and notification of sites as per rule 7; (c) Safety report and safety audit reports per rules 10 to 12; (d) Acceptance of On-site Emergency plans as per rule 13; (e) Assisting the District Collector in the preparation of Off-Site emergency plans as per serial number 9 of this Schedule.]

[1] Substituted by Rule 15 of the MSIHC (Amendment) Rules, 1994, notified vide S.O.2882, dated 3.10.1994.

[2] Inserted by Rule 13 (v) of the MSIHC (Amendment) Rules, 2000 notified vide S.O.57(E), dated 19.1.2000.

S. No.	Authority(ies) with legal backing	Duties and corresponding Rule
(1)	(2)	(3)
9.	District Collector or District Emergency Authority designated by the State Government	Preparation of off-site emergency plans as p Rule 14
[1][10.	[2][CENTRE FOR ENVIRONMENT AND EXPLOSIVE SAFETY (CEES), Defense Research ar Development of Organisation (DRDO). Department of defence Research & Development, Ministry of Defence	Enforcement of directions and procedures respect of laboratories, industrial establishm and isolated storages dealing with hazard chemicals in the Ministry of Defence]

[1] Substituted by Rule 13(vi), of the MSIHC (Amendment) Rules, 2000 notified vide S.O.No.57(E), dated 19.1.2000.

[2] Inserted by G.S.R.584(E), dated 13th June, 1990.

SCHEDULE -6
[See Rule 5(1)]

INFORMATION TO BE FURNISHED REGARDING NOTIFICATION OF A MAJOR ACCIDENT

5 H S R U W Q X P E H U « « « «
of the particular accident.

1. General data

(a) Name of the site
(b) Name and address of the manufacturer
(Also state telephone/telex number)
(c) (i) Registration number

(ii) Licence number

(as may have been allotted under any status applicable to the site, e.g.the Factories Act)
(d) (i) Nature of industrial activity (Mention what is actually manufactured, stored etc.)
(ii) National Industrial Classification, 1987 at the four digit level.

☐ ☐ ☐ ☐

2. Type of major accident
Explosion ☐ Fire ☐ Emission of dangerous substance ☐

Substance(s) emitted «

3. Description of the major accident
(a) Date, shift and hour of the accident
(b) Department/Section and exact place where the accident took place
(c) The process/operation undertaken in the Department/section where the accident took place. (attach a flow chart if necessary)
(d) The circumstances of the accident and the dangerous substance involved

4. Emergency Measures taken and measures envisaged to be taken to alleviate short term effects of the accident.
5. Causes of the major accident.
Known (to be specified) ☐
6. Not Known ☐
Information will be supplied as soon as possible ☐

7. Nature and extent of damage

(a) Within the establishment - casualties « « « « « . L O O H G
« « « « « , Q M X U H G
« « « « « 3 R L V R Q H G

Persons exposed to the ma[o D F F L G H Q W « « « « « « « « « « « « « « «
material damaged ☐
danger is still present ☐
danger no longer exists. ☐

(b) Outside the establishment
casualties. « « « « « . L O O H G
« « « « « , Q M X U H G
« « « « « 3 R L V R Q H G

3 H U V R Q V H [S R V H G W R W K H P D M R U D F F L G H Q W « « « « « « « « « « « « « « «
material damaged ☐
damage to environment ☐
the danger is still present ☐
the danger no longer exists ☐

8. Data available for assessing the effects
of the accident on persons and environment.

9. Steps already taken or envisaged

(a) to alleviate medium or long term effects of the accident
(b) to prevent recurrence of similar major accident
(c) Any other relevant information.

SCHEDULE -7
[See Rule 7(1)]

INFORMATION TO BE FURNISHED FOR THE NOTIFICATION OF SITES

PART -I

Particulars to be included in a notification of a site

1. The name and address of the employer making the notification.

2. The full postal address of the site where the notifiable industrial activity will be carried on.

3. The area of the site covered by the notification and of any adjacent site which is required to be taken into account by virtue of b(ii) of schedule 2 and 3.

4. The date on which it is anticipated that the notifiable industrial activity will commence, or if it has already commenced a statement to that effect.

5. The name and maximum quantity liable to be on the site of each dangerous substance for which notification is being made.

6. Organisation structure namely organisation diagram for the proposed industrial activity and set up for ensuring safety and health.

7. Information relating to the potential for major accidents, namely-

(a) identification of major accident hazards ;

(b) the conditions or the events which could be significant in brining one about;

(c) a brief description of the measures taken.

8. Information relating to the site namely-

(a) a map of the site and its surrounding area to a scale large enough to show any features that may be significant in the assessment of the hazard or risk associated with the site,-

(i) area likely to be affected by the major accident.

(ii) Population distribution in the vicinity.

(b) a scale plan of the site showing the location and quantities of all significant inventories of the hazardous chemicals;

(c) a description of the process or storage involving the hazardous chemicals and an indication of the conditions under which it is normally held;

(d) the maximum number of persons likely to be present on site.

9. The arrangement for training of workers and equipment necessary to ensure safety of such workers.

PART -II

Particulars to be included regarding pipeline-

1. The names and address of the persons making the notification.

2. The full postal address of the place from which the pipeline activity is controlled, addresses of the places where the pipeline starts and finishes and a map showing the pipeline route drawn to a scale of not less than 1:400000.

3. The date on which it is anticipated that the notifiable activity will commence, or if it is already commenced a statement to that effect.

4. The total length of the pipeline, its diameter and normal operating pressure and the name and maximum quantity liable to be in the pipeline of each hazardous chemical for which notification is being made.

SCHEDULE -8
[See Rule 10(1)]
INFORMATION TO BE FURNISHED IN A SAFETY REPORT

1. The name and address of the person furnishing the information.

2. Description of the industrial activity, namely-
   (a) site,
   (b) construction design,
   (c) protection zones explosion protection, separation distances,
   (d) accessibility of plant,
   (e) maximum number of persons working on the site and particularly of those persons exposed to be hazard.

3. Description of the processes, namely -
   (a) technical purpose of the industrial activity,
   (b) basic principles of the technological process,
   (c) process and safety -related data for the individual process stages,
   (d) process description,
   (e) Safety-related types of utilities.

4. Description of the hazardous chemicals, namely -
   (a) chemicals (quantities, substance data, safety-related data, toxicological data and threshold values),
   (b) the form in which the chemical may occur on or into which they may be transformed in the event of abnormal conditions,
   (c) the degree of purity of the hazardous chemical.

5. Information on the preliminary hazard analysis, namely-

(a) types of accident
(b) system elements or events that can lead to a major accident,
(c) hazards,
(d) safety-relevant components.

6. Description of safety -relevant units, among others;

(a) special design criteria,
(b) controls and alarms,
(c) special relief systems,
(d) quick-acting valves,
(e) collecting tanks/dump tank,
(f) sprinkler system,
(g) fire fighting etc.

7. Information on the hazards assessment, namely-

(a) identification of hazards ,
(b) the cause of major accidents,
(c) assessment of hazards according to their occurrence frequency,
(d) assessment of accident consequences,
(e) safety systems,
(f) known accident history.

8. Description of information or organizational systems used to carry on the industrial activity safety, namely-

(a) maintenance and inspection schedules,
(b) guidelines for the training of personnel,
(c) allocation and delegation of responsibility for plant safety,
(d) implementation of safety procedure.

9. Information on assessment of the consequences of major accidents, namely-

(a) assessment of the possible release of hazardous chemicals or of energy,
(b) possible dispersion of released chemical,
(c) assessment of the effects of the releases (size of the affected area, health effects, property damage)

10. Information on the mitigation of major accidents, namely -

(a) fire brigade,
(b) alarm systems,
(c) emergency plan containing system of organisation used to fight the emergency, the alarm and the communication rules guidelines for fighting the emergency, information about hazardous chemicals, examples of possible accident sequences,
(d) coordination with the District Emergency authority and its off-site emergency plan,
(e) notification of the nature and scope of the hazard in the event of an accident,
(f) antidotes in the event of a release of a hazardous chemical.

SCHEDULE -9

(See Rule 17)

SAFETY DATA SHEET

1. CHEMICAL IDENTITY

Chemical Name			Chemical Classification
Synonyms			Trade Name
Formula	C.A.S.No		U.N. No.:
Regulated Identification		Shipping Name Codes/Lable	Hazchem No.:
		Hazardous Waste I.D. No.:	
Hazardous Ingredients	C.A.S. No.	Hazardous Ingredients	C.A.S No.:
1.		3.	
2.		4.	

2. PHYSICAL AND CHEMICAL DATA

Boiling Range/Point°C	Physical State	Appearance
Melting/Freezing Point°C	Vapour Pressure @ 35°C mm/Hg	Odour
Vapour Density (Air=1)	Solubility in Water at 30°C	Others
Specific Gravity Water =1	pH	

3. FIRE AND EXPLOSION HAZARD DATA

Flammability	Yes/No	LEL	%	Flash Point °C	Auto ignition Temperature °C	
TDG Flammability		UEL	%	Flash Point °C		
Explosion Sensitivity to Impact			Explosion Sensitivity to Static Electricity		Hazardous Combustion Products	
Hazardous Polymerisation						
Combustible Liquid		Explosive Material		Corrosive Material		
Flammable Material		Oxidiser		Others		
Pyrophoric Material		Organic Peroxide				

4. REACTIVITY DATA

Chemical Stability
Incompatibility With other Material
Reactivity
Hazardous Reaction Products

5. HEALTH HAZARD DATA

Routes of Entry
Effects of Exposure/Symptoms
Emergency Treatment

TLV(ACGIH)	ppm	mg/m^3	STEL	ppm	mg/m^3

Permissible Exposure Limits	ppm	mg/m^3	Odour threshold	ppm	mg/m^3
LD_{50}			LD_{50}		

NEPA Hazard Signals	Health	Flammability	Stability	Special

6. PREVENTIVE MEASURES

Personnel Protective Equipment

Handling and Storage Precautions

7. EMERGENCY AND FIRST AID MEASURE

Fire Extinguishing Media

FIRE

Special Procedures

Unusual Hazards

EXPOSURE

First Aid Measures

Antidotes/Dosages

SPILLS

Steps to be taken

Waste Disposal Method

8. ADDITIONAL INFORMATION / REFERENCES

9. MANUFACTURER / SUPPLIER DATA

Name of Firm	Contact Person in Emergency
Mailing Address	Local Bodies Involved
Telephone/Telex Nos.	Standard Packing
Telegraphic Address	Tremcard Details/Ref Other.

10. DISCLAIMER

Information contained in this material data sheet is believed to be reliable but no representation, guarantee or warranties of any kind are made as to its accuracy, suitability for a particular application or results to be obtained from them. It is upto the manufacturer/seller to ensure that the information contained in the material safety data sheet is relevant to the product manufactured/handled or sold by him as the case may be. The Government makes no warranties expressed or implied in respect of the adequacy of this document for any particular purpose.

SCHEDULE -10
[See Rule 18(5)]
FORMAT FOR MAINTAINING RECORDS OF HAZARDOUS CHEMICALS IMPORTED

1. Name and address of the Importer:
2. Date and reference number of issuance of permission to import hazardous chemicals:
3. Description of hazardous chemicals:
   (a) Physical form:
   (b) Chemical form:
   (c) Total volume aQ G Z H L J K W L Q N L O R J U D P ¶ V Tones)
4 Description of purpose of Import:
5. Description of storage of hazardous chemicals:
   (a) Date:
   (b) Method of storage

Note: Published in the Gazette No.787, dt.27.11.1989.
All correction made in the terms of corrigendum No.S.O.115(E), dt.5.2.1990 published in the Gazette No. 59 dt.5.2.1990.

[1][SCHEDULE ±11]

[See Rule 13(1)]

DETAILS TO BE FURNISHED IN THE ON-SITE EMERGENCY PLAN

1. Name and address of the person furnishing the information.

2. Key personnel of the organization and responsibilities assigned to them in case of an emergency

3. Outside organization if involved in assisting during on-site emergency:

   (a) Type of accidents

   (b) Responsibility assigned

4. Details of liaison arrangement between the organizations.

5. Information on the preliminary hazard analysis:

   (a) Type of accidents

   (b) System elements or events that can lead to a major accident

   (c) Hazards

   (d) Safety relevant components

[1] Inserted by Rule 16 of the MSIHC (Amendment) Rules, 1994 notified by S.O.2882, dated 3.10.1994.

6. Details about the site:

(a) Location of dangerous substances

(b) Seat of key personnel

(c) Emergency control room

7. Description of hazardous chemicals at plant site:

(a) Chemicals (Quantities and toxicological data)

(b) Transformation if any, which could occur.

(c) Purity of hazardous chemicals.

8. Likely dangers to the plant.

9. Enumerate effects of:

(i) Stress and strain caused during normal operation:

(ii) Fire and explosion inside the plant and effect if any, of fire and explosion out side.

10. Details regarding:

(i) Warning, alarm and safety and security systems.

(ii) alarm and hazard control plans in line with disaster control and hazard control planning, ensuring the necessary technical and organizational precautions;

(iii) Reliable measuring instruments, control units and servicing of such equipments.

(iv) Precautions in designing of the foundation and load bearing parts of the building.

(v) Continuous surveillance of operations.

(vi) maintenance and repair work according to the generally recognized rules of good engineering practices.

11. Details of communication facilities available during emergency and those required for an off-site emergency.

12. Details of fire fighting and other facilities available and those required for an off-site emergency.

13. Details of first aid and hospital services available and its adequacy.

[1][SCHEDULE 12
[See Rule 14(1)]

DETAILS TO BE FURNISHED IN THE OFF-SITE EMERGENCY PLAN

1. The types of accidents and release to be taken into account.

2. Organisations involved including key personnel and responsibilities and liaison arrangements between them.

3. Information about the site including likely locations of dangerous substances, personnel and emergency control rooms.

4. Technical information such as chemical and physical characteristics and dangers of the substances and plant.

5. Identify the facilities and transport routes.

6. Contact for further advice e.g. meteorological information, transport, temporary food and accommodation, first aid and hospital services, water and agricultural authorities.

7. Communication links including telephones, radios and standby methods.

[1] Inserted by Rule 16 of the MSIHC (Amendment) Rules, 1994 notified by S.O.2882, dated 3.10.1994.

8. Special equipment including fire fighting materials, damage control and repair items.

9. Details of emergency response procedures.

10. Notify the public.

11. Evacuation arrangements.

12. Arrangements for dealing with the press and other media interests.

13. Longer term clean up.]

Note: Principal rules were published in Gazette of India vide Notification S.O. 966(E), dated 27.11.1989. Amending rules were published vide GSR No.681, dated 9.6.1990, S.O.115 (E), dated 5.2.1990, S.O.2882, dated 3.10.1994 and S.O.57 (E), dated 19.1.2000.

SCHEME ON LABELLING OF ENVIRONMENT FRIENDLY PRODUCTS (ECO-MARK)

SCHEME ON LABELLING OF ENVIRONMENT FRIENDLY PRODUCTS (ECO-MARK)

MINISTRY OF ENVIRONMENT & FORESTS

(Department of Environment, Forests & Wildlife)

RESOLUTION

New Delhi, the 20th February, 1991

G.S.R. 85(E).(l) The Government have decided to institute a Scheme on Labelling of Environment Friendly Products. The scheme will operate on a national basis and provide accredition and labelling for household and other consumer products which meet certain environmental criteria along with quality requirements of the Indian Standards for that product. The Label shall be known as the "ECOMARK" and will be of the design to be notified.

Any product which is made, used or disposed of in a way that significantly reduces the harm it would otherwise cause the environment could be considered as Environment Friendly Product.

(2) OBJECTIVES OF THE SCHEME:

The specific objectives of the scheme are as follows:-

(i) To provide an incentive for manufacturers and importers to reduce adverse environmental impact of products.

(ii) To reward genuine initiatives by companies to reduce adverse environmental impact of their products.

(iii) To assist consumers to become environmentally responsible in their daily lives by providing information to take account of environmental factors in their purchase decisions.

(iv) To encourage citizens to purchase products which have less harmful environmental impacts.

(v) Ultimately to improve the quality of the environment and to encourage the sustainable management of resources.

(3) ADMINISTRATIVE AND ORGANISATIONAL STRUCTURE-

There will be three stages leading to the award of the "ECOMARK":-

1. A steering committee, set up in the Ministry of Environment and Forests, to determine the product categories for coverage under the scheme and also formulate strategies for promotion, implementation, future development and improvements in the working of the scheme.

2. A technical committee, set up in the Central Pollution Control Board, to identify the specific product to be selected and the individual criteria to be adopted, including, wherever possible, inter-se priority between the criteria if there be more than one.

3. The Bureau of Indian Standards to assess and certify the products and draw up a contract with the manufacturers, allowing the use of the label, on payment of a fee.

3.1.1 STEERING COMMITTEE:

A steering Committee shall be set up in the Ministry of Environment and Forests by the Central Government to decide the products categories to be taken up under the scheme, and to formulate the strategies for promotion, future development and improvement of this scheme. The product categories will be notified from time to time.

The functions of the Steering Committee shall be as follows:-

(a) Selection of the logo for the "ECOMARK".

(b) Activities related to creation of mass awareness for promotion and acceptance of the scheme.

(c) Determining the product category to be taken up under the scheme.

(d) Co-ordinating ways of ensuring that industry is actively involved in the scheme.

(c) Securing the involvement of other Ministries, Government Departments, Industry Associations and other Non-Governmental Organisations and Consumer organisations.

(f) Formulations of strategies for future development of the scheme.

(g) Identifying institutions in India or outside which are engaged in the standardization of any article or process or improvement of quality of any article or process and recommending assistance to build consumer awareness.

(h) Promoting programmes of Comparative Testing of products by Consumer Organisations and dissemination their results to the general public.

(i) Supporting any research for the formulation of ECOMARK products in the interest of Consumer groups.

The composition of the Committee shall be as follows :

(i)	Secretary, Deptt. of Environment & Forests	Chairman
(ii)	Secretary, Dcptt. of Civil Supplies (or his representative)	Member
(iii)	Secretary, Ministry of Industry (or his representative)	Member
(iv)	Secretary, Ministry of Chemicals & Petrochemicals (or his representative)	Member
(v)	Secretary, Ministry of Agriculture (or his representative)	Member
(vi)	Secretary, Ministry of Information & Broad-casting (or his representative)	Member
(vii)	Director General of Technical Development (or his representative)	Member
(viii)	Director General, Council of Scientific & Industrial Research (or his representative)	Member
(ix)	Director General, Health Services (or his representative)	Member
(x)	Development Commissioner, Small Scale Industries (or his representative)	Member
(xi)	Chairman, Central Pollution Control Board	Member
(xii)	Not more than five non officials, to be nominated by the Central Government; to represent the interests of industry, consumer groups or other non governmental organisations; of which at least two will represent Consumer groups.	Member
(xiii)	Officer in charge, "ECOMARK" in the Ministry of Environment & Forests.	Member-Secretary

In case of special requirement of expertise in specific fields, the committee may invite-experts as special invitees.

The terms of the Committee shall be for three years or until reconstituted.

3.1.2 TECHNICAL COMMITTEE

A Technical Committee shall be constituted by the Central Government to identify the individual products and determine the criteria for awarding the ECOMARK. The Committee shall function in the Central Pollution Control Board, Delhi.

The following shall be the functions for the Technical Committee -

(i) Identification of specific products for classifying as environment friendly.

(ii) Reviewing the existing state of knowledge and the environmental criteria being followed in other countries.

(iii) Recommend the most appropriate criteria and parameters to designate various products as environment friendly, including the most important criteria or individual products that have been specified for the purpose and their inter-se priority, whenever possible.

(iv) Review the various technologies available for determining the criteria.

(v) Recommend various laboratories and analysts for product assessment in the Ministry of Environment and Forests.

(vi) Evaluation of the environmental impact of the products and criteria from time to lime.

(vii) To review from time to time the implementation of the schemes by the Bureau of Indian Standards (BIS), including the sample inspections done by it.

(viii) Set up sub-committees for each product category if so required, including formulation of test programmes for comparative testing of products by consumer organisations.

(ix) The technical committee may set up expert panels to advise it for specific products.

The composition of the Committee shall be:-

(i)	Chairman, Central Pollution Control Board.	Chairman
(ii)	Director General, Bureau of Indian Standards, New Delhi	Member
(iii)	Director, National Environmental Engineering Research Institute, Nagpur	Member
(iv)	Director, National Chemical Laboratory, Pune	Member
(v)	Director General, National Test House, Calcutta	Member
(vi)	Director, Industrial Toxicology Institute, Lucknow	Member
(vii)	Director, National Institute of Occupational Health, Ahmedabad	Member
(viii)	Not more than five non-officials to represent the interest of industry & consumer groups, of which atleast three will represent the Consumer groups be nominated by the Central Government.	Research Member
(ix)	Officer in charge, (Eco-Mark scheme) Central Pollution Control Board.	Member-Secretary

The Committee may co-opt experts on different products, as special invitees.

The terms of the Committee shall be for three years or until reconstituted.

3.1.3 ADMINISTRATION

The Bureau of Indian Standards (BIS) shall implement the scheme.

Following shall be functions of the BIS

(1) Assess the product for Ecomark, certify the product for award of the Ecomark;

(2) Review suspend or cancel a licence, for the use of the Ecomark;

(3) Mark inspections, and take such samples for analysis of any material or substances as may be necessary to see whether any article or product in relation to which the Ecomark has been used, conforms to the contract or whether the Ecomark is improperly used in relation to any article or process with or without a licence;

(4) CERTIFICATION AND LICENCING:

4.1 Under the scheme the manufacturers shall apply for testing and certification of products which fall under the notified categories in terms of their compliance with published environmental criteria in the prescribed form. The terms and conditions governing operations of licences including fees shall be as per the Bureau of Indian Standards Act and the regulations framed there under.

4.2 Testing and certification shall be carried out by the Bureau of Indian Standards. For product categories which have the Indian Standards mark, the Bureau of Indian Standards will ordinarily complete the task of certification within a period of three months. Products certified as eligible for the ECOMARK shall be licenced to carry the ECOMARK for a prescribed time period.

4.3 The product shall be reassessed after the prescribed period and the licence fee shall have to be paid again for the mark.

5. THE CRITERIA FOR ECOMARK:

Environmental criteria for each product category will be notified by the Central Government and later on shall be translated into Indian Standards by the Bureau of Indian Standards. The criteria shall be for broad environmental levels and aspects, but will be specific at the product level. Products will be examined in terms of the following main environmental impacts:-

(a) That they have substantially less potential for pollution than other comparable products in production, usage and disposal.

(b) That they are recycled, recyclable, made from recycled products or biodegradable, where comparable products are not.

(c) That they make significant contribution to saving non-renewable resources, including non renewable energy sources and natural resources, compared with comparable products.

(d) That the product must contribute to a reduction of the adverse primary criteria which has the highest environmental impact associated with the use of the product, and which will be specifically set for each of the product categories.

In determining the primary criteria for a product the following shall be taken

(a) Production process including source of raw material;

(b) Case of Natural Resources;

(c) Likely impact on the environment;

(d) Energy conservation in the production of the product;

(e) Effect & extent of waste arising from the production process;

(f) Disposal of the product and its container;

(g) Utilization of "Waste" and recycled materials;

(h) Suitability for recycling or packaging

(i) Biodegradability;

The criteria shall be reviewed from time to time. The draft criteria shall be release for public comments for a period of sixty days.

6. PERIOD OF AWARD:

The label shall be awarded for a minimum period of one year and shall roll forward annually. The Bureau of Indian Standards have the powers to withdraw the licence at any time if they find any misleading information. The award may also be withdrawn in case of any change in criteria due to the advancement of technology or any other valid reasons, in consultation with the technical committee. The time period of the award may be reviewed from time to time.

7. THE LOGO:

The Logo for the 'ECOMARK" shall be as notified by the Central Government.

8. CONSUMER AWARENESS:

The Ministry of Environment & Forests shall take appropriate measures to launch a country wide mass awareness campaign, including encouraging consumer groups. Assistance will be given to consumer organisations for comparative testing of products and dissemination of information to the public.

ORDER

Ordered that the Resolution be published in the Gazette of India and a copy there of communicated to all concerned.

[No. 23/1/91PL]
MUKUL SANWAL, Jt. Secy.

l5th February,1991

Published in the Gazette No. 71 dt. 21-2-91].

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 24th August,1992

G.S.R.768(E).-In exercise of the decision recorded in paragraph 5 of the Resolution of the Government of India in the Ministry of Environment & Forests, published vide GSR No.85(E), dated 21.2.1991 in the Gazette of India Extraordinary, Part II, Section 3, Sub-section(i), the Central Government hereby notifies the following criteria for labeling Cosmetics as Environment Friendly Products.

1. GENERAL REQUIREMENTS :--(i) All the products manufactured shall meet the requirements of following Indian Standards of BIS pertaining to safety, quality and performance :-

Sl.No.	Item	IS CODE No.
1.	2.	3.
1.	Skin Powders	IS:3959:1979
2.	Skin powder for infants	IS:5339:1978
3.	Tooth Powder	IS:5383:1978
4.	Tooth Paste	IS:63561978
5.	Skin Creams	IS:6608:1976
6.	Hair Cils	IS:7123:1984
7.	Shampoo Soap based	IS:7669:1975
8.	Shampoo Synthetic Detergent based	IS:7884:1978
9.	Hair Creams	IS:7679:1975
10.	Oxidation Hair Dyes liquid	IS:8481:1977
11.	Cologne	IS:8482:1977
12.	Nail Polish (Nail Enamel)	IS:9245:1975
13.	After Shave lotion	IS:9255:1979
14.	Pomades & Brilliantines	IS:9339:1979
15.	Depliatorics Chemical	IS:9636:1988
16.	Shaving Creams	IS:9740:1981
17.	Cosmetic Pencils	IS:9832:1981
18.	Lipstick	IS:9875:1981

(ii) All the ingredients that go into formulation of cosmetics shall comply with the provisions prescribed in IS 4707: Part I,II and III classification of cosmetics raw materials and adjuncts as well as the product specific requirements.

(iii) The product package shall display a list of critical ingredients in descending order of quantity present. The list of such ingredients shall be identified by BIS.

(iv) The product shall not be manufactured from any carcinogenic ingredients.

Note :- Central Drug Research Instt./Industrial Toxicological Research Instt. would furnish a list of carcinogenic ingredients to BIS and would also keep BIS informed about the changes therein.

(v) The product manufacturer must produce the consent as per the provisions of Water (Prevention and Control of Pollution) Act, 1974, Water (Prevention and Control of Pollution) Cess Act, 1977 and Air (Prevention and Control of Pollution) Act, 1981 alongwith the authorisation, if required under Environment(Protection)Act,1986 and rules made thereunder to BIS while applying for ECOMARK, Additionally, provisions of the Drugs and Cosmetics Act,1940 and rules thereunder shall also be complied with.

(vi) The product package shall be suitably marked that ECOMARK label is applicable only to the contents, if the product package is not separately covered under the ECOMARK scheme.

(vii) The material used for produce packaging shall meet the parameters evolved under the scheme of labeling Environment Friendly Packaging/packaging materials.

2. PRODUCT SPECIFIC REQUIREMENTS :- All the cosmetics formulations shall comply with the requirements given below under (i) to (iii). Further in addition to compliance with the requirements under (i) to (iii) the respective cosmetics namely: Tooth Paste/Tooth Powder, Hair Dyes and Nail Polish shall comply with the requirements given below under (iv),(v) and (vi) respectively.

(i) Product shall be dermatologically safe when tested by the method prescribed by IS 4011 :1982.

(ii) Biodegradable surfactant agents wherever used in cosmetics formulation shall be as per their limit finished for synthetic detergents for ECOMARK by the Technical Committee.

(iii) Heavy metals calculated as lead (Pb) and Arsenic (Ars) shall not exceed 10 and 1 ppm, respectively when tested by the respective methods, prescribed in Indian Standards.

(iv) Tooth Paste/Tooth Powder :- For the purpose of formulation of these products, the ingredients listed in IS : 6356 (1979) and ISL : 5383 (1978) shall only be used. Moreover, tooth paste shall not be fluoridated and presence of fluoride (F) as impurity shall not exceed the limit of 10 ppm.

Note:- This has been done with a view to ensure safety of these products from oral toxicity as the ingredients listed in the relevant Indian Standards are based on th consideration that are generally regarded as safe for such formulations.

(v) Hair Dyes :- Lead based dyes shall not be used.

(vi) Nail Polish :- Halogenated organic solvents shall not be used.

Note : Manufacturers will give necessary undertakings with supporting documents to BIS while applying for ECOMARK for requirements under (v) and (vi) above.

3. BIS may formulate/incorporate optional standards for environment friendly characteristics.

4. Filing of Objections : - Any person interested in filling any objection against these criteria for labeling Cosmetics as environment friendly may do so in writing to the Deputy Secretary, Ministry of Environment & Forests, Paryavaran Bhawan, CGO Complex, Lodhi Road, New Delhi within sixty days from the date of publication of this notification in the official gazette.

[No. 23/06/91-PL(CPW)]
MUKUL SANWAL, Jt Secretary

THE CHEMICAL ACCIDENTS (EMERGENCY PLANNING , PREPAREDNESS AND RESPONSE) RULES, 1996

THE CHEMICAL ACCIDENTS (EMERGENCY PLANNING, PREPAREDNESS AND RESPONSE) RULES, 1996

MINISTRY OF ENVIRONMENT & FORESTS

NOTIFICATION

New Delhi, the 1st August, 1996

G.S.R.347(E).- In exercise of the power conferred by Section 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby makes the following rules, namely :-

1. SHORT TITLE AND COMMENCEMENT.-

(1) These rules may be called the Chemical Accidents (Emergency Planning, Preparedness and Response) Rules, 1996.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. DEFINITIONS .-

In these rules unless the context otherwise requires,-

(a) ³ F K H P L F D O D F F L G H Q W ´ P H D Q V D Q D F F L G H Q W L Q Y R O Y L unintended occurrence while handling any hazardous chemicals resulting in continuous, intermittent or repeated exposure to death, or injury to, any person or damage to any property but does not include an accident by reason only of war or radio-activity;

(b) ³ K D] D U G R X V F K H P L F D O ´ P H D Q V

(i) any chemical which satisfies any of the criteria laid down in Part I of Schedule 1 or is listed in Part 2 of the said schedule;

As published in Gazette of India, Part II Section 3 (i) Extraordinary S.NO. 241, dt. 2.8.1996.

(ii) any chemical listed in Column 2 of Schedule 2;

(iii) any chemical listed in Column 2 of Schedule 3;

(c) ³ L Q G X V W U L D O D F W L Y L W \ ´ L Q F O X G H V D Q R S H U D W L R Q R U

(i) carried out in an industrial installation referred to in Schedule 4 involving or likely to involve one or more hazardous chemicals;

(ii) on-site storage or on-site transport which is associated with that operation or process as the case may be;

(iii) isolated storage;

(iv) pipeline;

(d) ³ L Q G X V W U L D O S R F N H W ´ P H D Q V D Q \ L Q G X V W U L D O] R Q H marked by the Industrial Development Corporation of the State Government or by the State Government;

(e) ³ L V R O D W H G V W R U D J H R I D Q \ chemical other than storage associated with an installation on the same site specified in Schedule 4 where that storage involves at least the quantities of that chemical set out in Schedule-2;

(f) ³ P D M R U F K H P L F D O D F F L G H Q W ´ P H D Q V any particular major emission, fire or explosion involving one or more hazardous chemicals and resulting from uncontrolled developments in the course of industrial activity or transportation or due to natural events leading to serious effects both immediate or delayed, inside or outside the installation likely to cause substantial loss of life and property including adverse effects on the environment;

(g) ³ 0 D M R U $ F F L G H Q W + D] D U G R X V ´ means isolated storage and industrial activity at a site, handling (including transport through carrier or pipeline) of hazardous chemicals equal to or, in excess of the threshold quantities specified in column 3 of Schedule 2 and 3 respectively;

(h) ³ 0 D Q X I D F W X U H 6 W R U D J H D Q G , P S R U W R I the + D] D U G R X V & I Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989, published in the notification of Government of India in the Ministry of Environment & Forests No. S.O.966 (E), dated 27th November, 1989;

(i) ³ R-IV L W H H P H U J H Q F \ R I W K H 6 R G L W H P H U J H Q F \ S O D Q prepared under rule 14 of the Manufacture, Storage and Import of Hazardous Chemicals Rules ;

(j) ³ S L S H O L Q H´ means a pipeline (together with any apparatus and works associated therewith) or system of pipes (together with any apparatus and works associated therewith) for the conveyance of a hazardous chemical other than a flammable gas as set out in column 2 of Part II of Schedule 1, at a pressure of less than 8 bars absolute;

(k) ³ V L W H ´ - DQ\ ORFDWLRQ where hazardous chemicals are manufactured or processed, stored, handled, used, disposed of and includes the whole of an area under the control of an occupier and includes pier, jetty or similar structure whether floating or not;

(l) ³ W U D Q V S R U W D W L R Q´ - movement of hazardous chemicals by any means over land, water or air,

3. CONSTITUTION OF CENTRAL CRISIS GROUP.-

(1) The Central Government shall constitute a Central Crisis Group for management of chemical accidents and set up a Crisis Alert System in accordance with the provisions of Rule-4 within thirty days from the date of the commencement of these rules.

(2) The composition of the Central Crisis Group shall be as specified in Schedule 5.

(3) The Central Crisis Group shall meet at least once in six months and follow such procedure for transaction of business as it deems fit.

(4) Notwithstanding anything contained in sub-rule (2), the Central Crisis Group may co-opt any person whose assistance or advice is considered useful in performing any of its functions to participate in the deliberations of any of its meetings.

4. CONSTITUTION OF CRISIS ALERT SYSTEM.-

The Central Government shall,-

(a) set up a functional control room at such place as it deems fit;

(b) set up an information net working system with the State and district control rooms;

(c) appoint adequate staff and experts to man the functional control room;

(d) publish a list of Major Accident Hazard installations;

(e) publish a list of major chemical accidents in chronological order;

(f) publish a list of members of the Central, State and District Crisis Groups;

(g) take measures to create awareness amongst the public with a view to preventing chemical accidents.

5. FUNCTIONS OF THE CENTRAL CRISIS GROUP .-

(1) The Central Crisis Group shall be the apex body to deal with major chemical accidents and to provide expert guidance for handling major chemical accidents.

(2) Without prejudice to the functions specified under sub-rule (1), the Central Crisis Group shall, -

(a) continuously monitor the post accident situation arising out of a major chemical accident and suggest measures for prevention and to check recurrence of such accidents;

(b) conduct post-accident analysis of such major chemical accidents and evaluate responses;

(c) review district off-site emergency plans with a view to examine its adequacy in accordance with the Manufacture, Storage and Import of Hazardous Chemicals, Rules, and suggest measures to reduce risks in the Industrial pockets;

(d) review the progress reports submitted by the State Crisis Groups;

(e) respond to queries addressed to it by the State Crisis Groups and the District Crisis Groups;

(f) publish a State-wise list of experts and officials who are concerned with the handling of chemical accidents;

(g) render, in the event of a chemical accident in a State, all financial and infrastructural help as may be necessary.

6. CONSTITUTION OF STATE CRISIS GROUP.-

(1) The State Government shall constitute a State Crisis Group for management of chemical accidents within thirty days from the date of the commencement of these rules.

(2) The composition of the State Crisis Group shall be as specified in Schedule 6.

(3) The State Crisis Group shall meet at least once in three months and follow such procedure for transaction of business as it deems fit.

(4) Notwithstanding anything contained in sub-rule (2), the State Crisis Group may co-opt any person whose assistance or advice is considered useful in performing any of its functions, to participate in the deliberation of any of its meetings.

7. FUNCTIONS OF THE STATE CRISIS GROUP.-

(1) The State Crisis Group shall be the apex body in the State to deal with major chemical accidents and to provide expert guidance for handling major chemical accidents.

(2) Without prejudice to the functions specified under sub-rule (1), the State Crisis Group shall,-

(a) review all district off-site emergency plans in the State with a view to examine its adequacy in accordance with the Manufacture, Storage and Import of Hazardous Chemicals, Rules and forward a report to the Central Crisis Group once in three months;

(b) assist the State Government in managing chemical accidents at a site;

(c) assist the State Government in the planning, preparedness and mitigation of major chemical accidents at a site in the State;

(d) continuously monitor the post accident situation arising out of a major chemical accident in the State and forward a report to the Central Crisis group;

(e) review the progress report submitted by the District Crisis groups;

(f) respond to queries addressed to it by the District Crisis groups;

(g) publish a list of experts and officials in the State who are concerned with the management of chemical accidents.

8. CONSTITUTION OF THE DISTRICT AND LOCAL CRISIS GROUP.-

(1) The State Government shall cause to be constituted within thirty days from the date of commencement of these rules,-

(a) District Crisis Groups;

(b) Local Crisis Groups;

(2) The composition of the District Crisis Groups and the Local Crisis Groups shall be as specified in Schedule 7 and 8 respectively.

(3) The District Crisis Group shall meet every forty five days and send a report to the State Crisis Group;

(4) The Local Crisis Group shall meet every month and forward a copy of the proceedings to the District Crisis Group.

9. FUNCTIONS OF THE DISTRICT CRISIS GROUP.-

(1) The District Crisis Group shall be the apex body in the district to deal with major chemical accidents and to provide expert guidance for handling chemical accidents;

(2) Without prejudice to the functions specified under sub-rule (1), the District Crisis Group shall,-

(a) assist in the preparation of the district off-site emergency plan;

(b) review all the on-site emergency plans prepared by the occupier of Major Accident Hazards installation for the preparation of the district off-site emergency plan;

(c) assist the district administration in the management of chemical accidents at a site lying within the district;

(d) continuously monitor every chemical accident ;

(e) ensure continuous information flow from the district to the Central and State Crisis Group regarding accident situation and mitigation efforts;

(f) forward a report of the chemical accident within fifteen days to the State Crisis Group;

(g) conduct at least one full scale mock-drill of a chemical accident at a site each year and forward a report of the strength and the weakness of the plan to the State Crisis Group.

10. FUNCTIONS OF THE LOCAL CRISIS GROUP.-

(1) The Local Crisis Group shall be the body in the industrial pocket to deal with chemical accidents and coordinate efforts in planning, preparedness and mitigation of a chemical accident;

(2) Without prejudice to the functions specified under sub-rule (1), the Local Crisis Group shall,-

(a) prepare local emergency plan for the industrial pocket;

(b) ensure dovetailing of the local emergency plan with the district off-site emergency plan;

(c) train personnel involved in chemical accident management;

(d) educate the population likely to be affected in a chemical accident about the remedies and existing preparedness in the area;

(e) conduct at least one full scale mock-drill of a chemical accident at a site every six months forward a report to the District Crisis Group;

(f) respond to all public inquiries on the subject.

11. POWERS OF THE MEMBERS OF THE CENTRAL, STATE AND DISTRICT CRISIS GROUPS.-

(1) The Members of the Central Crisis Group, State Crisis Groups and District Crisis Groups shall be deemed to be persons empowered by the Central Government in this behalf under subsection (1) of section 10 of the Environment (Protection) Act, 1986.

12. AID AND ASSISTANCE FOR THE FUNCTIONING OF THE DISTRICT AND LOCAL CRISIS GROUPS.-

(1) The Major Accident Hazard installations in the industrial pockets in the district shall aid, assist and facilitate functioning of the District Crisis Group;

(2) The Major Accident Hazard installations in the industrial pockets shall also aid, assist and facilitate the functioning of the Local Crisis Group.

13. INFORMATION TO THE PUBLIC .-

(1) The Central Crisis Groups shall provide information on request regarding chemical accident prevention, preparedness and mitigation in the country;

(2) The State Crisis Group shall provide information on request regarding chemical accident prevention, preparedness and mitigation to the public in the State;

(3) The Local Crisis Group shall provide information regarding possible chemical accident at a site in the industrial pocket and related information to the public on request;

(4) The Local Crisis Group shall assist the Major Accident Hazard installations in the industrial pocket in taking appropriate steps to inform persons likely to be affected by a chemical accident.

SCHEDULE-1

[see rule 2(b) & 2(j)]

PART ± 1

(a) Toxic Chemicals : -Chemicals having the following values of acute toxicity and which owing to their physical and chemical properties, are capable of producing major accident hazards:

Sl. No.	Degree of Toxicity	Oral Toxicity LD_{50}(mg/kg)	Dermal Toxicity (Dermal LD_{50}) (mg/kg)	Inhalation toxicity by dust & mists (mg/l)
1	Extremely toxic	1-50	1-200	0.1-0.5
2.	Highly Toxic	51-500	201-2000	05.-2.0

(b) Flammable Chemicals :-(i) Flammable gases: chemicals which in the gaseous state at normal pressure and mixed with air become flammable and the boiling point of which at normal pressure is 20^{o}C or below;

(ii) Highly Flammable liquids: Chemicals which have a flash point lower than 23^{o}C and the boiling point of which a normal pressure is above 20^{o}C;

(iii) Flammable liquids : chemicals which have a flash point lower than 65^{o}C and which remains liquids under pressure, where particular processing conditions, such as high pressure and high temperature, may create major accident hazards.

(c) Explosives: Chemicals which may explode under the effect of flame, heat or photo-chemical conditions or which are more sensitive to shocks or friction than dinitro-benzene.

PART II

LIST OF HAZARDOUS AND TOXIC CHEMICALS

S.No.	Name of the Chemical
1.	2.
1.	Acetone
2.	Acetone cyanohydrine
3.	Acetyl chloride
4.	Acetylene (Ethyne)
5.	Acrolein (2-propenal)
6.	Acrylonitrile
7.	Aldicarb
8.	Aldrin
9.	Alkyl phthalate
10.	Allyl Alcohol
11.	Allylamine
12.	Alpha Naphthyl Thiourea (ANTU)
13.	Aminodiphenyl, -4
14.	Aminophenol-2
15.	Amiton
16.	Ammonia
17.	Ammonium Nitrate
18.	Ammonium Nitrates in fertilizers
19.	Ammonium sulfamate
20.	Anabasine
21.	Aniline
22.	Anisidine-p
23.	Antimony and compounds
24.	Antimony Hydride (Stibine)

25. Arsenic Hydride (Arsine)
26. Arsenic Pentoxidi, (Arsenic) (v) Acid and Salts
27. Arsenic Trioxide, Arsenious (iii) Acids and Salts
28. Asbestos
29. Azinphos-Ethyl
30. Azinphos-Methyl
31. Barium Azide
32. Benzene
33. Benzidine
34. Benzidine Salts
35. Benzoquinone
36. Benzoyl Chloride
37. Benzoyl Peroxide
38. Benzyl Chloride
39. Benzyl Cyanide
40. Beryllium (Powders, Compounds)
41. Biphenyl
42. Bis (2-chloromethyl) Ketone
43. Bis (2,4,6-Trinitrophenyl) Amine
44. Bis (2-chloroethyl) Sulphide
45. Bis (Chloromethyl) ether
46. Bis(tert-Butylperoxy) Butane, -2,2
47. Bis(tert-Butylperoxy) cyclohexane, 1,1
48. Bis, 1,2 Tribromophenoxy-Ethane
49. Bisphenol
50. Boron and compounds
51. Bromine
52. Bromine Pentafluoride
53. Bromoform
54. Butadiene 1,3

55. Butane
56. Butanone-2
57. Butoxy Ethanol
58. Butylglycidal Ether
59. Buty peroxyacetate, tert
60. Butyl peroxyisobutyrate, tert
61. Butyl peroxy isopropyl carbonate, tert
62. Butyl peroxymaleate, tert
63. Butyl peroxypivalate, tert
64. Butyl vinyl Ether
65. Butyl-n-Mercaptan
66. Butylamine
67. C9 Aromatic Hydrocarbon Fraction
68. Cadmium and Compounds
69. Cadmium oxide (fumes)
70. Calcium Cyanide
71. Captan
72. Captofol
73. Carbaryl (Sevin)
74. Carbofuran
75. Carbon Disulphide
76. Carbon Monoxide
77. Carbon Tetrachloride
78. Carbonphenothion
79. Cellulose Nitrate
80. Chlorates (used in explosives)
81. Chlordane
82. Chlorfenvinphos
83. Chlorinated Benzenes
84. Chlorine

85. Chlorine Dioxides
86. Chlorine Oxide
87. Chlorine Trifluoride
88. Chlormequate Chloride
89. Chloroacetal Chloride
90. Chloroacetaldehyde
91. Chloroaniline, ±2
92. Chloroaniline,±4
93. Chlorobenzene
94. Chlorodiphenyl
95. Chloroepoxypropane
96. Chloroethanol
97. Chloroethyl Chloroformate
98. Chlorofluorocarbons
99. Chloroform
100. Chloroformyl,-4, Morpholine
101. Chloromethane
102. Chloromethyl Ether
103. Chloromethyl Methyl Ether
104. Chloronitrobenzene
105. Chloroprene
106. Chlorosulphonic Acid
107. Chlorotrinitrobenzene
108. Chloroxuron
109. Chromium and Compounds
110. Cobalt and Compounds
111. Copper and Compounds
112. Coumafuryl
113. Comaphos
114. Coumatetralyl

115. Cresols
116. Crimidine
117. Cumene
118. Cyanophos
119. Cyanothoate
120. Cyanuric Fluoride
121. Cyclohexane
122. Cyclohexanol
123. Cyclohexanone
124. Cycloheximide
125. Cyclopentadiene
126. Cyclopentane
127. Cyclotetamethylenete-tranitramine
128. Cyclotrimethylene Trinitramine
129. DDT
130. Decabromodiphenyl Oxide
131. Demeton
132. Di-Isobutyl Peroxide
133. Di-n-propyl peroxydicarbonate
134. Di-secButyl Peroxydicarbonate
135. Dialifos
136. Diazodinitrophenol
137. Diazomethane
138. Dibenzyl Peroxydicarbonate
139. Dichloroacetylene-o
140. Dichloro obenzene-o
141. Dichlorobenzene-p
142. Dichloroethane
143. Dichloroethyl Ether
144. Dichlorophenol 2-4

145. Dichlorophenol ±2, 6
146. Dichlorophenboxy Acetic Acid, -2,4(2,4-D)
147. Dichloropropane,-1,2
148. Dichlorosalicylic Acid, -3,5
149. Dichlorvos (DDVP)
150. Dicrotophos
151. Dieldrin
152. Diepoxybutane
153. Diethyl Peroxydicarbonate
154. Diethylene Glycol dinitrate
155. Diethylene Triamine
156. Diethyleneglycol Butyl Ether/Diethyleneglycol Butyl Acetate
157. Diethylenetriamine (DETA)
158. Diglycidyl Ether
159. Dithydroperoxypropane, -2, 2
160. Di-isobutyryl peroxide
161. Dimefox
162. Dimethoate
163. Dimethyl Phosphoramidocyanidic Acid
164. Dimthyl Phthalate
165. Dimethylcarbomyl
166. Dimethylnitrosamine
167. Dinitrophenol, Salts
168. Dinitrotoluene
169. Dintro-o-Cresol
170. Dioxane
171. Dioxathion
172. Dioxolane
173. Diphacinone
174. Diphosphoramide Octamethyl

175. Dipropylene Glycolmethylether
176. Disulfoton
177. Endosulfan
178. Endrin
179. Epichlorohydrine
180. EPN
181. Epoxypropane, 1-2
182. Ethion
183. Ethyl carbamate
184. Ethyl Ether
185. Ethyl Hexanol, -2
186. Ethyl Mercaptan
187. Ethyl Methacrylate
188. Ethyl Nitrate
189. Ethylamine
190. Ethylene
191. Ethylene Chlorohydrine
192. Ethylene Diamine
193. Ethylene Dibromide
194. Ethylene Dichloride
195. Ethylene Glycol Dinitrate
196. Ethylene Oxide
197. Ethyleneimine
198. Ethylthiocyanate
199. Fensulphothion
200. Fluenetil
201. Fluoro, -4,-2-Hydroxybutyric Acid and Salts Esters, Amides
202. Fluoracetic Acid and salts, Esters, Amides
203. Fluorobutyric Acid, -4, and Salts, Esters, Amides
204. Fluorocortonic Acid, -4, Salts, Esters, Amides

205. Formaldehyde
206. Glyconitrile (Hydroxyacetonitrile)
207. Guanyl, -1,-4 Nitrosaminoguyny1-1 Tetrazene
208. Heptachlor
209. Hexachloro Cyclopentadiene
210. Hexachlorocyclohexane
211. Hexachlorocyclomethane
212. Hexachlorodibenzo-p-Dioxin. 1, 2, 3, 7, 8, 9
213. Hexafluoropropene
214. Hexamethylphosphoramide
215. Hexamethyl, -3, 3, 6, 9, 9-1, 2, 4, 5-Tetraoxacyclononane
216. Hexamethylenediamine
217. Hexane
218. Hexanitrostilbene, -2,2, 4, 4, 6, 6
219. Hexavalent Chromium
220. Hydrazine
221. Hydrazine Nitrate
222. Hydrochloric Acid
223. Hydrochloric Acid
224. Hydrogen
225. Hydrogen Bromide (Hydrobromic Acid)
226. Hydrogen Chloride (Liquified Gas)
227. Hydrogen Cyanide
228. Hydrogen Fluoride
229. Hyrdogen Selenide
230. Hydrogen Sulphide
231. Hydroquinone
232. Iodine
233. Isobenzan
234. Isodrin

235. Isophorone Diisocyanate
236. Isopropyl Ether
237. Juglone (5-Hydroxynaphthalene-1, 4-Dione)
238. Lead (inorganic fumes & dusts)
239. Lead 2, 4, 6-Ttrinitroresorcinoxide (Lead Styphnate)
240. Lead Azide
241. Leptophos
242. Lindane
243. Liquefied Petroleum Gas (LPG)
244. Maleic Anhydride
245. Managanese & Compounds
246. Mercapto Benzothiazole
247. Mercury Alkyl
248. Mercury Fulminate
249. Mercury Methyl
250. Methacrylic Anhydride
251. Methacrylonitrile
252. Methacryloyl Chloride
253. Methamidophos
254. Methanesuphonyl Fluoride
255. Methanthiol
256. Methoxy Ethanol
257. Methoxyethylmercuric Acetate
258. Methyl Acrylate
259. Methyl Alcohol
260. Methyl Amylketone
261. Methyl Bromide (Bromomethane)
262. Methyl Chloride
263. Methyl Chloroform
264. Methyl Cyclohaexene

265. Methyl ethyl Ketone Peroxide
266. Methyl Hydrazine
267. Methyl Isobutyl Ketone
268. Methyl Isobutyl Ketone Peroxide
269. Methyl Isocyanate
270. Methyl Isothiocyanate
271. Methyl Mercaptan
272. Methyl Methacrylate
273. Methyl Parathion
274. Methyl Phoshonic Dichloride
275. Methyl-N, 2, 4, 6-Tetranitroaniline
276. Methylene Chloride
277. Methylenebis,-4, 4, (2,- chloroaniline)
278. Methyltrichlorosilane
279. Mevinphos
280. Molybdenum & Compounds
281. N-Methyl-N, 2, 4-,6- Tetranitroanaline
282. Naptha (Coal Tar)
283. Napthylamine, 2
284. Nickel & Compounds
285. Nickel Tetracarbonyl
286. Nitroaniline-o
287. Nitroaniline-P
288. Nitrobenzene
289. Nitrochlorobenzene-P
290. Nitrocyclohexane
291. Nitroethane
292. Nitrogen Dioxide
293. Nitrogen Oxides
294. Nitrogen Trifluoride

295. Nitroglycerine
296. Nitrophenol-P
297. Nitropropane-1
298. Nitropropane-2
299. Nitrosodimethylamine
300. Nitrotoluene
301. Octabromophenyl Oxide
302. Oleum
303. Oleylamine
304. OO-Diethyl S-Ethysulphonylmethyl
305. OO- Diethyl S-Ethysulphonylmethyl Phosphorothioate
306. OO- Diethyl S-Ethylthiomethyl Phosphorothioate
307. OO- Diethyl S-Isopropylthiomethyl Phosphorothioate
308. OO- Diethyl S-Propylthiomethyl Phosphorodithioate
309. Oxyamyl
310. Oxydisulfoton
311. Oxygen (liquid)
312. Oxygen Difluoride
313. Ozone
314. Paroxon (diethyl 4-Nitrophenyl Phosphate)
315. Paraquat
316. Parathion
317. Paris green
318. Pentaborane
319. Pentabromodiphenyl Oxide
320. Pentabromophenol
321. Pentachloro Napthalene
322. Pentachloroethane
323. Pentachlorophenol
324. Pentaerythritol Tetranitrate

325. Pentane
326. Pentanone, 2, 4-Methyl
327. Peradetic Acid
328. Perchloroethylene
329. Perchloromethyl Mercaptan
330. Phenol
331. Phenyl Glycidal Ether
332. Phenylene p-Diamine
333. Phenylmercury Acetate
334. Phorate
335. Phosacetim
336. Phosalone
337. Phosfolan
338. Phosgene (carbonyl chloride)
339. Phosmet
340. Phosphamidon
341. Phosphine (Hydrogen Phosphide)
342. Phosphoric Acid and Esters
343. Phosphoric Acid, Bromoethyl Bromo (2,2-Dimethylpropyl) Bromethyl Ester
344. Phosphoric Acid, Bromoethyl Bromo (2, 2-Dimethylpropyl)
345. Phosphoric Acid, Cloroethyl Bromo (2, 2-Dimethylpropyl Chloroethylester)
346. Phosphorous & Compounds
347. Phostalan
348. Picric Acid, (2, 4, 6-Trinitrophenol)
349. Polybrominated Biphenyls
350. Potassium Arsenite
351. Potassium Chlorate
352. Promurit (1-(3, 4 Dichlorophenyl)-3-Triazenethiocarboxamide)
353. Propanesultone-1, 3

354. Propen-1, -2-Chloro-1, 3-Diol-Diacetate
355. Propylene Oxide
356. Propyleneimine
357. Pyrazoxon
358. Selenium Hexafluoride
359. Semicarbazide Hydrochloride
360. Sodium Arsenite
361. Sodium Azide
362. Sodium Chlorate
363. Sodium Cyanide
364. Sodium Picramate
365. Sodium Selenite
366. Styrene, 1, 1, 3, 2-Tetrachloroethane
367. Sulfotep
368. Sulphur dichloride
369. Sulphur Dioxide
370. Sulphur Trioxide
371. Sulphuric Acid
372. Sulphoxide, 3-chloropropyloctyl
373. Tellurium
374. Tellurium Hexafluoride
375. Tepp
376. Terbufos
377. Tetrabromobisphenol-A
378. Tetrachloro, 2, 2, 5, 6, 2, 5-Cyclohexadiene-1, 4-Dione
379. Tetrachlorodibenzo-p Dloxin, 2 3, 7, 8(TCDD)
380. Tetraethyl Lead
381. Tetrafluoroethane
382. Tetramethylenedisulphotetramine
383. Tetramethyl Lead

384. Tetranitromethane
385. Thallium & Compounds
386. Thionazin
387. Thinoyl Chloride
388. Tirpate
389. Toluene
390. Toluene-2-4Diisocyanate
391. Toluidine-o
392. Toluene 2, 6-Diisocyanate
393. Trans-1, 4-dichlorobutene
394. Tri-1(cycloexyl) Stannyl-1-H-1, 2, 3-Triazole
395. Triamino, -1, 3 5, 2, 4, 6-Trinitrobenzene
396. Tribromophenol, 2, 4, 6
397. Trichloro Acetyl Chloride
398. Trichloro Ethane
399. Trichloro Napthalene
400. Trichloro (Chloromethyl) Silane
401. Trichlorodichlorophenylsilane
402. Trichloroethane, 1, 1, 1
403. Trichloroethyl Silane
404. Trichloroethylene
405. Trichloromethanesulphenyl chloride
406. Trichlorophenol, 2, 2, 6
407. Trichlorophenol, 2, 4, 5
408. Triethylamine
409. Triethylenemelamine
410. Trimethyl Chlorosilane
411. Triethylpropane Phosphite
412. Trinitroaniline
413. Trinitroanisole, 2, 2, 4, 6

414. Trinitrobenzene
415. Trinitrobenzoic Acid
416. Trinitrocresol
417. Trinitrophenetole, 2, 5, 6
418. Trinitroresorcinol, 2, 4, 6 (Styphnic Acid)
419. Trinitrotoluene
420. Triorthocresyl Phosphate
421. Triphenyl Tin Chloride
422. Turpentine
423. Uranium & Compounds
424. Vanadium & Compounds
425. Vinyl Chloride
426. Vinyl Fluoride
427. Vinyl Toluene
428. Warfarin
429. Xylene
430. Xylidine
431. Zinc & Compounds
432. Zirconium & Compounds

SCHEDULE -2

[see rules 2(b), 2(e) 2(g)]

S.No.	Chemicals	Threshold Planning Quantities (M.T.)
1	2	3
1.	Acrylonitrile	350
2.	Ammonia	60
3.	Ammonium nitrate (c)	350
4.	Ammonium nitrate fertilizers (d)	1,250
5.	Chlorine	10
6.	Flammable gases as defined in Schedule paragraph (b) (i)	50
7.	Highly flammable liquids as defined in chedule 1, paragraph (b) (ii)	10,000
8.	Liquid oxygen	200
9.	Sodium chlorate	25
10.	Sulphur dioxide	20
11.	Sulphur toxide	15
12.	Carbonyl chloride	0.750
13.	Hydrogen Sulphide	5
14.	Hydrogen fluoride	5
15.	Hydrogen cyanide	5
16.	Carbon disulphide	20
17.	Bromine	50
18.	Ethylene oxide	5
19.	Propylene oxide	5
20.	2-Propenal (Acrolein)	20
21.	Bromomethane (Methyl bromide)	20
22.	Methyl isocyanate	0.150

23.	Tetraethyl Lead or tetramethyl lead	5
24.	1,2 Dirbromoethane (Ethylene dibromide)	5
25.	Hydrogen chloride (liquified gas)	25
26.	Diphenyl methane diisocyanate (MDI)	20
27.	Toluene diisocyanate (TDI)	10

Note : (a) The threshold quantities set out above relate to each installation or group of installations belonging to the same occupier where the distance between installations is not sufficient to avoid, in foreseeable circumstances, any aggravation of major accident hazards. These threshold quantities apply in any case to each group of installations belonging to the same occupier where the between the installations is less than 500 metres.

(b) For the purpose of determining the threshold quantity of a hazardous chemical at an isolated storage, account shall also be taken of any hazardous chemical which is :-

(i) in that part of any pipeline under the control of the occupier having control of the site, which is within 500 metres of that site and connected to it;

(ii)at any other site under the control of the same occupier any part of the boundary of which is within 500 metres of the said site; and

(iii) in any vehicle, vessel, aircraft or hovercraft under the control of the same occupier which is used for storage purpose either at the site or within 500 metres of it;

But no account shall be taken of any hazardous chemical which is in a vehicle, vessel, aircraft or hovercraft used for transporting it.

(c) This applies to ammonium nitrate and mixtures of ammonium nitrate where the nitrogen content derived from the ammonium nitrate is greater than 28 per cent by weight and to aqueous solutions of ammonium nitrate where the concentration of ammonium nitrate is greater than 90 per cent by weight.

(d) This applies to straight ammonium nitrate fertilizers and to compound fertilizers where the nitrogen content derived from the ammonium nitrate is greater than 28 per cent by weight (a compound fertilizer contains ammonium nitrate together with phosphate and/or potash)

SCHEDULE - 3

[see rule 2(b), 2(e), 2(g)]

Named Chemicals

S. No.	Chemical	Threshold quantity	CAS number
1	2	3	4
Group 1-TOXIC CHEMICALS			
1.	Aldicarb	100 kg	116-06-3
2.	4-Aminodiphenyl	1 kg	96-67-1
3.	Amiton	1 kg	78-53-5
4.	Anabasine	100 kg	494-52-0
5.	Arsenic pentoxide, Arsenic (V) acid and salts	500 kg	
6.	Arsenic trioxide, Arsenious (III) acid & salts	100 kg	
7.	Arsine (Arsenic hydride)	10 kg	7784-42-1
8.	Azinpho-ethyl	100 kg	2642-71-9
9.	Azinpho-methyl	100 kg	86-50-0
10.	Benzidine	1 kg	92-87-5
11.	Benzidine salts	1 kg	-
12.	% H U \ O O L X P S R Z G H U V ³ F P	10 kg	-
13.	Bis(2-chloroethyl) Sulphide	1 kg	505-60-2
14.	Bis (chloromethyl) ether	1 kg	542-88-1
15.	Carbofuran	100 kg	1563-66-2
16.	Carbophenothion	100 kg	786-19-6
17.	Chlorfenvinphos	100 kg	470-90-6
18.	4-(Chloroformyl) morpholine	1 kg	1515940-7
19.	Chloromethyl methyl ether	1 kg	107-30-2

S. No.	Chemical	Threshold quantity	CAS number
1	2	3	4
20.	Cobalt (metal, oxides, carbonates, sulphides, powders)	1000 kg	-
21.	Crimidine	100 kg	535-89-7
22.	Cyanothoate	100 kg	3734-90-0
23.	Cycloheximide	100 kg	66-81-9
24.	Demeton	100 kg	8065-48-3
25.	Dialifos	100 kg	10311-84-9
26.	OO-Diethyl S-ethylsuphinylmethyl phosphorothioate	100 kg	2588-06-8
27.	OO-Diethyl S-ethylsuphonylmethyl phosphorothioate	100 kg	2588-06-9
28.	OO-Diethyl S-ethylthiomethyl phosphorothioate	100 kg	2600-69-3
29.	OO-Diethyl S-isopropylthiomethyl phosphorodithioate	100 kg	-
30.	OO-Diethyl S- propylthiomethyl phosphorodithioate	100 kg	3309-68-0
31.	Dimefox	100 kg	115-26-4
32.	Dimethylcarbamoyl chloride	1 kg	79-44-7
33.	Dimethylnitrosamine	1 kg	62-75-9
34.	Dimethyl phospho amidocyanidic acid	1000 kg	7781-6
35.	Diphacinone	100 kg	82-66-6
36.	Disulfoton	100 kg	298-04-4
37.	EPN	100 kg	2104-64-5
38.	Ethion	100 kg	563-12-2
39.	Fensulfothin	100 kg	115-90-2
40.	Fluenetil	100 kg	4301-50-2
41.	Fluoroacetic acid,	1 kg	144-49-0
42.	Fluoroacetic acid, salts	1 kg	
43.	Fluoroacetic acid, esters	1 kg	
44.	Fluoroacetic acid, amides	1 kg	

S. No.	Chemical	Threshold quantity	CAS number
1	2	3	4
45.	4-Fluorobutyric acid	1 kg	
46.	S-Fluorobutyric acid, salts	1 kg	
47.	4- Fluorobutyric acid, esters	1 kg	
48.	4- Fluorobutyric acid	1 kg	
49.	4- Fluorocrotonic acid,	1 kg	3775-72-1
50.	4- Fluorocrotonic acid, salts	1 kg	
51.	4- Fluorocrotonic acid, esters	1 kg	
52.	4- Fluorocrotonic acid, amides	1 kg	
53.	4-Fluoro-2-hydroxybutyric acid	1 kg	
54.	4-Fluoro-2-hydroxy butyric acid, salts	1 kg	
55.	4-Fluoro-2-hydroxybutyric acid, esters	1 kg	
56.	4-Fluoro 2-hyrdoxybutyric acid, amides	1 kg	
57.	Glyconitrile (Hydroxyacetonitrile)	100 kg	107-16-4
58.	1, 2, 3, 7, 8, 9-Hexachlorodibenzo-p-dioxine	100 kg	1940-87-4-3
59.	Hexamethylphophoramide	1 kg	680-31-9
60.	Hydrogen selenide	10 kg	7783-07-5
61.	Isobenzan	100 kg	297-78-9
62.	Isodrin	100 kg	465-73-6
63.	Juglone (5-Hydroxynaphthalene) 1,-4-dioone)	100 kg	481-39-0
64.	4, 4-Methylenebis (2-chloroaniline)	10 kg	101-14-4
65.	Methyl isocyanate	150 kg	624-83-9
66.	Mevinphos	100 kg	7786-34-7
67.	2-Napthylamine	1 kg	91-59-8
68.	Nickel (metal oxides, carbonates , sulphide, as powders)	1000 kg	-

S. No.	Chemical	Threshold quantity	CAS number
1	2	3	4
97.	1-Tri (cyclohexyl)v stannyl IIH-1, 2, 3-triazole	100 kg	4018-11-8
98.	Triethylenemelamine	10 kg	51-18-3
99.	Warfarin	100 kg	81-81-2
GROUP 2- TOXIC CHEMICALS			
100.	Acetone cycanohydrin (2-Cyanopropan-2-1)	200 T	75-86-5
101.	Acrolein (2-Propenal)	20 T	107-02-8
102.	Acrylonitrile	20 T	107-13-1
103.	Allylalcohol (Propen-1-01)	200 T	107-18-6
104.	Allamine	200 T	107-11-9
105.	Ammonia	50 T	7664-41-7
106.	Bromine	40 T	7726-95-6
10 7.	Carbondisulphide	20 T	75-15-0
108.	Chlorine	10 T	7782-50-5
109.	Diphenyl methane diisocyanate (MDI)	20 T	101-68-8
110.	Ethylene dibormide (1,2-Dibormoethane)	5 T	106-93-4
111.	Ethyleneimine	50 T	151-56-4
112.	Formaldehyde (Concentration 90%)	5 T	50-00-0
113.	Hydrogen chloride (liquified gas)	25 T	7647-01-0
114.	Hydrogen cyanide	5 T	74-90-8
115.	Hydrogen fluoride	5 T	7664-39-3
116.	Hydrogen sulphide	5 T	7783-06-4
117.	Methyl bromide (bromomethane)	20 T	74-83-9
118.	Nitrogen oxides	50 T	1110-493-1
119.	Propyleneimine	50 T	75-55-8
120.	Sulphur dioxide	20 T	7446-09-5
121.	Sulphur trioxide	15 T	7446-11-9

S. No.	Chemical	Threshold quantity	CAS number
1	2	3	4
122.	Tetraethyl lead	5 T	78-00-2
123.	Tetramethyl lead	5 T	75-74-1
124.	Toluene 2, 4, di-isocyanate (TDI)	10 T	584-84-9
GROUP 3 - HIGHLY REACTIVE CHEMICALS			
125.	Acetylene (ethyne)	5 T	74-86-2
126.	1. Ammonium nitrate (c) II. Ammonium nitrate in the form of fertilisers(c	350 T 250 T	6484-52-2
127.	2,2-Bis (tert-butylperoxy) butane (concentration >70%)	5 T	2167-23-9
128.	1,1-Bis (tert-butylperoxy) cyclohexane (concentration ± 80%)	5 T	3006-86-8
129.	tert-Butyl peroxyacetate (concentration ≥ 70%)	5 T	107-71-1
130.	tert-Butyl peroxyisobutyrate (concentration ± 80%)	5 T	109-13-7
131.	tert-Butyl peroxy isopropyl carbonate (concentration ± 80%)	5 T	2372-21-6
132.	Terty-Butyl peroxymaleate (concentration ± 80%)	5 T	1931-62-0
133.	Tert-Butyl peroxypivalate (concentration ≥ 70%)	50 T	927-07-1
134.	Dibenzyl peroxydicarbonate (concentration ± 90%)	5 T	2144-45-8
135.	Di-sec. butyl peroxydicarbonate (concentration ± 80%)	5 T	19910-65-7
136.	Diethyl peroxydicarbonate (concentration ≥ 80%)	50 T	1466-78-5
137.	2,2-Dihydroperoxypropane (concentration ± 30%)	5 T	2614-76-8
138.	Di-isobutryl peroxide (concentration ≥ 80%)	5 T	3437-84-1
139.	Di-n-propyl peroxydicarbonate (concentration ± 80%)	5 T	16066-38-9
140.	Ethylene oxide	5 T	75-21-8
141.	Ethyl nitrate	50 T	625-58-1
142.	3,3,6,6,9,9-Hexamethyl-1, 2, 3, 4, 5-tetra-oxacyclononanane (concentration ≥ 75%)	5 T	22397-33-7

S. No.	Chemical	Threshold quantity	CAS number
1	2	3	4
143.	Hydrogen	2 T	1333-74-0
144.	Methyl ethyl ketone peroxide (concentration 60%)	5 T	1339-23-4
145.	Methyl isobutyl ketone peroxide (concentration 60%)	5 T	37206-62-5
146.	Oxygen Liquid	200 T	7782-44-7
147.	Peracetic acid (concentration 60%)	5 T	79-21-0
148.	Propylene oxide	5 T	75-56-9
149.	Sodium chlorate	25 T	7775-09-9
GROUP 4- EXPLOSIVE CHEMICALS			
150.	Barium azide	50 T	18810-58-7
151.	Bis (2, 4, 6-trinitrophenyl amine)	50 T	131-73-7
152.	Chlorotrinitrobenzene	50 T	28260-61-9
153.	Cellulose nitrate (Containing 12.6% Nitrogen)	50 T	9004-70-0
154.	Cyclotetramethylenetetra nitramine	50 T	2691-41-0
155.	Cyclotrimethylenetrinitramine	10 T	121-82-4
156.	Diazodinitrophenol	10 T	87-31-4
157.	Diethylene glycol dinitrate	50 T	693-21-0
158.	Dinitrophenol salts	10 T	-
159.	Ethylene glycol dinitrate	10 T	628-96-6
160.	1-Guanyl-4-nitrosaminoguanyl-1-tetrazene	50 T	109-27-3
161.	2, 2, 4, 4, 6, 6-Hexanitrostilbene	50 T	20062-22-0
162.	Hydrazine nitrate	50 T	13464-97-6
163.	Lead azide	50 T	13424-46-9
164.	Lead styphnate (lead 2, 4, 6-trinitroresorcinoxide)	10 T	15424-40-9
165.	Mercury fulminate	50 T	628-86-4
166.	N-Methyl-N,2, 4, 6-tetranitroaniline	10 T	479-45-8

S. No.	Chemical	Threshold quantity	CAS number
1	2	3	4
167.	Nitroglycerine	50 T	55-63-0
168.	Pentaerythritol tetranitrate	50 T	78-11-5
169.	Picric acid (2, 4, 6-Trinitrophenol)	50 T	88-89-1
170.	Sodium picramate	50 T	831-52-7
171.	Styphnic acid (2, 4, 6-Trinitroesorcinol)	50 T	82-71-3
172.	1, 3,5-Triamino-2, 4, 6-trinitrobenzene	50 T	3058-38-9
173.	Trinitroaniline	50 T	26952-42-1
174.	2, 4, 6-Trinitroanisole	50 T	606-95-9
175.	Trinitrobenzene	50 T	9935-42-6
176.	Trnitrobenzoic acid	50 T	129-66-8
177.	Trinitrocresol	50 T	602-99-3
178.	2, 4, 6-Trinitrophenitole	50 T	4732-14-3
179.	2, 4, 6-Trinitrotoluene	50 T	118-96-7

PART-II

[Classes of Substances not specially named in Part-I]

1.	2.	3.
	GROUP 5- FLAMMABLE CHEMICALS	
1.	Flammable gases : Substances which in the gaseous state at normal pressure and mixed with air become flammable and the boiling point of which at normal pressure is 20°C or below;	15t
2.	Highly flammable liquids : Substances which have a flash point lower than 23°C and the boiling point of which at normal pressure is above 20°C;	1000t
3.	Flammable liquids : Substances which have a flash point lower than 65°C and which remain liquid under pressure, where particular processing conditions, such as high pressure and high temperature, may create major accident hazards.	25t

(a) The quantities set-out above relate to each installation or group of installations belonging to the same occupier where the distance between the installations is not sufficient to avoid, in foreseeable circumstances, any aggravation of major accident hazards. These quantities apply in any case to each group of installations belonging to the same occupier where the distance between the installation is less than 500 metres.

(b) For the purpose of determining the threshold quantity of a hazardous chemical in an industrial installation account shall be taken of any hazardous chemicals which is :-

(i) in that part of any pipeline under the control of the occupier having control of the site, which is within 500 metres off that site and connected to it;

(ii) at any other site under the control of the same occupier any part of the boundary of which is within 500 metres of the said site ; and

(iii) in any vehicle, vessel, aircraft or hovercraft under the control of the same occupier which is used for storage purpose either at the site or within 500 metres of it;

but no account shall be taken of any hazardous chemical which is in a vehicle, vessels, aircraft or hovercraft used for transporting it.

(c) This applies to ammonium nitrate and mixture of ammonium nitrate where the nitrogen content derived from the ammonium nitrate is greater than 28% by weight and aqueous solutions of ammonium nitrate where the concentration of ammonium nitrate is greater than 90% by weight.

(d) This applies to straight ammonium nitrate fertilizers and to compound fertilizers where the nitrogen content derived from the ammonium nitrate is greater than 28% by weight (a compound fertilizer contains ammonium nitrate together with phosphate and/or potash).

SCHEDULE ±4
[see rule 2(c), 2(e)]

1. Installations for the production, processing or treatment of organic or inorganic chemicals using for this purpose, among other :

   (a) alkylation
   (b) Amination by ammonolysis
   (c) carbonylation
   (d) condensation
   (e) dehydrogenation
   (f) esterification
   (g) halogenation and manufacture of halogens
   (h) hydrogenation
   (i) hydrolysis
   (j) oxidation
   (k) polymerisation
   (l) sulphonation
   (m) desulphurization, manufacture and transformation of sulphur-containing compounds
   (n) nitration and manufacture of nitrogen-containing compounds
   (o) manufacture of phosphorous containing compounds
   (p) formulation of pesticides and of pharmaceutical products
   (q) distillation
   (r) extraction
   (s) solvation
   (t) mixing

2. Installations for distillation, refining or other processing of petroleum or petroleum products.

3. Installations for the total or partial disposal of solid or liquid substances by incineration of chemical decomposition.

4. Installations for production, processing or treatment of energy gases, for example, LPG, LNG, CNG*.

5. Installations for the dry distillation of coal or lignite.

6. Installations for the production of metals or non-metals by a wet process or by means of electrical energy.

SCHEDULE ±5

[see rule 3(2)]

COMPOSITION OF THE CENTRAL CRISIS GROUP

(i)	Secretary, Govt. of India, Ministry of Environment & Forests	Chairperson
(ii)	Joint Secretary/Adviser (Environment & Forests)	Member Secretary
(iii)	Joint Secretary (labour)	Member
(iv)	Joint Secretary/ Adviser (Chemical & Pharmaceuticals)	´
(v)	Director General, Civil Defence	
(vi)	Fire Advisor, Directorate General Civil Defence	´
(vii)	Chief Controller of Explosive	´
(viii)	Joint Secretary, (Deptt. of Industries)	´
(ix)	Director General, Indian Council of Medical Research	´
(x)	Joint Secretary (Health)	´
(xi)	Chairman, Central Pollution Control Board	´
(xii)	Director General, Indian Council of Agriculture Research	´ ´
(xiii)	Director General, Council of scientific & Industrial Research	´
(xiv)	4 Experts (Industrial Safety and Health)	´

(xv) Joint Secretary(Fertilizers) ´

(xvi) Director General(Telecom) ´

(xvii) 2 Representatives of Industries to be nominated by the Central Govt. ´

(xviii) Joint Secretary (Surface Transport) ´

(xix) General Manager (Rail safety) ´

(xx) Adviser, Centre for environment and Explosive safety ´

(xxi) One Representative of Indian Chemical Manufacturers Association to be nominated by the Central Govt. ´

SCHEDULE-6

[See rule 6(2)]

COMPOSITION OF THE STATE CRISIS GROUP

(i)	Chief Secretary	Chairperson
(ii)	Secretary (Labour)	Member Secy.
(iii)	Secretary (Environment)	Member
(iv)	Secretary (Health)	´
(v)	Secretary (Industries)	´
(vi)	Secretary (Public Health Engg.)	´
(vii)	Chairman, State Pollution Control Board	´
(viii)	4-Experts (Industrial Safety & Health) to be nominated by the State Government	´
(ix)	Secretary/Commissioner(Transport)	´
(x)	Director(Industrial Safety)/Chief Inspector of Factories	´
(xi)	Fire Chief	´
(xii)	Commissioner of Police	´
(xiii)	One Representative from the Industry to be nominated by the State Gtov	´ ´

SCHEDULE-7

[See rule 8]

COMPOSITION OF THE DISTRICT CRISIS GROUP

(i)	District Collector	Chairperson
(ii)	Inspector of Factories	Member Secy.
(iii)	District Energy Officer	Member
(iv)	Chief Fire Officer	Member
(v)	District Information Officer	´
(vi)	Controller of Explosives	´
(vii)	Chief, Civil Defence	´
(viii)	One Representative of Trade Unions to be nominated by the District Collector	´
(ix)	Deputy Superintendent of Police	
(x)	District Health Officer/Chief Medical Officer	´
(xi)	Commissioner, Municipal Corporations	´
(xii)	Representative of the Department of Public Health Engineering	´
(xiii)	Representative of Pollution Control Board	´
(xiv)	District Agriculture Officer	´
(xv)	4 Experts (Industrial Safety & Health) to be nominated by the District Collector	´
(xvi)	Commissioner (Transport)	´
(xvii)	One Representative of Industry to be nominated by the District Collector	´
(xviii)	Chair-person/Member-Secretary of Local Crisis Groups	´

SCHEDULE-8
[See rule 8)]
COMPOSITION OF THE LOCAL CRISIS GROUPS

(i)	Sub-divisional Magistrate / District Emergency Authority	Chairperson
(ii)	Inspector of Factories	Member Secy.
(iii)	Industries in the District/Industrial area/ industrial pocket	Member
(iv)	Transporters of Hazardous Chemicals (2 Numbers)	´
(v)	Fire Officer	´
(vi)	Station House Officer (Police)	´
(vii)	Block Development Officer	´
(viii)	One Representative of Civil Defence	´
(ix)	Primary Health Officer	´
(x)	Editor of local News paper	´
(xi)	Community leader/Sarpanch/Village Pradhan nominated by Chair-person	´
(xii)	One Representative of Non-Government Organisation to be nominated by the Chair-person	´
(xiii)	Two Doctors eminent in the Local area, to be nominated by Chair-person	´
(xiv)	Two Social Workers to be nominated by the Chair-person	´

THE BUREAU OF INDIAN STANDARDS (CERTIFICATION) (AMENDEMENT) REGULATIONS, 1997

THE BUREAU OF INDIAN STANDARDS (CERTIFICATION) (AMENDMENT) REGULATIONS, 1997

MANNER, CONDITIONS AND FEES FOR GRANT AND RENEWAL OF LICENCE FOR ENVIRONMENTAL MANAGEMENT SYSTEM

NOTIFICATION

New Delhi, the 4th November, 1997

G.S.R.634(E)- In exercise of the powers conferred by the section 38 of the Bureau of Indian Standards Act, 1986 (63 of 1986), the Executive Committee of the Bureau of Indian Standards, with the previous approval of the Central Government, hereby makes the following regulations further to amend the Bureau of Indian Standards (Certification) Regulations, 1988, namely : -

1. (1) These regulations may be called the Bureau of Indian Standards (Certification) (Amendment) Regulations, 1997.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Bureau of Indian Standards (Certification) Regulations, 1988 (hereinafter UHIHUUHG WR DV WKH VDLG UHJXODWLRQV DIWHU UHJX Condition, Rates of Fee For Grant And Renewal of Licence (Except For Quality 6\VWHP ´ WKH IROORZLQJ KHDGL-QJ VKDOO EH VXEVWLWXWH

³0DQQHU &RQGLWLRQV Rates of Fee For Grant And Renewal of Licence (Except For 4XDOLW\ 6\VWHP $QG (QYLURQPHQWDO 0DQDJHPHQW 6\VWHP

3. In the said regulations, after regulation 7, the following new regulation shall be added, namely:-

³0$11(5 &21',7,21 $1')((6)25 *5$17 5(1(:$/ OF LICENCE)25 (19,5210(17$/ 0$1$*(0(17 6<67(0´

As published in GOI Gazette Vide G.S.R.634(E), Extra., dt.4.11.1997

3.A Application for Licence

(a) Every application for the grant of licence for Environmental Management Systems certification shall be made to the Bureau in Form VI, which shall be signed by the proprietor, partner or the Managing Director of the applicant firm or by any person authorized to sign declaration on behalf of the firm. The name and designation of the person signing the application shall be recorded legibly in the space set apart for the purpose in the application form.

(b) Every application for certification shall be accompanied by a supplementary questionnaire duly filled in Form VII. The application shall also be accompanied by a Environmental Management Manual as prepared by the applicant firm and the Environmental Management Policy declared by the applicant firm. The application fee of rupees fifteen thousand (rupees ten thousand for small scale industries) which includes the adequacy audit of documents relating to Environmental Management Systems shall also accompany the application.

(c) The application form alongwith fee and other necessary documents submitted by the applicant shall be acknowledged and numbered by the Bureau in the order of priority according to the date of the receipt. The fee shall be non-refundable.

(d) After acknowledgment, the application shall be verified by the Bureau, and if it is in order, the applicant shall be informed of the intention of the Bureau to proceed with the application.

(e) If necessary, the Bureau shall provide to the applicant the information about the scheme and also obtain such other further information from him, as necessary.

(f) An application may be rejected if the applicant does not comply with one or more of the following requirements :

(i) the application fee not accompanying the application.

(ii) application form is incomplete.

(iii) annexures to the application are not clear.

In addition, the Bureau may call for any supplementary information or documentary evidence from any applicant in support of or to substantiate any statement made by him in his application, within such time as may be directed by the Bureau.

(g) The reason for the rejection of the application shall be communicated to the applicant by the Bureau.

(h) The application for a licence by a person who has been convicted under section 33 of the Bureau of Indian Standard Act,1986 shall not be entertained for a minimum period of six months from the date of such conviction. The extent of the period of disqualification shall be determined by the Bureau having regard to the facts and circumstances of each case and it shall not exceed a maximum period of one year.

B. Audit procedure

(a) If the application is in proper Form, then the Bureau shall proceed as per clauses (b) to (f).

(b) The Bureau may, if necessary, arrange a visit to the premises of the applicant to acquaint itself about size, nature of operation and his readiness for the audit and the type of expertise required by the audit team.

(c) The applicant is required to have a documented environmental management system which conforms to the relevant Indian Standard on environmental management system. Before an assessment visit is made, a detailed DSSUDLVDO RI WKH DSSOLFDQW ILUP¶V (QYLURQPH documentation for conformance with the relevant Indian Standard on Environmental Management System shall be undertaken by the Bureau. The applicant shall then be notified about any significant omissions or deviations from the specified requirements to make suitable amendments prior to the audit visit.

(d) The applicant shall ensure that -

(i) all documentation relating to the environmental management system which the licence is sought, including the Environmental Management Manual or its equivalent is made available to the Bureau;

(ii) all relevant records relating to implementation of the Environmental Management System are made available to the Bureau;

(iii) the audit team is permitted and assisted to undertake assessment of the Environmental Management System; and

(iv) responsibility to the Bureau for the environmental management system is clearly defined by appointing a designated person to ensure that the specified environmental management system procedures are observed.

(e) The audit team may also include technical expert(s) as member(s). One member shall act as an audit coordinator (lead auditor).

(f) The audit shall involve an in-depth assessment of the applicant's procedures for the conformance to the requirements specified by the Bureau. The applicant shall be required to demonstrate the practical application of the documented procedures. The audit team shall identify the non-conformance and bring them to the notice of the applicant for rectification.

(g) Date(s) and time of the audit visit shall be decided on mutual agreement between the parties (Bureau and the applicant).

C. Audit Fees

(a) Audit Fee shall depend upon the nature of the activities of the firm. The fees determined shall be intimated to the applicant prior to the visit.

(b) All audit and re-audit fees determined by the Bureau shall be borne by the applicant firm.

(c) If the application involved is in respect of more than one area of technology and for more than one licence, the audit visit normally cover all aspects.

D. Factors for grant of licence

(a) The audit team after the audit shall analyse the capability of the applicant to operate the Environmental Management Certification Scheme.

(b) The audit team shall prepare a detailed report against the relevant Indian Standards on Environmental Management Systems against which the audit has been carried out. The applicant shall be notified in writing the non-conformities, if any, observed during the audit.

(c) The applicant shall produce evidence that corretive actions have been taken to meet all the relevant requirements within the time limits specified by the Bureau. The Bureau may undertake a full or partial audit or accept written declaration that corrective action has been taken, to be confirmed by the Bureau during a surveillance visit.

(d) When the Bureau is satisfied with the recommendations of the audit team for grant of licence, the same shall be granted as per Form VIII. While making the recommendations, the team shall take into account the audit made under sub-clauses(a) to (c) of item-D and also the requisite skill, equipment, systems, resources, previous performance and antecedents relevant to the issuance of the licence.

(e) If the applicant is not able to produce evidence that corrective actions have been taken to meet all the relevant requirements within the time limits specified by the Bureau, the Bureau may refuse to grant the licence. However, before refusing to grant the licence, the Bureau shall give a reasonable opportunity to the applicant of being heard either in person or though a representative authorized by him in this behalf and may take into consideration any fact or explanation urged on behalf of the applicant before refusing to grant the licence.

E. Undertaking ² Prior to grant of a licence, the applicant shall sign an undertaking to the effect that he will make no claim direct or implied that the licence to be granted relates to any products or processes other than those that will be set out in the licence.

F. Grant of licence

(a) The licence shall be granted for a period of three years in the first instance.

(b) The Bureau shall inform the applicant about the grant of licence.

(c) The Bureau shall provide a certificate for grant of licence in Form-VIII which shall be used by the licensee subject to the provision of item-

(d) The licence shall be returned to the Bureau in the event of its being surrendered, not renewed, suspended or cancelled.

(e) Particulars of all licences issued by the Bureau under these regulations shall be entered in a register which the Bureau shall maintain.

(f) The Bureau shall authorise the licensee to use, subject to the provisions of item K, the Standard Mark as specified by the Bureau.

G. Licence Fee

(a) The licence fee shall be determined by the Bureau from time to time and shall be published in the Official Gazette in the form of a Schedule.

(b) The licence fee shall be paid by the applicant at the time of grant of licence. No such fee, or part thereof shall be refunded.

H. Surveillance and regular review

(a) The grant of licence shall be followed by surveillance visits. The frequency and extend of visits shall be determined by the Bureau.

(b) The surveillance visits be without notice to the licence to ensure that the systems and procedures already assessed are being maintained.

(c) The special re-assessment visit may be organized by the Bureau where licensee fails to observe the conditions of the licence or where there have been significant changes in the organization of the licensee. The licensee shall be liable for the costs of such special visits.

I. Renewal of Licence² The licence may be renewed for a period of three years. The renewal shall be made by re-assessing the capabilities of the licensee, the fee of which shall be borne by the licensee. The renewal of licence for subsequent periods may be made by the Bureau in a similar manner. A licence, unless renewed by the Bureau, shall expire at the end of the period for which it is granted.

J. Changes to the Environmental Management System

(a) The licensee shall inform the Bureau promptly about any intended changes to the Environment Management System or other changes which may affect conformance to the requirements specified by the Bureau.

(b) The licence shall accept the decision of the Bureau as to whether the intended changes require re-assessment or further investigation.

. 8VH RI %XUHDX¶V 6WDQGDUG PDUN The licensee shall use the Standard mark only as authorised by the Bureau.

L. Publicity

(a) The Bureau shall maintain a list of licensees and make it available for public information.

(b) The list shall be updated periodically.

(c) The licensee shall inform potential customers, purchasers or purchasing authorities, of the full and exact details of the licence.

(d) The licensee may display the licence in his premises.

(e) The licensee shall state in documentation, brochures or through advertising media that the organization or location to which the licence applies have been assessed and approved by the Bureau. In such advertisement the Indian Standard on Environment Management System for which a licence has been granted is to be stated.

(f) A licensee who has been granted a licence for Environmental Management System shall not claim or imply that the product manufactured by him has been certified or approved by the Bureau unless he is holding a valid licence for that product under the recognized product certification scheme of the Bureau.

M. Obligations of the licensee.—A licensee on grant of certification for environmental management systems shall :

(a) at all times comply with the requirements of the licence as set out therein and comply with these regulations or any amendments thereto;

(b) only claim that he is holding a licence in respect of the capability which is the subject of the licence and which relates to the products or processes in accordance with the licence requirements;

(c) not use the licence in any manner to which the Bureau may object and shall not make any statement concerning the authority granted by the use of the licence which in the opinion of the Bureau may be misleading;

(d) submit to the Bureau for approval the form in which he proposes to use his licence or proposes to make references to the licence;

(e) upon suspension or cancellation of the licence, discontinue its use forthwith and withdraw all promotional and advertising matter which contains any reference thereto;

(f) not make any change in the Environmental Management System which form the basis for the grant of a licence and which prevents his compliance with the Scheme without prior approval of the Bureau;

(g) submit to the Bureau any amendments to the Environmental Management Manual;

(h) document all changes made to the Environmental Management System and make records of such changes available to the Bureau officers on request. A change in key personnel in relation to environmental management and technological functions or senior management shall be notified to the Bureau by the licensee;

(i) permit access to a team appointed by the Bureau for purposes of assessment audit or surveillance. The licensee shall give full details of all actions taken in response to field problems arising from allegations of defects in products or processes convered in the licence and allow Bureau's officers access to all relevant records for the purpose of verifying such details;

(j) be required to produce evidence of continuing operations for the products or processes covered by the licence. Licensee shall notify the Bureau in writing of discontinuance in such operations exceeding three months. Discontinuance of a licence in excess of six months or more may lead to cancellation of licence. In such cases, fresh application shall be made to the Bureau and an assessment visit will be necessary prior to grant of a new licence;

(k) pay all financial dues to the Bureau, in the manner specified by it, even for the period of discontinuance or suspension of licence.

N. Surrender of licence² A licence may be surrendered by the licensee at any time in writing to the Bureau. In the case of surrender, the licensee shall return the licence with all related documents to the Bureau.

O. Powers of the Bureau² The Bureau may at its discretion under the provisions of section 15 of the Act-

(a) refuse to grant or renew a licence or extend its scope or cancel or alter so as to reduce the scope of the licence provided that the refusal, renewal, cancellation or alteration is a recommendation of the majority of the members of the Audit Team as to which a decision by the Director General of the Bureau shall be conclusive. The refusal to renew or cancel a licence for failure to discharge the obligations under item-M, shall be based on the report of assessment/audit during surveillance and regular review. Such decisions shall be communicated to the applicant or licensee in writing.

(b) The Bureau shall be entitled to suspend a licence if there are sufficient grounds of non-compliance of the following :

(i) if surveillance proves non-conformity to the relevant requirements but immediate termination is not considered necessary;

(ii) if improper use of the licence, related documents, is not U H P H G L H G W R W K H % X U H D X ¶ V V D W L V I D F W L R Q

(iii) if there has been any contravention of the procedures set out by the Bureau;

(iv) if the licensee fails to meet financial obligations to the Bureau;

(v) on any other grounds specifically provided for under the procedures, rules or formally agreed between the licensee and the Bureau.

(c) the Bureau may revoke the suspension of licence after satisfying itself that the licensee has taken necessary actions to remove the deficiencies within time limits specified by the Bureau.

(d) when the licence is under suspension and where the licensee is unable to rectify any deficiency which make the licensee unable to comply with the requirements of this scheme, within time limits specified by the Bureau, the Bureau shall cancel the licensee. Cancellation of the licence in such case shall require the licenses to make a fresh application followed by the procedure specified in these regulations for the grant of a new licence.

(e) Before the Bureau suspends or cancels any licence, it shall give the licensee not less than fourteen days notice of its intention to suspend or cancel the licence.

(f) On the receipt of such notice, the licensee may submit an explanation on his behalf to the Bureau within seven days from the receipt of the notice. If an explanation is submitted, the Bureau may consider the explanation and give a hearing to the licensee within fourteen days from the date of receipt of such explanation or before the expiry of the notice whichever is longer.

(g) If no explanation is submitted, the Bureau may, on the expiry of period of the notice, suspend or cancel the licence.

(h) Where a licence has been suspended or cancelled or has not been renewed on the expiry of the period of its validity, the licence shall discontinue forthwith the use of the licence notwithstanding the pendency of any appeal before the Central Government under section 16 of the Act and shall return the licence and related documents to the Bureau.

P. Misuse of licence - The licensee shall be deemed to have misused the licence, if he does QRW FHDVH WR GLVSOD\ RU RWKHUZLVH XVH WK Standard Mark immediately after :

(a) surrender of licence, expiry, suspension or cancellation;

(b) the licensee has made a change to its Environmental Management System which has not been accepted by the Bureau DQG ZKLFK FRXOG UHDVRQDEO\ EH H[SHFWHG qualification for licence;

(c) the licensee has failed to take corrective action, on the non conformities pointed out by the Bureau.

(d) Any other circumstances which could reasonably be expected to affect adversely the Environmental Management System of the licensee.

Q. Appeals - Appeals against any decision of the Bureau shall be made under the provisions of section 16 of the Act, and the rules made thereunder.

4. In the said regulations, after FORM V, the following FORMS shall be added, namely :-

Form VI - Application for Grant of Licence to Use the Standard Mark for Environment Management Systems Certification under the Bureau of Indian Standards Act,1986

Form VII - Questionnaire for Obtaining Preliminary Information from the Applicant for Obtaining Licence for certification of Environment Management Systems Against Relevant Indian Standards.

Form VIII - Licence for the Environmental Management Systems Certification

FORM-VI

[See regulation 8A(a)]

APPLICATION FOR GRANT OF LICENCE TO USE THE STANDARD MARK FOR ENVIRONMENT MANAGEMENT SYSTEMS CERTIFICATION UNDER THE BUREAU OF INDIAN STANDARDS ACT,1986

The Director General
Bureau of Indian Standards
Manak Bhavan
9, Bahadur Shah Zafar Marg
New Delhi-110 002.

1. , :H FDUU\LQJ RQ EXVLQHVV DW« « « « « « « « « « EXVLQHVV DGGUHVV XQGHU WKH VW\OH RI « « « « « « « « « « individual or firm) hereby apply for grant of licence for Environment Management Systems Certification under the Bureau of Indian Standards Act,1986. In respect of Environment Management Systems in accordance with , 6 « « « « « 7KH GHVFULSWLRQ RI SURGXFWV UDQJH RI detailed below :

2. The above products/range of products/processes are rendered by RXU IDFWRU\ « « « « « « « « « « « « « « QDPH RI IDFWRU\ RQ WKH VLWXDWHG DW« « « « « « « « « « « « DGGUHVV

3. (a) The composition of the top Management of my/our factory is an follows :

Sl.No.	Name	Designation

(b) I/We undertake to intimate to the Bureau any change in the above composition as soon as it takes place.

4. I/We hereby enclose an attested copy/photo copy of the Certificate of incorporation issued by the Registrar of Firms of Societies/ Directorate General of Technical Development/Director of Industries or similar other documents authenticating the name of firm and its manufacturing premises.

5. I/We hereby enclose consents/clearances as per the provisions of Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution)Act,1981 respectively alongwith the authorisation, if any, under the Environment(Protection)Act,1986.

6. Details of Technical Personnel employed :

S.No.	Name	Qualification	Job

7. I/We propose to use the Environmental Management Manual prepared by us and to be approved by BIS (copy enclosed)

8. I/We agree to pay the Annual licence fee prescribed by the Bureau applicable from the date of the grant of the licence.

9. Should any initial enquiry be made by the Bureau, I/We agree to extend to the Bureau all reasonable facilities at my/our command and I/We also agree to pay all the expenses of the said enquiry, as and when required by the Bureau.

10. I/We request that the first assessment visit of my/our factory may be carried R X W E \ « « « « « « « « « (indicate date).

Or

11. Certifi H G W K D W , : H K D G H D U O L H U D S S O L H G I R U D O L F H C mature.

12. I/We undertake that should any of the information supplied above in the application form is found to be wrong, the application may be rejected forthwith.

13. I/We have not been convicted under the Bureau of Indian Standards Act in any court of Law and neither any prosecution is pending.

Or

The details of convictions/prosecutions pending under the BIS Act are as under :

« « « « « « « « « «

Or

15. Should the licence be granted and as long as it will remain operative, I/We hereby undertake to abide all the terms and conditions of the licence and the regulations prescribed under the aforesaid Act. In the event of the licence being suspended or cancelled, I/We also undertake to cease with immediate effect to use all the facilities to us in respect of the licence and return the licence and related documents to the Bureau.

'DWHG «««««GD\ RI ««««« 2QH WKRXVDQG QLQH KXQGUHG D

6LJQDWXUH «««««
1DPH «««««
'HVLJQDWLRQ «««««
For and on behalf of «««««

FORM VII

[see regulation 8 A(b)]

QUESTIONNAIRE FOR OBTAINING PRELIMINARY INFORMATION FROM THE APPLICANT FOR OBTAINING LICENCE FOR CERTIFICATION OF ENVIRONMENT MANAGEMENT SYSTEMS AGAINST RELEVENT INDIAN STANDARDS

1. Detailed of the company

1.1 1DPH RI WKH ILUP «««««««««««««««««

1.2 $GGUHVV RI WKH)DFWRU\ 8QLW «««««««««««««««

1.3 $GGUHVV RI WKH 5HJLVWHUHG 2IILFH «««««««««««

7HOHSKRQH «««««««««7HOH[«««««««««

1.4 6WDWXV RI WKH 8QLW «««««««(see note) DUJH 6PDOO

Note : Please enclose Registration letter from DGTD/Directorate of Industries authenticating yours status

1.4 Indicate whether the unit is a part of some larger organization, if so, give the name and address of the holding organizing
NamH «««««««««««««««««««««

A GGUHVV«««««««««««««««««««

1.5 Whether the unit is registered under Factories Act.

1.6 Legal occupancy of the Unit: - OWNER/TENANT/LESSEE

1.7 Years of commissioning of unit at the present site.

1.8 Number of shifts : Day/Night/Both

2. Number of employees

2.1 Indicate the total number of employees in the unit. Also indicate the number of employees accordingly to the structure of the factory either department/division wise as is applicable to the structure of your organization.

3. Information pertaining to Environment Management

3.1 Land Use (Site)

(a) Total area of the plot

(b) Total area of the building

(c) Total area of Unit/Factory

(d) Number of floors

(e) Height of the Building

(f) Height of working Hall

(g) Total area set aside for wild life habitat

(h) Area of contamination of land

3.2 Raw Material/Natural Resources

(a) Name of raw material

(b) Wither imported/indigenous

(c) Annual consumption value

(d) Use of natural resources, if any

3.3 Energy Management

(a) Source of Energy-Coal/LPG/Oil/Electricity/Non-conventional Energy/Traditional Energy-Firewood/Diesel Generating Set.

(b) Energy Load (KW)

(c) Clearance Certificate from local Authority

3.4 Air Quality Management

(a) Quantity of emissions such as CO, CO_2, SO_2, etc.

3.5 Water Management

(a) Sources of water-ground/municipal

(b) Consumption of water

(c) Management of waste water

(d) Management of storm water,

3.6 Effluent Management

(a) Type of effluent

(b) Quality of effluent

(c) Mode of disposal

3.7 Waste Management

(a) Waste produced per quantity of finished product.

(b) % waste recycled

(c) % recycled material used in packaging

3.8 Hazardous Material Management

(a) Type of hazardous material generated

(b) Quantity

(c) Mode of disposal/replacement

3.9 Transportation

(a) Have you attempted to reduce the impact of your teams and distribution methods on environment.

3.10. Legislative and Regulatory Requirements

(a) List below the legal requirement/standards/codes of practice

(b) Indicate the consent clearance obtained on the above from authorities

(c) Number of prosecutions, if any

3.11. Emergency /Contingency Plans

(a) Number of Environment Incidents/accidents

(b) Indicate the plans you have for dealing with emergencies/accidents

4. Other Information

4.1 Description of category of products or processes for which licence is sought

« « « «

FORM -VIII

[see regulation 8D(d)]

LICENCE FOR THE ENVIRONMENTAL MANAGEMENT SYSTEMS CERTIFICATION

/ L F H Q F H 1 R « « « « « « « « « «

1. By virtue of power conferred on it by the Bureau of Indian Standards Act, 1986 R I W K H % X U H D X K H U H E \ J U D Q W V W R « « « « « « « « « « « « called the licensee) the right and licence to be listed in th% X U H D X ¶ V U H J L V W H U H G licences of Environmental Management Systems Certification in respect of the following activities.

Such activities shall be carried out by the licence at only the address(es) given above, and under the Environmental Management Systems in accordance with , 6 « « « « « « « « « «

2. The licence is granted subject to the relevant provisions of the above Act and the Rules and Regulations made thereunder governing the liceces referred to above and the licence hereby covenants with the Bureau duly to observed with the said Rules and Regulations.

7 K H O L F H Q F H V K D O O E H Y D O L G I U R P « « « « « « W R « « « « renewed as prescribed in the Regulations.

for Bureau of Indian Standards

Note : The principal regulations were published in the Gazette of India vide number (GSR 524(E), dated 9 August, 1991 BIS/EC/REG/6 dated 27 September, 1994 and GSR 295 dated 13 July, 1996

THE BIO-MEDICAL WASTE (MANAGEMENT AND HANDLING) RULES, 1998

(As amended to date)

THE BIO-MEDICAL WASTE (MANAGEMENT AND HANDLING) RULES, 1998

MINISTRY OF ENVIRONMENT & FORESTS

NOTIFICATION

New Delhi, 20th July , 1998

[1]S.O.630(E).- Whereas a notification in exercise of the powers conferred by Sections 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986) was published in the Gazette vide S.O. 746(E), dated 16 October, 1997 inviting objections from the public within 60 days from the date of the publication of the said notification on the Bio-Medical Waste (Management and Handling) Rules, 1998 and whereas all objections received were duly considered ;

Now, therefore, in exercise of the powers conferred by Section 6, 8 and 25 of the Environment (Protection) Act, 1986 the Central Government hereby notifies the rules for the management and handling of bio-medical waste.

1. SHORT TITLE AND COMMENCEMENT

(1) These rules may be called the Bio-Medical Waste (Management and Handling) Rules, 1998.

(2) They shall come into force on the date of their publication in the official Gazette.

2. APPLICATION

These rules apply to all persons who generate, collect, receive, store, transport, treat, dispose, or handle bio-medical waste in any form.

---

1 As published in Gazette of India, Extraordinary Part II Section 3- Sub section (ii), vide notification S.O.630(E), dated 20.7.1998.

3. DEFINITIONS In these rules unless the context otherwise requires:

1. "Act" means the Environment (Protection) Act, 1986 (29 of 1986);

2. "Animal House" means a place where animals are reared/kept for experiments or testing purposes;

3. "Authorisation" means permission granted by the prescribed authority for the generation, collection, reception, storage, transportation, treatment, disposal and/or any other form of handling of bio-medical waste in accordance with these rules and any guidelines issued by the Central Government.

4. "Authorised person" means an occupier or operator authorised by the prescribed authority to generate, collect, receive, store, transport, treat, dispose and / or handle bio-medical waste in accordance with these rules and any guidelines issued by the Central Government.

5. "Bio-medical waste" means any waste, which is generated during the diagnosis, treatment or immunisation of human beings or animals or in research activities pertaining thereto or in the production or testing of biologicals, and including categories mentioned in Schedule I;

6. "Biologicals" means any preparation made from organisms or micro-organisms or product of metabolism and biochemical reactions intended for use in the

6. SEGREGATION, PACKAGING, TRANSPORTATION AND STORAGE

(1) Bio-medical waste shall not be mixed with other wastes.

(2) Bio-medical waste shall be segregated into containers/bags at the point of generation in accordance with Schedule II prior to its storage, transportation, treatment and disposal. The containers shall be labeled according to Schedule III.

(3) If a container is transported from the premises where bio-medical waste is generated to any waste treatment facility outside the premises, the container shall, apart from the label prescribed in Schedule III, also carry information prescribed in Schedule IV.

(4) Notwithstanding anything contained in the Motor Vehicles Act, 1988, or rules thereunder, untreated bio-medical waste shall be transported only in such vehicle as may be authorised for the purpose by the competent authority as specified by the Government.

(5) No untreated bio-medical waste shall be kept stored beyond a period of 48 hours :

provided that if for any reason it becomes necessary to store the waste beyond such period, the authorised person must take permission of the prescribed authority and take measures to ensure that the waste does not adversely affect human health and the environment.

[1][(6)The Municipal body of the area shall continue to pick up and transport segregated non bio-medical solid waste generated in hospitals and nursing homes, as well as duly treated bio-medical wastes for disposal at municipal dump site].

---

1 Inserted by Rule 3 of the Bio-Medical Waste (M & H) (Second Amendment) Rules, 2000 vide notification S.O.545(E), dated 2.6.2000.

7. PRESCRIBED AUTHORITY

[1][(1) [2][Save as otherwise provide, the prescribed authority for enforcement] of the provisions of these rules shall be the State Pollution Control Boards in respect of States and the Pollution Control Committees in respect of the Union Territories and all pending cases with a prescribed authority appointed earlier shall stand transferred to the concerned State Pollution Control Board, or as the case may be, the Pollution Control Committees].

[3][(1A)The prescribed authority for enforcement of the provisions of these rules in respect of all health care establishments including hospitals, nursing homes, clinics, dispensaries, veterinary institutions, Animal houses, pathological laboratories and blood banks of the Armed Forces under the Ministry of Defence shall be the Director General, Armed Forces Medical Services

(2) The prescribed authority for the State or Union Territory shall be appointed within one month of the coming into force of these rules.

(3) The prescribed authority shall function under the supervision and control of the respective Government of the State or Union Territory.

(4) The prescribed authority shall on receipt of Form I make such enquiry as it deems fit and if it is satisfied that the applicant possesses the necessary capacity to handle bio-medical waste in accordance with these rules, grant or renew an authorisation as the case may be.

(5) An authorisation shall be granted for a period of three years, including an initial trial period of one year from the date of issue. Thereafter, an application shall be made by the occupier/operator for renewal. All such

---

1 Substituted by Rule 4 of the Bio-Medical Waste (M & H) (Second Amendment) Rules, 2000 vide notification S.O.545(E), dated 2.6.2000.

2 Substituted by Rule 2 (a) of the Bio-Medical Waste (M&H) (Amendment) Rules, 2003 vide notification S.O.1069 (E), dated 17.9.2003.

3 Inserted sub-rule (1A) by Rule 2(b), ibid.

subsequent authorisation shall be for a period of three years. A provisional authorisation will be granted for the trial period, to enable the occupier/operator to demonstrate the capacity of the facility.

(6) The prescribed authority may after giving reasonable opportunity of being heard to the applicant and for reasons thereof to be recorded in writing, refuse to grant or renew authorisation.

(7) Every application for authorisation shall be disposed of by the prescribed authority within ninety days from the date of receipt of the application.

(8) The prescribed authority may cancel or suspend an authorisation, if for reasons, to be recorded in writing, the occupier/operator has failed to comply with any provision of the Act or these rules :

Provided that no authorisation shall be cancelled or suspended without giving a reasonable opportunity to the occupier/operator of being heard.

8. AUTHORISATI ON

(1) Every occupier of an institution generating, collecting, receiving, storing, transporting, treating, disposing and/or handling bio-medical waste in any other manner, except such occupier of clinics, dispensaries, pathological laboratories, blood banks providing treatment/service to less than 1000 (one thousand) patients per month, shall make an application in Form I to the prescribed authority for grant of authorisation.

(2) Every operator of a bio-medical waste facility shall make an application in Form I to the prescribed authority for grant of authorisation.

(3) Every application in Form I for grant of authorisation shall be accompanied by a fee as may be prescribed by the Government of the State or Union Territory.

[1][(4)The authorisation to operate a facility shall be issued in Form IV, subject to conditions laid therein and such other condition, as the prescribed authority, may consider it necessary.]

9. ADVISORY COMMITTEE

[2][(1)]The Government of every State/Union Territory shall constitute an advisory committee. The Committee will include experts in the field of medical and health, animal husbandry and veterinary sciences, environmental management, municipal administration, and any other related department or organisation including non-governmental organisations[3][***] . As and when required, the committee shall advise the Government of the State/Union Territory and the prescribed authority about matters related to the implementation of these rules.

[4][(2) Notwithstanding anything contained in sub-rule (1), the Ministry of Defence shall constitute in that Ministry, an Advisory Committee consisting of the following in respect of all health care establishments including hospitals, nursing homes, clinics, dispensaries, veterinary institutions, animal houses, pathological laboratories and blood banks of the Armed Forces under the Ministry of Defence, to advise the Director General, Armed Forces Medical Services and the Ministry of Defence in matters relating to implementation of these rules, namely:-

---

1 Inserted by Rule 5 of the Bio-Medical Waste (M&H) (Second Amendment) Rules, 2000 vide notification S.O.545(E), dated 2.6.2000.

2 Renumbered as Sub Rule (1) by Rule 3 of the Bio Medical Waste (M&H) (Amendment) Rules, 2003 notified vide Notification No.S.O.1069(E), dated 17.9.2003.

3 Omitted by Rule 6 of the Bio-Medical Waste (M & H)(Second Amendment) Rules, 2000 vide notification S.O.545(E), dated 2.6.2000.

4 Inserted sub Rule (2) by Rule 3 of the Bio Medical Waste (M&H) (Amendment) Rules, 2003 notified vide Notification No.S.O.1069(E), dated 17.9.2003.

(1) Additional Director General of
$ U P H G) R U F H V 0 H G L F D O 6 H U Y L F H V

(2) A representative of the Ministry of
Defence not below the rank of Deputy
Secretary, to be nominated by that Ministry « « 0 H P E H U

(3) A representative of the Ministry of Environment
and Forests not below the rank of Deputy Secretary
7 R E H Q R P L Q D W H G E \ W K D W 0 L Q L V W U \

(4) A representative of the Indian Society of
+ R V S L W D O V : D V W H 0 D Q D J H P H Q W 3 X Q H

[1][9A. MONITORING OF IMPLEMENTATION OF THE RULES IN ARMED FORCES HEALTH CARE ESTABLISHMENTS

(1) The Central Pollution Control Board shall monitor the implementation of these rules in respect of all the Armed Forces health care establishments under the Ministry of Defence.

2) After giving prior notice to the Director General Armed Forces Medical Services, the Central Pollution Control Board along with one or more representatives of the Advisory Committee constituted under sub-rule (2) of rule 9 may, if it considers it necessary, inspect any Armed Forces health care establishments.]

10. ANNUAL REPORT

Every occupier/operator shall submit an annual report to the prescribed authority in Form II by 31 January every year, to include information about the categories and quantities of bio-medical wastes handled during the preceding year. The prescribed authority shall send this information in a compiled form to the Central Pollution Control Board by 31 March every year.

---

1 Inserted Rule 9A by Rule 4 of the Bio Medical Waste (M&H) (Amendment) Rules, 2003 notified vide Notification No.S.O.1069(E), dated 17.9.2003.

11. MAINTENANCE OF RECORDS

(1) Every authorised person shall maintain records related to the generation, collection, reception, storage, transportation, treatment, disposal and/or any form of handling of bio-medical waste in accordance with these rules and any guidelines issued.

(2) All records shall be subject to inspection and verification by the prescribed authority at any time.

12. ACCIDENT REPORTING

When any accident occurs at any institution or facility or any other site where bio-medical waste is handled or during transportation of such waste, the authorised person shall report the accident in Form III to the prescribed authority forthwith.

13. APPEAL

[1][(1)] [2][Save as otherwise provided in sub-rule (2), any person] aggrieved by an order made by the prescribed authority under these rules may, within thirty days from the date on which the order is communicated to him, prefer an appeal[3][in form V] to such authority as the Government of State/Union Territory may think fit to constitute:

Provided that the authority may entertain the appeal after the expiry of the said period of thirty days if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

---

1 Renumbered as sub-rule (1) by Rule 5(a) of the Bio Medical Wastes (M&H) (Amendment) Rules, 2003 notified vide Notification No.S.O. 1069(E), dated 17.9.2003.

2 Substituted by Rule 5(a), ibid.

3 Inserted by Rule 7 of the Bio-Medical Waste (M & H) (Second Amendment) Rules, 2000 vide notification S.O.545 (E), dated 2.6.2000.

[1][(2) Any person aggrieved by an order of the Director General, Armed Forces Medical Services under these rules may, within thirty days from the date on which the order is communicated to him prefer an appeal to the Central Government in the Ministry of Environment and Forests.]

[2][14. COMMON DISPOSAL / INCINERATION SITES

Without prejudice to rule 5 of these rules, the Municipal Corporations, Municipal Boards or Urban Local Bodies, as the case may be, shall be responsible for providing suitable common disposal/incineration sites for the biomedical wastes generated in the area under their jurisdiction and in areas outside the jurisdiction of any municipal body, it shall be the responsibility of the occupier generating bio-medical waste/operator of a bio-medical waste treatment facility to arrange for suitable sites individually or in association, so as to comply with the provisions of these rules].

---

1 Inserted sub-rule (2) by Rule 5(b) the Bio Medical Waste (M&H) (Amendment) Rules, 2003 notified vide Notification No.S.O.1069(E), dated 17.9.2003.

2 Inserted by Rule 8 of the Bio-Medical Waste (M&H) (Second Amendment) Rules, 2000 notified vide S.O.545(E), dated 2.6.2000.

SCHEDULE I

(See Rule 5)

CATEGORIES OF BIO-MEDICAL WASTE

[1][Waste Category No.]	Waste Category [2][Type]	Treatment and Disposal [3][Option +]
Category No.1	Human Anatomical Waste (human tissues, organs, body parts)	Incineration@/deep burial*
Category No.2	Animal Waste (animal tissues, organs, body parts carcasses, bleeding parts, fluid, blo and experimental animals used research, waste generated by veterin hospitals, colleges, discharge fro hospitals, animal houses)	Incineration@/deep burial*
Category No.3	Microbiology & Biotechnology Wastes (Wastes from laboratory cultures, stoc or specimens of micro-organisms live or attenuated vaccines, human and ani cell culture used in research a infectious agents from research a industrial laboratories, wastes fro production of biologicals, toxins, dishses and devices used for transfer of culture	local autoclaving/micro-waving/incineration@
Category No.4	Waste sharps (needles, syringes, scalpels, blades, g etc. that may cause puncture and c This includes both used and unus sharps)	disinfection (chemical treatment@@/auto claving/ microwaving and multilation /shredding ##
Category No.5	Discarded Medicines and Cytotoxic drugs (wastes comprising of outdate contaminated and discarded medicines	incineration@/destruction and drugs disposal in secure landfills
Category No.6	[4][Soiled] Waste (Items contaminated with blood, a body fluids including cotton, dressing soiled plaster casts, lines beddings, ot material contaminated with blood)	incineration @ autoclaving/microwavig

1 Substituted by Rule 9 (i) of the Bio-Medical Waste (M & H) (Second Amendment) Rules, 2000 notified vide S.O.545(E), dated 2.6.2000.

2 Added by Rule 9(ii), ibid.

3 Substituted by Rule 9 (iii), ibid.

4 Substituted by rule 9(iv), ibid.

Category No.7	Solid Waste (wastes generated from disposable ite other than the waste[1][sharps] such as tubings, catheters, intravenous sets etc	disinfection by chemica treatment@@ autoclaving microwaving and mutilation/shredding##
Category No.8	Liquid Waste (waste generated from laboratory a washing, cleaning, housekeeping and disinfecting activities)	disinfection by chemica treatment @@ and discharg into drains.
Category No.9	Incineration Ash (ash from incineration of any bio-medical waste)	disposal in municipal landfill
Category No.10	Chemical Waste (chemicals used in production biologicals, chemicals used i disinfection, as insecticides etc.)	Chemical treatment @@ ar discharge into drains fo liquids and secured landfill fo solids

@@ Chemicals treatment using at least 1% hypochlorite solution or any other equivalent chemical reagent. It must be ensured that chemical treatment ensures disinfection.

Mutilation/shredding must be such so as to prevent unauthorized reuse.

@ There will be no chemical pretreatment before incineration. Chlorinated plastics shall not be incinerated.

* Deep burial shall be an option available only in towns with population less than five lakhs and in rural areas.

[2][+ Options given above are based on available technologies. Occupier/operator wishing to use other State-of-the-art technologies shall approach the Central Pollution Control Board to get the standards laid down to enable the prescribed authority to consider grant of authorisation].

---

1 Substituted by Rule 9 (v) of the Bio-Medical Waste (M & H) (Second Amendment) Rules, 2000 notified vide S.O.545(E), dated 2.6.2000.

2 Substituted by Rule 9 (iii) of the Bio-Medical Waste (M& H) (Second Amendment) Rules, 2000 notified vide S.O.545 (E), dated 2.6.2000.

SCHEDULE II

(see Rule 6)

COLOUR CODING AND TYPE OF CONTAINER FOR DISPOSAL OF BIO-MEDICAL WASTES

Colour Coding	Type of Container	Waste Category	Treatment options as per Schedule I
Yellow	Plastic bag	Cat.1, Cat. 2 Cat.3, Cat. 6	Incineration/deep burial
Red	Disinfected container/plastic bag	Cat. 3, Cat.6 Cat.7	Autoclaving/Microwaving/ Chemical Treatment
Blue/White translucent	Plastic bag/puncture proof container	Cat.4, Cat.7	Autoclaving/Microwaving/ Chemcial Treatment and destruction/shredding
Black	Plastic bag	Cat.5 and Cat.9 and Cat.10 (Solid)	Disposal in secured landfill

Notes :

1. Colour coding of waste categories with multiple treatment options as defined in Schedule I, shall be selected depending on treatment option chosen, which shall be as specified in Schedule I.
2. Waste collection bags for waste types needing incineration shall not be made of chlorinated plastics.
3. Categories 8 and 10 (liquid) do not require containers/bags.
4. Category 3 if disinfected locally need not be put in containers/bags.

SCHEDULE III

(see Rule 6)

LABEL FOR BIO-MEDICAL WASTE CONTAINERS/BAGS

BIOHAZARD SYMBOL

BIOHAZARD

CYTOTOXIC HAZARD SYMBO L

CYTOTOXIC

HANDLE WITH CARE

Note : Label shall be non-washable and prominently visible.

SCHEDULE IV

(see Rule 6)

LABEL FOR TRANSPORT OF BIO-MEDICAL WASTE CONTAINERS/BAGS

' D \ « « « « 0 R Q W K « « « « « «

< H D U « « « « « « « « «

' D W H R I J H Q H U D W L R Q « « « « « « « «

: D V W H F D W H J R U \ 1 R « « « « « «

Waste Class

Waste description

Sender's Name & Address	Receiver's Name & Address
Phone NR « « « « « « «	3 K R Q H 1 R « « « « « « « «
7 H O H [1 R « « « « « « «	7 H O H [1 R « « « « « « « «
) D [1 R « « « « « « « «	) D [1 R « « « « « « « «
& R Q W D F W 3 H U V R Q « « « « «	& R Q W D F W 3 H U V R Q « « « « « «

In case of emergency please contact :

Name & Address

Phone No.

Note : Label shall be non-washable and prominently visible.

SCHEDULE V

(see Rule 5 and Schedule I)

STANDARDS FOR TREATMENT AND DISPOSAL OF BIO-MEDICAL WASTES

STANDARDS FOR INCINERATORS :

All incinerators shall meet the following operating and emission standards :

A. Operating Standards

1. Combustion efficiency (CE) shall be at least 99.00%.
2. The Combustion efficiency is computed as follows :

$$C.E. = \frac{\%CO_2}{\%CO_2 + \%CO} \times 100$$

3. The temperature of the primary chamber shall be 800 ± 50°C
4. The secondary chamber gas residence time shall be at least 1 (one) second at 1050 ± 50°C, with minimum 3% Oxygen in the stack gas.

B. Emission Standards

Parameters	Concentration mg/Nm^3 (12% CO_2 correction)
(1) Particulate matter	150
(2) Nitrogen Oxides	450
(3) HCl	50

(4) Minimum stack height shall be 30 metres above ground.

(5) Volatile organic compounds in ash shall not be more than 0.01%.

Note :

¾ Suitably designed pollution control devices should be installed/retrofitted with the incinerator to achieve the above emission limits, if necessary.

- ¾ Wastes to be incinerated shall not be chemically treated with any chlorinated disinfectants.
- ¾ Chlorinated plastics shall not be incinerated.
- ¾ Toxic metals in incineration ash shall be limited within the regulatory quantities as defined under the Hazardous Waste (Management and Handling) Rules, 1989.
- ¾ Only low sulphur fuel like L.D.O./L.S.H.S./Diesel shall be used as fuel in the incinerator.

STANDARDS FOR WASTE AUTOCLAVING :

The autoclave should be dedicated for the purposes of disinfecting and treating bio-medical waste,

(I) When operating a gravity flow autoclave, medical waste shall be subjected to :

(i) a temperature of not less than 121°C and pressure of 15 pounds per square inch (psi) for an autoclave residence time of not less than 60 minutes; or

(ii) a temperature of not less than 135°C and a pressure of 31 psi for an autoclave residence time of not less than 45 minutes; or

(iii) a temperature of not less than 149°C and a pressure of 52 psi for an autoclave residence time of not less than 30 minutes.

(II) When operating a vacuum autoclave, medical waste shall be subjected to a minimum of one pre-vacuum pulse to purge the autoclave of all air. The waste shall be subjected to the following :

(i) a temperature of not less than 121°C and pressure of 15 psi per an autoclave residence time of not less than 45 minutes ; or

(ii) a temperature of not less than 135°C and a pressure of 31 psi for an autoclave residence time of not less than 30 minutes;

(III) Medical waste shall not be considered properly treated unless the time, temperature and pressure indicators indicate that the required time, temperature and pressure were reached during the autoclave process. If for any reasons, time temperature or pressure indicator indicates that the required temperature, pressure or residence time was not reached , the entire load of medical waste must be autoclaved again until the proper temperature, pressure and residence time were achieved.

(IV) Recording of operational parameters

Each autoclave shall have graphic or computer recording devices which will automatically and continuously monitor and record dates, time of day, load identification number and operating parameters throughout the entire length of the autoclave cycle.

(V) Validation test

Spore testing :

The autoclave should completely and consistently kill approved biological indicator at the maximum design capacity of each autoclave unit. Biological indicator for autoclave shall be Bacillus stearothermophilus spores using vials or spore strips, with at least 1×10^4 spores per millilitre. Under no circumstances will an autoclave have minimum operating parameters less than a residence time of 30 minutes, regardless of temperature and pressure, a temperature less than 121°C or a pressure less than 15 psi.

(VI) Routine Test

A chemical indicator strip/tape that changes colour when a certain temperature is reached can be used to verify that a specific temperature has been achieved. It may be necessary to use more than one strip one strip over the waste package at different location to ensure that the inner content of the package has been adequately autoclaved.

STANDARDS FOR LIQUID WASTE :

The effluent generated from the hospital should conform to the following limits :

PARAMETERS	PERMISSIBLE LIMITS
pH	6.5-9.0
Suspended solids	100 mg/1
Oil and grease	10 mg/1
BOD	30 mg/1
COD	250 mg/1
Bio-assay test	90% survival of fish after 96 hours in 100% effluent

These limits are applicable to those hospitals which are either connected with sewers without terminal sewage treatment plant or not connected to public sewers. For discharge into public sewers with terminal facilities, the general standards as notified under the Environment (Protection) Act, 1986 shall be applicable.

STANDARDS OF MICROWAVING :

1. Microwave treatment shall not be used for cytotoxic, hazardous or radioactive wastes, contaminated animal carcasses, body parts and large metal items.
2. The microwave system shall comply with the efficacy test/routine tests and a performance guarantee may be provided by the supplier before operation of the unit.

3. The microwave should completely and consistently kill the bacteria and other pathogenic organisms that is ensured by approved bio-logical indicator at the maximum design capacity of each microwave unit. Biological indicators for microwave shall be Bacillus Subtilis spores using vials or spore strips with at least $1x10^{4}$ spores per milliliter.

STANDARDS FOR DEEP BURIAL

1. A pit or trench should be dug about 2 metres deep. It should be half filled with waste, then covered with lime within 50 cm of the surface, before filling the rest of the pit with soil.
2. It must be ensured that animals do not have any access to burial sites. Covers of galvanized iron/wire meshes may be used.
3. On each occasion, when wastes are added to the pit, a layer of 10 cm of soil shall be added to cover the wastes.
4. Burial must be performed under close and dedicated supervision.
5. The deep burial site should be relatively impermeable and no shallow well should be close to the site.
6. The pits should be distant from habitation, and sited so as to ensure that no contamination occurs of any surface water or groundwater. The area should not be prone to flooding or erosion.
7. The location of the deep burial site will be authorized by the prescribed authority.
8. The institution shall maintain a record of all pits for deep burial.

[1][SCHEDULE VI]

(see rule 5)

SCHEDULE FOR WASTE MANAGEMENT FACILITIES LIKE INCINERATOR/AUTOCLAVE / MICROWAVE SYSTEM

A. Hospitals and nursing homes towns with population of 30 lakh and above	By 30th June, 2000 or earlier
B. Hospitals and nursing homes in towns with population of below 3 lakhs-	
(a) with 500 beds and above	By 30th June, 2000 or earlier
(b) with 200 beds and above b less than 500 beds.	By 31st December, 2000 or earlier
(c) With 50 beds and above b less than 200 beds	By 31st December, 2001 or earlier
(d) With less than 50 beds	By 31st December, 2002 or earlier
C. All other institutions generating bio medical waste not included in A and above.	By 31st December, 2002 or earlier

[1] Substituted for "Medical Waste (Management and Handling) Rules, 2000 notified vide notification S.O.201(E), dated 6.3.2000 and came into force w.e.f. 6.3.2000.

FORM I

(See rule 8)

[1][APPLICATION FOR AUTHORISATION/RENEWAL OF AUTHORISATION]

(To be submitted in duplicate)

To,

The Prescribed Authority
(Name of the State Govt. /UT Administration)
Address.

1. Particulars of Applicant
(i) Name of the Applicant
(in block letters & in full)

(ii) Name of the Institution :
Address :
Tele No., Fax. No., Telex No.,

2. Activity for which authorisation is sought:

(i) Generation
(ii) Collection
(iii) Reception
(iv) Storage
(v) Transportation
(vi) Treatment
(vii) Disposal
(viii) Any other form of handling

3. Please state whether applying for fresh authorisation or for renewal :
(in case of renewal previous authorisation number and date)

4. (i) Address of the institution handling bio-medical wastes:
(ii) Address of the place of the treatment facility:
(iii) Address of the place of disposal of the waste :

5. (i) Mode of transportation (in any) of bio-medical waste :
(ii) Mode(s) of treatment :

6. Brief description of method of treatment and disposal (attach details):

---

[1] Substituted by Rule 10 of the Bio-Medical Waste (M &H) (Second Amendment) Rules, 2000 notified vide S.O.545(E), dated 2.6.2000.

7. (i) Category (see Schedule I) of waste to be handled

(ii) Quantity of waste (category-wise) to be handled per month

8. Declaration

I do hereby declare that the statements made and information given above are true to the best of my knowledge and belief and that I have not concealed any information.

I do also hereby undertake to provide any further information sought by the prescribed authority in relation to these rules and to fulfill any conditions stipulated by the prescribed authority.

Date : Signature of the applicant

Place : Designation of the applicant

FORM II
(see rule 10)
ANNUAL REPORT

(To be submitted to the prescribed authority by 31 January every year).

1. Particulars of the applicant:

   (i) Name of the authorised person(occupier/operator):
   (ii) Name of the institution:
   Address
   Tel.No.
   Telex No.
   Fax No.

2. Categories of waste generated and quantity on a monthly average basis :

3. Brief details of the treatment facility :

   In case of off-site facility :

   (i) Name of the operator
   (ii) Name and address of the facility :
   Tel. No., Telex No., Fax No.

4. Category-wise quantity of waste treated :

5. Mode of treatment with details :

6. Any other information :

7. &HUWLILHG WKDW WKH DERYH UHSRUW LV IRU WKH SHUI

« « « «

FORM III

(see Rule 12)

ACCIDENT REPORTING

1. Date and time of accident :

2. Sequence of events leading to accident :

3. The waste involved in accident :

4. Assessment of the effects of the accidents on human health and the environment:

5. Emergency measures taken :

6. Steps taken to alleviate the effects of accidents :

7. Steps taken to prevent the recurrence of such an accident :

' D W H « « « « « « « « Sign D W X U H « « « « « « « «

3 O D F H « « « « « « « « ' H V L J Q D W L R Q « « « « « « « «

[1][FORM IV

[see Rule 8(4)]

(AUTHORISATION FOR OPERATING A FACILITY FOR COLLECTION, RECEPTION, TREATMENT, STORAGE, TRANSPORT AND DISPOSAL OF BIOMEDICAL WASTES.)

1. File number of authorisation and date of L V V X H « « « « « « « « « « « « « « «

2. « « « « « « « « « « RI « « « « « « « « « « « « « « « « « LV KHUHE\ granted an authorisation to operate a facility for collection, reception, storage, transport and disposal of biomedical waste on the premises situated at « « « « « « « « « « « « « « « « «

TERMS AND CONDITIONS OF AUTHORISATION *

1. The authorisation shall comply with the provisions of the Environment (Protection) Act, 1986 and the rules made thereunder.

2. The authorization or its renewal shall be produced for inspection at the request of an officer authorised by the prescribed authority.

3. The person authorized shall not rent, lend, sell, transfer or otherwise transport the biomedical wastes without obtaining prior permission of the prescribed authority.

4. Any unauthorised change in personnel, equipment or working conditions as mentioned in the application by the person authorised shall constitute a breach of his authorisation.

5. It is the duty of the authorised person to take prior permission of the prescribed authority to close down the facility.

---

* Additional terms and conditions may be stipulated by the prescribed authority.

[1][FORM V]
(see rule 13)

Application for filing appeal against order passed by the prescribed authority at district level or regional office of the Pollution Control Board acting as prescribed authority or the State/Union Territory level authority.

1. Name and address of the person applying for appeal :

2. Number, date of order and address of the authority which passed the order, against which appeal is being made (certified copy of order to be attached)

3. Ground on which the appeal is being made.

4. List of enclosures other than the order referred in para 2 against which appeal is being filed.

6 L J Q D W X U H « « « « « « « « «

Date : 1 D P H $ G G U H V V « « « « « « « « «

F.No.23(2)/96-HSMD
V.RAJAGOPALAN, Jt. Secretary

Note : The Principal rules were published in the Gazette of India vide number S.O.630(E), dated 20.7.98 and subsequently amended vide (1) S.O.201(E), dated 6.3.2000; (2) S.O.545(E), dated 2.6.2000; and (iii) S.O.1069(E), dated 17.9.2003.

[1] Added by Rule 11 of the Bio-Medical Waste (M &H) (Second Amendment) Rules, 2000 notified vide S.O. 545(E), dated 2.6.2000.

THE PLASTICS MANUFACTURE, SALE AND USAGE RULES, 1999

(As amended to date)

THE PLASTICS MANUFACTURE, SALE AND USAGE RULES, 1999

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 2nd September, 1999

[1][S. 0.705 (E).-Whereas draft rules in exercise of the powers conferred by clause (viii) of sub section (2) of section 3 read with section 25 of the Environment (Protection) Act, 1986 (29 of 1986) was published in the Gazette vide S.O. 980 (E) dated 20th November, 1998 entitled Recycled Plastics Usage Rules, 1998 inviting objections from the public within 60 days from the date of the publication of the said notification and whereas all objections received were duly considered;

Now, therefore, in exercise of the powers conferred by clause (viii) of sub-section (2) of section 3 read with section 25 of the Environment (Protection) Act, 1986, the Central Government hereby notifies the rules for the manufacture and use of recycled plastics carry bags and containers;

1. SHORT TITLE AND COMMENCEMENT

(1) (a) These rules may be called [the Plastics Manufacture, Sale and Usage Rules. 1999.][2]

(b) They shall come into force on the date of their publication in the Official Gazette.

[3][(2) APPLICATION

The provisions of rules 4 and 8 shall not apply to the manufacture of carry bags exclusively for export purpose, against an order for export received by the owner or occupier of the concerned manufacturing unit];

[4][2. DEFINITIONS In these rules, unless the context otherwise requires, -

(a) ³$FW´ PHDQV WKH (QYLURQPHQW 3URWHFWLRQ $FW

(b) ³FDUU\ EDJV´ PHDQV SODVWLF EDJV ZKLFK KDYH D VH known as vest type bags or any other feature used to carry commodities such DV ³'´ SXQFKHG EDJVe Annexure to these rules; WHG LQ WK

(c) ³FRPPRGLWLHV´ LQFOXGHV DUWLFOHV VXFK DV YHJHW and the like;

---

1 Source ±As published in Gazette of India Part II, Section 3, sub-section (ii), dated 2.9.1999, subsequently, amended by Notification No. S.O.698(E), dated 17.6.2003;

2 Substituted by Rule 2 of the Recycled Plastics Manufacture, Sale and Usage (Amendment) Rules, 2003 published vide Notification No. S.O.698(E), dated 17.6.2003.

3 Substituted by Rule 3, ibid.

4 Substituted by Rule 3, ibid.

(d) ³FRQWDLQHU´ PHDQV IOH[LEOH RU ULJLG FRQWDLQH
recycled plastics with or without lid used to store, carry or dispense commodities;

(e) ³IRRGVWXIIV´ PHDQV UHDG\ WR HDW IRRG DUWLFOHV D
processed or cooked food in liquid, powder, solid or semi-solid form;

(f) ³UHJLVWUDWLRQ´ PHDQV UHJLVWUDWLRQ RI XQLWV
containers made of virgin or recycled plastics with the concerned State Pollution Control Board or Pollution Control Committee as the case may be;

(g) ³YHQGRU´ PHDQV D SHUVRQ ZKR VHOOV IRRG VWXIIV
carry bags or containers.]

3. PRESCRIBED AUTHORITY

(a) The prescribed authority for enforcement of the provisions of these rules related to manufacture and recycling shall be the State Pollution Control Boards in respect of States and the Pollution Control Committees in respect of Union Territories;

(b) The prescribed authority for enforcement of the provisions of these rules related to the use, collection, segregation, transportation and disposal shall be the District Collector/Deputy Commissioner of the concerned district where no Such Authority has been constituted by the State Government/Union Territory administration under any law regarding non-biodegradable garbage.

[1][4. RESTRICTION ON MANUFACTURE, SALE, DISTRIBUTION AND USE OF VIRGIN AND RECYCLED PLASTIC CARRY BAGS AND RECYCLED PLASTIC CONTAINERS

(1) No person shall manufacture, stock, distribute or sell carry bags made of virgin or recycled plastic bags which are less than 8 x 12 inches {20 x 30 cms} in size and which do not conform to the minimum thickness specified in rule 8.

(2) No vendor shall use carry bags made of recycled plastic for storing, carrying, dispensing or packaging of foodstuffs.

(3) No vendor shall use containers made of recycled plastics for storing, carrying, dispensing or packaging of foodstuffs.

Explanation - For the purposes of this rule, the minimum weight of 50 carry bags made of virgin or recycled plastics shall be 105 gms. plus or minus 5% variation and the carry bags of larger sizes shall be of proportionate increase in weight.]

---

1 Substituted by Rule 4 of the Recycled Plastics Manufacture and Usage (Amendment) Rules, 2003 published vide Notification No. S.O.698(E), dated 17.6.2003.

5. CONDITIONS OF MANUFACTURE OF CARRY BAGS AND CONTAINERS, MADE OF PLASTICS

Subject to the provisions of rule 4, any person may manufacture carry bags or containers made of plastics if the following conditions are satisfied, namely-.

(a) Carry bags and containers made of virgin plastic shall be in natural shade or white;

(b) Carry bags and containers made of recycled plastic and used for purposes other than storing and packaging foodstuffs shall be manufactured using pigments colourants as per IS:9833:1981 entitled "List of pigments and colourants for use in plastics in contact with foodstuffs, pharmaceuticals and drinking water".

6. RECYCLING

Recycling of plastics shall be undertaken strictly in accordance with the Bureau of Indian Standards specification: IS 14534: 1998 entitled "The Guidelines for Recycling of Plastics".

7. MARKING/CODIFICATION

[1][Subject to the provision of Rule 4 and 5, manufactures of] recycled plastic carry bags having printing facilities shall code/mark carry bags and containers as per Bureau of Indian Standard Specification: IS 14534: 1998 entitled "The Guidelines for Recycling of Plastics" and the end product made out of recycled plastics shall be marked as "recycled along with the indication of the percentage of use of recycled material. Other manufacturers, who do riot have printing facilities, shall comply with the condition within one year of publication of these rules. Manufacturers shall print on each packet of carry bags as to whether these are made of "recycled material" or of "virgin plastic

8. THICKNESS OF CARRY BAGS

The minimum thickness of carry bags made of virgin plastics or recycled plastics shall not be less than 20 microns.

9. SELF REGULATION BY CERTAIN PERSONS

Without prejudice to the provisions contained in rule 3, the Plastics Industry Association, through their member units, shall undertake self-regulatory measures.

[2][10. GRANT OF REGISTRATION FOR MANUFACTURES

(1) Every occupier manufacturing carry bags or containers of virgin plastic or recycled plastic or both shall make an application in Form 1 appended to these rules to the State Pollution Control Board or Pollution Control Committee of the union territory concerned for grant of registration or renewal of registration for his unit within four

---

1 Substituted by Rule 5 of the Recycled Plastics Manufacture and Usage (Amendment) Rules, 2003 published vide Notification No. S.O.698(E), dated 17.6.2003;

2 Added by Rule 6, ibid.

months from the date of publication of the Recycled Plastics Manufacture and Usage (Amendments) Rules, 2003 in the official gazette.

(2) On or after the commencement of the Recycled Plastics Manufacture and Usage (Amendments) Rules 2003, no person shall manufacture carry bags or containers irrespective of its size or weight unless the occupier of the unit has registered the unit with the State Pollution Control Board/ Pollution Control Committee prior to the commencement of production;

(3) The State Pollution Control Board or Pollution Control Committee shall not issue and renew a registration certificate of a unit unless that unit meets the norms prescribed under rules 5,6,7 and 8 of these rules and also possess a valid consent under the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) and the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981) as per the requirements laid down by the State Pollution Control Board or Pollution Control Committee.

(4) Every State Pollution Control Board or State Pollution Control Committee shall grant registration within thirty days of receipt of application complete in all respects.

(5) The registration granted under this rule shall, unless revoked suspended or cancelled earlier, be valid for a period of three years.

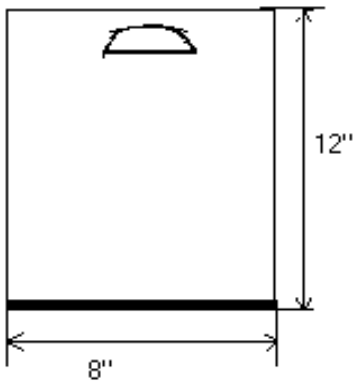
(6) Every application for renewal of registration shall be made in the Form 1 appended to these rules at least sixty days before the expiry of the validity of registration

ANNEXURE

[See rule 2 (b)]

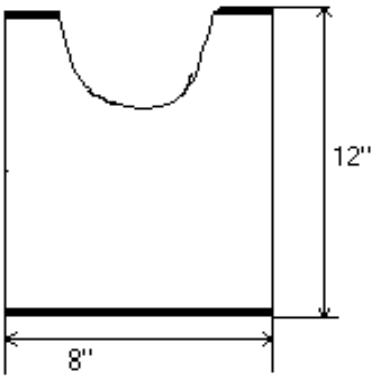
Shape of bags

Figure I



"D" Punched Bag

Figure II



Vest Type Bag

FORM - I

[See rules 10(1) and 10(4)]

APPLICATION FOR REGISTRATION OF A UNIT FOR MANUFACTURE OF PLASTIC CARRY BAGS AND CONTAINERS

From: .....

« « « « « « « « « « «

« « « « « « « « « « « 1DPH DQG IXOO DGGUHVV RI WKH RFFXSLH

To

The Member Secretary,

« « « 3ROOXWLRQ &RQWURO %RDUG 3ROOXWLRQ

« « « « « « « « « « « « « «

« « « « « « « « « « « « « «

Sir,

I/We hereby apply for registration under rule 10 of the Plastics Manufacture, Sale and Usage Rules, 1999.

PART ±A GENERAL		
1.(a)	Name of the unit and location of activity	
(b)	Address of the unit	
(c)	Registration required for manufacturi of : (i) Carry bag virgin (ii) Carry bag recycled (iii) Containers virgin (iv) Container recycled	
(d)	Manufacturing capacity	
(e)	In case of renewal of Registration previous Registration number and date	

2.(a)	Is the unit registered with DCSSI or Department of Industries of the State Government/Union Territory Administration?	
(b)	If yes, attach a copy.	
3.(a)	Total capital invested on the project	
(b)	Year of commencement of production	
4 (a)	List and quantum of products and by-products	
(b)	List and quantum of raw materials used	
5	Furnish a flow diagram of manufacturing process showing input and output in terms of products and waste generated including for captive power generation and demineralized water	
6	Minimum sizes of carry bags to be manufactured. (in any case it should not E H O H V V W K D Q ´ [´	
7.	Status of compliance with rules 5,6 and 8	

PART ±B PERTAINING TO LIQUID EFFLUENT AND GASEOUS EMISSIONS		
8.	(a) Does the unit have a vali consent under the Wat (Prevention and control c Pollution) Act, 1974 (6 of 1974) If yes, attach a copy	
	(b) Does the unit have a vali consent under the Ai (Prevention and Control of Pollution) Act, 1981 (14 of 1981) If yes, attach a copy	
PART ±C PERTAINING TO WASTE		
9.	Solid Wastes: (a) Total quantum of generation (b) Mode of storage within the plant (c) Provision made for disposal (d)	
Place : Signature Date : Designation		

FORM II

[See rule 10(3)]

CERTIFICATE OF REGISTRATION FOR THE MANUFACTURE OF PLASTIC CARRY BAGS AND CONTAINERS

) L O H 1 R « « «
Dat H G « « « «

To

« « « «

« « « «

« « « « «

5 H I < R X U D S S O L F D W L R Q 1 R « « « « G D W H G « « « V H H N L Q J U H J L
of carry bags and containers

7 K H « « « « « « « 6 W D W H 3 R O O X W L R Q & R Q W U R O % R D U G R U 3 R O O X
examining the application, hereby F H U W L I L H V W K D W « « « « « « 1 D P H $ G G U H V
8 Q L W K D V E H H Q U H J L V W H U H G D V D X Q L W P D Q X I D F W X U L Q J «

This certificate of registration shall be valid for a period of three years unless revoked or suspended.

The certificate is granted subject to the following conditions:

(i)
(ii)
(iii)

Date:

Place:

(Member Secretary)
State Pollution Control Board/
Pollution Control Committee]

[F.No. 17-2/2001- HSMD (Pt-1)]
Dr. V. Rajagopalan, Jt. Secretary

Note.- The principal rules were published in the Gazette of India vide S.O. 705 (E), dated, the 2nd September,1999 and subsequently amended vide S.O.698(E), dated 17th June, 2003 .

THE MUNICIPAL SOLID WASTES (MANAGEMENT AND HANDLING) RULES, 2000

THE MUNICIPAL SOLID WASTES (MANAGEMENT AND HANDLING) RULES, 2000

(MINISTRY OF ENVIRONMENT & FORESTS)

NOTIFICATION

New Delhi, the 25th September, 2000

[1]S.O.908(E).- Whereas the draft of the Municipal Solid Wastes (Management and Handling) Rules, 1999 were published under the notification of the Govt. of India in the Ministry of Environment & Forests, number S.O.783(E), dated, the 27th September, 1999 in the Gazette of India, Part II, Section 3, Sub-section (ii) of the same date inviting objections and suggestions from the persons likely to be affected thereby, before the expiry of the period of sixty days from the date on which the copies of the Gazette containing the said notification are made available to the public;

And Whereas copies of the said Gazette were made available to the public on the 5th October, 1999;

And whereas the objections and suggestions received from the public in respect of the said draft rules have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by Section 3, 6 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby makes the following rules to regulate the management and handling of the municipal solid wastes, namely :-

1. SHORT TITLE AND COMMENCEMENT.-

(1) These rules may be called the Municipal Solid Wastes (Management and Handling) Rules, 2000.

(2) Save as otherwise provided in these rules, they shall come into force on the date of their publication in the Official Gazette.

2. APPLICATION .-

These rules shall apply to every municipal authority responsible for collection, segregation, storage, transportation, processing and disposal of municipal solid wastes.

---

[1] As published in Gazette of India, Extraordinary, Part II 3(ii), dated 25.9.2000.

3. DEFINITIONS. ±In these rules, unless the context otherwise requires, -

(i) ³DQDHURELF PHDQV D FRQWUROOHG process involving microbial decomposition of organic matter in the absence of oxygen ;

(ii) ³DXWKRUL]DWLRQ PHDQV WKH FRQVHQW given by the Board or Committee to the ³RSHUDWRU RI D IDFLOLW\´

(iii) ³EL RGHJUDGDEOH PHDQV VXEVWDQFH WKDW can be degraded by micro-organisms;

(iv) ³biomethanation´ PHDQV D SURFHVV ZKLFK HQWDLOV HQ]\PDWLF of the organic matter by microbial action to produce methane rich biogas;

(v) ³collection´ PHDQV OLIWLQJ DQG UHPRYDO RI VROLG ZDVWH or any other location;

(vi) ³FRPSRVWLQJ´ means a controlled process involving microbial decomposition of organic matter;

(vii) ³GHPROLWLRQ DQG FRQVWUXFWLRQ ZDVWH´ means wastes from building materials debris and rubble resulting from construction, re-modelling, repair and demolition operation;

(viii) ³GLVSRVDO´ means final disposal of municipal solid wastes in terms of the specified measures to prevent contamination of ground-water, surface water and ambient air quality;

(ix) ³)RUP´ means a Form appended to these rules ;

(x) ³JHQHUDWRU´ means a person who or establishments generating municipal solid wastes;

(xi) ³ODQGILOO´ PHDQV GLVSRVDO RI VROLG ZDVWH in land designed with protective measures against pollution of ground water, surface water and air fugitive dust, wind-blown litter, bad odour, fire hazard, bird menace, pests or rodents, greenhouse gas emissions, slope instability and erosion;

(xii) ³OHDFKDWH´ means liquid that seeps through solid wastes or other medium and has extracts of dissolved or suspended material from it;

(xiii) ³OYSLPHWHU´ is a device used to measure rate of movement of water through or from a soil layer or is used to collect percolated water for quality analysis;

(xiv) ³PXQLFLSDO´ DPHDQV PXQLFLSDO &RUSRUDWLRQ 0XQLFLSDO Palika, Nagar Nigam, Nagar Panchayat, Municipal Council including notified area committee (NAC) or any other local body constituted under the relevant statutes and, where the management and handling of municipal solid waste is entrusted to such agency;

(xv) ³PXQLFLSDO VROLG ZDVWH´ PHDQV VROLG RU VHPL-solid wastes generated in a municipal or notified areas in either solid or semi-solid form excluding industrial hazardous wastes but including treated bio-medical wastes;

(xvi) ³RSHUDWRU RI D IDFLOLW\´ PHDQV DQ\ SHUVRQ ZKR RZQV RU RSHUDWHV collection, segregation, storage, transportation, processing and disposal of municipal solid wastes and also includes any other agency appointed as such by the municipal authority for the management and handling of municipal solid wastes in the respective areas ;

(xvii) ³SHOOHWLVDWLRQ´ PHDQV D SURFHVV ZKHUHE\ SHOOHWV DUH small cubes or cylindrical pieces made out of solid wastes and includes fuel pellets which are also referred as refuse derived fuel;

(xviii) ³SURFHVVLQJ´ means the process by which solid wastes are transformed into new or recycled products;

(xix) ³UHF\FOLQJ´ WKH Sorting segregated solid wastes into raw materials for producing new products, which may or may not be similar to the original products;

(xx) ³Schedule´ PHDQV D 6FKHGXOH DSSHQGHG WR WKHVH UX

(xxi) ³VHJUHJDWLRQ´ means to separate the municipal solid wastes into the groups of organic, inorganic, recyclables and hazardous wastes;

(xxii) ³6WDWH %RDUG RU 3ROOXWLRQ &RQWURO &RPPLWWHH´ PHDQV 3 of a State, or as the case may be, the Pollution Control Committee of a Union territory;

(xxiii) ³VWRUDJH´ means the temporary containment of municipal solid wastes in a manner so as to prevent littering, attraction to vectors, stray animals and excessive foul odour;

(xxiv) ³WUDQVSRUWDWLRQ´ means the movement of municipal solid wastes in a place hygienically through specially designed transport system so as to

prevent foul odour, littering, unsightly conditions and accessibility to vectors;

(xxv) ³ Y D G R V H´ ZZDWHU Z K L F K R F F X U V E H W Z H H Q W K H J U R X water table that is the unsaturated zone;

(xxvi) ³ Y H U P L F R P SRVW LQJ´ using earthworms for conversion of bio-degradable wastes into compost.

4. RESPONSIBILITY OF MUNICIPAL AUTHORITY.-

(1) Every municipal authority shall, within the territorial area of the municipality, be responsible for the implementation of the provisions of these rules, and for any infrastructure development for collection, storage, segregation, transportation, processing and disposal of municipal solid wastes.

(2) The municipal authority or an operator of a facility shall make an application in Form-I, for grant of authorization for setting up waste processing and disposal facility including landfills from the State Board or the Committee in order to comply with the implementation programme laid down in Schedule I.

(3) The municipal authority shall comply with these rules as per the implementation schedule laid down in Schedule I.

(4) The municipal authority shall furnish its annual report in Form-II.

(a) to the Secretary-incharge of the Department of Urban Development of the concerned State or as the case may be of the Union territory, in case of a metropolitan city ; or

(b) to the District Magistrate or the Deputy Commissioner concerned in case of all other towns and cities, with a copy to the State Board or the Committee on or before the 30th day of June every year.

5. RESPONSIBILITY OF THE STATE GOVERNMENT AND THE UNION TERRITORY ADMINISTRATIONS.-

(1) The Secretary±incharge of the Department of Urban Development of the concerned State or the Union territory, as the case may bcT(i)6(1on o-5.el)-5([]TJem)1cas

(2) The waste processing and disposal facilities to be set up by the municipal authority on their own or through an operator of a facility shall meet the specifications and standards as specified in Schedule III and IV.

8. ANNUAL REPORTS.-

(1) The State Boards and the Committees shall prepare and submit to the Central Pollution Control Board an annual report with regard to the implementation of these rules by the 15th of September every year in Form ±V.

(2) The Central Pollution Control Board shall prepare the consolidated annual review report on management of municipal solid wastes and forward it to the Central Government alongwith its recommendations before the 15th December every year.

9. ACCIDENT REPORTING. -

When an accident occurs at any municipal solid wastes collection, segregation, storage, processing, treatment and disposal facility or landfill site or during the transportation of such wastes, the municipal authority shall forthwith report the accident in Form ±V to the Secretary in-charge of the Urban Development Department in metropolitan cities, and to District Collector or Deputy Commissioner in all other cases.

SCHEDULE-I

[see rules 4(2) and (3)]

Implementation Schedule

S.No.	Compliance Criteria	Schedule
1.	Setting up ofwaste processing and dispos facilities	By 31.12.2003 or earlier
2.	Monitoring the performance of was processing and disposal facilities	Once in six months
3.	Improvement of existing landfill sites as p provisions of these rules	By 31.12.2001or earlier
4.	Identification of landfill sites for future us and making site(s) ready for operation	By 31.12.2002 or earlier

SCHEDULE ±II

[see rules 6(1) and (3), 7(1)]

Management of Municipal Solid Wastes

S. No.	Parameters	Compliance criteria
1.	Collection of municipal solid wastes	1. Littering of municipal solid waste shall b prohibited in cities, towns and in urban are notified by the State Governments. To prohi littering and facilitate compliance, th following steps shall be takenby the municipal authority, namely-: (i) Organising house-to-house collection of municipal solid wastes through an of the methods, like community bi collection (central bin), house-to-house collection, collection on regul pre-informed timings and scheduling by using bell ringing of musica

		vehicle (without exceedin permissible noise levels); (ii) Devising collection of waste fron slums and squatter areas or localit including hotels, restaurants, offic complexes and commercial areas; (iii) Wastes from slaughter houses, mea and fish markets, fruits and vegetal markets, which are biodegradable nature shall be managed to make of such wastes; (iv) Bio-medical wastes and industri wastes shall not be mixed wit municipal solid wastes and suc wastes shall follow the rules separatel specified for the purpose; (v) Collected waste from residential a other areas shall be transferred community bin by hand drive containerised carts or other sm vehicles; (vi) Horticultural and construction c demolition wastes or debris shall b separately collected and disposed following proper norms. Similarly wastes generated at dairies shall regulated in accordance with the St laws; (vii) Waste (garbage, dry leaves) shall be burnt.; (viii) Stray animals shall not be allowed to move around waste storage facilit or at any other place in the city town and shall be managed accordance with the State laws.

		2. The municipal authority shall notify was collection schedule and the likely method be adopted for public benefit in a city or town. 3. It shall be the responsibility of generator wastes to avoid littering and ensure delivery wastes in accordance with the collection a segregation system to be notified by t municipal authority as per para 1(2) of this schedule.
2.	Segregation of municipal solid wastes	In order to encourage the citizens, municip authority shall organise awarene programmes for segregation of wastes a shall promote recycling or reuse of segregated materials. The municipal authority shall undertake phased programme to ens community participation in waste segregatio For this purpose, regular meetings at quarte intervals shall be arranged by the municip authorities with representatives of loc resident welfare associations and non-governmental organizations.
3.	Storage of municipal solid wastes	Municipal authorities shall establish an maintain storage facilities in such a manner they do not create unhygienic and insanit conditions around it. Following criteria shall be taken into account while establishing a maintaining storage facilities, namely : (i) Storage facilities shall be created a established by taking into accou quantities of waste generation in given area and the populatio densities. A storage facility shall be so placed that it is accessible to users. (ii) Storage facilities to be set up b municipal authorities or any othe agency shall be so designed th wastes stored are not exposed to o atmosphere and shall be aesthetica acceptable and user-friendly;

		(iii) 6 W R U D J H I D F L O L W L H µ H D V \ W R R S H U D W H ¶ transfer and transportation of was Bins for storage of biodegradable wastes shall be painted green, th for storage of recyclable wastes sh be painted white and those for storag of other wastes shall be painted blac (iv) Manual handling of waste shall b prohibited. If unavoidable due t constraints, manual handling shall carried out under proper precauti with due care for safety of workers.
4.	Transportation of municipal solid wastes	Vehicles used for transportation of was shall be covered. Waste should not be vis to public, nor exposed to open environm preventing their scattering. The followin criteria shall be met, namely :- (i) The storage facilities set up b municipal authorities shall be dai attended for clearing of wastes. T bins or containers wherever plac shall be cleaned before they st overflowing; (ii) Transportation vehicles shall be designed that multiple handling wastes, prior to final disposal, avoided.
5.	Processing of municipal solid wastes	Municipal authorities shall adopt suitab technology or combination of suc technologies to make use of wastes so a minimize burden on landfill. Following criteria shall be adopted, namely :- (i) The biodegradable wastes shall processed by compostin vermicomposting, anaerobic digesti or any other appropriate biologic processing for stabilization of waste

		It shall be ensured that compost and any other end product shall comply with standards as specified in Schedule-IV; (ii) Mixed waste containing recoverable resources shall follow the route of recycling. Incineration with or without energy recovery including pelletisation can also be used for processing waste in specific cases. Municipal authority or the operator of a facility wishing to use other state-of-the-art technologies shall approach the Central Pollution Control Board to get the standards laid down before applying for grant of authorisation.
6.	Disposal of municipal solid wastes	Land filling shall be restricted to non-biodegradable, inert waste and other wastes that are not suitable either for recycling or for biological processing. Land filling shall also be carried out for residues of waste processing facilities as well as pre-processing rejects from waste processing facilities. Land filling of mixed waste shall be avoided unless the site is found unsuitable for waste processing. Under unavoidable circumstances or till installation of alternate facilities, land filling shall be done following proper norms. Landfill sites shall meet the specifications as given in Schedule-III.

SCHEDULE ±III
[see rules 6(1) and (3), 7(2)]

Specifications for Landfill Sites

Site Selection

1. In areas falling under the jurisdiction of µDevelopment Authorities¶ it shall be the responsibility of such Development Authorities to identify the landfill sites and hand over the sites to the concerned municipal authority for development, operation and maintenance. Elsewhere, this responsibility shall lie with the concerned municipal authority.

2. Selection of landfill sites shall be based on examination of environmental issues. The Department of Urban Development of the State or the Union territory shall co-ordinate with the concerned organisations for obtaining the necessary approvals and clearances.

3. The landfill site shall be planned and designed with proper documentation of a phased construction plan as well as a closure plan.

4. The landfill sites shall be selected to make use of nearby wastes processing facility. Otherwise, wastes processing facility shall be planned as an integral part of the landfill site.

5. The existing landfill sites which continue to be used for more than five years, shall be improved in accordance of the specifications given in this Schedule.

6. Biomedical wastes shall be disposed off in accordance with the Bio-medical Wastes (Management and Handling) Rules, 1998 and hazardous wastes shall be managed in accordance with the Hazardous Wastes (Management and Handling) Rules, 1989, as amended from time to time.

7. The landfill site shall be large enough to last for 20-25 years.

8. The landfill site shall be away from habitation clusters, forest areas, water bodies, monuments, National Parks, Wetlands and places of important cultural, historical or religious interest.

9. A buffer zone of no-development shall be maintained around landfill site and VKDOO EH LQFRUSRUDWHG LQ WKH 7RZQ 3ODQQLQJ 'H

10. Landfill site shall be away from airport including airbase. Necessary approval for airport or airbase authorities prior to the setting up of the landfill

site shall be obtained in cases where the site is to be located within 20 km of an airport or airbase.

Facilities at the Site

11. Landfill site shall be fenced or hedged and provided with proper gate to monitor incoming vehicles or other modes of transportation.

12. The landfill site shall be well protected to prevent entry of unauthorised persons and stray animals.

13. Approach and other internal roads for free movement of vehicles and other machinery shall exist at the landfill site.

14. The landfill site shall have wastes inspection facility to monitor wastes brought in for landfill, office facility for record keeping and shelter for keeping equipment and machinery including pollution monitoring equipments.

15. Provisions like weigh bridge to measure quantity of waste brought at landfill site, fire protection equipments and other facilities as may be required shall be provided.

16. Utilities such as drinking water (preferably bathing facilities for workers) and lighting arrangements for easy landfill operations when carried out in night hours shall be provided.

17. Safety provisions including health inspections of workers at landfill site shall be periodically made.

Specifications for land filling

18. Waste subjected to land filling shall be compacted in thin layers using landfill compactors to achieve high density of the wastes. In high rainfall areas where heavy compactors can not be used, alternative measures shall be adopted.

19. Wastes shall be covered immediately or at the end of each working day with minimum 10 cm of soil, inert debris or construction material till such time waste processing facilities for composting or recycling or energy recovery are set up as per Schedule I.

20. Prior to the commencement of monsoon season, an intermediate cover of 40-65 cm thickness of soil shall be placed on the land-fill with proper

compaction and grading to prevent infiltration during monsoon. Proper drainage berms shall be constructed to divert run-off away from the active cell of the landfill.

21. After completion of landfill, a final cover shall be designed to minimize infiltration and erosion. The final cover shall meet the following specifications, namely :-

    (a) The final cover shall have a barrier soil layer comprising of 60 cms of clay or amended soil with permeability coefficient less that $1x10^{-7}$ cm/sec.

    (b) On top of the barrier soil layer, there shall be a drainage layer of 15 cm.

    (c) On top of the drainage layer, there shall be a vegetative layer of 45 cm to support natural plant growth and to minimize erosion.

Pollution prevention

22. In order to prevent pollution problems from landfill operations, the following provisions shall be made, namely :-

    (a) Diversion of storm water drains to minimize leachate generation and prevent pollution of surface water and also for avoiding flooding and creation of marshy conditions;

    (b) Construction of a non-permeable lining system at the base and walls of waste disposal area. For landfill receiving residues of waste processing facilities or mixed waste or waste having contamination of hazardous materials (such as aerosols, bleaches, polishes, batteries, waste oils, paint products and pesticides) minimum liner specifications shall be a composite barrier having 1.5 mm high density polyethylene (HDPE) geomembrane, or equivalent, overlying 90 cm of soil (clay or amended soil) having permeability coefficient not greater than 1×10^{-7} cm/sec. The highest level of water table shall be at least two metre below the base of clay or amended soil barrier layer ;

    (c) Provisions for management of leachates collection and treatment shall be made. The treated leachates shall meet the standards specified in Schedule-IV;

    (d) Prevention of run-off from landfill area entering any stream, river, lake or pond.

Water Quality Monitoring

23. Before establishing any landfill site, baseline data of ground water quality in the area shall be collected and kept in record for future reference. The ground water quality within 50 metres of the periphery of landfill site shall be periodically monitored to ensure that the ground water is not contaminated beyond acceptable limit as decided by the Ground Water Board or the State Board or the Committee. Such monitoring shall be carried out to cover different seasons in a year that is, summer, monsoon and post-monsoon period.

24. Usage of groundwater in and around landfill sites for any purpose (including drinking and irrigation) is to be considered after ensuring its quality. The following specifications for drinking water quality shall apply for monitoring purposes, namely :-

S.No.	Parameters	IS 10500:1991 Desirable limit (mg/l except for pH)
1.	Arsenic	0.05
2.	Cadmium	0.01
3.	Chromium	0.05
4.	Copper	0.05
5.	Cyanide	0.05
6.	Lead	0.05
7.	Mercury	0.001
8.	Nickel	-
9.	Nitrate as NO_3	45.0
10.	pH	6.5-8.5
11.	Iron	0.3
12.	Total hardness (as $CaCO_3$)	300.0
13.	Chlorides	250
14.	Dissolved solids	500
15.	Phenolic compounds (as C_6H_5OH)	0.001
16.	Zinc	5.0
17.	Sulphate (as SO_4)	200

Ambient Air Quality Monitoring

25. Installation of landfill gas control system including gas collection system shall be made at landfill site to minimize odour generation, prevent off-site migration of gases and to protect vegetation planted on the rehabilitated landfill surface.

26. The concentration of methane gas generated at landfill site shall not exceed 25 per cent of the lower explosive limit (LEL).

27. The landfill gas from the collection facility at a landfill site shall be utilized for either direct thermal applications or power generation, as per viability. Otherwise, landfill gas shall be burnt (flared) and shall not be allowed to directly escape to the atmosphere or for illegal tapping. Passive venting shall be allowed if its utilisation or flaring is not possible.

28. Ambient air quality at the landfill site and at the vicinity shall be monitored to meet the following specified standards, namely :-

S.No.	Parameters	Acceptable level
(i)	Sulphur dioxide	120µg/m^3 (24 hours)
(ii)	Suspended Particulate Matter	500µg/m^3 (24 hours)
(iii)	Methane	Not to exceed 25 per cent of th lower explosive limit (equivalen to 650 mg/m^3)
(vi)	Ammonia daily average (sample duration 24 hrs)	0.4 mg/m^3 (400 µg/m^3)
(v)	Carbon monoxide	1 hour average : 2 mg/m^3 8 hour average : 1mg/m^3

29. The ambient air quality monitoring shall be carried out by the concerned authority as per the following schedule, namely :-

(a) Six times in a year for cities having population of more than fifty lakhs;

(b) Four times in a year for cities having population between ten and fifty lakhs;

(c) Two times in a year for town or cities having population between one and ten lakhs.

Plantation at Landfill Site

30. A vegetative cover shall be provided over the completed site in accordance with the following specifications, namely :-

(a) Selection of locally adopted non-edible perennial plants that are resistant to drought and extreme temperatures shall be allowed to grow;

(b) The plants grown be such that their roots do not penetrate more than 30 cms. This condition shall apply till the landfill is stabilised ;

(c) Selected plants shall have ability to thrive on low-nutrient soil with minimum nutrient addition;

(d) Plantation to be made in sufficient density to minimize soil erosion.

Closure of Landfill Site and Post-care

31. The post closure care of landfill site shall be conducted for at least fifteen years and long term monitoring or care plan shall consist of the following, namely :-

(a) Maintaining the integrity and effectiveness of final cover, making repairs and preventing run-on and run-off from eroding or otherwise damaging the final cover;

(b) Monitoring leachate collection system in accordance with the requirement;

(c) Monitoring of ground water in accordance with requirements and maintaining ground water quality ;

(d) Maintaining and operating the landfill gas collection system to meet the standards.

32. Use of closed landfill sites after fifteen years of post-closure monitoring can be considered for human settlement or otherwise only after ensuring that gaseous and leachate analysis comply with the specified standards.

Special provisions for hilly areas

33. Cities and towns located on hills shall have location-specific methods evolved for final disposal of solid wastes by the municipal authority with the approval of the concerned State Board or the Committee. The municipal authority shall set up processing facilities for utilization of biodegradable organic wastes. The inert and non-biodegradable waste shall be used for building roads or filling-up of appropriate areas on hills. Because of constraints in finding adequate land in hilly areas, wastes not suitable for road-laying or filling up shall be disposed of in specially designed landfills.

SCHEDULE - IV
[see rules 6(1) and(3), 7(2)]

Standards for Composting, Treated Leachates and Incineration

1. The waste processing or disposal facilities shall include composting, incineration, pelletisation, energy recovery or any other facility based on state-of-the-art technology duly approved by the Central Pollution Control Board.

2. In case of engagement of private agency by the municipal authority, a specific agreement between the municipal authority and the private agency shall be made particularly, for supply of solid waste and other relevant terms and conditions.

3. In order to prevent pollution problems from compost plant and other processing facilities, the following shall be complied with, namely :-

   (i) The incoming wastes at site shall be maintained prior to further processing. To the extent possible, the waste storage area should be covered. If, such storage is done in an open area, it shall be provided with impermeable base with facility for collection of leachate and surface water run-off into lined drains leading to a leachate treatment and disposal facility;

   (ii) Necessary precautions shall be taken to minimize nuisance of odour, flies, rodents, bird menace and fire hazard;

   (iii) In case of breakdown or maintenance of plant, waste intake shall be stopped and arrangements be worked out for diversion of wastes to the landfill site;

   (iv) Pre-process and post-process rejects shall be removed from the processing facility on regular basis and shall not be allowed to pile at the site. Recyclables shall be routed through appropriate vendors. The non-recyclables shall be sent for well designed landfill site(s).

   (v) In case of compost plant, the windrow area shall be provided with impermeable base. Such a base shall made of concrete or compacted clay, 50 cm thick, having permeability coefficient less than 10^{-7} cm/sec. The base shall be provided with 1 to 2 per cent slope and circled by lined drains for collection of leachate or surface run-off;

   (vi) Ambient air quality monitoring shall be regularly carried out particularly for checking odour nuisance at down wind direction on the boundary of processing plant.

(vii) In order to ensure safe application of compost, the following specifications for compost quality shall be met, namely :-

Parameters	Concentration not to exceed * (mg/kg dry basis except pH value and C/N ratio)
Arsenic	10.00
Cadmium	5.00
Chromium	50.00
Copper	300.00
Lead	100.00
Mercury	0.15
Nickel	50.00
Zinc	1000.00
C/N ratio	20-40
pH	5.5-8.5

* Compost (final product) exceeding the above stated concentration limits sha beused for food crops. However, it may be utilized for purposes other than gro food crops.

4. The disposal of treated leachates shall follow the following standards namely :-

S.No.	Parameter	Standards (Mode of disposal)		
		Inland surface water	Public sewers	Land disposal
1.	Suspended solids, mg/ max	100	600	200
2.	Dissolved solids (inorganic mg/l, max.	2100	2100	2100
3.	pH value	5.5 to 9.0	5.5 to 9.0	5.5 to 9.0
4.	Ammonical nitrogen (as N) mg/l, max.	50	50	-
5.	Total Kjeldahl nitrogen (as N), mg/l, max	100	-	-
6.	Biochemical oxygen demand (3 days at 27 c)max (mg/l)	30	350	100
7.	Chemical oxygen demand mg/l, max	250	-	-
8.	Arsenic (as As), mg/l, max	0.2	0.2	0.2
9.	Mercury (as Hg), mg/l, max	0.01	0.01	-

10.	Lead (as Pb), mg/l, max	0.1	1.0	-
11.	Cadmium (as Cd), mg/l max	2.0	1.0	-
12.	Total Chromium (as Cr) mg/l, max	2.0	2.0	-
13.	Copper (as Cu), mg/l, max	3.0	3.0	-
14.	Zinc (as Zn), mg/l, max	5.0	15	-
15.	Nickel (as Ni), mg/l, max	3.0	3.0	-
16.	Cyanide (as CN), mg/l, ma	0.2	2.0	0.2
17.	Chloride (as Cl), mg/l, max	1000	1000	600
18.	Fluoride (as F), mg/l, max	2.0	15	-
19.	Phenolic compounds (a C_6H_5OH),mg/l, max	1.0	5.0	-

Note : While discharging treated leachates into inland surface waters, quantity of leachates being discharged and the quantity of dilution water available in the receiving water body shall be given due consideration.

5. The incinerators shall meet the following operating and emission standards, namely :-

A. Operating Standards

(1) The combustion efficiency (CE) shall be at least 99.00%.

(2) The combustion efficiency is computed as follows :

$$C.E. = \frac{\%\ CO_2}{\%\ CO_2 + \%\ CO} \times 100$$

B. Emission Standards

Parameters	Concentration mg/Nm^3 at (12% CO_2 correction)
(1) Particulate matter	150
(2) Nitrogen Oxides	450
(3) HCl	50

(4) Minimum stack height shall be 30 metres above ground.

(5) Volatile organic compounds in ash shall not be more than 0.01%.

Note :

(1) Suitably designed pollution control devices shall be installed or retrofitted with the incinerator to achieve the above emission limits, if necessary.

(2) Wastes to be incinerated shall not be chemically treated with any chlorinated disinfectants.

(3) Chlorinated plastics shall not be incinerated.

(4) Toxic metals in incineration ash shall be limited within the regulatory quantities as specified in the Hazardous Wastes (Management and Handling) Rules, 1989 as amended from time to time.

(5) Only low sulphur fuel like LDO, LSHS, Diesel shall be used as fuel in the incinerator.

FORM ± I
[see rules 4(2) & 6(2)]
Application for obtaining authorization

To,

The Member Secretary
_____
_____

1. Name of the municipal authority/Name of the agency appointed by the municipal authority :

2. Correspondence address :

   Telephone No. :
   Fax No. :

3. Nodal Officer & designation (Officer authorised by the municipal authority or agency responsible for operation of processing or disposal facility) :

4. Authorization applied for (Please tick mark) : (a) Setting up & operation of waste processing facility
   (b) Setting up & operation of disposal facility

5. Detailed proposal of waste processing/disposal facility (to be attached) to include

5.1 Processing of waste

(i) Location of site
(ii) Name of waste processing technology
(iii) Details of processing technology
(iv) Quantity of waste to be processed per day
(v) Site clearance (from local authority)
(vi) Details of agreement between municipal authority and operating agency
(vii) Utilisation programme for waste processed (Product utilization)

(viii) Methodology for disposal of waste processing rejects (Quantity and Quality)
(ix) Measures to be taken for prevention and control of environmental pollution.
(x) Investment on project and expected returns
(xi) Measures to be taken for safety of workers working in the plant

5.2 Disposal of waste

(i) Number of sites indentified
(ii) Layout maps of site
(iii) Quantity of waste to be disposed per day
(iv) Nature and composition of waste
(v) Details of methodology or criteria followed for site selection
(vi) Details of existing site under operation
(vii) Methodology and operational details of landfilling
(viii) Measures taken to check environmental pollution

Signature of Nodal Officer

Date

Form ±l
[see rule 4(4)]

Format of Annual Report to be submitted by the Municipal Authority

(i) 1DPH RI WKH &LW\ 7RZQ«««««««« LL 3RSXODWLRQ«««

(iii) 1DPH RI PXQLFLSDO ERG\ « «««««««««««««««««
DQG $GGUHVV «««««««««««««««««««
«««««« «««««««««««««««««««

7HOHSKRQH 1R «««««««««««

)D[«««««««««««««««

LY 1DPH RI ,QFKDUJH GHDOLQJ ZLWK PXQLFLSDO VRC
ZLWK GHVLJQDWLRQ «««««««««««««««««

1. Quantity and composition of solid wastes

(i) Total quantity of wastes generated per day

(ii) Total quantity of wastes collected per day

(iii) Total quantity of wastes processed for

(a) Composting :

« « « «

(g) Total Manpower available on site : ----------

(h) Whether covering is done on daily basis : Yes No

(i) Whether covering material is used and whether it is adequately available : ----------

(j) Provisions for gas venting provided : Available (Yes/No) Not available

(k) Provision for leachate collection : Provisions made Provisions not made

2. Storage facilities

(i) Area covered for collection of wastes : ----------

(ii) No. of houses covered : ----------

(iii) Whether house-to-house collection is practised (if yes, whether done by Municipality or through Private Agency or Non-Governmental Organisation) : ----------

(iv) Bins : ----------

	Specifications (Shape & Size)	Existing Number	Proposed for future
(a) RCC Bins (Capacity)			
(b) Trolleys (Capacity)			
(c) Containers (Capacity)			
(d) Dumper Placers			
(e) Others, please specify			

(v) Whether all bins/collection spots are attended for daily lifting of garbage : Yes No

(vi) Whether lifting of garbage from from dustbins is manual or mechanical i.e. for example by using of front-end loaders (please tick mark) please specify : Manual Loader Others,

3. Transportation

		Existing number	Actually	Required/Proposed
(i)	Truck	:		
(ii)	Truck-Tipper	:		
(iii)	Tractor-Trailer	:		
(iv)	Refuse-collector	:		
(v)	Dumper-placers	:		
(vi)	Animal Cart	:		
(vii)	Tricycle	:		
(viii)	Others (Please specify)	:		

4. Whether any proposal has been made to improve solid wastes management practices

_____

_____

_____

5. Are any efforts made to call for private firms etc. to attempt for processing of waste utilising technologies like :

Waste Utilisation Technology		Proposal	Steps taken (Quantity to be processed)
(i)	Composting	:	
(ii)	Vermiculture	:	

(iii) Pelletisation :

(iv) Others, if any,
Please specify :

6. What provisions are available and how these are implemented to check unhygienic operations of :

(i) Dairy related activities :

(ii) Slaughter houses and unauthorised slaughtering :

(iii) Malba (Construction debris) lifting :

(iv) Encroachment in Parks, Footpaths etc. :

7. How many slums are identified and whether these are provided with sanitation facilities :

8. Are municipal magistrates appointed for for taking penal action. : Yes No

[If yes, how many cases registered & settled during last three years (give year wise details)]

9. Hospital waste management

(i) How many Hospitals/Clinics under the control of the Corporation :

(ii) What methods are followed for disposal of bio-medical wastes ? :

(iii) Do you have any proposal for setting up of common treatment facility for disposal of bio-medical wastes :

(iv) How many private Nursing Homes, Clinics etc. are operating in the city/town and what steps have been taken to check disposal of their wastes

Dated : Signature of Municipal Commissioner

Form –III
[See rule 6(3)]

Format for Issue of Authorisation

File No.: _____
Date : _____

To,

_____
_____
_____

Ref : Your application number _____dt.

The _____ State Pollution Control Board/Pollution Control Committees after examining the proposal hereby authorises _____ having their administrative office at _____ to set up and operate waste processing/waste disposal facility at_____ on the terms and conditions (including the standards to comply) attached to this authorisation letter.

1. The validity of this authorization is till _____. After the validity, renewal of authorization is to be sought.

2. The _____ State Pollution Control Board/Pollution Control Committee may, at any time, revoke any of the conditions applicable under the authorization and shall communicate the same in writing.

3. Any violation of the provision of the Municipal Solid Wastes (Management and Handling) Rules, 2000 will attract the penal provision of the Environment (Protection) Act, 1986 (29 of 1986).

Date :
Placed

(Member Secretary)
State Pollution Control Board/
Pollution Control Committee

Form ±V

[see rule 8(1)]

Format of Annual Review Report to be submitted by the State Pollution Control Board/Committees to the Central Pollution Control Board

To,

The Chairman,
Central Pollution Control Board,
(Ministry of Environment & Forests),
Government of India,
Parivesh Bhawan, East Arjun Nagar,
Delhi-110032

1. Name of the State/Union territory :

2. Name & address of the State Pollution Control Board/Pollution Control Committee :

3. Number of municipal authorities responsible for management of municipal solid wastes in the State/Union territory under these rules :

4. A Summary Statement on progress made by municipal authorities in respect of implementation of Schedule I [(rule 4(3)] : Please attach as Annexure-I

5. A Summary Statement on progress made by municipal authorities in respect of implementation of Schedule II [rules 6(1) and (3), 7(1)] : Please attach as Annexure-

6. A Summary Statement on progress made by municipal authorities in respect of implementation of Schedule III [rules 6(1) and (3), 7(2)] : Please attach as Annexure-III

7. A summary statement on progress made by municipal authorities in respect of implementation of Schedule IV [rules 6(1) and (3), 7(2)] : Please attach as Annexure-IV

Date :

Place :

Chairman or the Member Secretary
State Pollution Control Board/
Pollution Control Committee

Form ±V
[see rule 9]
Accident reporting

1. Date and time of accident :
2. Sequence of events leading to accident :
3. The waste involved in accident :
4. Assessment of the effects of the accidents on human health and the environment :
5. Emergency measures taken :
6. Steps taken to alleviate the effects of accidents :
7. Steps taken to prevent the recurrence of such an accident :

Date Signature

Place Designation

[F.No.17-2/95-HSMD]
V.RAJAGOPALAN, Jt. Secretary

THE NOISE POLLUTION (REGULATION AND CONTROL) RULES, 2000

(As amended to date)

THE NOISE POLLUTION (REGULATION AND CONTROL) RULES, 2000

MINISTRY OF ENVIRONMENT & FORESTS

NOTIFICATION

New Delhi, the 14th February, 2000

[1][S.O.123(E) ±Whereas, the increasing ambient noise level in public places from various sources, inter-alia, industrial activity, construction activity, [2][fire crackers, sound producing instruments],generator sets, loud speakers, public address systems, music systems, vehicular horns and other mechanical devices have deleterious effects on human health and the psychological well being of the people; it is considered necessary to regulate and control of noise producing and generating sources with the objective of maintaining the ambient air quality standards in respect of noise;

Whereas, a draft of Noise Pollution (Regulation and Control) Rule, 1999 was published under the notification of the Government of India in the Ministry of Environment and Forests vide number S.O.528 (E), dated the 28th June, 1999 inviting objections and suggestions from all the persons likely to be affected thereby, before the expiry of the period of sixty days from the date on which the copies of the Gazette containing the said notification are made available to the public;

And, whereas, copies of the said Gazette were made available to the public on the 1st day of July, 1999;

And, whereas the objections and suggestions received from the public in respect of the said draft rules have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by clause (ii) of sub-section (2) of section 3, sub-section (1) and clause (b) of sub-section (2) of section 6 and section 25 of the Environment (Protection) Act, 1986 (29 of 1986) read with Rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following rules for the regulation and control of noise producing and generating sources, namely:-

---

1 As published in the Gazette of India, Extraordinary, Part II- Section 3(ii), vide S.O. 123(E), dated 14.2.2000.

2 Inserted by Rule 2 of the Noise Pollution (Regulation and Control) (Amendment) Rules, 2010 notified vide S.O. 50(E), dated 11.01.2010

The Noise Pollution (Regulation and Control) Rules, 2000.

1.SHORT-TITLE AND COMMENCEMENT.-

(1) These rules may be called the Noise Pollution (Regulation and Control) Rules, 2000.

(2) They shall come into force on the date of their publication in the Official Gazette.

2.DEFINITIONS.-

In these rules, unless the context otherwise requires,-

(a) ³$FW´ PHDQV WKH (QYLURQPHQW 3URWHFWLRQ

(b) ³DUHD]RQH´ PHDQV DOO DUHDV ZKLFK IDOO L categories given in the Schedule annexed to these rules;

[1][(c) ³DXWKRULW\´ PHDQV any authority or officer authorized by the Central Government, or as the case may be, the State Government in accordance with the laws in force and includes a District Magistrate, Police Commissioner, or any other officer not below the rank of the Deputy Superintendent of Police designated for the maintenance of the ambient air quality standards in respect of noise under any law for the time being in force]

[2][(d) ³FRXUW´ PHDQV D JRYHUQPHQWDO ERG\ FRQVL judges who sit to adjudicate disputes and administer justice and includes any court of law presided over by judge, judges or a magistrate and acting as a tribunal in civil, taxation and criminal cases;

---

1 Substituted by Rule 2(i) of the Noise Pollution (Regulation and Control) Amendment Rules, 2000 notified vide S.O. 1046(E), dated 22.11.2000, w.e.f. 22.11.2000.

2 Inserted by Rule 2(iii), of the Noise Pollution (Regulation and Control) Amendment Rules, 2000 notified vide S.O. 1046(E), dated 22.11.2000, w.e.f. 22.11.2000.

(e) ³HGXFDWLRQDO LQVWLWXWLRQ´ PHDQV D VFK university, professional academies, training institutes or other educational establishment, not necessarily a chartered institution and includes not only buildings, but also all grounds necessary for the accomplishment of the full scope of educational instruction, including those things essential to mental, moral and physical development;

(f) ³KRVSLWDO´ PHDQV DQ LQVWLWXWLRQ IRU WKH wounded, infirm or aged persons, and includes government or private hospitals, nursing homes and clinics;]

[1][(g) ³SHUVRQ´ VKDOO LQFOXGH DQ\ FRPSDQ\ RU DV individuals, whether incorporated or not;]

[2][(h) ³6WDWH *RYHUQPHQW´ LQ UHODWLRQ WR D 8Q Administrator thereof appointed under article 239 of the Constitution;]

[3][(i) ³SXEOLF SODFH´ PHDQV DQ\ SODFH WR ZKLFK W whether as of right or not, and includes auditorium, hotels, public waiting rooms, convention centres, public offices, shopping malls, cinema halls, educational institutions, libraries, open grounds and the like which are visited by general public; and

(j) ³QLJKW WLPH´ PHDQV WKH SHULRG EHWZHHQ

3. AMBIENT AIR QUALITY STANDARDS IN RESPECT OF NOISE FOR DIFFERENT AREAS/ZONES.-

(1) The ambient air quality standards in respect of Noise for different areas/zones shall be such as specified in the Schedule annexed to these rules.

---

1 Re-numbered and substituted by Rule 2(ii) of the Noise Pollution (Regulation and Control) (Amendment) Rules, 2000 notified vide S.O.1046(E), dated 22.11.2000, w.e.f. 22.11.2000.

2 Renumbered by Rule 2(ii), ibid.

3 Inserted by Rule 3 of the Noise Pollution (Regulation and Control) (Amendment) Rules, 2010 notified vide S.O. (E), dated 11.01.2010

(2) The State Government [1][shall categorize] the areas into industrial, commercial, residential or silence areas/zones for the purpose of implementation of noise standards for different areas.

(3) The State Government shall take measures for abatement of noise including noise emanating from vehicular movements, [2][blowing of horns, bursting of sound emitting fire crackers, use of loud speakers or public address system and sound producing instruments] and ensure that the existing noise levels do not exceed the ambient air quality standards specified under these rules.

(4) All development authorities, local bodies and other concerned authorities while planning developmental activity or carrying out functions relating to town and country planning shall take into consideration all aspects of noise pollution as a parameter of quality of life to avoid noise menace and to achieve the objective of maintaining the ambient air quality standards in respect of noise.

(5) An area comprising not less than 100 meters around hospitals, educational institutions and courts may be declared as silence area/zone for the purpose of these rules.

4. RESPONSIBILITY AS TO ENFORCEMENT OF NOISE POLLUTION CONTROL MEASURES.-

(1) The noise levels in any area/zone shall not exceed the ambient air quality standards in respect of noise as specified in the Schedule.

(2) The authority shall be responsible for the enforcement of noise pollution control measures and the due compliance of the ambient air quality standards in respect of noise.

---

1 Substituted by Rule 3 of the Noise Pollution (Regulation and Control) (Amendment) Rules, 2000 notified vide S.O.1046(E), dated 22.11.2000 w.e.f. 22.11.2000

2 Inserted by Rule 4 of the Noise Pollution (Regulation and Control) (Amendment) Rules, 2010 notified vide S.O. 50 (E), dated 11.01.2010

[1][(3) The respective State Pollution Control Boards or Pollution Control Committees in consultation with the Central Pollution Control Board shall collect, compile and publish technical and statistical data relating to noise pollution and measures devised for its effective prevention, control and abatement.]

5. RESTRICTIONS ON THE USE OF LOUD SPEAKERS/PUBLIC ADDRESS SYSTEM [2][AND SOUND PRODUCING INSTRUMENTS].-

(1) A loud speaker or a public address system shall not be used except after obtaining written permission from the authority.

[3][(2) A loud speaker or a public address system or any sound producing instrument or a musical instrument or a sound amplifier shall not be used at night time except in closed premises for communication within, like auditoria, conference rooms, community halls, banquet halls or during a public emergency.]

[4][(3) Notwithstanding anything contained in sub-rule (2), the State Government may subject to such terms and conditions as are necessary to reduce noise pollution, permit use of loud speakers [5][or public address systems and the like during night hours] (between 10.00 p.m. to 12.00 midnight) on or during any cultural or religious festive occasion of a limited duration not exceeding fifteen days in all during a calendar.] [6][The Concerned State Government shall generally specify in advance, the number and particulars of the days on which such exemption would be operative].

---

1 Inserted by Rule 2 (i) of the Noise Pollution (Regulation and Control) Amendment Rules, 2006 notified vide S.O.1569(E), dated 19.9.2006.

2 Inserted by Rule 5(i) of the Noise Pollution (Regulation and Control) (Amendment) Rules, 2010 notified vide S.O. 50 (E), dated 11.01.2010

3 Substituted by Rule 5(ii) of the Noise Pollution (Regulation and Control) (Amendment) Rules, 2010 notified vide S.O50 (E), dated 11.01.2010

4 Inserted by Rule 2 of the Noise Pollution (Regulation and Control) Amendment Rules, 2002 notified vide Notification S.O. 1088(E), dated 11.10.2002

5 Substituted by Rule 5(iii)(a) of the Noise Pollution (Regulation and Control) (Amendment) Rules, 2010 notified vide S.O50 (E), dated 11.01.2010

6 Inserted by Rule 5(iii)(b) of the Noise Pollution (Regulation and Control) (Amendment) Rules, 2010 notified vide S.O50 (E), dated 11.01.2010

[1][(4) The noise level at the boundary of the public place, where loudspeaker or public address system or any other noise source is being used shall not exceed 10 dB(A) above the ambient noise standards for the area or 75 dB(A) whichever is lower.

(5) The peripheral noise level of a privately owned sound system or a sound producing instrument shall not, at the boundary of the private place, exceed by more than 5 dB(A) the ambient noise standards specified for the area in which it is used].

[2][5A. RESTRICTIONS ON THE USE OF HORNS, SOUND EMITTING CONSTRUCTION EQUIPMENTS AND BURSTING OF FIRE CRACKERS.-

(1) No horn shall be used in silence zones or during night time in residential areas except during a public emergency.

(2) Sound emitting fire crackers shall not be burst in silence zone or during night time.

(3) Sound emitting construction equipments shall not be used or operated during night time in residential areas and silence zones.]

6. CONSEQUENCES OF ANY VIOLATION IN SILENCE ZONE/AREA.-

Whoever, in any place covered under the silence zone/area commits any of the following offence, he shall be liable for penalty under the provisions of the Act:-

(i) whoever, plays any music or uses any sound amplifiers,

(ii) whoever, beats a drum or tom-tom or blows a horn either musical or pressure, or trumpet or beats or sounds any instrument,

(iii) whoever, exhibits any mimetic, musical or other performances of a nature to attract crowds,

---

1 Inserted by Rule 5(iv) of the Noise Pollution (Regulation and Control) (Amendment) Rules, 2010 notified vide S.O50 (E), dated 11.01.2010

2 Inserted by Rule 6 of the Noise Pollution (Regulation and Control) (Amendment) Rules, 2010 notified vide S.O.50 (E), dated 11.01.2010

[1][(iv) whoever, bursts sound emitting fire crackers; or

(v) whoever, uses a loud speaker or a public address system.]

7. COMPLAINTS TO BE MADE TO THE AUTHORITY.-

(1) A person may, if the noise level exceeds the ambient noise standards by 10 dB(A) or more given in the corresponding columns against any area/zone [2][or, if there is a violation of any provision of these rules regarding restrictions imposed during night time,] make a complaint to the authority.

(2) The authority shall act on the complaint and take action against the violator in accordance with the provisions of these rules and any other law in force.

8. POWER TO PROHIBIT ETC. CONTINUANCE OF MUSIC SOUND OR NOISE.-

(1) If the authority is satisfied from the report of an officer incharge of a police station or other information received by him [3][including from the complainant] that it is necessary to do so in order to prevent annoyance, disturbance, discomfort or injury or risk person who dwell or occupy property on the vicinity, he may, by a written order issue such directions as he may consider necessary to any person for preventing, prohibiting, controlling or regulating :-

(a) The carrying on in or upon, any premises of

(i) Any vocal or instrumental music,

(ii) sounds caused by playing, beating, clashing, blowing or use in any manner whatsoever of any instrument including loudspeakers, [4][public address systems, horn, construction equipment, appliance or apparatus] or contrivance which is capable of producing or re-producing sound,

---

1 Inserted by Rule 7 of the Noise Pollution (Regulation and Control) (Amendment) Rules, 2010 notified vide S.O50(E), dated 11.01.2010

2 Inserted by Rule 8 of the Noise Pollution (Regulation and Control) (Amendment) Rules, 2010 notified vide S.O50(E), dated 11.01.2010

3 Inserted by Rule 2(ii)(a) of the Noise Pollution (Regulation and Control) Amendment Rules, 2006 notified vide S.O.1569 (E), dated 19.9.2006.

4 Substituted by Rule 9(i) of the Noise Pollution (Regulation and Control) (Amendment) Rules, 2010 notified vide S.O.50(E), dated 11.01.2010

[1][(iii) sound caused by bursting of sound emitting fire crackers, or]

(b) The carrying on in or upon, any premises of any trade, a vocation or operation or process resulting in or attended with noise.

(2) The authority empowered under sub-rule (1) may, either on its own motion, or on the application of any person aggrieved by an order made under sub-rule (1), either rescind, modify or alter any such order:

Provided that before any such application is disposed of, the said authority shall afford to the applicant [[2]and to the original complainant, as the case may be] an opportunity of appearing before it either in person or by a person representing him and showing cause against the order and shall, if it rejects any such application either wholly or in part, record its reasons for such rejection.

Note: The principal rules were published in the Gazette of India vide number, S.O.123(E), dated 14th February, 2000 and subsequently amended vide S.O.1046(E), dated 22nd November, 2000, S.O. 1088(E), dated 11th October, 2002, S.O. 1569(E), dated the 19th September, 2006 and S.O.50(E), dated 11.01.2010.

---

1 Inserted by Rule 9(ii) of the Noise Pollution (Regulation and Control) (Amendment) Rules, 2010 notified vide S.O50(E), dated 11.01.2010.

2 Inserted vide Rule 2(ii)(b) of the Noise Pollution (Regulation and Control) Amendment Rules, 2006 notified vide S.O.1569 (E) dated 19.9.2006.

SCHEDULE

see rule 3(1) and 4(1)

AMBIENT AIR QUALITY STANDARDS IN RESPECT OF NOISE

Area Code	Category of Area/Zone	Limits in dB(A) Leq*	
		Day Time	Night Time
(A)	Industrial area	75	70
(B)	Commercial area	65	55
(C)	Residential area	55	45
(D)	Silence Zone	50	40

Note:- 1. Day time shall mean from 6.00 a.m. to 10.00 p.m.

2. Night time shall mean from 10.00 p.m. to 6.00 a.m.

[1][3. Silence zone is defined as an area comprising not less than 100 metres around hospitals, educational institutions and courts. The silence zones are zones which are declared as such by the competent authority].

4. Mixed categories of areas may be declared as one of the four above mentioned categories by the competent authority.

---

1 Substituted by Rules 4 of the Noise Pollution (Regulation and Control) (Amendment) Rules, 2000 notified vide S.O. 1046 (E), dated 22.11.2000

*dB(A) Leq denotes the time weighted average of the level of sound in decibels on scale A which is relatable to human hearing.

$ ³GHFLEHO´ LV D XQLW LQ ZKLFK QRLVH LV PHDVXUHG

³$´ LQ G% $ / the frequency weighting in the measurement of noise and corresponds to frequency response characteristics of the human ear.

Leq: It is an energy mean of the noise level over a specific period.

THE OZONE DEPLETING SUBSTANCES (REGULATION AND CONTROL) RULES, 2000

THE OZONE DEPLETING SUBSTANCES (REGULATION AND CONTROL) RULES, 2000

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 19th July, 2000

S.O.670(E).—Whereas the draft Ozone Depleting Substances (Regulation)Rules,2000 were published, under the notification of the Government of India in the Ministry of Environment & Forests number S.O.69(E), dated, the 25th January,2000, in the Gazette of India, Extra-ordinary, Part-II, Section 3, sub-section(ii) at pages 39-96 on the same date, inviting objections and suggestions from all persons likely to be affected thereby, before the expiry of the period of forty-five days from the date on which the copies of the Gazette containing the said notification are made available to the public;

And whereas copies of the said Gazette were made available to the public on 26.01.2000;

And whereas the objections and suggestions received from the public in respect of the said draft rules have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sections 6,8 and 25 of the Environment (Protection) Act, 1986, the Central Government hereby makes the following rules for regulating ozone depleting substances, namely: -

1. SHORT TITLE AND COMMENCEMENT .-

(1) These rules may be called the Ozone Depleting Substances(Regulation and Control)Rules, 2000.

(2) They shall come into force on the date of their publication in the Official Gazette.

As published in Govt. of India Gazette vide S.O. 670 (E), dated 19.07.2000.

2. DEFINITIONS .-

In these rules unless the context otherwise requires,-

(a) ³$FW´ PHDQV WKH (QYLURQPHQW 3URWHFWLRQ $FW

(b) ³DXWKRULW\´ PHDQV DQ DXWKRULW\ PHQWLRQHG L Schedule V;

(c) ³EDVH OHYHO´ PHDQV the quantity of ozone depleting substance produced or consumed, as the case may be, in the year or average of the years listed in column (3) of Schedule II and Schedule III;

(d) ³FRQVXPSWLRQ´ ZLWK UHVSHFW WR DQ\ R]RQH GHS amount of that substance produced in India in addition to the amount imported, less the amount exported;

(e) ³FDOFXODWHG OHYHO RI SURGXFWLRQ VDOH LPSR be, means level determined by multiplying quantity of the ozone depleting substance by its ozone depleting potential specified in column (5) of Schedule I;

(f) ³FDOFXODWHG OHYHO RI FRQVXPSWLRQ´ VKDOO together calculated levels of production and imports and subtracting calculated level of exports;

(g) ³*URXS´ means a collection of one or more ozone depleting substances as specified in column (4) of Schedule I;

(h) ³PDQXIDFWXUH´ LQ UHODWLRQ WR DQ\ R]RQH GHSOH

(i) any process or part of a process for making, altering, finishing, packing, labeling, blending or otherwise treating or any ozone depleting substance with a view to sell, distribute or use but does not include the repacking or breaking up of any ozone depleting substance in the ordinary course of retail business; and

(ii) any process in which a preparation containing ozone depleting substance is formulated ;

(i)

(4) In order to implement the agreement, referred to in sub-rule (3), the Central Government shall introduce implementation modalities, such as, quota system for producing Chlorofluorocarbons and the non-compliance with such modalities shall result in consequential penalties laid out in the agreement.

4. PROHIBITION ON EXPORT TO OR IMPORT FROM COUNTRIES NOT SPECIFIED IN SCHEDULE VI.-

No person shall import or cause to import from or export or cause to export to any country not specified in Schedule VI any ozone depleting substance after the commencement of these rules.

5. OZONE DEPLETING SUBSTANCES ARE TO BE EXPORTED TO OR IMPORTED FROM COUNTRIES SPECIFIED IN SCHEDULE VI UNDER A LICENCE .-

(1) No person shall import or cause to import from or export or cause to export to, any country specified in Schedule VI, any ozone depleting substance unless he obtains a licence issued by the authority.

(2) No licence shall be issued under sub-rule (1) 7 unless the said authority is satisfied that the grant of licence shall not cause calculated level of consumption of that group of ozone depleting substances (except Group I and Group III given in column (4) of schedule I in the relevant twelve month period, as a percentage of corresponding calculated consumption in base years, to exceed the number specified in column (5) of Schedule II.

(3) No licence shall be issued under sub-rule (1) unless the said authority is satisfied that the grant of licence shall not cause calculated level of consumption of ozone depleting substance given in Group I and III in column (4) of Schedule I in the relevant twelve months period as specified in column (6) of Schedule III, as a percentage of calculated consumption in base years to exceed the number specified in column (5) of that Schedule.

(4) The calculated base level of consumption and the calculated base level of production for India as a whole for each group of ozone depleting substances shall be notified by the Central Government.

6. REGULATION OF THE SALE OF OZONE DEPLETING SUBSTANCES.-

(1) No person shall either himself or by any other person on his behalf or enterprise sell, stock or exhibit for sale or distribute any ozone depleting substance after the date specified in column (5) of Schedule V unless he is registered with the authority specified in column (4) of that Schedule.

Provided that no person or enterprise shall sell ozone depleting substances specified in column (3) of Schedule IV for activities specified in column (2) of that Schedule unless the person engaged in that activity has got himself registered with the authority and have given a declaration in accordance with these rules and the person selling ozone depleting substances has verified particulars of the registration given in the declaration with the certificate of registration as per procedure specified in Part II of Schedule XII :

Provided further that after the date specified in column (4) of Schedule IV, no person or enterprise shall sell, stock, distribute or exhibit or cause to be sold, stocked, distributed or exhibited ozone depleting substances specified in column (3)for activities specified in column (2) of that Schedule.

(2) No person shall either himself or by any person on his behalf, or enterprise sell, stock or exhibit for sale or distribute any ozone depleting substance to any person or enterprise who has informed the Central Government that he or that enterprise shall not use the specified ozone depleting substances in manufacturing or other activities after the date specified by such person or as the case may be, the enterprise.

(3) The Central Government shall notify the list of persons, ozone depleting substances and dates informed to it under sub-rule(2).

7. REGULATION ON THE PURCHASE OF OZONE DEPLETING SUBSTANCES-

No person shall himself or by any person on his behalf or enterprise, purchase ozone depleting substances specified in column (3) of Schedule IV from any person for making stock or for using such ozone depleting substances for activities specified in column (2) of that Schedule unless he has given the declaration specified in Part I of Schedule XII to the seller of such substances within the time period specified in Serial number 4 of column (5) of Schedule V.

8. REGULATION ON THE USE OF OZONE DEPLETING SUBSTANCE .-

(1) No person or enterprise shall engage in any activity specified in column (2) of Schedule IV that uses ozone depleting substances specified in column (3) of that Schedule after the date specified in column (5) of Schedule V unless he is registered with the authority specified in column (4) of that Schedule.

(2) No person shall engage in any activity specified in column (2) of Schedule IV using ozone depleting substances specified in column (3) of that Schedule after the date specified in column (5) of Schedule V unless the products are labeled to indicate the ozone depleting substances they contain.

(3) No person shall engage in any activity specified in column (2) of Schedule IV using ozone depleting substances specified in column (3) after the date specified in column (4) of that Schedule.

(4) No person shall engage in any activity specified in column (2) of Schedule IV without using label indicating absence of use of ozone depleting substance mentioned in column (3) after the date specified in column (4) of that Schedule.

(5) A person, having received financial and technical assistance from the Multilateral Fund in accordance with the Article 10 and 10 A of the Montreal Protocol On Substances That Deplete The Ozone Layer, to which the Central Government is a Party for phasing out of ozone depleting substances specified in column (2) the Schedule II used in activities specified in Column (2) of Schedule IV, either himself or by any person on his behalf or through any enterprise, shall not engage in such activity as specified in column (2) of Schedule IV using ozone depleting substances specified in column (3) of the Schedule, after the date of completion of the conversion work or signing of the Handing Over Protocol, or the submission of the completion report to change from ozone depleting substance technology to non ozone depleting substance technology and the said date be registered with the authority specified in column (4) of the Schedule IV.

(6) Any person or enterprise having received, financial assistance from the Multilateral Fund in accordance with the Article 10 and 10 A of Montreal Protocol On Substances That Deplete The Ozone Layer shall submit an affidavit or declaration with the authority specified in column (4) of Schedule V stating that replaced equipment, resulted from completion of conversion process from ozone depleting substance technology to no ozone depleting substance technology, have been destroyed, dismantled, rendered unusable and that no ozone depleting substance should be used after the date of completion of project and the said date be registered with the authority specified in the column (4) of the Schedule V.

9. PROHIBITION ON NEW INVESTMENT WITH OZONE DEPLETING SUBSTANCES.-

(1) No Prohibition on person shall establish or expand or cause to establish or expand any manufacturing facility for production of any ozone depleting substance after the date specified in column (7) of Schedule II and III.

(2) No person shall establish or expand or cause to establish or expand any manufacturing facility, with a view to manufacturing products which contain, or are made with, any ozone depleting substance after the date specified in column (8) of Schedule II & III.

(3) A person having received financial and technical assistance from the Multilateral Fund in accordance with the Article 10 and 10A of the Montreal Protocol On Substances That Deplete The Ozone Layer for phasing out of ozone depleting substances specified in column (2) of Schedule II used in activities specified in column (2) of Schedule IV to which the Central Government is a Party, shall not establish or expand or cause to establish or expand the manufacturing facility for production of any ozone depleting substances or with a view of manufacturing products which contain or are made with any ozone depleting substances after the approval of the project for conversion and date of completion of the conversion work from the ozone depleting substance technology to non ozone depleting substance technology.

10. REGULATION OF IMPORT, EXPORT AND SALE OF PRODUCTS MADE WITH OR CONTAINING OZONE DEPLETING SUBSTANCES.-

(1) No person shall import or cause to import any product specified in column (2) of Schedule VII which are made with or contain ozone depleting substances specified in column (3) after the date specified in column (4) of that Schedule unless he obtains a license issued by the authority :

Provided that such products which do not contain such ozone depleting substances shall carry a label to that effect before its import is allowed after the date specified in Column 4 of Schedule VII.

(2) No person or enterprise shall export or cause to export any product specified in column (2) of Schedule VII unless such product carries a label specifying whether or not the product has been made with or contains, as the case may be, ozone depleting substances specified in column (3) of that Schedule, after the date specified in column (5) of that Schedule.

(3) No person shall either himself or by any other person or enterprise on his behalf sell, stock or exhibit for sale or distribute any product resulting out of activities, or provide services, specified in column (2) of Schedule IV using ozone depleting substances specified in column (3) after the date specified in column (4) of that Schedule.

11. REGULATION ON RECLAMATION AND DESTRUCTION OF OZONE DEPLETING SUBSTANCES.-

(1) No person shall reclaim or cause to reclaim any ozone depleting substance after the date specified in column (5) of Schedule V unless he has registered with the authority specified in column (4) of that Schedule.

(2) No person shall destroy or cause to destroy any ozone depleting substance after the date specified in column (5) of Schedule V unless he has registered with the authority specified in column (4) of that Schedule.

12. REGULATION ON MANUFACTURE, IMPORT AND EXPORT OF COMPRESSORS.-

(1)No person shall manufacture, import or export compressors after the date specified in column (5) of Schedule V unless he is registered with the authority specified in column (4) of that Schedule.

13. PROCEDURE FOR REGISTRATION, CANCELLATION OR REGISTRATION AND APPEAL AGAINST SUCH ORDERS.-

(1) The procedure for registration and conditions of registration under various provisions of these rules shall be as specified in Schedule IX.

(2) The registering authority shall not register if he is not satisfied that the procedure for registration or conditions of registration are fulfilled.

(3) The registering authority shall cancel the registration if he is satisfied that condition(s) of registration have been violated.

(4) The registering authority shall give the concerned person an opportunity of being heard before passing orders under sub-rules (2) and (3) and the orders shall be made in writing.

(5) An appeal against an order of the registering authority shall lie with the authority specified in column (6) of Schedule V within thirty days of communication of such order.

(6) The registration shall be valid for the period specified in Schedule IX and its renewal shall be necessary.

(7) The procedure for and conditions of renewal of registration shall be the same as applicable to registration.

14. MONITORING AND REPORTING REQUIREMENTS .-

(1)Every person who produces, imports, exports or sells any ozone depleting substances shall maintain records and file reports in the manner specified in Part I of Schedule X.

(2) Every person stocking or purchasing any ozone depleting substances for use in activities specified in column (2) of Schedule IV shall maintain records and file reports in the manner specified in Part II or Schedule X.

(3) Every person who has received technical or financial assistance from any international organization or any financial assistance, which includes concession or exemption from payment of duties, from the Central Government, shall maintain records and file reports in the manner specified in Part III of Schedule X of the list of such persons shall be notified by the Central Government.

(4) Every person who has facility to reclaim on an ozone depleting substance shall maintain record and file reports in the manner specified in Part IV of Schedule X.

(5) Every person who has facility to destroy any ozone depleting substance shall maintain records and file reports in the manner specified in Part V of Schedule X.

(6) Every person who manufactures, imports, exports or sells compressors shall maintain records and file reports in the manner specified in Part VI Schedule X.

(7) The records maintained in accordance with the above sub-rules shall be made available for inspection as specified in Part VII of Schedule X.

15. EXEMPTION. ±

(1) Nothing contained in these rules shall apply to applications or circumstances specified in Schedule VIII.

SCHEDULE ± I

[See rule 2(e), (n), 3(2) and (3), 5(3)]

List of ozone depleting substances

S. No.	Name of Ozone Depleting Substances	Chemical Composition of Ozone Depleting Substances	Group	Ozone Depleting Potential
(1)	(2)	(3)	(4)	(5)
1.	CFC-11	Trichlorofluoromethane ($CFCl_3$)	I	1.0
2.	CFC-12	Dichlorodifluromethane (CF_2Cl_2	I	1.0
3.	CFC-113	Trichlorotrifluoroethane ($C_2F_3Cl_3$)	I	0.8
4.	CFC-114	Dichlorotetrafluoroethane ($C_2F_4Cl_2$)	I	1.0
5.	CFC-115	Chloropentafluoroethene (C_2F_5Cl)	I	0.6
6.	Halon ±1211	Bromochlorodifluoromethane (CF_2BrCl)	II	3.0
7.	Halon ±1301	Bromotrifluoromethane (CF_3Br)	II	10.0
8.	Halon ±2402	Dibromotetrafluoroethane ($C_2F_4Br_2$)	II	6.0
9.	CFC-13	Chlorotrifluoromethane (CF_3Cl)	III	1.0
10.	CFC-111	Pentachlorofluoroethane (C_2FCl_5)	III	1.0
11.	CFC -112	Tetrachlordifluoroethane ($C_2F_2Cl_4$)	III	1.0
12.	CFC-211	Heptachlorofluoropropane (C_3FCl_7)	III	1.0
13.	CFC-212	Hexachlorodifluoropropane ($C_3F_2Cl_6$)	III	1.0
14.	CFC-213	Pentachlorotrifluropropane ($C_3F_3Cl_5$)	III	1.0
15.	CFC-214	Tetrachlorotetrafluoropropane ($C_3F_4C_4$)	III	1.0

S. No.	Name of Ozone Depleting Substances	Chemical Composition of Ozone Depleting Substances	Group	Ozone Depleting Potential
(1)	(2)	(3)	(4)	(5)
16.	CFC-215	Trichloropentafluoropropane ($C_3F_5Cl_3$)	III	1.0
17.	CFC-216	Dichlorophexafluoropropane ($C_3F_6Cl_2$)	III	1.0
18.	CFC-217	Chloroheptafluoropropane (C_3F_7Cl)	III	1.0
19.	Carbon tetrachloride	Tetrachloromethane (CCl_4)	IV	1.1
20.	Methyl chloroform	1,1,1-Trichloroethane ($C_2H_3Cl_3$)	V	0.1
21.	HCFC-21	Dichlorofluoromethane ($CHFCl_2$)	VI	0.04
22.	HCFC-22	Dichlorodifluromethane (CHF_2Cl_2)	VI	0.055
23.	HCFC-31	Chlorofluoromethane (CH_2FCl)	VI	0.02
24.	HCFC-121	Tetrachlorodifluoroethane ($C_2HF_2Cl_4$)	VI	0.04
25.	HCFC-122	Trichlorodifluoroethane ($C_2HF_2Cl_3$)	VI	0.08
26.	HCFC-123	2,2-dichloro-1,1,1-trifluoroethane ($C_2HF_3Cl_2$)	VI	0.06
27.	HCFC-123a	1.2-dichloro-1,1,2-trifluoroethane ($CHCl_2CF_3$)	VI	0.02
28.	HCFC-124	2-chloro-1,1,1,2-trifluoroethane (C_2HF_4Cl)	VI	0.04
29.	HCFC-124a	2-chloro-1,1,2-trifluoroethane ($CHFClCF_3$)	VI	0.022
30.	HCFC-131	Trichlorofluoroethane ($C_2H_2FCl_3$)	VI	0.05
31.	HCFC-132	Dichlorodifluoroethane ($C_2H_2F_2Cl_2$)	VI	0.05
32.	HCFC-133	Chlorotrifluoroethane ($C_2H_3F_2Cl$)	VI	0.06

S. No.	Name of Ozone Depleting Substances	Chemical Composition of Ozone Depleting Substances	Group	Ozone Depleting Potential
(1)	(2)	(3)	(4)	(5)
33.	HCFC-141	Dichlorofluoroethane ($C_2H_3FCl_2$)	VI	0.07
34.	HCFC-141b	1,1-dichloro-1-fluoroethane (CH_3CFCl_2)	VI	0.11
35.	HCFC-142	Chlorodifluoroethane ($C_2H_3F_2Cl$)	VI	0.07
36.	HCFC-142b	1-chloro-1,1-difluoroethane (CH_3CF_2Cl)	VI	0.065
37.	HCFC-151	Chlorofluoroethane (C_2H_4FCl)	VI	0.005
38.	HCFC-221	Hexachlorofluoropropane (C_3HFCl_6)	VI	0.07
39.	HCFC-222	Pentachlorodifluoropropane ($C_3HF_2Cl_5$)	VI	0.09
40.	HCFC-223	Tetrachlorotrifluoropropane ($C_3HF_3Cl_4$)	VI	0.08
41.	HCFC-224	Trichlorotetrafluoropropane ($C_3HF_4Cl_3$)	VI	0.09
42.	HCFC-225	Dichloropentafluoropropane ($C_3HF_5Cl_2$)	VI	0.07
43.	HCFC-225ca	1,3-dichloro-1,2,2,3,3-pentafluoropropane ($CF_3CF_2CHCl_2$)	VI	0.025
44.	HCFC-225cb	1,3-dichloro-1,2,2,3,3-pentafluoropropane (CF_2ClCF_2CHClF)	VI	0.033
45.	HCFC-226	Chlorohexafluoropropane (C_3HF_6Cl)	VI	0.10
46.	HCFC-231	Pentachlorofluoropropane ($C_3H_2FCl_5$)	VI	0.09
47.	HCFC-232	Tetrachlorodifluoropropane ($C_3H_2F_2Cl_4$)	VI	0.10
48.	HCFC-233	Trichlorotrifluoropropane ($C_3H_2F_3Cl_3$)	VI	0.23
49.	HCFC-234	Dichlorotetrafluoropropane ($C_3H_2F_4Cl_2$)	VI	0.28
50.	HCFC-235	Chloropentafluoropropane ($C_3H_2F_5Cl$)	VI	0.52

S. No.	Name of Ozone Depleting Substances	Chemical Composition of Ozone Depleting Substances	Group	Ozone Depleting Potential
(1)	(2)	(3)	(4)	(5)
51.	HCFC-241	Tetrachlorofluoropropane ($C_3H_3FCl_4$)	VI	0.09
52.	HCFC-242	Trichlorodifluoropropane ($C_3H_3F_2Cl_3$)	VI	0.13
53.	HCFC-243	Dichlorotrifluoropropane ($C_3H_3F_3Cl_2$)	VI	0.12
54.	HCFC-244	Chlorotetrafluoropropane ($C_3H_3F_4Cl$)	VI	0.14
55.	HCFC-251	Trichlorofluoropropane ($C_3H_4FCl_3$)	VI	0.01
56.	HCFC-252	Dichlorodifluoropropane ($C_3H_4F_2Cl_2$)	VI	0.04
57.	HCFC-253	Chlorotrifluropropane ($C_3H_4F_3Cl$)	VI	0.03
58.	HCFC-261	Dichlorofluoropropane ($C_3H_5FCl_2$)	VI	0.02
59.	HCFC-262	Chlorodifluoropropane ($C_3H_5F_2Cl$)	VI	0.02
60.	HCFC-271	Chlorofluoropropane (C_3H_6FCl)	VI	0.03
61.	BFC-21B2	Dibromofluoromethane ($CHFBr_2$)	VI	1.00
62.	HBFC-22B1	Bromodifluoromethane (CHF_2Br)	VII	0.74
63.		Bromofluoromethane (CH_2FBr)	VII	0.73
64.		Tetrabromofluoroethane (C_2HFBr_4)	VII	0.8
65.		Tribromofluoroethane ($C_2HF_2Br_3$)	VII	1.8
66.	HBFC-123B2 HBFC-123aB2	Dibromotrifluoroethane ($C_2HF_3Br_2$)	VII	1.6
67.	HBFC-124B1	Bromotetrafluoroethane (C_2HF_4Br)	VII	1.2
68.		Tribromofluoroethane ($C_2H_2FBr_3$)	VII	1.1

S. No.	Name of Ozone Depleting Substances	Chemical Composition of Ozone Depleting Substances	Group	Ozone Depleting Potential
(1)	(2)	(3)	(4)	(5)
69.		Dibromodifluoroethane ($C_2H_2F_2Br_2$)	VII	1.5
70.		Bromotrifluoroethane ($C_2H_2F_3Br$)	VII	1.6
71.		Dibromofluoroethane ($C_2H_3FBr_2$)	VII	1.7
72.	HBFC-124B1	Bromodifluoroethane ($C_2H_3F_2Br$)	VII	1.1
73.	HBFC-124B1	Bromofluoroethane (C_2H_4FBr)	VII	0.1
74.		Haxabromofluoropropane (C_3HFB_6)	VII	1.5
75.		Pentabromodifluoropropane ($C_3HF_2Br_5$)	VII	1.9
76.		Tetrabromofluoropropane ($C_3HF_3Br_4$)	VII	1.8
77.		Tribromotetrafluoropropane ($C_3HF_4Br_3$)	VII	2.2
78.		Dibromopentafluoropropane ($C_3HF_5Br_2$)	VII	2.0
79.		Bromohaxafluoropropane (C_3HF_6Br)	VII	3.3
80.		Pentabromofluoropropane ($C_3H_2FBr_5$)	VII	1.9
81.		Tetrabromodifluoropropane ($C_3H_2F_2Br_4$)	VII	2.1
82.		Tribromotrifluoropropane ($C_3H_2F_3Br_3$)	VII	5.6
83.		Dibromotetrafluoropropane ($C_3H_2F_4Br_2$)	VII	7.5
84.		Bromopentafluoropropane ($C_3H_2F_5Br$)	VII	1.4
85.		Tetrabromofluoropropane ($C_3H_3FBr_4$)	VII	1.9
86.		Tribromodifluoropropane ($C_3H_3F_2Br_3$)	VII	3.1
87.		Dibromotrifluoropropane ($C_3H_3F_3Br_2$)	VII	2.5

S. No.	Name of Ozone Depleting Substances	Chemical Composition of Ozone Depleting Substances	Group	Ozone Depleting Potential
(1)	(2)	(3)	(4)	(5)
88.		Bromotetrafluoropropane ($C_3H_3F_4Br$)	VII	4.4
89.		Tribromofluoropropane ($C_3H_4FBr_3$)	VII	0.3
90.		Dibromodifluoropropane ($C_3H_4F_2Br_2$)	VII	1.0
91.		Bromotrifluoropropane ($C_3H_4F_3Br$)	VII	0.8
92.		Dibromofluoropropane ($C_3H_5FBr_2$)	VII	0.4
93.		Bromodifluoropropane ($C_3H_5F_2Br$)	VII	0.8
94.		Bromofluoropropane (C_3H_6FBr)	VII	0.7
95.	Methyl bromide	(CH_3Br)	VII	0.6

SCHEDULE-II

[See rule 2(c),3(1),(3),5(2),9]

Regulation on production and consumption of group of ozone depleting substances

S.No.	Name of Group of Ozone Substances	Year(s) relating to base level*	Maximum allowable Productio in a period of twelve months as percentage o calculated base level for Group as a whole	Maximum allowable consumptio n in a perioc of twelve month as percentage of calculated level of consumptio n in base years for Groups as a whole	Date relatec to columns (4) and (5)	Ban on creating capacities for production of Ozone Depleting Substance	Ban on creating new capacities to manufacture products made with or containing Ozone Depleting Substances
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1(a)	II	1995-1997	110	100	1-1-2002	Date or which these rule come into force	Date on which these rules come into force
(b)	II	1995-1997	60	50	1-1-2005	--	--
(c)	II	1995-1997	0	0	1-1-2010 **	--	--
2(a)	IV	1998-2000	25	15	1-1-2005	Date on which these rules come into force	Date on which these rules come into force
(b)	IV	1998-2000	0	0	1-1-2010	--	--
3(a)	V	1998-2000	115	100	1-1-2003	Date on which these rules come into force	Date on which these rules come into force
(b)	V	1998-2000	80	70	1-1-2005	--	--
(c)	V	1998-2000	40	30	1-1-2010	--	--
(d)	V	1998-2000	0	0	1-1-2015	--	--

4(a)	VI	9 2016*	115	100	1-1-2016	Date on which these rules comeinto force	
(b)	VI	2015	0	0	1-1-2040	Date on which these rules come into force	--
5.	VII	---	0	0	-	-	-
6(a)	VIII	1995-1998	110	100	1-1-2002	Date on which these rules come into force	--
(b)	VIII	1995-1998	80	80	1-1-2005	-	
(c)	VIII	1995-1998	0	0	1-1-2015	-	1.1.2015

* Freeze Year for production and consumption of Hydrochlorofluorocarbons (ozone depleting substances under Group VI) of Schedule I

** with possible essential use exemption.

9 2015 is the base level for all group VI substances.

SCHEDULE III

[Se rule 2(c),3(2),(3),5(3),9(1) & (2)]

Regulation on production and consumption of Group I & Group III ozone depleting substances Specified in column (4) of Schedule I.

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
S.No.	Name of Group of Ozone Depleting Substances	Year(s) relating to base level*	Maximum allowable Production (MT) in a period of twelve months for Group as a whole	Maximum allowable consumption in a period of twelve month as percentage of calculated level of consumption in base years for Groups as a whole	Date related to column (4) and (5)	Ban on creating capacities for production of Ozone Depleting Substances	Ban on creating new capacities to manufacturing products made with or containing Ozone Depleting Substances
1.	I III	1995-97 1998-2000	20,706 -	90%	31.12.2000	Date on which these rules come into force	Date on which these rules come into force
2.	I III	1995-97 1998-2000	18,824 -	83%	31.12.2001	Date on which these rules come into force	Date on which these rules come into force
3.	I III	1995-97 1998-2000	16,941 -	75%	31.12.2002	Date on which these rules come into force	Date on which these rules come into force
4.	I III	1995-97 1998-2000	15,058 -	66%	31.12.2003	Date on which these rules come into force	Date on which these rules come into force
5.	I III	1995-97 1998-2000	13,176 -	58%	31.12.2004	Date on which these rules come into force	Date on which these rules come into force
6.	I III	1995-97 1998-2000	11,294 -	50%	31.12.2005	Date on which these rules come into force	Date on which these rules come into force
7.	I III	1995-97 1998-2000	7,342 -	33%	31.12.2006	Date on which these rules come into force	Date on which these rules come into force

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
8.	I III	1995-97 1998-200	3,389 -	15%	31.12.2007	Date on which thes rules come into force	Date on which these rules come into force
9.	I III	1995-97 1998-2000	2,259 -	10%	31.12.2008	Date on which thes rules come into force	Date on which these rules come into force
10.	I III	1995-97 1998-2000	1,130 -	10%	31.12.2009	Date on which thes rules come into force	Date on which these rules come into force
11.	I III	1995-97 1998-2000	* -	*	after 1.1.2010	Date on which thes rules come into force	Date on which these rules come into force

x save for any chlorofluorocarbon production/consumption that may be agreed by the Parties to meet essential uses for India

SCHEDULE-IV

[See rule 6(1),7,8(1),(2),(3),(4) and (5),9(3),10(3)]

Regulation on consumption of ozone depleting substances on end use basis

S.No.	Name of Activities	Name of Group of Ozone Depleting Substances	Phaseout Date*
(1)	(2)	(3)	(4)
1.	Manufacture of Aerosol products or pressuriz dispensers (excluding metered dose inhalers medicinal purpose)	Group I	1-1-2003
2.	Manufacture of Polyol for foam products	Group I	1-1-2003
3.	Manufacture of foam products including foa part of Domestic Refrigerator	Group I	1-1-2003
4.	Manufacture of Fire Extinguishers or Fi Extinguishing Systems	Group II	1-1-2001**
5.	Manufacture of Mobile Air-Conditioners and charging at Automobile industry	Group I	1-1-2003
6.	Manufacture of other Refrigeration and Air conditioning products (excluding compressors	Group I	1-1-2003
7.	Manufacture of different products	Group I,III, IV & V	1-1-2010
8.	Servicing of fire extinguishers and fir extinguishing systems	Group II	1-1-2010**
9.	Manufacture of Metered Dose inhalers f medicinal purposes	Group I	1-1-2010
10.	Manufacture of different products	Group VI	1-1-2040
11.	Use of methyl bromide except preshipment quarantine	Group VII	1-1-2015

* The phaseout date for person or enterprise who has received financial assistance for switching over to non ozone depleting substance technology or to establish or to expand new capacity with non ozone depleting technology is the date of completion of the conversion project or the date given in column (4) of Schedule IV which ever is earlier.

** Except for essential use certified by the essential use panel.

SCHEDULE ± V

(See rule 2(b),3(1),6(1),7,8(1),(2),(5) & (6),11(1),(2),12(1),13(5)

List of authorities, their functions and last date for registration

Part-I for ozone depleting substances other than group VIII of Schedule-I

S.No.	Rule No.	Function	Name of Authority	Last date for Registration	Name of Appellate Authority
(1)	(2)	(3)	(4)	(5)	(6)
1.	3(1)	Registrationof producers of Ozone Depleting Substances	An officer not below the rank of a Deputy Secretary in the Ministry of Environment & Forests	Three months after commencement of the rules	Secretary, Ministry of Environment & Forests
2.	3,4,5.10 (1)10(2)	Licence to import/ export of products made with or containing Ozone Depleting Substances	Director General of Foreign Trade	-----	----
3.	6(1)	Registration of traders/ dealers wholesalers/ sellers of Ozone Depleting Substances	(i) An Officer of the particular Producer not below the rank of Manager, if the ozone Depleting Substances has been produced in India.	One year after commencement of these rules	An officer not below the rank of a Deputy Secretary in the Ministry of Environment & Forests
4.	8(1)	Registration of persons / enterprise engaged in activities specified in column (2) of Schedule-V (whose capital investment is less than Rs.1 crore). Registration of	Officer-in-charge of the office Small Industries Services Institute in respective jurisdiction under Small Industries	One year after commencement of these rules	An officer not below the rank of a Deputy Secretary in the Ministry of Environment & Forests

		persons engaged i activities in column(2) of Schedule IV (whose capital investment is more than Rs.1 crore)	Development Organisation under the Ministry of Small Scale, Agro and Rural Industries		
5.	11(1)	Registration of person having facilities to reclaim Ozone Depleting Substances	Officer-in-charge of the office of Small Industries Services Institute in respective jurisdiction under Small Industries Development Organisation under the Ministry of Small Scale, Agro and Rural Industries.	One year after commencement of these rules	An officer not below the rank of a Deputy Secretary in the Ministry of Environment & Forests.
6.	11(2)	Registration of persons having facilities to destroy Ozone Depleting Substances	Officer-in-charge of the Office of Small Industries Services Institute in respective jurisdiction under Small Industries Development Organisation under the Ministry of Small Scale, Agro and Rural Industries.	One year after commencement of these rules	An officer not below the rank of a Deputy Secretary in the Ministry of Environment & Forests.

7.	12	Registration of manufactures, importers & exporters of compressors/(whose capital investment is less than Rs.1 crore)	Officer-in-charge of the Office of Small Industries Services Institute in respective jurisdiction under Small Industries Development Organisation under the Ministry of Small Scale, Agro and Rural Industries	One year after commencement of these rules	An officer not below the rank of a Deputy Secretary in the Ministry of Environment and Forests.
		Registration of manufactures, importers & exporters of compressors (whose capital investment is more than Rs.1 crore)	An Officer not below the rank of Deputy Secretary in the Ministry of Environment and Forests	One year after commencement of these rules	Secretary, Ministry of Environment and Forests

Part-II ± for Schedule I, Group VIII ozone depleting substance

S.No.	Rule No.	Function	Name of Authority	Last date of Registration	Name of Appellate Authority
(1)	(2)	(3)	(4)	(5)	(6)
1.	3(1) 6(1) 8(1) 11(1)	Registration	As specified in the Insecticides Act, 1968(46 of 1968)	As specified in the Insecticides Act,1968 (46 of 1968)	As specified in the Insecticides Act,1968 (46 of 1968)

SCHEDULE ±VI

[See rule 4,5(1)]

List of countries which are party to the 1987 Montreal Protocol

Part-I

List of Parties categorized as operating under Article 5 paragraph 1 of the Montreal Protocol

(1)	(2)
S.No.	Name of country
1.	Algeria
2.	Antigua and Barbuda
3.	Argentina
4.	Bahamas
5.	Bahrain
6.	Bangladesh
7.	Barbados
8.	Belize
9.	Benin
10.	Bolivia
11.	Bosnia and Herzegovina
12.	Botswana
13.	Brazil
14.	Brunei Darussalam
15.	Burkina Faso
16.	Burundi
17.	Cameroon
18.	Central African Republic
19.	Chad
20.	Chile

(1)	(2)
21.	China
22.	Colombia
23.	Comoros
24.	Congo
25.	Congo, Democratic Republic of
26.	Costa Rica
27.	Cote Ivoire
28.	Croatia
29.	Cuba
30.	Cyprus
31.	Dominica
32.	Dominican Republic
33.	Feudador
34.	Egypt
35.	El Salvador
36.	Ethiopia
37.	Fiji
38.	Gabon
39.	Gambia
40.	Georgia
41.	Ghana
42.	Grenada
43.	Guatemala
44.	Guinea
45.	Guyana
46.	Honduras
47.	India
48.	Indonesia
49.	Iran,Islamic Republic of

(1)	(2)
50.	Jamaica
51.	Jordan
52.	Kenya
53.	Kiribati
54.	Korea, Peoples Democratic Republic of
55.	Korea Republic of
56.	Kuwait
57.	/DR 3HRSOH¶V 'HPRFUDWLF 5HSXEOLF RI
58.	Lebanon
59.	Lesotho
60.	Libyan Arab Jamahiriya
61.	Madagascar
62.	Malawi
63.	Malaysia
64.	Maldives
65.	Mali
66.	Malta
67.	Mauritania
68.	Mauritius
69.	Mexico
70.	Moldova
71.	Mongolia
72.	Morocco
73.	Mozambique
74	Myanmar
75.	Namibia
76.	Nepal
77.	Nicaragua
78.	Niger

(1)	(2)
79.	Oman
80.	Nigeria
81.	Pakistan
82.	Panama
83.	Papua New Guina
84.	Paraguay
85.	Peru
86.	Philippines
87.	Qatar
88.	Romania
89.	Saint Ktts & Nevis
90.	Saint Lucia
91.	Saint Vincent & the Grenadines
92.	Samoa
93.	Saudi Arabia
94.	Senegal
95.	Seychelles
96.	Singapore
97.	Slovenia
98.	Solomon Islands
99.	South Africa
100.	Sri Lanka
101.	Sudan
102.	Swaziland
103.	Syrian Arab Republic
104.	Tanzania, United Republic of
105.	Thailand
106.	The Former Yugoslav Republic of Mecedonia
107.	Togo

(1)	(2)
108.	Trinidad and Tobago
109.	Tunisia
110.	Turkey
111.	Uganda
112.	United Arab Emirates
113.	Uruguay
114.	Venezuela
115.	Yemen
116.	Viet Nam
117.	Yugoslavia
118.	Zambia
119.	Zimbabwe

Part-II

List of Parties temporarily categorized as operating under Article 5 paragraph 1 of the Montreal Protocol.

(1)	(2)
1.	Albania
2.	Djibouti
3.	Federated States of Micronesia
4.	Liberia
5.	Marshall Islands
6.	Suriname
7.	Tonga
8.	Tuvalu
9.	Vanuatu

Part-III

SCHEDULE ± VIII

[See rule 15]

Exemption

(i) Use of Methyl Bormide, the ozone depleting substance covered in Group VIII of Schedule I, in quarantine and pre-shipment applications.

(ii) Ozone depleting substance which are used in laboratory or for analytical purposes subject to following conditions :-

(a) laboratory uses include equipment calibration; use as extraction solvents, diluents, or carriers for chemical analysis; biochemical research; inert solvents for chemical reactions, as a carrier or laboratory chemical and other critical analytical and laboratory purposes.

(b) Ozone depleting substances should have been manufactured to the following purities :

CTC (reagent grade)	99.5
1,1,1-trichloroethane	99.0
CFC-11	99.5
CFC-13	99.5
CFC-12	99.5
CFC-113	99.5
CFC-114	99.5
Other w/Boiling P>20°C	99.5
Other w/Boiling P< 20°C	99.0

(c) these pure ozone depleting substances can be subsequently mixed by manufacturers, agents, or distributors with other chemicals, as is customary for laboratory and analytical uses.

(d) These high purity ozone depleting substances and mixtures containing ozone depleting substances shall be supplied only in re-closable containers or high pressure cylinders smaller than three litres or in 10 millilitre or smaller glass ampoules, marked clearly as ozone depleting

substances, restricted to laboratory use and analytical purposes and specifying that used or surplus ozone depleting substances should be collected and recycled, if practical. The ozone depleting substances should be destroyed if recycling is not practical.

(iii) Import, export, and production of Group IV, Schedule I ozone depleting substances is excluded from the definition of consumption if such imports and production meant to be used in manufacture of ozone depleting substances specified in Group I of Schedule I.

(iv) Import and export of any recovered or reclaimed ozone depleting substances is excluded from the definition of consumption.

(i) Sub-rule(I) of rule 10 shall not apply to non-commercial sale of products which have been used for at least one year.

(ii) Any rule in public interest with specific approval of the Central Government.

(vii) Use of Group II substances of Schedule I for essential critical application shall as Defence Air Craft, Battle tank and Aviation Industries to be certified by an essential use panel.

SCHEDULE-IX

[See rule 13(1), 13(6)]

Part-I

Procedure for Registration

1. Application for registration of sellers of ozone depleting substances under sub-rule(1) of rule 6 shall be made in Form 9 of Schedule XI.

2. Application for registration of sellers of ozone depleting substances under sub-rule (1) of rule 6 shall be made in Form 10 of Schedule XI.

3. Application for registration of persons under sub-rule(1) of rule 8 shall be make in Form 11 of Schedule XI.

4. Application for registration of persons reclaiming ozone depleting substances under sub-rule (1) of rule 11 shall be made in Form 14 of Schedule XI.

5. Application for registration of persons destroying ozone depleting substances under sub-rule (2) of rule 11 shall be made in Form 14 of Schedule XI.

6. Application for registration of persons manufacturing, importing or exporting compressors shall be made in Form 13 of Schedule XI.

7. A Certificate of Registration shall be issued by the registering authority to those persons who have been registered in accordance with these rules.

8. The Certificate of Registration shall contain the following information :-

(a) Name of registering authority.
(b) Registration number.
(c) Information contained in application for registration (excluding enclosures).
(d) Signature and seal of registering authority.

Part II

Conditions of Registration/Renewal

1. 7KH µ&HUWLILFDWH RI 5HJLVWUDWLRQ¶ VKDOO EH NHSW be produced at any reasonable time on reproduced at any reasonable time on request before an Officer of the concerned authority no below in rank to a Section Officer to the Government of India or, in respect of registration under sub-rule (1) of rule 6 an Assistant Manager in the concerned producing enterprise.

2. The registration shall not be done, and shall cease to be valid, if the person to be registered or registered is in violation of these rules.

3. Registration under sub-rule(1) of rule 6 shall also be subject to commercial decision of the authority mentioned in column (4) of Schedule V, excluding such registration in respect of ozone depleting substances specified in Group VIII of Schedule I.

4. Notwithstanding generality of provision of para 2 above, registration shall not be renewed unless the applicant has complied with all the reporting requirements under these rules.

5. Validity of registration under these rules shall be for a period of eighteen months from the date of registration. Its renewal can be done anytime after twelve months from the date of registration/renewal. The renewal will also be valid for eighteen months.

SCHEDULE X

[See rule 14(1),(2),(3),(4),(5),(6) & (7)

Part I

A. Records to be maintained

Records regarding production of ozone depleting substances

(1) Dated records and related documents in respect of each producing plant, of

(a) The actual quantity of each ozone depleting substances produced;

(b) the actual quantity of each ozone depleting substance used as feed stock; and

(c) Information specified in 2(b) and 2(c) below Records regarding sale and offer for sale of ozone depleting substances

(2) Dated records and related documents in respect of-

(a) the actual quantity of each ozone depleting Substances purchased

(b) the actual quantity of each ozone depleting substances sold within India; the name and address of the recipient of the each shipment and the purpose for which ozone depleting substances was purchased by the recipient. These purpose to be maintained are :

(i) Manufacture of Aerosols

(ii) Manufacture of foam products

(iii) Manufacture of fire extinguishers and fire extinguishers systems.

(iv) Manufacture of Mobile Air-conditioners

(v) Manufacture of other Refrigeration and Air-conditioning products.

(vi) Solvents use

(vii) Exempted use

(viii) Selling

(ix) Others (please specify)

Records regarding exports of Ozone

(3) Dated records and related documents containing information in respect of each column of Form 3 or 4, as the case may be, of Schedule XI.

Records regarding imports of ozone depleting substances

(4) Dated records and related documents containing information in respect of each column of Form 5 or 6, as the case may be, of Schedule XI.

Record and related document of regarding manufacture import and export of compressor.

(5) Dated records and related document containing information in respect of each column of form 12 or 13, as the case may be, of Schedule XI.

Declaration signed by the recipient in Form 12 of Schedule XI.

B. Reports to be submitted

(1) Report on production of ozone depleting substances as per Form 1 of Schedule XI.

(2) Report on imports of ozone depleting substances as per Form 2 of Schedule XI.

(3) Report on exports of ozone depleting substances as per Form 3 of Schedule XI.

(4) Report on sales of ozone depleting substances as per Form 4 of Schedule XI.

(5) Reports mentioned in Sr.No.1 to 3 above shall be submitted to the Ministry of Environment & Forests. Report mentioned in Sr.4 above shall be submitted the registering authority specified in column (4) of Schedule V, who will submit complied version of the reports, duly countersigned will also be submitted by such authority to the Ministry of Environment & Forests in hard copy as well as in floppy on request.

Part II

A. Records to be maintained

Records regarding purchase of ozone depleting substances for use in activities specified in column (2) of Schedule IV.

(1) Dated records of

(a) the actual quantity of each ozone depleting substances purchased from an Indian supplier and the name and address of the India supplier;
(b) the actual quantity of each ozone depleting substances used separately for each plant and each activity.

B. Records to be submitted

(1) Report on purchase of ozone depleting substances as per Form 5 of Schedule XI.

(2) These reports shall be submitted to the concerned registering authority specified in column (4) of Schedule V, who will submit compiled version of the report to the Ministry of Environment & Forests. Individual reports will also be submitted by such authority to the Ministry of Environment & Forests on request.

Part III

A. Records to be maintained

Records regarding purchase of non-ozone depleting substances by beneficiary companies for use in manufacture of products.

(1) Dated records and related documents in respect of :-

(1) Actual quantity of each non-ozone depleting substances purchased and the name and address of supplier;

(2) Actual quantity of each non-ozone depleting substances used in manufacturing operations separately for each plant and each manufacturing.

B. Reports to be submitted

(1) Report on use of non-ozone depleting substances by beneficiary companies as per Form 6 of Schedule XI.

(2) These reports shall be submitted to the concerned authority specified in column (4) of Schedule V, who will submit compiled version of the report to the Ministry of Environment & Forests. Individual reports will also be submitted by such authority to the Ministry of Environment & Forests on request.

Part IV

A. Records to be maintained

Records regarding reclamation

(1) Dated records and related documents in respect of -

(a) the actual quantity of each ozone depleting substances recovered; the name and address of the individual or company from which the ozone depleting substances is recovered and the name and address, if different of the site at which the ozone depleting substances is reclaimed;

(b) the actual quantity of each ozone depleting substances reclaimed.

B. Reports to be submitted

(2) Report on reclamation of ozone depleting substances as per Form 7 of Schedule XI.

(3) These reports shall be submitted to the Ministry of Environment & Forests through the concerned registering authority specified in column (4) of Schedule V.

Part V

A. Records to be maintained

Records regarding destruction

(1) Dated records of ;

(a) the actual quantity of each ozone depleting substances destroyed on the basis of destruction efficiency of the facility employed.

B. Reports to be submitted

(2) Report on destruction of ozone depleting substances as per Form 8 of Schedule XI.

(3) These reports shall be submitted to the Ministry of Environment & Forests through the concerned registering authority specified in column (4) of Schedule V.

Part VI

A. Records to be maintained

Records regarding manufacture, import and export of compressor;

(1) Dated records and related documents containing information in respect of each column of Form 12 of Schedule XI.

B. Reports to be submitted

(1) Report on manufacture, import, export and sale of compressor and use of refrigerants in compressors sold as per Form 12 of Schedule XI.

(2) These reports shall be submitted to the concerned registering authority specified in column (4) of Schedule V, who will submit complied version of the report to the Ministry of Environment & Forests. Individual reports will also be submitted by such authority to the Ministry of Environment & Forests on request.

Part VII
Production of records

(1) Records being maintained pursuant to requirements of rule 13 shall be available for inspection at any reasonable time on request by an officer of the registering authority specified in column (4) of Schedule V, not below in rank to a Section Officer to the Government of India. However, persons who are engaged in selling any locally produced ozone depleting substances, except ozone depleting substances specified in Group VIII of Schedule I, shall make records available by inspection at any reasonable time on request by an officer of the concerned producing enterprise not below in rank to Assistant Manager or on request by an officer of the Ministry of Environment & Forests not below in rank to a Section Officer.

SCHEDULE XI

Form1 Page 1

REPORT ON PRODUCTION OF OZONE DEPLETING SUBSTANCES

Frequency of report : Annually

Last date for submission of report : Within 60 days of end of the year

Name of Company	Period of report : January-December 19				
Name of Group of Ozone Depleting Substances	Name of Ozone Depleting Substances	Total Quantity produced for All uses *2	Quantities produced for exemped uses within India *3		Quantity produced for supply to countries listed in parts I and II of Schedule VI
			Quantity produced for feed stock within India	Quantity produced for other exempted use within India	
Group I	CFC13(CFC-11) CFC(12)(CFC-12) C2F4C12(CFC-114) C2F5C1 (CFC-115)				
	TOTAL				

Form 1 - page 2

Name of Company	Period of report : January-December 19				
Name of Group of Ozone Depleting Substances	Name of Ozone Depleting Substances *1	Total Quantity produced for All uses *2	Quantities produced for exemped uses within India *3		Quantity produced for supply to countries listed in parts I and II of Schedule VI
			Quantity produced for feed stock within India	Quantity produced for other exempted use within India	
Group II	CF2BrC1 (Halon 1211) CF3Br (Halon 1301) C2F4Br2 (Halon 2402)				
	TOTAL				

Group III	CF3Cl (CFC13)				
	Total				
Group IV	CC14 (Carbon tetra-Chloride)				
Group V	C2H3C13 (Methy) Chloroform i.e. 1.1.1-trichloroethane)				

Form 1 - Page 3

Name of Group of Ozone Depleting Substances	Name of Ozone Depleting Substances *1	Total Quantity produced for All uses *2	Quantities produced fo exempted uses within Indi *3		Quantity produced for supply to countries listed in parts I and II of Schedule VI
			Quantity produced for feed stock within India	Quantity produced for other exempted use within India	
Group II	CHFCl (HCFC-21) CHF2Cl (HCFC-22) CH2FCl (HCFC-31) C2HF3CL2 (HCFC-123) C4HF4Cl (HCFC-124) C2H2F3Cl (HCFC-133) CH3CF12 (HCFC-141b) CH3CF2Cl (HCFC-142b) C3HF5C2(HCFC-225) CF3CF-2CHC12(HCFC-225ca) CF2ClCF2HClF (HCFC-225cb)				
	TOTAL				

Form 1 - Page 4

Name of Group of Ozone Depleting Substances ?	Name of Ozone Depleting Substances	Total Quantity produced for All uses *2	Quantities produced fo exempted uses within Indi *3		Quantity produced for supply to countries listed in parts I and II of Schedule VI
			Quantity produced for feed stock within India	Quantity produced for other exempted use within India	
1	2	3	4	5	6
Group VII	HBFCs				
Group VIII	(Methyl Bromide (CH3Br)		Total quantity of New Methyl-Bromide produced for Quarantine and Preshipment application within India and for exports		
			Signature *4 with seal		

Form 1 - Page 5

Verification

I « « « « « « « « « « « « « « « « S/o « « « « « « « « « « « « « « « «
do hereby solemnly verify that to the best of my knowledge and belief the information given above and the annexure and statements any accompanying it are correct and complete.

I further declare that I am submitting and verifying the information given above
L Q P \ F D S D F L W \ D V « « « « « « « « « « D Q G W K D W , D P F R P S H W H Q W

Pla F H « « « « « 6 L J Q D W X U H « « « « « « «

' D W H « « « « « with seal

*1 Please see Schedule I for complete list of ozone depleting substances.

*2 Total production should be given without any deductions. The Ministry of Environment & Forests would make the necessary deductions in accordance with the definition in rule 2.

*3 Please see rule 2(k) and give the total quantity used within India as feedstock and quantity exempted under rule 16 from local production.

*4 The above Form including the verification portion must be signed in case of an individual by the individual himself or a person duly authorized by him-in case of Hindu undivided family by the Karta: in case of a partnership firm, by the managing partner, in case of a company, by a person duly authorized in that behalf by the Board of Directors, and in any other case by a person in-charge of or responsible for the conduct of the business.

****

FORM 2 PAGE 1

DATA ON IMPORTS OF OZONE DEPLETING SUBSTANCES

Frequency of report : Quarterly

Last date for submission of report: Within 30 days of end of the quarter.

Name of Company : _____ Period of report :

Name of ozone depleting substances *1 : ----------
(in metric tonnes)

Sr. No.	Purchase orde No. & date	Bill of Lading no. & date	Total Quantity imported all uses	Quantity of new ozone depleting substanc imported to use as
			*2	*3

	New	Recovered	Reclaimed	Feedstock	Exempted Uses
1	2	3	4	5	6	7	8
TOTAL							

Free on Borad (FOB) Value$	Free on Board (FOB) Value Rs.	Import licence No. & date	Country from which imported	Name & address of seller	Port of shipment	Port of delivery
9	10	11	12	13	14	15
TOTAL						

Signature *4
With seal

Form 2 Page 2

Verification

, « « « « « « « « « « « « « « « « 6 R
« « « « « « « « « « « « « « « « «

FORM 3 - PAGE 1

REPORT ON EXPORTS OF OZONE DEPLETING SUBSTANCES

Frequency of report : Quarterly

Last date for submission of report : Within 30 days of end of the quarter

Name of Company : _____ Period of report : _____

Name of ozone depleting substances *1 : ----------
(in metric tonnes)

Sr. No.	Purchase order No. & date	Bill of Lading no. & date	Quantity imported all uses	Quantity of new ozone depleting substance imported t use as

New	*2 Recovered & Reclaimed	Quarantine & Pre-shipment application *3	Feedstock	Exempted uses

1	2	3	4	5	6	7	8
TOTAL							

Free on Board (FOB) Value $	Free on Board (FOB) Value Rs.	Import licence No. & date	Country from which imported	Name & address of seller	Port of shipment	Port of delivery
9	10	11	12	13	14	15
TOTAL						

Signature *4
with seal

Form 3 - Page 2

Verification

, « « « « « « « « « « « « « « « .. S/o « « « « « « « « « « « « « « « « « « GR KHUHE\ VROHPQO\ YHULI\ WKDW WR my knowledge and belief the information given above and the annexure and statements any accompanying it are correct and complete.

I further declare that I am submitting and verifying the information given above LQ P\ FDSDFLW\ DV « « « « « « « « DQG WKDW , DP FRPSHWHQW W

3ODFH « « « « 6LJQDWXUH « « « « « « «

'DWH « « « « « with seal

Notes :-

*1 One form should be used for only one ozone depleting substance. Use separate form for each ozone depleting substance. Please see Schedule 1 for complete list of all ozone depleting substance.

*2 'Recovery' The collection and storage of ozone depleting substance from machinery, equipment vessels etc. during servicing or prior to disposal.

'Reclamation' The reprocessing and upgrading of a recovered ozone depleting substance through such mechanism as filtering, during, distillation and chemical treatment in order to restore the substance to specified standard of performance. If often involves processing 'off side' at a central facility.

*3 For Methyl Bromide only.

*4 The above Form including the verification portion must be signed in case of an individual by the individual himself or a person duly authorized by him, in case of Hindu undivided family, by the Karta: in case of the partnership firm, by the managing partner, in case of a company, by a person duly authorized in that behalf by the Board of Directors and in any case, by a person in charge of or responsible for the conduct of the business.

FORM 4 - PAGE 1

REPORT ON SALE OF OZONE DEPLETING SUBSTANCES

Frequency of report : Quarterly

Last date for submission of report: Within 30 days of end of the Quarter

Name of Company : _____ Period of report : _____

Part A
(in metric tonnes)

Sr. No.	Name Ozone Depleting Substance	Quantity of ozone depleting substance				Quantity of Ozone Depleting Substances purchased locally	Name and address of Indian supplier from whom Ozone Depleting Substances was purchased locally
		Produced	*1 Imported	*2 Reclaimed	*3 Exported		
Total for each Ozone Depleting Substance							

Form 4 - Page 2

Part B
(in metric tonnes)

S.No.	Name of Ozone Depleting Substances	Purpose for which *4 Ozone Depleting Substance was sol to the buyer	Quantity of Ozone Depleting Substanc sold to the buyer	Name & address o buyer
TOTAL				

Signature *5
with seal

Form 4 - Page 3

Verification

, « « « « « « « « « « « « « « « « 6 R
« « « « « « « « « « « « « « « « « « GR KHUHE\ VROHPQO\ YHULI\ WKDW WR
my knowledge and belief the information given above and the annexure and statements any accompanying it are correct and complete.

I further declare that I am submitting and verifying the information given above LQ P\ FDSDFLW\ DV « « « « « « « « DQG WKDW , DP FRPSHWHQW W

3ODFH « « « « 6LJQDWXUH « « « « « « «
'DWH « « « « « with seal

Notes:

*1 Full report to be submitted as per Form 2

*2 - do - Form 7.
*3 - do - From 3.
*4 Purpose are:

(i) Manufacture of aerosols (excluding metered dose inhalers for medic purposes).
(ii) Manufacture of Foam products.
(iii) Manufacture of Fire extinguishers & fire extinguishing systems.
(iv) Manufacture of Mobile Air conditions.
(v) Manufacturing of other Refrigeration & Air conditioning products (excluding compressors).
(vi) Solvent use.
(vii) Exempted use.
(viii) Selling.
(ix) Servicing of fire extinguishers or fire extinguishing system.
(x) Metered dose inhalers for medical purpose.
(xi) Manufacture of Compressors.
(xii) Others - specify.

Form 4---Page 4

*5 The above Form including the verification portion must be signed incase of an individual, by the individual himself or a person duly authorized by him, in case of Hindu undivided family, by the Karta: in case of the partnership firm, by the managing partner, in case of a company, by a person duly authorized in that behalf by the Board of Directors and in any case, by a person incharge of or responsible for the conduct of the business.

*6 Use separate form for separate ozone depleting substances.

****

FORM 5 - PAGE 1

REPORT ON PURCHASE OF OZONE DEPLETING SUBSTANCES ON END USE BASES

Frequency of report : annually

Last date for submission of report: Within 30 days of end of calendar year.

Name of Company : _____ Period of report : January-H P E H U « «

Part A
(in metric tonnes)

Sr. No.	Name Ozone Depleting Substance	Quantity of ozone depletin substance		Quantity of Ozone Depleting Substances purchased locally	Name and address of Indian supplier from whom Ozone Depleting Substances was purchased locally
		*1 Imported	*2 Reclaimed		
Total					

Form 5 - Page 2

Part B
(in metric tonnes)

S.No.	Name of Ozone Depleting Substances	Name & address o enterprise/firm Ozone Depleting Substances wa used	*3* Purpose 3 for Ozone Depleting Substance wa used	Quantity of Ozone Depleting Substance used
TOTAL				

Signature *4
with seal

Verification

, « « « « « « « « « « « « « « « « 6 R
« « « « « « « « « « « « « « « « « « GR KHUHE\ VROHPQO\ YHULI\ WKDW WR
my knowledge and belief the information given above and the annexure and statements any accompanying it are correct and complete.

I further declare that I am submitting and verifying the information given above LQ P\ FDSDFLW\ DV « « « « « « « « DQG WKDW , DP FRPSHWHQW W

3ODFH « « « « 6LJQDWXUH « « « « « « «

'DWH « « « « « with seal

Notes:

*1 Full report to be submitted as per Form 2

*2 Full report to be submitted as per Form 7.

*3 Purpose are:

(i) Manufacture of aerosols (excluding metered dose inhalers for medical purposes).
(ii) Manufacture of Foam products.
(iii) Manufacture of Fire extinguishers & fire extinguishing systems.
(iv) Manufacture of Mobile Air conditions.
(v) Manufacturing of other Refrigeration & Air conditioning products (excluding compressors).

(vi) Solvent use.
(vii) Exempted use.
(viii) Selling.
(ix) Servicing of fire extinguishers or fire extinguishing system.
(x) Metered dose inhalers for medical purpose.
(xi) Manufacture of Compressors.
(xii) Others - specify.

*4 The above Form including the verification portion must be signed in case of an individual by the individual himself or a person duly authorized by him, in case of Hindu undivided family, by the Karta: in case of the partnership firm, by the managing partner, in case of a company, by a person duly authorized in that behalf by the Board of Directors and in any case, by a person in-charge of or responsible for the conduct of the business.

****

FORM 6 - PAGE 1

REPORT ON USE OF NON OZONE DEPLETING SUBSTANCES BY BENEFICIARY COMPANIES *1

Frequency of report : Annually

Last date for submission of report: Within 60 days of end of calendar year.

Name of Company : _____ Period of report : Jan - ' H F « «

(in metric tonnes)

S.No.	Address of Factories	Date of Commencement of manufacturing operations with non-ozone Depleting Substances	Name of Depleting substances used prior to conversion (if applicable)	Quantity of Ozone Depleting Substance used in a period of 12 months prior to conversion (if applicable)	Purpose for which non Ozone Depleting Substance is being used *2	Name of non-Ozone Depleting Substance being used	Quantity of non-Ozone Depleting Substance used during the period of report

Total

Signature *3
with seal

Form 6 - Page 2

Verification

, « « « « « « « « « « « « « « « « 6 R « GR KHUHE\ VROHPQO\ YHULI\ WKDW WR my knowledge and belief the information given above and the annexure and statements any accompanying it are correct and complete.

I further declare that I am submitting and verifying the information given above LQ P\ FDSDFLW\ DV « « « « « « « « DQG WKDW , DP FRPSHWHQW W

3 O D F H « « « « 6 L J Q D W X U H « « « « « « «

' D W H « « « « « with seal

Notes:

*1 This report is to be submitted by all companies whose names have been notified under sub rule (2) of rule 6 or sub rule (3) of rule 14.

*2 Purpose are:

(i) Manufacture of aerosols (excluding metered dose inhalers for medical purposes).
(ii) Manufacture of Foam products.
(iii) Manufacture of Fire extinguishers & fire extinguishing systems.
(iv) Manufacture of Mobile Air conditions.
(v) Manufacturing of other Refrigeration & Air conditioning products (excluding compressors).
(vi) Solvent use.
(vii) Exempted use.
(viii) Servicing of fire extinguishers or fire extinguishing system.
(ix) Manufacture of Compressors.
(x) Others - specify.

*5 The above Form including the verification portion must be signed in case of an individual by the individual himself or a person duly authorized by him, in case of Hindu undivided family, by the Karta: in case of the partnership firm, by the managing partner, in case of a company, by a person duly authorized in that behalf by the Board of Directors and in any case, by a person in-charge of or responsible for the conduct of the business.

FORM 7 - PAGE 1

REPORT ON RECLAMATION OF OZONE DEPLETING SUBSTANCES

Frequency of report : Annually

Last date for submission of report: Within 60 days of end of calendar year.

Name of Company : _____ Period of report : January - December

(in metric tonnes)

S.No.	Name of Ozone Depleting Substance *1	Quantity of *2 Ozone Depleting Substances recovered	Name & address of company/site from which Ozone Depleting Substances wa recovered	Quantity of Ozone Depleting Substances was reclaimed*3	Name & Address of site at which Ozone Depleting Substances was reclaimed
1	2	3	4	5	6
Total					

Signature *4
with seal

Form 7 - Page 2

Verification

, « « «

Notes:

*1 Please see Schedule I for list of all ozone depleting substances.

*2 'Recovery' The collection and storage of ozone depleting substance from machinery, equipment vessels etc. during servicing or prior to disposal.

*3 'Reclamation' The reprocessing and upgrading of a recovered ozone depleting substance through such mechanism as filtering, during, distillation and chemical treatment in order to restore the substance to specified standard of performance. If often involves processing 'off side' at a central facility.

*4 The above Form including the verification portion must be signed in case of an individual by the individual himself or a person duly authorized by him, in case of Hindu undivided family, by the Karta: in case of the partnership firm, by the managing partner, in case of a company, by a person duly authorized in that behalf by the Board of Directors and in any case, by a person in-charge of or responsible for the conduct of the business.

FORM - 8

REPORT ON QUANTITY OF OZONE DEPLETING SUBSTANCES DESTROYED

Frequency of report : Annually

Last date for submission of report: Within 30 days of send of calendar year

Period of report: Jan - ' H F «

1 D P H R I & R P S D Q \ « « « « « « « « « « « « « «

(in metric tonnes)

Name of Group of Ozon Depleting Substances	Name of Ozone Depletin Substances	Quantities Destroyed *1

Signature *2
with Seal

Verification

, « « « « « « « « « « « « « « « « 6o
« « « « « « « « « « « « « « « « « « G R K H U H E \ V R O H P Q O \ Y H U L I \ W K D W W R
my knowledge and belief the information given above and the annexure and statements any accompanying it are correct and complete.

I further declare that I am submitting and verifying the information given above L Q P \ F D S D F L W \ D V « « « « « « « « D Q G W K D W , D P F R P S H W H Q W W

3 O D F H « « « « 6 L J Q D W X U H « « « « « « «
' D W H « « « « « with seal

Notes:

*1 Quantity destroyed should be calculated on the basis of destruction efficiency of the facility employed.

*2 The above Form including the verification portion must be signed in case of an individual by the individual himself or a person duly authorized by him, in case of Hindu undivided family, by the Karta: in case of the partnership firm, by the managing partner, in case of a company, by a person duly authorized in that behalf by the Board of Directors and in any case, by a person in charge of or responsible for the conduct of the business.

FORM 9 PAGE 1

FORM FOR REFRIGERATION OF ENTERPRISES PRODUCING OZONE DEPLETING SUBSTANCES

[SUB-RULE (1) OF RULE 3]

1. Name of enterprises

2. Address of Registered office (including Tehsil, District, State)

3. Particulars of factories

Sr. No.	Name *1 of Ozone Depleting Substances	Address of factory where Ozone Depleting Substances is produced (including Tehsil, District, State)	Date of incorporation or registration	Date of commencemen of commercial production
1.				
2.				
3.				
4.				

4. Name of business house/group to which the enterprise belongs.

5. Please give name of Managing Director of Chief Executive.

Form 9 Page 2

6. Please enclose a copy of the Annual Report, Audited Balance Sheet and Profit and Loss Account of the enterprise for the last three years.

3 O D F H « « « « « Signature of the applicant *2

' D W H « « « « « with Seal

Verification

I « « « « « « « « « « « « 6 R « « « « « « « « « « « « « « « « « « «
do hereby solemnly verify that to the best of my knowledge and belief the information given above and the annexure and statements any accompanying it are correct and complete.

I further declare that I am submitting and verifying the information given above
L Q P\ F D S D F L W\ D V « « « « « « « « DQG WKDW , DP FRPSHWHQW W

3 O D F H « « « « 6 L J Q D W X U H « « « « « « «

' D W H « « « « « with seal

Notes:

*1 Please see Schedule I for list of all ozone depleting substances.

*2 The above Form including the verification portion must be signed in case of an individual by the individual himself or a person duly authorized by him, in case of Hindu undivided family, by the Karta: in case of the partnership firm, by the managing partner, in case of a company, by a person duly authorized in that behalf by the Board of Directors and in any case, by a person in charge of or responsible for the conduct of the business.

FORM 10 - PAGE 1

FORM FOR REGISTRATION N OF ENTERPRISES SELLING OZONE DEPLETING SUBSTANCES [SUB-RULE (1) OF RULE 6]

1. Name of firm

2. Address of Registered office (including Tehsil, District, State)

3. Date of Registration and the name of Act under which registered (A copy of such registration to be attached)

4. Particulars of sales outlet

Sr. No.	Name of Ozone Depleting Substances	Address of sale outlets	Date of start of sale of Ozone Depleting Substance	Name & address o producer/ importer o Ozone Depleting Substance from whor Ozone Depleting Substance was purchase during the past twelv months

Form 10 - Page 2

5. Name of Proprietor or Chief Executive :

6. Please attach a copy of latest Income Tax Assessment Order :

Signature of the applicant *2 with Seal

Verification

I declare that the enterprise/ firm mentioned in Sr. 1 above has not applied for registration under sub-rule (1) of rule 6 of the Ozone Depleting Substances (Regulation and Control) Rules, 2000 with any other registering authority.

, « « « « « « « « « « « « « « 6 R
« « « « « « « « « « « « « « « « « « G R K H U H E \ V R O H P Q O \ Y H U L I \ W K D W W R
my knowledge and belief the information given above and the annexure and statements any accompanying it are correct and complete.

I further declare that I am submitting and verifying the information given above L Q P \ F D S D F L W \ D V « « « « « « « D Q G W K D W , D P F R P S H W H Q W W

3 O D F H « « « « 6 L J Q D W X U H « « « « « « «

' D W H « « « « « with seal

Notes

*1 Please see Schedule I for list of all ozone depleting substances.

*2 The above Form including the verification portion must be signed in case of an individual by the individual himself or a person duly authorized by him, in case of Hindu undivided family, by the Karta: in case of the partnership firm, by the managing partner, in case of a company, by a person duly authorized in that behalf by the Board of Directors and in any case, by a person having the charge of or responsible for the conduct of the business.

FORM 11 - PAGE 1

FORM FOR REGISTRATION OF ENTERPRISES USING OZONE DEPLETING SUBSTANCES IN ACTIVITIES SPECIFIED IN COLUMN 2 OF SCHEDULE IV

[sub-rule (1) of rule 8]

Part A

Activities relating to manufacture of products using ozone depleting substances

1. Name of the enterprise:

2. Address of registered office (including Tehsil, District, State):

3. Particulars of factories :

S.No.	Address of factory where products usin Ozone Depleting Substances ar produced (including Tehsil, District, State)	Name of products being manufactured *1	Date of incorporation registration	Date of commencement of commercial producton
1.				
2.				
3.				
4.				

4. Name of business house/group to which the enterprise belongs : 6 F K H G X O H « « « « « « « ; ,) R U P « « « « « « « «

5. Please give name of Managing or « « « « « « « « « chief Executive Page

6. Please enclose a copy of the latest Annual : Report, Audited Balance Sheet and Profit & Loss Account of the enterprise.

Signature of the applicant *2 with seal

Verification

I declare that the enterprise/ firm mentioned in Sr. 1 above has not applied for registration under sub-rule (1) of rule 6 of the Ozone Depleting Substances (Regulation and Control) Rules, 2000 with any other registering authority.

, « « « « « « « « « « « « « « « « 6 R
« « « « « « « « « « « « « « « « « « GR KHUHE\ VROHPQO\ YHULI\ WKDW WR
my knowledge and belief the information given above and the annexure and statements any accompanying it are correct and complete.

I further declare that I am submitting and verifying the information given above LQ P\ FDSDFLW\ DV « « « « « « « « DQG WKDW , DP FRPSHWHQW W

3 O D F H « « « « 6 L J Q D W X U H « « « «

' D W H « « « « « with seal

Notes

*1 Products to include one of the following:
(i) Aerosols (excluding metered dose inhalers for medicinal purposes); (ii) Foam Products; (iii) Fire Extinguishers or fire extinguishing systems; (iv) Mobile Air Conditioners; (v) Other Refrigeration & Air conditioning products (excluding compressors); (vi) Products where ozone depleting substances are used as solvents; (vii) Metered Dose Inhalers for medicinal purpose.

*2 The above Form including the verification portion must be signed in case of an individual by the individual himself or a person duly authorized by him, in case of Hindu undivided family, by the Karta: in case of the partnership firm, by the managing partner, in case of a company, by a person duly authorized in that behalf by the Board of Directors and in any case, by a person incharge of or responsible for the conduct of the business.

Form 11 - Page 2

Part B

Activities relating to servicing of fire extinguishers or fire extinguishing systems

1. Name of the enterprise/firm :
2. Address of Registered office :
   (including Tehsil, District, State)
3. Date of Registration and the name of :
   Act under which registered. (A copy of registration
   to be attached)
4. Servicing fire extinguishers : Yes/No
5. Servicing fire extinguishing systems : Yes/No
6. Address of servicing outlet :
7. Date of commencement of servicing activities :
8. Name of Proprietor/Chief Executive Committee :
9. Please enclose a copy of the latest Annual Report, Audited Balance Sheet and Profit & Loss Account of the enterprise or Income Tax Assessment Order.

Signature of the applicant *1 with seal

Verification

I declare that the enterprise/ firm mentioned in Sr. 1 above has not applied for registration under sub-rule (1) of rule 6 of the Ozone Depleting Substances (Regulation and Control) Rules, 2000 with any other registering authority.

I « « « « « « « « « « « « « « « « 6 R « « « « « « « « « « « « « « «

do hereby solemnly verify that to the best of my knowledge and belief the information given above and the annexure and statements any accompanying it are correct and complete.

I further declare that I am submitting and verifying the information given above LQ P\ FDSDFLW\ DV « « « « « « « « DQG WKDW , DP FRPSHWHQW W

3ODFH « « « « Signature « « « « « « «

'DWH « « « « « with seal

Notes

*1 The above Form including the verification portion must be signed in case of an individual by the individual himself or a person duly authorized by him, in case of Hindu undivided family, by the Karta, in case of the partnership firm, by the managing partner, in case of a company, by a person duly authorized in that behalf by the Board of Directors and in any case, by a person in charge of or responsible for the conduct of the business.

FROM 12 - PAGE 1

REPORT ON MANUFACTURE, IMPORT, EXPORT AND SALE OF COMPRESSORS

Frequency of report : Quarterly

Last date for submission of report : Within 30 days of end of the quarter

Name of Company_____ Period of report _____

S.No.	Size of Compressor	Produced	No. of compressors	
			Imported	Exported
1	2	3	4	5
TOTAL				

No. of compressor sold in India	Name and address of Indian buyer	Name of refrigerant if compressor was charged at used the premises of the company	Quantity of refrigerant used
6	7	8	9
TOTAL			

Signature *1
with Seal

FORM 12 PAGE 2

Verification

I « « « « « « « « « « « « « « « « 6 R « do hereby solemnly verify that to the best of my knowledge and belief the information given above and the annexure and statements any accompanying it are correct and complete.

I further declare that I am submitting and verifying the information given above LQ P\ FDSDFLW\ DV « « « « « « « « DQG WKDW , DP FRPSHWHQW W

3ODFH « « « « 6LJQDWXUH « « « « « « «

'DWH « « « « « with seal

Notes

*1 The above Form including the verification portion must be signed in case of an individual by the individual himself or a person duly authorized by him, in case of Hindu undivided family, by the Karta: in case of the partnership firm, by the managing partner, in case of a company, by a person duly authorized in that behalf by the Board of Directors and in any case, by a person having the charge of or responsible for the conduct of the business.

****

FORM 13 - PAGE 1

FORM FOR REGISTRATION OF ENTERPRISES MANUFACTURING, IMPORTING OR EXPORTING COMPRESSORS

(rule 12)

1. Name of the enterprise/firm :

2. Address of Registered office (including Tehsil, District, State) :

3. Particulars of factories manufacturing Compressors (for manufacturers) :

S.No.	Address of factory where compressors are produced (including Tehsil, District, State)	Date of incorporation of registration	Date of commencement of commercial production
1	2	3	4
1.			
2.			

4. Particular regarding imports : (for importers)

Sr. No.	Address of companies from which importing	Date of start of imports
1	2	3
1.		
2		

Form 13 ± Page 2

5. Particular of sales outlet :
(for exporters and/or tranders)

Sr. No.	Address of sales outlets	Date of start of sale	Date of start of exports
1	2	3	4
1.			
2.			

6. Name of business house/group to which the enterprises belongs :

7. Please give name of Managing Director or Chief Executive :

8. Please enclose a copy each of the latest Annual Report, Audited Balance Sheet and Profit & Loss Account or Income Tax Assessment Order of the enterprises/firm.

Signature of the applicant *1
with Seal

Verification

I declare that the enterprise/ firm mentioned in Sr. 1 above has not applied for registration under sub-rule (1) of rule 6 of the Ozone Depleting Substances (Regulation and Control) Rules, 2000 with any other registering authority.

I « « « « « « « « « « « « « « « « 6 R « « « « « « « « « « « « « « «
do hereby solemnly verify that to the best of my knowledge and belief the information given above and the annexure and statements any accompanying it are correct and complete.

I further declare that I am submitting and verifying the information given above
L Q P\ F D S D F L W\ D V « « « « « « « « D Q G W K D W , D P F R P S H W H Q W W

3 O D F H « « « « 6 L J Q D W X U H « « « « « « «
' D W H « **« «** with seal

Form 13 - Page 3

Notes

*1 The above Form including the verification portion must be signed in case of an individual by the individual himself or a person duly authorized by him, in case of Hindu undivided family, by the Karta: in case of the partnership firm, by the managing partner, in case of a company, by a person duly authorized in that behalf by the Board of Directors and in any case, by a person in-charge of or responsible for the conduct of the business.

****

FORM 14

FORM FOR REGISTRATION *2 OF ENTERPRISES RECLAIMING/ DESTROYING OZONE DEPLETING SUBSTANCES

(rule 11)

1. Name of the enterprise:
2. Address of Registered office (including Tehsil, District, State):
3. Particulars of factories :

S.No.	Name of Ozone Depleting Substance *3	Address of factory where Ozone Depleting Substances is bein reclaimed/ destroyed (including Tehsil, District, State)	Date of incorporation of registration	Date of commencement of commercial reclamation destruction
1.				
2.				
3.				
4.				

4. Name of business house/group to which the enterprise belongs :

5. Please give name of Managing Director or Chief Executive : 6 F K H G X O H « « « « « « ; ,
) R U P « « « « « « « «
3 D J H « « « « « « « « «

6. Please enclose a copy of the latest Annual Report, Audited Balance Sheet and Profit & Loss Account of the enterprise.

Signature of the applicant *1
with seal

Verification

I declare that the enterprise/ firm mentioned in Sr. 1 above has not applied for registration under sub-rule (1) of rule 6 of the Ozone Depleting Substances (Regulation and Control) Rules, 2000 with any other registering authority.

, « « « « « « « « « « « « 6 R « « « « « « « « « « « « « « « « « « G R

6. Has the purchaser ever been convicted of an offence under Indian law applicable in respect of ozone depleting substances ?

_____ _____

Yes No

Signature of the Purchaser of the
Ozone Depleting Substances
with seal *2

Verification

I « « « « « « « « « « « « « « « « 6 R « « « « « « « « « « « « « « «
do hereby solemnly verify that to the best of my knowledge and belief the information given above and the annexure and statements any accompanying it are correct and complete.

I further declare that I am submitting and verifying the information given above
L Q P \ F D S D F L W \ D V « « « « « « « « D Q G W K D W , D P F R P S H W H Q W W

3 O D F H « « « « 6 L J Q D W X U H « « « « « « «
' D W H « « « with seal

Note:

*1 Purposes are:

(i) Manufacture of aerosols (excluding metered dose inhalers for medicinal purposes).
(ii) Manufacture of Foam products.
(iii) Manufacture of Fire extinguishers & fire extinguishing systems.
(iv) Manufacture of Mobile Air conditions.
(v) Manufacturing of other Refrigeration & Air conditioning products (excluding compressors).
(vi) Solvent use.
(vii) Exempted use.
(viii) Selling.
(ix) Servicing of fire extinguishers or fire extinguishing system (applicable for Group II ODS)
(x) Manufacture of metered dose inhalers for medicinal purposes.
(xi) Manufacture of Compressors.
(xii) Others - specify (excluding servicing)

*2 Use a separate form for quantities of ozone depleting substances for which the Central Government has granted exemption from these rules.

*3 The above Form including the verification portion must be signed in case of an individual by the individual himself or a person duly authorized by him, in case of Hindu undivided family, by the Karta: in case of the partnership firm, by the managing partner, in case of a company, by a person duly authorized in that behalf by the Board of Directors and in any case, by a person in-charge of or responsible for the conduct of the business.

PART - II

A person purchasing ozone depleting substances will produce a copy of certificate of registration issued under sub-rule (1) of rule 8 before the person selling such ozone depleting substances along with the declaration specified in part I above. The copy of such certificate of registration should have been duly attested in case of a company by the Company Secretary or a full time Director of the company, in case of a partnership firm by the Managing partner and in any other case by Public Notary or a Gazetted Government Officer. The person selling ozone depleting substances shall verity particulars given in serial numbers 2, 3 and 4 of declaration specified in part I above with the corresponding particulars mentioned in the certificate of registration.

[F.No. 16/1/96ÐOC]
A.K. KUNDRA, Spl. Secy.

THE BATTERIES
(MANAGEMENT AND HANDLING)
RULES, 2001

THE BATTERIES (MANAGEMENT AND HANDLING) RULES, 2001

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 16th May, 2001

S.O.432(E).Whereas a notification of the Government of India in the Ministry of Environment & Forests was published in the Gazette of India, Extraordinary, Part II-section 3, sub-section (ii) vide No. S.O.491(E), dated 24th May, 2000 and corrigendum published in the Gazette of India Extraordinary Part-II section 3, sub-section (ii) vide No.S.O.593 (E)dated 23rd June, 2000 under powers conferred by section 6,8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), inviting objections from persons likely to be affected, within a period of sixty days from the date of publication of the said Q R W L I L F D W L R Q Z L W K U H J D U G W R W K H * R Y H U Q P H Q W ¶ V L Q W H and Handling) Rules, 2000.

And whereas all objections received have been duly considered by the Central Government;

Now, therefore, in exercise of the power conferred by section 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby notifies the Batteries (Management and Handling) Rules, 2001.

1. SHORT TITLE AND COMMENCEMENT. ±

(1) These rules may be called the Batteries (Management and Handling) Rules, 2001

(2) They shall come into force on the date of their publication in the Official Gazette.

2. APPLICATION.-

These rules shall apply to every manufacturer, importer, re-conditioner, assembler, dealer, recycler, auctioneer, consumer, and bulk consumer involved in manufacture, processing, sale, purchase and use of batteries or components thereof.

3. DEFINITIONS.- In these rules, unless the context otherwise requires. -

(a) µ $ ¶ means the Environment (Protection) Act, 1986 (29 of 1986);

(b) µ D V V H P E O H U ± means a person who manufactures lead acid batteries by assembling various components;

(c) µ D X F W L R Q ¶ means bulk sale of used lead acid batteries or component(s) thereof by invitation of tenders or auction, contract of negotiation by individual(s), companies or Government Departments;

(d) µ D X F W L R Q H H ¶ means a person(s) who auctions used lead acid batteries or components thereof;

(e) µ E D W W H U \ ¶ means lead acid battery which is a source of electrical energy and contains lead metal.

(f) µ E X O N F R Q V X P H U ¶ means a consumer such as Central or State Government Department of Railways, Defence, Telecom, Posts & Telegraph, State Road Transport Underakings, State Electricity Boards and others who purchase E D W W H U L H V W K U R X J K F H Q W U D O µ U D W H ¶ R I U X Q Q L Q J of individual department or user units under their jurisdiction.

(g) µ F R P S R Q H Q W ¶ means lead bearing components of a lead acid battery;

(h) µ F R Q V X P H U ¶ means a person using lead acid batteries excluding bulk consumers;

(i) µ G H D O H U ¶ means a person who sells and receives lead acid batteries or components thereof to and from the consumers or other dealers or retailers on behalf of the manufacturers, importers, assemblers and reconditioners or to otherwise;

(j) µ G H V L J Q D W H G F R O O H F W L R Q F H Q W H U ¶ means a collection centre established, individually or jointly by one or more manufacturers or importers, assemblers and re-conditioners in pursuance of their responsibilities under rule 4 of these rules.

(k) µ L P S R U W H U ¶ means a person who importers new lead acid batteries or components containing lead thereof for the purpose of sale;

(l) µ P D Q X I D F W X U H U ¶ in relation to any factory manufacturing lead acid batteries or components thereof means a person or Chief Executive Officer(CEO) of the company who has control over the affairs of the factory or the premises for sale and collection of lead acid batteries or components thereof;

(m) µ R U L J L Q D O H T X L S P H Q W P D Q X I D F W X U H U ¶ means manufacturer of equipment or product using lead acid batteries as a component;

(n) µ U H F R Q G ± means a person involved in repairing of lead acid batteries for selling the same in the market;

(o) µ U H F \ F O H U ± means an occupier who processes used lead acid batteries or components thereof for recovering lead;

(p) µ U H J L V W H U H G ± means a recycler registered with the Ministry of Environment & Forests or an agency designated by it for reprocessing used lead acid batteries or components thereof;

(q) µ 6 W D W H ± means the concerned State Pollution Control Board or the Pollution Control Committee as the case may be;

(r) µ X V H G E D W W H U \ ± means used, damaged and old lead acid batteries or components thereof; and

(s) the words not defined in these rules will have the same meaning as defined in the Environment(Protection)Act,1986 and the rules framed thereunder.

4. RESPONSIBILITIES OF MANUFACTURER, IMPORTER, ASSEMBLER AND RE-CONDITIONER. ±

It shall be the responsibility of a manufacturer, importer, assembler and re-conditioner to

(i) ensure that the used batteries are collected back as per the Schedule against new batteries sold excluding those sold to original equipment manufacturer and bulk consumer(s);

(ii) ensure that used batteries collected back are of similar type and specifications as that of the new batteries sold;

(iii) file a half-yearly return of their sales and buy-back to the State Board in Form-I latest by 30th June and 31st December of every year;

(iv) set up collection centers either individually or jointly at various places for collection of used batteries from consumers or dealers;

(v) ensure that used batteries collected are sent only to the registered recyclers;

(vi) ensure that necessary arrangements are made with dealers for safe transportation from collection centers to the premises of registered recyclers;

(vii) ensure that no damage to the environment occurs during transportation;

(viii) create public awareness though advertisements, publications, posters or by other means with regard to the following-

(a) hazards of lead;

(b) responsibility of consumers to return their used batteries only to the dealers or deliver at designated collection centers; and

(c) addresses of dealers and designated collection centers.

(ix) use the international recycling sign on the Batteries;

(x) buy recycled lead only from registered recyclers; and

(xi) bring to the notice of the State Board or the Ministry of Environment & Forests any violation by the dealers.

5. REGISTRATION OF IMPORTERS. ±

The importer shall get himself registered with the Ministry of Environment & Forests or an agency designated by it by submitting details in Form-II.

6. CUSTOMS CLEARANCE OF IMPORTS OF NEW LEAD ACID BATTERIES.-

Customs clearance of imports shall be contingent upon -

(i) valid registration with the Reverse Number);

(ii) one time registration with the Ministry of Environment & Forests or an agency designated by it in Form-II;

(iii) undertaking in Form-III; and

(iv) a copy of the latest half-yearly return in Form-IV.

7. RESPONSIBILITIES OF DEALER. ±

It shall be the responsibility of a dealer to -

(i) ensure that the used batteries are collected back as per the Schedule against new batteries sold;

(ii) give appropriate discount for every used battery returned by the consumer;

(iii) ensure that used batteries collected back are of similar type and specifications as that of the new batteries sold;

(iv) file half-yearly returns of the sale of new batteries and buy-back of old batteries to the manufacturer in Form-V by 31st May and 30th November of every year;

(v) ensure safe transportation of collected batteries to the designated collection centers or to the registered recyclers; and

(vi) ensure that no damage is caused to the environment during storage and transportation of used batteries.

8. RESPONSIBILITIES OF RECYCLER. ±

Each recycler shall

(i) apply for registration to the Ministry of Environment & Forests or an agency designated by it if not applied already, by submitting information in Form VI;

(ii) ensure strict compliance of the terms and conditions of registration, however, those already registered with the Ministry of Environment & Forests or an agency designated by it for reprocessing used batteries would be bound by the terms and conditions of such registration;

(iii) submit annual returns as per Form VII to the State Board.

(iv) Make available all records to the State Board for inspection;

(v) 0DUN µ5HF\FOHG¶ RQ OHDG UHFRYHUHG E\ UHSURFHVV

(vi) Create public awareness through advertisements, publications, posters or others with regard to the following±

(a) hazards of lead; and
(b) obligation of consumers to return used batteries only to the registered dealers or deliver at the designated collection centers.

9. PROCEDURE FOR REGISTRATION/RENEWAL OF REGISTRATION OF RECYCLERS. ±

(1) Every recycler of used lead acid batteries shall make an application in Form VI along with the following documents to the Joint Secretary, Ministry of Environment & Forests or any officer designated by the Ministry or an agency designated by it for grant of registration or renewal.

(a) a copy of the valid consents under Water (Prevention and Control of Pollution) Act, 1974, as amended and Air (Prevention and Control of Pollution) Act, 1981, as amended;

(b) a copy of the valid authorisation under Hazardous Waste (Management and Handling) Rules, 1989 as amended;

(c) a copy of valid certificate of registration with District Industries Centre; and

(d) a copy of the proof of installed capacity issued by either State Pollution Control Board/ District Industries Centre.

(2) The Joint Secretary, Ministry of Environment & Forests or any officer designated by the Ministry or an agency designated by it shall ensure that the recyclers possess appropriate facilities, technical capabilities, and equipment to recycle used batteries and dispose of hazardous waste generated;

(3) The Joint Secretary, Ministry of Environment & Forests or any officer designated by the Ministry or an agency designated by it shall take decision on application for registration within 120 days of receipt of application form with complete details;

(4) The registration granted under this rule shall be in force for a period of two years from the date of issue or from the date of renewal unless suspended or cancelled earlier;

(5) An application for the renewal of registration shall be made in Form VI atleast six months before its expiry. The Joint Secretary, Ministry of Environment & Forests or any officer designated by the Ministry or an agency designated by it shall renew the registration of the recycler granted under sub rule(4) of this rule, after examining each case on merit;

(6) The Joint Secretary, Ministry of Environment & Forests or any officer designated by the Ministry or an agency designated by it may, after giving reasonable opportunity to the applicant of being heard, refuse to grant registration;

(7) The Joint Secretary, Ministry of Environment & Forests or any officer designated by the Ministry or an agency designated by it may cancel or suspend a registration issued under these rules, if in his/her opinion, the registered recycler has failed to comply with any of the conditions of registration, or with any provisions of the Act or rules made thereunder after giving him an opportunity to explain and after recording the reasons therefor;

(8) It shall be the responsibility of the State Boards to monitor the compliance of conditions prescribed while according registration; and

(9) An appeal shall lie against any order of suspension or cancellation or refusal of registration passed by the Joint Secretary to the Ministry of Environment & Forests or any officer designated by the Ministry or an agency designated by it. The appeal shall be in writing and shall be accompanied with a copy of the order appealed against and shall be presented within 30 days of passing of the order.

10. RESPONSIBILITIES OF CONSUMER OR BULK CONSUMER. ±

(1) It shall be the responsibility of the consumer to ensure that used batteries are not disposed of in any manner other than depositing with the dealer, manufacturer,

importer, assembler, registered recycler, re-conditioner or at the designated collection centers.

(2) It shall be the responsibility of the bulk consumer to -

(i) ensure that used batteries are not disposed of in any manner other than by depositing with the dealer/manufacturer/registered/recycler/importer/re-conditioner or at the designated collection centers; and

(ii) file half-yearly return in Form VIII to the State Board.-

(3) Bulk consumers or their user units may auction used batteries to registered recyclers only.

11. RESPONSIBILITIES OF AUCTIONEER. ±

The auctioneer shall -

(i) ensure that used batteries are auctioned to the registered recyclers only;

(ii) file half-yearly returns of their auctions to the State Boards in Form-IX,; and

(iii) maintain a record of such auctions and make these records available to the State Board for inspection.

12. PRESCRIBED AUTHORITY. ±

The prescribed authority for ensuring compliance o the provisions of these rules shall be the State Board. And, it shall file an annual compliance status report to the Central Pollution Control Board by 30th April of every year.

13. DUTIES OF CENTRAL POLLUTION CONTROL BOARD. ±

The Central Pollution Control Board shall compile and publish the date received every year from the State Boards. It shall review the compliance of the rules periodically to improve the collection and recycling of used lead batteries and apprise the Ministry of Environment & Forests, Government of India.

14. COMPUTERISATION OF RECORDS AND RETURNS. ±

Ministry of Environment and Forests or an agency designated by it shall develop a system for computerised tracking of -

(i) distribution and sale of batteries;

(ii) collection, auction, transport and re-processing of used batteries;

(iii) sale of re-processed lead by registered recyclers; and

(iv) sale of lead from all domestic producers or importers.

SCHEDULE

[see rule 4(i) and 7(i)]

S. No.	Year	Number of used batteries to be collected back
(i)	During first year of implementation of rules	50% of new batteries sold
(ii)	During second year of implementation of rules	75% of new batteries sold
(iii)	After second year of implementation of rules	90% of new batteries sold

FORM ± I

[See rule 4(iii)]

FORM FOR FILLING RETURNS OF SALE OF NEW BATTERIES AND COLLECTION OF USED BATTERIES

[To be submitted by manufacturer/assembler/reconditioner by 30th June (for the period October-March) and 31st December (for the period April, September) every year]

1.	Name and address of th manufacturer/assembler/reconditioner	
2.	Name of the authorised person a complete address with telephone and numbers	
3.	Total number of new batteries sold duri the period October-March/ April-September in respect of the following categories Category (i) Automative (a) four wheeler (b) two wheeler (ii) Industrial (a) UPS (b) Motive Power (c) Standby (iii) others (inverters, etc.) Number of batteries sold too (i) dealers (ii) bulk consumers (iii) OEM (iv) Any other party for replacement shou be indicated separately	(i)No.of Batteries (ii) Approximate weight (in Metric Tonnes)
4.	Name and full address of the designa collection centres	
5.	Total number of used batteries of differe categories as at Sl. No. 3 collected and s to the registered recyclers*	

* enclose the list of recyclers to whom batteries have been sent of recycling .

Place ----------

Date ---------- Signature of the authorised person

FORM ±II

[see rule 5 & 6(ii)]

FORM FOR
REGISTRATION OF IMPORTER OF NEW LEAD ACID
BATTERIES/PRIMARY LEAD

[To be submitted in triplicate to the Ministry of Environment & Forests]

1.	Name and address of the importer	
2.	Importer/Export Licence No.	
3.	Name of person/owner/occupier as the case may	

Date _____

Place _____ Signature of the Importer

FORM III

[see rule 6 (iii)]

(to be submitted by importer of new lead acid batteries)

UNDERTAKING

To

The Member Secretary
State Pollution Control Board

1. I ---------- of M/s ---------- hereby submit that I am in the process of importing _____ (MT) of new lead acid batteries.

2. I undertake that I shall collect back the used batteries as per the schedule prescribed by the Government from time to time in lieu of the new batteries imported and sold, and shall send these only to the registered recyclers. I further undertake that I shall submit half-yearly returns as per item (iii) of rule 6 to the State Board and abide by their directions, if any

Date :
Place : Signature of the Importer

Copy to : The concerned Customs Authority

FORM – IV

[see rule 6 (iv)]

FORM FOR FILING RETURNS OF SALE OF LEAD ACID BATTERIES

[To be submitted by the Importer of new lead acid batteries by 30th June (for the period October-March and 31st December (for the period April-September) every year]

1.	Name and address of the Importer	
2.	Name and address of the authorized person with telephone and fax numbers	
3.	Number of batteries imported during the period from October to March and April to September	
4.	Number of new Batteries sold during the period October-March/ April-September in respect of the following categories Category (i) Automative (a) four wheeler (b) two wheeler (ii) Industrial (a) UPS (b) Motive Power (c) Standby (iii) others Number of batteries sold to (i) Dealers (ii) bulk consumers (iii) OEM (iv) Any other party for replacement	(i) No. of Batteries (ii)Approximate weight (in Metric Tonnes)
5.	Name and full address of the designated collection centres	
6.	Total number of used batteries of different categories as at Sl. No. 4 collected and sent to the registered recyclers*	

* enclose the complete list.

Place ----------
Date ---------- Signature of the authorised person

FORM ± V

[see rule 7 (iv)]

FORM FOR FILING RETURNS OF SALE OF NEW BATTERIES AND COLLECTION OF OLD BATTERIES

[To be submitted by dealers to the manufacturers by 31st May (for sale during October-March) and 30th November (for sale during April-September) every year]

1.	Name and address of the dealer	
2.	Name of the authorized person and t address with telephone and fax numbers	
3.	Number of new Batteries sold during t period October-March/ April-September in respect of the following categories :	(i) No. of Batteries (ii) Approximate weight (in Metric Tonnes)
	Category	
	(i) Automative (a) four wheeler (b) two wheeler (ii) Industrial (a) UPS (b) Motive Power (c) Standby (iii) others	
	Number of batteries sold (i) As replacement of used Batteries (ii) to bulk consumers (iii) to OEM (iv) to any other party	
4.	Total number ofused batteries of differer categories as at Sl. No. 3 collected and ser registered recyclers */designated collecti centres/manufacturers	

* enclose the list of recyclers to whom batteries have been sent of recycling .

Place ----------
Date ---------- Signature of the authorised person

F O R M ±VI

[(see rule 8 (i), 9 (1) & 9 (5)]

FORM FOR APPLICATION FOR REGISTRATION OF FACILITIES POSSESSING ENVIRONMENTALLY SOUND MANAGEMENT PRACTICE FOR RECYCLING OF USED LEAD ACID BATTERIES

{ To be submitted in triplicate }

1.	Name & Address of the unit			
2.	Contact person with designation, Tel./Fax			
3.	Date of Commissioning			
4.	No. of Workers (including contract labourers)			
5.	Consent Validity	a) Under Air Act, 1981; Valid up to ± b) Under Water Act, 1974, Valid upto		
6.	Validity of Authorisation under rule 5 o the Hazardous Wastes (Management Handling) Rules, 1989	Valid up to-		
7.	Installed capacity of production in (MTA)			
8.	Products Manufactured (Tones/year) during the last three yea Name : (a) (b) (c)	Year ±1	Year ±2	Year ±3
9.	Raw material consumer (Tones/year) Name : (a) (b) (c)	Year ±1	Year ±2	Year ±3

10.	Manufacturing Process	Please attach manufacturing proc flow diagram for eac product (s)
11.	Water Consumption	Industrial- m^3/day Domestic- m^3/day
12.	Water Cess paid up to	
13.	Waste water generation a) as per consent m^3/day b) actual m^3 /day(average of las three months)	Industria l - Domestic-
14.	Waste water treatment (please provic flow diagram of the treatment scheme	Industrial ± Domestic ±
15.	Waste water discharge	Quantity m^3/day- Location ± Analysis of treated waste wate pH_2, BOD, COD, SS, O&G, Any other (indicat e the corresponding standar applicable)
16.	Air Pollution Control a. Please provide flow diagram fc emission control system(s installed for each process un utilities etc. b. Details of facilities provided fo control of fugitive emission du to materi al handling proces utilities etc. c. Fuel Consumption d. Stack emission monitorin results visà-vis the standard applicable e. Ambient air quality	S.No. Name of the fuel Quality/day S.No. Stack attached to Emission g/N S.No. Locatio n Results ug/m^3

17.	Hazardous Waste Management a) Waste generation b) Details of collection, treatment c) Disposal (including point o final discharge) (i) Please provide details of the dispo facility (ii) Whether facilities provided are i compliance of the conditions issued the SPCB in Authorisation (iii) Please attach analysis report characterization of hazardous was generated (including leachate test applicable)	S.No. Name of Process Quantity/y the Waste Category
18.	Details of waste proposed to be taker auction or import, as the case may for use as raw material	1. Name ± 2. Quantity required-/ 3. Position in List A/List as pe Basel Convention (BC) 4. Nature as per Annexure III of BC
19.	Occupational safety and health aspects	Please provide details of facilitie provided
20.	Remarks (i) Whether industry has provide adequate pollution contro system/equipment to meet the standa of emission/effluent (ii) Whether industry is in complianc with conditions laid down in the Hazardous Waste Authorisation. (iii) Whether Hazardous Wast collection and Treatment, Storage a Disposal Facility (TDSF) are operatir satisfactorily (iv) Whether conditions exist or likely t exists of the material bein handled/processed or posing immedia or delayed adverse impacts on t environment. (v) Whether conditions exist or is likel to exist of the material bein handled/processed by any means cap to yielding another material e.g. leach which may process ecotoxicity.	Yes/ No If yes, please furnish details Yes/No Yes/No Yes/No Yes/No

21.	(i) cost of the unit (ii) cost of pollution control equipmer including environmental safegua measures a) Capital : b) Recurring :	
22.	Any other information : i) ii) iii)	

I hereby declare that the above statements/information are true and correct to the best of my knowledge and belief.

Date :

Place : Signature Name Designation

FORM ± VII

[see rule 8 (iii)]

FORM FOR FILING RETURNS BY RECYC LERS OF USED BATTERIES

[To be submitted by recyclers by 30th June and 31st December of every year]

1.	Name and address of the recycler	
2.	Name of the Authorised person a full address with telephone and fa number	
3.	Installed annual capacity to recycler used battery scarp (in MT)	
4.	Total quantity of used battery sca purchased from/sent for processi during the period from Octobe March/April-September	(i) Quantity of used batteries se by/purchased from th manufacturers (ii) Quantity of used batteries purchased from the dealers (iii) Quantity of used batterie purchased from auctioneers (iv) Quantity of used batteries obtain from any other source
5.	Quantity of lead recovered from th used battery scrap in (MTA)	
6.	Quantity of recycled lead sent ba to	(i) the manufacturer of batteries (ii) other agencies*

* enclose list of other agencies

Place ----------

Date ---------- Signature of the authorised person

FORM ± VIII

[see rule 10 (2) (ii)]

FORM FOR FILING RETURNS FOR BULK CONSUMBER OF BATTERIES

[To be submitted by the bulk consumer to the State Board by 30th June (for the period October-March) and 31st December (for the period April-September) every year]

1.	Name and Address of the bulk consumer	
2.	Name of the Authorised person and f address with telephone and fax number	
3.	Number of new batteries of differe categories purchased from t manufacturer/importer/dealer or any oth agency during October-March and April September Category : (i) Automative (a) four wheelers (b) two wheelers (ii) Industrial (a) UPS (b) Motive Power (c) Standby (iii) Others	(i) No. of Batteries (ii) Approximate weight (in Metric Tonnes)
4.	Number of used batteries of categor mentioned in Sl. No. 3 and Tonnage scrap sent to manufacturer/ deal importer/ registered recycler/ or any oth agency to whom the used batteries sc was sent*.	

* Enclose list of manufacture/dealer/importer/registered recyclers/or any other agency to whom the used batteries scrap was sent.

Place ----------

Date ---------- Signature of the authorised person

FORM ±IX

[see rule 11 (ii)

FORM FOR FILING RETURNS BY AUCTIONEER OF USED BATTERIES

[To be submitted by the auctioneer to State Board by 30th June and 31st December of every year]

1..	Name and address of the auctioneer	
2.	Name of the Authorized person and full addr with telephone and fax number	
3.	Number of used batteries and total Tonnage MT) available during the period from Octob March and April-September	
4.	Sources of the used battery scarp	
5.	Number of used batteries and total Tonnage MT) auctioned during the period from Octobe March and April- September	
6.	Number of used batteries and total Tonnage MT) sent to the registered recyclers*	

* enclose a list.

3 O D F H « « « «

' D W H « « « Signature of the authorised Person

[F.No.23-5/98-HSMD]
DR.V.RAJAGOPALAN, Jt. Secretary

THE CENTRAL MOTOR VEHICLES RULES, 1999

(As amended to date)

THE CENTRAL MOTOR VEHICLES AMENDMENT RULES, 1999 RELATING TO EMISSION OF SMOKE AND VAPOUR FROM AGRICULTURAL TRACTORS DRIVEN BY DIESEL ENGINES

MINISTRY OF SURFACE TRANSPORT

(Transport Wing)

NOTIFICATION

New Delhi, the 8th September, 1999

G.S.R.627(E),- Whereas the draft of certain rules further to amend the Central Motor Vehicles Rules, 1989 was published as required by sub-section (1) of section 212 of the Motor Vehicles Act, 1988 (59 of 1988) in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (i), dated the 22nd December, 1998 with the notification of Government of India in the Ministry of Surface Transport (Transport Wing) number G.S.R.762(E), dated the 22nd December, 1998 inviting objections and suggestions from all person likely to be affected thereby within a period of forty five days from the date on which copies of the Gazette of India containing the said notification are made available to the public.

And, whereas the copies of the said Gazette of India were made available to the public on the 23rd December, 1998;

And, whereas the objections and suggestions receive from the public have been considered by the Central Government.

Now, therefore, in exercise of the powers conferred by section 110 of the said Act, the Central Government, in consultation with the Ministry of Environment & Forests hereby makes the following rules further to amend the Central Motor Vehicles Rules, 1989, namely:-

1. (i) These rules may be called the Central Motor Vehicles (Amendment) Rules, 1999.

They shall come into force from 01st October, 1999.

2. In the Central Motor Vehicles Rules, 1989 after rule 115 the following rule shall be inserted, namely:-

115 A. Emission of smoke and vapour from agriculture tractors driven by diesel engines:-

(1) Every agriculture tractor manufactured on and from the date of commencement of this rule shall be maintained by its owner in such condition and shall be so

used that visible and gaseous pollutants emitted by them comply with the standards as prescribed in this rules.

(2) Every manufacturer of an agriculture tractor shall comply with the standards for visible pollutants, emitted by it, when tested as per the procedure described in Indian Standards IS :12062:1987.

(3) The emission of visible pollutants shall not exceed the limit values given below when tested on engine dynamometer at eighty per cent load at six equally spaced speeds, namely:-

(a) Fifty five per cent of rated speed declared by the manufacturer or one thousand r.p.m. whichever is higher; or

(b) Rated speed declared by the manufacturer.

Maximum Smoke Density	
Light absorption Coefficient (Lm)	Hartridge Units
3.25	75

(4) Every diesel driven agriculture tractor shall be so manufactured and produced by it manufacturer that it complies with the following standards of gaseous pollutants, emitted by them in addition to those of visible pollutants as provided in sub-rule (,,,,) when tested as per the procedures described in ISO 8178-4 ; µ 8 mode cycle, namely:-

The weighted average mass of carbon monoxide (CO), Hydrocarbons (HC) and mass of oxides of Nitrogen (NOX) in gram or kilo watt, hr. emitted during the test shall not exceed the limits given below, both for type approval and Conformity On Production tests, namely:-

Mass of Carbon monoxide (CO) - 14.0 gram or kilo watt. hr.
Mass of Hydrocarbon (HC) - 3.5 gram or kilo watt. hr.
Mass of Oxides of Nitrogen (NOX) - 18.0 gram or kilo watt. hr.

(F-No.RT-11011/13/98-MVL]
K.R.BHATI, Jt. Secy.

Note:

The Principal rules were published in the Gazette of India vide Notification number G.S.R.590(E), dated 02.06.1989 and were last amended vide Notification number

THE CENTRAL MOTOR VEHICLES (FIFTH AMENDMENT) RULES, 2002 RELATING DIESEL VEHICLES WITH ORIGINAL EQUIPMENT FITMENT

NOTIFICATION

New Delhi, the 27th November, 2002

G.S.R. 788(E).-Whereas the draft of certain rules further to amend the Central Motor Vehicles Rules, 1989, was published as required by sub-section (1) of section 212 of the Motor Vehicle Act 1988 (59 of 1988) in the Gazette of India, Extraordinary, Part-II, Section 3, Sub-section (i), dated the 22nd April, 2002 with the notification of Government of India in the Ministry of Road Transport and Highways, number G.S.R. 297(E), dated the 22nd April, 2002, inviting objections and suggestions from all persons likely to be affected thereby within a period of sixty days from the date on which copies of the Gazette of India containing the notification were made available to the public.

And whereas copies of the said Gazette were made available to the public on 24th April, 2002.

And whereas the objections and suggestions received from the public have been considered by the Central Government.

Now, therefore, in exercise of the powers conferred by section 110 of the said Act, the Central Government hereby makes the following rules further to amend the Central Vehicle Rules, 1989, namely:-

1. (1) These rules may be called the Central Motor Vehicles (Fifth Amendment) Rules, 2002.

(2) They shall come into force after six months from the date of their final publication in the Official Gazette.

2. In the Central Motor Vehicles Rules, 1989

A. In rule 115C, after sub-rule (5), the following sub-rules shall be inserted, namely :-

[3]) R U ' L H V H O 9 H K L F O H V Z L W K 2 U L J L Q D O (T X L S P H Q W) L W P (1) Each model of L.P.G. fitment LPG dedicated vehicle, other than two-wheelers and three-wheelers, made by the vehicle manufacturer shall be type approved as per the Bharat Stage-II type approval emission norms and shall comply with the provisions of these rules, and in case of two-wheelers and three wheelers, the model shall be type approved as per the India-2000 (India Stage-I) type approval emission norms and shall comply with the provisions of these rules;

(ii) O.E. fitment LPG engine approved for specific appropriate engine capacity can be installed on the vehicle base model and its variants complying with the other requirements under these rules as applicable;

(iii) Tests for particulate matter and emission of visible pollutants (smoke) under these rules shall not be applicable; and

(iv) Prevailing COP procedures shall also be applicable.

(v) In case of limits for Hydrocarbons, the mass emission standards formula as specified in sub-rule (1) shall be applicable.

Explanation.- In the case of O.E. fitment vehicles:-

(a) For the purpose of granting Type Approval to the vehicle manufactured by O.E., in addition to the tests as specified in Central Motor Vehicle Rules, 1989, following performance tests shall be carried out, as per the Table given below by the test agency, namely:

TABLE

Sl. No.	Test	Reference Document (as amended from time to time)
1.	Mass emission tests	MOST/CMVR/TAP-115/116 and notification issued by the Government of India in th respect
2.	Engine performance tests	IS:145991999
3.	Gradeability test	In accordance with notification issued und rule 124 of Central Motor Vehicles Rule 1989
4.	Constant speed fue consumption test	IS:11921-1986 (for four wheelers) IS:10941-1983 (for mopeds) IS:10881-1984 (for motorcycles and Scooters) AIS 054 (for three-wheelers)
5.	Electro-Magnetic Interference (EMI)	In accordance with notification issued und rule 124 of Central Motor Vehicle Rules, 1989

6.	Range test of at least 250k for buses. For other vehicle categories range test to l carried out and test resul to be reported.	AIS 055
7.	Cooling performance	IS 145571998

Note: The mass emission tests shall be carried out either on engine dynamometer or chassis dynamometer, as applicable;

(b) Test procedure and safety guidelines for LPG vehicles, kit components including installation thereof, shall be as per AIS 025, AIS 026, AIS 027 as amended from time to time, till such time as corresponding BIS specifications are notified and shall be as given in Annexure-VIII in addition to the detailed procedure of Safety Checks contained in AIS 025, AIS 026, AIS 027;

(c) For O.E. fitment manufactured vehicles, the responsibility of Type Approval shall be that of the vehicle manufacturer;

(d) The test agency shall complete the test and give necessary certificates within a period of three months from the date of receiving the kits.

(7) REPLACEMENT OF IN-USE DIESEL ENGINE BY NEW LPG ENGINE:-

For type approval of In-use vehicles other than two-wheelers and there-wheelers having diesel engine replaced by new LPG engine, it shall meet Bharat Stage-II emission norms subject to the mass emission standards formula as specified in sub-rule(1) and in case of two-wheelers and three-wheelers the vehicle shall meet India 2000 (India Stage-I) emission norms and the tests mentioned in the Table given below shall be applicable, namely:-

TABLE

Sl. No.	Test	Reference Document (as amended from time to time)
(1)	(2)	(3)
1.	Mass emission tests	MOST/CMVR/TAP-115/116 and notification issued by the Government India in this respect
2.	Engine performance tests	IS:14599-1999
3.	Gradeability test	In accordance with notification issued und rule 124 of Central Motor Vehicles Rule 1989
4.	Constant speed fue consumption test	IS:11921-1986 (for four wheelers) IS:10944-1983 (for mopeds) IS:10881-1984 (for motorcycles an scooters) AIS 054 (for three-wheelers)
5.	Electro-Magnetic Interference (EMI)	In accordance with notification issued und rule 124 of Central Motor Vehicles Rule 1989
6.	Range test of at leas 250 km for buses For other vehicle categories range te to be carried out an test results to b reported.	AIS 055
7.	Cooling performance	IS:14557-1998

Explanation:

(a) In case of In-use vehicles offered for Type Approval to the test agency referred to in rule 126, it shall have to comply with fitness requirement as applicable under these rules and the said test agency may, if it think so, verify the same.

(b) In case of non-transport vehicles offered for retrofitment as per the tests mentioned in the Table, it shall be the responsibility of the retrofitter to make necessary inspection/checks regarding fitness of the such vehicles as applicable under these rules: In the case of retro fitment of in-use transport vehicles offered for the tests mentioned in the Table, the certificate of fitness granted under section 56 of the Act, shall be essential before the vehicle is accepted for retrofitment/ conversion.

(c) Test procedure and safety guidelines for such LPG vehicles, kit components including installation thereof shall be as per AIS 025, as amended from time to time, till such time as corresponding BIS specifications are notified and shall be

as given in Annexure VIII in addition to the detailed procedure of Safety checks contained in AIS 025;

(d) The test agency shall complete the test and give necessary certificate within a period of three months from the date of the vehicle being submitted for tests; and

(e) The Test agency shall be required to indicate specifically, the models and their variants on which the replacement of new engine shall be valid.

(8) APPLICABLE EMISSION NORMS -- The emission norms as mentioned in column (3) of the Table below excluding particulate matter shall be applicable to the corresponding categories of engine as mentioned against them in column(2) of the said Table.

TABLE

Sl. No.	Category of Engines	Applicable Emission Norms
(1)	(2)	(3)
1.	Filled in vehicles with GVW equal to or less than 3.5 ton	x For gasoline vehicles converted to LP prevailing gasoline engine norms f chassis dynamometer test. x For diesel vehicles converted to LP prevailing diesel engine norms for chas dynamometer test
2.	Fitted in vehicles with GVW greater than 3.5 ton	x Prevailing diesel engine emission nor based on 13-mode steady-state engine dynamometer test

(9) LPG vehicle/kit components including installation shall comply with the Safety Checks as given in Annexure-VIII.

(10) The test agency shall, in addition to the Type Approval certificate, issue Safety and Procedural Requirements for Type Approval certificate containing the Safety and Procedural Requirement for Type Approval of CNG and LPG Operated Vehicles, for LPG vehicles and conversion kits, as mentioned in Annexure X.

Note: - For the purpose of these rules,-

(1) ³2(ILWPHQW´ PHDQV WKH YHKLFOHV HQJLQHV ZKLFK operation by the vehicle manufacturer prior to their first registration;

(2) ³&RQYHUVLRQ RI JDVROLQH YHKLFOH´ PHDQV D YHKLFO as a gasoline vehicle and subsequently converted for operation on LPG by fitting the conversion kit and carrying out the other necessary changes;

(3) ³2 (´ ILWPHQW /3* GHGLFDWHG YHKLFOH´ PHDQV manufactured for LPG operation by the vehicle manufacturer prior to their first registration;

(4) ³7\SH DSSURYDO´ means approval of a vehicle having diesel engine replaced by new LPG HQJLQH´ PHDQV D engine registered as a diesel vehicle and is subsequently converted for operation on LPG by fitting a new engine adapted for operation on LPG;

(5) The AIS or IS specifications may be as amended and notified from time to WLPH´

(B) for Annexure VIII, the following Annexure shall be substituted, namely:-

* ANNEXURE VIII

(see clause (c) of sub-rule (4)and sub-rule (9) of rule 115C)

SAFETY CHECKS FOR USE OF LPG FUEL IN FOUR WHEELED VEHICLES AND ABOVE (AS PER AIS 026) AND TWO WHEELED AND THREE-WHEELED VEHICLES (AS PER AIS 027) AND INDIAN GAS CYLINDER RULES, 1981

(as amended from time to time)

LPG Kit Component	Certifying/Verifying Authority	Clause of AIS 026 AIS 027/ Other Rules, Standards etc
1. a) Cylinder for four wheeler and above*	x Department of Explosive Nagpur to certify/endorse i case of foreign make	x IS :148992000
- Fitment of cylinder on vehicle	x Test agency to verify as pe safety code of practice for us of LPG fuels in IC engine vehicles, under Central Moto Vehicles Rules, 1989	x Clause 8 of AIS 026
b) Cylinder for two wheelers and three wheelers wheelers*	x Department of Explosive Nagpur to certify/endorse i case of foreign make	x IS : 148992000
- Fitment of cylinder on vehicle	x Test agency to verify as pe safety code of practice for us of LPG fuels in IC engines t power twowheelers and three wheelers under Central Moto Vehicles Rules, 1989	x Clause 8 of AIS 027

2. Cylinder Valves/Multi Function Valve*	x Department of Explosives Nagpur to certify/ endorse in cas of foreign make	IS : 15100-2001 and Gas Cylinder Rules, 1981 a amended from time to time.
3. Regulator/Vaporizer *	Testing of verification of certificate with test report by the Test Agenc as per United Nations, Econom Commission for Europe Regulatio No.67 Rev.1	United nations, Economi Commission for Europe Regulation for 67 Rev.1 Note: Regulator/Vaporizer is to be tested, as pe Economic Commission fo Europe Regulation No.6 (Rev. 1), including endurance test for 6,00 number of cycles.
4. Gas-Air Mixer*	Testing/verification of certificate with test report by Test Agency a per United Nations, Economi Commission for Europe Regulatio No.67 Rev.1	United Nations, Economi Commission for Europe Regulation No.67 Rev. 1
5. Petrol and Gas Soleno Valves*	Testing/verification of certificate with test report by Test Agency a per United Nations, Economi Commission for Europe Regulatio No.67 Rev.1	United Nations, Economi Commission for Europe Regulation No.67 Rev. 1 o equivalent standard. Note: Petrol solenoid valve is to be tested, as pe Economic Commission fo Europe Regulation No.6 (Rev.1) for endurance onl at a pressure for 6,00 number of cycles.
6. Inspection, Testing an Commissioning Certificate a) Lead Testing b) Excess flow valve test* c) Automatic fill limiter* d) Compartment/sub-compartment	To be tested by Test Agency	Clause 14 of AIS 026/AIS 027
7. Filling Connection	Installation on vehicle to be checke by Test Agency	As per Appendix A. Clause (d) of AIS 026/ AIS 027
8.Ventilation	Test agency to verify	Clause 8(E) of AIS 026/ AIS 027
9. Testing of Conduit*	Testing/Verification of Certificate with Test Report by Test Agency a per equivalent standard	Clause 8(F)(iii) of AIS 026/AIS 027

10. a) LPG fuel line exceeding 4.5 kg/cm^2		Clause 9 of AIS 026 / AIS 027
x Pressure Testing	Testing/verification of Certificate with Test Report by Test Agency as per equivalent standard.	Clause 9 (i) of AIS 026/ AIS 027
x Size of tube as per engine capacity	0DQXIDFWXUHU¶V GO verified by Test Agency	Clause 9(ii) of AIS 026/ AIS 027
x Fitment on vehicle	Verification by Test Agency as per Safety Code of Practice	Clause 9 (v) of AIS 026/ AIS 027
b) Flexible Hose/ fuel line not exceeding* 4.5 kg/cm^2		Clause 10 of AIS 026/AIS 027
x Material	Testing/Verification of Certificate with Test Report by Test Agency as per equivalent standard.	Clause 9(ii) (a) of AIS 026/ AIS 027
x Fitment on vehicle	Verification by Test Agency as per Safety Code of Practice.	Clause 10 (B), 9(v) of AIS 026/ AIS 027
x Pressure	Testing/Verification of Certificate with Test Report by Test Agency as per equivalent standard.	Clause 10(A)(i) of AIS 026/ AIS 027
c) Joints and connections to withstand Pressure without and leakage	Verification by Test Agency	Clause 9(iv) and 10(A) of AIS 026/ AIS 027
11. Compartment/Sub Compartment*	Test to be carried out by test agency as per Safety Code of Practice	Clause 8D of AIS 026/ AIS 027
12. Safety check for installation of LPG system	Safety checks to be carried out by test agency as per Safety Code of Practice	Relevant Clauses of AIS 026/ AIS 027

*Certificate issued conforming to equivalent prescribed standards by accredited testing agency of the country of origin or a report issued by internationally accredited test laboratory may also be accepted.

Note: Only the latest version of all the standards, as mentioned, shall be referred for compliance.

& ,Q WKH $QQH[XUH ; IRU WKH EUDFNHWV ZRUGV OHWW
115B):, WKH EUDFNHWV ZRUGV OHWWHUV DQG rule JXUHV ³ VHH
RI UXOH F ´ VKDOO EH VXEVWLWXWHG

[F.No.RT-11011/11/2001-MVL]
ALOK RAWAT, Jt. Secy.

Note: The Principal rule were notified vide G.S.R.590(E), dated the 2nd June, 1989 and last amended vide G.S.R. 699(E), dated the 10th October, 2002.

MINISTRY OF ROAD TRANSPORT AND HIGHWAYS
NOTIFICATION

New Delhi, the 27th December, 2002

G.S.R.845(E), - Whereas the draft of the certain rules further to amend the Central Motor Vehicles Rules, 1989, was published as required by sub-section (1) of Section 212 of the Motor Vehicles Act, 1988 (59 of 1988) in the Gazette of India, Extraordinary, Part-II, Section 3, sub-section(i), dated the 12th December, 2002 with the notification of Government of India in the Ministry of Road Transport and Highways, number G.S.R.820(E), dated ht 11th December, 2002 inviting objections and suggestions from all persons likely to be affected thereby within a period of ten days from the date on which copies of the Gazette of India containing the notification were made available to the public;

And whereas copies of the said Gazette were made available to the public on 13th December, 2002;

And whereas, the objections and suggestions received from the public have been considered by the Central Government.

Now, therefore, in exercise of the powers conferred by section 110 of the said Ac, the Central Government hereby makes the following rules further to amend the Central Motor Vehicles Rules, 1989, namely :-

1. (1) These rules may be called the Central Motor Vehicles (Sixth Amendment) Rules, 2002.

(2) They shall come into force on the date of their publication in the Official Gazette, unless otherwise specified in these rules.

2. In the Central Motor Vehicles Rules, 1989 (hereinafter referred to as the said rules), in rule 62, in sub-rule (1), for the words "in the Second Schedule" the words "in the First Schedule" shall be substituted and for the words "in the First Schedule" the words "in the Second Schedule" shall be substituted and shall be deemed to have been substituted with effect from the 1st day of April, 2001.

3. In rule 98 of the said rule,-

(i) In sub-rule (1), for the words "in the First Schedule" the words "in the Second Schedule" shall be substituted and for the words "in the Second Schedule" the words "in the First Schedule" shall be substituted and shall be deemed to have been substituted with effect from the 1st day of April, 2001;

(ii) after sub-rule (4), the following sub-rule shall be inserted, namely:-

"(5) On and from the 1st day of May, 2004, the Category N3 multi-axle vehicles shall be fitted with speed governor."

4. In rule 101 of the said rules, in sub-rule(2), for the words, figures and letters ³PDQXIDFWXUHG RQ DQG DIWHU WKH ZRUGV ILJXUHV DQG OHWWHUV ³PDQXIDFWXUHG RQ DQG DIWHU 1st -DQXDU\ 2003 in respect of Category M1 vehicles, and in respect of other vehicles, on and after 1st -XO\ 2003´ VKDOO EH VXEVWLWXWHG

5. In rule 124 of the said rules, in sub-rule (1A), for the words, figures and letters ³2Q DQG IURP 1st -XQH 2003´ WKH ZRUGV ILJXUHV DQG OHWWHUV ´1st May, DQG OHWWHUV´ VKDOO EH VXEVWLWXWHG

6. In rule 125 of the said rules, in sub-rule (2), in the proviso, for the words, figures and letters DQG OHWWHUV ³RQ DQG IURP 1st -XQH 2003´ WKH ZRUGV ILJXUHV DQG OHWWHUV 1st 0D\ ´ VKDOO EH VXEVWLWXWHG

[F.No.RT-11036/38/2001-MVL]
ALOK RAWAT, Jt. Secy.

Note: The principal rules were published in the Gazette of India vide Notification No.G.S.R. 590(E), dated 2nd June, 1989 and were last amended vide Notification No. G.S.R. 788(E), dated 27th November, 2002 published in Gazette of India, Extraordinary, Part-II, Section 3, Sub-section (i), on 2nd December, 2002.

THE CENTRAL MOTOR VEHICLES (FIRST AMENDMENT) RULES, 2003 RELATING TO DIESEL DRIVEN AGRICULTURAL TRACTOR

MINISTRY OF ROAD TRANSPORT AND HIGHWAYS

NOTIFICATION

New Delhi, the 5th February, 2003

G.S.R.83(E).- Whereas the draft of certain rules further to amend the Central Motor Vehicle Rules, 1989 were published as required by sub-section (1) of section 212 of the Motor Vehicle Act, 1988 (59 of 1988), in the Gazette of India, Extraordinary, Part-II, Section 3, Sub-section (i), dated the 11th October, 2002 vide notification of Government of India in the Ministry of Road Transport and Highways number G.S.R.702(E), dated the 11th October, 2002, inviting objections or suggestions from all persons likely to be affected thereby within a period of forty five days from the date on which copies of the Gazette of India, in which the said notification was published, were made available to the public;

And whereas the copies of the said Gazette were made available to the public on the 17th October, 2002;

And whereas the objections and suggestions received from the public have been considered by the Central Government.

Now, therefore, in exercise of the power conferred by clause (a) of section 64 and clause (g) of sub-section (1) of section 110 of the said Act. The Central Government hereby makes the following rules further to amend the Central Motor Vehicles Rules, 1989, namely:-

1. (1) These rules may be called the Central Motor Vehicle (First Amendment) Rules, 2003.

(2) They shall come into force on the date of their publication in the Official Gazette, save as otherwise provided in these rules.

2. In the Central Motor Vehicle Rules, 1989,-

(1) in rule 47, in sub-rule (1), for clause (h), the following clause shall be substituted namely:-

Wheelers and abov b) Cylinder for two wheelers and thre wheelers	In case of foreign make Department of Explosives Nagpur to approve/endorse case of foreign make	Approved under Gas Cylinder Rule, 1981 ECE-R-67-01 or IS: 148992000 or as approved under Gas Cylinder Rules, 1981.
2. Cylinder Valves/ Multi Function Valve	Department of Explosives Nagpur to approve/endorse case of foreign make	ECE-R-97-01 or IS:15100-2001 or as approved under Gas Cylinde U 5 X O H V

[F.No.RT-11028/11/2002-MVL]
ALOK RAWAT, Jt. Secy.

Note: The principal rules were notified vide G.S.R.590(E), dated the 2nd June, 1989 and last amended vide G.S.R.927(E), dated the 5th December, 2003.

THE ENVIRONMENT (PROTECTION) AMENDMENT RULES, 2005 RELATING TO NOISE LIMITS FOR THE VEHICLES APPLICABLE FROM THE SPECIFIED DATES

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 5th May, 2005

G.S.R.272(E).- In exercise of the powers conferred by section 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) Rule, 1986, namely:

(1) These rules may be called the Environment (Protection) Amendment Rules, 2005

(2) They shall come into force on the date of their publication in the Official Gazette.

,Q WKH (QYLURQPHQW 3URWHFWLRQ 5XOHV LQ 6FKHG
1RLVH OLPLWV IRU YHKLFOHV DVSDUDJUDSK 4), the following
proviso shall be inserted at the end, namely:-

3 3URYLGHG WKDW WKH YHKLFOHV PHQWLRQHG DW VHULDO Q
following States shall be applicable on the and from the date specified against that State,-

(i) Himachal Pradesh with effect from 1st October, 2005
(ii) Jammu and Kashmir with effect from 1st October, 2005
(iii) Madhya Pradesh with effect from 1st September, 2005
(iv) Punjab with effect from 1st October, 2005
(v) Rajasthan with effect from 1st June, 2005
(vi) Uttar Pradesh (Mathura, Kannauj, Muzaffarnagar, Aligarh, Farukkabad, Saharanpur, Badaun, Barreily, Moradabad, Hathras, Rampur, Bijnor, Agra, Pilibhit, J.P.Nagar, Mainpuri, Lalitpur, Hardoi, Ferozabad, Jhansi, Shahjahanpur, Etawah, Jalon, Lakhimpur, Kheri, Etah, Mahoba, and Sitapur) with effect from 1st June, 2005.
(vii) Uttranchal with effect from 1st - X O \ ´

[F.No.Q-16014/7/2002-CPA]
R.K.Vaish, Jy. Secretary

THE PUBLIC LIABILITY INSURANCE ACT, 1991

(Act No.6 of 1991)

(As amended to date)

THE PUBLIC LIABILITY INSURANCE ACT, 1991

No. 6 of 1991

[22nd January, 1991]

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 23rd January, 1991 Magha, 3, 1912 (Saka)

The following Act of Parliament received the assent of the President on the 22nd January, 1991, and is hereby published for general information:-

An Act to provide for public liability insurance for the purpose of providing immediate relief to the persons affected by accident occurring while handling any hazardous substance and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the forty-first Year of The Republic of India as follows:-

1. SHORT TITLE AND COMMENCEMENT

(1) This Act may be called the Public Liability Insurance Act, 1991.

(2) It shall come into force on such date as the Central Government may, by notification, appoint.

2. DEFINITIONS

In this Act, unless the context otherwise requires.-

[1][(a) "accident" means an accident involving a fortuitous, sudden or unintentional occurrence while handling any hazardous substance resulting in continuous, intermittent or repeated exposure to death, of or injury to, any person or damage to any property but does not include an accident by reason only of war or radio-activity;]

(b) "Collector" means the Collector having jurisdiction over the area in which the accident occurs;

---

1 Substituted by the Public Liability Insurance (Amendment) Act. 1992 dt. 31.1.92

(c) "handling", in relation to any hazardous substance, means the manufacture, processing, treatment, package, storage, transportation by vehicle, use, collection, destruction, conversion, offering for sale, transfer or the like of such hazardous substance;

(d)"hazardous substance" means any substance or preparation which is defined as hazardous substance under the Environment (Protection) Act, 1986 (29 of 1986), and exceeding such quantity as may be specified, by notification, by the Central Government;

(e) "insurance" means insurance against liability under sub-section (1) of section 3:

(f) "notification" means a notification published in the official Gazette;

[1][(g) "owner" means a person who owns, or has control over handling any hazardous substance at the time of accident and includes,-

(i) in the case of firm, any of its partners;

(ii) in the case of an association, any of its members; and

(iii) in the case or a company, any of its directors, managers, secretaries or other officers who is directly in charge of, and is responsible to the company for the conduct of the business of the company;]

(h) "prescribed" means prescribed by rules made under this Act;

[2][(ha) "Relief Fund" means the Environmental Relief Fund establishment under section 7A]

(i) "rules" means rules made under this Act;

(ii) "vehicle" means any mode of surface transport other than railways.

---

1 Substituted by the Public Liability Insurance (Amendment) Act. 1992, dated 31.1.1992.

2 Substituted Ibid.

3. LIABILITY TO GIVE RELIEF IN CERTAIN CASES ON PRINCIPLE OF NO FAULT

(1) Where death or injury to any person (other than a workman) or damage to any property has resulted from an accident, the owner shall-be liable to give such relief as is specified in Schedule for such death, injury or damage.

(2) In any claim for relief under sub-section (I) (hereinafter referred to in this Act as claim for relief), the claimant shall not be required to plead and establish that the death, injury or damage in respect of which the claim has been made was due to any wrongful act, neglect or default of any person.

Explanation.-For the purpose of this section,-

(i) "workman" has the meaning assigned to it in the Workmen's Compensation Act, 1923 (8 of 1923);

(ii) "injury" includes permanent total or permanent partial disability or sickness resulting out of an accident.

4. LIABILITY OF OWNER TO TAKE OUT INSURANCE POLICIES

(1) Every owner shall take out, before he starts handling any hazardous substance, one or more insurance policies providing for contracts of insurance thereby he is insured against liability to give relief under sub-section (1) of section 3;

Provided that any owner handling any hazardous substance immediately before the commencement of this Act shall take out such insurance policy or policies as soon as may be and in any case within a period of one year from such commencement.

(2) Every owner shall get the insurance policy, referred to in subsection (1), renewed from time to time before the expiry of the period of validity thereof so that the insurance policies may remain in force throughout the period during which such handling is continued.

[1][(2A) No insurance policy taken out by an owner shall be for a amount less than the amount of the paid-up capital of the under taking handling any hazardous substance and owned or controlled by that owner and more than the amount, not exceeding fifty crore rupees, as may be prescribed.

---

1 Inserted by the Public Liability Insurance (Amendment) Act, 1992 dt. 31.1.1992.

Explanation.- "Paid-up capital" in this sub-section means, in the case of an owner not being a company, the market value of all assets and stocks of the undertaking on the date of contracts of insurance.

(2B) The liability of the insurer under one insurance policy shall not exceed the amount specified in the terms of the contract of insurance in that insurance policy.

(2C) Every owner shall also, together with the amount of premium, pay to the insurer, for being credited to the Relief Fund established under section 7A, such further amount, not exceeding the amount of premium, as may be prescribed.

(2D) The insurer shall remit the further amount received from the owner under sub-section (2C) to the Relief Fund in such manner and within such period as may be prescribed and where the insurer fails to so remit the further amount, such amount shall be recoverable from insurer as arrears of land revenue or of public demand.]

(3)The Central Government may, by notification, exempt from the operation of sub-section (1) any owner, namely:-

(a) the Central Government;

(b) any State Government,

(c) any corporation owned or controlled by the Central Government or a State Government; or

(d) any local authority:

Provided that no such order shall be made in relation to such owner unless a fund has been established and is maintained by that owner in accordance with the rules made in this behalf for meeting any liability under sub-section (1) of section 3.

5. VERIFICATION AND PUBLICATION OF ACCIDENT BY COLLECTOR

Whenever it comes to the notice of the Collector that an accident has occurred at any place within his jurisdiction, he shall verify the occurrence of such accident and cause publicity to be given in such manner as he deems fit for inviting applications under sub-section (1) of section 6

6. APPLICATION FOR CLAIM F OR RELIEF

(1) An application for claim for relief may be made-

(a) by the person who has sustained the injury;

(b) by the owner of the property to which the damage has been caused;

(c) where death has resulted from the accident, by all or any of the legal representatives of the deceased; or

(d) by any agent duly authorised by such person or owner of such property or all or any of the legal representatives of the deceased, as the case may be:

Provided that where all the legal representatives of the deceased have not joined in any such application for relief, the application shall be made on behalf of or for the benefit of all the legal representatives of the deceased and the legal representatives who have not so joined shall be impleaded as respondents to the application.

(2) Every application under sub-section (I) shall be made to the Collector and shall be in such form, contain such particulars and shall be accompanied by such documents as may be prescribed.

(3) No application for relief shall be entertained unless it is made within five years of the occurrence of the accident.

7. AWARD OF RELIEF

(1) On receipt of an application under sub-section (1) of section 6, the Collector shall after giving notice of the application to the owner and after giving the parties an opportunity of being heard, hold an inquiry into the claim or, each of he claims, and may make an award determining the amount of relief which appears to him to be just and specifying the person or persons to whom such amount of relief shall be paid.

(2) The Collector shall arrange to deliver copies of the award to the parties concerned expeditiously and in any case within a period of fifteen days from the date of the award.

[1][(3) When an award is made under this section,-

[1] Substituted by the Public Liability Insurance (Amendment) Act, 1992 dt. 31.1.1992.

(a) the insurer, who is required to pay any amount in terms of such award and to the extend specified in sub-section (2B) of section 4, shall, within a period of thirty days of the date of announcement of the award, deposit that amount in such manner as the Collector may direct;

(b) the Collector shall arrange to pay from the Relief Fund, in terms of such award and in accordance with the scheme made under section 7A, to the person or persons referred to in sub-section (1) such amount in such manner as may be specified in that scheme;

(c) the owner shall, within such period, deposit such amount in such manner as the Collector may direct.]

(4) In holding any inquiry under sub-section (1), the Collector may, subject to any rules made in this behalf, follow such summary procedure as he thinks fit.

(5) The Collector shall have all the powers of Civil Court for the purpose of taking evidence on oath and of enforcing the attendance of witnesses and of compelling the discovery and production of documents and material objects and for such other purposes as may be prescribed; and the Collector shall be deemed to be a Civil Court for all the purposes of section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973 (2 of 1974).

(6) Where the insurer or the owner against whom the award is made under sub-section (1) fails to deposit the amount of such award within the period specified under sub-section (3), such amount shall be recoverable from the owner, or as the case may be, the insurer as arrears of land revenue or of public demand.

(7) A claim for relief in respect of death of, or injury to, any person or damage to any property shall be disposed of as expeditiously as possible and every endeavour shall be made to dispose of such claim within three months of the receipt of the application for relief under sub-section (1) of section 6.

[1][(8) Where an owner is likely to remove or dispose of his property with a view to evading payment by him of the amount of award, the Collector may, in accordance with the provisions contained in rules 1 to 4 of Order XXXIX of the First Schedule to the Code of Civil Procedure, 1908, (5 of 1908), grant a temporary injunction to restrain such act.]

---

1 Substituted by the Public Liability Insurance (Amendment) Act, 1992 dt. 31.1.1992.

[1][7A. ESTABLISHMENT OF ENVIRONMENTAL RELIEF FUND

(1) the Central Government may, by notification in the official Gazette, establish a fund to be known as the Environment Relief Fund.

(2) The Relief Fund shall be utilised for paying, in accordance with the provisions of this Act and the scheme, relief under the award made by the Collector under section 7.

(3) The Central Government may, by notification in the Official Gazette, make a scheme specifying the authority in which the relief fund shall vest, the manner in which the Fund shall be administered the form and the manner in which money shall be drawn from the Relief Fund and for all other matters connected with or incidental to the administration of the Relief Fund and the payment of relief therefrom.]

8. PROVISIONS AS TO OTHER RIGHT TO CLAIM COMPENSATION FOR DEATH , ETC

(1) the right to claim relief under sub-section (1) of section 3 in respect of death of, or injury to, any person or damage to any property shall be in addition to any other right to claim compensation in respect thereof under any other law for the time being in force.

(2) Notwithstanding anything contained in sub-section (1), where in respect of death of, or injury to, any person or damage to any property, the owner, liable to give claim for relief, is also liable to pay compensation under any other law, the amount of such compensation shall be reduced by the amount of relief paid under this Act.

9. POWER TO CALL FOR INFORMATION

Any person authorised by the Central Government may, for the purposes of ascertaining whether any requirements of this Act or of any rule or of any direction given under this Act have been compiled with, require any owner to submit to that person such information as that person may reasonably think necessary.

10. POWEROF ENTRY AND INSPECTION

Any person, authorised by the Central Government in this behalf, shall have a right to enter, at all reasonable times with such assistance as he considers necessary, any place, premises or vehicle, where hazardous substance is handled for the purpose of determining whether any provisions of this Act or of any rule or of any direction given under this Act is being or has been compiled with and such owner is bound to render all assistance to such person.

---

1 Inserted by the Public Liability Insurance (Amendment) Act, 1992 dl. 31.1.92

11. POWER OF SEARCH AND SEIZURE

(1) If a person, authorised by the Central Government in this behalf, has reason to believe that handling of any hazardous substance is taking place in any place premises or vehicle, in contravention of sub-section (1) of section 4, he may enter into and search such place, premises or vehicle for such handling of hazardous substance.

(2) Where, as a result of any search under sub-section (1) any handling of hazardous substance has been found in relation to which contravention of sub-section (1 of section 4 has taken place, he may seize such hazardous substance and other things which, in his opinion, will be useful for, or relevant to, any proceeding under this Act:

Provided that where it is not practicable to seize any such substance or thing he may serve on the owner an order that the owner shall not remove, part with, or otherwise deal with, the hazardous substance and such other things except with the previous permission of that person.

(3) He may, if he has reason to believe that it is expedient so to do to prevent an accident dispose of the hazardous substance seized under sub-section (2) immediately in such manner as he may deem fit.

(4) All expenses incurred by him in the disposal of hazardous substances under sub-section (3) shall be recoverable from the owner as arrears of land revenue or of public demand.

12. POWER TO GIVE DIRECTIONS

Notwithstanding anything contained in any other law but subject to the provisions of this Act, the Central Government may, in exercise of its powers and performance of its functions under this Act, issue such directions in writing as it may deem fit for the purposes of this Act to any owner or any person, officer, authority or agency and such owner, person, officer, authority or agency shall be bound to comply with such directions.

Explanation.-For the removal of doubts, it is hereby declared that the power to issue directions under this section includes the power to direct-

(a) prohibition or regulation of the handling of any hazardous substance; or

(b) stoppage or regulation of the supply of electricity, water or any other service.

13. POWER TO MAKE APPLICATION TO COURTS FOR RESTRAINING OWNER FROM HANDLING HAZARDOUS SUBSTANCES

(1) If the Central Government or any person authorised by that Government in this behalf has reason to believe that any owner has been handling any hazardous substance in contravention of any of the provisions of this Act, that Government or, as the case may be, that person may make an application to a Court, not inferior to that of a Metropolitan Magistrate or a Judicial Magistrate first class for restraining such owner from such handling.

(2) On receipt of the application under sub-section (1), the Court may make such order as it deems fit.

(3) Where under sub-section (2), the Court makes an order restraining any owner from handling hazardous substance. it may. in that order-

(a) direct such owner to desist from such handling;

(b) aulhorise the Central Government or, as the case may be, the person referred to in sub-section (1), if the direction under clause (a) is not complied with by the owner to whom such direction is issued, to implement the direction in such manner as may be specified by the Court.

(4) All expenses incurred by the Central Government, or as the case may be, the person in implementing the directions of Court under clause (b) of sub-section (3), shall be recoverable from the owner as arrears of land revenue or of public demand

14. PENALTY FOR CONTRAVENTION OF SUB-SECTION (1) OR SUB-SECTION(2) OF SECTION 4 OR FAILURE TO COMPLY WITH DIRECTIONS UNDER SECTION 12

(1) Whoever contravenes any of the provisions of [sub-section (1), sub-section (2), sub-section (2A) or sub-section (2C)][1] of section 4 or fails to comply with any directions issued under section 12, he shall be punishable imprisonment for a term which shall not be less than one year and six months but which may extend to six years, or with fine which shall not be less than one lakh rupees, or with both.

(2) Whoever, having already been convicted of an offence under sub-section (1), is convicted for the second offence or any offence subsequent to the second offence, he shall be punishable with imprisonment for a term which shall not be less than two years but which may extend to seven years and with fine which shall not be less than one lakh rupees.

---

[1] Substituted by the Public Liability Insurance (Amendment) Act, 1992 dt. 31.1.92

(3) Nothing contained in section 360 of the Code of Criminal Procedure, 1973 (2 of 1974), or in the Probation of Offenders Act, 1958 (20 of 1958), shall apply to a person convicted of an offence under this Act unless such person is under eighteen years of age.

15. PENALTY FOR FAILURE TO COMPLY WITH DIRECTION UNDER SECTION 9 OR ORDER UNDER SECTION 11 OR OBSTRUCTING ANY PERSON IN DISCHARGE OF HIS FUNCTIONS UNDER SECTION 10 OR 11

If any owner fails to comply with direction issued under section 9 or fails to comply with order issued under sub-section (2) of section 11, or obstructs any person in discharge of his functions under section 10 or sub-section (1) or sub-section (3) of section 11, he shall be punishable with imprisonment which may extend to three months, or with fine which may extend to ten thousand rupees, or with both.

16. OFFENCES BY COMPANIES

(1) Where any offence under this Act has been committed by a company, every person who, at the time the offence was committed, was directly in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation--For the purposes of this section,

(a) "company" means any body corporate and includes a firm or other association of individual;
(b) "director", in relation to a firm, means a partner in the firm.

17. OFFENCES BY GOVERNMENT DEPARTMENTS

Where an offence under this Act has been committed by any Department of Government, the Head of the Department shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this section shall render such Head of the Department liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

18. COGNIZANCE OF OFFENCES

No court shall take cognizance of any offence under this Act except on a complaint made by-

(a) the Central Government or any authority or officer authorised in this behalf by that Government; or

(b) any person who has given notice of not less than sixty days in the manner prescribed, of the alleged offence and of his intention to make a complaint, to the Central Government or the authority or officer authorised as aforesaid.

19. POWER TO DELEGATE

The Central Government may, by notification delegate, subject to such conditions and limitations as may be specified in the notification, such of its powers and functions under this Act (except the power under section 23) as it may deem necessary or expedient to any person (including any officer, authority or other agency).

20. PROTECTION OF ACTION TAKEN IN GOOD FAITH

No suit, prosecution or other legal proceeding shall lie against the Government or the person, officer, authority or other agency in respect of anything which is done or intended to be done in good faith in pursuance of this Act or the rules made or orders or directions issued thereunder.

21. ADVISORY COMMITTEE

(1) The Central Government may, from time to time, constitute an Advisory Committee on the matters relating to the insurance policy under this Act.

(2) The Advisory Committee shall consist of

(a) Three officers representing the Central Government;

(b) two persons representing the insurers;

(c) two persons representing the owners; and

(d) two persons from amongst the experts of insurance or hazardous substances, to be appointed by the Central Government.

(3) The Chairman of the Advisory Committee shall be one of the members representing the Central Government. nominated in this behalf by that Government.

22. EFFECT OF OTHER

The provisions of this Act and any rules made thereunder shall have effect notwithstanding anything inconsistent therewith contained in any other law

23. POWER TO MAKE RULES

(1) The Central Government may, by notification, make rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely-

[1][(a) the maximum amount for which an insurance policy may be taken out by an owner under sub-section (2A) of section 4;

(aa) the amount required to be paid by every owner for being credited to the Relief Fund under sub-section (2C) of section 4;

(ab) the manner in which and the period within the amount received from the owner is required to be remitted by the insurer under sub-section (2D) of section 4];

[2][(ac) establishment and maintenance of fund under sub-section (3) of section 4];

(b) the form of application and the particulars to be given therein and the documents to accompany such application under sub-section (2) of section 6;

---

1 Inserted by the Public Liability Insurance (Amendment) Act, 1992 dt. 31.1.92.

2 Re-lettered, Ibid,

(c) the procedure for holding an inquiry under sub-section (4) of section 7;

(d) the purposes for which the Collector shall have powers of a Civil Court under sub-section (5) of section 7;

(e) the manner in which notice of the offence and of the intention to make a complaint to the Central Government shall be given under clause (b) of section 18;

(f) any other matter which is required to be, or may be, prescribed.

[1][(3) Every rule or scheme made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session or a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or scheme or both Houses agree that the rule or scheme should not be made, the rule or scheme shall thereafter have effect only in such modified form or be of no effect, as the case may be; so,. however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or scheme.]

1 Substituted by the Public Liability Insurance (Amendment) Act, 1992 dt. 31.1.1992.

THE SCHEDULE.

[See Section 3(1)]

(i) Reimbursement of medical expenses incurred up to a maximum of Rs. 12,500 in each case.

(ii) For fatal accidents the relief will be Rs. 25,000 per person in addition to reimbursement of medical expenses if any, incurred on the victim up to a maximum of Rs. 12,500.

(iii) For permanent total or permanent partial disability or other injury or sickness, the relief will be (a) reimbursement of medical expenses incurred, if any, up to a maximum of Rs. 12,500 in each case and (b) cash relief on the basis of percentage of disablement as certified by an authorised physician. The relief for total permanent disability will be Rs. 25,000.

(iv) For loss of wages due to temporary partial disability which reduces the earning capacity of the victim, there will be a fixed monthly relief not exceeding Rs. 1,000 per month up to a maximum of 3 months: provided the victim has been hospitalised for a period of exceeding 3 days and is above 16 years of age.

(v) Up to Rs. 6,000 depending on the actual damage, for any damage to private property.

K.L. MOHANPURIA
Addl Secy. to Govt. of India

NOTIFICATIONS
UNDER THE PUBLIC LIABILITY INSURANCE ACT, 1991

MINISTRY OF ENVIRONMENT AND FORESTS

(Department of Environment, Forests and Wildlife)

NOTIFICATION

New Delhi, the 27th March, 1991

G.S.R.253- In exercise of the powers conferred by sub-section (2) of section 1 of the Public Liability Insurance Act, 1991 (6 of 1991), the Central Government hereby appoints the 1st day of April, 1991 as the date on which the said Act shall come into force.

[No. 18(3)/91-PL]

R. RAJAMANI, Scey.

Source: Extract from the Gazette of India: Pan II, Sec. 3, Sub-Sec. (i) Appearing on Page No. 1003 dated 13-4-1991.

OFFICERS AND AUTHORITIES AUTHORISED TO TAKE COGNIZANCE OF OFFENCES

NOTIFICATION

New Delhi, the 19th March, 1993

[1]S.O. 282In exercise of the powers conferred by sub-section (1) of Section 13 and clause (a) of Section 18 of the Public Liability Insurance Act, 1991 (6 of 1991) the Central Government hereby authorises the officers and authorities listed in column (2) of the Table below for the purposes of the said sections with the jurisdiction mentioned against each of them in column (3) of that Table : -

TABLE

S. No.	Person, Authority or Officer	Jurisdiction
(1)	(2)	(3)
1.	Any Director, Joint Director, Adviser or Additional Secretary to the Government of India in the Department of Environment, Forests and Wildlife	Whole of India
2.	The Chairman or Member-Secretary of Central Pollution Control Board constituted under Section 3 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974)	Whole of India
3.	The Government of the State (Represented by the Secretary to the State Government in charge of Environment)	Whole of State

[1] As published in Gazette of India, Extraordinary Part II 3(ii).dt.19.3.1993

S. No.	Person, Authority or Officer	Jurisdiction
(1)	(2)	(3)
4.	The Chairman or Member-Secretary of The State Pollution Control Board constituted under section 4 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) or a State Board for the Prevention and Control of Air Pollution constituted under Section 5 of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981)	Whole of State
5.	The Chairman or the Member Secretary of the Pollution Control Committees of the Union Territories who have been delegated powers under clause (4) of Section 4 of the Water (Prevention and Control of Pollution) Act, 1974 and Section 6 of the Air (Prevention and Control of Pollution) Act, 1981 by Central Pollution Control Board	Whole of the Union Territories or area as laid down by the Central Board
6.	District Collector	Whole of Revenue District
7.	Regional Officers of the Central Pollution Control Board who have been delegated powers under Section 20, 21 and 23 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) and Section 24 of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981)	Area as laid down by the Central Board
8.	Regional Officers of the State Pollution Control Board who have been delegated powers under Section 20, 21, and 23 of the Water (Prevention and Control of Pollution) Act, 1974.	Area as laid down by the State Board
9.	Regional Officers of the State Pollution Control Board who have been delegated powers under Section 24 of the Air (Prevention and Control of Pollution) Act, 1981.	Area as laid down by the State Board
10.	Any Regional/Zonal Officers or a Director -In-charge of a Regional/Zonal Office of the Ministry of Environment & Forests.	Zonal/Regional Area as laid down by the Ministry of Environment & Forests.
11.	Joint Director (Legal) in the Department of Environment, Forests and Wildlife, Ministry of Environment and Forests, Government of India.	Whole of India

DELEGATION OF POWERS TO THE RESPECTIVE STATE GOVERNMENTS

MINISTRY OF ENVIRONMENT AND FORESTS

(Department of Environment, Forests and Wildlife)

NOTIFICATION

New Delhi, the 15th November, 1991

S.O. 779(E)- In exercise of the powers conferred by section 19 of the Public Liability Insurance Act, 1991 (6 of 1991), the Central Government hereby delegates the powers vested in it under section 12 of the said Act to the respective State Governments, to exercise the same within their respective jurisdiction subject to the condition that the Central Government may revoke such delegation of powers in respect of all or any one or more of the State Governments or may itself invoke the provisions of above section of the Act, if in the opinion of the Central Government such a course of action is necessary in public interests.

----------X----------

DELEGATION OF POWERS AND FUNCTIONS TO THE STATE GOVERNMENTS

NOTIFICATION

New Delhi, the 15 November, 1991

S.O. 780(E)-In exercise of the powers conferred by section 19 of the Public Liability Insurance Act, 1991 (6 of 1991), the Central Government hereby delegates the powers and directions vested in it under sections 9, 10 and 11 to the State Governments, to exercise the same within their respective jurisdiction and to the Central Pollution Control Board for the whole of India, subject to the condition that the Central Government may revoke such delegation of powers in respect of all or any one or more of the State Governments or the Central Pollution Control Board, or may itself invoke the provisions of the above section of Act, if in the opinion of the Central Government such a course of action is necessary in public interest.

----------X----------

NOTIFICATION

New Delhi, the 24th March, 1992

S.O. 227(E)- In exercise of the powers conferred by clause (d) of Section 2 of the Public Liability Insurance Act, 1991 (6 of 1991), the Central Government hereby specifies the quantities shown in column 3 of the Table below for which or exceeding which every owner handling the hazardous substance mentioned in the corresponding entry in column thereof shall take out insurance policy as per the provisions of the said Act.

[TABLE

LIST OF CHEMICALS WITH QUANTITIES FOR APPLICATION OF PUBLIC LIABILITY INSURANCE ACT

Sl. No.	Name of hazardous substance	Quantity	CAS Chemicals Abstract service number
1	2	3	4
PART -I GROUP 1-TOXIC CHEMICALS			
1.	Aldicarb	100 kg	116-06-3
2.	4-Aminodiphenyl	1 kg	92-67-1
3.	Amiton	1 kg	78-53-5
4.	Anabasine	100 kg	494-52-0
5.	Arsenic pentoxide, Arsenic (V) acid and salts	500 kg	
6.	Arsenic trioxide, Arscius (III) acid & salts	100 kg	
7.	Arsine (Arsenic hydride)	10 kg	7784-42-1
8.	Azinpho-ethyl	100 kg	2642-71-9
9.	Azinpho-methyl	100 kg	86-50-0
10.	Benzidine	1 kg	92-87-5
11.	Benzidine salts	1 kg	-
12.	% H U \ O O L X P S R Z G H U V µ &	10 kg	-
13.	Bis(2-chloroethyl) Sulphide	1 kg	505-60-2

As per S.O.227(E), dated 24.3.1992 corrected by Corrigendum Notification No.S.O.283(E), dated 21.4.1993.

Sl. No.	Name of hazardous substance	Quantity	CAS Chemicals Abstract service number
1	2	3	4
14.	Bis (chloromethyl) ether	1 kg	542-88-1
15.	Carbophuran	100 kg	1563-66-2
16.	Carbophenothion	100 kg	786-19-6
17.	Chlorfenvinphos	100 kg	470-90-6
18.	4-(Chloroformyl) morpholine	1 kg	1515940-7
19.	Chloromethyl methyl ether	1 kg	107-30-2
20.	Cobalt (metal, oxides, carbonates, sulphides, a powders)	1 t	-
21.	Crimidine	100 kg	535-89-7
22.	Cynthoate	100 kg	3734-95-0
23.	Cycloheximide	100 kg	66-81-9
24.	Demeton	100 kg	8065-48-3
25.	Dialifos	100 kg	10311-84-9
26.	OO-Diethyl S-ethylsuphinylmethyl phosphorothioate	100 kg	2588-05-8
27.	OO-Diethyl S-ethylsuphonylmethyl phosphorothioate	100 kg	2588-06-9
28.	OO-Diethyl S-ethylthiomethyl Phosphorothioate	100 kg	2600-69-3
29.	OO-Diethyl S-isopropylthiomethyl phosphorodithioate	100 kg	78-52-4
30.	OO-Diethyl S- propylthiomethyl phosphorodithioate	100 kg	3309-68-0
31.	Dimefox	100 kg	115-26-4
32.	Dimethylcarbamoyl chloride	1 kg	79-44-7
33.	Dimethylnitrosamine	1 kg	62-75-9
34.	Dimethyl phosphoramidocynicidic acid	1 t	6391-41-9
35.	Diphacinone	100 kg	82-66-6
36.	Disulfoton	100 kg	298-04-4

Sl. No.	Name of hazardous substance	Quantity	CAS Chemicals Abstract service number
1	2	3	4
37.	EPN	100 kg	2104-64-5
38.	Ethion	100 kg	563-12-2
39.	Fensulfothion	100 kg	115-90-2
40.	Fluenetil	100 kg	4301-50-2
41.			

Sl. No.	Name of hazardous substance	Quantity	CAS Chemicals Abstract service number
1	2	3	4
62.	Isodrin	100 kg	465-73-6
63.	Juglone (5-Hydroxynaphithalene 1,-4-dione)	100 kg	481-39-0
64.	4, 4-Methylene bis (2-chloroniline)	10 kg	101-14-4
65.	Methyl isocynate	150 kg	624-83-9
66.	Mevinphos	100 kg	7786-34-7
67.	2-Napthylamine	1 kg	91-59-8
68.	Nickel (metal oxides, carbonates , sulphide as powders)	1 t	-
69.	Nickel tetracarbonyl	10 kg	13463-39-3
70.	Oxydisulfoton	100 kg	2497-07-6
71.	Oxygen difluoride	10 kg	7783-41-7
72.	Paraxon (Diethyl-4-nitrophenyl phosphate)	100 kg	311-45-5
73.	Parathion	100 kg	56-38-2
74.	Parathion-methyl	100 kg	298-00-0
75.	Pentaborane	100 kg	19624-22-7
76.	Phorate	100 kg	298-02-2
77.	Phosacetim	100 kg	4104-14-7
78.	Phosgene (carbonyl chloride)	750 kg	75-44-5
79.	Phosphamidon	100 kg	13171-21-6
80.	Phosphine (Hydrogen phosphide)	100 kg	7803-51-2
81.	Promurit (1-(3, 4-dichlorophenyl)-3-triazenethiocarboxamide	100 kg	5836-73-7
82.	1, 3-Propanesultone	1 kg	1120-71-4
83.	1-Propene-2-chloro-1, 3-diol diacetate	10 kg	10118-72-6
84.	Pyrazoxon	100 kg	108-34-9
85.	Selenium hexafluoride	10 kg	7783-79-1

Sl. No.	Name of hazardous substance	Quantity	CAS Chemicals Abstract service number
1	2	3	4
86.	Sodium selenite	100 kg	10102-18-4
87.	Stibine (Antimony hydride)	100 kg	7803-52-3
88.	Sulfotep	100 kg	1054-99-0
89.	Sulphur dichloride	1 t	3689-24-5
90.	Tellurium hexafluoride	100 kg	7783-80-4
91.	TEPP	100 kg	107-49-3
92.	2, 3, 7, 8-Tetrachlorodibenzo-p-dioxine (TCDD)	1 kg	1746-01-6
93.	Tetramethylenedisulphotetramine	1 kg	80-12-6
94.	Thionazin	100 kg	297-97-2
95.	Tirpate (2, 4-Dimethyl-1, 3-dithiolane-2-carboxaldehyde O-methylcarbamoyloxime)	100 kg	26419-73-8
96.	Trichloromethanesulphenyl chloride	100 kg	594-42-3
97.	1-Tri (cyclohexyl) stannyl-1,H-1, 2, 4-triazole	100 kg	41083-11-8
98.	Triethylenemelamine	10 kg	51-18-3
99.	Warfarin	100 kg	81-81-2
GROUP 2- TOXIC SUBSTANCES			
100.	Acetone cyanohydrin (2-Cyanopropane-2-1)	200 t	75-86-5
101.	Acrolein (2-Propenal)	20 t	107-02-8
102.	Acrylonitrile	20 t	107-13-1
103.	Allyl alcohol (Propen-1-ol)	200 t	107-18-6
104.	Allylamine	200 t	107-11-9
105.	Ammonia	50 t	7664-41-7
106.	Bromine	40 t	7726-95-6
107.	Carbon disulphide	20 t	75-15-0
108.	Chlorine	10 t	7782-50-5

Sl. No.	Name of hazardous substance	Quantity	CAS Chemicals Abstract service number
1	2	3	4
109.	Diphenyl methane diisocynate (MDI)	20 t	101-68-8
110.	Ethylene dibromide (1,2-Dibormoethane)	5 t	106-93-4
111.	Ethyleneimine	50 t	151-56-4
112.	) R U P D O G H K \ G H F R Q F H Q W U	5 t	50-00-0
113.	Hydrogen cyanide	5 t	74-90-8
114.	Hydrogen chloride (liquified gas)	25 t	7647-01-0
115.	Hydrogen fluoride	5 t	7664-39-3
116.	Hydrogen sulphide	5 t	7783-06-4
117.	Methyl bromide(Bromomethane)	20 t	74-83-9
118.	Nitrogen oxides	50 t	1110493-1
119.	Propylineimine	50 t	75-55-8
120.	Sulphur dioxide	20 t	7446-09-5
121.	Sulphur trioxide	15 t	7446-11-9
122.	Tetraethyl lead	5 t	78-00-2 75-74-1
123.	Tetramethyl lead	5 t	584-84-9
124.	Toluene 2, diisocyanate (TDI)	10 t	75-01-4
GROUP 3- HIGHLY REACTIVE CHEMICALS			
125.	Acetylene (ethyne)	5 t	74-86-2
126.	(a) Ammonium nitrate (1) (b) Ammonium nitrate in the form of fertilizers (2)	350 t 1250 t	6484-52-2
127.	2,2-Bis (tert-butylperoxy) butane (concentration •	5 t	2167-23-9
128.	1,1-Bis (tert-butylperoxy) cyclohexane F R Q F H Q W U D W L R Q •	5 t	3006-86-8
129.	tert- % X W \ O S H U R [\ D F H W D W H	5 t	107-71-1

Sl. No.	Name of hazardous substance	Quantity	CAS Chemicals Abstract service number
1	2	3	4
130.	tert-Butyl peroxyisobutyrate (concentration	5 t	109-13-7
131.	tert-Butyl peroxy isopropyl carbonate (concentration	5 t	2372-21-6
132.	terty- % X W \ O S H U R [\ P D O H D W H	5 t	1931-62-0
133.	tert-Butyl peroxypivalate (concen	50 t	927-07-1
134.	Dibenzyl peroxydicarbonate (concentration	5 t	2144-45-8
135.	Di-sec-butyl peroxydicarbonate (concentration	5 t	19910-65-7
136.	' L H W K \ O S H U R [\ G L F D U E R Q D	50 t	14666-78-5
137.	2,2- ' L K \ G U R S H U R [\ S U R S D Q H	50 t	2614-76-08
138.	Di- L V R E X W U \ O S H U R [L G H F	5 t	3437-84-1
139.	Di-n-propyl peroxydicarbonate (concentration	5 t	16066-38-9
140.	Ethylene oxide	5 t	75-21-8
141.	Ethylnitrate	50 t	625-58-1
142.	3,3,6,6,9,9-Hexamethyl-1, 2, 4,5-tetra- R [D F \ F O R Q R Q Q D Q H F R Q F H	50 t	22397-33-7
143.	Hydrogen	2 t	1333-74-0
144	Liquid Oxygen	200 t	7782-44-7
145.	Methyl ethyl ketone peroxide F R Q F H Q W U D W L R Q	5 t	1338-23-4
146.	Methyl isobutyl ketone peroxide (concentration	50 t	37206-20-5
147.	3 H U D F H W L F D F L G F R Q F H Q \	50 t	79-21-0
148.	Propylene oxide	5 t	75-56-9
149.	Sodium chlorate	25 t	7775-09-9

Sl. No.	Name of hazardous substance	Quantity	CAS Chemicals Abstract service number
1	2	3	4
GROUP 4- EXPLOSIVE SUBSTANCES			
150.	Barium azide	50 t	18810-58-7
151.	Bis (2, 4, 6-trinitrophenyl amine)	50 t	131-17-7
152.	Chlorotrinitrobenzene	50 t	28260-61-9
153.	Cellulose nitrate (Containing 12.6% Nitrogen)	50 t	9004-70-0
154.	Cyclotetramethylenetetranitramine	50 t	2691-41-0
155.	Cyclotrimethylenetiranitramine	50 t	121-82-1
156.	Diazodinitrophenol	10 t	7008-81-3
157.	Diethylene glycol dinitrate	10 t	693-21-0
158.	Dinitrophenol,salts	50 t	-
159.	Ethylene glycol dinitrate	10 t	628-96-6
160.	1-Gyanyl-4-nitrosaminogyanyl-1-tetrazene	10 t	109-27-3
161.	2, 2, 4, 4, 6, 6-Hexanitrostilbene	50 t	20062-22-0
162.	Hydrazine nitrate	50 t	13464-97-6
163.	Lead azide	50 t	13424-46-9
164.	Lead styphnate (Lead 2, 4, 6 trinitroresorcinoxide)	50 t	15424-44-0
165.	Mercury fulminate	10 t	20820-54-5 628-86-4
166.	N-Methyl-N,2, 4, 6-tetranitroaniline	50 t	479-45-8

Sl. No.	Name of hazardous substance	Quantity	CAS Chemicals Abstract service number
1	2	3	4
167.	Nitroglycerine	10 t	55-63-0
168.	Pentacrythritol tetranitrate	50 t	78-11-5
169.	Picric acid (2, 3, 6-Trinitrophenol)	50 t	88-89-1
170.	Sodium picramate	50 t	831-52-7
171.	Styphnic acid (2, 4, 6-Trinitroesorcinol)	50 t	82-71-3
172.	1, 3,5-Triamino-2, 4, 6-trinitrobenzene	50 t	3058-38-6
173.	Trinitroaniline	50 t	26952-42-1
174.	2, 4, 6-Trinitroanisole	50 t	606-35-9
175.	Trinitrobenzene	50 t	25377-32-6
176.	Trinitrobenzoic acid	50 t	35860-50-5 129-66-8
177.	Trinitrocresol	50 t	28905-71-7
178.	2, 4, 6-Trinitrophenitole	50 t	24732-14-3
179.	2, 4, 6-Trinitrotoluene	50 t	118-96-7

PART ±II

CLASSES OF HAZARDOUS SUBSTANCES NOT SPECIFICALLY NAME IN PART ± I

(1)	(2)	(3)	(4)
GROUP 5-FLAMMABLE SUBSTANCES			
1.	Flammable gases : Substances which in the gaseous state no pressure and mixed with air becor flammable and the boiling point of which normal is 20°C or below;	15 t	-
2.	Highly flammable liquids: Substances which have flash point lower t 23°C and the boiling point of which at norm pressure is above 20°C;	1000 t	-
3.	Flammable liquids: Substances which have a flash point lo than 65°C and which remain liquid unde pressure, where particular process conditions, such as high pressure and h temperature may create Major accid hazardous.	25 t	-

THE ENVIRONMENT RELIEF FUND SCHEME, 2008

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 4th November, 2008.

G.S.R. 768(E).—In exercise of the powers conferred by section 7A of the Public Liability Insurance Act, 1991(16 of 1991), the Central Government hereby makes the following scheme, namely:—

1. Short title and commencement.—(1)The scheme may be called the Environment Relief Fund Scheme, 2008

(2) It shall come into force on the date of its publication in the Official Gazette.

2. Definitions. — In this scheme, unless context otherwise requires,

(a) "Act" means the Public Liability Insurance Act, 1991(16 of 1991);

(b) "claims" means the claims for relief arising out of

scheme;

(c) "claimant" means persons or agencies who are entitled to relief under

section 6 of the Act;

(d) "form" means a form appended to this scheme;

(e) "Fund Manager" means an organization selected for the purpose of

Relief Fund as indicated in paragraph 4;

(f) "rules" means the Public Liability Insurance Rules, 1991;

(g) words and expressions used in this scheme but not defined and defined in the Act and the rules made thereunder shall have the meanings respectively assigned to them in the Act and rules.

3. Establishment of Relief Fund by the Central Government.- (1)From the appointed day there shall be established by the Central Government, for the purposes of this scheme, a Fund to be called the Environment Relief Fund.

(2) The Relief Fund shall be managed and administered by the Fund Manager.

(3) The Fund Manager shall open one or more accounts in the nationalised banks to administer the Relief Fund.

(4) There shall be credited into the Relief Fund

(i) amounts equal to that of premium of the insurance policy taken by the owner and income from investments along with other monies specified in sub-section (2C) of section 4 of the Act;

(ii) money remitted by the owner, as compensation for environment damages caused, under sub-section (1) of section 22 of the National Environment Tribunal Act, 1995 (27 of 1995).

4. Fund Manager.- (1) The United India Insurance Company Limited shall be the Fund Manager for a period of five years from the date of notification of this Scheme.

(2) On the expiry of the term of five years, any organisation ceasing to be a Fund Manager shall be eligible for reappointment along with any other organisation.

5. Operation of the Relief Fund.- (1) From the date of publication of this scheme, the Fund Manager shall open and operate a separate account in any Nationalised Bank for DGPLQLVWHULQJ WKH 5HOLHI)XQG LQ WKH name of the Environment Relief Fund Limited- (QYLURQPHQW 5HOLHI)XQG $&´

(2) The existing funds in the custody of various insurance companies shall be transferred to the Relief Fund account within fifteen days from the date the account becomes operative or from such date as may be communicated by the Fund Manager but not later than sixty days from the date of the notification of this scheme:

Provided that the funds lying in fixed deposits shall be prematurely withdrawn and transferred to the Relief Fund account by the respective insurance companies.

(3) The funds from all insurance companies shall be transferred to the Relief Fund account by way of RTGS and there shall be no charges on such transfer of funds.

(4) All payments made in to the Relief Fund shall be credited by way of Cheque or Demand Draft by the owner along with its annual premium and the insurer in turn shall credit the amount into the Relief Fund account by the 30th of every month.

(5) All owners contributing to the Relief Fund shall inform the Fund Manager and the Collector about payment of the amount in Form-III with in fifteen days of making of such payment of contribution to the insurer.

(6) In case of delay in payment by the owner or insurer, interest at the rate of 18% per annum shall be charged on the owners or insurer, as the case may be.

(7) 1% of the funds added in the corpus per annum or as decided by the Central Government from time to time, shall be paid as service fee to the Relief Fund Manager and this shall be paid from the corpus itself.

(8) The liability of the Fund Manager for making the payments from the Relief Fund shall be limited only to the extent of balance available in the corpus.

(9) Claim settlement shall be made by the Fund Manager as per the sanction order issued by the Collector.

6. Investment of amount received under Relief Fund.-(1) The amount received under the Relief Fund shall be invested by the Fund Manager in such a manner so that the sum of relief awarded from the said Relief Fund becomes available to the Collector within fifteen days.

(2) Amounts in the Relief Fund account shall be invested in fixed deposits preferably in the nationalised banks immediately, after leaving the minimum agreed balance in the Relief Fund account, in consultation with the Reserve Bank of India and standing instructions shall be given to the bankers to convert funds over and above the minimum balance to the fixed deposits.

(3) The Fund Manager shall decide the manner for splitting of fixed deposits among the bankers, the maximum and minimum limit and period of such fixed deposits.

(4) The interest on the Relief Fund shall be quarterly cumulative and shall be reinvested. The full maturity value on the fixed deposits also shall be reinvested.

(5) The Board of the Fund Manager shall approve the policy as to placement of fixed deposits and its monitoring.

(6) The Fund Manager shall submit to the Central Government the annual statement of accounts on the management of funds.

(7) The recovery of tax deducted at source on account of credit in the Relief Fund, conditions of Permanent Account Number and the legal status of funds from the point of taxation shall be decided in consultation with the Central Board of Direct Taxes and shall be binding on the Fund Manager.

7. Disbursement of relief [2](1) An application for claim for relief shall be made to the Collector in form-I and the Collector shall award the amount of relief to the claimant in Form-II.

(2) The payment of claims shall be made to all the affected persons on first come first serve basis or as may be decided by the Collector from time to time.

(3) The insurance company or Fund Manager shall ensure that the sum awarded is deposited with the Collector within thirty days of the receipt of the demand or as directed by the Collector.

(4) In case of claims exceeding the insurance liability and the Relief Fund money, the Collector shall demand the remaining relief money from the owner as arrears of land revenue or of public demand.

(5) In case the amount of award exceeds the amount payable under the insurance policy of the occupier or exceeds the liability of the insurance company, the Collector shall order the Fund Manager to pay the assessed amount from the Fund.

(6) The amount in excess of the policy so demanded shall be transferred by the Fund Manager to the Collector within a period of fifteen days or within such specified period as may be decided by the Collector. The owner shall be required to reimburse the money which was paid from the Relief Fund within a period of six months to the Collector who in turn will remit it to the Relief Fund and the Collector shall be responsible for the recovery of the amount from the owner along with interest as aforesaid as arrears of land revenue or of public demand.

(7) The Collector shall disburse this money among the claimants after taking a receipt from them in Form IV.

(8) The Collector shall furnish accounts relating to the disbursement of relief amounts under the Relief Fund within forty-five days to the Fund Manager.

(9) The Collector shall disburse the money to the claimants as soon as he receives it from the Fund Manager, and in any case not later than fifteen days from the receipt of the amount.

(10) In case where the liability is higher than the total assets or where the owner is declared insolvent, the matter shall be referred to the arbitrator to be appointed by the Central Government who would decide about the liabilities and the recovery of amount from the owner.

(11) The amount under the Relief Fund shall be used exclusively for claims admissible under the scheme.

8. Accounts and audit.[2] (1) The Fund Manager shall maintain proper accounts and other relevant records and prepare an annual statement of accounts for each State and Union Territory up to 31st March of every year showing the collection of amounts by them for crediting the said amounts into the Relief Fund.

(2) The Statement of accounts in respect of all the insurers shall be consolidated and a statement of investment and receipts shall be maintained by the Fund Manager.

(3) The accounts of the Relief Fund shall be audited by the auditor appointed by the Fund Manager in consultation with the Comptroller and Auditor-General.

(4) The Fund Manager shall prepare and forward a consolidated statement of accounts and investment details along with the audit report thereon, to the Central Government by 30th June of every year.

9. Power to relax [2] Where the Central Government is satisfied that the operation of any of the provisions of this scheme causes undue hardship to the claimants, it may, by order, for reasons to be recorded in writing, relax the requirement of that provision in a manner not inconsistent with the provisions of the Act or the rules made thereunder.

[F.No. 18-3/9 -HSMD]
Dr. G. K. Pandey
Adviser

FORM-I

(Under section 7A of the Public Liability Insurance Act, 1992)

I / we---------- -as legal representative(s) of the deceased/injured---------- hereby give undertaking that I / we shall refund the amount of relief awarded to me/us under this Act by the Claims Settlement officer to the owner in case I / we am/are awarded any other compensation or amount in lieu of or by way of satisfaction of claims for compensation in respect of death or grievous hurt to----------

----------under other provisions.

Signature of the legal representatives of the deceased/injured person.

F 0 R M - II

SERIAL NO:

Collector:

Date :

O R D E R

I hereby sanction Rs.---------- (Rupees.----------as an interim relief in respect of the death/injury of Shri / Shrimati / Km. _____resulting from chemical accident which took place at ---------- (Name of the unit & Place) on ---------- to Shri/Shrimati/Kumari ----------as the legal representative of the deceased or to ----------(Name of the injured).

Signature of the Collector

Copy to:

1. Fund Manager
2. Office of the Insurance Company
3. The Claimant
4. Collector office file
5. The Owner concerned

F 0 R M ± III

ERF Scheme under the Public Liability Insurance Act 1991

1. Control No. (To be Allotted by Fund Manager)
2. Name of Insured Owner
3. Business
4. Address
5. Territorial Limits
6. Name & Quantities of hazardous substances handled by owner
7. Address of Collector under which Territorial limit is the unit handling hazardous substance falls.
8. Annual turn-over
9. Paid up capital as defined Sec.4 (2A) of the Act (as on the date of the policy).
10. Policy Period
11. Indemnity Limit
12. Premium
13. Contribution to the Environment Relief Fund
14. Date of proposal and declaration.
15 Address of Policy Issuing: office to whom payment has been made
16. Date and particulars of payment to insurer

Date:

Place: For .....{ owner }

Name & Designation Authorised Signatory

NOTE: One copy each of the duly signed form is to be sent directly to the General Insurance Company, the District Collector or District Magistrate and Ministry of Environment and Forests by the owner and two copies are to be submitted to the 'Insurer. The insurer will send one copy to the Fund Manager duly signed along with contribution towards ERF.

F 0 R M - IV

Sanction Order NO.

Dated :

DISCHARGE RECEIPT

Received with thanks from----------Insurance Co. Ltd. a sum of Rs.----------being the interim relief under the Public Liability Insurance Act,1991 in part/full settlement of the claim for accident occurred to me/to the, deceased person----------(Name of the deceased) on ---------- (date of accident) at---------- (Name of the Place). The amount has disbursed to me vide cheque / challan No.---------- Dated---------- drawn on----------from (Name of Collector's Office).

Signature on revenue Stamp

by beneficiary/victim

******

THE PUBLIC LIABILITY INSURANCE RULES, 1991

(As amended to date)

THE PUBLIC LIABILITY INSURANCE RULES, 1991

MINISTRY OF ENVIRONMENT AND FORESTS

(Department of Environment, Forests and Wildlife)

NOTIFICATION [1]

New Delhi, the 15th May, 1991

S.O.330(E).- In exercise of the powers conferred by section 23 of the Public Liability Insurance Act, 1991, the Central Government hereby makes the following rules, namely : -

1. SHORT TITLE AND COMMENCEMENT

(1) These rules may be called the Public Liability Insurance Rules, 1991.

(2) These rules shall come into force on the date of their publication in the Official Gazette.

2. DEFINITIONS

In these rules, unless the context otherwise requires : -

(a) "Act" means the Public Liability Insurance Act, 1991 (6 of 1991)

(b) "Advisory Committee" means the committee constituted by the Central Government in accordance with section 21 of the Act called the Public Liability Insurance Advisory Committee (PLIAC) ;

(c) "Authorised physician" means any person registered under any Central Act or State Act providing for the maintenance of a register of medical practitioners or in any area where no such last mentioned Act is in force, any person declared by State Government by notification in the Official Gazette to be a qualified medical practitioner.

(d) [2]["Fund" means the Public Liability Insurance Fund established] and maintained by an owner in accordance with provision to sub-section (3) of section 4 of the Act.

(e) Words and expressions used in these rules but not defined and defined in the Act shall have the meanings respectively assigned to them in these Acts.

---

[1] Extract from the Gazette of India : Part II, Sec. 3, Sub-Sec. (ii) dated 15.5.91.

[2] Substituted by Rule 2 of the PLI(Amendment) Rules, 1993 notified vide G.S.R. 391(E), dt. 23.4.1993.

3. APPLICATION FOR RELIEF

An application for claim for relief shall be made to the Collector in Form I.

4. DOCUMENTS THAT MAY BE REQUIRED

The claim application shall be made to the Collector in Form I accompanied by such of the following documents as may be applicable.

(i) Certificate of an authorised physician regarding disability or injury or illness caused by the accident;

(ii) Death Certificate and/or post mortem report in the case of fatal accident;

(iii) Certificate of the employer regarding loss of wages due to temporary or partial disability, with proof of hospitalisation for a period exceeding three days and certificate about the date of birth or age of victim;

(iv) Medical bills and receipts;

(v) Certificate of cost of repairs or replacement of private property damaged by the accident;

(vi) Any other documents which may have relevance to the claim.

5. POWERS OF COLLECTOR

(i) The Collector may follow such summary procedure for conducting an inquiry on an application for relief under the Act, as he thinks fit.

(ii) The Collector shall have all the powers of a Civil Court for the following purposes namely : -

(a) summoning and enforcing the attendance of any person and examining him on oath;

(b) requiring the discovery and production of documents;

(c) receiving evidence on affidavits;

(d) subject to the provisions of sections 123 and 124 of the Indian Evidence Act, 1872, requisitioning any public record or document or copy of such record or document from any office ;

(e) issuing commissions for the examining of witness or documents;

(f) dismissing an application for default or proceeding ex-prate;

(g) setting aside any order of dismissal of any application for default or any order passed by it ex-parte;

(h) inherent powers of a civil court as served under section 151 of the Code of Civil Procedure, 1908.

6. ESTABLISHMENT AND ADMINISTRATION OF FUND

[1][(1) An owner seeking exemption under sub-section (3) of section 4 of the Act shall, with the prior approval of the Central Government create and maintain a Fund for an amount of Rs.5 crores or for an amount equal to the paid up capital of the undertaking handling hazardous substances, whichever is less, in the State Bank of India or any of its subsidiaries or any nationalised Bank, and which will be available readily for meeting the liability of that owner under the Act.]

(2) The fund to be created shall be utilised for the purpose of meeting the liability arising out of any claim awarded against the owner who has created the fund and to discharge the amount awarded by the Collector.

(3) The fund shall be operated by an Administrator to be nominated by the owner. The owner shall notify the nomination of the Administrator to the Central Government.

7. MISCELLANEOUS

(1) The Collector shall maintain a register of the application for relief or claim petitions, and, a register of awards and payment made thereunder.

(2) These Registers shall be kept open to Public inspection from 11.00 A.M. to 1 P.M. and 2 P.M. to 5 P.M. on every working day.

(3) On a request from a concerned person, the Collector shall supply a copy of or extract from any particulars entered in the registers mentioned above to be true copy or extract thereof.

---

1 Substituted by Rule 2 (b) of the PLI(Amendment) Rules, 1993 notified vide G.S.R. 391(E), dt. 23.4.1993.

(4) A copy of or extract from the register(s) of the Collector as certified under the hand of the Collector or any officer authorised to act in this behalf shall in all legal proceedings, be admissible as evidence as of equal validity with the original.

[1][8. DIRECTIONS

(1) Any direction issued under section 12 shall be in writing.

(2) The direction shall specify the nature of action to be taken and the time within which it shall be complied with by any owner, person, officer, authority or agency to whom such direction is given.

(3) The owner, person, officer authority or agency to whom any direction is sought to be issued, shall be served with a copy of the proposed direction and shall be given an opportunity of not less than fifteen days from the date of service of the notice to file, with an officer designated in this behalf, the objections, if any, to the issue to the proposed direction.

(4) The Government shall within a period of forty five days from the date of receipt of the objections, or from the date upto which an opportunity is given to the owner, person, officer, authority or agency to file objections, whichever is earlier after considering the objections, if any, received from the owner, person, officer, authority or agency sought to be directed and for reasons to be recorded in writing, confirm, modify or decide not to issue the proposed direction.

(5) In a case where the Government is of the opinion that in view of the likelihood of a grave injury to the public it is not expedient to provide an opportunity to file objections against the proposed direction, it may, for reasons to be recorded in writing, issue directions without providing such an opportunity.

(6) Every notice or direction required to be issued under this rule shall be deemed to be duly served.

(a) where the person to be served is a company, if the document addressed in name of the company, at its registered office or at its principal office or place of business, and is either,

(i) sent by registered post; or

(ii) delivered or affixed at some conspicuous part of the premises at its registered office or at the principal office or place of business;

---

[1] Inserted rule 8 and 9 by the Rule 2 of the PLI (Amendment) Rules, 1991 notified vide G.S.R.596(E), dated 20.9.1991.

(b) where the person to be served is an owner serving in Government, if the document is addressed to the person and a copy thereof is endorsed to his Head of the Department and also to the Secretary to the Government, as the case may be, incharge of the Department in which, for the time being, the business relating to the Department, in which the officer is employed, is transacted and is either, -

(i) sent by registered post; or

(ii) is given or tendered to him.

(c) in any other case, if the document is addressed to the person to be served, and -

(i) is given or tendered to him; or

(ii) if such person cannot be found, is affixed on some conspicuous part of his last known place or residence or business, or is given or tendered to some adult member of his family or is affixed on some conspicuous part or the land or building, if any, to which relates,or

(iii) is sent by registered post to that person.

Explanation-For the purpose of this rule : -

(a) "Company" means any body corporate and includes a firm or other association of individuals;

(b) " a Servant" not a member of the family].

[1][9. MANNER OF GIVING NOTICE

The manner of giving notice under clause (b) of section 18 shall be as follows : -

(a) The notice shall be in writing in Form II.

(b) The person giving notice may sent a copy of the same to -

(i) if the alleged offence has taken place in a Union Territory-

(a) the Central Board or the Committee/person or body of persons delegated the powers of the Central Board under the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) and

[1] Inserted rule 8 and 9 by the Rule 2 of the PLI (Amendment) Rules, 1991 notified vide G.S.R.596(E), dated 20.9.1991.

Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981); and

(b) Ministry of Environment & Forests (represented by the Secretary to the Government of India);

(ii) if the alleged offence has taken place in the State -

(a) the State Board for the Prevention and Control of Water Pollution constituted under the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974); and

(b) the Governor of the State (represented by the Secretary to the State Government incharge of Environment) ; and

(c) the Ministry of Environment & Forests (represented by the Secretary to the Government of India);

(iii) if the alleged offence has taken place in a District, the District Collector.

(a) The notice shall be sent by registered post acknowledgement due; and

(b) The period of sixty days mentioned in clause (b) of section 18 the Act, (6 of 1991) shall be reckoned from the date it is first received by one of the authorities mentioned above.]

[1][10. EXTEND OF LIABILITY

(1) Subject to the provision of sub-section (2A) of section 4 of the Act, the maximum aggregate liability of the insurer to pay relief under an award to the several claimants arising out of an accident shall not exceed rupees five crores and in case of more than one accident during the currency of the policy or one year, whichever is less, shall not exceed rupees fifteen crores in the aggregate.

(2) In awarding relief under the Act, the Collector shall ensure that the insurer's maximum liability under the Insurance Policy does not exceed the limits stipulated in sub-rule (1).

[1] ,QVHUWHG µUXOH ¶ E\ 5XOH RI WKH 3/, $PHQGPHQW 5XOHV QRWLILHG Y

(3) Any award for relief which exceeds the amounts payable under the Insurance Policy shall be met from the Relief Fund and in case of award exceeds the total of the amount of insurance and the Relief Fund, the amount which falls short of such sum payable shall by the owner.

[1][(4) Notwithstanding anything contained in sub-rule (3), where an owner is exempted under sub-section (3) of Section 4 of the Act, he shall be liable to discharge all the claims arising out of an accident.]

[2][11. CONTRIBUTION OF OWNER TO THE ENVIRONMENTAL RELIEF FUND

(1) [3][An owner unless exempted under sub-section (3) of section 4 of the Act shall contribute]to the Environmental Relief fund a sum equal to the premium payable to the insurer.

(2) Every contribution to the Environmental Relief Fund under sub-rule (1) shall be payable to the insurer, together with the amount of premium.

(3) The contribution receiving by the insurer shall be remitted as per the scheme under section 7A of the Act].

---

1 ,QVHUWHG E\ 5XOH F RI WKH 3/, $PHQGPHQW 5XOHV QRWLILHG YL 23.4.1993.

2 ,QVHUWHG E\ 5XOH RI WKH 3/, $PHQGPHQW 5XOHV QRWLILHG 9

3 Substituted by Rule 2(d) of the PLI (Amendment) Rules, 1993 notified Vide G.S.R.391(E), dated 23.4.1993.

FORM 1

FORM OF APPLICATION FOR COMPENSATION

Shri/Shrimati/Kumari*_____
Son of/daughter of /Widow* of Shri _____who died/had sustained injuries in an accident on _____ _____at _____particulars in respect of accident and other information are given below : -

1. Name and Father's name of person injured/dead (husband's name in case of married woman or widow)

2. Address of the person injured/dead.

3. Age_____ Date of Birth _____

4. Sex of the person injured/dead:

5. Place, date and time of accident:

6. Occupation of the person injured/dead:

7. Nature of injuries sustained :

8. Name and Address of Police Station in whose jurisdiction accident took place or was registered:

9. Name and Address of the Medical Officer/Practitioner who attended on the injured/dead:

10. Name and address of the Claimant/ claimants :

11. Relationship with the deceased :

12. Any other information that may be considered necessary or helpful in the disposal of the claim :

I hereby swear and affirm that all the facts noted above are true to the best of my knowledge and belief.

SIGNATURE OF THE CLAIMANT

* strike out which ever is not applicable

[1][FORM - II

FORM OF NOTICE

[See rule 9(1)]

By Registered post acknowledgement due

From *

_____
_____
_____

To,

_____
_____
_____

Notice under clause (b) of Section 18 of the Public Liability Insurance Act, 1991;

Whereas it appears to me/us that an offence under the Public Liability Insurance Act, 1991 (6 of 1991) has been committed/ is being committed by **

_____
_____
_____
_____

I/We hereby give notice of sixty days under clause (b) of section 18 of the Public Liability Insurance Act, 1991 of my/our intention to file a complaint in the court against (2)

_____
_____
_____
_____
_____

[1] Inserted by Rule 2 of the PLI (Amendment) Rules, 1991, notified vide G.S.R. 596(E), dated 20.9.1991.

for violation of section of the Public Liability Insurance Act, 1991.

I/We, in support of this notice, hereby enclose the following documents *** evidence of proof of violation of the Public Liability Insurance Act, 1991 : -

Place _____

Date _____ Signature :

* In case the notice is given in the name of a company, documentary evidence authorising the person to sign the notice shall be enclosed to this notice.

** here give the name and address of the alleged offender. In case of handling/manufacturing/processing/operating unit indicate the name of the unit/location and nature of activity,

*** Documentary evidence includes photographs/technical report/health reports of the area; relating to the alleged violation/offence.]

THE NATIONAL ENVIRONMENT TRIBUNAL ACT, 1995

(Act No. 27 of 1995)

THE NATIONAL ENVIRONMENT TRIBUNAL ACT,1995

(Act No.27 of 1995)

[17th June,1995]

An Act to provide for strict liability for damages arising out of any accident occurring while handling any hazardous substance and for the establishment of a National Environment Tribunal for effective and expeditious disposal of cases arising from such accident, with a view to giving relief and compensation for damages to persons, property and the environment and for matter connected therewith or incidental thereto.

Whereas decisions were taken at the united Nations Conference on Environment and Development held at Rio de Janeiro in June,1992, in which India participated, calling upon States to develop national laws regarding liability and compensation for the victims of pollution and other environmental damages;

And whereas it is considered expedient to implement the decisions of the aforesaid Conference so far as they relate to the protection of environment and payment of compensation for damage to persons, property and the environment while handling hazardous substances;

Be it enacted by Parliament in the Forty-Sixth Year of the Republic of India as follows :-

CHAPTER I

PRELIMINARY

1. SHORT TITLE AND COMMENCEMENT

(1) This Act may be called the National Environment Tribunal Act, 1995.

(2) It shall come into force on such date or dates as the Central Government may, by notification, appoint and different dates may be appointed for different States and any reference in any provision of this Act to the commencement of this Act shall be construed in relation to any State or Part thereof as Reference to the coming into force of that provision in that States or part thereof.

2. DEFINITIONS

In this Act, unless the context otherwise requires,-

(a) ³DFFLGHQW´ PHDQV DQ DFFLGHQW LQYROYLQJ D IRUW
occurrence while handling any hazardous substance resulting in continuous or intermittent or repeated exposure to death of, or injury to, any person or damage to any property or environment but does not include an accident by reason only of war or radio-activity;

(b) ³%HQFK´ PHDQV D %HQFK RI WKH 7ULEXQDO

(c) ³&KDLUSHUVRQ´ PHDQV WKH &KDLUSHUVRQ RI WKH 7U

(d) ³HQYLURQPHQW´ LQFOXGHV ZDWHU, air and land and the relationship which exists among and between water, air and land, and human beings, other living creatures, plants, micro-organism and property;

(e) ³KDQGOLQJ´ LQ UHODWLRQ WR any hazardous substance, means manufacture, processing, treatment, package, storage, transportation by vehicle, use, collection, destruction, conversion, offering for sale, transfer or the like of such hazardous substance;

(f) ³KD]DUGRXV VXEVWDQFH´ PHDQV any substance defined as hazardous substance in the Environment(Protection)Act,1986 (29 of 1986) and exceeding such quantity as specified by the Central Government under the Public Liability Insurance Act,1991 (6 of 1991);

(g) ³-XGLFLDO 0HPEHUV´ PHDQV a Member appointed as such under this Act, and includes the Chairperson or a Vice-Chairperson who possesses any of the qualifications specified in sub-section (3) of section 10;

(h) ³0HPEHU´ PHDQV D 0HPEHU ZKHWKHU -XGLFLDO RU 7
and includes the Chairperson and a Vice-Chairperson;

(i) ³QRWLILFDWLRQ´ PHDQV D QRWLILFDWLRQ SXEOLVKHG

(j) ³SUHVFULEHG´ PHDQV SUHVFULEHG E\ UXOHV PDGH XQ

(k) ³UXOHV´ PHDQV WKH UXOHV PDGH XQGHU WKLV $FW

(l) ³7HFKQLFDO 0HPEHU´ means a Member of the Tribunal who is not a Judicial Member within the meaning of clause(g);

(m) ³7 U L E X Q D O ´ P H D Q V W K H 1 D W L R Q D O (Q Y L U R Q P H Q W 7
section 8;

(n) ³9 L F H &K D L U S H U V R-Q Chairperson of the Tribunal. P H D Q V W K H 9 L F H

Explanation ² In the case of the Tribunal having two or more Vice-Chairpersons, references to the Vice-Chairperson in this Act shall be construed as a reference to each of those Vice-Chairperson.

(o) ³R Z Q H U means a person who owns, or has control over handling any hazardous substance at the time of accident and includes²

(i) in the case, of a firm, any of its partners;

(ii) in the case of an association, any of the members; and

(iii) In the case of a company, any of its directors, managers, secretaries or other officers who is directly in charge of, and is responsible to, the company for the conduct of the business of the company.

CHAPTER II

COMPENSATION FOR DEATH OF, OR INJURY TO, A PERSON AND DAMAGE TO PROPERTY AND ENVIRONMENT

3. LIABILITY TO PAY COMPENSATION IN CERTAIN CASES ON PRINCIPLE OF NO FAULT

(1) Where death of, or injury to, any person (other than a workman) or damage to any property or environment has resulted from an accident, the owner shall be liable to pay compensation for such death, injury or damage under all or any of the heads specified in the Schedule.

(2) In any claim for compensation under sub-section(1), the claimant shall not be required to plead and establish that the death, injury or damage in respect of which the claim has been made was due to any wrongful act, neglect or default or any person.

Explanation ² For the purposes of this section²

(i) ³Z R U N P D Q ´ K D V W K H P H D Q L Q J D V V L J Q H G W R L W L Q
Compensation Act,1923;

(ii) ³LQMXU\´ LQFOXGHV SHUPDQHQW WRWDO RU SHUPDQHQW SDUWLDO GLVDEOHPHQW RU WHPSRUDU\ WRWDO RU WHPSRUDU\ SDUWLDO GLVDEOHPHQW RU GLVHDVH UHVXOWLQJ RXW RI DQ DFFLGHQW´ means injury or sickness resulting out of an accident.

(3) If the death, injury or damage caused by an accident cannot be attributed to any individual activity but is the combined or resultant effect of several such activities, operation and processes, the Tribunal may apportion the liability for compensation amongst those responsible for such activities, operations and processes on an equitable basis.

4. APPLICATION FOR CLAIM FOR COMPENSATION

(1) An application for claim for compensation may be made

(a) by the person who has sustained the injury;

(b) by the owner of the property to which the damage has been caused;

(c) where death has resulted from the accident, by all or any of the legal representatives of the deceased;

(d) by any agent duly authorized by such person or owner of such property or all or any of the legal representatives of the deceased, as the case may be;

(e) by any representative body or organization, functioning in the field of environment and recognized in this behalf by the Central Government, under all or any of the heads specified in the Schedule; or

(f) by the Central Government or a State Government or a local authority under all or any of the heads specified in the Schedule;

Provided that where all the legal representatives of the deceased have not joined in any such application for compensation, the application shall be made on behalf of or for the benefit of all the legal representatives of the deceased and the legal representatives who have not so joined shall be impleaded as respondents to the application.

(2) The tribunal may, if it thinks fit take up the cases for claims compensation suo motu.

(3) Any claimant making an application under sub-section(1) may also make an application before the Tribunal for such relief as is provided in the Public Liability Insurance Act,1991, (6 of 1991).

Provided that no such application shall be made if the relief has been received by the claimant earlier or an application made by the claimant to the Collector under the said Act is pending and has not been withdrawn.

(4) The Tribunal shall have, and exercise, the same jurisdiction, powers and authority in respect of the matters specified in the Public Liability Insurance Act,1991(6 of 1995) as the Collector has and may exercise and, for this purpose, the provisions of that Act shall have effect subject to the modification that the references therein to the Collector shall be construed as including a reference to the Tribunal.

(5) Every application under sub-section(1) shall be made to the Tribunal and shall contain such particulars and shall be accompanied by such documents and such fee, not exceeding one thousand rupees, as may be prescribed;

Provided that no fee shall be payable by a person whose annual income is below the prescribed limit or by a representative body or organization referred to in clause(e) of sub-section(1) or by the Central Government, a State Government or a local authority.

(6) No application for compensation shall be entertained unless it is made within five years of the occurrence of the accident.

5. PROCEDURE AND POWERS OF TRIBUNAL

(1) On receipt of an application under sub-section(1) of section 4, the Tribunal may, after such inquiry as it may deem fit, reject the application summarily.

(2) Where the Tribunal does not reject the application under sub-section (1), the Tribunal may, after giving notice of the application to the owner and after giving the parties an opportunity of being heard, hold an inquiry into the claim or each of the claims and may make an award determining the amount of compensation which appears to be just and specifying the person or persons to whom such amount of compensation shall be paid.

(3) The Tribunal shall not be bound by the procedure laid down by the Code of Civil Procedure, 1908, (5 of 1908), but shall be guided by the principles of natural justice and, subject to the other provisions of this Act and of any rules, the Tribunal shall have power to regulate its own procedure including the fixing of places and times of its inquiry.

(4) The Tribunal shall have, for the purpose of discharging its functions under this Act, the same powers as are vested in a civil court under the Code of Civil Procedure, 1908(5 of 1908) while trying a suit, in respect of the following matters, namely:-

(a) summoning and enforcing the attendance of any person and examining him on oath;

(b) requiring the discovery and production of documents;

(c) receiving evidence on affidavits;

(d) subject to the provisions of section123 and 124 of the Indian Evidence Act,1872,(1 of 1872), requisitioning any public record or document or copy of such record or document from any office;

(e) issuing commissions for the examination of witnesses or documents;

(f) reviewing its decisions;

(g) dismissing an application or default or deciding it ex-parte;

(h) setting aside any order of dismissal of any application for default or any order passed by it ex-parte; and

(i) any other matter which is to be, or may be, prescribed.

6. CONDITIONS AS TO MAKING TO INTERIM ORDERS

Notwithstanding anything contained in any other provision of this Act or in any other law for the time being in force, no interim order (whether by way of injunction or stay or any other manner) shall be made on, or in any proceedings relating to, an applications unless-

(a) copies of such application and or all documents in support of the plea for such interim order are furnished to the party against whom such application is made or proposed to be made; and

(b) opportunity is given to such party to be heard in the matter.

Provided that the Tribunal may dispense with the requirement of clauses (a) and (b) and made an interim order as an exceptional measure if it is satisfied, for reasons to be recorded in writing, that it is necessary so to do for preventing any loss or damage being caused to the applicant which can not be adequately compensated in money but any such interim order shall, if it is not sooner vacated, cease to have effect on the expiry of a period of fourteen days from the date on which it is made unless the said requirements have been complied with before the expiry of that period and the Tribunal has continued the operation of the interim order.

7. REDUCTION OF AMOUNT OF RELIEF PAID UNDER ANY OTHER LAW

Where in respect of death of, or injury to, any person or damage to any property, the owner, liable to pay compensating under this Act, is also liable to pay any amount and relief under the Public Liability Insurance Act, 1991(6 of 1991) or any other compensation under any other law, the amount of compensation payable under this Act shall be reduced by the amount of relief and other compensation paid under any other law.

CHAPTER III

ESTABLISHMENT OF NATIONAL ENVIRONMENT TRIBUNAL AND BENCHES THEREOF

8. ESTABLISHMENT OF NATIONAL ENVIRONMENT TRIBUNAL

The Central Government shall, by notification, establish a Tribunal, to be known as the National Environment Tribunal, to exercise the jurisdiction, powers and authority conferred on it or under this Act.

9. COMPOSITION OF TRIBUNAL AND BENCHES THEREOF

(1) The Tribunal shall consist of a Chairperson-man and such number of Vice-Chairpersons, Judicial Members and Technical Members as the Central Government may deem fit and, subject to the other provisions of this Act, the jurisdiction, powers and authority of the Tribunal may be exercised by Benches thereof.

(2) Subject to the other provisions of this Act, a Bench shall consist of one Judicial Members and one Technical Member.

(3) Notwithstanding anything contained in sub-section (1), the Chairperson-

(a) may, in addition to discharging the functions of the Judicial Member or the Technical Member of the Bench to which he is appointed, discharge the functions of the Judicial Member or, as the case may be, the Technical Member, of any other Bench;

(b) may transfer the Vice-Chairperson or other Member from one Bench to another Bench;

(c) may authorize the Vice-Chairperson or the Judicial Member or the Technical Member appointed to one Bench to discharge also the functions of the Vice-Chairperson or, as the case may be, the Judicial Member or the Technical Member of another Bench; and

(d) may, for the purpose of securing that any case or cases which, having regard to the nature of the questions involved, requires or require, in his opinion or under the rules made by the Central Government in this behalf, to be decided by a Bench composed of more than two Members, issue such general or special orders, as he may deem fit.

Provided that every Bench constituted in pursuance of this clause shall include at least one Judicial Member and one Technical Member.

(4) Notwithstanding anything contained in the foregoing provisions of this section it shall be competent for the Chairperson or any other Member authorised by the Chairperson in this behalf to function as a Bench consisting of a single Member and exercise the jurisdiction, powers and authority of the Tribunal in respec7(or)-3(ver)-2-3( )-53(a,)-3(m) i

(a)	Chairperson of the Tribunal	Chairperson of the Committee, ex. Officio;
(b)	Secretary to the Government of India in t Ministry of Environment & Forests;	Member, ex officio ;
(c)	Secretary to the Government of India in t Ministry of Law, Justice and Company Affai (Department of Legal Affairs);	Member, ex officio;
(d)	Director General, Council of Scientific ar Industrial Research;	Member, ex officio;
(e)	an Environment to be nominated by t Central Government.	Member.

11. VICE-CHAIRPERSON TO ACT AS CHAIRPERSON OR TO DISCHARGE HIS FUNCTIONS IN CERTAIN CIRCUMSTANCES

(1) In the event of the occurrence of any vacancy in the office of the Chairperson by reason of his death, resignation or otherwise, the Vice Chairperson or as the case may be such one of the Vice-Chairpersons, as the Central Government may, by notification, authorize in this behalf, shall act as the Chairperson until the date on which anew Chairperson appointed in accordance with the provisions of this Act to fill such vacancy, enters upon his office.

(2) When the Chairperson is unable to discharge his functions owing to absence, illness of any other cause, the Vice-Chairperson or, as the case may be, such one of the Vice Chairperson, as the Central Government may, by notification, authorise in this behalf, shall discharge the functions of the Chairperson until the date on which the Chairperson resumes his duties.

12. TERM OF OFFICE

The Chairperson, Vice-Chairperson and other Member shall hold office as such for a term of five years from the date on which he enters upon his office, but shall be eligible for re-appointment for another term of five years;

Provided that no Chairperson, Vice-Chairperson or other Member shall hold office as such after he has attained

(a) in the case of the Chairperson; the age of seventy years;

(b) in the case of the Vice-Chairperson, the age of sixty five years; and

(c) in the case of any other Member, the age of sixty-two years.

13. RESIGNATION AND REMOVAL

(1) The Chairperson, Vice-Chairperson or other Member may, by notice in writing under his hand addressed to the President, resign his office.

Provided that the Chairperson, Vice-Chairperson or other Member shall unless he is permitted by the President to relinquish his office sooner, continue to hold office until the expiry of three months from the date of receipt of such notice or until a person duly appointed as his successor enters upon his office or until the expiry of his term of office, whichever is the earliest.

(2) The Chairperson, Vice-Chairperson or any other Member shall not be removed from his office except by an order made by the President on the ground of proved misbehaviour or incapacity after an inquiry made by a Judge of the Supreme Court in which such Chairperson, Vice-Chairperson or other Member had been informed of the charges against him and given a reasonable opportunity of being heard in respect of those charges.

(3) The Central Government may, by rules, regulate the procedure for the investigation of misbehaviour or incapacity of the Chairperson, Vice-Chairperson or other Member referred to in sub-section(2).

14. SALARIES AND ALLOWANCES AND OTHER TERMS AND CONDITIONS OF SERVICE OF CHAIR-PERSON, VICE-CHAIRPERSON AND OTHER MEMBERS

The salaries and allowances payable to, and the other terms and conditions of service (including pension, gratuity and other retirement benefits) of, the Chairperson, Vice-Chairperson and other Member shall be such as may be prescribed :

Provided that neither the salary and allowances nor the other terms and conditions of service of the Chairperson, Vice-Chairperson or other Member shall be varied to his disadvantage after his appointment.

15. PROVISION AS TO THE HOLDING OF OFFICES BY CHAIRPERSON, ETC. ON CEASING TO BY SUCH CHAIRPERSON, ETC

On ceasing to hold office,-

(a) the Chairperson of the Tribunal shall be ineligible for further employment either under the Government of India or under the Government of a State;

(b) the Vice-Chairperson of the Tribunal shall, subject to the other provisions of this Act, be eligible for appointment as the Chairperson of the Tribunal, but not or any other employment either under the Government of India or under the Government of a State;

(c) a Member (other than the Chairperson or Vice-Chairperson) of the Tribunal shall, subject to the other provisions of this Act, be eligible for appointment as the Chairperson, Vice-Chairperson of the Tribunal or as the Chairperson, Vice Chairperson or Member of any other Tribunal, but not for any other employment either under the Government of India or under the Government of a State;

(d) the Chairperson, Vice-Chairperson or other Member shall not appear, act or plead before the Tribunal.

Explanation² For the purposes of this section, employment under the Government of India or under the Government of a State includes employment under any local or other authority within the territory of India or under the control of the Government of India or under any corporation or society owned or enrolled by the Government.

16. FINANCIAL AND ADMINISTRATIVE POWERS OF CHAIR-PERSON

The Chairperson shall exercise such financial and administrative powers over the Benches as may be vested in him under the rules;

Provided that the Chairperson shall have authority to delegate such of his financial and administrative powers as he may think fit to the Vice-Chairperson or any other officer of the Tribunal subject to the condition that the Vice-Chairperson or such officer shall, while exercising such delegated powers, continue to act under the direction, control and supervision of the Chair-person.

17. STAFF OF THE TRIBUNAL

(1) The Central Government shall determine the nature and categories of the officers and other employees required to assist the Tribunal in the discharge of its functions and provide the tribunal with such officers and other employees as it may think fit.

(2) The officers and other employees of the tribunal shall discharge their functions under the general superintendence of the Chairperson.

(3) The salaries and allowances and conditions of service of the officers and other employee of the tribunal shall be such as may be prescribed.

18. DISTRIBUTION OF BUSINESS AMONGST THE BENCHES

(1) Where the Benches of the Tribunal are constituted, the Central Government may, from time to time, by notification, make provisions as to the distribution of the business of the Tribunal amongst the Benches and specify the matters which may be dealt with by each Bench.

(2) If any question arises as to whether any matter falls within the purview of the business allocated to a Bench, the decision of the Chairperson shall be final.

Explanation² For the removal of doubts, it is hereby declared that the expressio
³ P D W W H U V ´ L Q F O X G H V D S S O L F D W L R Q V I R U L Q W H U L P U H O L H I

CHAPTER IV

JURISDICTION AND PROCEEDINGS OF THE TRIBUNAL

19. BAR OF JURISDICTION

On and from the commencement of this Act, no Court or other authority except the Tribunal shall have, or be entitled to exercise, any jurisdiction powers or authority to entertain any application or action for any claim for compensation which may be entertained or dealt with by the Tribunal.

20. POWER OF CHAIRPERSON TO TRANSFER CASES FROM ONE BENCH TO ANOTHER

On the application of any of the parties and after notice to the parties, and after hearing such of them as he may desire to be heard, or on his own motion without such notice, the Chairperson may transfer any case pending before one Bench, for disposal, to any other Bench.

21. DECISION TO BE TAKEN BY MAJORITY

If the Members of a Bench differ in opinion on any point, the point shall be decided according to the opinion of the majority, if there is a majority, but if the Members are equally divided, they shall state the point or points on which they differ, and make a reference to the Chairperson who shall either hear the point or points himself or refer the case for hearing on such point or points by one or more of the other Members

and such point or points shall be decided according to the opinion of the majority of the Members who have heard the case including those who first heard it.

22. DEPOSIT OF AMOUNT PAYABLE FOR DAMAGE TO ENVIRONMENT

(1) Where any amount of compensation is ordered to be paid under any award by the Tribunal on the ground of any damage to environment, that amount shall be remitted to the authority specified under sub-section (3) of section 7A of the Public Liability Insurance Act,1991(6 of 1991) for being credited to the Environmental Relief Fund established under that section.

(2) The amount of compensation credited to the Environmental relief Fund under sub-section(1) may be utilized by such person or authority, in such manner and for such purposes of environment as may be prescribed.

23. EXECUTION OF AWARD OR ORDER OF TRIBUNAL

(1) An award made by the Tribunal under this Act shall be executable by the Tribunal as a decree of civil court, and for this purpose, the Tribunal shall have all the powers of a civil court.

(2) Notwithstanding anything contained in sub-section(1), the Tribunal may transmit to the Collector having jurisdiction over the area in which the accident has occurred the copy of the order made by it for payment of relief as provided in the Public Liability Insurance Act,1991 and the Collector shall execute the order in the same manner as if it were an order made by him under that Act.

(3) Where the owner against whom the award or order is made by the Tribunal fails to make the payment or deposit the amount as directed by the Tribunal within the period specified in the award or order, such amount shall be recoverable from the owner as arrears of land revenue or of public demand.

24. APPEALS

(1) Save as provided in sub-section(2) and notwithstanding anything contained in the Code of Civil Precedure,1908 (5 of 1908) or in any other law, an appeal shall lie against any award or other order, not being an interlocutory order, of the tribunal to the Supreme Court on one or more of the grounds specified in section 100 of that Code.

(2) No appeal shall lie against an award or other order made by the Tribunal with the consent of the parties.

(3) Every appeal under this section shall be preferred within a period of ninety days from the date of the award or other order appealed against;

Provided that no appeal by the person who is required to pay any amount in terms of such award shall be entertained by the Supreme Court unless he has deposited with it the amount so awarded in the manner directed by the Supreme Court.

Provided further that the Supreme Court may entertain the appeal after the expiry of the said period of ninety days, if it is satisfied that the appellant was prevented by sufficient cause from preferring the appeal in time.

CHAPTER V

MISELLANEOUS

25. PENALTY FOR FAILURE TO COMPLY WITH ORDERS OF TRIBUNAL

Whoever fails to comply with any order made by the Tribunal, he shall be punishable with imprisonment for a term which may extend to three years, or with fine which may extend to ten lakh ruppes, or with both.

26. OFFENCES BY COMPANIES

(1) Where any offence under this Act has been committed by a company, every person who, at the time the offence was committed, was directly in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against the punished accordingly;

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section(1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or convenience of or is a attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation-For the purposes of this section,-

(a) ³FRPSDQ\´ PHDQV DQ\ ERG\ FRUSRUDWH DQG LQFO
association of individuals; and

(b) ³GLUHFWRU´ LQ UHODWLRQ WR D ILUP PHDQV D SD

27. PROCEEDINGS BEFORE THE TRIBUNAL TO BE JUDICIAL PROCEEDINGS

All proceedings before the Tribunal shall be deemed to be judicial proceedings within the meaning of sections 193,219 and 228 of the Indian Penal Code(45 of 1960).

28. MEMBERS AND STAFF OF TRIBUNAL TO BE PUBLIC SERVANTS

The Chairperson, Vice-Chairperson and other Members and the officers and other employees of the Tribunal shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code(45 of 1960).

29. PROTECTION OF ACTION TAKEN IN GOOD FAITH

No suit, prosecution or other legal proceeding shall lie against the Central Government or against the Chairperson, Vice-Chairperson or other Member of the Tribunal or any other person authorised by the Chairperson, Vice-Chairperson or other Member for anything which is in good faith done or intended to be done in pursuance of this Act or any rule or order made thereunder.

30. ACT TO HAVE OVERRIDING EFFECT

Save as provided in the Public Liability Insurance Act,1991, the provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act.

31. POWER TO MAKE RULES

(1) The Central Government may, by notification, make rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-

(a) the particulars which an application shall contain, the documents and the fee which shall be accompanied with it and the limit of annual income of a person so as to enable him to make application without paying any fee, under sub-section(5) of section 4;

(b) any such matter in respect of which the Tribunal shall have powers of a civil court, under clause (i) of sub-section (4) of section 5;

(c) the case or cases which, having regard to the nature of the questions involved, requires or require to be decided by a Bench of more than two members, under clause (d) of sub-section (3) of section 10;

(d) procedure for the investigation of misbehavior or incapacity of the Chairperson, Vice-Chairperson or other Member of the Tribunal under sub-section(3) of section 13;

(e) the salaries and allowances payable to, and the other terms and conditions of service of, the Chairperson, Vice-Chairperson and other Member under section 14;

(f) financial and administrative powers of the Chairperson over the Benches under section 16;

(g) the salaries and allowances and conditions of service of the officers and other employees of the Tribunal under sub-section (3) of section 17;

(h) the person or the authority by whom, the manner in which and the purposes of environment for which the amount of compensation credited to the Environmental Relief Fund shall be utilized under sub-section(2) of section 22; and

(i) any other matter which is required to be, or may be, prescribed.

(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid both Houses agree in making any modification in the rule or both House agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

THE SCHEDULE
[See section 3(1)]

HEADS UNDER WHICH COMPENSATION FOR DAMAGES MAY BE CLAIMED

(a) Death;

(b) Permanent, temporary, total or partial disability or other injury or sickness;

(c) Loss of wages due to total or partial disability or permanent or temporary disability;

(d) Medical expenses incurred for treatment of injuries or sickness;

(e) Damages to private property;

(f) Expenses incurred by the Government or any local authority in providing relief, aid and rehabilitation to the affected persons;

(g) Expenses incurred by Government for any administrative or legal action or to cope with any harm or damage, including compensation for environmental degradation and restoration of the quality of environment;

(h) Loss to Government of Local Authority arising out of, or connected with, the activity causing any damage;

(i) Claims on account of any harm, damage or destruction to the fauna including mileh and draught animals and aquatic fauna;

(j) Claims on account of any harm, damage or destruction to flora including aquatic flora, crops, vegetables, trees and orchards;

(k) Claims including cost of restoration on account of any harm or damage to environment including pollution of soil, air, water, land and eco-systems;

(l) Loss and destruction of any property other than private property;

(m) Loss of business or employment or both;

(n) Any other claim arising out of or connected with, any activity of handling of hazardous substance.

THE NATIONAL ENVIRONMENT APPELLATE AUTHORITY ACT, 1997

(Act No.22 of 1997)

THE NATIONAL ENVIRONMENT APPELLATE AUTHORITY ACT, 1997

(Act No.22 of 1997)

[Dated 26.3.1997]

An Act to provide for the establishment of a National Environment Appellate Authority to hear appeals with respect to restriction of areas in which any industries, operations or processes or class of industries, operations or processes shall not be carried out or shall be carried out subject to certain safeguards under the Environment (Protection)Act,1986 and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Forty-eighth Year of the Republic of India as follows:

CHAPTER I

PRELIMINARY

1. SHORT TITLE AND COMMENCEMENT

(1) This Act may be called the National Environment Appellate Authority Act, 1997.

(2) It shall be deemed to have come into force on the 20th day of January,1997.

2. DEFINITIONS

In this Act, unless the context otherwise requires

(a) ³$FW´ PHDQV WKH (QYLURQPHQW 3URWHFWLRQ $FW 1986 (29 of 1986);

(b) ³$XWKRULW\´ PHDQV WKH 1DWLRQDO (QYLURQPHQW $SSHOODWH $XWKRULW\ established under sub-section(1) of section 3;

(c) ³&KDLUSHUVRQ´ PHDQV WKH &KDLUSHUVRQ RI WKH $XWKRULW\

(d) ³0HPEHU´ PHDQV D 0HPEHU RI WKH $XWKRULW\

(e) ³SUHVFULEHG´ PHDQV SUHVFULEHG E\ UXOHV made under this Act;

(f) ³9LFH&KDLUSHUVRQ´ PHDQV WKH 9LFH&KDLUSHUVRQ RI WKH $XWKRULW\

CHAPTER II

ESTABLISHMENT OF AUTHORITY

3. ESTABLISHMENT OF AUTHORITY

(1) The Central Government shall, by notification in the Official Gazette, establish a body to be known as the National Environment Appellate Authority to exercise the powers conferred upon, and to perform the functions assigned to, it under this Act.

(2) The head office of the Authority shall be at Delhi.

4. COMPOSITION OF AUTHORITY

The Authority shall consist of a Chairperson, a Vice Chairperson and such other Members not exceeding three, as the Central Government may deem fit.

5. QUALIFICATIONS FOR APPOINTMENT AS CHAIRPERSON, VICE-CHAIRPERSON OR MEMBER

(1) A person shall not be qualified for appointment as a Chairperson unless he has been-

(a) a Judge of the Supreme Court; or

(b) the Chief Justice of a High Court.

(2) A person shall not be qualified for appointment as a Vice-Chairperson unless he has-

(a) for at least two years held the post of a Secretary to the Government of India or any other post under the Central or State Government carrying a scale of pay which is not less than that of a Secretary to the Government of India; and

(b) expertise or experience in administrative, legal, managerial or technical aspects of problems relating to environment.

(3) A person shall not be qualified for appointment as a Member unless he has professional knowledge or practical experience in the areas pertaining to conservation, environment management, law or planning and development.

(4) The Chairperson, the Vice-Chairperson and the Members shall be appointed by the President.

6. VICE ±CHAIRPERSON TO ACT AS CHAIRPERSON OR TO DISCHARGE HIS FUNCTIONS IN CERTAIN CIRCUMSTANCES

(1) In the event of the occurrence of any vacancy in the office of the Chairperson by reason of his death, resignation of otherwise, the Vice-Chairperson shall act as the Chairperson until the date on which a new Chairperson appointed in accordance with the provisions of this Act to fill such vacancy enters upon his office.

(2) When the Chairperson is unable to discharge his functions owing to absence, illness or any other cause, the Vice-Chairperson or, as the case may be such one of the Member as the Central Government may, by notification, authorise in this behalf, shall discharge the functions of the Chairperson until the date on which the Chairperson resumes his duties.

7. TERM OF OFFICE

The Chairperson, Vice-Chairperson or a Member shall hold office as such for a term of three years from the date on which he enters upon his office, but shall be eligible for re-appointment for another term of three years.

Provided that no Chairperson, Vice-Chairperson or Member shall hold office as such after he has attained,

(a) in the case of the Chairperson, the age of seventy years; and

(b) in the case of the Vice-Chairperson or a Member, the age of sixty-five years.

8. RESIGNATION AND REMOVAL

(1) The Chairperson, the Vice-Chairperson or a Member may, by notice in writing under his hand addressed to the President resign his office.

Provided that the Chairperson, the Vice-Chairperson or a Member shall, unless he is permitted by the President to relinquish his office sooner, continue to hold office until the expiry of three months from the date of receipt of such notice or until a person duly appointed as his successor enters upon his office or until the expiry of his terms of office, whichever is the earliest.

(2) The Chairperson, the Vice-Chairperson or a Member shall not be removed from his office except by an order made by the President on the ground of proved misbehaviour or incapacity after an inquiry made by a judge of the Supreme Court in which such Chairperson, the Vice-Chairperson or a Member had been informed of the charges against him and given a reasonable opportunity of being heard in respect of those charges.

(3) The President may suspend from office the Chairperson, the Vice-Chairperson or a Member in respect of whom a reference has been made to the Supreme Court under sub-section(2) until the President has passed orders on receipt of the report of the Supreme Court on such reference.

(4) The Central Government may, by rules, regulate the procedure for the investigation of misbehaviour or incapacity of the Chairperson, the Vice-Chairperson or a Member referred to in sub-section (2).

9. SALARIES AND ALLOWANCES AND OTHER TERMS AND CONDITIONS OF SERVICE OF CHAIRPERSON, VICE-CHAIRPERSON AND MEMBERS

The salaries and allowances payable to, and the other terms and conditions of service (including pension, gratuity and other retirement benefits) of, the Chairperson, the Vice-Chairperson and the Members shall be such as may be prescribed by the Central Government.

10. VACANCY IN AUTHORITY NOT TO INVALIDATE ACTS OR PROCEEDINGS

No act or proceedings of the Authority shall be questioned or shall be invalid merely on the ground of existence of any vacancy or defect in the establishment of the Authority.

CHAPTER III

JURISDICTION AND POWERS OF AUTHORITY

11. APPEALS TO AUTHORITY

(1) Any person aggrieved by an order granting environmental clearance in the areas in which any industries, operations or processes or class of industries, operation and processes shall not be carried out or shall be carried out subject to certain safeguards may, within thirty days from the date of such order, prefer an appeal to the Authority in such form as may be prescribed.

Provided that the Authority may entertain any appeal after the expiry of the said period of thirty days but not after ninety days from the date of aforesaid if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(2) For purposes of sub-section (1), persons are

(a) any person who is likely to be affected by the grant of environmental clearance;

(b) any person who owns or had control over the project with respect to which an application has been submitted for environmental clearance;

(c) any association of persons(whether incorporated or not)likely to be affected by such order and functioning in the filed of environment;

(d) the Central Government, where the environmental clearance is granted by the State Government and the State Government, where the environmental clearance is granted by the Central Government; or

(e) any local authority, any part of whose local limits is within the neighborhood of the area wherein the project is proposed to be located.

(3) On receipt of an appeal preferred under sub-section(1), the Authority shall, after giving the appellant an opportunity of being heard, pass such orders, as it thinks fit.

(4) The Authority shall dispose of the appeal within ninety days from the date of filing the appeal.

Provided that the Authority may for reasons to be recorded in writing, dispose of the appeal within a further period of thirty days.

12. PROCEDURE AND POWERS OF AUTHORITY

(1) The Authority shall not be bound by the procedure laid down in the Code of Civil Procedure,1908(5 of 1908), but shall be guided by the principles of natural justice and subject to the other provisions of this Act and of any rules made by the Central Government, the Authority shall have power to regulate its own procedure including the fixing of places and times of its inquiry and deciding whether to sit in public or in private.

(2) The Authority shall have, for the purpose of discharging its functions under this Act, the same powers as are vested in a civil court under the Code of Civil Procedure,1908(5 of 1908), while trying a suit, in respect of the following matters, namely:-

(a) summoning and enforcing the attendance of any person and examining him on oath;

(b) requiring the discovery and production of documents;

(c) receiving evidence on affidavits;

(d) subject to the provisions of sections 123 and 124 of the Indian Evidence Act,1872(1 of 1872) requisitioning any public record or document or copy of such record or document from any office;

(e) issuing commissions for the examination of witnesses or documents;

(f) reviewing its decisions;

(g) dismissing a representation for default or deciding it ex parte;

(h) setting aside any order of dismissal of any representation for default or any order passed by it ex parte; and

(i) any other matter which is required to be, or may be, prescribed by the Central Government.

13. FINANCIAL AND ADMINISTRATIVE POWERS OF CHAIRPERSON

The Chairperson shall exercise such financial and administrative powers as may be vested in him under the rules.

Provided, that the Chairperson shall have authority to delegate such of his financial and administrative powers as he may think fit to the Vice-Chairperson or any other officer subject to the condition that the Vice-Chairperson or such other officer shall, while exercising such delegated powers, continue to act under the direction, control and supervision of the Chairperson.

14. STAFF OF AUTHORITY

(1) The Central Government shall determine the nature and categories of the officers and other employees required to assist the Authority in the discharge of its functions and provide the Authority with such officers and other employees as it may think fit.

(2) The officers and other employees of the Authority shall discharge their functions under the general superintendence of the Chairperson.

(3) The salaries and allowances and conditions of service of the officers and other employees shall be such as may be prescribed.

CHAPTER IV

MISCELLANEOUS

15. BAR OF JURISDICTION

With effect from the date of establishment of the Authority, no civil court or other authority shall have jurisdiction to entertain any appeal in respect of any matter with which the Authority is empowered by or under this Act.

16. PROCEEDINGS BEFORE THE AUTHORITY TO BE JUDICIAL PROCEEDINGS

All proceedings before the Authority shall be deemed to the judicial proceedings within the meaning of sections 193,219 and 228 of the Indian Penal Code(45 of 1860).

17. MEMBERS AND STAFF OF AUTHORITY TO BE PUBLIC SERVANTS

The Chairperson, the Vice-Chairperson and the Members and the officers and employees of the Authority shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code(45 of 1860).

18. PROTECTION OF ACTION TAKEN IN GOOD FAITH

No suit, prosecution or other legal proceeding shall lie against the Central Government or against the Chairperson, the Vice-Chairperson or a Member of the Authority or any other person authorised by the Chairperson, the Vice-Chairperson or a Member for anything which is in good faith done or intended to be done in pursuance of this Act or any rule or order made thereunder.

19. PENALTY FOR FAILURE TO COMPLY WITH ORDERS OF AUTHORITY

Whoever fails to comply with any order made by the Authority, he shall be punishable with imprisonment for a term which may extend to seven years, or with fine which may extend to one lakh rupees, or with both.

20. OFFENCES BY COMPANIES

(1) Where any offence under this Act has been committed by a company, every person who, at the time the offence was committed, was directly in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he has exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section(1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation--- For the purpose of this section—

(a) ³FRPSDQ\´ PHDQV DQ\ ERG\ RI LQGLYLGXDOV ZKHWKHU LQFRUSRUDWHG RU QRW DQG LQFOXGHV DQ\ firm or other association of individuals; and

(b) ³GLUHFWRU´ LQ UHODWLRQ WR D ILUP PHDQV D SDUWQHU

21. POWER TO REMOVE DIFFICULTIES

(1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty.

Provided that no such order shall be made after the expiry of the period of three years from the date on which this Act receives the assent of the President.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before each House of Parliament.

22. POWER TO MAKE RULES

(1) The Central Government may, by notification make rules for carrying out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-

(a) the procedure under sub-section(4) of section 8 for the investigation of misbehaviour or incapacity of the Chairperson, the Vice-Chairperson or a Member;

(b) the salaries and allowances payable to and the other terms and conditions of service of the Chairperson, the Vice-Chairperson and the Members under section 9;

(c) the form which an appeal shall contain under sub-section(1) of section 11;

(d) financial and administrative powers of the Chairperson under section 13;

(e) the salaries and allowances and conditions of service of the officers and other employees of the Authority;

(f) any other matter which is required to be, or may be, prescribed.

(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effected only in such modified form or be of no effect, as the case may be; so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rules.

23. REPEAL AND SAVING

(1) The National Environment Appellate Authority Ordinance, 1997 (35 of 1997) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Act, shall be deemed to have been done or taken under the corresponding provisions of this Act.

STATEMENT OF OBJECTS AND REASONS

Clause (v) of sub-section(2) of section 3 of the Environment(Protection)Act,1986 empowers the Central Government to impose restrictions in the areas in which any industries, operations or class of industries, operations or processes shall not be carried out or shall be carried out subject to certain safeguards. In view of recent pronouncements by the Supreme Court in certain public interest litigation cases involving environmental issues, it was considered necessary to set up an independent body for quick redressal of public grievances. Consequently, an Ordinance was promulgated providing for the establishment of a National Environment Appellate Authority to deal with petitions, complaints, representations or appeals against the grant of environmental clearance to projects.

2. The Bill seeks to replace the aforesaid Ordinance.

3 5 (6 , ' (1 7 ¶ 6 RECOMMENDATION UNDER ARTICLE 117 OF THE CONSTITUTION OF INDIA

[Copy of letter No.23(2)/97-PL, dated the 21st February 1997 from Shri Saifuddin Soz, Minister of Environment and Forests to the Secretary-General, Lok Sabha]

The President, having been informed of the proposed Bill for the establishment of a National Environment Appellate Authority to hear appeals with respect to restriction of areas in which any industries, operations or process or class of industries, operations or processes shall not be carried out or shall be carried out subject to certain safeguards under the Environment(Protection)Act,1986 and for matters connected therewith or incidental thereto, accords his previous sanction to the introduction of the National Environment Appellate Authority Bill,1997 under articles 117(1) and consideration of the Bill under article 117(3) of the Constitution in Lok Sabha.

MEMORANDUM REGRDING DELEGATED LEGISLATION

Clause 22 of the Bill empowers the Central Government to make rules by notification to carry out the provisions of the Act. The matters in respect of which such rules may be made are specified therein. These matters relate, inter alia, to the procedure for the investigation of misbehavior or incapacity of the Chairperson, the Vice-Chairperson or a Member, the financial and administrative powers of the Chairperson, the form of appeal, the terms and conditions of service of Chairperson, the Vice-Chairperson and the Members and other officers and employees of the Authority.

2. The matters in respect of which rules may be made are matters of administrative details and procedure and, as such, the delegation of legislative power is of a normal character.

Statement explaining the circumstances which necessitated the promulgation of the National Environment Appellate Authority Ordinance, 1997

In view of recent pronouncements by the Supreme Court in certain public interest litigation cases involving environmental issues, it was considered necessary to take immediate steps to set up an independent body for quick redressal of public grievances. Accordingly, it was proposed to provide for the setting of a National Environmental Appellate Authority to deal with petitions, complaints, representations and appeals against the decisions of the competent authorities granting environmental clearances to developmental projects under the provisions of the Environment (Protection) Act, 1986. Since the matter was very urgent, the National Environment Appellate Authority Ordinance was promulgated.

THE NATIONAL ENVIRONMENT APPELLATE AUTHORITY (APPEAL) RULES, 1997

THE NATIONAL ENVIRONMENT APPELLATE AUTHORITY (APPEAL) RULES, 1997

[11th November, 1997]

[1]S.O.775(E)--In exercise of the powers conferred by section 22 of the National Environment Appellate Authority Act(22 of 1997), the Central Government hereby makes the following rules, namely:-

1. SHORT TITLE AND COMMENCEMENT. [2]

(1) These rules may be called the National Environment Appellate Authority(Appeal)Rules,1997.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. DEFINITIONS. [2]

In these Rules unless the context otherwise requires

(a) [3]$FW´ PHDQV WKH 1DWLRQDO (QYLURQPHQW $SSHO

(b) [3]DSSHDO´ means a memorandum of appeal to the Appellate Authority filed under sub-section (1) of section 11 of the Act;

(c) [3]DSSHOODQW´ PHDQV D SHUVRQ ZKR SUHIHUV DQ D sub-section(1) of section 11 of the Act and also includes the authorised representative of the appellant;

(d) [3]DXWKRULVHG UHSUHVHQWDWLYH´ PHDQV DQ\ SHUV the appellant or the respondent, as the case may be, to represent him before the Authority;

(e) [3]$XWKRULW\´ PHDQV WKH 1DWLRQDO (QYLURQPH constituted under the Act;

(f) [3]PHPEHU´ PHDQV D PHPEHU RI WKH DXWKRULW\ Chairperson and Vice-Chairperson thereof;

(g) [3]SDUW\´ LQ UHODWLRQ WR DQ DSSHDO PHDQV DQ D WKH H[SUHVVLRQ [3]SDUWLHV´ VKDOO EH FRQVWUXH respondent;

(h) [3]5HJLVWUDU´ PHDQV WKH SULQFLSDO DGPLQLVWUDV

---

[1] As published in the Gazette of India, Extraordinary Part II, Sub-Sec. 3(ii), dt.11.11.1997.

(i) ³VHFWLRQ´ PHDQV VHFWLRQ RI WKH $FW

(j) Words and phrases not defined in these rules but defined in the National Environment Appellate Authority Act,1997 shall have the same meaning respectively assigned to them in the Act.

3. LANGUAGE OF THE AUTHORITY. ±

(1) The pleadings before the Authority may, at the option of the respective parties, be in English or in Hindi.

(2) All Orders and other proceedings of the Authority may, at the option of the Authority, be in English or in Hindi.

4. HEAD QUARTERS OF THE AUTHORITY.-

(1) The head quarters of the Authority shall be at Delhi.

(2) Appeals may be heard at the head quarters or at the discretion of the Chairperson, at any other place.

(3) The office of the Authority shall observe such public and other holidays as are observed by the offices of the Central Government.

5. FORM OF MEMORANDUM OF APPEAL AND ITS PRESENTATION BEFORE THE AUTHORITY.-

(1) Memorandum of appeal to be presented to the Authority shall be in AForm- specified in these rules and shall contain the particulars required thereunder. The Memorandum of Appeal shall be in English or in Hindi and shall set forth concisely and under distinct heads, the grounds of appeal without any argument or narrative and such grounds shall be numbered consecutively.

(2) Every Memorandum of appeal shall be presented by the appellant in person, or when there are more appellants than one, by any of them, or by his authorised representative before the Registrar or any other officer authorised in this behalf by the Chairman or may be sent by registered post with acknowledgment due addressed to the Registrar.

(3) Where Memorandum of Appeal is sent by registered post, the date of receipt of the said Memorandum at the Head Office, as endorsed by either of them, shall be taken as the date of filing of the appeal by the appellant.

(4) Where there is a delay in the presentation of the memorandum of appeal before the Authority, such memorandum of appeal shall be accompanied by a separate application for condonation of delay and the supporting affidavit of such application.

(5) Every memorandum of appeal and the attested copy of the order appealed against and the application for condonation of delay and the supporting affidavit to be filed before the Authority shall be accompanied by five sets of their copies for the Authority and one set of copies for each of the Respondents.

(6) In every appeal, the competent authority which passed the order appealed against, shall be impleaded as one of the respondents.

6. REGISTRATION OF APPEAL.-

(1) Every Memorandum of Appeal duly filed under these rules shall be registered as an appeal filed before the Authority and numbered by the Registrar. If the appeal is registered and numbered or if not so registered or numbered, the appellant or his representative shall be informed accordingly by an intimation sent in this regard by the Registrar or other authorised officer within fifteen days of the receipt of the appeal. If the intimation so sent is of non-registering and non-numbering, it shall be in Form- specified to these rules and time not exceeding thirty days shall be given for removing of such causes. On removal of such causes the appeal shall be registered and numbered and intimation given.

(2) After registration and numbering of the appeal, notices of appeal alongwith the set of copies of memorandum of appeal and other annexures thereto, shall be sent to every respondent, under registered post, acknowledgment(s) due, intimating the date and place of hearing of the appeal by the Authority. Intimation of the date and place of hearing of the appeal shall also be given to appellant or his representative by registered post with acknowledgment due. In addition to above, such intimations shall also be given to parties, under certificate of posting duly addressed, as found in the Memorandum of Appeal. Due service of such notices shall be presumed by the Authority if sent to addressees, found in the Memorandum of appeal, before fifteen days from the date fixed for hearing.

(3) Notices of intimation to be sent to the parties by the Authority shall be in Form µ & ¶ V S H F L I L H G W R W K H V H U X O H V

7. ADJOURNMENT.-

The Authority may adjourn the hearing of the appeal and intimate the parties to appear on the next date and place of hearing of the appeal.

8. CLUBBING OF APPEALS.-

Appeals against a common order, can be clubbed and heard together by the Authority.

9. DEFAULT OF APPEARANCE OF PARTIES AT THE HEARING. -

When the appellant or his representative fails to be present at the hearing of the appeal before the Authority, the appeal may be dismissed for such default of appearance or may be decided ex-parte. Similarly, when the respondent or his representative does not appear at the hearing of the appeal, the appeal may be heard ex-parte and decided finally. Where the appeal is dismissed for default of appearance or the appeal is allowed ex-parte, the order so made may be set aside, if the defaulting party shows sufficient cause for non-appearance by filing an application supported by affidavit, with the required number of copies given for the Authority and served on opposing parties and appeal heard afresh with notice to all parties and decided on merits.

10. PROCEEDINGS OPEN TO PUBLIC.-

Hearing of the appeals by the Authority shall be open to public unless otherwise ordered by the Chairperson for security or other reasons.

11. ORDERS OF THE AUTHORITY. -

After hearing of the appeals, the orders of the Authority may be pronounced on the same day or may postponed to a future date. Where the order is postponed, the same shall be delivered on the date to be fixed for the purpose by the Authority and copies thereof shall be sent to parties to the appeal by the Registrar or any other authorised officer.

12. ORDERS OF THE AUTHORITY AND TIME-FRAME FOR DISPOSAL OF APPEAL.-

(1) The Authority shall dispose of the appeal within ninety days from the date of ILOLQJ RI WKH DSSHDO 3 y may for reasons to be recorded in writing, extend it by a further period of thirty days. Every order of the Authority disposing of an appeal finally shall be in writing, signed and dated by the Chairperson, or Vice Chairperson and Member or Members, who have heard the appeal.

(2) Where the order of the Authority finally disposing of the appeal is unanimous, an order shall be pronounced by the Authority.

(3) If the members of the authority differ in opinion on any point, the point shall be decided according to the opinion of the majority, if there is a majority, but if the members are equally divided, they shall state the point or points on which, they differ and make a reference to the Chairperson of the Authority and his opinion on the point shall be the opinion of the majority.

(4) No order of the Authority shall be questioned on the ground merely of the existence of any vacancy or defect in the constitution of the Authority or any defect in the appointment of a person acting as the member of the Authority.

13. ADDITIONAL EVIDENCE.-

If at any stage of hearing of the appeal, the Authority considers that additional evidence needs to be taken by if for a proper disposal of the appeal, it can either take on record such evidence directly or obtain the same from the authority against the order of which the appeal is filed.

14. PRINCIPLES OF NATURAL JUSTICE.-

When there are no specific rules governing the hearing of the appeal, Principles of Natural Justice shall be observed.

FORM-A

[See rule 6(1)]

BEFORE THE NATIONAL ENVIRONMENT APPELLATE AUTHORITY,
NEW DELHI

MEMORANDUM OF APPEAL

(Under Section 13(1) of National Environment Appellate Authority Act,1997)

$ S S H D O 1 R « « « « « R I « « «

Between :

1.
2.

« $ S S H O O D Q W V

And

1.
2.

« 5 H V S R Q G H Q W V

1) The address/es of the Appellant/s is/are as given above for the service of Q R W L F H V R I W K L V D S S H D O D Q G W K D W R I W K H L U U H S U H V H Q W

2) The address/es of the Respondent/s is/or as given above for service of notices of t K H D S S H D O « « « « «

« « « « « « « « « « « « « « «
Signature of Appellant/s

« « « « « « « « « « « « « « «
Signature of Authorised
Representative of Appellant/s

Verification

, « « « « « « « « « « « « «

FORM-B

[See rule 6(1)]

BEFORE THE NATIONAL ENVIRONMENT APPELLATE AUTHORITY
NEW DELHI

$ S S H D O 1 R « « « « « « R I « « « « «

Between :

1.

2.

« « « « $ S S H O O D Q W V

And

1.

2.

« « « 5 H V S R Q G H Q W V

Notice

< R X K D Y H I L O H G W K H D E R Y H D S S H D O D J D L Q V W W K H R U G granting environmental clearance in favour of Respondent/s

On scrutinizing of appeal the following defects are noticed :

1.

2.

3.

4.

3 O H D V H Q R W H W K D W D E R Y H G H I H F W V D U H W R E H U H P R Y appeal has to be registered for hearing and disposal. You may also note that if the defects are not so removed the appeal will be placed for orders of rejection before the Appellate Authority.

Seal

Signature of Registrar
Or Authorised Officer

FORM-C

[See rule 6(3)]

BEFORE THE NATIONAL ENVIRONMENT APPELLATE AUTHORITY
NEW DELHI

$ S S H D O 1 R « « « « « « R I « « « « « «

Between :

1.

2.

« « « « $ S S H O O D Q W V

And

1.

2.

« « « 5 H V S R Q G H Q W V

Notice

Please take notice that the above appeal filed by the Appellant/against order G D W H G « « « « R I 5 H V S R Q G H Q W « « « « « « J U D Q W L Q J H Q Y L U R Q P H Q W of Respondents. National Environment Appellate Authority at premises 1 R « « « « « «

The copies of the appeal memorandum and other annexures filed along with it are sent to you for your reference.

Please note that if you fail to appear on the said date or other subsequent date of hearing of the appeal by the Authority, the appeal would be disposed of finally by placing you ex-parte.

Seal

Signature of Registrar Or
Authorised Officer