

POLLUTION CONTROL LAW SERIES:
PCLS/02/2021

**POLLUTION CONTROL ACTS,
RULES & NOTIFICATIONS ISSUED
THEREUNDER**



CENTRAL POLLUTION CONTROL BOARD
(Ministry of Environment, Forest & Climate Change, Government of India)

Parivesh Bhawan, East Arjun Nagar, Delhi – 110032

Website: <http://www.cpcb.nic.in>

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Published by	:	Dr. Prashant Gargava, Member Secretary, Central Pollution Control Board, Delhi-110032
Compilation of Law Series	:	Shri G. Rambabu, Scientist-D & Divisional Head, Law Shri A. N. Tripathi, Law Officer,
Word Processing, Page Setting & Typing Assistance	:	Dr. Gargi Biswas, Research Associate, Ms. Niti Choudhary, Assistant (Legal), and Shri Ankur Mishra, Office Assistant
Printing under Supervision of	:	Shri Montu Chaoudhury, Scientist-E & DH, PR and Shri Satish Kumar, Publication Assistant

शिव दास मीना, भा.प्र.से.
अध्यक्ष

Shiv Das Meena, I. A. S.
Chairman



केन्द्रीय प्रदूषण नियंत्रण बोर्ड

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार

CENTRAL POLLUTION CONTROL BOARD

MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA

FOREWORD TO SEVENTH EDITION

The seventh edition of Pollution Control Law Series (PCL Series) of Central Pollution Control Board on "Pollution Control Acts, Rules and Notifications issued thereunder" is being published following 1989, 1992, 1994, 2001, 2006 and 2010 publications. Since the publication of the sixth edition, several enactments and notifications have been issued by the concerned Ministries, which include the following:

1. The National Green Tribunal Act, 2010.
2. The Bio-Medical Waste Management Rules, 2016
3. The Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016
4. The Solid Waste Management Rules, 2016
5. The E-Waste (Management) Rules, 2016
6. The Plastic Waste Management Rules, 2016
7. The Construction and Demolition Waste Management Rules, 2016
8. The Regulation of Lead Contents in Household and Decorative Paints Rules, 2016
9. The Regulation of Polychlorinated Biphenyls Order, 2016
10. The Wetlands (Conservation and Management) Rules, 2017
11. The Regulation of Persistent Organic Pollutants Rules, 2018

Besides, Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and Environmental (Protection) Act, 1986 and amendments made thereof from time to time have been incorporated. The recently notified new as well as revised industry specific standards have also been incorporated in this edition.

Present edition of "*Pollution Control Acts, Rules and Notifications*" has been possible due to dedicated efforts made by my colleagues Shri G. Rambabu, Scientist-D & Divisional Head, Law and Shri Avnish Nath Tripathi, Law Officer under the guidance of Dr. Prashant Gargava, Member Secretary. The word processing, page setting and typing work was done by Dr. Gargi Biswas, Research Associate, Ms. Niti Choudhary, Assistant (Legal) and Shri Ankur Mishra, Office Assistant.

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.

I hope this Seventh edition will serve as a useful ready reckoner to all concerned.

(Shiv Das Meena)

Delhi
08 April, 2021



'परिवेश भवन' पूर्वी अर्जून नगर दिल्ली-110 032, भारत

'Parivesh Bhawan', East Arjun Nagar, Delhi-110 032, India

Tel. +91-11-22307233, Tele Fax : +91-11-22304948, e-mail: ccb.cpcb@nic.in

FORWARD 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 several Rules have been issued by the Ministry of Environment & Forests after 2006 PCL Series publication viz. the industry specific standards on Sponge Iron Plant (Rotary Kiln), Common Hazardous Waste Incinerator, Incinerator for Pesticide Industry, Refractory Industry, Cashew Seed Processing Industry, and Plaster of Paris Industry notified and added in Schedule-I of the Environment (Protection) Rules, 1986, and the Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008 besides the National Ambient Air Quality Standards 2009 which is included in Schedule VII of the Environment (Protection) Rules, 1986.

The amended Environment Impact Assessment, 2006, National Ganga River Conservation Authority, recently constituted Ganga River Conservation Authorities of the States of U.P., West Bengal, Jharkhand and Bihar, the Notification relating to Eco-sensitive Zone of Matheran and Mahabaleshwar in Maharashtra, Mount Abu in Rajasthan, Sultanpur National Park in Haryana are included besides of numerous amendments have been notified in the Noise Pollution (Regulation and Control) Rules, 2000 have also been included in the sixth edition of ‘Green Book.’

Incorporation of recently amended Rules and Notifications has been viewed for revised version of Law Series of the ‘Green Book’ to update all the concerned. Since the publication of first edition in 1989, considerable evolvement occurred and thus could be treated as a reference book.

This edition is an evidence of the paramount efforts for evolving an authenticated reference book on Environmental Laws. The contribution for bringing this edition is hereby acknowledged for Shri Pradeep Mathur, Asst. Law Officer and Smt. Sushma Dutta, DEO under the guidance of Shri J. S. Kamyotra, Member Secretary. Their sincere efforts to make this publication concise and non-erroneous are commendable.

Hopefully, this sixth edition will serve as a useful reference book to its users.

(S. P. Gautam)

Delhi
June, 2010

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 fly ash 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. In spite 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 'to protect and improve the natural environment including forests, lakes, rivers and wild life and to have compassion for living creatures'.

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. However, with our country's emerging environmental scenario with industrialisation 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 considered 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 seventh 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 Air (Prevention and Control of Pollution) Act, The Environment (Protection) Act, 1986 and The National Green Tribunal Act, etc. have also been included in this edition.

5. This edition has also incorporated the standards notified under The Water (Prevention and Control of Pollution) Act, 1974, The Air (Prevention and Control of Pollution) Act, 1981 & 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 comprehensive in coverage, the major notifications concerning the Pollution have been included.

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**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

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

ACT 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;

¹ Subs. by Act 53 of 1988, s. 2 for cls. (b), (d) and (gg) (w.e.f. 29.9.1988)

¹[(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];

¹[(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 effluent from any sewerage system or sewage disposal works and includes sullage from open drains;

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

¹ Ins. by Act 44 of 1978, s. 2 (w.e.f. 12-12-1978).

² Subs. by Act 53 of 1988, s. 2 for cls. (b), (d) and (h) (w.e.f. 29.9.1988)

³ Subs. by Act 53 of 1988, s. 2 or "trade or industry" (w.e.f. 29.9.1988)

Gazette, appoint, constitute a Central Board to be called the ¹[Central Pollution Control Board] to exercise the powers conferred on and perform the functions assigned to that Board under this Act.

(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 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) ³[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) ⁴[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;

(f) ⁵[(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 ⁶[***] as it may, by notification in the Official Gazette, appoint, constitute a ⁷[State Pollution Control 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.

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

(a) a ⁸[*** chairman, being a person having special knowledge or practical experience in respect of ⁹[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 State Government:

¹ Subs. by s. 3, *ibid.*, for "Central Board for the Prevention and Control of Water Pollution" (w.e.f. 29.9.1988)

² Subs. by Act 44 of 1978, s. 3, for "matters relating to the use and conservation of water resources or the prevention and control of water pollution" (w.e.f. 12.12.1978).

³ Subs. by s. 3, *ibid.*, for "five officials" (w.e.f. 12.12.1978).

⁴ Subs. by s. 3, *ibid.*, for "three non-officials" (w.e.f. 12.12.1978)

⁵ Subs. by Act 53 of 1988, s. 3, for clause (f) (w.e.f. 29.9.1988).

⁶ Certain words omitted by Act 44 of 1978, s. 4 (w.e.f. 12.12.1978).

⁷ Subs. by Act 53 of 1988, s. 4, for "State Board" (w.e.f. 12.12.1978).

⁸ The word "full-time" omitted by Act 44 of 1978, s. 4 (w.e.f. 12.12.1978).

⁹ Subs. by s. 4, *ibid.*, for Certain words (w.e.f. 12.12.1978).

¹[Provided that the chairman may be either whole-time or part-time as the State Government may think fit;]

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

(c) ³[such number of persons, not exceeding five,] to be nominated by the State Government from amongst the members of the local authorities functioning within the State;

(d) ⁴[such number of non-officials, not exceeding three] to be nominated by the State Government to represent the interest of agriculture, fishery or industry or trade or any other interest which, in the opinion of the State 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;

⁵[(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 State Government.]

(3) Every State Board shall be a body corporate with the name specified by the State Government in the notification under sub-section (1), 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 said name, sue or be sued.

(4) Notwithstanding anything contained in this section, 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 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 sub-section to such person or body of persons as the Central Government may specify

5. Terms and conditions of service of members. —(1) Save as otherwise provided by or under this Act, a member of a Board, other than a member-secretary, shall hold office for a term of three years from the date of his nomination:

Provided that a member shall, notwithstanding the expiration of his term, continue to hold office until his successor enters upon his office.

⁶[(2) The term of office of a member of a Board nominated under clause (b) or clause (e) of sub-section (2) of Section 3 or clause (b) or clause (e) of sub-section (2) of section 4 shall come to an end as soon as he ceases to hold the office under the Central Government or the State Government or, as the case may be, the company or corporation owned, controlled or managed by the Central Government or the State Government, by virtue of which he was nominated.]

(3) The Central Government or, as the case may be, the State Government may, if it thinks fit, remove any member of a Board before the expiry of his term of office, after giving him a reasonable opportunity of showing cause against the same.

(4) A member of a Board, other than the member-secretary, may at any time resign his office by writing under his hand addressed—

¹ The proviso ins. by s. 4, *ibid.* (w.e.f. 12.12.1978)

² Subs. by s. 4 *ibid.*, for "five officials" (w.e.f. 12.12.1978).

³ Subs. by s. 4, *ibid.*, for "five persons" (w.e.f. 12.12.1978).

⁴ Subs. by Act 44 of 1978, s. 4, for "three non-officials" (w.e.f. 12.12.1978).

⁵ Subs. by Act 53 of 1988, s. 4, for cl. (f) (w.e.f. 29.9.1988)

⁶ Subs. by Act 44 of 1978, s. 5, for sub-section (2).

(a) in the case of the chairman to the Central Government or, as the case may be, the State Government; and

(b) in any other case, to the chairman of the Board, and the seat of the chairman or such other member shall thereupon become vacant.

(5) A member of a Board, 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 Board, from three consecutive meetings of the Board, ¹[or where he is nominated under clause (c) or clause (e) of sub-section (2) of section (3) or under clause (c) or clause (e) of sub-section (2) of section 4, if he ceases to be a member of the State Board or of the local authority or, as the case may be, of the company or corporation owned, 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 whose place he was nominated.

(7) A member of a Board ²[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

(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.

¹ Subs. by s. 5, *ibid*, for certain words.

² Subs. by Act 53 of 1988, s. 5, for “shall not be eligible for renomination for more than two terms” (w.e.f. 29.9.1988).

(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 re-nomination as a member.

7. Vacation of seats 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 regards 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.

¹ Ins. by Act 44 of 1978, s. 6 (w.e.f. 12.12.1978)

² Ins. by Act 44 of 1978, s. 7 (w.e.f. 12.12.1978)

(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 ¹[* * *]

²[(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.]

³[(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 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.

(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

¹ Certain words omitted by s. 8, *ibid* 7 (w.e.f. 12.12.1978)

² Ins. by Act 44 of 1978, s. 8 7 (w.e.f. 12.12.1978)

³ Ins. by Act 53 of 1988, s. 6 (w.e.f. 29-9-1988).

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;

(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;

²[(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 ³[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;

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

² Subs. by Act 53 of 1988, s. 7 for cl. (f).

³ Subs. by Act 44 of 1978, s. 9, for certain words.

(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;

(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 the 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.

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.

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

(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;

(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;

¹ Ins. by Act 53 of 1988, s. 8 (w.e.f. 29.9.1988)

(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) to 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 advise 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

(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 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.

(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

¹ S. 18 renumbered as sub-section (1) thereof by Act 53 of 1988, s. 9 (w.e.f. 29.9.1988)

² Ins. by Act 53 of 1988, s. 9 (w.e.f. 29.9.1988)

of any 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 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.

(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 any 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

¹ Subs. by Act 53 of 1988 s. 10 for "industry or trade" (w.e.f. 29.9.1988).

(ii) in another 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 willfully absents himself, then, -

(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.

¹ Subs. by Act 44 of 1978, s. 10, for sub-section (4) (w.e.f. 12.12.1978).

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 a 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.

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 ³[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;

¹ Subs. by Act 44 of 1978, s. 11, for "Code of Criminal Procedure, 1898 (5 of 1898) " (w.e.f. 12.12.1978).

² Subs. by s. 11, *ibid*, for "section 98" (w.e.f. 12.12.1978).

³ Subs. by Act 53 of 1988, s.11, for "stream or well" (w.e.f. 29.9.1988)

(c) putting into a 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.

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 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 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 (53 of 1988), 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 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

(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

¹ Subs. by s. 12, Act 53 of 1988, for sub-sections (1) and (2) (w.e.f. 29.9.1988)

² Subs. by s. 12, Act 53 of 1988, for sub-sections (4), (5) and (6) (w.e.f. 29.9.1988)

of 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 of the 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 to 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.

¹ Subs. by Act 44 of 1978, s. 13, for "stream or well" (w.e.f. 12.12.1978)

² Subs. by s. 13, *ibid.*, for certain words (w.e.f. 12.12.1978)

³ Subs. by Act 53 of 1988, s 13, for sub-section (1) (w.e.f. 29.9.1988)

¹[(2) A State Board may from time to time review —

²[(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.

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.

³[(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:

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.

¹ Subs. by Act 44 of 1978, s. 14 for sub-section (2) (w.e.f. 12.12.1978)

² Subs. by Act 53 of 1988, s. 13, for cl. (a) (w.e.f. 29.9.1988)

³ Subs. by Act 44 of 1978, s. 15. for sub-section (2) (w.e.f. 12.12.1978)

(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.

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 ³[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 ⁴[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 ⁵[into the stream or well or on land], or from making in sanitary use of the stream or well.

(2) The power conferred by sub-section (1) 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.

¹ Subs. by Act 53 of 1988, s. 14, for sub-section (1) (w.e.f. 29.9.1988).

² Subs. by s. 15, *ibid.*, for sub-section (1) (w.e.f. 29.9.1988).

³ Subs. by Act 53 of 1988, s. 16, for "any stream or well" (w.e.f. 29.9.1988).

⁴ Subs. by s. 16, *ibid.*, for "stream or well" (w.e.f. 29.9.1988).

⁵ Subs. by s. 16, *ibid.*, for "into the stream or well" (w.e.f. 29.9.1988).

33. Power of Board to make application to courts for restraining apprehended pollution of water in streams or wells. —¹[(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 (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 polluting the water in any stream or well, it may in that order-

(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 from 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.

²**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.]

³**33B. Appeal to National Green Tribunal].** —Any person aggrieved by, —

(a) an order or decision of the appellate authority under section 28, made on or after the commencement of the National Green Tribunal Act, 2010; or

(b) an order passed by the State Government under section 29, on or after the commencement of the National Green Tribunal Act, 2010; or

(c) directions issued under section 33A by a Board, on or after the commencement of the National Green Tribunal Act, 2010, may file an appeal to the National Green Tribunal established under section 3 of the National Green Tribunal Act, 2010, in accordance with the provisions of that Act.]

¹ Subs. By Act 53 of 1988 s. 17, *ibid.*, for sub-section (1) (w.e.f. 29.9.1988).

² Ins. by Act 53 of 1988, s. 18 (w.e.f. 29.9.1988).

³ Ins. By National Green Tribunal Act, 2010 (19 of 2010) dated 2nd June 2010

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.

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, ¹[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 ²[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.]

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.

⁴**39. 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 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

¹ Ins. by Act 44 of 1978, s. 16 (w.e.f. 12.12.1978)

² Ins. by s. 17, *ibid.* (w.e.f. 12.12.1978)

³ Ins. by Act 53 of 1988, s. 19 (w.e.f. 29.9.1988)

⁴ Subs. by s. 20, *ibid.*, for section 39 (w.e.f. 29-9-1988).

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.

(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 the direction given under sub-section (2) or sub-section (3) of section 20 within such time as may be specified in the direction shall, on 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.]

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

¹ Subs. by Act 53 of 1988, s. 21, for s. 41 (w.e.f. 29-9-1988).

(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 any 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.

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 ²[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 ²[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 ³[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.

⁴**[45A. Penalty for contravention of certain provisions of the Act.**—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 Subs. by Act 53 of 1988, s. 22, for "one thousand rupees" (w.e.f. 29-9-1988).

² Sub. by Act 53 of 1988, s. 23, for "six months" (w.e.f. 29-9-1988).

³ Subs. by s. 24, *ibid.*, for "one year". (w.e.f. 29-9-1988).

⁴ Ins. by s. 25, *ibid.* (w.e.f. 29-9-1988).

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 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 anybody 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.]

¹ Subs. by Act 53 of 1988, s. 26, for sub-section (1) (w.e.f. 29-9-1988).

² Ins. by s. 26, *ibid.* (w.e.f. 29-9-1988).

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

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 and the rules made thereunder shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code (45 of 1860).

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 —

(c) the functions of the Central Water Laboratory;

(d) 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;

(e) 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 tests, the form of the laboratory's report thereon and the fees payable in respect of such report;

¹ Sub-section (2) renumbered as sub-section (3) thereof by s. 26, *ibid.* (w.e.f. 29-9-1988).

² Subs. by Act 44 of 1978, s. 19, for "section 32 of the Code of Criminal Procedure, 1898 (5 of 1898)" (w.e.f. 12-12-1978).

³ Subs. by s. 19, *ibid.*, for "Magistrate of the first class or for any Presidency Magistrate" (w.e.f. 12-12-1978).

(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 sample 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, statistics, accounts and other information with respect to its fund or activities as that government, or, as the case may be, the Central Board may, from time to time, require.

58. 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.

59. Protection of Action Taken in Good Faith.—No suit or other legal proceedings shall lie against the Government or any officer of Government or any member or officer of a Board in respect of anything which is in good faith done or intended to be done in pursuance of this Act or the rules made thereunder.

60. Overriding Effect.—The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than this Act.

61. Power of Central Government to supersede the Central Board and Joint Boards.—(1) If at any time the Central Government is of opinion—

(a) that the Central Board or any Joint 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 Central Government may, by notification in the Official Gazette, supersede the Central Board or such Joint Board, as the case may be, 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 Central Government shall give a reasonable opportunity to the Central Board or such Joint Board, as the case may be, to show cause why it should not be superseded and shall consider the explanations and objections if any, of the Central Board or such Joint Board, as the case may be.

(2) Upon the publication of notification under sub-section (1) superseding the Central Board or any Joint 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 Central Board or such Joint Board, shall until the Central Board or the Joint Board, as the case may be, is reconstituted under sub-section (3) be exercised performed or discharged by such person or persons as the Central Government may direct;

(c) all property owned or controlled by the Central Board or such Joint Board shall, until the Central Board or the Joint Board, as the case may be, is reconstituted under sub-section (3) vest in the Central Government.

(3) On the expiration of the period of supersession specified in the notification issued under sub-section (1), the Central 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 Central Board or the Joint Board as the case may be, by 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 not be deemed disqualified for nomination or appointment:

Provided that the Central 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.

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 constituted 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 (3) 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];

¹ Subs. by Act 44 of 1978, s.20, for clause. (d) (w.e.f. 12.12.1978).

² Clause (h) and (i) omitted by s. 20, *ibid* (w.e.f. 12.12.1978).

³ Subs. by Act 53 of 1988, s. 27, for clause (l) (w.e.f. 29.9.1988).

⁴ Ins. by s. 27, *ibid*. (w.e.f. 29.9.1988).

(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.

(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 purposes 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;

(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 (1) 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;

¹ Subs. by Act 44 of 1978, s. 20, for certain words (w.e.f. 12.12.1978)

² Ins. by s. 21, *ibid.* (w.e.f. 12.12.1978).

(l) the manner in which inquiry under sub-section (3) of section 25 may 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 23;

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 Subs. by Act 53 of 1988, s. 28, for clause (n) (w.e.f. 29.9.1988).

² Ins. by s. 28, *ibid.* (w.e.f. 29.9.1988).

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

(as amended to date)

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

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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 (1) of section 51;
- (e) “Form” means a form set out in Schedule I;
- (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.

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.

CHAPTER 2

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

3. ¹[***]

4. **Salaries, allowances and other conditions of service of Member-Secretary. —**

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

(2) 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 (1) 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 ²[seventy five] per day (inclusive of daily allowance) for each 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.

¹ Omitted by G.S.R. 830 (E) dt. 24.11.2011

² Substituted by G.S.R. 352, dated 21.2.1976.

(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:

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 function and may abolish any post, so created.

Provide 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 ²[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 Omitted by G.S.R. 36 (E) dt. 29.1.1981.

² 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 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.

(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 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.

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:

¹ Sub. by G.S.R. 352, dated 21.2.1976.

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.]

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 advise 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.

¹ Sub. by G.S.R. 352, dated 21.2.1976.

(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 15th 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 (1) 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] ¹[*****].

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 of 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.

³[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.]

¹ Omitted by G.S.R. 717(E) dt. 27.7.1989.

² Subs. by G.S.R. 377(E) dt 20.7.1978.

³ Inserted by G.S.R. 1260 dt. 17.8.1976.

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 findings¹[shall be recorded in a report 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 Territories. —

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

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.

³**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

¹ Sub. by G.S.R. 377(E) dt. 20.7.1978.

² Sub. by G.S.R. 377(E) dt. 20.7.1978.

³ Subs. by G.S.R. 717(E) dt. 27.7.1989.

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.

(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.

¹34. 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 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, 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.

(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-

¹ Ins. by G.S.R. 717(E) 27.7.1989.

- (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 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 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 send 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 (1) 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).]

¹ Ins. by G.S.R. 717(E) dt 27.7.1989

SCHEDULE I

FORM I

CENTRAL POLLUTION CONTROL BOARD
 DETAILED BUDGET ESTMIATES FOR THE YEAR 20__

(See rule 17)

ADMINISTRATION

(Expenditure)

Heads of Accounts	Actuals of the past three years			Sanctioned estimate for the current year 20.....	Actuals of last six months i.e., 20.... 20....	Actuals of six months current year 20.....	Revised estimate for the current year 20.....	Budget Estimate for the next year 20....	Variations between columns 5 and 8	Variations between columns 8 and 9	Explanation for columns 10 and 11
	20	20	20								
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 20 - 20

(See rule 17)

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 3	Increment falling due within the year			Total provision for the year i.e. total columns 4 & 5	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)	(c)	(a)	(b)	(c)	(c)	

FORM III
CENTRAL POLLUTION CONTROL BOARD
 NOMINAL ROLLS
 (See rule 17)

R.E. 20 - 20 /B.E. 20 - 20

Name and designation	Pay	Dearness allowance	City Compensatory allowance	House rent allowance	Over-time Allowance	Children Educational Allowance	Leave travel concession	Other Allowances	Total
1	2	3	4	5	6	7	8	9	10
Total									

FORM IV
CENTRAL POLLUTION CONTROL BOARD
 ABSTRACT OF NOMINAL ROLLS
 (See rule 17)

Actual sanctioned strength as on 1st March, 20...	Particulars of posts	Sanctioned Budget Grant 20... - 20...		Revised Estimates 20... - 20...		Budget Estimates 20... - 20...		Explanation for the difference between sanctioned Budget Grant, Revised Estimates and Budget Estimates.
		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. <i>Officers</i> (a) Posts filled (b) Posts vacant <i>Total I Officers</i>							
	II. <i>Establishment</i> (a) Posts filled (b) Posts vacant <i>Total II Establishment</i>							
	III. <i>Class IV</i> (a) Posts filled (b) Posts vacant <i>Total III Class IV</i>							
	GRAND TOTAL - I, II and III.							

FORM V
CENTRAL POLLUTION CONTROL BOARD
 Receipts and Payments for the year ended
 (See rule 25)

Previous Year	Receipts	Previous year	Payments
(1)	(2)	(3)	(4)
Opening Balance _____ I. Grants received _____ (a) from Government _____ (b) from other agencies _____ II. Fees.		1. Capital Expenditure _____ (i) Works _____ (ii) Fixed Assets _____ (iii) Other Assets _____ (a) Laboratory Equipment (b) Vehicles (c) Furniture and Fixtures (d) Scientific Instruments and Office Appliances (e) Tools and Plant	
III. Fines and Forfeitures. IV. Interest of investments. V. Miscellaneous Receipts. VI. Miscellaneous Advances. VII. Deposits TOTAL		2. Revenue Expenditure _____ (A) Administrative _____ (i) Pay of Officers _____ (ii) Pay of Establishment (iii) Allowances and Honoraria (iv) Leave Salary and Pension Contributions _____ (v) Contingent Expenditure _____ 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 _____ (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 ended 31st March, 20

(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				By		
	REVENUE EXPENDITURE				(I) GRANTS RECEIVED		
	(A) Administrative:				(a) From Govt.		
	(i) Pay or Officers				(b) From other agencies.		
	(ii) Pay of establishment				Total:		
	(iii) Allowances & Honoraria				Less:		
	(iv) Leave salary and Pension Contributions				Amount utilised for Capital		
	(v) Board's Contributions to the staff Provident Fund				expenditure		
	(vi) Contingent expenditure				Net grant available for Revenue		
	Deduct Recoveries				expenditure.		
	(B) Running expenses of Laboratories:				(II) Fees: -		
	(i) Main Laboratory				(III) Service Rental charges.		
	(ii) Payments to be made to Central Water Laboratory				(IV) Fines and Forfeitures.		
	(C) Running and Maintenance of Vehicle				(V) Interest on investments		
	(D) Maintenance and Repairs:				(VI) Miscellaneous Receipts.		
	(i) Building and Land Drainage						

<ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (i) Buildings. (ii) Laboratory Equipment. (iii) Vehicles. (iv) Furniture and Fixtures. (v) Scientific instruments and office appliances. (vi) Tools and plants (I) Miscellaneous: <ul style="list-style-type: none"> (i) Write off of losses (as per details in the statement attached). (ii) Other miscellaneous expenditure. (J) Fees for Audits. (K) Excess of Income over expenditure. <li style="text-align: center;">Total 	<p>(VII) Excess of expenditure over income.</p> <p>Total</p>	
<p>Accounts Officer</p>	<p>Member Secretary</p>	<p>Chairman</p>

FORM VII

CENTRAL POLLUTION CONTROL BOARD**ANNUAL STATEMENT OF ACCOUNTS**

Balance Sheet as at 31st March, 20. ..)

(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				1. Works-			
(i) Grants received from Govt. for Capital expenditure.				(As per Form VIII)			
(a) Amount utilised upto 31st March 20_.				2. Fixed Assets			
(b) Unutilised balance on 31st March 20_				(As per Form IX)			
(ii) Grant from other agencies for Capital expenditure				(a) Value of land provided by Govt. (at cost).			
(a) Amount utilised upto 31st March 20_				(b) Buildings-			
(b) Unutilised balance on 31st March 20_				Balance as per last Balance sheet			
(iii) Value of land provided by Govt. (per contra)				Additions during the year			
(B) Capital Receipts-				Total _____			
(C) (i) Deposits received for works from outside bodies-				Less: _____			
Less Expenditure-				Depreciation during the year			
(iii) Other deposits-				Total: _____			
(D) Amounts due-				3. Other Assets			
(i) Purchases				(As per Form IX)			
(ii) Others				(a) Laboratory Equipment as per last Balance sheet--additions during the year			
(E) Excess of income over expenditure ____				Total: _____			
(i) upto 31st March 20. . .				Less:			
(ii) Add for the year				Depreciation during the year			
(iii) Deduct-Excess of Expenditure over income.				Total: _____			
				(b) Vehicles as per last balance sheet.			
				Additions during the year.			
				Total: _____			
				Less:			
				Depreciation during the year			
				Total:			
				(c) Furniture and Fixtures.			
				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: _____	Total: _____
Accounts Officer	Member-Secretary
	Chairman

FORM VIII

CENTRAL POLLUTION CONTROL BOARD**Annual Statement Of Accounts***Expenditure on works as on 31st March, 20*

(Item 1-Assets of the Balance Sheet)

(See Rule 25)

Sl. No.	Name of work	Upto 31st March 20			During the year 20			Upto 31st March 20		
		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, 20__ (Item 2 Assets of the Balance Sheet)Other Assets as on 31st March, 20__ (Item 3 Assets of the Balance Sheet)

(See Rule 25)

Sl. No.	Particulars of Assets	Balance as on 31 st March 20	Additions during the years	Total	Depreciation during the year	Sales of write off during the year	Balance as on 31 st March 20	Cumulative Depreciation as on 31 st March 20
Accounts Officer		Member-Secretary			Chairman			

FORM X
REPORT BY THE CENTRAL BOARD ANALYST

(See Rule 26)

Report No. _____
Dated the _____ 20 _____

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 _____ 20 _____ 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: -

(V) _____

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

_____ signed this _____ day of _____ 20__.

(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 _____ 20 _____

I hereby certify that I, (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 _____ 20_____ 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 _____ 20 _____

(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 _____ 20__ 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

¹FORM 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 ally treatment/disposal system to bring into use any new/altered outlet for

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

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

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:

(Survey No. Khasra No. location as per the revenue records Village Firka Tehsil District. Police Station or SHO jurisdiction of the First-Class Magistrate).

6. Details of commissioning etc.: -

(a) Approximate date of proposed commissioning of work.

(b) Expected date of production:

7. Total number of employee expected to employed.

8. Details of licence is any obtained under the provisions of Industrial Development Regulations Act 1951.

9. Name of the person authorised to sign this form (the original authorisation except in the case of individual proprietary concern is to be enclosed).

10. (a) attach the list of raw materials and chemicals used per month.

(b) Licence Annual Capacity of the Factory/Industry.

11. State daily quantity of water in kilolitres utilised and its source (domestic/industrial process boiler Cooling others).

12. (a) State the daily maximum quantity of effluents quantity and mode of disposal (sewer or drains or river). Also attach analysis report of the effluents. Type of effluent quantity in kilolitres Mode of disposal.

(i) Domestic

(ii) Industrial.

(b) Quality of effluent currently being the discharged or expected to be discharged.

(c) What monitoring arrangement is currently there or proposed.

13. State whether you have any treatment plant for industrial? domestic or combined effluents.

Yes/No

If yes attach the description of the process of treatment in brief. Attach information on the quality of treated effluent vis-a-vis the standards.

14. State details of solid wastes generated in the process or during waste treatment.

Description Quantity Method Method of disposal

15. I/We further declare that the information furnished above is correct to the best of my/our knowledge.

16. I/We hereby submit that in case of change either of the point of discharge or the quantity of discharge or its quality a fresh application for CONSENT shall be made and until such CONSENT is granted no change shall be made.

17. I/We hereby agree to submit to the Central Board an application for renewal of consent one month in advance of the date of expiry of the consented period for outlet/discharge if to be continued thereafter.

18. I/We, undertake to furnish any other information within one month or its being called by the Central Board.

19. I/We, enclose herewith cash receipt No./bank draft No. _____ dated _____ for Rs. _____ (Rupees _____) in favour of the Central Pollution Control Board, New Delhi, as fees payable under section 25 of the Act.

Yours faithfully,
signature of the applicant

Note: * Strike out which is not relevant]

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 of 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. _____

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 shall 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 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-15011/3/88-CPW]
G. SUNDARAM, Jt. Secy.

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/Gratuities.
13. Write off/Losses.
14. Suspenses.
15. Expenses in connection with the settling 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 20... TO MARCH 31, 20...

CHAPTER-1	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.]
MUKUN SANWAL, Jt. Secy.

¹ Subs by Rule 2 of the Water (Prevention and Control of Pollution) Amendment Rules, 1992 vide G.S.R. 107(E) dated 9-2-1992.

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

**CENTRAL POLLUTION CONTROL BOARD FOR THE PREVENTION AND CONTROL OF
POLLUTION (PROCEDURE FOR TRANSACTION OF BUSINESS) RULES, 1975¹**

[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.

(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, think fit.

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.

(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 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.

(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.

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.

(5) ³(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.

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

² Omitted, *ibid.*

³ Substituted by G.S.R.1489, dated 11-10-1976

(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.

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.

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

MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE
(CENTRAL POLLUTION CONTROL BOARD)

NOTIFICATION

New Delhi, the 24th October, 2016

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 of 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. 01.07.2016

SCHEDULE – I

SCHEDULE OF BOARD'S LABORATORIES

S. No.	Place	Address
1.	Delhi	'Parivesh Bhawan' East Arjun Nagar Delhi-110032
2.	Kolkata	Zonal Office – East 502, Southend Conclave 1582, Rajadanga Main Road Kolkata-700 107 West Bengal
3.	Vadodara	Zonal Office – West Parivesh Bhawan Opp. VMC Ward Office No. 10 Subhanpura Vadodara-390 023 Gujarat
4.	Lucknow	Zonal Office – North Ground Floor, PICUP Bhawan Vibhuti Khand, Gomtinagar Lucknow-226010 Uttar Pradesh

5.	Bengaluru	Zonal Office – South 1 st & 2nd Floors, Nisarga Bhavana A-Block, Thimmaiah Main Road, 7th D Cross Opp. Pushpanjali Theatre Shivanagar Bengaluru-560 010 Karnataka
6.	Bhopal	Zonal Office - Central 3rd Floor, Sahkar Bhawan North T. T. Nagar Bhopal-462 003 Madhya Pradesh
7.	Shillong	Zonal Office –North East "TUM-SIR". Lower Motinagar Near Fire Brigade H.Q. Shillong - 793 014 Meghalaya

SCHEDULE -II**SCHEDULE OF SAMPLING AND ANALYSIS CHARGES FOR ENVIRONMENTAL SAMPLES**

(Applicable w.e.f. July 1, 2016)

Note:

- (i) This schedule supersedes all schedules of sampling and analysis charges notified earlier as such earlier schedules stand cancelled & withdrawn.
- (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	3500.00
	(b) Sampling (24 hrs) for suspended particulate matter and gaseous pollutants	10500.00
	(c) Sampling of Volatile Organic Compounds (VOCs)/ Benzene Toluene Xylene (BTX)	3500.00
	(d) Sampling of Poly Aromatic Hydrocarbons (PAHs)	4400.00
	(e) Sampling (24 hrs using PUF HVS) of Ambient Air for Dioxin-Furan (PCDDs-PCDFs) congeners	15000.00

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

S. No.	Type of Sampling	Charges in Rs.
1.	Source Emission Monitoring	
	(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)	9600.00
	(b) Sampling of SO ₂ /NO ₂	3500.00
	(c) Sampling of Volatile Organic Compounds (VOCs)/ Benzene Toluene Xylene (BTX)	5300.00
	(d) Sampling of Poly Aromatic Hydrocarbons (PAHs)	6200.00

	(e) Sampling of emission from stationary source for Dioxin-Furan (PCDDs-PCDFs) congeners using Manual Sampling Kit	25000
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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

S. No.	Type of Sampling	Charges in Rs.
1.	(a) First Monitoring	7000.00
	(b) Each Subsequent Monitoring within same premises	3500.00
	(c) For 08 hours Continuous Monitoring or more	18000.00

Note:

- (i) Transportation charges will be separate as per actual basis.
- (ii) Sample analysis charges of respective parameters are separate as per list.

(IV) Sampling charges for water & wastewater samples

S. No.	Type of sampling	Charges in Rs.
1.	GRAB SAMPLING:	
	1) Grab sampling/sample/place	960.00
	2) For every additional Grab sampling/same place	440.00
2.	COMPOSITE SAMPLING:	
	1) Composite sampling/source/place upto 8hrs.	1800.00
	- do - upto 16 hrs.	3500.00
	- do - upto 24 hrs.	5300.00
	2) For every additional composite sampling/ same place but different source upto 8 hrs.	960.00
	- do - upto 16 hrs.	2000.00
	- do - upto 24 hrs.	2900.00
3.	Flow Rate measurement/source - once	700.00
	- do - - every additional	270.00

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

S. No.	Type of sampling	Charges in Rs.
1.		
	Grab sampling/sample/place	1050.00
	For additional Grab sampling/same place	530.00
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

S. No.	Type of sampling	Charges in Rs.
1.	Integrated sample collection charges	1800.00

B. ANALYSIS CHARGES

(I) Analysis charges of Ambient Air/ Fugitive Emission Samples

S. No.	Parameters	Charges in Rs.
1.	Ammonia	1050.00
2.	Analysis using dragger (per tube)	700.00
3.	Benzene Toluene Xylene (BTX)	1800.00
4.	Carbon Monoxide	1050.00
5.	Chlorine	1050.00
6.	Fluoride (gaseous)	1050.00
7.	Fluoride (particulate)	1050.00
8.	Hydrogen Chloride	1050.00
9.	Hydrogen Sulphide	1050.00
10.	Lead & Other metals (per metal)	As mentioned in respective group at Clause 5.0
11.	NO ₂	1050.00
12.	Ozone	1800.00
13.	Poly Aromatic Hydrocarbons (PAHs)	As mentioned in respective group at Clause 5.0
14.	Suspended Particulate Matter (SPM)	1050.00
15.	Particulate Matter (PM _{2.5})	1800.00
16.	Respirable Suspended Particulate Matter (PM ₁₀)	1050.00
17.	Sulphur Dioxide	1050.00
18.	Volatile Organics Carbon	3500.00

S. No.	Parameters	Charges 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.	5300.00 Per filter paper
20.	Water Extractable ions in Air Particulate Matter using Ion Chromatograph (IC)	
	(i) Processing / Pretreatment Charge per Sample (Filter Paper)	530.00
	(ii) Cations (Na^+ , NH_4^+ , K^+ , Ca^{+2} & Mg^{+2}) and Anions (F^- , Br^- , Cl^- , NO_3^- , NO_2^- , SO_4^{-2} & PO_4^{-3})	2100.00 (for 12 ions)
21.	Organic and Elemental Carbon (OC/EC) on quartz filter paper	3500.00
22.	Sample processing and analysis for Dioxin-Furan (PCDDs-PCDFs) congeners (Isotope Dilution method using GC-HRMS)	75000.00

(II) Analysis Charges for Source Emission Parameters

S. No.	Parameters	Charges in Rs.
1.	Acid Mist	1050.00
2.	Ammonia	1050.00
3.	Carbon Monoxide	1050.00
4.	Chlorine	1050.00
5.	Fluoride (Gaseous)	1050.00
6.	Fluorides (Particulate)	1050.00
7.	Hydrogen Chloride	1050.00
8.	Hydrogen Sulphide	1050.00
9.	Oxides of Nitrogen	1050.00
10.	Oxygen	880.00
11.	Polycyclic Aromatic Hydrocarbons (Particulate)	As mentioned in respective group at Clause 5.0
12.	Suspended Particulate Matter	1050.00
13.	Sulphur Dioxide	1050.00
14.	Benzene Toluene Xylene (BTX)	2700.00
15.	Volatile Organic Compounds (VOCs)	5300.00
16.	Sample processing and analysis for Dioxin-Furan (PCDDs-PCDFs) congeners (Isotope Dilution method using GC-HRMS)	75000.00

(III) Ambient Air Quality Monitoring using on-line monitoring instruments by Mobile Van

S. No.	Parameters	Charges in Rs.
1.	PM ₁₀ , PM _{2.5} , SO ₂ , NO _x , SPM, CO along with Meteorological data viz. temperature, Humidity, Wind speed, Wind direction	6200.00 per hour (minimum charges Rs. 15,000/-) + Rs.50.00/km run of the van for 24 hours monitoring

(IV) Auto Exhaust Monitoring - One time checking of vehicular exhaust

S. No.	Parameters	Charges in Rs.
1.	Carbon Monoxide %	As per rate notified by Transport Department
2.	Hydrocarbon, PPM	
3.	Smoke Density, HSU	

(V) Analysis charges of Water & Wastewater samples

S. No.	Parameters	Charges in Rs.
	PHYSICAL PARAMETERS	
1.	Conductivity	110.00
2.	Odour	110.00
3.	Sludge Volume Index (S.V.I.)	350.00
4.	Solids (dissolved)	180.00
5.	Solids (fixed)	270.00
6.	Solids (volatile)	270.00
7.	Suspended Solids	180.00
8.	Temperature	110.00
9.	Total Solids	180.00
10.	Turbidity	110.00
11.	Velocity of Flow (Current Meter)	350.00
12.	Velocity of Flow (other)	960.00
	CHEMICAL PARAMETERS	
	Inorganic	
1.	Acidity	180.00
2.	Alkalinity	180.00
3.	Ammonical Nitrogen	350.00
4.	Bicarbonates	180.00
5.	Biochemical Oxygen Demand (BOD)	1050.00
6.	Bromide	180.00
7.	Calcium (titrimetric)	180.00
8.	Carbon Dioxide	180.00

9.	Carbonate	180.00
10.	Chloride	180.00
11.	Chlorine Demand	350.00
12.	Chlorine Residual	180.00
13.	Chemical Oxygen Demand (COD)	620.00
14.	Cyanide	620.00
15.	Detergent	350.00
16.	Dissolved Oxygen	180.00
17.	Fluoride	350.00
18.	H. Acid	620.00
19.	Hardness (calcium)	180.00
20.	Hardness (total)	180.00
21.	Iodide	180.00
22.	Nitrate Nitrogen	350.00
23.	Nitrite Nitrogen	350.00
24.	Percent Sodium	1050.00
25.	Permanganate Value	350.00
26.	pH	110.00
27.	Phosphate (ortho)	350.00
28.	Phosphate (total)	620.00
29.	Salinity	180.00
30.	Sodium Absorption Ratio (SAR)	1050.00
31.	Settleable Solids	180.00
32.	Silica	350.00
33.	Sulphate	270.00
34.	Sulphide	350.00
35.	Total Kjeldahl Nitrogen (TKN)	620.00
36.	Urea Nitrogen	620.00
37.	Cations (Na^+ , NH_4^+ , K^+ , Ca^{+2} & Mg^{+2}) and Anions (F^- , Br^- , Cl^- , NO_3^- , NO_2^- , SO_4^{-2} & PO_4^{-3}) in surface & ground water sample using Ion Chromatograph	2100.00 (for 12 ions)
	Metals	
	Processing / pretreatment Charge per Sample	880.00
1.	Aluminium	530.00
2.	Antimony	530.00
3.	Arsenic	530.00
4.	Barium	530.00
5.	Beryllium	530.00
6.	Boron	530.00

7.	Cadmium	530.00
8.	Chromium Hexavalent	350.00
9.	Chromium Total	530.00
10.	Cobalt	530.00
11.	Copper	530.00
12.	Iron	530.00
13.	Lead	530.00
14.	Magnesium	350.00
15.	Manganese	530.00
16.	Mercury (Processing & Analysis)	1400.00
17.	Molybdenum	530.00
18.	Nickel	530.00
19.	Potassium	350.00
20.	Tin	530.00
21.	Selenium	530.00
22.	Silver	530.00
23.	Sodium	350.00
24.	Strontium	530.00
25.	Vanadium	530.00
26.	Zinc	530.00
	Organic	
	Organo Chlorine Pesticides (OCPs)	
	Processing / pretreatment Charge per Sample	1800.00
1.	Aldrin	700.00
2.	Dicofol	700.00
3.	Dieldrin	700.00
4.	Endosulfan-I	700.00
5.	Endosulfan-II	700.00
6.	Endosulfan sulfate	700.00
7.	Heptachlor	700.00
8.	Hexachlorobenzene (HCB)	700.00
9.	Methoxy Chlor	700.00
10.	o,p DDT	700.00
11.	p,p'-DDD	700.00
12.	p,p'-DDE	700.00
13.	p,p'-DDT	700.00
14.	α -HCH	700.00
15.	β -HCH	700.00

16.	γ -HCH	700.00
17.	δ -HCH	700.00
	Organo Phosphorous Pesticides (OPPs)	
	Processing / pretreatment Charge per Sample	1800.00
18.	Chlorpyriphos	700.00
19.	Dimethoate	700.00
20.	Ethion	700.00
21.	Malathion	700.00
22.	Monocrotophos	700.00
23.	Parathion-methyl	700.00
24.	Phorate	700.00
25.	Phosphamidon	700.00
26.	Profenophos	700.00
27.	Quinalphos	700.00
	Synthetic Pyrethroids (SPs)	
	Processing / pretreatment Charge per Sample	1800.00
28.	Deltamethrin	700.00
29.	Fenpropethrin	700.00
30.	Fenvalerate	700.00
31.	α -Cypermethrin	700.00
32.	β -Cyfluthrin	700.00
33.	λ -Cyhalothrin	700.00
	Herbicides	
	Processing / pretreatment Charge per Sample	1800.00
34.	Alachlor	700.00
35.	Butachlor	700.00
36.	Fluchloralin	700.00
37.	Pendimethalin	700.00
	Polycyclic Aromatic Hydrocarbons (PAHs)	750.00
	Processing / pretreatment Charge per Sample	1800.00
38.	Acenaphthene	700.00
39.	Acenaphthylene	700.00
40.	Anthracene	700.00
41.	Benz(a)anthracene	700.00
42.	Benzo(a)pyrene	700.00
43.	Benzo(b)fluoranthene	700.00
44.	Benzo(e)pyrene	700.00
45.	Benzo(g,h,i)perylene	700.00

46.	Benzo(k)fluoranthene	700.00
47.	Chrysene	700.00
48.	Dibenzo(a,h)anthracene	700.00
49.	Fluoranthene	700.00
50.	Fluorene	700.00
51.	Indeno (1,2,3-cd)pyrene	700.00
52.	Naphthalene	700.00
53.	Perylene	700.00
54.	Phenanthrene	700.00
55.	Pyrene	700.00
	Polychlorinated Biphenyls (PCBs)	
	Processing / pretreatment Charge per Sample	1800.00
56.	Aroclor 1221	700.00
57.	Aroclor 1016	700.00
58.	Aroclor 1232	700.00
59.	Aroclor 1242	700.00
60.	Aroclor 1248	700.00
61.	Aroclor 1254	700.00
62.	Aroclor 1260	700.00
	Tri Halo Methane (THM)	
	Processing / pretreatment Charge per Sample	1400.00
63.	Bromo dichloromethane	700.00
64.	Bromoform	700.00
65.	Chloroform	700.00
66.	Dibromo chloromethane	700.00
	Other Organic Parameter	
67.	Adsorbable Organic Halogen (AOX)	3500.00
68.	Tannin / Lignin	620.00
69.	Oil & Grease	350.00
70.	Phenol	350.00
71.	Total Organic Carbon (TOC)	880.00
	Volatile Organic Acids	620.00
	BIOLOGICAL TEST	
1.	Bacteriological Sample Collection	350.00
2.	Benthos Organism Identification & Count (each sample)	1050.00
3.	Benthos Organism Sample collection	1800.00
4.	Chlorophyll Estimation	1050.00
5.	E. Coli (MFT technique)	700.00

6.	E. Coli (MPN technique)	620.00
7.	Faecal Coliform (MFT technique)	700.00
8.	Faecal Coliform (MPN technique)	620.00
9.	Faecal Streptococci (MFT technique)	790.00
10.	Faecal Streptococci (MPN technique)	700.00
11.	Plankton Sample collection	440.00
12.	Plankton (Phytoplankton) count	1050.00
13.	Plankton (Zooplankton) count	1050.00
14.	Standard Plate Count	350.00
15.	Total Coliform (MFT technique)	700.00
16.	Total Coliform (MPN technique)	620.00
17.	Total Plate Count	620.00
18.	Toxicological - Bio-assay (LC ₅₀)	4900.00
19.	Toxicological - Dimensionless toxicity Test	2800.00

Note:

- (i) Sampling charges for water and waste water samples are separate as specified in clause A (IV), but subject to minimum of Rs.700/- irrespective of number of samples.
- (ii) Transportation charges are separate on actual basis.

(VI) Analysis charges of Soil/Sludge/Sediment/Solid waste samples

S. No.	Parameters	Charges in Rs.
1.	Ammonia	530.00
2.	Bicarbonates	350.00
3.	Boron	700.00
4.	Calcium	270.00
5.	Calcium Carbonate	620.00
6.	Cation Exchange Capacity (CEC)	700.00
7.	Chloride	270.00
8.	Colour	175.00
9.	Electrical Conductivity (EC)	175.00
10.	Exchangeable Sodium Percentage (ESP)	960.00
11.	Gypsum Requirement	620.00
12.	H. Acid	700.00
13.	Heavy Metal	As mentioned in respective group at Clause 5.0

S. No.	Parameters	Charges in Rs.
	Trace Metals using ED-XRF	
14.	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, per sample.	7000.00
15.	Magnesium	530.00
16.	Mechanical soil analysis (soil texture)	270.00
17.	Nitrate	530.00
18.	Nitrite	530.00
19.	Nitrogen available	620.00
20.	Organic Carbon/Matter (chemical method)	620.00
21.	Polycyclic Aromatic Hydrocarbons (PAHs)	As mentioned in respective group at Clause 5.0
22.	Polychlorinated Biphenyls (PCBs)	As mentioned in respective group at Clause 5.0
23.	Pesticides	As mentioned in respective group at Clause 5.0
24.	pH	175.00
25.	Phosphorous (available)	700.00
26.	Phosphate (ortho)	530.00
27.	Phosphate (total)	700.00
28.	Potash (Available)	350.00
29.	Potassium	530.00
30.	Sodium Absorption Ratio (SAR) in Soil extract	1140.00
31.	Sodium	530.00
32.	Soil Moisture	175.00
33.	Sulphate	350.00
34.	Sulphur	620.00
35.	Total Kjehldhal Nitrogen (TKN)	700.00
36.	TOC	960.00
37.	Total water soluble salts	350.00
38.	Water Holding capacity	175.00
39.	Sample processing and analysis for Dioxin-Furan (PCDDs-PCDFs) congeners (Isotope Dilution method using GC-HRMS)	75000.00

(VII) Analysis charges for Hazardous Waste samples

S. No.	Parameters	Charges in Rs.
1.	Preparation of Leachate (TCLP extract/Water Extract)	1750.00
2.	Determination of various parameters in Leachate	As mentioned in respective group at Clause 5.0
3.	Flash point/Ignitibility	960.00
4.	Reactivity	960.00
5.	Corrosivity	960.00
6.	Measurement of Toxicity	
	- LC ₅₀	4900.00
	- Dimensionless Toxicity	2800.00
7.	Total Organic Carbon	880.00
8.	Adsorbable Organic Halogen (AOX)	3500.00

(VIII)	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.	18000.00
2	Private Sector Laboratories.	27000.00

S. P. SINGH PARIHAR, Chairman
[ADVT.-III/4/Exty./176/17]

Note: The principal notification was published in the Gazette of India vide No. S.O. 296(E), dated 31.3.1994, and thereafter amended vide No. S.O. 389(E) dated 23.9.1994, No. S.O. 390(E), dated 23.9.1994, No. S.O. 1218(E), dated 1.9.2001 and No. Legal/42(3)/87 dated 15.6. 2008.

APPELLATE AUTHORITY OF U.T. OF PONDICHERRY
GOVERNMENT OF PUDUCHERRY
CHIEF SECRETARIAT (ENVIRONMENT)

G.O.Ms.No.19/2016-Envt

Puducherry dt.17-10-2016

NOTIFICATION

In exercise of the powers conferred by section 28 of the Water (Prevention and Control of Pollution) Act, 1974 (Act 6 of 1974) read with clause (i) of section 2, thereof and in supersession of the Notification issued in G.O.Ms.No.20/99-Envt., dated 24th November 1999 of the Chief Secretariat (Environment), Government of Puducherry, published in the Gazette of Puducherry in Gazette No.50, dated 14th December 1999 save as respects things done or omitted to be done before such supersession the Lieutenant-Governor, Government of Puducherry is pleased to order that the Appellate Authority shall consist of the following, for the purposes of the said Act for the entire Union Territory of Puducherry with immediate effect, namely: –

(i)	Hon'ble Mr. Justice G. Rajasuria (Retd.), High Court, MadrasChairman
(ii)	Dr. G. Chandrasekhar, Head of the Department of Chemical Engineering, Pondicherry Engineering CollegeMember
(iii)	Dr. Priya Davidar, Head of the Department of Centre of Ecology & Environment, Pondicherry University.Member

// By order of the Lieutenant-Governor //

(S. THAMMU GANAPATHY)
DEPUTY SECRETARY TO GOVT (ENVIRONMENT)

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

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**

**MINISTRY OF ENVIRONMENT AND FORESTS
(CENTRAL POLLUTION CONTROL BOARD)**

NOTIFICATION

New Delhi, the 14th June, 2002

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 |

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

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

**MINISTRY OF ENVIRONMENT AND FORESTS
(CENTRAL POLLUTION CONTROL BOARD)**

NOTIFICATION

New Delhi, the 23rd March, 2006

¹F. 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. S.O. 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,
Asth. Engineer Shipping (Retired)
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.

¹ Reconstituted by the Notification No. F. No. Legal/156(4)1990, dated 23.03.2006

- (iii) The Notification published in the Gazette of India *vide* No. S.O. 842(E), dated 31-8-1988 stand rescinded.

V. RAJAGOPALAN, Chairman
[ADVT.III/IV/Exty.184/2006]

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 (Alteration 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.

NOTIFICATIONNew Delhi, the 17th December, 2004

[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 hereby reconstitutes the Committee whose constitution was notified by a notification in the Gazette of India *vide* S.O. No. 641 (E) dated June 14, 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.

¹ Reconstituted by the Notification No. F. No. B-12015/7/04/AS, dated 17.12.2004

CENTRAL POLLUTION CONTROL BOARD**NOTIFICATION**

New Delhi, the 3rd June, 2004

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 reconstitute 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 Administration	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 and 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**NOTIFICATION**

New Delhi, the 1st June 2011

F. No. Legal/158(4)/90.-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 (14 of 1981), as specified by the Central Government, the Central Pollution Control Board hereby reconstitutes the Committee whose Constitution was notified by a notification published in the Gazette of India *vide* S.O.198(E), dated the 10th March, 1992 in respect of the Union Territory of Puducherry. The reconstituted Puducherry Pollution Control Board Committee is as follows: -

- | | | |
|--|---|---------------------|
| 1. Secretary of Government
(Science, Technology and Environment), Union territory (UT) of Puducherry. | - | Chairman |
| 2. Director of Industries, Union Territory (UT) of Puducherry. | - | Member |
| 3. Director of Agriculture, Union Territory (UT) of Puducherry. | - | Member |
| 4. Director of Health and Family Welfare Services, Union Territory (UT) of Puducherry. | - | Member |
| 5. Commissioner, Puducherry Municipality | - | Member |
| 6. Senior Town Planner, Town and Country Planning Department, Union Territory (UT) of Puducherry. | - | Member |
| 7. Commissioner, Karaikal Municipality | - | Member |
| 8. Principal, Puducherry Engineering College | - | Member |
| 9. Director (Science, Technology and Environment), Union territory (UT) of Puducherry. | - | Member
Secretary |
- (i) This committee shall be called as the Puducherry Pollution Control Committee.
(ii) This notification shall come into force with immediate effect.
(iii) This notification published in the Gazette of India *vide* S.O. *vide* S.O.198(E), dated the 10th March 1992, stands rescinded.

S. P. GAUTAM, Chairman.

[No. ADVT.111/4/184/11-Exty.].

Note: -The principal notification was published *vide* S.O.198(E), dated the 10-3-1992 *vide* Gazette of India, Part-II, section 3, sub-section (ii), dated 10-3-1992.

CENTRAL POLLUTION CONTROL BOARD**NOTIFICATION**

New Delhi, the 28th April, 2015

Legal4(CPCC)/15.— 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 follow: -

- | | | |
|----|---|-------------------|
| 1. | Secretary (Environment),
Chandigarh Administration | —Chairman |
| 2. | Director (Environment),
Chandigarh Administration | —Vice Chairman |
| 3. | Representative of Central Pollution
Control Board, (to be nominated by
The Chairman, CPCB, New Delhi) | —Member |
| 4. | Deputy Commissioner, U.T. Chandigarh | —Member |
| 5. | Chief Engineer, U.T., Chandigarh | —Member |
| 6. | Secretary,
Indian Medical Association, Chandigarh | —Member |
| 7. | Two Expert Member to be nominated By Chairman | —Member |
| 8. | Scientist 'SE'
Department of Environment, Chandigarh Administration | —Member |
| 9. | Deputy Conservator of Forests (HQ)
Department of Forests, U.T., Chandigarh | —Member Secretary |

- (i) This Notification shall come into force with immediate effect.
- (ii) The notification published in the Gazette of India *vide* S.O. 199(E) dated 15-03-1991, and S.O. 1131(E) dated 23-10-2002 stands rescinded.

SHASHI SHEKHAR, Chairman

[ADV.T. III/4/Exty/184/15(77)]

¹ Reconstituted by the Notification Legal4(CPCC)/15, dated 28th April, 2015.

CENTRAL POLLUTION CONTROL BOARD**NOTIFICATION**

New Delhi, the 25th March, 2021

F. No. C-603/J&K PCC/Legal-2021. —In exercise of the power 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 (CPCB) delegates all its powers vested under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981, in respect of the Union Territory of Jammu & Kashmir to the under mentioned committee specified by the Central Government:

- | | | |
|---|---|------------------|
| 1. Chairman, Jammu & Kashmir Pollution Control Committee | - | Chairman |
| 2. Additional Secretary, Forest, Ecology & Environment Department, Union Territory of Jammu & Kashmir | - | Member |
| 3. Administrative Secretary, Industries & Commerce Department, Union Territory of Jammu & Kashmir | - | Member |
| 4. Administrative Secretary, Housing & Urban Development Department, Union Territory of Jammu & Kashmir | - | Member |
| 5. Administrative Secretary, Transport Department, Union Territory of Jammu & Kashmir | - | Member |
| 6. Administrative Secretary, Health & Medical Education Department, Union Territory of Jammu & Kashmir | - | Member |
| 7. Commissioner, Municipal Corporation, Jammu | - | Member |
| 8. Medical Superintendent, Government Medical College, Jammu | - | Member |
| 9. Regional Officer, Ministry of Environment, Forest and Climate Change, Jammu, or his/her Nominee | - | Member |
| 10. Dr. Pankaj Chandan, Director, Nature, Wildlife & Climate Change, National Development Foundation (NDF), Jammu | - | Member |
| 11. Professor Anil K. Raina, Department of Environmental Science, University of Jammu | - | Member |
| 12. Member Secretary, Central Pollution Control Board or his/her Nominee | - | Member |
| 13. Managing Director, Small Industrial Corporation, Jammu & Kashmir | - | Member |
| 14. Member Secretary, Jammu & Kashmir Pollution Control Committee | - | Member Secretary |

And,

- (i) This Committee may be called as Jammu & Kashmir Pollution Control Committee.
- (ii) The Notification shall come into force with immediate effect.

SHIV DAS MEENA, Chairman, CPCB

[Advt-III/4/Exty/560/20-2021]

CENTRAL POLLUTION CONTROL BOARD**Notification**

New Delhi, the 25th March, 2021

F. No. C-603/Ladakh PCC/Legal-2021– In exercise of the power 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 (CPCB) delegates all its powers vested under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981, in respect of the Union Territory of Ladakh to the under mentioned committee specified by the Central Government:

- | | | |
|--|---|------------------|
| 1. Commissioner/ Secretary, Forest, Ecology and Climate Change, Union Territory of Ladakh | - | Chairman |
| 2. Chief Conservator of Forests, Union Territory of Ladakh | - | Member |
| 3. Administrative Secretary, Industries & Commerce, Union Territory of Ladakh, or his/her Nominee, | - | Member |
| 4. Administrative Secretary, Housing & Urban Development, Union Territory of Ladakh, or his/her Nominee, | - | Member |
| 5. Administrative Secretary, Transport, Union Territory of Ladakh, or his/her Nominee | - | Member |
| 6. Administrative Secretary, Health & Medical Education, Union Territory of Ladakh, or his/her Nominee, | - | Member |
| 7. Director, Urban Local Bodies, Union Territory of Ladakh | - | Member |
| 8. Director, Health & Medical Education, Union Territory of Ladakh | - | Member |
| 9. Regional Officer, Ministry of Environment, Forest and Climate Change, Jammu or his/her Nominee | - | Member |
| 10. Professor Sameer K. Sarma, Head, Dept. of Civil Engineering, Indian Institution of Technology, Jammu | - | Member |
| 11. Professor Raj Kumar Rampal, Head, Dept. of Environmental Sciences, University of Jammu | - | Member |
| 12. Member Secretary, Central Pollution Control Board or his/her Nominee | - | Member |
| 13. Chairman, Ladakh, Chamber of Industries | - | Member |
| 14. Chief Wild Life Warden, Union Territory of Ladakh | - | Member Secretary |

And,

- (i) This Committee may be called as Ladakh Pollution Control Committee.
- (ii) The nomination of Chairman and Member Secretary of UT of Ladakh shall be for a period of 06 months or sanction of the post of Chairman and Member Secretary, whichever is earlier.
- (iii) The Notification shall come into force with immediate effect.

SHIV DAS MEENA, Chairman, CPCB

[Advt-III/4/Exty/561/20-2021]

CENTRAL WATER LABORATORY
MINISTRY OF ENVIRONMENT & FORESTS
NOTIFICATION

New Delhi, the 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 COMPLIANCE BY 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:

S. 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 ₆ H ₅ OH)	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 SO ₄)	1000 mg/l
21.	Cyanides (as CN)	0.2 mg/l
22.	Ammonical 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.

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

New Delhi, the 19th November, 2018

S.O. 5799(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), hereinafter referred to as the said Act, and in supersession of the notification of the Government of India in the Ministry of Environment, Forest and Climate Change number S.O. 814 (E), dated the 23rd March, 2015, except as respects things done or omitted to be done before such supersession, 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:—

S. No.	Name and Address	Remarks
1.	¹ [Shri Shiv Das Meena, Chairman, Central Pollution Control Board	Chairman]
Members nominated under clause (b) of sub-section (2) of section 3 of the said Act		
2.	Additional Secretary and Financial Advisor, Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jor Bagh, New Delhi -110003.	Member
3.	Joint Secretary (Swacch Bharat Mission and Public Health Engineering), Ministry of Housing and Urban Affairs, Nirman Bhawan, New Delhi - 110001.	Member
4.	Joint Secretary (Thermal), Ministry of Power, Shram Shakti Bhawan, Rafi Marg, New Delhi -110001.	Member
5.	Executive Director (Technical), National Mission for Clean Ganga, Ministry of Water Resources, River Development and Ganga Rejuvenation, Major Dhyanchand National Stadium, India Gate, New Delhi -110002.	Member
6.	Joint Secretary, CP Division, Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jor Bagh, New Delhi -110003.	Member
Members nominated under clause (c) of sub-section (2) of section 3 of the said Act		
7.	Chairman, Uttar Pradesh Pollution Control Board	Member
8.	Chairman, Maharashtra Pollution Control Board	Member
9.	Chairman, Tamil Nadu Pollution Control Board	Member
10.	Chairman, Assam Pollution Control Board	Member
11.	Mayor, Municipal Corporation, Indore, Madhya Pradesh	Member
Members nominated under clause (d) of sub-section (2) of section 3 of the said Act		
12.	Shri Ashok Agarwal, Director, GridLynk Solar LLP, 40, Sector 31, Gurugram, Haryana	Member
13.	Dr Anil Kumar Gupta Chairman, Jhilmil and Friends Colony Industrial Area, Common Effluent Treatment Plant, Jhilmil Industrial Area, New Delhi-110095	Member

¹ Substituted for the entries against S. No. 1 by Notification S.O. 3690 (E), dated 20.10.2020.

14.	Dr T.K. Joshi, Advisor, Environmental Health, Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jor Bagh, New Delhi - 110003.	Member
Members nominated under clause (e) of sub-section (2) of section 3 of the said Act		
15.	Director (Operations), National Thermal Power Corporation Ltd, Core 7, 5th Floor, Scope Complex, Lodhi Road, New Delhi -110003	Member
16.	Director (Research and Development), Indian Oil Corporation Limited, Sector-13, Faridabad, Haryana -121007	Member
Member nominated under clause (f) of sub-section (2) of section 3 of the said Act		
17.	Dr. Prashant Gargava, Member-Secretary, Central Pollution Control Board	Member- Secretary

[F. No. Q-15014/21/2009-CPW]
RITESH KUMAR SINGH, Jt. Secy.

Note: The principal notification to constitute the Central Pollution Control Board was published in the Gazette of India *vide* number G.S.R. 998 (E), dated the 21st September, 1974 and last reconstituted *vide* notification number S.O. 814 (E), dated the 23rd March, 2015.

**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

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THE AIR (PREVENTION AND CONTROL OF POLLUTION) ACT, 1981

Act 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 ¹as 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;

(b) "air pollution" means the presence in the atmosphere of any air pollutant;

(c) "approved appliance" means any equipment or gadget used for the bringing of any combustible material or for generating or consuming any fume, gas or 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 a State Board;

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)

(g) "Central Board" means the ¹[Central Pollution Control Board] constituted under section 3 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 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;

(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 ³[State Pollution Control Board] 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

⁴**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.

4. 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) Act, 1974 (6 of 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

¹ Subs. by Act 47 of 1987, s.2 for "Central Board for the Prevention and Control of Water Pollution" (w.e.f. 1-4-1988).

² Subs. by s. 2, *ibid.*, for cl. (m) (w.e.f. 1-4-1988)

³ Subs. by Act 47 of 1987, s.2 for "State Board for the Prevention and Control of Water Pollution" (w.e.f. 1-4-1988).

⁴ Subs. by s.3, *ibid.*, for sections 3 and 4 (w.e.f. 1-4-1988)

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 Pollution Control Board] 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 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;

²(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:

¹ Subs. by Act 47 of 1987, s.2 for "State Board for the Prevention and Control of Water Pollution" (w.e.f. 1-4-1988).

² Subs. by Act 47 of 1987, Section 4 for cl. (f) w.e.f. (1-4-1988).

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 or, 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, -

(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 seat shall, in either case, take effect from such date 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, or

(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 or 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,

¹ The words “but for more than two terms” omitted by Act 47 of 1987, s. 5 (w.e.f. 1.4.1988).

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

(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. Meetings 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 purpose. - (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 of the Board for any other purpose.

(3) A person associated with a Board under sub-section (1) shall be entitled to receive such fees and allowances as may be prescribed.

13. 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.

14. Member-secretary and officers and other employees of State Boards. – (1) The terms and conditions of service of the member-secretary of a State Board constituted under this Act shall be such as may be prescribed.

¹[(2) The member-secretary of a State Board, whether constituted under this Act or not, 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 State Board or its Chairman.]

(3) subject to such rules as may be made by the State Government in this behalf, a State Board, whether constituted under this Act or not, may appoint such officers and other employees as it considers necessary for the efficient performance of its functions under this Act.

(4) The method of appointment, the conditions of service and the scale of pay of the officers (other than the member-secretary) and other employees of a State Board appointed under sub-section (3) shall be such as may be determined by regulations made by the State Board under this Act.

(5) Subject to such conditions as may be prescribed, a State Board constituted under this Act may from time to time appoint any qualified person to be a consultant to the Board and pay him such salary and allowances or fees, as it thinks fit.

15. Delegation of powers. – A State Board may, by general or special order, delegate to the Chairman or the member-secretary or any other officer of the Board subject to such conditions and limitations, if any, as may be specified in the order, such of its powers and functions under this Act as it may deem necessary.

CHAPTER III

POWERS AND FUNCTIONS OF BOARDS

16. Functions of Central Board. – (1) Subject to the provisions of this Act, and without prejudice to the performance, of its functions under the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974), the main functions of the Central Board shall be to improve the quality of air and to prevent, control or abate air pollution in the country.

(2) In particular and without prejudice to the generality of the foregoing functions, the Central Board may-

(a) advise the Central Government on any matter concerning the improvement of the quality of air and the prevention, control or abatement of air pollution;

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

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

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

²[(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;]

¹ Subs. by Act 47 of 1987, s.6, for sub-section (2) (w.e.f.1.4.1988)

² Ins. by Act 47 of 1987, s. 7 (w.e.f. 1.4.1988)

(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;

(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

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)

be prescribed, any area or areas within the State as air pollution control area or areas for the purposes of this Act.

(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 State 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. Power 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:

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, 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, ²[***] 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

¹ Subs. by Act 47 of 1987, s. 9, for sub-section (1) (w.e.f. 1-4-1988).

² Certain words omitted by Act 47 of 1987, s. 9, (w.e.f. 1-4-1988).

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, ¹[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 such consent]:

²[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;

(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; and

(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 ³[***] 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

¹ Subs. by Act 47 of 1987, s. 9, for certain words (w.e.f. 1.4.1988).

² Ins. by s. 9, *ibid.*, (w.e.f.1.4.1988)

³ Certain words omitted by Act 47 of 1987, s. 9, (w.e.f.1.4.1988).

(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-erection 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.

22. Persons carrying on industry, etc., not 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 person 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.

23. Furnishing of information to State Board and other agencies in certain cases. - (1) Where in any ³[***] 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.

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).

³ The words "air pollution control" omitted by Act 47 of 1987, s.12, (w.e.f.1.4.1988)

(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 thereunder has been or is being or is about to be committed and for seizing any such control equipment, industrial plant, record, 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.

(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-

¹ Certain words omitted by Act 47 of 1987, s.13 (w.e.f.1.4.1988)

- (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 or containers 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 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. Analysts. – (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 day 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.]

¹ Ins. by Act 47 of 1987, s. 14 (w.e.f.1.4.1988).

¹[**31B. Appeal to National Green Tribunal.** – Any person aggrieved by an order or decision of the Appellate Authority under section 31, made on or after the commencement of the National Green Tribunal Act, 2010, may file an appeal to the National Green Tribunal established under section 3 of the National Green Tribunal Act, 2010, in accordance with the provisions of that Act.]

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 Pollution Control Board] 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 there under 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.

(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 ³[State Pollution Control Board] 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.

⁴[**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.

⁵[**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

¹ Ins. by Act 19 of 2010 dated 02.06.2010.

² Subs. by s. 15, *ibid.*, for “State Board for the Prevention and Control of water Pollution” (w.e.f. 1-4-1988)

³ Subs. by Act 47 of 1987, s.15, for “State Board for the Prevention and Control of Water Pollution” (w.e.f. 1-4-1988).

⁴ Ins. by s. 16, *ibid.* (w.e.f. 1-4-1988).

⁵ Subs. by s. 17, *ibid.*, for section 35 (w.e.f. 1-4-1988).

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 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 term 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.

(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

¹ Subs. by Act 47 of 1987, s. 18, for s. 37 (w.e.f. 1-4-1988).

(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 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 anybody 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

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)

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).

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 State 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;

¹ Sub. by Act 47 of 1987, s.21, for s. 43 (w.e.f.1.4.1988)

(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 ¹[State Pollution Control Board] 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.

(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 Pollution Control Board];

(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 Pollution Control Board] 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 Pollution Control Board]:

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;

¹ Subs. by Act 47 of 1987, s.15 for "State Board for the Prevention and Control of Water Pollution" (w.e.f. 1-4-1988).

(d) all liabilities and 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 Pollution Control Board] 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 ²[State Pollution Control Board]

50. *[Power to Amend the Schedule]. Omitted 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 standards for emission laid down by it in relation to each such consent and such other particulars as may be prescribed.

(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;

³[(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;]

(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

¹ Subs. by Act 47 of 1987, s.15 for "State Board for the Prevention and Control of Water Pollution" (w.e.f. 1-4-1988).

² Subs. by Act 47 of 1987, s.15 for "State Board for the Prevention and Control of Water Pollution" (w.e.f. 1-4-1988).

³ Sub. by Act 47 of 1987, s. 23, for cl. (f) (w.e.f.1.4.1988)

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 aspects 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;

(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;

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).

- (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 of 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 the 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 days' 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 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 officer shall adjourn 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 office 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 meeting of a committee constituted by the Central Board under sub-section (1) 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 committees 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 advice 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 person 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 rates 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 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 — 5

Budget of the Central Board

15. Form of budget estimates under section 34: —

(1) The form in which and time within which the budget may be prepared and forwarded to the Government shall be as provided in forms 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 and 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, Joint Secretary
Department of Environment

SCHEDULE I

FORM I

CENTRAL POLLUTION CONTROL BOARD

Detailed Budget Estimates for the Year 20....

(See rule 15)

ADMINISTRATION

(Expenditure)

Heads of Account	Actuals of the past three years			Sanctioned estimate for the current year 20....	Actuals of last six months i.e. 20.... 20....	Actuals of six months current year 20....	Revised estimate for the current year 20....	Budget Estimate for the next year 20....	Variations between columns 5 & 8	Variations between columns 8 & 9	Explanation for columns 10 & 11
	20	20	20								
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 20...20....

(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	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)	(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
1	2	3	4	5	6	7	8	9	10
Total									

FORM IV
CENTRAL POLLUTION CONTROL BOARD
(Abstract of Nominal Rolls)
(See rule 15)

Actual sanctioned strength as on 1st March, 20...	Particulars of posts	Sanctioned budget grant 20... - 20...		Revised Estimates 20... - 20...		Budget estimates 20... - 20...		Explanation for the difference between sanctioned budget grant revised estimates and budget estimates.
		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 IX							
	(a) Posts filled							
	(b) Posts vacant							
	Total III — Class IV							
	GRAND TOTAL — I, II and III							

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, 20... TO MARCH 31, 20...

CHAPTER-1 :	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 1	Receipts 2	Previous year 3	Payments 4
Opening Balance _____ I. Grants received _____ (a) from Government _____ (b) from other agencies _____ II. Fee. _____		1. Capital Expenditure (i) Works _____ (ii) Fixed Assets _____ (iii) Other Assets _____ (a) Laboratory Equipment _____ (b) Vehicles _____ (c) Furnitures and Fixtures _____ (d) Scientific Instruments and office appliances _____ (e) Tools and Plant _____	
III. Fines and Forfeitures. _____ IV. Interest of investments. _____ V. Miscellaneous Receipts. _____ VI. Miscellaneous Advances. _____ VII. Deposits _____ TOTAL _____		2. Revenue Expenditure _____ (A) Administrative _____ (i) Pay of Officers _____ (ii) Pay of Establishment _____ (iii) Allowances and Honoraria _____ (iv) Leave Salary and Pension Contributions _____ (v) Contingent Expenditure _____ 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 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, 20__

(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	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 vehicles (D) Maintenance and repairs: (i) Building and land drainage (ii) Works (iii) Furnitures & 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 March, 20...

(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
<p>A— Capital Fund—</p> <p>(i) Grants received from government for capital expenditure.</p> <p>(a) Amount utilised upto 31st March 20__</p> <p>(b) Unutilised balance on 31st March 20__</p> <p>(ii) Grant from other agencies for capital expenditure</p> <p>(a) Amount utilised upto 31st March 20__</p> <p>(b) Unutilised balance on 31st March 20__</p> <p>(iii) Value of land provided by government (per contra)</p> <p>B— Capital Receipts—</p> <p>C. — (i) Deposits received for works from Outside bodies—</p> <p>(ii) Deposits—</p> <p>Less Expenditure—</p> <p>(iii) Other deposits—</p> <p>D. Amounts due—</p> <p>(i) Purchases</p> <p>(ii) Others</p> <p>E. Excess of income over expenditure—</p> <p>(i) upto 31st March 20....</p> <p>(ii) Add for the year</p> <p>(iii) Deduct — Excess of Expenditure over income.</p>				<p>1. Works—</p> <p>(As per Form VIII)</p> <p>2. Fixed assets</p> <p>(As per Form IX)</p> <p>(a) Value of land provided by government (at cost).</p> <p>(b) Buildings—</p> <p>Balance as per last balance sheet</p> <p>Additions during the year</p> <p>Total</p> <p>Less:</p> <p>Depreciation during the year</p> <p>Total:</p> <p>3. Other assets—</p> <p>(As per Form IX)</p> <p>(a) Laboratory equipment as per last balance sheet</p> <p>additions during the year</p> <p>Total:</p> <p>Less:</p> <p>Depreciation during the year</p> <p>Total:</p> <p>(b) Vehicles as per last balance sheet.</p> <p>Additions during the year.</p> <p>Total:</p> <p>Less depreciation during the year</p> <p>Total:</p> <p>(c) Furniture and fixtures</p> <p>As per last Balance Sheet</p> <p>Additions during the year</p> <p>Total:</p> <p>(d) Scientific instruments and office appliances—</p> <p>As per last Balance Sheet.</p> <p>Additions during the year</p> <p>Total:</p>			

	<p>(e) Tools and plants As per last balance sheet Additions during the year Total: Less depreciation during the year. Total:</p> <p>4. Sundry debtors— (i) Amounts due from outside bodies for expenditure incurred- Expenditure Less amount received (ii) Other sundry debtors</p> <p>5. Advances— (a) Miscellaneous Advances. (b) Cash at Bank (c) Cash in hand (d) Cash in transit</p> <p style="text-align: right;">Total</p>	
Total	Total	
Accounts Officer	Member-Secretary	Chairman

FORM VIII
CENTRAL POLLUTION CONTROL BOARD
ANNUAL STATEMENT OF ACCOUNT

Expenditure on works as on 31st March, 20

(Item 1-Asset of the Balance Sheet)

(See Rule 17)

Sl. No.	Name of work	Upto 31st March 20			During the year 20			Upto 31st March 20		
		Direct Expenditure	Overhead Charges	Total Expenditure	Direct Expenditure	Overhead Charges	Total Expenditure	Direct Expenditure	Overhead Charges	Total Expenditure
1	2	3	4	5	6	7	8	9	10	11
Total										
Accounts Officer			Member-Secretary				Chairman			

FORM IX
CENTRAL POLLUTION CONTROL BOARD
ANNUAL STATEMENT OF ACCOUNTS

Fixed Assets as on 31st March, 20 (Item 2 Assets to the Balance Sheet).

Other Assets as on 31st March, 20 (Item 3 Assets to the Balance Sheet).

(See Rule 17)

Sl. No.	Particulars of assets.	Balance as on 31st March 20	Additions during the years	Total	Depreciation during the year	Sales of write off during the year	Balance as on 31st March 20	Cumulative depreciation as on 31st March 20
1	2	3	4	5	6	7	8	9
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].

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.

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 (1) 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;

(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 no joint 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 with 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 from 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 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 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.
- (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;

¹ Inserted by 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.

- (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 anybody 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 as 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	:	
4.	a) Whether the unit is generating hazardous waste as defined in the Hazardous Wastes (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/round the clock	:	
6.	a) List and quantum of products and by-products	:	

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.

	b) List and quantum of raw materials used	:	
7.	Furnish a flow diagram of manufacturing process showing : input and output in terms of products and waste generated including for captive power generation and demineralised 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 with capacity	:	
	d) Characteristics of final effluent pH	:	
	Suspended solids Dissolved solids Chemical Oxygen Demand (COD) Biochemical Oxygen Demand (BOD) /20° C Oil and grease (Additional parameters as specified by the concerned Pollution Control Board		
	e) Mode of disposal and final discharge point (enclose 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 each of the above stacks-particulate matter and Sulphur Dioxide (SO ₂) (Additional parameters as specified by the concerned Pollution Control Board)	:	
	c) A brief account of the air pollution control unit to 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 and its nature, as defined under the Environment (Protection) Act, 1986. (See the Hazardous Wastes Management and Handling Rules, 1989).	:	
	(c) Mode of storage within the plant, method of disposal and any other information sought by the concerned Pollution Control Board	:	

12.	a) Hazardous Chemicals as defined under Environment (Protection) Act, 1986 (See the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989)	:	
	b) Whether any isolated storage is involved if yes, attach details	:	Yes/No
	c) Whether emergency plans are prepared for taking -on-site measures	:	Yes/No
	-off-site measures	:	Yes/No

I/We enclose herewith Receipt No.....Bank Draft No Dated for Rs. (Rupees.....) in favour of the Central Pollution Control Board, New Delhi towards the fees payable under Section 25 of the Act.

Yours faithfully,

Name and Signature of applicant

[F. No. Q.-15011/1/91 -CPW]
T. GEORGE JOSEPH, Jt. Secy.

Note: 1. Any applicant knowingly giving incorrect information or suppressing any information pertaining thereto shall be liable to be punished under the Act.

2. * Strike out which is not relevant.]

FOOTNOTE: The principal rules were published in the Gazette of India vide Notification No. G.S.R. 6(E) dated the 21st December, 1983 and subsequently amended vide Notification (1) G.S.R. 350(E) dated the 9th March 1989.

Source: Gazette of India Extraordinary Part-II Section 3(i), G.S.R. 379(E) dated 31.03.92.

CENTRAL POLLUTION CONTROL BOARD

FORM II

[See rule 10(2)]

NOTICE OF INSPECTION

Chairman

Member Secretary
Shri
No.
Dated
.....
.....

To

Take Notice that for the purpose of enquiry under section 21 the following officers of the Central Board namely; -

- (i) Shri
- (ii) Shri
- (iii) Shri

and the persons authorised by the Board to assist them shall inspect-

Any systems of your Industrial Plant.

Any other parts thereof or pertaining thereto under management/control of date (a) 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 37(1) of the Act.

By order of the Board
Member Secretary

Copy to:

- 1.
- 2.
- 3.

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 20..... 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 sub-section 3 of section 26 of the Air (Prevention and Control of Pollution) Act 1981, received on the (II) day of 20..... 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

20.....

(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.
-

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:

(a) Proposed- Yes/No

(b) Now operating-Yes/No.

(c) Modification of existing emission source. -Yes/No.

(d) Location change-Yes/No.

(e) Ownership change-Yes/No.

(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 Districtagainst 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 20 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

¹FORM 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.....

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.

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

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 Geake – Ultraviolet fluorescence
		24 hours**	80	80	
2	Nitrogen Dioxide (NO ₂), µg/m ³	Annual*	40	30	– Modified Jacob & Hochheiser (Na-Arsenite) – Chemiluminescence
		24 hours**	80	80	
3	Particulate Matter (size less than 10 µm) or PM ₁₀ µg/m ³	Annual*	60	60	– Gravimetric – TOEM – Beta attenuation
		24 hours**	100	100	
4	Particulate Matter (size less than 2.5 µm) or PM _{2.5} µg/m ³	Annual*	40	40	– Gravimetric – TOEM – Beta attenuation
		24 hours**	60	60	
5	Ozone (O ₃) µg/m ³	8 hours **	100	100	– UV photometric – Chemiluminescence – Chemical method
		1 hour **	180	180	
6	Lead (Pb) µg/m ³	Annual*	0.5	0.5	– ASS/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	
8	Ammonia (NH ₃)	Annual*	100	100	– Chemiluminescence

	$\mu\text{g}/\text{m}^3$	24 hours**	400	400	– Indophenol blue method
9	Benzene (C_6H_6) $\mu\text{g}/\text{m}^3$	Annual*	05	05	– Gas chromatography based continuous analyser – 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 and 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, Secy.

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)

NOTIFICATIONNew 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)

NOTIFICATIONNew 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 1988.

MINISTRY OF ENVIRONMENT & FORESTS

(Department of Environment, Forests & Wildlife)

NOTIFICATION

New Delhi, the 10th February, 1989

DADRA AND NAGAR HAVELI

G.S.R. 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 AND FORESTS**

(Department of Environment, Forests and 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 of 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.

CENTRAL POLLUTION CONTROL BOARD

Ambient Air Quality Standard for Ammonia

NOTIFICATION

New Delhi, the 14th October, 1998

S.O.935(E)-The Central Pollution Control Board in exercise of its powers conferred under Section 16(2) (h) of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981) hereby notify the Ambient Air Quality Standard for Ammonia (NH₃) with immediate effect, as under:

Ambient Air Quality Standard for Ammonia

Daily Average (Sample duration 24 hrs.)	:	0.4 mg/m ³ (400 µg/m ³)
Annual average of 104 samples (2 samples drawn every week)	:	0.1 g/m ³ (100 µg/m ³)

Source: Published in the Gazette of India. S.O.935(E). Part II 3(ii), dt. 29.10.1998.

**THE ENVIRONMENT
(PROTECTION) ACT, 1986**

(As amended to date)

ENVIRONMENT (PROTECTION) ACT, 1986

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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 therewith.

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 date¹ 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.

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;
- (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.

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.

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 purposes 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 may¹, 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.

³**5A. Appeal to National Green Tribunal.** – Any person aggrieved by any directions issued under section 5, on or after the commencement of the National Green Tribunal Act, 2010 (19 of 2010), may file an appeal to the National Green Tribunal established under section 3 of the National Green Tribunal Act, 2010 (19 of 2010), in accordance with the provisions of that Act.]

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: —

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.O.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 Sec. 5A Ins. by Act 19 of 2010 dt.02.06.2010

- (a) the standards of quality of air, water or soil for various areas and purposes;¹
- (b) the maximum allowable limits of concentration of various environmental pollutants (including noise) for different areas;
- (c) the procedures and safeguards for the handling of hazardous substances;²
- (d) the prohibition and restrictions on the handling of hazardous substances in different areas;³
- (e) the prohibition and restriction on the location of industries and the carrying on of processes and operations in different areas;⁴
- (f) the procedures and safeguards for the prevention of accidents which may cause environmental pollution and for providing for remedial measures for such accidents.⁵

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 pollutant in excess of such standards as may be prescribed⁶.

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 prescribed⁷.

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–

¹ Sec.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), dated19.5.1993.
- 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,

² Sec.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 Microorganisms, Genetically/Engineered Organisms or Cells Rules,1989

³ Rule 13 SUPRA

⁴ See r. 5 of Environment (Protection) Rules,1986.

⁵ 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 Microorganisms, Genetically Engineered Organisms or CellsRules,1989.

⁶ See r. 3 of Environment (Protection) Rules, 1986 and Schedule-I.

⁷ Rule 13 SUPRA

- (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 prescribed¹

(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 behalf² 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;
- (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 or 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 wilfully delays or obstructs any person 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 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 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 behalf³, shall have power to take, for the purpose of

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 16.2.1987

³ 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

analysis, samples of air, water, soil or other substance from any factory, premises or other place in such manner as may be prescribed¹.

(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: –

- (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 wilful 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 Government² 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 Act³.

(2) The Central Government may, by notification in the Official Gazette, make rules specifying:

- (a) the functions of the environmental laboratory;⁴

¹ 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 16.2.1987

² 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

³ . list of laboratories/institutes recognised as environmental laboratories: and the persons recognised as Govt. Analysts.

⁴ See r. 9 of Environment (Protection) Rules,1986.

- (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;¹
- (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 qualifications² 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 or 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.

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 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 exercised

¹ See r. 8 of Environment (Protection) Rules, 1986.

² For qualifications of Govt. Analyst see r.10 of Environment (Protection) Rules, 1986.

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 Government¹; 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.

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 notification, 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. – (2) Subject to the provisions of sub-section (2), the provisions of this Act and the rules or orders made there in shall have effect notwithstanding anything inconsistent therewith

¹ In exercise of powers conferred under clause (a) of section 19, 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.

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 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 7¹;
- (b) the procedure in accordance with and the safeguards in compliance with which hazardous substances shall be handled or cause to be handled under section 8;²
- (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;³
- (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;⁴
- (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;⁵
- (f) the functions of the environmental laboratories,⁶ the procedure for the submission to such laboratories of samples of air, water, soil and other substances for analysis or test;⁷ 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;⁸
- (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;⁹

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 Microorganisms, Genetically- engineered organisms or Cells Rules,1989.

³ For ... or agencies see r.12 of Environment (Protection) Rules, 1986 and Schedule-II.

⁴ See r. 6 of Environment (Protection) Rules, 1986.

⁵ See r. 7 of Environment (Protection) Rules,1986.

⁶ See r. 9 of Environment (Protection) Rules,1986.

⁷ For the procedure for submission of samples to laboratories and the form of laboratory report see r. 8 of Environment (Protection) Rules,1986.

⁸ See r. 10 of Environment (Protection) Rules,1986.

⁹ See r. 11 of Environment (protection) Rules,1986.

(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.

This Act of Parliament received the assent of the President of India on the 23rd May, 1986: –

**NOTIFICATIONS UNDER
THE ENVIRONMENT
(PROTECTION) ACT, 1986**

(as amended to date)

**POWERS TO GRANT RECOGNITION AS ENVIRONMENTAL LABORATORIES AND
GOVERNMENT ANALYSTS**

MINISTRY OF ENVIRONMENT AND 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.

THE ENVIRONMENTAL LABORATORIES (GOVT./SEMI-GOVT./PUBLIC SECTOR UNDERTAKINGS/ EDUCATIONAL INSTITUTES) RECOGNISED UNDER SECTION 12(1) B OF THE ENVIRONMENT (PROTECTION) ACT, 1986 WITH VALID RECOGNITION

CENTRAL POLLUTION CONTROL BOARD

NOTIFICATION

New Delhi, the 11th December, 2015

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 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).

S. No.	Name of Laboratory	Name of the Govt. Analysts	Recognized for parameter groups
(1)	(2)	(3)	(4)
¹ [156]	Central Laboratory Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi-110032	1. Shri B.K.Jakhmola, Sc. 'E' 2. Shri N.C.Durgapal, Sc. 'E' ² [3.Shri V.K.Shukla, Sc. 'D' 4. Dr.R.C.Srivastava. Sc. 'D' 5. Shri Krishna Murti, Sc 'D' 6. Mrs. Namita Mishra, Sc 'C' 7. Sh.Sanjay Kumar, Sc. 'D' 8. Sh.B.Kumar, Sc. 'D' 9. Dr. Sanjeev Agrawal, Sc. 'E' 10. Dr.Dilip Kumar Markandey, Sc. 'D']	Physical, General, Chemical & non-metallic, metals, organics, microbiological, Toxicological, biological, soil, Sludge, Sediments, Hazardous waste, air pollution parameters for analysis of ambient air, source emissions, noise and micro-meteorological parameters. & Vehicular emission parameters.
157	Pollution Control Research Institute Bharat Heavy Electricals Limited, Ranipur, Haridwar, 249403 Uttrakhand	1. Dr. N.G. Shrivastava, SDGM 2. Sh. Ambrish Goel, SDGM 3. Dr. Neelam Shrivastava, DGM 4. Dr. S. Bhatnagar, Sr. Manager	Physical, General, Chemical & non-metallic, metals, organics, microbiological, Toxicological, biological, soil, Sludge, Sediments, Hazardous waste, air pollution parameters for analysis of ambient air, source emissions, noise and micro-meteorological parameters. & Vehicular emission parameters.

¹ The Sl. Nos. 156 to 159 and entries relating thereto were inserted vide Notification No. Legal/42(3)/87, dated 11th December, 2015, shall remain valid for a period of five (5) years from the date of issue of the Notification i.e. with the validity upto 10th December, 2020.

² Inserted corrigendum (I) at column 3, S. No. 156 vide Notification No. Legal 42(3)/87, dated 3rd October, 2018

S. No.	Name of Laboratory	Name of the Govt. Analysts	Recognized for parameter groups
(1)	(2)	(3)	(4)
158	Regional Laboratory, Maharashtra Pollution Control Board, Jog Centre 3rd Floor, Pune-Mumbai Road, Pune-Mumbai Road, Shivagi Nagar, Pune-411003	1. Mr. S. V. Bhosale, Scientific Officer 2. Mrs. B. P. Bayas, Jr. Scientific Officer, 3. Mr. D. V. Nehe, Scientific officer 4. Mr. R. P. Raut, Scientific assistant 5. Mr. B. S. Shivankar, Scientific Assistant	Physical, General, Chemical & non-metallic, metals, organics, microbiological, Toxicological, biological, soil, Sludge, Sediments, Hazardous waste, air pollution parameters for analysis of ambient air, source emissions, noise and micro-meteorological parameters.
159	Zonal office Laboratory, Central Pollution Control, Sahkar Bhawan, 3rd Floor, North T.T. Nagar, Bhopal-462003	1. Dr. R. P. Mishra, Scientist-C 2. Dr. Y. K. Saxena, SSA 3. Dr. Anoop Chaturvedi, JSA	Physical, General, Chemical & non-metallic, metals, organics, microbiological, Toxicological, biological, soil, Sludge, Sediments, Hazardous waste, air pollution parameters for analysis of ambient air, source emissions, noise and micro-meteorological parameters.]
¹ [160]	Environment Protection Training and Research Institute (EPTRI) Survey No. 91/4, Gachibowli Hyderabad-500032	1. Dr. M. Sunila, Head Analytical Lab 2. Mr. D.S.S. Srinivas, Quality Manager 3. Mr. K. Vamsi Krishna, Project Faculty	Physical, General, & non-metallic, metals, organics, microbiological, toxicological, biological, Hazardous waste, soil, sludge, sediments, and air pollution parameters for analysis of ambient air, source emission, noise and micro-meteorological parameters.
161	Punjab Biotechnology Incubator SCO: 7 & 8, Phase-V SAS Nagar (Mohali)-160059, Punjab	1. Dr. S.S Marwaha 2. Dr. (Mrs.) Ajit Dua	Physical, General, & non-metallic, metals, organics, microbiological, toxicological, biological, soil, Sludge, Sediments & air pollution parameters for analysis of ambient air, source emission, noise and micro-meteorological parameters & vehicular emission parameters.
162	Quality Control Laboratory Indian Oil Corporation Ltd. Bangaigaon, P.O Dhaligaon, Distt. Chirang,- 783385, Assam	² [1. Mr. P.C. Sarma M (QC) 2. Dr. D.K. Yadav, QCO]	Physical, General, & non-metallic, metals, organics, microbiological, toxicological and air pollution parameters for analysis of ambient air, source emission, noise and micro-meteorological parameters.]
³ [163]	Central Environmental	1. Dr. H. Lokeshwari, Chief	Physical, General, & non-

¹ The Sl. Nos. 160 to 162 and entries relating thereto were inserted vide Notification No. Legal/42(3)/87, dated 7th March, 2016, shall remain valid for a period of five (5) years from the date of issue of the Notification i.e. with the validity upto 6th March, 2021.

² Inserted corrigendum (II) at column 3, S. No. 162 vide Notification No. Legal 42(3)/87, dated 3rd October, 2018

³ The Sl. Nos. 163 to 165 and entries relating thereto were inserted vide Notification No. Legal/42(3)/87, dated 3rd August, 2016, shall remain valid for a period of five (5) years from the date of issue of the Notification i.e. with the validity upto 2nd August, 2021.

S. No.	Name of Laboratory	Name of the Govt. Analysts	Recognized for parameter groups
(1)	(2)	(3)	(4)
	Laboratory Karnataka State Pollution Control Board Nisarga Bhawan "B" Block, 7 th 'D' Main Thimmaiah Road, Shivanagar, Bengaluru-560058	Scientific Officer-2 2. Sh. H. M. Shivakumar Scientific Officer 3. Dr. H. Roopadevi, Scientific Officer 4. Dr. B. M. Sreedhara Nayak, Deputy Scientific Officer 5. Sh. Ragavendra, Assistant Scientific Officer	metallic, metals, organics, microbiological, toxicological, biological, Hazardous waste, soil, sludge, sediments, and air pollution parameters for analysis of ambient air, source emission, noise and micro-meteorological parameters.
164	Zonal Office (West) Laboratory Central Pollution Control Board Parivesh Bhawan, Opposite – VMC Ward office No-10, Subhanpura, Vadodara-390023 Gujarat	1. Shri B. R. Naidu, Scientist-E 2. Dr. D. Brahmaiah Scientist-D	Physical, General & non-metallic, metals, organics, microbiological, toxicological, biological, soil, Sludge, Sediments & air pollution parameters for analysis of ambient air, source emission, noise and micro-meteorological parameters & vehicular emission parameters.
165	Environmental Laboratory Central Mine Planning & Design Institute Limited (CMPDI) Gondwana Place, Kanke Road Ranchi-834008 Jharkhand	1. Mr. D. K. Sah, Senior Manager (Environment) 2. Dr. Vinita Arora, Senior Manager (Environment) 3. Shri P. C. Jha, Senior Manager (Environment)	Physical, General & non-metallic, metals, organics, microbiological, toxicological and air pollution parameters for analysis of ambient air, source emission, noise and micro-meteorological parameters.]
¹ [166	Regional Directorate (South), Central Pollution Control Board, Nisarga Bhavan, 1 & 2 Floors, 7 th 'D' Main, Thimmaiah Road Shivanagar Bengaluru-560079 Karnataka.	1. Sh. S. Suresh, Scientist-E 2. Sh. T.K. Radheshyam Balaji, Scientist-D 3. Sh. S. Jeyapaul, Scientist-C	Physical, General and non metallic, metals, organics, microbiological, toxicological, biological, Hazardous waste, soil, Sludge, Sediments, and air pollution parameters for analysis of ambient air, source emissions, noise and micrometeorological parameters.
167	Regional Laboratory, Maharashtra Pollution Control Board, 6 th Floor Civil Line Nagpur – 440001 Maharashtra.	1. Mr. R.B. Sorte, Scientific Officer 2. Mr. B.U. Bhandare, Junior Scientific Officer 3. Mrs. A.S. Sengupta, Junior Scientific Assistant 4. Mr. G.S. Nagre, Junior Scientific Assistant	Physical, General and non metallic, metals, organics, microbiological, toxicological and air pollution parameters for analysis of ambient air, source emissions, noise and micrometeorological parameters.
168	Gujarat Environment Management Institute (GEMI) Laboratory, Plot No: A-58, G.I.D.C Estate, Sector-25	1. Mrs. Nitasha Khatri, Senior Scientific Officer 2. Mr. Paresh Chavda,	Physical, General and non metallic, metals, organics, microbiological, toxicological, and air pollution parameters for analysis of ambient air, source

¹ The Sl. Nos. 166 to 168 and entries relating thereto were inserted vide Notification No. Legal/42(3)/87, dated 6th March, 2017, shall remain valid for a period of five (5) years from the date of issue of the Notification i.e. with the validity upto 5th March, 2022.

S. No.	Name of Laboratory	Name of the Govt. Analysts	Recognized for parameter groups
(1)	(2)	(3)	(4)
	Gandhi Nagar-382025 Gujarat.	Deputy Environment Engineer 3. Mrs. Harshida Modi, Scientific Officer/Deputy Laboratory Head	emissions, noise and micrometeorological parameters.]
¹ [169	Regional Laboratory M.P. Pollution Control Board Scheme No. 78 Aranya, Part- I Vijay Nagar, Indore-452010 M.P.	Dr. D.K.Wagela Chief Chemist 1. Sh. Atul Kotiya, Scientist 2. Sh. R.M. Gamad, Scientist	Physical, General and non metallic, metals, organics, microbiological, toxicological, biological, Hazardous waste, soil, Sludge, Sediments, and air pollution parameters for analysis of ambient air, source emissions, noise and micrometeorological parameters.
170.	Department of Environment Science and Engineering/ Centre of Mining Environment Indian School of Mines Dhanbad-826004 Jharkhand.	1. Dr. B.K. Mishra, Assistant Professor 2. Dr. S Pandian E, Assistant Professor 3. Dr. Sheeja Jagadevan, Assistant Professor	Physical, General and non metallic, metals, organics, microbiological, toxicological and air pollution parameters for analysis of ambient air, source emissions, noise, micrometeorological and vehicular emission parameters.
171.	Head Office Laboratory, Punjab Pollution Control Board, Vatavaran Bhawan Nabha Road Patiala, Punjab.	1. Sh. Rajesh Kumar, Sr. Scientific Officer 2. Sh. Pradeep Thakur Scientific Officer 3. Smt. Meenu Sharma Scientific Officer 4. Sh. Surender Singh Scientific Officer.	Physical, General and non metallic, metals, organics, microbiological, toxicological, Soil, Sludge, Sediments and air pollution parameters for analysis of ambient air, source emissions, noise, Micrometeorological and vehicular emission parameters.]
² [172	Central Laboratory Pollution Control Board Assam, Bamunimaidam Guwahati-781021 Kamrup (M), Assam	1. Dr. R. Ahmed, Chief Environmental Scientist 2. Sh. Umesh Chand Das, Senior Environmental Scientist 3. Sh. Mirdul Dev Adhikari, Senior Environmental Scientist 4. Sh. Manoj Saikia, Senior Environmental Scientist 5. Dr. Gautam Krishna Mishra, Executive Environmental Scientist	Physical, General and non metallic, metals, organics, microbiological, toxicological, biological, Hazardous waste and air pollution parameters for analysis of ambient air, source emissions, noise and micrometeorological parameters.]
³ [173	Central Laboratory	1. Sh. P. Veeranna, Jt. Chief	Physical, General and non-

¹ The Sl. Nos. 169 to 171 and entries relating thereto were inserted vide Notification No. Legal/42(3)/87, dated 19th June, 2017, shall remain valid for a period of five (5) years from the date of issue of the Notification i.e. with the validity upto 18th June, 2022.

² The Sl. No. 172 and entries relating thereto were inserted vide Notification No. Legal/42(3)/87, dated 4th December, 2017, shall remain valid for a period of five (5) years from the date of issue of the Notification i.e. with the validity upto 3rd December, 2022.

³ The Sl. No. 173 and entries relating thereto were inserted vide Notification No. Legal/42(3)/87, dated 8th February, 2018, shall remain valid for a period of five (5) years from the date of issue of the Notification i.e. with the validity upto 7th February, 2023

S. No.	Name of Laboratory	Name of the Govt. Analysts	Recognized for parameter groups
(1)	(2)	(3)	(4)
	Telangana State Pollution Control Board Paryavaran Bhawan, A-III, Industrial Estate Sanath Nagar, Hyderabad- 500018	Environmental Scientist 2. Sh. N. Murali Mohan Scientific Officer 3. Sh. D. Nageswar Rao Scientific Officer	metallic, metals, organics, microbiological, toxicological, biological, Hazardous waste, soil, sludge/sediment and air pollution parameters for analysis of ambient air, source emissions, noise and micro-meteorological parameters.]
¹ [174]	Central Laboratory, U.P. Pollution Control Board, TC-12V, Vibhuti khand, Gomti Nagar, Lucknow-226010, UP	1. Dr. Ashok Kumar Verma, Scientific Officer 2. Mr.H.C.Joshi, Assistant Scientific Officer 3. Dr. Neelima Deepak, Assistant Scientific Officer 4. Ms. Preeti Bhashkar, Assistant Scientific Officer	Physical, general and non-metallic, metals, organics, microbiological, toxicological, and air pollution parameters for analysis of ambient air, source emissions, noise and micro – Meteorological parameters.
175	MIT Centre for Analytical Research & Studies. Maharashtra institute of Technology MIT-CARS MIT campus, Aurangabad, Maharashtra	1. Dr. Manohar Sonanis, Analyst 2. Mr. D. T. Bomare, Analyst	Physical, general and non-metallic, metals, organics, microbiological, toxicological, Hazardous waste, soil, sludge/ sediment and air pollution parameters for analysis of ambient air, source emissions, noise and micro – meteorological parameters.]
² [176]	Regional Directorate Laboratory, Central Pollution Control Board, PICUP Bhawan, Vibhuti Khand, Gomtinagar, Lucknow, Uttar Pradesh	1. Sh. V. K. Sachan, Scientist 'D' 2. Dr. R. K. Singh, Scientist 'D' 3. Dr. C. K. Dixit, Scientist 'B'	Physical, General and non-metallic, metals, organics, microbiological, toxicological, and air pollution parameters for analysis of ambient air, source emissions, noise and micrometeorological parameters.]
³ [177]	Central Laboratory Gujarat Pollution Control Board, Paryavaran Bhawan,	1. Sh. K.B. Vaghela, Scientific Officer	Physical, General and non metallic, metals, organics, microbiological, toxicological, biological,

¹ The Sl. Nos. 174 to 175 and entries relating thereto were inserted vide Notification No. Legal/42(3)/87, dated 3rd October, 2018, shall remain valid for a period of five (5) years from the date of issue of the Notification i.e. with the validity upto 2nd October, 2023.

² The Sl. No. 176 and entries relating thereto were inserted vide Notification No. Legal/42(3)/87, dated 17th January, 2019, shall remain valid for a period of five (5) years from the date of issue of the Notification i.e. with the validity upto 16th January, 2024. Government Analyst so mentioned at column (3) shall be appointed for a period of five years or upto the superannuation from the services of the Board, whichever is earlier.

³ The Sl. No. 177 and entries relating thereto were inserted vide Notification No. Legal/42(3)/87, dated 23rd May, 2019, shall remain valid for a period of five (5) years from the date of issue of the Notification i.e. with the validity upto 24th May, 2024. Government Analyst so mentioned at column (3) shall be appointed for a period of five years or upto the superannuation from the services of the Board, whichever is earlier.

S. No.	Name of Laboratory	Name of the Govt. Analysts	Recognized for parameter groups
(1)	(2)	(3)	(4)
	Sector 10-A, Gandhinagar-382010	2. Sh. A.G. Oza, Scientific Officer 3. Sh. M.H. Bhadrecha, Scientific Officer 4. Sh. T.A.Trivedi, Scientific Officer	Hazardous waste, soil, sludge/sediment and air pollution parameters for analysis of ambient air, source emission, noise level, meteorological and vehicular emission parameters.]
¹ [178	Regional Laboratory, Maharashtra Pollution Control Board, 106/107, Parkar Complex, Behind Nagar Parishad, Chiplun,, Dist. Ratnagiri, 415605 Maharashtra.	1. Sh. Bhagwan Shankar Gandhari, Scientific Officer, 2. Sh. Ashok Vishram Mandavkar, Junior Scientific Officer, 3. Sh. Anil Nana Sandansing, Junior Scientific Officer.	Physical, General chemical and Non-metallic, Metals, Organics, Microbiological, Toxicological, Hazardous waste characterization, Soil/sludge/ sediments and air pollution parameters for analysis of Ambient Air, Source emissions, Noise, and Micrometeorological parameters.
179	Regional Laboratory, Maharashtra Pollution Control Board 1st floor, Udyog Bhawan, ITI Signal, Trimbak Road, MIDC Compound Nashik, Maharashtra-422007	1. Sh. Shantilal Hiralal Nagare, Scientific Officer. 2. Dr. Padmanabh Damodar Khadkikar, Junior Scientific Officer, 3. Sh. Sunil Kashinath Bhaviskar, Junior Scientific Officer, 4. Sh. Suresh Damodar Mali, Junior Scientific Officer.	Physical, General chemical and Non-metallic, Metals, Organics, Microbiological, Toxicological, Hazardous waste characterization, Soil/sludge/ sediments and air pollution parameters for analysis of Ambient Air, Source emissions, Noise, and Micrometeorological parameters.
180	Regional Laboratory, Maharashtra Pollution Control Board, Paryavaran Bhavan, Plot No. A-4/1, MIDC Chikalthana, Aurangabad, 431210, Maharashtra.	1. Sh. Vishwajeet Rameshchandra Thakur, Senior Scientific Officer, 2. Sh. Vinayak Narayanrao Deshmukh, Junior Scientific Assistant, 3. Sh. Sunil Pandharinath Salve, Junior Scientific Assistant, 4. Sh. Mahesh Uttamrao Walse, Junior Scientific Assistant, 5. Smt. Meeta Ravi Deshmukh, Junior Scientific Assistant	Physical, General chemical and Non-metallic, Metals, Organics, Microbiological, Toxicological, Hazardous waste characterization, Soil/sludge/ sediments and air pollution parameters for analysis of Ambient Air, Source emissions, Noise, and Micrometeorological parameters.
181	Environmental Engineering Laboratory MECON Ltd., Vivekananda Path, Doranda, Ranchi- 834002, Jharkhand.	1. Dr. S.Chakraborty, DGM, 2. Dr.Piyal Das, Junior Scientific Officer, 3. Dr. Bevara Santosh Ramesh, Scientific Officer.	Physical, General chemical and Non-metallic, Metals, Organics, Microbiological, Toxicological, Hazardous waste characterization, Soil/sludge/ sediments and air pollution parameters for analysis of Ambient Air, Source emissions, Noise, and

¹ The Sl. Nos. 178 to 182 and entries relating thereto were inserted vide Notification No. Legal/42(3)/87, dated 20th July, 2019, shall remain valid for a period of five (5) years from the date of issue of the Notification i.e. with the validity upto 19th July, 2024. Government Analyst so mentioned at column (3) shall be appointed for a period of five years or upto the superannuation from the services of the Board, whichever is earlier.

S. No.	Name of Laboratory	Name of the Govt. Analysts	Recognized for parameter groups
(1)	(2)	(3)	(4)
			Micrometeorological parameters.
182	Central Laboratory, Madhya Pradesh Pollution Control Board, Paryavaran Parisar, E5, Arera Colony, Bhopal-462016.	1. Dr. H.B.Wankhede Scientist, 2. Dr. Sandhya Mokle, Scientist, 3. Ms. Avanti Hindoliya, Junior Scientist.	Physical, General chemical and Non-metallic, Metals, Organics, Microbiological, Toxicological, Hazardous waste characterization, Soil/sludge/ sediments and air pollution parameters for analysis of Ambient Air, Source emissions, Noise, and Micrometeorological parameters.]
¹ [183	Central Laboratory, Kerala State Pollution Control Board, Gandhi Nagar, Kochi, Ernakulam, Kerala - 682020	1. Sh. V. T. Sajimon, Chief Environmental Scientist, 2. Sh. M. H. Sherafudeen, Environmental Scientist, 3. Ms. P. Geetha, Environmental Scientist	Physical, General chemical and Nonmetallic, Metals, Organics, Microbiological, Toxicological, Hazardous waste characterization, soil/sludge/ sediments and air pollution parameters for analysis of Ambient Air, Source emissions, Noise and Micrometeorological parameters.]

SHIV DAS MEENA, Chairman
[ADVT.-III/4/Exty./375/2020-21]

Note: The principal notification was published in the Gazette of India vide No. S.O. 728(E), dated 21-7-1987 and subsequently amended vide- (1) Nos. S.O. 838 (E), dated 23-9-87, (2) S.O. 989 (E) , dated 17-11-87, (3) S.O. 489 (E), dated 17-5-88, (4) S.O. 156 (E) , dated 24-2-89, (5) S.O. 846 (E), dated 24-10-89, (6) S.O. 375 (E), dated 26-4-1990, (7) S.O. 803 (E), dated 23-9-92, (8) S.O. 97 (E), dated 5-12-1994, (9) S.O. 418 (E), dated 31-3-1996, (10) S.O. 889 (E), dated 31-8-1996, (11) S.O. 452 (E), dated 31-5-97, (12) S.O. 631 (E), dated 31-5-1998, (13) S.O. 336 (E), dated 1-1-1999, (14) S.O. 44 (E), date 15-1-2001, (15) S.O. 490 (E), dated 1-6-2001, (16) S.O. 532 (E), dated 1-1-2002, (17) S.O. 1168 (E), dated 1-6-2001, (18) S.O. 888 (E), dated 1-6-2003, (19) Legal/42(3)/87, dated 1-6-2004, (20) Legal/42(3)/87, dated 1-3-2005, (21) Legal/42(3)/87, dated 1-9-2005, (22) Legal/42(3)/87, dated 15-12-2005, (23) Legal/42(3)/87, dated 1-5-2006, (24) Legal/42(3)/87, dated 1-9-2006, (25) Legal/42(3)/87, dated 1-1-2007, (26) Legal/42(3)/87, dated 15-4-2007, (27) Legal/42(3)/87, dated 1-8-2007, (28) Legal/42(3)/87, dated 1-10-2007, (29) Legal/42(3)/87, dated 1-2-2008, (30) Legal/42(3)/87, dated 1-4-2008, (31) Legal/42(3)/87, dated 1-10-2009, (32) Legal/42(3)/87, dated 15-1-2010, (33) Legal/42(3)/87, dated 20-9-2010, (34) Legal/42(3)/87, dated 27-1-2011, (35) Legal/42(3)/87, dated 31-1-2012, (36) Legal/42(3)/87, dated 14-8-2014, (37) Legal/42(3)/87, dated 10-03-2015, (38) Legal/42(3)/87, dated 11-12-2015, (39) Legal/42(3)/87, dated 7-3-2016, (40) Legal/42(3)/87 3-8-2016, (41) Legal/42(3)/87 6-3-2017, (42) Legal/42(3)/87, dated 19-6-2017, (43) Legal/42(3)/87 dated 3-10-2018, (44) Legal/42(3)/87 dated 17-1-2019 and (45) Legal/42(3)/87 dated 20-7-2020 The validity period of the Environmental Laboratories notified at serial No.01 to 155 has been expired.

¹ The Sl. No. 183 and entries relating thereto were inserted vide Notification No. Legal/42(3)/87, dated 1st October, 2020, shall remain valid for a period of five (5) years from the date of issue of the Notification i.e. with the validity upto 30th September, 2025. Government Analyst so mentioned at column (3) shall be appointed for a period of five years or upto the superannuation from the services of the Board, whichever is earlier.

PRIVATE ENVIRONMENTAL LABORATORIES AND GOVERNMENT ANALYSTS

CENTRAL POLLUTION CONTROL BOARD
MINISTRY OF ENVIRONMENT AND FORESTS
NOTIFICATION

New Delhi, the 18th July, 2007

S.O. 1174 (E). - In exercise of powers conferred by clause (b) of sub-section (1) of section 12 and section 13 of the Environment (Protection) Act, 1986 (29 of 1986) read with rule 10 of the Environment (Protection) Rules, 1986, and in supersession of the notification of the Government of India in the Ministry of Environment and Forests number S.O.728(E), dated the 21st July, 1987 except as respects thing done or omitted to be done before such supersession, the Central Government hereby recognises the laboratories specific in column (2) of the Table given below as environmental laboratories to carry out the functions entrusted to such laboratories under the said Act and the rules and the persons specified in column (3) as Government Analysts for the purposes of analysis of samples of air, water, soil or other substances sent for analysis by the Central Government or the officer empowered under section 11 of the said Act, for a period specified in column (4) of the Table aforesaid, namely:-

S. No.	Name of the Laboratory	Name of the Government Analyst	Recognition with effect from and valid up to
(1)	(2)	(3)	(4)
¹ [1.	M/s Mantec Consultants Pvt. Ltd. D-36, Sector-VI, Noida-201301, Uttar Pradesh	i. Mr. Gaja Nand Mallick ii. Dr. Vivek Dwivedi iii. Mr. Sumit Verma	26.02.2018 TO 25.02.2023]
² [3.	M/s Bhagavati Ana Labs Pvt. Ltd., 7-2-C7 & 8/4, Industries Santhnagar, Hyderabad- 500018 (Telangana)	i. Mr. V. Raghavacharyulu ii. Ms. B.Radha Kumari	17.10.2019 TO 16.10.2024]
³ [5.	M/s Vimita Labs Limited, 142 IDA, Phase-II, Cheralapally, Hyderabad, Andhra Pradesh- 500051;	i. Dr. Subba Reddy Mallampati ii. Mr. S.V. Srinivas Reddy iii. Mr. Arnuri Channa Ramesh Kumar	02.06.2016 TO 01.06.2021]
² [6.	M/s Jeedimetla Effluent Treatment Ltd. Plot No. 267, Phase-1, IDA- Jeedimetla, Hyderabad-500025, Telangana	i. Mr. I. Srinivasa Rao ii. Mr. K. Venkata Subbareddy iii. Mr. Ch. Satish	17.10.2019 TO 16.10.2024]
⁴ [9.	M/s Sophisticated Industrial Materials Analytic Labs Pvt. Ltd. A- 3/7, Mayapuri Industrial Area, Phase- II, New Delhi- 110064;	i. Ms. B. Lalitha ii. Shri A. K. Pramanik iii. Dr. N. S. Meitei	02.06.2016 TO 01.06.2021]

¹ Sr. No.1 Subs. by S.O. 857 (E), dated 26th February, 2018

² Sr. No. 3 & 6 Subs. by S.O.3744 (E), dated 17th October, 2019

³ Sr. No. 5 Subs. by S.O.1953 (E), dated 2nd June, 2016

⁴ Sr. No. 9 Subs. by S.O.1953 (E), dated 2nd June, 2016

¹ [12.	M/s Horizon Services (Environmental and Safety) Shree K $\frac{3}{4}$, S. N 10, Erandawane Housing Society, Opposite Deenanath Mangeshkar Hospital, Pune- 411004, Maharashtra.	i. Ms. Seema Raghunath Jamdar ii. Mrs. Sagar Dharamaraj Surwase iii. Ms. Amruta Girish Joshi	09.02.2017 TO 08.02.2022]
² [13.	M/s Gadark Lab Pvt. Ltd., Plot No. H-54, Additional M.I.D.C. Post- Nerue Dewoolwada, Taluka- Kudal, District Sindhudurg, Maharashtra – 416525;	i. Shri Sharad Bhaskar Gawde ii. Shri Kailash Vasant Chitalkar iii. Shri Ulhas Giridhar Gaokar	02.06.2016 TO 01.06.2021
14.	M/s Ashwamedh Engineers & Consultants, Survey No. 102, Plot No. 26, Wadala Pathardi Road, Indira Nagar, Nasik, Maharashtra- 422009;	i. Ms. Aparna Sunil Pharande ii. Ms. Shah Shubhangi Prakash Kamble iii. Shri Ninad Arvind Soundankar	02.06.2016 TO 01.06.2021
15.	M/s AES Laboratories Pvt. Ltd., B-118, Phase-II, Noida Uttar Pradesh – 201304;	i. Shri Jitendra Gupta ii. Shri Biswajit Biswal iii. Ms. Babita Dharwal	02.06.2016 TO 01.06.2021]
¹ [16.	M/s Mitcon Consultancy & Engineering Service Ltd. (Environment Management & Engineering Division), 1 st Floor, Udyogprabidhini, Agriculture College Campus, Next to DIC Office, Shivaji Nagar, Pune- 411005, Maharashtra.	i. Dr. Sandeep Sukhdeo Jadhav ii. Mr. Rahul Laxman Patil iii. Mrs. Kadabari Dilip Katkar	09.02.2017 TO 08.02.2022]
³ [17.	M/s Idma Laboratories Limited] 391, Industrial Area, Phase-1, Panchkula-160019, Haryana	i. Mr. Ankush Aggarwal ii. Mr. Niranjana Dev Behl iii. Dr. Rajendra Kumar Jain	26.02.2018 TO 25.02.2023]
¹ [18.	M/s Konark Research Foundation Plot No. 338/1, Behind Patel Cricket ground, Kachigam, Daman – 396210.	i. Mr. Girish Balubhai Patel ii. Mrs. Niral Mukesh Bhandari iii. Mr. Hector Homi Khandhadia	09.02.2017 TO 08.02.2022]
⁴ [20.	M/s Pollucon Laboratories Pvt. Ltd., 544, Belgium Towers Ring Road, Oppst. Linear Bus Stand, Surat Gujarat- 395006;	i. Dr. Arjun Kumar Bajpai ii. Shri Devang Madhukar Gandhi iii. Shri Harshal Madhukar Gandhi	02.06.2016 TO 01.06.2021]

¹ Sr. Nos.12, 16 & 18 Subs.by S.O.388 (E), dated 10th February, 2017

² Sr. Nos. 13, 14 & 15 Subs. by S.O.1953 (E), dated 2nd June, 2016

³ Sr.No.17 Subs. by S.O.857(E), dated 26th February, 2018

⁴ Sr. No.20 Subs. by S.O.1953 (E), dated 2nd June, 2016

¹ [21.	M/s Choksi Laboratories Limited 6/3 Manoramaganj, Indore -452001, Madhya Pradesh.	i. Ms. Sagolshem Babyrani Devi ii. Ms. Preeti Francis iii. Ms. Usha Bhushan Bhawe	09.02.2017 TO 08.02.2022
22.	M/s PRECITECH Laboratories Pvt. Ltd. Plot No C-5/27, GIDC Estate Bhanujyot Complex, 1 st Floor, Opp. Oriental Insurance Co. Near GIDC Char Rasta, Vapi-396195, Tehsil Pardi, Dist Vaisad, Gujarat.	i. Mr Prashant R. Bhidkar ii. Mr. Rujul H. Bhatt iii. Dr. Hitenkumar M. Bhatt	09.02.2017 TO 08.02.2022]
² [24.	[M/s Newcon Consultants & Laboratories Pvt. Ltd. 8 th K. M. Stone, Delhi Meerut Road, Morta (Opp. Manan Dham Mandir), Ghaziabad- 201003, Uttar Pradesh	i. Mr. Pankaj Gupta ii. Mr. Amit Kumar Singh iii. Mr. Intekhab Khan	26.02.2018 TO 25.02.2023
26.	M/s Klean Laboratories & Research Pvt. Ltd. 402, Purushottam Plaza, Opp. Baner Telephone Exchange, Baner Road, Pune-411045, Maharashtra	i. Mr. Vishwas Waman Kale ii. Mr. Sanjay Kamalakar Mardikar iii. Ms. Manjusha Gaikwand	26.02.2018 TO 25.02.2023]
³ [27.	M/s Startech Labs Pvt. Ltd. H. No. 1-58/7, 2 nd Floor, S.M.R Chambers, Madinaguda, Hyderabad-500050, Telangana	i. Dr. Upendra M. Tripathi ii. Mr. Godavarthi Rambabu iii. Ms. I. Annapurna	[17.10.2019 TO 16.10.2024]
⁴ [29.	M/s Mahabal Enviro Engineers Pvt. Ltd. Plot. No. 13,17, 18, Grampanchayat Bokhara, 8 KM from Nagpur City, Opp. Patel Petrol Pump, Chhindwara Road, Post Koradi, Distt. Nagpur-441111, Maharashtra	i. Mr. Harish Prabhakar Mehendi ii. Mr. Kishor Chandrabhabhanji Yeole iii. Mr. Sachin Subhash Gore	15.11.2018 TO 14.11.2023]
² [30.	M/s Lawn Enviro Associates, "Lawn House" #184-C, Vengalrao Nagar, Hyderabad - 500038, Telangana	i. Mr. Devireddy Nagarujuna Reddy ii. Ms. Chevula Anuradha iii. Ms. Vangani Pallavi	26.02.2018 TO 25.02.2023]
⁴ [31.	M/s Envirotech East Pvt. Ltd. Bengal Ambuja Commercial Complex, UN-F-13, 1050/1, Survey Park, Kolkata 700075	i. Mr. Asoke Kumar Bandyopadhyay ii. Mr. Tapas Kundu iii. Dr. Shibam Mitra	15.11.2018 TO 14.11.2023]
⁵ [32.	M/s Enviro-International Plot No. 138-139, Udyog Kendrall Extn., Eco Tech-III, Greater Noida, G.B. Nagar-201306, Uttar Pradesh	i. Dr. Vipul Kumar ii. Mr. Ravinder Pal Marwah iii. Mrs. Manisha Srivastav	17.10.2019 TO 16.10.2024

¹ Sr. No. 21 & 22 Subs. by S.O.388 (E), dated 10th February, 2017

² Sr. No. 24, 26 & 30 Subs. by S.O.857(E), dated 26th February, 2018

³ Sr. No. 27 Subs. by S.O.3744 (E), dated 17th October, 2019

⁴ Sr. No.29 & 31 Subs. by S.O.5768 (E), dated 15th November, 2018

⁵ Sr. No 32, 33, 35 & 37 Subs. by S.O.3744 (E), dated 17th October, 2019

33.	M/s Shriram Institute for Industrial Research (A unit of Shriram Scientific and Industrial Research Foundation), 19, University Road, Delhi-110007	i. Dr. V.K.Verma ii. Dr. Jagdish Kumar iii. Dr. Mukesh Garg	17.10.2019 TO 16.10.2024]
35.	M/s SGS India Pvt. Ltd. CS Plot No. 512(P), Mouza-Hanspukuria, Diamond Harbour Road, PO- Joka, Dist-South 24 Parganas, Kolkata-700104, West Bengal	i. Shri Satya Charan Manna ii. Mr. Monaj Roy iii. Mr. Sumallya Bhattacharjee	17.10.2019 TO 16.10.2024
37.	M/s Netel (India) Limited W-408, Rabale MIDC, TTC Industrial Area, Navi Mumabi-400701, Maharashtra	i. Mrs. Shraddha Sriram Kere ii. Ms. Neelima Dhonduram Dalvi iii. Ms. Surekha Sitaram Jamdar	17.10.2019 TO 16.10.2024]
¹ [38.	M/s Envirocare Labs Pvt.Ltd. Enviro House, A-7, MIDC, Wagle Industrial Estate, Main Road, Thane-400604, Maharashtra	i. Dr. Priti N.Amritkar ii. Ms. Sneha Omkar Methar iii. Ms. Manisha Kharade	15.11.2018 TO 14.11.2023]
² [39.	M/s Team Test House, (A Unite of Team Institute of Science & Technology Pvt. Ltd.) G-1-584, RIICO Industrial Area, Sitapura, Jaipur – 302022, Rajastahan	i. Mrs. Kavita Mathur ii. Mr. Kedar Nath Mukhopadhyay iii. Mr. Rajesh Maheshwari	26.02.2018 TO 25.02.2023
41.	M/s Envirochem Research & Test Labs Pvt. Ltd. HIG-79, Sector-E, Aliganj, Lucknow-226024, Uttar Pradesh	i. Dr. Madan Mohan Agarwal ii. Sh. Vivek Kumar Gupta iii. Mrs. Saroj Singh	26.02.2018 TO 25.02.2023]
³ [44.	M/s Pragathi Labs & Consultants Pvt. Ltd, Plot No. B 15 & 16, Industrial Estate, Behind Pollution Control Board, Sanath Nagar, Hyderabad-500018 Telangana	i. Mr. Madala Ravi Kiran ii. Mr. Kambhampati Sreedhar iii. Mr. I. Rama Murthy	17.10.2019 TO 16.10.2024]
² [45.	M/s Mineral Engineering Services 25/XXV, Club Road, Bellary-583103, Karnataka	i. Mr. M. Sachin Raju ii. Mr. M.R. Durga Prasad iii. Mr. A.D. Yashwanth Arun Murthy	26.02.2018 TO 25.02.2023]
⁴ [47.	M/s Mumbai Waste Management Ltd. Laboratory, Plot No. P-32, MIDC Taloja, Distt-Raigad Maharashtra- 410208.	i. Mr. Mohd. Sahid Siddiqui ii. Mr. B. Naveen Kumar iii. Mr. M. A. Fasi	09.02.2017 TO 08.02.2022]

¹ Sr. No. 38 Subs. by S.O.5768 (E), dated 15th November, 2018

² Sr.No.39, 41 & 45 Subs. by S.O.857 (E), dated 26th February, 2018

³ Sr. No. 44 Subs. by S.O.3744 (E), dated 17th October, 2019

⁴ Sr.No.47 Subs.by S.O.388 (E), dated 10th February, 2017

¹ [49.	M/s Padmaja Aerobiological Pvt. Ltd.,” Nandan” Plot No-36, Sector- 24, Near Bank of India, Turbhe, Navi Mumbai- 400705 Maharashtra	i. Dr. Nandkishor T. Joshi ii. Mr. Kishor P. Potekar iii. Mr. Ramdas B. Chaudhari	17.10.2019 TO 16.10.2024
50.	M/s Shiva Test House 1 st Floor, Rajhans Niketan, Near Canal, Rukunpura, Bailey Road, Patna-800014, Bihar	i. Dr. Shibeswar Prasad ii. Dr. (Mrs.) Shreyasee Prasad	17.10.2019 TO 16.10.2024]
² [54.	M/s Eco Pro Engineers Pvt. Ltd. 32/41, South Side of G.T.Road, UPSIDC Industrial Area, Ghaziabad-20109, Uttar Pradesh	i. Mr. Amit Saxena ii. Ms. Divya Saxena iii. Ms. Purnima Chauhan	15.11.2018 TO 14.11.2023]
¹ [55.	M/s Anacon Laboratories Pvt. Ltd., FP-34,35 Food Park, 5 Star Industrial Estate, Butibori, Nagpur- 441122, Maharashtra	i. Dr. Dattatraya Gajanan Garway ii. Dr. (Mrs.) Sugandha D. Garway iii. Mrs. Kavita Sanjay Saygaonkar	17.10.2019 TO 16.10.2024
58.	M/s. Interstellar Testing Centre Private Ltd. Plot No. 86, Industrial Area Phase-I, Panchkula – 134109, Haryana	i. Dr. Prakash Kaur ii. Mr. Prem Kumar iii. Mr. Gaurav Goyal	17.10.2019 TO 16.10.2024
65.	M/s Enviroidesigns Eco Labs Eco Tower, Janatha Jn, Palarivattom, Kochi-682025 Kerala	i. Mr. K. L. Antony ii. Mrs. Susan Abraham iii. Ms. Jesty M.T	17.10.2019 TO 16.10.2024
66.	M/s J. M. Envirolab Pvt. Ltd., 424, Ground Floor, Udyog Vihar, Phase-IV, Gurugram, Haryana-122015	i. Mr. Surendra Yadav ii. Mr. Raj Kumar Yadav iii. Mr. Ghanshyam Yadav	17.10.2019 TO 16.10.2024]
² [73.	M/s KKB Micro Testing Labs Pvt. Ltd. Tarun plaza, #3-5-244, 2 nd Floor, NFC Main Road, Krishna Nagar Colony, Moula Ali, Hyderabad-500040	i. Mr. Ch. Ramakrishna ii. Mrs. P.Rajeswari iii. Mrs. Amritha Nalini	15.11.2018 TO 14.11.2023]
³ [75.	M/s Delhi Test House A-62/3, G.T. Karnal Road, Industrial Area, Opp. Hanse Cinema, Azadpur, Delhi – 110033.	i. Mr. M.C.Goel ii. Mr. Ghanshyam Dass Goel iii. Mr. Dinesh Goel	09.02.2017 TO 08.02.2022
76.	M/s Industrial Testing Laboratory & Consulting House Ghalori Gate, Patiala- 147001, Punjab.	i. Mr. Uma Shankar Sain ii. Mr. Krishan Kumar iii. Mr. Dharmber	09.02.2017 TO 08.02.2022

¹ Sr. No. 49, 50, 55, 58, 65 & 66 Subs. by S.O.3744 (E), dated 17th October, 2019

² Sr. No.54 & 73 Subs. by S.O. 5768 (E), dated 15th November, 2018

³ Sr.No.75 to 77 Subs.by S.O.388 (E), dated 10th February, 2017

77.	M/s I T L Labs Pvt. Ltd. B-283 and 284, Mangolpuri Industrial Area, Phase-I, New Delhi- 110083	i. Mr. Rajesh Kumar Roshan ii. Mr. Mohammad Sohrab Khan iii. Ms. Bandana Chauhan	09.02.2017 TO 08.02.2022]
¹ [79	M/s S V Enviro Labs & Consultants B1, Block-B IDA, Auto Nagar Visakhapatnam, Andhra Pradesh-530012;	i. Ms. Divya Chelluri ii. Shri Garuda Ramoji iii. Shri Murali Krishna Malasani	02.06.2016 TO 01.06.2021
80.	M/s Ultra-Tech Environmental Consultancy & Laboratory, 93A, G.V. Brothers Building No. 02, Bata Compound, Eastern Express Highway, Near Flower Valley, Khopat, Thane (W), Maharashtra – 400601;	i. Dr. Rahul Kolhapurkar ii. Shri. Kishor Savant iii. Dr. Tarun Kanti Ghosh	02.06.2016 TO 01.06.2021]
² [81.	M/s Advanced Environmental Testing and Research Lab Pvt. Ltd. 63/1, KailashVihar, Near ITO, City Center-II, Gwalior-474011, Madhya Pradesh	i. Mr. Rajesh Jain ii. Dr. Dinesh Kumar Uchchariya iii. Mr. Arvind Kumar Sharma	26.02.2018 TO 25.02.2023]
¹ [83.	M/s Haryana Test House & Consultancy Services, 50-C, Sector-25, Part-II, Huda, Panipat, Haryana-132104;	i. Shri Deepak Kumar ii. Shri Laxmi Kant Bhardwaj iii. Shri Vijay Saini	02.06.2016 TO 01.06.2021]
84.	M/s Detox Corporation Pvt, Ltd, 3 rd Floor, K.G Chambers Opp, Gujarat Samachar Press, Ring Road, Surat Gujarat- 395002:	i. Shri Amit Bal Krishna Renose ii. Shri Khasakia Jitender Kumar Dahyabhi iii. Ms. Divyalaxmi R. Patel	02.06.2016 TO 01.06.2021
85.	M/s Sophisticated Analytical Instruments Labor Society, Thapar Technology, Campus, Bhadson Road, Patiala, Punjab- 147004;	i. Shri Sandip Chandra ii. Shri Mukesh Chand Agarwal iii. Shri Sourabh Halder	02.06.2016 TO 01.06.2021]
² [86.	M/s Care Labs Plot No. 1, 3 rd Floor, Sai Sadan Complex, Shiva Ganga Colony, L.B. Nagar, Hyderabad- 500074, Telangana	i. Mr.K. Srinivasa Rao ii. Ms. Gouthami Gangula iii. Ms. P. Mamatha	26.02.2018 TO 25.02.2023
87.	M/s Green Circle Inc. Green Empire, Anupushpam Habitat Centre, Nr. Yash Complex, Above Asix Bank Ltd., Gotri Main Road, Vadodara-390021, Gujarat	i. Mr. Pradeep Joshi ii. Mr. Ram Raghav iii. Ms. Shital Jashvant Singh Parmar	26.02.2018 TO 25.02.2023]

¹ Sr.Nos.79, 80, 83 to 85 Subs. by S.O.1953 (E), dated 2nd June, 2016

² Sr.No.81, 86 & 87 Subs. by S.O.857 (E), dated 26th February, 2018

¹ [88.	[M/s Chennai Mettlex Lab Private Limited Jothi Complex, 83 M.K.N Road, Guindy, Chennai-600032.	i. Mr. V.K.Selvakumar ii. Ms. P.Kavitha iii. Mrs. J.Hemalatha	09.02.2017 TO 08.02.2022
89.	M/s Maharashtra Enviro Power Limited Plot No. CHW-01, Butibori Industrial Estate, Near Bharat, Petroleum Refiling Plant, butibori, Nagpur – 441122, Maharashtra	i. Dr. Dnyaneshwar Gopal Battalwar ii. Mr. Yogesh B. Dhokey iii. Mr. Hitendra Anand Rao Dhargave	09.02.2017 TO 08.02.2022
90.	M/s GRC India Training & Analytical Laboratory (a unit of Grass Roots Research & Creation India (P) Ltd.) F-375, Sec.-63, NOIDA-201301, Uttar Pradesh.	i. Dr. Dhiraj Kumar Singh ii. Mr. Ajay Kumar Sharma iii. Mr. Radheshyam Bhawsar	09.02.2017 TO 08.02.2022]
91.	M/s Maharashtra Enviro Power Ltd. (Pune Unit), Plot No. 56, MIDC Ranjangaon, Tal. Shirur, Dist Pune-412220, Maharashtra.	i. Dr. Ila Tiwari ii. Mr. Neeraj Kumar Katiyar iii. Ms. Rovena Samson Anthony	09.02.2017 TO 08.02.2022
92.	M/s Environmental Health and Safety Research and Development Centre (EHSRDC) No. 13/2, 1 st Main Road, Near Fire Station, Industrial Town, Rajajinagar, Bangalore-560010, Karnataka.	i. Mr. Shivanand M. Dambal ii. Ms. Sindhu Kumari iii. Ms. Praveena Kumari H.N.	09.02.2017 TO 08.02.2022]
² [93.	M/s Eco Laboratories & Consultants Pvt. Ltd. E-207, Industrial Area, Phase- VIII B, Sector-74, Mohali-160071, Punjab	i. Mr. Sandeep Garg ii. Ms. Simranjit Kaur iii. Dr. Deepika Thakur	26.02.2018 TO 25.02.2023
94.	M/s Hubert Enviro Care Systems Pvt. Ltd. No. 18, 92 nd Street, Ashok Nagar, Chennai- 600083, Tamil Nadu	i. Dr. J. R. Moses ii. Dr. Rajkumar Samuel iii. Mr. A. K. Natarajan	26.02.2018 TO 25.02.2023
95.	M/s Nawal Analytical Laboratories Plot No. 100, New SIDCO Industrial Estate, Sri Nagar, Hosur-635109, Tamil Nadu	i. Mr. D. Balakrishnan ii. Ms. S. Elamathi iii. Mr. K. B. Krishnamoorthy	26.02.2018 TO 25.02.2023
96.	M/s CVR Labs Pvt. Ltd. Dignity Centre, II Floor No. 2/9, Abdul Razack Street, Saidapet, Chennai-600015, Tamil Nadu	i. Mr. C. Balamurugan ii. Mr. Benjamin D. C. iii. Mrs. E. Janaki	26.02.2018 TO 25.02.2023]

¹ Sr.No.88 to 92 Subs.by S.O.388 (E), dated 10th February, 2017

² Sr. No. 93 to 96 Subs. by S.O.857 (E), dated 26th February, 2018

¹ [97.	M/s Min Mec R&D Laboratory A-121, Paryavaran Complex, IGNOU Road, New Delhi-110030	i. Mr. B.D. Sharma ii. Dr. Marisha Sharma iii. Ms. Rashmi Gupta	17.10.2019 TO 16.10.2024
98.	M/s Bhagwati Enviro Care Pvt. Ltd. 28,29 & 30, Parmeshwar Estate-II, Opp. AMCO Bank, Phase-I, GIDC Estate, Vatva, Ahmedabad-382445 Gujarat	i. Mr. Shailesh Patel ii. Mr. Mahesh Oza	17.10.2019 TO 16.10.2024]
² [100.	M/s Avon Food Lab. Pvt. Ltd. C-35/23 Lawrence Road, Industrial Area, Delhi -110035	i. Dr. Ramesh Chandra Tripathi ii. Mr. Suneshwar Singh iii. Mrs. Diksha Bhati	26.02.2018 TO 25.02.2023]
³ [105.	M/s Aavanira Biotech (P) Ltd. Kinetic Innovaon Park, D-1 Block, Plot No. 18/1 Part, MIDC Chinchwad, Pune-411019, Maharashtra	i. Dr. Bikash Ajit Aich ii. Ms. Sarita Jayant Upadhye iii. Dr. Neeta Hiten Zatakia	17.10.2019 TO 16.10.2024
107.	M/s EMTRC Consultants Pvt. Ltd. F-66, Road No.2, Phase-1, Masuri Gulawthi Road, UPSIDC Industrial Area, Ghaziabad-201009, Uttar Pradesh	i. Mr. Jayanta Kumar Moitra ii. Mr. Mukesh Kumar iii. Mr. Om Prakash Singh	17.10.2019 TO 16.10.2024
108.	M/s Visiontek Consultancy Pvt. Ltd. Plot M22 & M23, Chandaka Industrial Estate, Patia, Bhubaneswar-751024, Odisha	i. Mr. B.K. Mishra ii. Ms. Puja Mohanty iii. Mrs. Chanchala Pattanaik	17.10.2019 TO 16.10.2024]
² [110.	M/s SMS Labs Services Private Limited No. 39/6, Thiruvallur High Road, Puduchatram Post, Thirumazhisai (Via), Poonamallee TK, Chennai- 600124, Tamil Nadu	i. Dr. K. Thulasi Raman ii. Mr. K. Elakkiyathanan iii. Mr. R. Iyappan	17.10.2019 TO 16.10.2024
112.	M/s Bureau Veritas (India) Pvt. Ltd., No. F-2, Thiru Vi Ka Industrial Estate, Phase- III, Ekkattuthangal Guindy, Chennai- 600032, Tamil Nadu	i. Mr. K. Hari Chandra Prasad ii. Mr. M. Ramesh iii. Mr. M. Shanthy	17.10.2019 TO 16.10.2024]
⁴ [128.	M/s Envomin Consultant Pvt. Ltd, Plot No.3054/9625, Saptasati Vihar, Pandra, Bhubaneswar, Odisha – 751010;	i. Mr. Debasish Gouda ii. Mr. Biswaranjan Dhal iii. Mr. Suvendu Padhi	02.06.2016 TO 01.06.2021
129.	M/s Shivalik Solid Waste Management Limited, Village- Majra, Post Office -Dabhota, Tehsil- Nalagarh, District-Solan, Himachal Pradesh;	i. Mr. Sanjay Sharma ii. Mr. Sunil Katoch iii. Ms. Daksha Gupta	02.06.2016 TO 01.06.2021

¹ Sr. No. 97 to 98 Subs. by S.O.3744 (E), dated 17th October, 2019

² Sr. No. 100 Subs. by S.O.857 (E), dated 26th February, 2018

³ Sr. No. 105, 107, 108, 110 & 112 Subs. by S.O.3744 (E), dated 17th October, 2019

⁴ Sr.No.128 to 143 inserted by S.O.1953 (E), dated 2nd June, 2016

130.	M/s CEG Test House and Research Centre Pvt. Ltd., B- 11(G), Malviya Industrial Area, Jaipur, Rajasthan- 302017;	i. Dr. Renu Jain ii. Dr. Om Prakash Shukla iii. Dr. Rai Singh	02.06.2016 TO 01.06.2021
131.	M/s JV Analytical Services, 40/A, 2 nd and 3 rd Floor, Samay Apartment, Bhau Patil Road, Bopodi, Pune, Maharashtra - 411020	i. Dr. Vibhute Chandrashekhar Panchakshari ii. Dr. Dilip madhukar Sathe iii. Ms. Rupali Sambhaji Shripati Chandrekar	02.06.2016 TO 01.06.2021
132.	M/s Chennai Testing Laboratory Private Limited, A Super 19, T.V.K. Industrial Estate, Gundy, Chennai-600032;	i. Mr. A. Rajkumar ii. Mr. K. Soundira Pandian iii. Mr. N. Rajendra Kumar	02.06.2016 TO 01.06.2021
133.	M/s Centre for Envotech & Management Consultancy Pvt. Ltd. Plot No. 800/1274, JohalPahal, Bhubaneswar, Odisha – 751015;	i. Dr. Bidyut Kumar Patra ii. Mr. Tribikram Sahu iii. Ms. Mitali Rout	02.06.2016 TO 01.06.2021
134.	M/s Envirotech Services, G -232, M.G. Road Industrial Area, Hapur, Ghaziabad, Uttar Pradesh;	i. Shri Saeed Anwar ii. Shri Md. Humraj iii. Shri Sanjay Singh Tomar	02.06.2016 TO 01.06.2021
135.	M/s Environmental Health and Safety Research & Development Centre, Unit-II, Plot No. 457, Kanabargi Industrial Area, Auto Nagar, Belgaum, Karnataka-590015;	i. Shri Madhu Kumar C ii. Shri Bhairappa Chougule iii. Shri Santosh Kumar T. M.	02.06.2016 TO 01.06.2021
136.	M/s Universal Analytical Lab, Opp. Sec 4 A Near Krishna TVS Sohna Road, Dharuhera, Rewari, Haryana- 123106;	i. Shri Balwan Singh ii. Shri Vinay Dixit iii. Shri Ajeet Singh	02.06.2016 TO 01.06.2021]
137.	M/s Enviro Care India Private Limited, No. 43, Second street, Harvey Nagar, Madurai, Tamil Nadu-625016;	i. Shri G. Marimuthu ii. Dr. S. Rajamohan iii. Shri K. Ramesh	02.06.2016 TO 01.06.2021
138.	M/s Food, Hygiene & Health Laboratory, A-607-613, 5th Floor & A- 512-513, 4 th Floor Mega Centre, Magarpatta, Solapur Road, Hadapsar, Pune, Maharashtra – 411013;	i. Shri Rohan Despande ii. Ms. Seema Satish Bakde iii. Ms. Sushma Mahesh Thorat	02.06.2016 TO 01.06.2021
139.	M/s Ganesh Consultancy and Analytical Services 294 A, Hebbal Industrial Area Mysore, Karnataka – 570016;	i. Shri B.S. Subhash ii. Shri P.M. Ravi Kumar iii. Shri A. P. Ananda	02.06.2016 TO 01.06.2021
140.	M/s Mitra S. K. Private Limited,	i. Ms. Mousumi Sen Gupta ii. Ms. Nandita Das	02.06.2016 TO

	P-48, Udyan Industrial Estate,3, Pagladanga Road, Kolkata, West Bengal – 700015;	iii. Shri Sudip Mukhuty	01.06.2021
141.	M/s Savant Envitech Pvt. Ltd., Plot no. 203, H. No. 5-36/203, Prashanthinagar, Kukatpally IDA, Hyderabad, Andhra Pradesh – 500072;	i. Shri V. Alluraiah ii. Smt. Shaga Lakumadevi iii. Shri P. Hari Prasad	02.06.2016 TO 01.06.2021
142.	M/s Wolkem India Limited (Environment and Chemical Laboratory), E-102, Mewar Industrial Area, Madri, P.B. No. 21, Udaipur Rajasthan – 313003;	i. Dr. Sanjeev Kumar Yadav ii. Shri Vikram Regar iii. Shri Dinesh Kumar Kumawat	02.06.2016 TO 01.06.2021
143.	M/s Arihant Analytical Laboratory Pvt. Ltd., 272 Sec-57, Phase- IV, HSIIDC-Kundli, District- Sonapat, Haryana-131028;	i. Shri Birendra Singh Rajwar ii. Shri Ashutosh Srivastava iii. Mrs. Vandana Mishra	02.06.2016 TO 01.06.2021]
¹ [144.	M/s Green Envirosafe Engineers and Consultant Pvt. Ltd. Gat No. 1405/06, Mayuri Residency, Office No. 16, 2 nd Floor, Sanswadi, Pune-Nagpur Highway, Tal-Shirur, Pune-412208, Maharashtra.	i. Dr. Satish Damodar Kulkarni ii. Dr. Ayodhya Kshirsagar iii. Mr. Vinod Prataprao Hande	09.02.2017 TO 08.02.2022
145.	M/s Siddhi Gren Excellence Private Limited, Kamal Arcade, Shop No. 3, Commercial Plot No. C-3/3, Near State Bank of India, G.I.D.C, Ankleshwar-393002, Gujarat	i. Dr. Vinod Kumar Brijmohan Gaur ii. Mr. Purvesh Mahendra Bhai Shah iii. Mrs. Twinkle Hiren Modi	09.02.2017 TO 08.02.2022
146.	M/s Omega Laboratories S.F. No. 55/6B, Plot No.10, Near Collector Office, Thiruchengodu, Main Road, Namakkal-637003, Tamil Nadu.	i. Dr. S. Palaniappan ii. Mr. N. Kandasamy iii. Mr. U. Manimaran	09.02.2017 TO 08.02.2022
147.	Environmental Testing Laboratory M/s ENPRO Enviro Tech and Engineers Pvt. Ltd. D/29/16, Road No.17 Hojiwala Industrial State, Gate No.3, Surat-394230, Gujarat	i. Mr. Paresh Mevawala ii. Dr. Dhaval Naik iii. Ms. Shahenaz Jadeja	09.02.2017 TO 08.02.2022
148.	M/s MATS India Private Limited (Laboratory Service Division), 1A & 1B, Perumal Koil Street, Nerkundram, Chennai-600107.	i. Ms. V. Sri Priya ii. Shri P. Prabakaran iii. Shri V. Rambabu	09.02.2017 TO 08.02.2022
149.	M/s J.P Test & Research Centre	i. Mr. Dushyant Tyagi	09.02.2017

¹ Sr. No.144 to 156 inserted by S.O.388 (E), dated 10th February, 2017

	4/54, Site IV Sahibabad Industrial area, Ghaziabad, U.P.-201010.	ii. Ms. Anju Jain iii. Ms. Himani Shrotriya	TO 08.02.2022
150.	M/s TUV SUD South Asia Pvt. Ltd. No.11 & 13, 1 st & 4 th Floor, Origin Tower, Type-2, Dr. VSI Estate, Thiruvanmiyur, Chennai-600041, Tamil Nadu.	i. Mr. Mutthukumar V. ii. Dr. S. Daniel Wesley iii. Ms. Shilpi Kohli	09.02.2017 TO 08.02.2022
151.	M/s FICCI Research & Analysis Centre Plot No.2A, Sectro-8, Dwarka, New Delhi-110077.	i. Mr. Jasjit Singh Sandhu ii. Mr. Surender Kumar Manocha iii. Ms. Anita Singh	09.02.2017 TO 08.02.2022
152.	M/s Excellent Enviro Laboratory & Research Centre Plot No. D-52/18, MIDC Area, Waluj, Aurangabad-431136, Maharashtra.	i. Mr. Sakharam Tumadu Patil ii. Mr. Shashank Trimbak Pedram iii. Ms. Kavita Sadanand Premallu	09.02.2017 TO 08.02.2022
153.	M/s Enviro Lab S-2 & S-3, Phase-II, RIICO Industrial Area, Bhiwadi, Alwar-301019, Rajasthan.	i. Mr. Afaq Ahmad ii. Mr. Nitin Kumar iii. Mr. Girdhari Lal Yadav	09.02.2017 TO 08.02.2022
154.	M/s Hubert Enviro Care Systems Pvt. Ltd. Plot NO. C-45, Industrial Estate, Baikampady, Mangalore-575011, Karnataka.	i. Mr. Abraham Abishek Moses ii. Mr. K. Gopi iii. Ms. Rakhee B.	09.02.2017 TO 08.02.2022
155.	M/s S A Encon Private Limited Gat No. 1373/1, Shirwal, Tal-Khandala, Dist. Satara-412801, Maharashtra.	i. Mr. Anant Sattupa Nandawadekar ii. Mrs. Nalini Santosh Talekar iii. Mr. M. Kashid Jalinder Pandurang	09.02.2017 TO 08.02.2022"
156.	M/s Shiva Analytical (India) Private Limited No.24-D(P) & 34D, KIADB Industrial Area, Hoskote, Bangalore-562114, Karmataka.	i. Mr. Krishnamurthy ii. Mr. Ravi M. B. iii. Mr. Prakash S.	09.02.2017 TO 08.02.2022]
¹ [157.	[M/s. Devansh Testing & Research Laboratory Pvt. Ltd. 94, Shiv Ganga Industrial Estate, Lakeshari, Bhagwanpur- 247661, Roorkee, Dist-Haridwar, Uttarakhand	i. Ms. Archana Singh ii. Shri. Arvind Kharkwal iii. Dr. H.S. Chauhan.	09.08.2017 TO 08.08.2022
158.	M/s. NOIDA Testing Laboratories, GT-20, Sector-117, NOIDA-201304, Uttar Pradesh.	i. Shri. Gopal Das Verma ii. Shri. Pankaj Kumar Sharma iii. Shri. Rajesh Kumar Singh.	09.08.2017 TO 08.08.2022
159.	M/s. Sai Universal Mining Services	i. Shri. Pavan Kumar GVK	09.08.2017

¹ Sr. No.157 to 162 inserted by S.O.2836 (E), dated 30th August, 2017

	Plot No. 15-DP2, KIADB, Sankalapura Industrial Area, Near Water Tank, Bellary Main Road, Hospet-583201, Dist. Bellary, Karnataka.	ii. Shri.D.Sudharshan Reddy iii. Shri. A.Nagaraju	TO 08.08.2022
160.	M/s. B.S. Envi-Tech Pvt. Ltd. 12-13 1270/71/73, Amity Ville, 4 th Floor, St. Ann's Road, Tarnaka, Secunderabad-500017, Telangana	i. Shri. A.V. Hanumantha Rao ii. Ms. CH. V.Tulasi iii. Shri. B.S. Chandra Murthy.	09.08.2017 TO 08.08.2022
161.	M/s. Nichrome Testing Laboratory and Research Pvt. Ltd. 170, Judges Bungalow Road, Narayanpur, Dharwad- 580008, Karnataka.	i. Shri Krishna Narayan Kulkarni ii. Shri Ambarish S. Sindagi iii. Dr. Manjula S. Patil.	09.08.2017 TO 08.08.2022
162.	M/s. Go Green Mechanisms Pvt. Ltd. Dayal Estate, National Highway No. 8, Opp. APMC Market, Gate-1 (DeenDayal Grain Market), Bareja Road, Jetalpur, Dist- Ahmedabad-382426, Gujarat.	i. Shri Amit Badlani ii. Shri Khambata Cyrus Hosang iii. Ms. Trupti Padhya	09.08.2017 TO 08.08.2022]
¹ [163.	[M/s Bali Test House Pvt. Ltd. Street No. 12 Jeevan Nagar, Focal Point, Phase- V, Ludhiana-141010, Punjab	i. Dr. Ashok Kumar Bali ii. Mr. Tarun Kumar Bali iii. Dr. Krishan Lal Kalra	26.02.2018 TO 25.02.2023
164.	M/s Envirocheck 189,190 & 192 Rastraguru Avenue, Kolkata- 700028, West Bengal	i. Dr. Sumit Baran Chowdhury ii. Dr. Ajoy Paul iii. Mrs. Indrani Bhattacharyya	26.02.2018 TO 25.02.2023
165.	M/s Environmental and Technical Research Centre 2/261, VishwasKhand, Gomti Nagar, Lucknow- 226010, Uttar Pradesh	i. Dr. Manoj Garg ii. Ms. Ritu Garg iii. Mr. Sandeep Kumar Verma	26.02.2018 TO 25.02.2023
166.	M/s MSV Analytical Laboratories C.M.C Ward No. 18 & C.T.C W. No.16, T.S. No. 695/A/32/B1, Block No.19(1 st & 2 nd Floor), Sanganakallu Road, KEB Circle, Bellary-583103, Karnataka	i. Mr. B. Chinnalingana Goud ii. Mrs. Malathi K iii. Mr. V.Chandra Sekhara	26.02.2018 TO 25.02.2023]
167.	M/s SadekarEnviro Engineers Pvt. Ltd. Plot No. A-95, Road No. 16, Kisan Nagar Road, MIDC, Wagle Industrial Area, Thane-400604, Maharashtra	i. Mr. Nilesh Narayan Naik ii. Mr. Bhaskar Srinivasrao Yengal iii. Mr. Amogh Hemant Joshi	26.02.2018 TO 25.02.2023
168.	M/s Shreeji Aqua Treatment Pvt. Ltd. 1 & 4 Shreeji Terraces Apartment, Plot No. 53, Purna Nagar, Chikhali, Pune-411019	i. Mr. Sunil Jitubhai Mehta ii. Dr. Archana Rajan Waykole iii. Mr. Pramod M. Thombre	26.02.2018 TO 25.02.2023]

¹ Sr. No.163 to 168 Inserted. by S.O.857 (E), dated 26th February, 2018

¹ [169.	M/s. Ecosystem Resource Management Pvt. Ltd. A`-Ashoka Pavillion, Opp. Kapadia Health Club, New-Civil Road, Surat-395001, Gujarat	i. Mr. Sunil Kumar Pandey ii. Mr. Patel Niravkumar Bhagvat Prasad iii. Mr. Patel Shirish Dhirubhai	15.11.2018 TO 14.11.2023
170.	M/s. SCS Enviro Services Pvt. Ltd. 7 Kesar Vihar, Opposite Khatu Shyamji Temple, Ramnagariya Road, Jagatpura, Jaipur-302017, Rajasthan	i. Dr. D.S Parihar ii. Mr. Jitendra Dixit iii. Mr. Abhishek Gautam	15.11.2018 TO 14.11.2023
171.	M/s. Apex Enviro Laboratory 3-Dhebar Colony, Near I.T.I Pratapnagar, Udaipur, Rajasthan	i. Dr. Y. L. Mehta ii. Mr. AmitSaxena iii. Mr. Kishan Lal Agrawal	15.11.2018 TO 14.11.2023
172.	M/s. Polyttest Laboratories 22 Sonace Industrial Estates, Pirangut, Pune-412115, Maharashtra	i. Mrs. Smita Ajay Kapadne ii. Mr. Sachin Hari Kapade iii. Mrs. Swati Mahendra Umarani	15.11.2018 TO 14.11.2023
173.	M/s. Ind Research & Development House Pvt. Ltd. C-10, Sector-6, Noida-201301, Uttar Pradesh	i. Dr. SNA Rizvi ii. Ms. Vandana Gupta iii. Ms. Kavita Sharma	15.11.2018 TO 14.11.2023
174.	M/s. Winmet Technologies Private Ltd. Plot No. E-65, Site-IV, UPSIDC, Greater Noida-201306, Uttar Pradesh	i. Mr. Kuldeep Singh Teotia ii. Mrs. Upasna iii. Mr. Sunil KumarBansal	15.11.2018 TO 14.11.2023
175.	M/s. Nexus Test Labs Pvt. Ltd. #29, Second Floor, 3 rd Main, Singaiahnaplaya, Mahadevapura, Bangalore- 560048	i. Mr. Vijaya Simha Reddy P. R ii. Mrs. K. Krishnaveni iii. Mrs. S. Malleswari	15.11.2018 TO 14.11.2023
176.	M/s. Eco Tech Labs Pvt. Ltd. 48A, 2 nd Main Road, Ram Nagar , South Extension, Pallikaranai, Chennai-600100	i. Mr. A. Dhamodharan ii. Ms. S. Kokila iii. Dr. R. Renuka	115.11.2018 TO 14.11.2023]
177.	M/s. Alcatec Research Laboratories India Pvt. Ltd. Plot No. 1652, M.I.E, Part-B, Bahadurgarh-124507, Haryana	i. Dr. Rajesh Kumar Sharma ii. Sh. Sanjay Kumar Pandey	15.11.2018 TO 14.11.2023
178.	M/s. Robust Materials Technology Pvt. Ltd. No. 94, 2 nd Floor, Thirumala Complex, NGEF Layout, Nagarabhavi, Bangalore- 560072	i. Dr. K. R. Ravikumar ii. Dr. Mamatha S. N. iii. Mr. Sandesha K. S	15.11.2018 TO 14.11.2023]
² [179.	[M/s Agss Analytical and Research Lab Pvt. Ltd. C-37/2, Lawrence Road Industrial Area, Delhi-110035	i. Dr. Shivlal Singh ii. Mr. Jaswant Ray iii. Mr. Lalit Kumar Agarwal	17.10.2019 TO 16.10.2024

¹ Sr. No 169 to 178 inserted by S.O.5768 (E), dated 15th November, 2018

² Sr. No. 179 to 201 inserted by S. O. 3744 (E), dated 17th October, 2019

180.	M/s Alpha Test House 198-199, M.I.E, Phase-I, Bahadurgarh-124507, Haryana	i. Mr. Vivek Tyagi ii. Mr. Anup Singh iii. Ms. Pratibha Rawat	17.10.2019 TO 16.10.2024
181.	M/s Avantha Centre for Industrial Research & Development Paper Mill Campus, Yamuna Nagar-135001, Haryana	i. Dr. Sunil Kumar ii. Dr. Subir Barnie iii. Mr. Vipul Gupta	17.10.2019 TO 16.10.2024
182.	M/s Catts Labs & Research Pvt. Ltd., S-78, First Floor, Okhla Industrial Area, Phase-II, New Delhi-110020	i. Mr. Jagmohan Singh Chadha ii. Mr. Sunil Datt Panwar iii. Ms. Nooris Naqvi	17.10.2019 TO 16.10.2024
183.	M/s Centre for Environment and Food Technology Pvt. Ltd. 1 st & 2 nd Floor, DLF Industrial Area, Moti Nagar, New Delhi-110015	i. Mr. Hemant Singh ii. Mr. Manoj Singh iii. Ms. Shweta Sharma	17.10.2019 TO 16.10.2024 024
184.	M/s Eco Green Solution Systems Pvt. Ltd. Plot #48/A-4, Kiadb Industrial Area, Veerapura Post, Doddaballapur, Bengaluru-561203, Karnataka	i. Mr. P. Hanumanthaiah ii. Mr. Suhas S.S iii. Mrs. Tushali Jagwani	17.10.2019 TO 16.10.2024
185.	M/s Ecosteps Laboratory Private Limited D-79, Sector-6, Noida-201301, Uttar Pradesh	i. Ms. Saudamini Sharma ii. Ms. Sneh Smita iii. Ms. Deep Shikha	17.10.2019 TO 16.10.2024
186.	M/s Environ Tech Laboratories Plot No.62, Ist Floor, JLPL Industrial Area, Sector 82, Airport Road, S.A.S. Nagar Mohali, Punjab	i. Mr. Jasvir Singh ii. Mr. Amit Kumar iii. Ms. Manisha	17.10.2019 TO 16.10.2024
187.	M/s Global Environment & Mining Services 3 rd Main Road, Basaveswara Badavane, Hosapete- 583201, Bellari District, Karnataka	i. Dr. Vikas Gupta ii. Ms. S. Shameem Banu iii. Mr. J.Ravi Kumar	17.10.2019 TO 16.10.2024]
[188.	M/s Greenleaf Envirotech Pvt. Ltd. 304, Kankavati Complex, Singanpor- Cauzway Road, Katargam, Surat-395004, Gujarat	i. Mr. Kalpesh Gordhanbhai Goti ii. Ms. Keta Prabodhchandra Jariwala iii. Ms. Rekha Vaghajibhai Dare	17.10.2019 TO 16.10.2024
189.	M/s Green Enviro Sr. No. 45A/1-4A/4, "Parshuram" Eliphiston Road, Bopodi, Pune- 411003, Maharashtra	i. Mrs. Kanchan Prashant Rhatole ii. Mrs. Swati Manoj Joshi iii. Mr. Vinay Ramchandra Govande	17.10.2019 TO 16.10.2024
190.	M/s Green Vision Testing & Enviro Services Plot No. 21, First Floor, Aarna-2 Tower, Kartarpura Industrial Area, 22 Godam, Jaipur- 302006, Rajasthan	i. Mr. Umesh Kumar Sharma ii. Mr. Mukesh Kumar Gupta	17.10.2019 TO 16.10.2024

191.	M/s Global Enviro Laboratories Plot No. 4, Khasra No. 45, Opposite Shree Manan Dham Temple, Industrial Area 8KM Milestone, Meerut Road, Ghaziabad-201003, Uttar Pradesh	i. Mr. Arvind Kumar Srivastava ii. Mr. Rishad Parwez iii. Ms. Shikha Bhatiya	17.10.2019 TO 16.10.2024]
192.	M/s Interstellar Testing Centre Pvt. Ltd. Plot No. 2, S. No.12/2A, Industrial Estate, Perungudi, Chennai-600096, Tamil Nadu	i. Mr. Tharun Kumar T. ii. Mr. Vijayanand M. iii. Mr. Prabakaran V.	17.10.2019 TO 16.10.2024
193.	M/s Jubilant Pharma & Chemical Lab. Surya Gayatri CHS, Shop No. 10 to 15, Plot No. 14/15, Sector No. 6, New Panvel(East), Navi Mumbai- 410206, Maharashtra	i. Mrs. Ashwini Dinesh Mule ii. Mr. Meghanath Changdev Thakur	17.10.2019 TO 16.10.2024
194.	M/s Metamorphosis Laboratory Private Limited Prakruti Bhavan, #200, 1 st & 2 nd Floor, 1st Cross 40 th Main, Behind Central Silk Board, BTM Layout II Stage, Bengaluru-560068, Karnataka	i. Dr. Shanth A. Thimmaiah ii. Mr. Sreekantan Nair P. iii. Mr. Suresh Babu H.S.	17.10.2019 TO 16.10.2024
195.	M/s Nakshatra Enviro Services 46, Solitaire Industrial Park, Dahmi Kalan Bagru, Jaipur-303007, Rajasthan	i. Mr. Jagmohan Sharma ii. Mrs. Meenu Sharma iii. Mr.Laxmi Chand Nagar	17.10.2019 TO 16.10.2024
196.	M/s Nitya Laboratories 81B, Sector-5, Channi Himmat- 180015, Jammu, Jammu & Kashmir	i. Mr. Ravinder Kumar ii. Smt. Radha Devi iii. Mr. Ajay Sharma	17.10.2019 TO 16.10.2024
197.	M/s One Earth Enviro Labs 1 st Floor, KSIA Building Baikampady Industrial Area Road, Mangaluru-575011, Karnataka	i. Mr. Murlidhar S.M ii. Mr. Dinesh S.M iii. Dr. Sandesh Kamath B.	17.10.2019 TO 16.10.2024]
198.	M/s Shree Krishna Analytical Services A-5/4, Phase-II, Mayapuri Industrial Area, New Delhi-110064	i. Mr. Vinay Kumar ii. Mr. Narendra Kumar Giri iii. Mr. Surjeet Das	17.10.2019 TO 16.10.2024
199	M/s Spectro Analytical Labs Limited. S-1, GNEPIP, Surajpur Industrial Area, Phase-V, Kasna, Greater Noida, Uttar Pradesh	i. Mr. Yogesh Malik ii. Mrs. Astha Vig iii. Mrs. Riloni Rajput	17.10.2019 TO 16.10.2024
200.	M/s Trans Thane Creek Waste Management Association, P-128, TTC Industrial Area, Near L&T Infotech, Shil Mahape Road, Mahape, Navi Mumbai-400710	i. Dr. Nitin Ramchandra Nimkar ii. Dr. Datta Baban Mandhare iii. Mr. Jayesh Narayan Idate	17.10.2019 TO 16.10.2024

201.	M/s Vsix Analytical Labs Pvt. Ltd. #77(502/503), 2 nd Floor, 21 st 'D' Cross Muthurayaswamy Layout, Srigandakaval, Sunkadakatte, Bengaluru-560091, Karnataka	i. Mrs. Nagalakshmi N.S ii. Mrs. Gunavathy M.K iii. Mrs. Apeksha Shenoy	17.10.2019 TO 16.10.2024]
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[F. No. Q. 15018/21/2017-CPW]

JIGMET TAKPA, Jt. Secy.

OFFICERS AUTHORISED FOR TAKING COGNIZANCE OF OFFENCES**MINSITRY OF ENVIROMNET AND FORESTS****NOTIFICATION**

New Delhi, the 16th April, 1987

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 said section with the jurisdiction mentioned against each of them in column (3) of that Table: –

Table

Sr. 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
¹ [6.	Zonal Officers of the Central Pollution Control Board constituted under section 3 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974).	Within their respective Zone.]
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
² [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]

¹ Subs. by S.O. 2412 (E), dated 22.9.2009

² Inserted by S.O. 237 (E), dated 29.3.1989

¹ [11.	Joint Secretary (Legal) in the Department of Environment, Forests and Wildlife, Ministry of Environment & Forests, New Delhi-110003.	Whole of India]
² [12.	Chairman or Member Secretary of the Committee notified under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 in respect of Union Territories.	Whole of Union Territory]
³ [13.	Seed Inspector(s)	Area(s) as laid down by the respective State Govts. In the Notification issued under Clause 12 of the Seed Controller Order, 1983].
⁴ [14.	Sub-Divisional Magistrate	Whole of Sub-Division.]
⁵ [15.	Scientist 'D', 'E' and 'F', the Central Pollution Control Board	Whole of India]

Note: Principal Notification No. S.O. 394 (E), published in Gazette No. 185, dt. 16.4.1987. Nos. 9 and 10 entries relating thereto inserted vide S.O. 237 (E), dt. 29.3.89 published in the Gazette No. 171, dt. 29.3.89. S.N. 11 and entries relating thereto inserted vide S.O. 656 (E), dt. 24.8.1989 published in the Gazette No. 519, dt. 21.8.1989, * Subs. by S.O. 2412 (E) dt. 22.9.2009, S.N. 14 and entries relating thereto inserted vide S.O. 2763 dt. 10.11.2010. S.N. 15 and entries relating thereto inserted vide S.O. 6147(E) dt 12.12.2018.

¹ Inserted by S.O. 656 (E), dated 21.8.1989

² Inserted by Notification S.O. 624 (E), dated 3.9.1996.

³ Inserted by Notification G.S.R. 587 (E), dated 1.9.2006.

⁴ Inserted by S.O. 2763 (E), dated 10.11.2010.

⁵ Inserted by S.O. 6147(E), dated 12.12.2018

OFFICERS/AGENCIES EMPOWERED FOR ENTRY AND INSPECTION
MINISTRY OF ENVIRONMENT AND FORESTS
NOTIFICATION

New Delhi, the 16th February, 1987

* **S.O. 83 (E)** – In exercise of the powers conferred under ¹[sub-section (1) of section 10 of the Environment (Protection) Act, 1986 (29 of 1986)], the Central Government hereby empowers the persons listed in the Table here below for the purpose of that sub-section.

Table

S. 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.	-do-
3.	Director (Dock Safety)	-do-
4.	Joint Director (Dock Safety)	-do-
5.	Deputy Director (Dock Safety)	-do-
6.	Assistant Directory (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	The Factories Act, 1948
12.	Inspector of Factories	-do-
13.	Controller General of Indian Bureau of Mines	The Mines & Mineral (Regulation and Development) Act, 1957
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-

* Source: Principal Notification published in Gazette of India vide Notification S.O. 83 (E), dated 16.2.1987.

¹ The Words “of the Environment (Protection) Act, 1986(29 of 1986)” inserted vide corrigendum No. S.O. 238 (E), dated 26.3.1987 published in the Gazette No. 129, dated 26.3.1987.

26.	Director (Marine Department)	The Merchant Shipping Act, 1958
27.	Manager (Marine Operation)	-do-
28.	Director (Pollution Control)	-do-
29.	State Board for the Prevention and Control of Water Pollution 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 thereunder. The Air (Prevention and Control of Pollution) Act, 1981.
30.	Central Board for the Prevention and Control of Water Pollution 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 Control 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, 1968
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 and
	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]
*[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]
³ [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.

* Sl. No. 63 Subs. vide S.O. 1200(E), dt. 14.11.2002.

³ Sl. No. 64 and entries relating thereto Inserted by Notification G.S.R. 584(E), dt. 1.9.2006

OFFICERS/AGENCIES AUTHORISED TO TAKE SAMPLES**MINISTRY OF ENVIRONMENT AND FORESTS****NOTIFICATION**

New Delhi the 16th February, 1987

*S.O. 84(E). – In exercise of the powers conferred under ¹[sub-section (i) of section 11 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

S. No.	Officer/Agency	Appointed under
1	2	3
1.	Director General Factory Advice Service and Labour Institute.	Dock Workers (Safety, Health and Water) Act, 1986.
2.	Deputy Director General Factory Advice Service & Labour Institute.	-do-
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-
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-

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.

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 Board for the Prevention and Control of Water Pollution 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 Board for the Prevention and Control of Water Pollution 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.	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 4(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 Drug & Cosmetics Act, 1940.
38.	Commissioner for food and Drug Administration or any authority in charge of State Drug Control Administration	The Drug & 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 Programmer leader	-do-
59.	Officers appointed under the Bengal Smoke Nuisance Act, 1905.	The Bengal Smoke Nuisance Act, 1905.
	The Bombay Smoke Nuisance Act, 1912.	The Bombay Smoke Nuisance Act, 1912.
	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.]
*[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.]
³ [64.	Seed Inspector(s)	Section 13 of the Seeds Act, 1966 and Section 12 of the Seeds (Control Order. 1983]

Source: Principal Notification published in Gazette of India Vide Notification S.O. 84(E), dated 16.2.1987.

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.

* Sub. at Sl. No.63 and entries relating thereto inserted vide Notification S.O.1199 (E), dated 14.11.2002.

³ Sl. No.64 and entries relating thereto inserted by Notification G.S.R.584(E), dated 1.9.2006

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.

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

[No. 1(5)/95-PL]
K.C. MISRA, Spl. Secy.

* As published in the Gazette of India, Extraordinary, Part II- Section 3-Sub-section 2(i) vide No. 129, dated 27.2.1996

** **Source:** Gazette No. ** dated 10-7-2002.

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 ¹[five years and eleven months] 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 [(2)	Shri V. W. Deshpande, Director (Retd.), Town and Country Planning, Government of Maharashtra	– Member]
³ [(3)	Dr. S. N. Gajbhiye, Scientist 'G' and Scientist-in-charge, National Institute of Oceanography, Regional Centre, Mumbai, Lokhandwala Road, 4, Bungalows, Andheri (West), Mumbai-400061	– Member]
(4)	Head of the Botany Department, Mumbai University, Mumbai (Expert in the field of Terrestrial Ecology)	– Member
(5)	⁴ [Head of the Department/Shri Shyam Asolekar, Associate Professor], 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
⁵ [(7)	Dr. Ajai, Professor, Space Applications Centre, Indian Space Research Organisation, Ahmedabad	– Member
(8)	Collector, Palghar	– Member]
(9)	The Member Secretary, Maharashtra State Pollution Control Board, Mumbai	– Member
⁶ [(10)	Fr. Francis D. 'Britto', Resident of Vasai Taluka in Thane District (a representative of NGO)	– Member
(11)	Jt. Secretary, Urban Development Department, Government of Maharashtra, Mumbai	– Member Secretary]

¹ Sub. by Notification S.O. 1010(E) dt., 18.09.2002

² Sub. by Notification S.O. 2019(E) dt. 30.11.2007

³ Sub. by Notification S.O. 2719(E). dt. 09.09.2013

⁴ Sub. by Notification S.O. 352(E) dt., 27.04.1998

⁵ Sub. by Notification S.O.1835(E) dt. 03.07.2015

⁶ Sub. by Notification S.O. 2719(E). dt. 09.09.2013

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 clauses (v), (vi), (vii), (viii), (ix), (x) and (xii) of sub-section (2) of section 3 of the said Act;
 - (ii) to protect the ecologically fragile areas of Dahanu Taluka and to control pollution in the said area;
 - (iii) to consider and implement the “Pre-cautionary Principle “and the “Polluter Pays Principle”;
 - (iv) to consider and implement the recommendations given by the National Environmental Engineering Research Institute, Nagpur, in respect of Dahamu Taluka;
 - (v) 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;
 - (vi) to comply with the relevant orders issued by the Bombay High Court and the Supreme Court from time to time;
 - (vii) to deal with any other relevant environment issues pertaining to Dahanu Taluka, including those which may be referred to it by the Central Government in the Ministry of Environment and 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 and 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. Secy.

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) | – Member |

(An officer not below the rank of the Joint Secretary to the Government of India 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 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. Secy.

* **Source:** Gazette No. ** dated 10-7-2002.

AQUA CULTURE 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) |
(A retired Judge of High Court to be appointed by the Central Government) | — Chairperson |
| (2) |
(An expert in the field of aquaculture, to be appointed by the Central Government) | — Member |
| (3) |
(An expert in the field of pollution control, to be appointed by the Central Government) | — Member |
| (4) |
(An expert in the field of environment protection, to be appointed by the Central Government) | — Member |
| (5) |
(A representative of the Ministry of Environment and Forests, to be appointed by the Central Government) | — Member |
| (6) |
(A representative of the Ministry of Agriculture, to be appointed by the Central Government) | — Member |
| (7) |
(A representative of the Ministry of Commerce, to be appointed by the Central Government) | — Member |
| (8) |
(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 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;
- (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 Algarwami report) which are 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/authorisation 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. Secy.

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 environment 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[Ahmedabad, Kanpur, Sholapur, Lucknow, Bangalore, Chennai, Hyderabad, Mumbai, Kolkata, Agra, Jharia, Varansi, 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;
- (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.

¹ Inserted by G.S.R. 714(E) dt., 17.11.2006

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” 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. | Director, 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 |
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;

¹ As published in the Gazette of India, Extraordinary, Part II section 3(ii) vide No.418, dated 22.6.2001.

- (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.

TAJ TRAPEZIUM ZONE POLLUTION (PREVENTION AND CONTROL) AUTHORITY**THE MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE****ORDER**

New Delhi, the 30th April, 2003

S.O. 36(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 Order of the Government of India in the Ministry of Environment and Forests, number S.O. 350(E), dated 17th May, 1999 and S.O. 489(E), dated 30th April, 2003, 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 nineteen years and eight months] with effect from the date of publication of this Official Gazette, namely: –

² [1.	Commissioner, Agra Division	Chairman
2.	District Magistrate, Agra, Uttar Pradesh	Vice-Chairman
3.	District Magistrate, Mathura, Uttar Pradesh	Member
4.	District Magistrate, Etah, Uttar Pradesh	Member
5.	District Magistrate, Hathras, Uttar Pradesh	Member
6.	District Magistrate, Firozabad, Uttar Pradesh	Member
7.	District Magistrate, Bharatpur, Rajasthan	Member
8.	Secretary, Ministry of Environment and Forests, Government of India or his Representative	Member
9.	Secretary, Ministry of Petroleum and Natural Gas or his Representative	Member
10.	Director General, Archaeological Survey of India or his Representative	Member
11.	Municipal Commissioner, Agra	Member
12.	Principal Secretary, Environment Department Government of Uttar Pradesh or his Representative	Member
13.	Secretary, Environment Department, Government of Rajasthan or his Representative	Member
14.	Member Secretary, Central Pollution Control Board or his Representative	Member
15.	Member Secretary, Uttar Pradesh Pollution Control Board or his Representative	Member
16.	Member Secretary, Rajasthan Pollution Control Board or his Representative	Member
17.	Deputy Inspector General of Police, Bharatpur Range	Member
18.	Deputy Inspector General of Police, Agra Range or his Representative	Member
19.	Deputy Chief Wildlife Warden, Bharatpur Birds Sanctuary	Member
20.	Superintending Mining Engineer, Department of Mines and Geology, Bharatpur, Rajasthan	Member

¹ Subs by S.O. 4640 (E) dated 22.12.2020

² Subs by S.O. 36 (E) dated 04.01.2017

21.	Three (3) Representatives Public/Civil Society to be nominated by the Central Government	Member
22.	Vice-Chairman, Agra Development Authority	Member Convener]

2. The geographical limits of the Taj Trapezium Zone (see Annexure) is defined in the shape of trapezoid between 26° 45N & 77 ° 15'E to 27 ° 45N & 77° 15'E in the West of the Taj Mahal and in the East of Taj Mahal between 27° 00'N & 78° 30'E to 27° 30'E, lying in the Agra Division of the State of Uttar Pradesh and in the Bharatpur Division of the State of Rajasthan.

3. The Authority shall, within the geographical limits of Agra Division and Bharatpur Division and the Taj Trapezium Zone in the States of Uttar Pradesh and Rajasthan respectively, have the power to –

- (i) monitor the progress of implementation of various schemes for protection of the Taj Mahal and programmes for protection and improvement of the environment in Taj Trapezium Zone;
- (ii) exercise powers under section 5 of the said Act;
- (iii) take all necessary steps to ensure compliance of specified emission standards by motor vehicles and ensuring compliance of fuel quality standards;
- (iv) deal with any environmental issue which may be referred to it by the Central Government or the State Governments of Uttar Pradesh and Rajasthan relating to the Taj Trapezium Zone.

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 and Forests.

8. The Authority shall have its headquarter at Agra in the State of Uttar Pradesh.

[F.No. Z-20018/1/99-CPA]

C. VISWANATH, Jt. Secy.

Note: The Principal Order was published in the Gazette of India, vide number S.O. 489(E), dated the 30th April, 2003 and subsequently amended vide numbers S.O. 56(E), dated the 14th January, 2005, S.O. 253(E), dated the 19th February, 2007, S.O. 1539(E), dated the 24th June, 2008, S.O. 3303(E), dated the 29th December, 2009, S.O. 2866(E), dated the 27th December, 2011, S.O. 3822(E), dated the 27th December, 2013, S.O. 3553(E), dated the 30th December, 2015 and S.O. 36 (E), dated the 4th January, 2017.

**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 years and three months] and from the date of publication of this notification in the Official Gazette, namely: –

² [(1)	Shri Justice P. Bhaskaran..... (Retired Judge of the Madras High Court);	– Chairperson
(2)	The Secretary, Government of Tamil Nadu Department of Environment, Chennai	– Member
(3)	The Member Secretary, Central Pollution Control Board, Delhi.	– Member
³ [(4)	Dr. K. R. Ranganathan, (Former Member-Secretary, Central Pollution Control Board).	– 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;
- (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;

¹ Subs. 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.

² Subs. by S.O. 710 (E), dated 12.10.1996

³ Subs. by S.O. 823 (E), dated 16.09.1998

- (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 infrastructure 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.

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;

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.

- (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 have 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, Uttarakhand, 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, Jt. Secy.

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 and 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	<i>ex-officio</i> Chairperson;
(b)	Minister, Environment, Government of Uttar Pradesh	<i>ex-officio</i> Member;
(c)	Minister, Forests, Government of Uttar Pradesh	<i>ex-officio</i> Member;
(d)	Minister, Finance, Government of Uttar Pradesh	<i>ex-officio</i> Member;
(e)	Minister, Urban Development, Government of Uttar Pradesh	<i>ex-officio</i> Member;
(f)	Minister, Irrigation, Government of Uttar Pradesh	<i>ex-officio</i> Member;
(g)	Minister, Public Works Department, Government of Uttar Pradesh	<i>ex-officio</i> Member;
(h)	Minister, Housing, Government of Uttar Pradesh	<i>ex-officio</i> Member;
(i)	Mayor, Kanpur	<i>ex-officio</i> Member;
(j)	Mayor, Varanasi	<i>ex-officio</i> Member;

- | | | |
|-----|--|--|
| (k) | Mayor, Allahabad | <i>ex-officio</i>
Member; |
| (l) | Chairman, State Advisory Board,
Government of Uttar Pradesh | <i>ex-officio</i>
Member; |
| (m) | Chief Secretary, Government of Uttar Pradesh | <i>ex-officio</i>
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) creation of special purpose vehicles, as appropriate, for implementation of works vested with the Authority;
- g) 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
- h) 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 combine regulatory and developmental functions as stated in the subparagraphs (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 Uttar Pradesh.
7. **Monitoring of effective abatement of pollution and conservation of river Ganga in the State of Uttar Pradesh.** - The Authority may evolve its own mechanism for monitoring of effective abatement of pollution and conservation of the river Ganga in the State of Uttar Pradesh 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, 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 Uttar Pradesh, hereby constitutes the State Executive Committee of the Authority consisting of the following Chairperson and members namely: -

(a)	Chief Secretary, Government of Uttar Pradesh	<i>ex-officio</i> Chairperson;
(b)	Principal Secretary, Environment, Government of Uttar Pradesh	<i>ex-officio</i> Member;
(c)	Principal Secretary, Forests, Government of Uttar Pradesh	<i>ex-officio</i> Member;
(d)	Principal Secretary, Finance, Government of West Bengal	<i>ex-officio</i> Member;
(e)	Principal Secretary, Urban Development, Government of Uttar Pradesh	<i>ex-officio</i> Member;
(f)	Principal Secretary, Irrigation, Government of Uttar Pradesh	<i>ex-officio</i> Member;
(g)	Principal Secretary, Public Works Department Government of Uttar Pradesh	<i>ex-officio</i> Member;
(h)	Principal Secretary, Housing, Government of Uttar Pradesh	<i>ex-officio</i> Member;
(i)	Principal Secretary, Power, Government of Uttar Pradesh	<i>ex-officio</i> Member;
(j)	Chairman, Uttar Pradesh Pollution Control Board	<i>ex-officio</i> Member;

(k)	Managing Director, Uttar Pradesh Jal Nigam	<i>ex-officio</i> Member;
(l)	Principal Chief Conservator of Forests, Govt. of Uttar Pradesh	<i>ex-officio</i> Member;
(m)	Engineer-in-Chief, Public Works Department, Government of Uttar Pradesh	<i>ex-officio</i> Member;
(n)	Director, Environment, Government of Uttar Pradesh	<i>ex-officio</i> Member;
(o)	Member Secretary, Uttar Pradesh Pollution Control Board	<i>ex-officio</i> 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	<i>ex-officio</i> 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 | <i>ex-officio</i>
Chairperson; |
| (b) | Minister, Environment & Forests,
Government of Jharkhand | <i>ex-officio</i>
Member; |
| (c) | Minister, Finance,
Government of Jharkhand | <i>ex-officio</i>
Member; |
| (d) | Minister, Urban Development,
Government of Jharkhand | <i>ex-officio</i>
Member; |
| (e) | Minister, Water Resources and Irrigation,
Government of Jharkhand | <i>ex-officio</i>
Member; |
| (f) | Chief Secretary, Government of Jharkhand | <i>ex-officio</i>
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 combine 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 | <i>ex-officio</i> Chairperson; |
| (b) | Secretary, Finance, Government of Jharkhand | <i>ex-officio</i> Member; |
| (c) | Secretary, Urban Development, Government of Jharkhand | <i>ex-officio</i> Member; |
| (d) | Secretary, Water Resources and Irrigation, Government of Jharkhand | <i>ex-officio</i> Member; |
| (e) | Chairman, Jharkhand Pollution Control Board | <i>ex-officio</i> Member; |
| (f) | Managing Director, Project Implementing Agency, Government of Jharkhand | <i>ex-officio</i> Member; |
| (g) | Principal Chief Conservator of Forests, Government of Jharkhand | <i>ex-officio</i> Member; |
| (h) | Engineer-in-Chief, Irrigation Department, Government of Jharkhand | <i>ex-officio</i> 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 | <i>ex-officio</i> 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	<i>ex-officio</i> Chairperson;
(b)	Minister, Environment, Government of West Bengal	<i>ex-officio</i> Member;
(c)	Minister, Finance, Government of West Bengal	<i>ex-officio</i> Member;
(d)	Minister, Urban Development, Government of West Bengal	<i>ex-officio</i> Member;
(e)	Minister, irrigation, Government of West Bengal	<i>ex-officio</i> Member;
(f)	Chief Secretary, Government of West Bengal	<i>ex-officio</i> 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 combine regulatory and developmental functions as stated in the subparagraphs (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, 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, Govt. of West Bengal	<i>ex-officio</i> Chairperson
(b)	Secretary, Finance, Govt. of West Bengal	<i>ex-officio</i> Member
(c)	Secretary, Urban Development, Govt. of West Bengal	<i>ex-officio</i> Member
(d)	Secretary, Irrigation, Govt. of West Bengal	<i>ex-officio</i> Member
(e)	Chairman, West Bengal Pollution Control Board	<i>ex-officio</i> Member
(f)	Managing Director, Project Implementing Agency, Govt. of West Bengal	<i>ex-officio</i> Member
(g)	Principal Chief Conservator of Forests, Govt. of West Bengal	<i>ex-officio</i> Member
(h)	Engineer-in-Chief, Irrigation Department, Govt. of West Bengal	<i>ex-officio</i> Member
(i)	Chief Executive Officer, Kolkata Metropolitan Development Authority	<i>ex-officio</i> Member
(j)	Chief Engineer, KMDA (dealing with Ganga Action Plan)	<i>ex-officio</i> Member
(k)	Chairman, Kolkata Port Trust	<i>ex-officio</i> Member
(l)	Municipal Commissioner, Kolkata Municipal Corporation	<i>ex-officio</i> Member
(m)	Three experts from relevant fields to be nominated by the Government of West Bengal	Members
(n)	Secretary, Department of Environment, Govt. of West Bengal	<i>ex-officio</i> 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 and 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 combine 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 and 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, Government 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 20 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 CHAIRMAN, 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

S. No.	Name of Board/Committee	Jurisdiction
1	2	3
1.	Andhra Pradesh State Pollution Control Board	Whole of State
2.	Arunachal 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

S. No.	Name of Board/Committee	Jurisdiction
1	2	3
1.	Andhra Pradesh State Pollution Control Board	Whole of State
2.	Arunachal 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 FLY ASH 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 certain directions was published, as required by sub-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 kilometres] 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. Use of fly ash, bottom ash or pond ash in the manufacture of bricks and other construction activities. -

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 ⁴[three hundred kilometers] 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 Substituted by para 1 of the Notification S.O.979 (E), dated 27.8.2003.

² Sub-para (1) substituted by Sub para (i) by para 2(a) of Amendment Notification S.O.2804(E), dated 3.11.2009

³ Sub para 1A and 1B substituted inserted by para 2(b) of Amendment Notification S.O.979(E) dated 27.08.2003 and subsequently

⁴ Subs. the word "three hundred kilometers" for the words "hundred kilometers" by para 1(a) of Amendment Notification S.O.254(E), dated 25.01.2016

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 State Pollution Control Board or Pollution Control Committee, as applicable.]

¹[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 Number	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 dust 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.
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.]

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.

⁴[1(E)] The concerned State Government shall be the enforcing and monitoring authority for ensuring compliance of the provisions of sub- paragraph ⁵[1(A) and 1(B)].

⁶[(3) In case of non-availability of fly ash from thermal power plants in sufficient quantities as certified by the said power plants, within ⁷[three hundred kilometers]. 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.]

¹ Inserted by para 2(c) of Amendment Notification S.O.2804(E), dated 3.11.2009.

² Subs. the number of sub-para (2) by 1(D) vide notification S.O. 2804(E) dated 3.11.2009

³ Subs. the brackets, number and letter (1C) for number and letter (1) by notification S.O. 2804(E) dated 3.11.2009

⁴ Re-numbered as 1(E) for para 2(A) by notification S.O. 2804(E) dated 3.11.2009

⁵ Subs. 1(A) as {1(A) and 1(B)} by notification S.O. 2804(E) dated 3.11.2009

⁶ Subs. (3) and (3A) by notification S.O. 2804(E) dated 3.11.2009

⁷ Subs. the word “three hundred kilometers” for the words “hundred kilometers” by para 1(b) of Amendment Notification S.O.254(E), dated 25.01.2016

¹[***.....]

²[(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 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 ³[three hundred kilometers] 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 ³[three hundred kilometers] 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.]

⁴(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. ⁵[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.]

⁶[(7) No agency, person or organisation shall within radius of ⁷[three hundred kilometers] 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);

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

¹ Sub-paragraphs (3B), (3C), and (3D) omitted by para 2(g) of Amendment Notification S.O.2804(E), dated 3.11.2009

² Inserted by para 2(g) of Amendment Notification S.O.979 (E) dated 27.08.2003 and substituted by para 2(h) of Amendment Notification S.O.2804(E), dated 3.11.2009

³ Subs. the word “three hundred kilometers” for the words “hundred kilometers” by para 1(c) of Amendment Notification

⁴ Inserted by para 2(g) of Amendment Notification S.O.979 (E) dated 27.08.2003

⁵ Substituted by para 2(i) of Amendment Notification S.O.2804(E), dated 3.11.2009.

⁶ Substituted sub-para { (7) to (11) } by notification S.O.2804(E), dated 3.11.2009

⁷ Subs. the word “three hundred kilometers” for the words “hundred kilometers” by para 1(d) of Amendment Notification S.O.254(E), dated 25.01.2016

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.

⁴[provided further that the restriction to provide 20 % of dry ESP fly ash free of cost

¹ Substituted by para 3(a) of Amendment Notification S.O.No.979(E), dated 27.8.2003

² Substituted by para 3(b) of Amendment Notification S.O.No.979(E), dated 27.8.2003

³ Substituted the sub-paras {(1), (1(i) & (ii)), (2) and (3)} for sub-paras {(1), (2) & (3)} by notification S.O.2804(E), dated 3.11.2009

⁴ Inserted proviso after sub-para (1) by notification S.O. 254(E) dated 25.01.2016

shall not apply to those thermal power plants which are able to utilise 100 % fly ash in the prescribed manner.]

(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 Number	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.
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 Number	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.]

³[(8) Every coal or lignite based thermal power plants (including captive and or co-generating stations) shall, within three months from the date of notification, upload on their website the details of stock of each type of ash available with them and thereafter shall update the stock position at least once a Month.

(9) Every coal or lignite based thermal power plants shall install dedicated dry ash silos having separate access roads so as to ease the delivery of fly ash.

(10) The cost of transportation of ash for road construction projects or for manufacturing of ash based products or use as soil conditioner in agriculture activity within a radius of hundred kilometers from a coal or lignite based thermal power plant shall be borne by such coal or lignite based thermal power plant and the cost of transportation beyond the radius of hundred kilometers and up to three hundred kilometers shall be shared equally between the user and the coal or lignite based thermal power plant.

(11) The coal or lignite based thermal power plants shall promote, adopt and set up (financial and other associated infrastructure) the ash based product manufacturing facilities within their premises or in the vicinity of their premises so as to reduce the transportation of ash.

(12) The coal or lignite based thermal power plants in the vicinity of the cities shall promote, support and assist in setting up of ash based product manufacturing units so as to meet the requirements of bricks and other building construction materials and also to reduce the transportation.

(13) To ensure that the contractor of road construction utilizes the ash in the road, the

¹ Substituted the word "four months" for the words "six months" by notification S.O.2804(E), dated 3.11.2009

² Substituted sub-para (6 & 7) for sub-para (6) by notification S.O.2804(E), dated 3.11.2009

³ Inserted sub-para (8 to 14) by notification S.O. 254(E) dated 25.01.2016

Authority concerned for road construction shall link the payment of contractor with the certification of ash supply from the thermal power plants.

(14) The coal or lignite based thermal power plants shall within a radius of three hundred kilometers bear the entire cost of transportation of ash to the site of road construction projects under Pradhan Mantri Gramin Sadak Yojna and asset creation programmes of the Government involving construction of buildings, road, dams and embankments].

¹[(15) 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.] ²{and the coal or lignite based thermal power plants located in coastal districts shall support, assist or directly engage into construction of shore line protection measures.}

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 ³[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.]

⁴[(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.]

⁵[(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

¹ Sub-para (2A) be read as sub-para (15) by notification S.O. 254(E) dated 25.01.2016

² Sub-para added at the end of sub-para (15) by notification S.O. 254(E) dated 25.01.2016

³ Substituted by notification S.O.2804(E), dated 3.11.2009.

⁴ Substituted sub-para by notification S.O.2804(E), dated 3.11.2009.

⁵ Substituted sub-paras {(2B), [2B of (a), (b)] and (3) to (7)} for {(2B) and (3)} by notification S.O. 254(E) dated 25.01.2016

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.
- (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.]
- ¹[(8) It shall be the responsibility of all State Authorities approving various construction projects to ensure that Memorandum of Understanding or any other arrangement for using fly ash or fly ash based products is made between the thermal power plants and the construction agency or contractors.
- (9) The State Authorities shall amend Building Bye Laws of the cities having population One million or more so as to ensure the mandatory use of ash based bricks keeping in view the specifications necessary as per technical requirements for load bearing structures.
- (10) The concerned Authority shall ensure mandatory use of ash based bricks or products in all Government Scheme or programmes e.g. Mahatma Gandhi National Rural Employment Guarantee Act, 2005 (MNREGA), SWACHH BHARAT ABIYAN, Urban and Rural Housing Scheme, where built up area is more than 1000 square feet and in infrastructure construction including buildings in designated industrial Estates or Parks or Special Economic Zone.

¹ Inserted sub-paras (8 to 14) by notification S.O. 254(E)dated 25.01.2016

- (11) The Ministry of Agriculture may consider the promotion of ash utilisation in agriculture as soil conditioner.]

The time period to comply with the above provisions by all concerned authorities is 31st December, 2017. The coal or lignite based thermal power plants shall comply with the above provision in addition to 100 % utilization of fly ash generated by them before 31st December, 2017.

[F.No.9-8/2005-HSMD]

G. V. SUBRAHMANYUM, Scientist 'G'

Note: - The principal notification was published in the Gazette of India, Extraordinary, Part II, section 3, Sub-section (ii) vide notification S.O. 763(E), dated the 14th September, 1999 and was subsequently amended vide notification S.O. 979(E), dated the 27th August, 2003 and S.O. 2804(E), dated the 3rd November, 2009.

**THE ENVIRONMENT
(PROTECTION) RULES, 1986**

(As amended to date)

MINISTRY OF ENVIRONMENT & FORESTS

(Department of Environment, Forests and Wildlife)

New Delhi, the 19th November, 1986

NOTIFICATION

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.
- ³[(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

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.

³ 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.

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 ¹[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 ²[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.

³[(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.]

⁴[(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 ⁵[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.]

⁶[(3B)] The combined effect of emission or discharge of environmental pollutants in an area, from industries, operations, process, automobiles and domestic sources, shall not be permitted to exceed the relevant concentration in ambient air as specified against each pollutant ⁷[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.

¹ Substituted by notification G.S.R 422(E) dated 19.5.1993, published in the Gazette No. 174 dated 19.5.1993.

² Substituted *ibid*

³ The sub-rule (3) of rule 3 inserted vide S.O.23(E), dt.16.01.1991.

⁴ 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.

⁵ 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.

⁶ Substituted by Rule 2(a) of the Environment (Protection) Second (Amendment) Rules, 1998 notified by notification GSR 7, dated 22.12.1998.

⁷ Substituted by Rule 2 of the Environment (Protection) Seventh Amendment Rules, 2009 notified by GSR 826(E), dated 16.11.2009.

(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[(6) Notwithstanding anything contained in sub-rule (3), an industry, operation or process which has commenced production on or before 16th May, 1981 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, 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) With effect from the date specified hereunder, the following coal based thermal power plants shall be supplied with, and shall use raw or blended or beneficiated coal with ash content not exceeding thirty four per cent on quarterly average basis, namely: -

- (a) a stand-alone thermal power plant (of any capacity), or a captive thermal power plant of installed capacity of 100 MW or above, located beyond 1000 kilometers from the pit-head or, in an urban area or an ecologically sensitive area or a critically polluted industrial area, irrespective of its distance from the pit-head, except a pit-head power plant, with immediate effect;
- (b) a stand-alone thermal power plant (of any capacity), or a captive thermal power plant of installed capacity of 100 MW or above, located between 750 – 1000 kilometers from the pit-head, with effect from the 1st day of January, 2015;
- (c) a stand-alone thermal power plant (of any capacity), or a captive thermal power plant of installed capacity of 100 MW or above, located between 500-749 kilometers from the pit-head, with effect from the 5th day of June, 2016:

Provided that in respect of a 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, the provisions of clauses (a), (b) and (c) shall not be applicable.

Explanation: For the purpose of this rule, —

- (i) ‘beneficiated coal’ means coal containing higher calorific value but lower ash than the original ash content in the raw coal obtained through physical separation or washing process;
- (ii) ‘captive thermal power plant’ means a power plant which is set up by an industry to generate electricity for its exclusive use;
- (iii) ‘critically polluted industrial area’ means an industrial cluster or area where pollution levels have reached or likely to reach critical level, and has been identified as such by the Central Government or the State Government or the Central Pollution Control Board or a State Pollution Control Board;

¹ Sub-rule (6) and (7) of rule 3 were added by G.S.R. 95(E) dated 12.02.1992.

² Subs. by G.S.R. 02 (E) dated 02.01.2014 (w.e.f. 2-01.2014)

- (iv) 'ecologically sensitive area' means an area whose ecological balance is prone to be easily disturbed and has been identified and notified by the Central Government;
- (v) 'installed capacity' shall be calculated by adding, individual capacity of all units within a boundary;
- (vi) 'pit-head power plant' means any captive or stand-alone power station having captive transportation system for its exclusive use for transportation of coal from the loading point at the mining end, up to the uploading point at the power station without using the normal public transportation system;
- (vii) 'stand-alone thermal power plant' means a power plant which is set up to generate electricity for feeding to electricity grid or for locations that are not fitted with an electricity distribution system; and
- (viii) 'urban area' means an area limit of a city having a population of more than one million according to the last 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.

[(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.

¹[(3b) 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 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

¹ 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.

- (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 ¹[within ²{seven hundred and twenty five days} ³(, and in respect of the States of Assam, Meghalaya, Arunachal Pradesh, Mizoram, Manipur, Nagaland, Tripura, Sikkim and Jammu and Kashmir in exceptional circumstance and for sufficient reasons within a further period of one hundred and eighty 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.

⁴[Provided that for the purpose of this clause, the validity of notification or rule or order expiring in the Financial Year 2020-2021 shall stand extended upto 30th June, 2021 on account of COVID-19 pandemic.].

⁵[(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).]

⁶6. 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

¹ Ins. by G.S.R.562 (E), dated 27.05.1992 (w.e.f. 27.05.1992).

² Subs. by G.S.R.1127 (E), dated 18-03-2020 (w.e.f. 18.03.2020).

³ Ins. by S.O. 2537 (E), dated 08-08-2017 (w.e.f. 08-08-2017)

⁴ Ins. by S.O. 4367 (E), dated 03.12.2020

⁵ Inserted by Rule 2 of the E (P) Amendment Rules, 1994 notified by G.S.R.320(E), dated 16.3.1994.

⁶ 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.

officer 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 analyzed.

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 : –

- (1) 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 1974) 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 ²{Schedule V}.

¹ Rule 12 inserted vide Notification No. S.O. 32(E) dated 16.2.87 published in the Gazette No. 66 dated 16th February, 1987.

² Subs. the word Schedule V for the word Schedule II vide G.S.R.422 (E) dated 19th May, 1993

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 area is-

(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 its 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.

(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.]

²[14. Submission of environmental ³[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

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.

² Inserted by Rule 2 of the Environment (Protection) (second amendment) Rules, 1992 vide notification G.S.R. 329(E), dated 13.3.1992.

³ Substituted by Rule 2(a) (i) of the Environment (Protection) Amendment Rules, 1993 vide notification G.S.R. 386(E), dated 22.4.1993

(29 of 1986) shall submit an environmental ¹[statement] for the financial year ending the 31st March in Form V to the concerned State Pollution Control Board on or before the ¹[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.

STANDARDS FOR EMISSION OR DISCHARGE OF ENVIRONMENTAL POLLUTANTS

¹**Schedule –I** (See Rule 3)

S. 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 waste-water 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.			

S. No.	Industry	Parameter	Standards		
1	2	3	4		
Environmental Standards for Man-Made Fibre Industry					
² 2.	Man-Made Fibre	A. Effluent Standards			
		Concentration not to exceed, (in mg/l except for pH and recovery of Sodium Sulphate)			
			Inland surface Water	Land for Irrigation	Marine Discharge
		pH	6.0-8.5	6.0-8.5	6.0-8.5
		Suspended Solids (SS)	100	100	100
		Biochemical Oxygen Demand (BOD - 3 days at 27 °C)	30	100	100
		Zinc	5	5	15
		Note: The Recovery of Sodium Sulphate shall not be less than 60% in Viscose Staple Fibre and Viscose Filament Yarn units.			
		B. Emission Standards			
			Concentration not to exceed, (in mg/Nm³)		
Volatile Organic Compounds including Dimethyl Formamide and Acrylonitrile (applicable for Acrylic fibre units only)		50			
Note:					
(a) The concentration of Carbon Disulphide (CS ₂) and Hydrogen Sulphide (H ₂ S) in work environment shall not exceed 10 ppm, individually.					
(b) The stack height shall be calculated $H = 11 Q^{0.41} - 3 V_s D U$, Where Q - Emission rate of Carbon Disulphide, kg/hr; V _s - stack exit velocity, m/sec; D - diameter of stack, m;					

¹ The Environment (Protection) Rules, 1986 are referred to as principal rules in all subsequent Notifications beginning with S.O. 32(E) dated 16.02.1987 published in the Gazette No. 66 dated, 16.02.1987. The Schedule to be principle rules was renumbered as Schedule-I vide S.O. 32(E) Supra.

² Substituted by Rule 2 of the Environment (Protection) Rules, 1996 notified by G.S.R. 1095(E) dated 09.11.2018

	<p>U - Annual average wind speed at top of stack, m/sec</p> <p>(c) For new plants built after 31st December, 1998, minimum of 80% of total emission shall pass through stacks and if the calculated stack height is less than 30 metres, a minimum height of 30 metres shall be provided, and in case there are more than one stack existing in the plant, following conditions may be met: -</p> <p>(i) the required height of all stacks shall be based on the maximum emission rate in any of the stacks i.e. the stacks emitting CS₂ emission shall be of same heights (based on the maximum emission rate);</p> <p>(ii) number of stacks shall not be increased as existing on 31st December, 1998, however, the number of stacks may be reduced by the industry;</p> <p>(iii) the distance between two nearest stacks should be at least three times of height of taller stack, in metres and if distance between two stacks is less, emission being emitted through such two stacks shall be considered as a single point source and height of the stacks shall be calculated considering emissions are being emitted through one stack;</p> <p>(iv) the industry shall install three air quality monitoring stations on the periphery (within boundary limits) of plant so as to monitor concentration of CS₂ and H₂S in ambient air and the location of these stations shall be decided in consultation with concerned State Pollution Control Board, however in any case levels of CS₂ and H₂S (24 hours daily average) shall not exceed 100 µg/m³ and 150 µg/m³ respectively.];</p>
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S. No.	Industry	Parameter	Standards
1	2	3	4
1[3.	Petroleum Oil Refinery	A. Effluent	
			Limiting value for concentration (mg/l except for pH)
		1. pH	6.0-8.5
		2. Oil & Grease	5.0
		3. BOD, 3 days, 27 oC	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
		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		

¹ Substituted by Ruled 2(i) of the Environment (Protection) Amendment Rules, 2008 notified by G.S.R. 186(E) dated 18.03.2008.

Notes: -

- (i) Concentration limits shall be complied with at the outlet, discharging effluent (excluding discharge from sea water cooling systems) to receiving environment (surface water bodies, marine systems or public sewers). In case of application of treated effluent directly for irrigation/horticulture purposes (within or outside the premises of refinery), make-up water for cooling systems, fire fighting, etc., the concentration limits shall also be complied with at the outlet before taking the effluent for such application. However, any use in the process such as use of sour water in desalter is excluded for the purpose of compliance.
- (ii) In case of circulating seawater cooling, the blow-down from cooling systems shall be monitored for pH and oil & grease (also hexavalent & total chromium, if chromate treatment is given to cooling water) and shall conform to the concentration limits for these parameters. In case of reuse of treated effluent as cooling water make-up, all the parameters (as applicable for treated effluent) shall be monitored and conform to the prescribed standards.
- (iii) In case of once through cooling with seawater, the oil & grease content in the effluent from cooling water shall not exceed 1.0 mg/l.

S. No.	Industry	Parameter	Standards		
1	2	3	4		
B. Emissions					
			Limiting concentration in mg/Nm³, unless stated		
	(Furnace, Boiler and Captive Power Plant)		Fuel Type	Existing refineries	New Refinery /Furnace/ Boiler
		Sulphur Dioxide (SO ₂)	Gas	50	50
			Liquid	1700	850
		Oxides of Nitrogen (NO _x)	Gas	350	250
			Liquid	450	350
		Particulate Matter (PM)	Gas	10	5
			Liquid	100	50
		Carbon Monoxide (CO)	Gas	150	100
			Liquid	200	150
		Nickel and Vanadium (Ni + V)	Liquid	5	5
	Hydrogen Sulphide (H ₂ S) 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 on heat supplied by gas and liquid fuels.
- (ii) All the furnaces/boilers with heat input of 10 million kilo calories/hour or more shall have continuous systems for monitoring of SO₂ and NO_x. Manual monitoring for all the emission parameters in such furnaces or boilers shall be carried out once in two months.
- (iii) All the emission parameters in furnaces/boilers having heat input less than 10 million kilo calories/hour will be monitored once in three months.
- (iv) In case of continuous monitoring, one hourly average concentration values shall be complied with 98% of the time in a month. Any concentration value obtained through manual monitoring, if exceeds the limiting concentration value, shall be considered as non-compliance.

- (v) Data on Nickel and Vanadium content in the liquid fuel (in ppm) shall be reported. Nickel and Vanadium in the liquid fuel shall be monitored at least once in six months, if liquid fuel source & quality are not changed. In case of changes, measurement is necessary after every change.

S. No.	Industry	Parameter	Standards		
1	2	3	4		
	(FCC Regenerators)		Limiting concentration in mg/Nm³, 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		

Notes: -

- (i) In case part feed is hydro-processed, the emission values shall be calculated proportional to the feed rates of untreated and treated feeds.
- (ii) FCC regenerators shall have continuous systems for monitoring of SO₂ and NO_x. One hourly average concentration values shall be complied with 98% of the time in a month, in case of continuous monitoring. Manual monitoring 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) content 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.

S. No.	Industry	Parameter	Standards		
1	2	3	4		
	{Sulphur, Recovery Units (SRU)}		Plant Capacity (Tonnes/day)	Existing SRU	New SRU or Refinery Commissioned
		Sulphur recovery, %	Above 20	98.7	99.5
		H ₂ S, 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 SO₂. Manual monitoring for all the emission parameters shall be carried out once in a month.
- (ii) Data on Sulphur Dioxide emissions (mg/Nm³) 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 75m³ 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 m³ and total vapour Pressure (TVP) of 10 to 76 kpa should have Internal Floating Root Tank (IFRT) or 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 m³ 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 m³ 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 cm²/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 cm²/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, Toulene 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, %		(i) 99.5
	(ii) Emission, gm/m ³		(ii) 5
	Benzene:		
(i) VOC reduction, %		(i) 99.99	
(ii) Emission, mg/m ³		(ii) 20	
Toluene/Xylene:			
(i) VOC reduction, %		(i) 99.98	
(ii) Emission, mg/m ³		(ii) 150	
Note:			
(i)	It shall be applicable for Gasoline, Naphtha, Benzene, Toluene and Xylene loading		
(ii)	Road tank Truck shall have Bottom loading and Rail tank wagon shall have Top submerged loading.		
(iii)	Annual leak testing for vapour collection shall be 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.
- (2) Components to be Covered: Components that shall be covered under LDAR programme include (i) Block Valves; (ii) Control Valves; (iii) Pump seals; (iv) Compressor seals; (v) Pressure relief valves; (vi) Flanges - Heat Exchangers; (vii) Flanges - Piping; (viii) Connectors - Piping; (ix) Open ended lines; and (x) Sampling connections. Equipment and line sizes more than 1.875 cm or ¾ inch are to be covered.
- (3) Applicability: LDAR programme would be applicable to components (given at 2 above) for following products/compounds: (i) hydrocarbon gases; (ii) Light liquid with vapour pressure @ 20 °C > 1.0 kPa; and (iii) Heavy liquid with vapour pressure @ 20 °C between 0.3 to 1.0 kPa.
- (4) While LDAR will not be applicable for heavy liquids with vapour pressure < 0.3 kPa, it will be desirable to check for liquid dripping as indication of leak.
- (5) Definition of Leak: A leak is defined as the detection of VOC concentration more than the values (in ppm) specified below at the emission source using a hydrocarbon analyser according to measurement protocol (US EPA-453/R-95-017, 1995 Protocol for equipment leak emission estimates may be referred to:

Component	General Hydrocarbon (ppm)		Benzene (ppm)	
	Till 31 st Dec, 2008	w.e.f. January 01, 2009	Till 31 st Dec., 2008	w.e.f. January 01, 2009
Pump/Compressor	10000	5000	3000	2000
Valves/Flanges	10000	3000	2000	1000
Other components	10000	3000	2000	1000

- (6) In addition, any component observed to be leaking by sight, sound or smell, regardless of concentration (liquid dripping, visible vapour leak) or presence of bubbles using soap solution should be considered as leak.

- (7) Monitoring Requirements and Repair Schedule: Following frequency of monitoring of leaks and schedule for repair of leaks shall be followed:

Component	Frequency of monitoring	Repair schedule
	Quarterly (semi-annual after two consecutive periods with < 2% leaks and annual after 5 periods with < 2% leaks)	Repair will be started within 5 working days and shall be completed within 15 working days after detection of leak for general hydrocarbons. In case of benzene, the leak shall be attended immediately for repair.
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 that 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/compressor. In case of pumps/compressors; it should be less than 10% of the total number of pumps/compressors or three pumps and compressor, 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 factors (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.]

S. No.	Industry	Parameter	Standards	
1	2	3	4	
1[4.	Sugar Industry	Effluents	All concentration values are in milligramme per litre except for pH	
		pH	5.5-8.5	
		Total Suspended Solids (TSS), milligramme per litre	100 (for disposal on land) 30 (for disposal in surface waters)	
		Biological Oxygen Demand, BOD [3 days at 27 °C], milligramme per litre	100 (for disposal on land) 30 (for disposal in surface waters)	
		Oil & Grease, milligramme per litre	10	
		Total Dissolved Solids (TDS), milligramme per litre	2100	
		Final wastewater discharge limit	200 litre per tonne of cane crushed	
		(Final treated effluent discharge restricted to 100 litre per tonne of cane crushed and Waste water from spray pond overflow or cooling tower blow down to be restricted to 100 litre per tonne of cane crushed and only single outlet point from unit is allowed.)		
		EMISSIONS		
The particulate matter emissions from the stack shall be less than 150 milligramme per normal cubic metre				

4(1) treated effluent Irrigation protocol and waste water conservation or waste water management in Sugar industries

(i) Loading rates for different soil textures.

S. No.	Soil Texture	Loading rate in m ³ /Ha/Day
1	Sandy	225 to 280
2	Sandy loam	170 to 225
3	Loam	110 to 170
4	Clay loam	55 to 110
5	Clay	35 to 55

(ii) Waste water conservation and pollution control management

- 1) Establishment of cooling arrangement and polishing tank for recycling the excess condensate water to process or utilities or allied units.
- 2) Effluent Treatment Plant to be stabilized one month prior to the start of the crushing season and continue to operate one month after the crushing season.

¹ Subs. By G.S.R. 35(E), dated 14th January, 2016

- 3) During no demand period for irrigation, the treated effluent to be stored in a seepage proof lined pond having 15 days holding capacity only.
- 4) Flow meter to be installed in all water abstraction points and usage of fresh water to be minimized.
- 5) Suitable Air pollution control devices to be installed to meet the particulate matter emissions standard.]

S. No.	Industry	Parameter	Standards
1	2	3	4
5.	Thermal Power Plants		Maximum limiting concentration, milligrams 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 blow down	Suspended Solids	100
		Oil and Grease	20
		Copper (total)	1.0
		Iron (total)	1.0
	Cooling tower blow down	Free available chlorine	0.5
		Zinc	1.0
		Chromium (total)	0.2
		Phosphate	5.0
		Other corrosion inhibiting material	Limit to be established on case by case basis by Central Board in case of Union territories and State Board in case of States.
	Ash pond effluent	pH	6.5-8.5
Suspended solids		100	
Oil and Grease		20	
¹ [5A.	Thermal Power Plant (Water Consumption Limit)	Water consumption	<p>I. All Plants with Once Through Cooling (OTC) shall install Cooling Tower (CT) and achieve specific water consumption upto maximum of 3.5m³/MWh within a period of two years from the date of publication of this notification.</p> <p>II. All existing CT-based plants reduce specific water consumption upto maximum of 3.5m³/MWh within a period of two years from date of publication of this notification.</p> <p>²{III. Specific water consumption shall not exceed maximum of 3.0 m³/MWh for new plants installed after the 1st January, 2017 and these plants shall also achieve zero waste water discharged}.</p>

¹ Inserted by S.O. 3305(E), dated 07th December, 2015 serial no. 5A and their entries relating thereto

² Substitute by G.S.R. 593(E), dated 28th June, 2018

¹ [5B.	Thermal Power Plant (water consumption limit) using sea water	Water Consumption	Items I to III in column 4 in serial number 5A above shall not be applicable to the Thermal Power Plants using sea water]
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STANDARDS FOR DISCHARGE OF EFFLUENTS FROM TEXTILE INDUSTRY

S. No.	Industry	Parameter	Standards (applicable for all modes of disposal*)
1	2	3	4
² [6	All Integrated textile units, units of Cotton/Woolen /Carpets/Polyester, Units having Printing/ Dyeing/Bleaching process or manufacturing and Garment units.	Treated Effluents	Maximum concentration values in mg/l except for pH, colour, and SAR
		pH	6.5 to 8.5
		Suspended Solids	100
		Colour, P.C.U. (Platinum Cobalt Units)	150
		Bio-Chemical Oxygen Demand [3 days at 27 °C] (BOD ₃)	30
		Oil and Grease	10
		Chemical Oxygen Demand (COD)	250
		Total Chromium as (Cr)	2.0
		Sulphide (as S)	2.0
		Phenolic Compounds (as C ₆ H ₅ OH)	1.0
		Total Dissolved Solids, Inorganic (TDS)	2100**
		Sodium Absorption Ratio (SAR)	26**
		Ammonical Nitrogen (as N)	50
Notes:			
1. *In case of direct disposal into rivers and lakes, the Central Pollution Control Board (CPCB) or State Pollution Control Board/Pollution Control Committees (SPCBs/PCCs) may specify more stringent standards depending upon the quality of the recipient system.			
2. **Standards for TDS and SAR shall not be applicable in case of marine disposal through proper marine outfall.			
3. The treated effluent shall be allowed to be discharged in the ambient environment only after exhausting options for reuse in industrial process/irrigation in order to minimise freshwater usage.			
4. Any textile unit attached with the Common Effluent Treatment Plant (CETP) shall achieve the inlet and treated effluent quality standards as specified in serial number 55 of Schedule-I to the Environment (Protection) Rules, 1986 and shall also be jointly and severally responsible for ensuring compliance.			
5. The standalone Micro, Small and Medium Enterprises (MSMEs) as per the MSME Development Act, 2006 shall meet the values specified above.			

¹ Inserted by G.S.R. 593(E) dated 28th June, 2018 serial no. 5A and their entries relating thereto

² Subs. By G.S.R. 978(E) dated 10th October, 2016 for Serial No. 6 and their entries relating thereto

	6. The standalone large scale units shall meet the values specified above; however, CPCB or SPCBs/PCCs with the approval of CPCB, may mandate Zero Liquid Discharge in Large scale units in environmentally sensitive/critical areas.
	7. The TDS value with respect to treated effluent shall be 2100 milligramme per litre; however, in case where TDS in intake water is above 1100 milligramme per litre, a maximum contribution up to 1000 milligramme per litre shall be permitted provided the maximum value of 3100 milligramme per litre is not exceeded in the treated effluent].

¹[7. Composite Woolen Mills***]

S. No.	Industry	Parameter	Standards				
1	2	3	4				
² [8.	Dye and Dye Intermediate Industry	A. Emission Standards (Process)					
		Limiting concentration in milligramme/Normal cubic metre (mg/Nm ³), unless otherwise stated					
		Oxides of Sulphur (SO _x)	200				
		HCl (Acid Mist)	35				
		Ammonia (NH ₃)	30				
		Chlorine (Cl ₂)	15				
		Note: All process vents shall have chimney height of atleast two metres above the shed or building where equipment is installed.					
		B. Effluent Standards					
		Limiting concentration not to exceed in milligramme/litre (mg/l), except for pH, Temperature, Colour and Bioassay.					
				disposal in surface water	marine disposal	on land for irrigation	
		pH		6.0 to 8.5	5.5-9.0	5.5-9.0	
		Suspended Solids		100	-	200	
		Biochemical Oxygen Demand - BOD (3 days, 27 °C)		30	100	100	
		Chemical Oxygen Demand (COD)		250	250	-	
		Ammonical Nitrogen as N		50	50	-	
		Temperature		Shall not exceed 5 °C above the receiving water		-	
		Colour (Hazen unit)		400	-	-	
		Mercury (Hg)		0.01	0.01	-	
		Hexavalent Chromium (Cr ⁺⁶)		0.1	1.0	-	
		Total Chromium (Cr)		2.0	2.0	-	
		Copper (Cu)		2.0	3.0	-	
		Zinc (Zn)		5.0	15.0	-	
Nickel (Ni)		3.0	5.0	-			
Lead (Pb)		0.1	2.0	-			
Manganese (Mn)		2.0	2.0	-			
Cadmium (Cd)		0.2	2.0	-			
Chloride (Cl ⁻)		1000	-	-			
Sulphate (SO ₄ ²⁻)		1000	-	-			

¹ Serial No. 7 relating to "Composite Woollen Mills: and entries relating thereto omitted by G.S.R. 978(E), dated 10th October, 2016

² Subs. By G.S.R. 325(E) dated 07th May, 2014

	Phenolic Compounds as C ₆ H ₅ OH	1.0	5.0	-
	Oil & Grease	10.0	10.0	10.0
	Bio-assay Test (with 1:8 dilution of effluents)	90% survival of Test animals after 96 hours* in 100% effluent	-	-
	<p>*The Bioassay test shall be conducted as per IS: 6582:1971.</p> <p>Note:</p> <p>(i) In case of disposal of effluent on land by industry directly or through a CETP, the industry or, CETP as the case may be, shall be required to install piezometers for monitoring of groundwater. Atleast, two piezometers for three hectares shall be installed for a plot size above 10 hectares with a minimum of 16 piezometers. It shall be one per hectare within a minimum of six piezometers for a plot of size smaller than 10 hectares, in consultation with the concerned State Pollution Control Board for siting of piezometers.</p> <p>(ii) The standards for Chloride and Sulphate shall be applicable only for discharge of treated effluent into inland surface water courses. However, when discharged on land for irrigation, the norms for Chloride shall not be more than 600 mg/l over and above the contents of raw water and the Sodium Absorption Ratio (SAR) shall not exceed 26.</p> <p>(iii) Treated / untreated effluent shall be stored in holding tank(s) in such a manner, which would not cause pollution of groundwater.</p>			
	C. Emission Standards for Captive Incinerator			
		Limiting concentration in mg/Nm ³ , unless otherwise stated	Sampling Duration in minutes unless otherwise stated	
	Particulate Matter	50	30 or more (for sampling of 300 litres of emission)	
	HCl (Acid Mist)	50	30	
	SO ₂	200	30	
	Carbon Monoxide	100	daily average	
	Total Organic Carbon	20	30	
	Total Dioxins And Furans	0.1 ng TEQ/Nm ³	8 hours	
	Sb+As+Pb+Cr+Co+Cu+Mn+Ni+V+Cd+Th+Hg and their compounds	1.5	2 hours	
	<p>Note:</p> <p>i. All monitored values shall be corrected to 11% oxygen on dry basis.</p> <p>ii. The CO₂ concentration in tail gas shall not be less than 7%.</p> <p>iii. In case, halogenated organic waste is less than 1% by weight in input waste,</p> <p>all the facilities in twin chamber incinerator shall be designed so as to achieve a minimum temperature of 850 ± 25 °C in primary chamber and 950 °C in secondary combustion chamber and with a gas residence time in secondary combustion chamber not less than two seconds.</p> <p style="text-align: center;">or</p>			

		<p>All the facilities in single chamber incinerator for gaseous hazardous waste shall be designed so as to achieve a minimum temperature of 950 °C in the combustion chamber with a gas residence time not less than two seconds.</p> <p>iv. In case halogenated organic waste is more than 1% by weight in input waste, waste shall be incinerated only in twin chamber incinerators and all the facilities shall be designed to achieve a minimum temperature of 850 ± 25 °C in primary chamber and 1100 °C in secondary combustion chamber with a gas residence time in secondary combustion chamber not less than two seconds.</p> <p>v. Scrubber meant for scrubbing emissions from incinerator shall not be used as quencher.</p> <p>vi. Incineration plants shall be operated, (i.e. combustion chambers) with such temperature, retention time and turbulence, as to achieve Total Organic Carbon (TOC) content in the incineration ash and residue less than 3% and the loss on ignition for ash and residue is less than 5% of the dry weight. In case of non-conformity, ash and residue, as the case may be shall be re-incinerated.</p> <p>vii. The incinerator shall have a chimney of at least thirty metres height.</p>
		D. Effluent Standards for Incinerator.
		<p>Note:</p> <p>(i) Effluent from scrubber(s) and floor washing shall flow through closed conduit or pipe network and be treated to comply with the effluent standards mention at 'B' above.</p> <p>(ii) The built up in Total Dissolved Solids (TDS) in wastewater of floor washings shall not exceed 1000 mg/l over and above the TDS of raw water used.</p>
		E. Stormwater
		<p>Note:</p> <p>(i) Stormwater shall not be allowed to mix with scrubber water and/or floor washings.</p> <p>(ii) Stormwater shall be channelized through separate drains passing through a HDPE lined pit having holding capacity of 10 minutes (hourly average) of rainfall.]</p>

S. No.	Industry	Parameter	Standards
1	2	3	4
19.	Electroplating, Anodizing Industry	A. - Effluent Standards	
			Limiting concentration in mg/l, except for pH and Temperature
		(i) Compulsory Parameters	
		pH	6.0 to 9.0
		Temperature	shall not exceed 5 °C above the ambient temperature of the receiving body
		Oil & Grease	10
		Suspended Solids	100
		Total Metal*	10
		Trichloroethane	0.1

¹ Subs. by G.S.R. 266 (E) dated 30th March, 2012

	Trichloroethylene	0.1
	(ii) Specific Parameters as per process	
	a. Nickel and Chrome plating	
	Ammonical Nitrogen, as N	50
	Nickel, as Ni	3
	Hexavalent Chromium, as Cr	0.1
	Total Chromium, as Cr	2
	Sulphides, as S	2
	Sulphates, as SO ₄ ²⁻	400
	Phosphates, as P	5
	Copper as Cu	3
	b. Zinc plating	
	Cyanides, (as CN ⁻)	0.2
	Ammonical Nitrogen, as N	50
	Total Residual Chlorine, as Cl	1
	Hexavalent Chromium, as Cr	0.1
	Total Chromium, as Cr	2
	Zinc, as Zn	5
	Lead, as Pb	0.1
	Iron, as Fe	3
	c. Cadmium plating	
	Cyanides, (as CN ⁻)	0.2
	Ammonical Nitrogen, as N	50
	Total Residual Chlorine, as Cl	1
	Hexavalent Chromium, as Cr	0.1
	Total Chromium, as Cr	2
	Cadmium, as Cd	2
	d. Anodizing	
	Ammonical Nitrogen, as N	50
	Total Residual Chlorine, as Cl	1
	Aluminium	5
	Fluorides, as F	15
	Sulphates, as SO ₄ ²⁻	400
	Phosphates, as P	5
	e. Copper, Tin plating	
	Cyanides, (as CN ⁻)	0.2
	Copper, as Cu	3
	Tin	2
	f. Precious Metal plating	
	Cyanides, (as CN ⁻)	0.2
	Total Residual Chlorine, as Cl	1
	B. - Emission Standards*	
		Limiting concentration in mg/m ³ , unless stated
	(i) Compulsory parameters	
	Acid mist (HCl & H ₂ SO ₄)**	50
	(ii) Specific parameters as per process	
	a. Nickel & Chromium plating	
	Nickel**	5
	Hexavalent Chromium**	0.5
	b. Zinc, Copper or Cadmium plating	
	Lead**	10
	Cyanides, (Total)**	5
	* 'Total Metal' shall account for combined concentration of Zn+Cu+Ni+Al+Fe+Cr+Cd+Pb+Sn+Ag in the effluent.	

		<p>+ Emission standards shall be applicable to electroplating units having water consumption atleast 5m³/day. These units shall channelize their emission through a stack or chimney having height at least 10 meters above ground level or 3 meters above top of shed or building of the unit, whichever is more.</p> <p>** The existing units shall comply with the norms of asterisked pollutants by 1st January 2013. However, new units shall comply with the norms with effect from commissioning of plant.</p>
		C. Stormwater
		<p>Note:</p> <p>i. Stormwater for a unit (having plot size atleast 200 square metres) shall not be allowed to mix with scrubber water, effluent and/or floor washings.</p> <p>ii. Stormwater within the battery limits of a unit shall be channelized through separate drain/pipe passing through a High Density Polyethylene (HDPE) lined pit having holding capacity of ten minutes (hourly average) of rainfall].</p>

S. No.	Industry	Parameter	Standards		
1	2	3	4		
1 ² 10.	Cement Plant (without coprocessing), Standalone Clinker Grinding Plant or, Blending Plant	A - Emission Standards			
		(i) Rotary Kiln - without coprocessing			
			Date of Commissioning	Location	concentration not to exceed, in mg/Nm³
			(a)	(b)	(c)
		Particulate Matter	on or after the date of notification	anywhere in the country	30 (with effect from 01.01.2016)
			before the date of notification	critically polluted area of urban centres with population above 1.0 lakh or within its periphery of 5.0 kilometre radius	50 (with effect from 01.06.2015) 30 (with effect from 01.06.2016)
				other than critically polluted area or urban centres	100 (with effect from 01.01.2015) 30 (with effect from 01.01.2016)

¹ Substituted by Rule 2(1) of the Environment (Protection) First Amendment Rules, 2006 notified by G.S.R. 46(E), dated 3.2.2006

² Substituted vide Notification No. G.S.R. 612(E), dated 25.08.2014

	¹ {Sulphur Dioxide (SO ₂) in mg/Nm ³	Irrespective of date of commissioning	Anywhere in the country	100, 700, 1000 when pyritic sulphur in the limestone is less than 0.25%, 0.25 to 0.5% and more than 0.5% respectively.
	Oxides of Nitrogen (NO _x) in mg/Nm ³	After the date of notification (25.8.2014)	Anywhere in the country	(1) 600
		Before the date of notification (25.8.2014)	Anywhere in the country	(2) 800 for rotary kiln with In line Calciner (ILC) technology (3) 1000 for rotary kiln using mixed stream of ILC, Separate Line Calciner (SLC) and suspension pre-heater technology or SLC technology alone or without calciner.
	<p>(i) The timeline for implementation of emission standards for all the parameters i.e. Sulphur Dioxide (SO₂), Oxides of Nitrogen (NO_x) and Particulate Matter (PM), with respect to Rotary Kiln without coprocessing shall be up to the 31st March, 2017.</p> <p>(ii) The emission standards for Sulphur Dioxide (SO₂) shall be reviewed after a period of five years from the date of notification of these rules.</p> <p>(iii) The word 'NO₂' shall be substituted by 'NO_x' wherever it occurs in the notification vide G.S.R. 612(E) dated 25th August, 2014.}</p>			
	(ii) Vertical Shaft Kiln – (without coprocessing)			
	Particulate matter (PM)	on or after the date of notification	anywhere in the country	50 (with effect from 01.01.2016)

¹ Substituted by vide Notification No. 496(E), dated 09.05.2016

			critically polluted area or urban Centres with population above 1.0 lakh or within its periphery of 5 kilometre radius	100 (with effect from 01.06.2015)
		before the date of notification		75 (with effect from 01.06.2016)
			other than critically polluted area or urban centres	150 (with effect from 01.01.2015)
		Sulphur Dioxide (SO ₂)	-	200 (with effect from 01.01.2016)
		Nitrogen Dioxide (NO ₂)	-	500 (with effect from 01.01.2016)
<p>Note: -</p> <p>a. The height of each stack including Clinker Grinding Plant, Coal Mill, Raw Mill, Grinding, Packaging Section, etc. shall be of a minimum of 30 metres or, as per the formula $H=14(Q)^{0.3}$ whichever is more, where "H" is the height of stack in metres and "Q" is the maximum quantity of SO₂ expected to be emitted in kg/hr through the stack at 100 percent rated capacity of the plant and calculated as per the norms of gaseous emission.</p> <p>b. Above norms shall be applicable even if pet-coke is mixed with coal or, used alone for clinker making in kiln provided, pet-coke has been notified as 'approved fuel' by the concerned State Pollution Control Board/ Pollution Control Committee under the Air (Prevention and Control of Pollution) Act, 1981.</p> <p>c. All monitored values for SO₂ and NO₂ shall be corrected to 10% Oxygen, on dry basis. The norms for SO₂ and NO₂ shall be applicable to stacks attached to kiln.</p> <p>d. Scrubber meant for scrubbing emissions shall not be used as quencher. Plants having separate stack for gaseous emission for the scrubbing unit, the height of this stack shall be atleast equal to the main stack.</p>				
B. - Service wastewater - (without coprocessing)				
All efforts shall be made by the industry for 'zero discharge' of service wastewater. In case, the industry prefers to discharge service wastewater, the following norms shall be complied with:				
	Concentration not to exceed, milligramme per litre (except pH and temperature)			
pH	5.5 to 9.0			
Suspended Solids	100			
Oil and Grease	10			
Temperature	not more than 5 °C higher than the intake water temperature			
C. - Stormwater				

		(I) Stormwater shall not be allowed to mix with effluent, treated sewage, scrubber water and or floor washings. (II) Stormwater within battery limits of industry shall be channelized through separate drain(s) as per natural gradient passing through high-density polyethylene lined pit(s) each having holding capacity of 10 minutes (hourly average) of rainfall for its catchment area.]			
S. No.	Industry	Parameter	Standards		
1	2	3	4		
¹ [10A]	Cement Plant with co-processing of wastes	A. Emission Standards			
		Rotary Kiln - with co-processing of Wastes			
			Date of Commissioning	Location	Concentration not to exceed, in mg/Nm³
			(a)	(b)	(c)
		Particulate Matter (PM)*	on or after the date of notification (25.8.2014)	anywhere in the country	30
			before the date of notification (25.8.2014)	critically polluted area or urban centres with population above 1.0 lakh or within its periphery of 5.0 kilometre radius	30
				other than critically polluted area or urban centres	30
		SO ₂ *	irrespective of date of commissioning	anywhere in the country	100, 700 and 1000 when pyritic sulphur in the limestone is less than 0.25%, 0.25 to 0.5% and more than 0.5% respectively.
		NO _x *	After the date of notification (25.08.2014)	anywhere in the country	(1) 600
			Before the date of notification (25.08.2014)	anywhere in the country	(2) 800 for rotary kiln with In Line Calciner (ILC) technology

¹ Ins. By G.S.R. 497(E), dated 10th May, 2016 after serial no. 10 and their entries relating thereto (w.e.f. 10.05.2016)

				(3) 1000 for rotary kiln using mixed stream of ILC, Separate Line Calciner (SLC) and suspension pre-heater technology or SLC technology alone or without calciner.
		HCl		10 mg/Nm ³
		HF		1 mg/Nm ³
		TOC		10 mg/Nm ³ **
		Hg and its compounds		0.05 mg/Nm ³
		Cd+Tl and their compounds		0.05 mg/Nm ³
		Sb+As+Pb+Co+Cr+Cu+Mn+Ni+V and their compounds		0.5 mg/Nm ³
		Dioxins and Furans		0.1 ngTEQ/Nm ³
		<p>Note: The abbreviations used in the Table shall mean as under:</p> <p>SO₂ - Sulphur Dioxide; NO_x - Oxides of Nitrogen; HCl - Hydrogen Chloride; HF - Hydrogen Fluoride; TOC - Total Organic Carbon; Hg - Mercury; Cd - Cadmium; Tl - Thallium; Sb - Antimony; As - Arsenic; Pb - Lead, Co - Cobalt; Cr - Chromium; Cu - Copper; Mn - Manganese; Ni - Nickel; and V - Vanadium”.</p> <p>*The concentration values and timeline for implementation in respect of PM, SO₂ and NO_x shall be governed in accordance with the provisions under notification published vide GSR No. 612(E), dated the 25th August, 2014 and amended from time to time.</p> <p>**Permitting authority may prescribe separate standards on case to case basis, if Total Organic Carbon (TOC) does not result from the co-processing of waste.</p> <p>(a) The height of each individual stack connected to Kiln, Clinker Cooler, Cement Mills, Coal Mill, Raw Mill, Packaging Section, etc. shall be of a minimum of 30 meters or, as per the formula $H=14(Q1)^{0.3}$ and $H=74(Q2)^{0.27}$ whichever is more, where “H” is the height of stack in metres and “Q1” is the maximum quantity of SO₂ expected to be emitted in kg/hr and “Q2” is the maximum quantity of PM expected to be emitted in tonnes/hr through the stack at 100 percent rated capacity of the plant;</p> <p>(b) The monitored values of SO₂, NO_x, HCl, HF, TOC, Metals and Dioxins and Furans at main kiln stack shall be corrected to 10% Oxygen, on dry basis and the norms for SO₂, NO_x, HCl, HF, TOC, Metals and Dioxins and Furans shall be applicable to main kiln stack and the norms for Particulate Matter (PM) shall be applicable to all the stacks in the plant. PM, SO₂, NO_x shall be monitored continuously, HCl, HF, TOC, Metals and Dioxins and Furans shall be monitored once in a year;</p> <p>(c) Scrubber meant for scrubbing emissions shall not be used as quencher and plants having separate stack for gaseous emission for the scrubbing unit, the height of this stack shall be at least equal to the main stack.</p>		

B.- Service waste water (with co-processing of wastes)	
All efforts shall be made by the industry for 'zero discharge' of service wastewater and in case, the industry prefers to discharge service wastewater, the following norms shall be complied with:	
	Concentration not to exceed, milligram per litre (except pH and temperature)
pH	5.5 to 9.0
Suspended Solids	100
Oil and Grease	10
Temperature	not more than 5 °C higher than the intake water temperature
C – Storm water	
(I) Storm-water shall not be allowed to mix with effluent, treated sewage, scrubber water and or floor washings.	
(II) Storm-water within battery limits of industry shall be channelized through separate drain(s)].	

Sr. No.	Industry	Parameter	Standards
1	2	3	4
#11.	Stone Crushing Unit	Suspended Particulate Matter	The suspended particulate matter measured between 3 metres and 10 metres from any process equipment of a stone crushing unit shall not exceed 600 microgrammes per cubic metre.

²[12 Coke Ovens ***]

S. No.	Industry	Parameter	Standards	
1	2	3	4	
³ [13]	Rubber Processing And Rubber Product Industry	A. Effluent Standards		
		(i) Natural Rubber Processing: Centrifuging and Creaming Units		
		Limiting value for concentration in mg/l, except for pH		
			Inland Surface Water	Land for Irrigation/Public Sewer
		pH	6.0-8.5	6.0-8.5
		Suspended Solids	100	200
		BOD, 3 days at 27 °C	30	100
		COD	250	-
		Oil & Grease	10	10
		Total Kjeldahi Nitrogen, as N	100	*
Free Ammonia	5	*		
Ammonical Nitrogen, as N	50	*		
Sulphides, as S	2	*		

Standard notified at Sl. No. 37 may also be referred.

¹ S. No. 11 and entries relating thereto inserted vide SO 443(E) dt., 18.04.87 published in the Gazette No. 206 dt. 18.04.87.

² Serial No. 12 relating to "Coke Ovens" and entries relating thereto omitted by G.S.R. 277(E), dated 31st March, 2012

³ Subs. By G.S.R. 221(E), dated 18th March, 2011. Serial No. 13 and their entries relating thereto (w.e.f. 18.03.2011)

		Total Dissolved Solids	2100	2100
		(ii) Natural Rubber Processing: Craps and Crumb Units		
		pH	6.0-8.5	6.0-8.5
		Suspended Solids	100	*
		Colour	Colourless	*
		Odour	Absent	*
		BOD, 3 days at 27 °C	30	100
		COD	250	*
		Oil & Grease	10	10
		Total Kjeldahi Nitrogen, as N	50	*
		Ammonical Nitrogen, as N	25	*
		Sulphides, as S	2	*
		Total Dissolved Solids	2100	2100
		(iii) Rubber Products (Moulded, Extruded or Calendered /Fabricated/Rubber Reclamation Unit Latex based Unit)		
		pH	6.0-8.5	6.0-8.5
		Suspended Solids	50	100
		Oil & Grease	10	10
		BOD, 3 days at 27 °C	50	*
		Lead*	0.1	*
		Zinc as Zn*	5	*
		Total Chromium	0-05	*
		(iv) Tyre and Tube Industry		
		pH	6.0-8.5	6.0-8.5
		Suspended Solids	50	*
		Oil & Grease	10	10
		(v) Synthetic Rubber Industry		
		pH	6.0-8.5	6.0-8.5
		Colour	Absent	*
		Odour	Absent	*
		BOD, 3 days at 27 °C	50	*
		COD	250	*
		Oil & Grease	10	10
*Norms for these parameters shall be prescribed by the concerned State Pollution Control Board/Pollution Control Committee on case basis.				
B. Emission Standards *(Rubber Product Industry i.e. Moulded, Extruded or Calendered/Fabricated/Rubber Reclamation Unit/Latex/based Units				
			Concentration not to exceed in mg/Nm ³	
		Particulate Matter	150	
		Volatile Organic Compounds	50	

*These emission standards shall not be applicable to SSI Units.

Note: All rubber units shall channelize their fugitive emission through a stack having height of 12 meters or 2 meters above roof top of shed/building/whichever is more.]

S. No.	Industry	Parameter	Standards
1	2	3	4
14.	Small Pulp and Paper Industry		Concentration not be exceed mg/l (except for pH and sodium absorption ratio)
	*Discharge into inland surface water	pH	5.5-9.0
		Suspended Solids	100
		BOD	30
		pH	5.5-9.0

	Disposal on land	Suspended Solids	100
		BOD	100
		Sodium Absorption Ratio	26
		¹ [Absorbable Organic Halogens (AOX) in effluent discharge]	3.0 kg/ton of paper produced with effect from the date of publication of this notification. 2.0 kg/ton of paper produced with effect from the 1 st day of March, 2006.

Explanation: - These standards shall apply to all small scale Pulp and Paper Mills having capacity below 24, 000 MT per annum]

S. No.	Industry	Parameter	Standards
1	2	3	4
² [15.	Fermentation Industry (Distilleries, Maltries and Breweries)		Concentration in the effluents not to exceed milligramme per litre (except for pH and colour & odour)
		pH	5.5 – 9.0
		Colour & Odour	All efforts should be made to remove colour and unpleasant odour as far as 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
	**[(2)...(7)]		
	Note: ⁵ [(1)] *Wastewater generation shall not exceed 250 metre cube per tonne of paper produced.		
	⁶ [(2).....(7)]		

⁷[16. Leather Tanneries****]

¹ Inserted by Rule 2(i) of the Environment (Protection) Third Amendments Rules, 2005 notified vide Notification G.S.R. 546(E), dated 30.08.2005.

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. 8.1.1990

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 27oC) wherever BOD 5 days 20oC occurred. 4

⁴ Substituted vide Rule 3(a) of the Environment (Protection) (Amendments) Rules, 1996 notified vide G.S.R.186(E), dated 2.4.1996

⁵ Renumbered as (1) by Notification No. S.O. 12(E), dated 8.1.1990

⁶ 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

⁷ Omitted by G.S.R. 47(E), dated 24th January, 2020

S. No.	Industry	Parameter	Standards		
1	2	3	4		
		A. - Effluents Standards			
17.	Fertilizer Industry	(i) Straight Nitrogenous Fertilizer Plant/Ammonia (Urea Plant), Calcium Ammonium Nitrate and Ammonium Nitrate Fertilizers			
			Limiting concentration not to exceed milligram/litre (mg/l), except for pH		
		pH	6.5-8.5		
		Suspended Solids	100		
		Oil and Grease	10		
		Ammonical Nitrogen as N	50		
		Total Kjeldahl Nitrogen (TKN) as N	75		
		Free Ammonical Nitrogen as N	2.0		
		CN concentration	0.1		
		Nitrate Nitrogen as N	Urea Plant	10	
			Other than Urea Plant	20	
		(ii) Straight Phosphatic Fertilizer Plant			
		pH	6.5 to 8.5		
		Suspended Solids	100		
		Oil and Grease	10		
		Fluoride	10		
		Dissolved Phosphate as P	5.0		
		(iii) Complex Fertilizer Plant and / or NP/NPK (N-Nitrogen, P-Phosphorus and K-Potassium)			
		pH	6.5 to 8.5		
		Suspended Solids	100		
		Oil and Grease	10		
		Ammonical Nitrogen as N	50		
		Total Kjeldahl Nitrogen (TKN) as N	75		
		Free Ammoniacal Nitrogen as N	4.0		
		Nitrate Nitrogen as N	20		
		Dissolved Phosphate as P	5.0		
		Fluoride as F ⁻	10		
		Note: (i) Chromium salt shall not be used in cooling tower as algacide.			
		(ii) The effluent shall be analysed for Vanadium and Arsenic once in a year and analysis report shall be submitted to the concerned State Pollution Control Board / Pollution Control Committee.			
		B. - Emission Standards			
		(i) Straight Nitrogenous			
		(a) Ammonia Plant- Reformer			
		Oxides of Nitrogen (as NO ₂)	400 mg/Nm ³		
(b) Urea Plant – Prilling Tower					
Particulate matter	Pre 1982 units	150 mg/Nm ³			
	Post 1982 units	50 mg/Nm ³ **			
(ii) Ammonium Nitrate/ Calcium Ammonium Nitrate/NPK plant					
Particulate Matter	Existing Plant	150 mg/Nm ³			
	New Plant	100 mg/ Nm ³			

¹ The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) vide number S.O. 844 (E), dated the 19th November, 1986 and subsequently amended vide the notification G.S.R. 1607 (E), dated the 29th December, 2017.

		Ammonium as NH ₃	Existing Plant	300 mg/Nm ³
			New Plant	150 mg/Nm ³
		Total Fluoride as F ⁻	<10 mg/Nm ³ (only for NPK plant)	
(iii) Phosphatic Fertilizer Plants – Phosphoric Acid Plants/Rock grinding and Acidulation SSP Plants				
		Particulate Matter	125 mg/Nm ³	
		Total Fluoride as F ⁻	20 mg/Nm ³	
(iv) Nitric Acid Plant				
		Oxides of Nitrogen (as NO ₂)	400 mg/Nm ³	
*Values to be reported at 3% O ₂ ** Total emission of 0.5 kg/ tonne of product.				
Note:				
i. Fluoride norms shall be applicable only for NPK plant.				
ii. Plant commissioned on or after the date of notification, shall be treated as “New Plant”.				
iii. The height of the stack emitting Sulphur Dioxide, Oxides of Nitrogen or Oxides of Phosphorus or acid mist shall be a minimum of 30 metres or as per the formula $H=14(Q)^{0.3}$, whichever is more, where “H” is the height of stack in metres and “Q” is the maximum quantity of SO ₂ NO _x or P ₂ O ₅ equivalent expected to be emitted in kg/hr through the stack at 100 percent rated capacity of the tail gas plant(s) and calculated as per the norms of gaseous emission.				
iv. Tail Gas plants having more than one stream or unit of Sulphuric Acid, Nitric Acid or Phosphoric Acid at one location, the combined capacity of all the streams or units for a particular acid shall be taken into consideration for determining the stack height and applicability of emission standards individually.				
v. Tail gas plants having separate stack for gaseous emission for the scrubbing unit, the height of this stack shall be equal to main stack or 30 metres, whichever is higher.]				

¹[18 Iron Ore Mining and Ore Processing*]**

S. No.	Industry	Parameter	Standards
1	2	3	4
19.	Calcium Carbide	Particulate Matter Emission	
		-Kiln	250 milligramme per normal cubic metre.
		-Arc Furnace	150 milligramme per normal cubic metre
20.	Carbon Black	Particulate Matter Emission	150 milligramme per normal cubic metre

¹ S. No.18 relating to “Aluminum” and 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

S. No.	Industry	Parameter	Standards		
1	2	3	4		
1 ¹ [21]	Copper, Lead or Zinc Smelting Plant	Emission standards			
		Particulate Matter (mg/Nm ³)	a. Concentrator	Existing Unit	New Unit
				100	75
		Sulphur Dioxide (SO ₂)	b. Sulphur Dioxide Recovery Unit Limiting Concentration in mg/Nm ³ Plant capacity for 100% convertible concentration of Sulphuric Acid (tonne/day)	Existing Unit	New Unit
		Acid Mist/ Sulphur	Upto 300	1370	1250
			Above 300	1250	950
Trioxide	Above 300	70	50		
<p>Note:</p> <ol style="list-style-type: none"> Capacity in above stipulation means the installed capacity of Sulphuric Acid plant. Scrubbing units shall have on-line pH meters with auto recording facility. Plant commissioned on or after the date of notification, shall be termed as 'New Unit'. The height of the Stack emitting Sulphur Dioxide or acid mist shall be a minimum of 30 meters or as per the formula $H=14(Q)^{0.3}$ (whichever is more), where 'H' is the height of stack in meters; and 'Q' is the maximum quantity of SO₂ in kg/hr, expected to be emitted through the stack at 110 percent rated capacity of the Tail Gas plant(s) and calculated as per the norms of gaseous emission. Tail Gas plants having more than one stream or unit of Sulphuric Acid at one location, the combined capacity of all the streams or units shall be taken into consideration for determining the stack height and applicability of emission standards. Tail Gas plants having separate stack for gaseous emission for the scrubbing unit, the height of this stack shall be equal to main stack or 30 metres, whichever is higher]. 					

S. No.	Industry	Parameter	Standards
1	2	3	4
22.	Nitric Acid (Emission Oxides of Nitrogen)	Emission of Oxides of Nitrogen	3 kilogramme of oxides of nitrogen per tonne of weak acid (before concentration) produced.

¹ Subs by G.S.R. 354(E), dated 2nd May, 2011.

S. No.	Industry	Parameter	Standards		
1	2	3	4		
1 ¹ [23]	Sulphuric Acid Plant		Emission Standards		
			Limiting Concentration in mg/Nm ³ , unless stated		
			Plant capacity for 100% concentration of Sulphuric Acid (tonne/day)	Existing Unit	New Unit
		Sulphur dioxide (SO ₂)	upto 300	1370	1250
			Above 300	1250	950
		Acid Mist/ Sulphur Trioxide	Upto 300	90	70
Above 300	70		50		
<p>Note:</p> <p>i. Scrubbing units shall have on-line pH meters with auto recording facility.</p> <p>ii. The height of the stack emitting sulphur dioxide or acid mist shall be of minimum of 30 metre or as per the formula $H=14(Q)^{0.3}$ (whichever is more). Where "H" is the height of stack in metre; and "Q" is the maximum quantity of SO₂ expected to be emitted through the stack at 110 percent rated capacity of the plants and calculated as per the norms of gaseous emission.</p> <p>iii. Plants having more than one stream or unit of sulphuric acid at one location, the combined capacity of all the streams and units shall be taken into consideration for determining the stack height and applicability of emission standards.</p> <p>iv. Plants having separate stack for gaseous emission for the scrubbing unit, the height of this stack shall be equal to main stack.]</p>					

S. No.	Industry	Parameter	Standards			
1	2	3	4			
2 ² [24.	Integrated Iron and Steel Plant	A. Coke oven (by-product type)				
		a. Effluent Standards				
			Limiting concentration in mg/l. except for pH			
		pH	6.0-8.50			
		Suspended solids	100			
		BOD, 3 days at 27 °C	30			
		COD	250			
		Oil and Grease	10			
		Ammonical nitrogen, as N	50			
		Cyanide (as CN ⁻)	0.2			
		Phenol	1.0			
		b. Emission Standards				
			New Batteries (at green field site)	Rebuild Batteries	Existing Batteries	
		(i) <i>Fugitive Visible Emissions</i>				
Leakage from door	5(PLD)*	10(PLD)*	10(PLD)*			

¹ Substituted by Rule 2(1) of the Environment (Protection) Third Amendment Rules, 2008 notified by G.S.R. 344(E), dated 7.5.2008.

² Subs. By G.S.R. 277(E), dated 31st March, 2012 serial no. 24 and their entries relating thereto (w.e.f. 31.03.2012)

Leakage from charging lids	1(PLL)**	1(PLL)**	1(PLL)**
Leakage from AP Covers	4(PLO)↑	4(PLO)↑	4(PLO)↑
Charging emission (Second/Charge)	16 (with HPLA)#	50 (with HPLA)#	75
* PLD- Percent leaking doors; ** PLL Percent leaking lids;			
↑PLO-Percent Leaking off takes and #HPLA - Aspiration though high pressure liquor injection in gooseneck.			
<i>(ii) Stack Emission Standards</i>			
SO ₂ (mg/Nm ³)	800	800	800
NO _x (mg/Nm ³)	500	500	500
Particulate matter (mg/Nm ³)	50	50	50
Particulate matter during charging of stamp charging batteries (mg/Nm ³)	25	25	25
Sulphur in Coke Oven gas used for heating (mg/Nm ³)	800	-	-
<i>(iii) Fugitive Emissions: Benzo(a) Pyrene (BaP)</i>			
Battery area (top of the battery) (µg/m ³)	5	5	5
Other units in coke oven plant (µg/m ³)	2	2	2
B- Sintering Plant			
a. Effluent Standards			
	Limiting concentration in mg/l, except for pH		
pH	6.0-8.50		
Suspended solids	100		
Oil and Grease	10		
b. Emission Standards			
Particulate matter (mg/Nm ³)	150		
C- Blast Furnace			
a. Effluent Standards			
	Limiting concentration in mg/l, except for pH		
pH	6.0-8.5		
Suspended solids (mg/l)	50		
Oil and Grease (mg/l)	10		
Cyanide as CN ⁻ (mg/l)	0.2		
Ammonical Nitrogen, as NH ₃ -N (mg/l)	50		
b. Emission Standards			
<i>(i) Stack Emissions</i>			
	Existing Units	New Units	
BF Stove			
Particulate matter (mg/Nm ³)	50	30	
SO ₂ (mg/Nm ³)	250	200	
NO _x (mg/Nm ³)	150	150	
CO (vol/vol)	1% (max.)	1% (max.)	
<i>(ii) Space Dedusting /Other Stacks of BF area</i>			
Particulate matter (mg/Nm ³)	100	50	
<i>(iii) Fugitive Emission</i>			
	Existing Units	New Units	

Particulate matter (Size less than 10 microns) PM ₁₀ (µg/m ³)	4000	3000
SO ₂ (µg/m ³)	200	150
NO _x (µg/m ³)	150	120
Carbon monoxide (µg/m ³) - 8 hours - 1 hour	5000 10,000	5000 10,000
Lead, as Pb in fugitive dust (µg/m ³) at Cast House	2	2
D. - Steel Making Shop-Basic Oxygen Furnace		
a. Effluent Standards		
pH	6.0-8.5	
Suspended solids (mg/l)	100	
Oil and Grease (mg/l)	10	
<i>(i) Stack Emissions</i>		
	Existing Units	New Units
• Converters		
Particulate matter (mg/Nm ³)		
-Blowing /Lancing operation	300	Should be with gas recovery
-Normal operation	150	Should be with gas recovery
**Secondary Emission Stack: De-dusting of de-sulphurisation, Secondary refining etc.,		
Particulate matter (mg/Nm ³)	100	50
<i>(ii) Fugitive Emissions</i>		
	Existing Units	New Units
Particulate matter (Size less than 10 microns) PM ₁₀ (µg/m ³)	4000	3000
SO ₂ (µg/m ³)	200	150
NO _x (µg/m ³)	150	150
CO (µg/m ³) -8 hours 1 hour	5,000 10,000	5,000 10,000
Lead, as Pb in dust at Convertor floor (µg/m ³)	2	2
E. - Rolling Mills		
a. Effluent Standards		
pH	6.0-9.0	
Suspended solids (mg/l)	100	
Oil and Grease (mg/l)	10	
b. Emission Standards		
Particulate matter (mg/Nm ³)	150	
Re-Heating (Reverberatory) Furnaces		
	Sensitive Area	Other Area
Particulate matter (mg/Nm ³)	150	250
F-Arc Furnaces		
Emission Standards		
Particulate matter (mg/Nm ³)	150	

G. - Induction Furnaces		
Emission Standards		
Particulate matter (mg/Nm ³)	150	
H. - Cupola Foundry		
Emission Standards		
	melting capacity less than 3 tonne/hr	melting capacity 3 tonne/hr and above
Particulate matter (mg/Nm ³)	450	150
SO ₂ (mg/Nm ³)	300, corrected at 12% CO ₂	
I. - Calcination Plant/Lime Kiln/Dolomite Kiln		
Emission Standards		
	Capacity upto 40t/day	Capacity above 40t/day
Particulate matter (mg/Nm ³)	500	150
J. - Refractory Unit		
Emission Standards		
Particulate matter (mg/Nm ³)	150	
Note:		
<ol style="list-style-type: none"> 1. The height of the each process stack shall be a minimum of 30 metres or as per the formula $H=14(Q)^{0.3}$ (whichever is more), where "H" is the height of stack in metre; and "Q" is the maximum quantity of SO₂ in kg/hr expected to be emitted through the stack at rated capacity of the plant(s) and calculated as per the norms of gaseous emission. 2. The plants having separate stack for gaseous emission for the scrubbing unit, the height of this stack shall be equal to main stack of the plant or 30 metres, whichever is higher. 3. It is essential that stack constructed over the cupola beyond the charging door and emissions shall be directed through the stack which should be at least six times the diameter of cupola. 4. In respect of Arc Furnaces and Induction Furnaces provision shall be made for collecting the fumes before discharging the emission through the stack. 5. Foundries shall install scrubber, followed by a stack of height atleast six times the diameter of the Cupola beyond the charging door. 6. Recovery type converters shall be installed in new plants or expansion projects. 		
Stormwater		
Note:		
<ol style="list-style-type: none"> i. Stormwater shall not be allowed to mix with effluent, scrubber water and/or floor washings. ii. Stormwater shall be channelized through separate drains as per natural gradient, passing through High Density Polyethylene (HDPE) lined pits, each having holding capacity of 10 minutes (hourly average) of rainfall]. 		

S. No.	Industry	Parameter	Standards
1	2	3	4
¹ [25.	Thermal Power Plant	TPPs (units) installed before 31st December, 2003*	
		Particulate Matter	100 mg/Nm ³
		Sulphur Dioxide (SO ₂)	600 mg/Nm ³ (Units Smaller than 500 MW capacity units) 200 mg/Nm ³ (for units having capacity of 500 MW and above)
		Oxides of Nitrogen (NOx)	600 mg/Nm ³
		Mercury (Hg)	0.03 mg/Nm ³ (for units having capacity of 500 MW and above)
		TPPs (units) installed after 1st January, 2003, upto 31st December, 2016*	
		Particulate Matter	50 mg/Nm ³
		Sulphur Dioxide (SO ₂)	600 mg/Nm ³ (Units Smaller than 500 MW capacity units) 200 mg/Nm ³ (for units having capacity of 500 MW and above)
		Oxides of Nitrogen (NOx)	² [450 mg/Nm ³]
		Mercury (Hg)	0.03 mg/Nm ³
		TPPs (units) to be installed from 1st January, 2017**	
		Particulate Matter	30 mg/Nm ³
		Sulphur Dioxide (SO ₂)	100 mg/Nm ³
		Oxides of Nitrogen (NOx)	100 mg/Nm ³
		Mercury (Hg)	0.03 mg/Nm ³
³ [Note: All monitored values for SO ₂ , NOx and Particulate Matter shall be corrected to 6% Oxygen, on dry basis.]			

⁴[(i) A task force shall be constituted by Central Pollution Control Board (CPCB) comprising of representative from Ministry of Environment and Forest and Climate Change, Ministry of Power, Central Electricity Authority (CEA) and CPCB to categorise thermal power plants in three categories as specified in the Table-I on the basis of their location to comply with the emission norms within the time limit as specified in column (4) of the Table-I, namely: -

Table-I

Sl. No.	Category	Location/area	Timelines for compliance	
			Non retiring units	Retiring units
(1)	(2)	(3)	(4)	(5)
1	Category A	Within 10 km radius of National Capital Region or cities having million plus population ¹ .	Upto 31 st December 2022	Upto 31 st December 2022

¹ As per 2011 census of India.

¹ Subs. by S.O. 3305(E), dated 07th December, 2015 serial no. 25 and their entries relating thereto (w.e.f. 07.12.2015) earlier it serial no. 25 and 26 and entries relating thereto inserted vide S.O. 8(E), dated 03.01.1989.

² Subs. by G.S.R. 662(E), dated 19th October, 2020

³ Inserted by G.S.R. 593(E), dated 28th June, 2018

⁴ Subs. for letters, brackets and words [*TPPs (units) shall meet the limits within two years from date of publication of this notification] by G.S.R. 243(E), dated 31st March, 2021,

Sl. No.	Category	Location/area	Timelines for compliance	
			Non retiring units	Retiring units
(1)	(2)	(3)	(4)	
2	Category B	Within 10 km radius of Critically Polluted Areas ² or Non-attainment cities ²	Upto 31st December 2023	Upto 31st December 2025
3	Category C	Other than those included in category A and B	Upto 31st December 2024	Upto 31st December 2025

² As defined by CPCB.

(ii) the thermal power plant declared to retire before the date as specified in column (5) of Table-I shall not be required to meet the specified norms in case such plants submit an undertaking to CPCB and CEA for exemption on ground of retirement of such plant:

Provided that such plants shall be levied environment compensation at the rate of rupees **0.20** per unit electricity generated in case their operation is continued beyond the date as specified in the Undertaking;

(iii) there shall be levied environment compensation on the non-retiring thermal power plant, after the date as specified in column (4) of Table-I, as per the rates specified in the Table-II, namely: -

Table-II

Non-Compliant operation beyond the Timeline	Environmental Compensation (Rs. per unit electricity generated)		
	Category A	Category B	Category C
0-180 days	0.10	0.07	0.05
181-365 days	0.15	0.10	0.075
366 days and beyond	0.20	0.15	0.10.]

** Includes all the TPPs (units) which have been accorded environmental clearance and are under construction.]

¹[26. Natural Rubber Industry***]

S. No.	Industry	Parameter	Standards
1	2	3	4
² [27.	Asbestos Manufacturing Units (including all processes involving the use of Asbestos)	-Pure Asbestos material	³ {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)]

¹ Serial No. 26 relating to "Natural Rubber Industry" and entries relating thereto omitted by G.S.R. 221(E), dated 18th March, 2011

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

³ Standards mentioned at Sl. No. 27 amended by Rule 2(III) of the Environment (Protection) First Amendment Rules, 2006 notified vide Notification G.S.R. 46(E), dated 3.2.2006.

28.	Chlor 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 ₂ S		10	
** 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).					
¹ [30.	Integrated Iron and Steel Plants****]				
31.	Re-Heating (Reverberatory) Furnaces	Emissions		Concentration in mg/m ³ (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 door and emissions are directed through the stack which should be at least six times the diameter of cupola.				
	(b) Arc Furnaces:	Capacity: All sizes	Particulate Matter	150	
	(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.				

S. No.	Industry	Parameter	Standards
1	2	3	4
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

¹ Serial No. 30 relating to "Integrated Iron & Steel Plants" and entries relating thereto omitted by G.S.R. 277(E), date 31st March, 2012.

² S. No. 32 entry relating thereon inserted vide G.S.R. 742(E), date 30.08.90 published in the Gazette No. 365 dated 30.08.90.

		- 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: - Less than 2 ton/hr.	½ times the neighbouring 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 $H-14(Q)^{0.3}$ (whoever 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			

S. No.	Industry	Parameter	Standards	
1	2	3	4	
1 ¹ 33A.	Thermal Power Plants with wet Flue Gas Desulphurization (FGD)	Stack Height/Limit in Meters	Power Generation Capacity:	
			-100 MW and above	$H = 6.902(QX0.277)^{0.555}$ or 100 m minimum
			-Less than 100 MW	$H = 6.902(QX0.277)^{0.555}$ or 30 m whichever is more''
			Q = Emission rate of SO ₂ in kg/hr* H = Physical stack height in meter *total of the all Unit's connected to stack Note: These standards shall apply to coal/lignite based Thermal Power Plants].	
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	
*All emissions normalized to 12 percent carbon dioxide.				

¹ Inserted by G.S.R. (E) 593, dated 28th June, 2018 serial no. 33A and their entries relating thereto

S. No.	Industry	Parameter	Standards
1	2	3	4
1 ¹ [35.	Coffee Industry	Instant /Dry Processing	
			Limiting value for concentration in mg/l except for pH
		pH	6.5-8.5
		BOD 3 days 27 °C	100 (for discharge on land for irrigation)
		Wet/Parchment Coffee Processing	
		pH	6.5-8.5
		BOD 3 days 27 °C	
		A. For storage in lined lagoons	1000
		B. For discharge on land for irrigation	100
		Note:	
(i) Raw, treated and / or diluted effluent shall not be discharged into surface water body or used for recharging ground water under any circumstances what so ever.			
(ii) The non-permeable lining system shall be constructed by using well graded, highly impervious clay or geosynthetic liners such as Geosynthetic Clay Liners (GCL), High-Density Polyethylene (HDPE) or a combination of both and shall achieve an in-situ coefficient of permeability of less than 1×10^{-7} cm/sec. The compacted clay liner must have a minimum thickness of 300 mm (or two compacted layers of 150 mm minimum thickness each). The finished lining must be tested to ensure that it meets the permeability criteria.			
(iii) The effluent storage facilities/lagoons/solar evaporation ponds shall be located above high flood level mark of the nearby stream, rivulet, etc. with below mentioned free board and away from any water body/stream at a distance.			
	Free Board (cm)	60	
	Distance (m)	100	
(iv) The liner system specification and lagoon specification to be achieved in one year].			

S. No.	Industry	Parameter	Standards
1	2	3	4
36.	Aluminium Plants	Emissions	
	(a) Alumina 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 Inserted by G.S.R. 48(E), dated the 24th January, 2020

	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 31 st December, 2006
		For Pre-baked Technology	0.8 kg/t by 31 st December, 2006
	² [(c) Standards for forage fluoride		
		Twelve consecutive months average	40 ppm
		Two consecutive months average	60 ppm
		-One month average	-80 ppm]
* Separate Standards for VSS, HSS, PBSW & PBCW as given in column 4 stands abolished			

S. No.	Industry	Parameter	Standards
1	2	3	4
*37.	Stone Crushing Unit	Suspended Particulate Matter (SPM)	<p>The Standards consist of two paras:</p> <p>(i) Implementation of the following Pollution Control measures:</p> <p>(a) Dust containment cum suppression system for the equipment.</p> <p>(b) Construction of wind breaking walls.</p> <p>(c) Construction of the metalled roads within the premises.</p> <p>(d) Regular cleaning and wetting of the ground within the premises.</p> <p>(e) Growing of a green belt along the periphery.</p> <p>(ii) Quantitative standard for SPM:</p> <p>**[measured between three meters and ten meters from any processes equipment of a stone crushing unit shall not exceed 600 microgrammes per cubic metre] from a controlled isolated as well as from a unit located in a cluster should be less than 600 mg/Nm³³[xxx....]</p>

¹ Substituted by Rule 23(iv)(a) amended by Rule 2(IV)(a) of the Environment (Protection) First Amendment Rules, 2006 notified vide Notification G.S.R. 46(E), dated 3.2.2006.

² 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.

** Corrections have been made as per CORRIGENDUM Notification No. S.O.8 (E), dated 31.12.1990.

³ The sentence 'The measurements are to be conducted at least twice a month for all the 12 month in a year' deleted as per CORRIGENDUM Notification S.O. 8(E), dated 31.12.1990.

S. No.	Industry	Parameter	Standards
1	2	3	4
38.	Petrochemicals (Basic & Intermediates)	¹ [A. Effluents]	
		pH	6.5-8.5
		*BOD ² [3days at 27°C]	50
		**Phenol	5
		Sulphide(as S)	2
		COD	250
		Cyanide (as CN)	0.2
		***Fluoride (as F)	15
		Total Suspended Solids	³ [100]
		Hexavalent Chromium ¹ [(as Cr)]	0.1
**** Total Chromium ¹ [(as Cr)]	2.0		

* State Board may prescribe the BOD value of 30 mg/l if the recipient system so demands.

** The limit for phenol shall be conformed to at the outlet of effluent treatment of phenol plant. However, at the final disposal point, the limit shall be less than 1 mg/l.

*** The limit for fluoride shall be confirmed to at the outlet of the chrome removal unit. However, at the disposal point fluoride concentration shall be lower than 5 mg/l.

**** The Limits for total and hexavalent chromium shall be conformed to at the outlet of the chromate removal. This implies that in the final treated effluent, total and hexavalent chromium shall be lower than prescribed herein.

S. No.	Industry	Parameter	Standards			
1	2	3	4			
	⁴ [(Furnace, Boiler, Heater, Vaporiser)	B. Emission from Chimney/Stack				
		Limiting concentration in mg/Nm³, unless stated				
			Fuel Type	Existing Plants	New Plants/ Expansion of Existing Plant	
		Sulphur Dioxide (SO ₂)	Gas	50	50	
			Liquid	1700	850	
		Oxides of Nitrogen (NO _x)	Gas	350	250	
			Liquid	450	350	
		Particulate Matter (PM)	Gas	10	05	
			Liquid	100	50	
		Carbon Monoxide (CO)	Gas	150	100	
Liquid	200		150			
Note: -						
(i) All value shall be corrected 3% Oxygen.						
(ii) Wet scrubber shall necessarily be operated at the time of decoking.						

¹ Subs. By G.S.R. 820(E), dated 9th November, 2012 after Serial No. 38 entries under Column No. 2, for "Effluent" (w.e.f. 09.11.2012)

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.

³ Corrected as per Corrigendum Notification S.O.8 (E), dated 31.12.1990

⁴ Inserted by G.S.R. 820(E), dated 9th November, 2012 (w.e.f. 09.11.2012)

(iii) Norms for CO shall be monitored only in case of Phthalic Anhydride (PA), Maleic Anhydride (MA), Terephthalic Acid (PTA) and Dimethyl Terephthalate (DMT) Plants. Norms for CO emissions shall not be applicable to PA/MA manufacturing standalone existing plants with an installed capacity of less than 30,000 metric tonnes per annum, provided that such units have a chimney/stack of minimum 30 metres height for emitting Carbon Monoxide.			
Process Emission (Specific Pollutant)			
	Source	Limiting Concentration in mg/Nm³	
		Existing Plants	New Plants
Chlorine	EDC/VCM Plant and Incinerator	10	10
Hydrochloric Acid Mist	EDC/VCM Plant and Incinerator	30	30
Ammonia	Wastewater stripper, acrylonitrile plant, caprolactum plant	75	75
Hydrogen Sulphide	Naphtha pre-treatment plant, olefin plant	05	05
Phosgene	(TDI) and (MDI) plant	01	01
Hydrogen Cyanide (HCN)	Acrylonitrile Plant	10	10
VOC (HAPs) - TDI and MDI	TDI, Methylenediphenyl Di-isocyanate (MDI) Plants	0.1	0.1
VOC (HAPs) Benzene and Butadiene	Benzene, Butadiene Plants	5.0	5.0
VOC (HAPs), EO, VCM, EDC, ACN and PO	EO, VCM, EDC, ACN, PO Plants	20.0	10.0
Organic Particulate	PA, MA and TDI Plants	50	25
Process Emission (General Pollutant)			
	Source	Limiting Concentration in mg/Nm³	
VOC (MA, PA and Phenol)	MA, PA, Phenol Plants	20	
VOC (EB, Styrene, Toluene, Xylene, Aromatics, EG and PG)	Ethyl benzene (EB), Styrene, Toluene, Xylene, Aromatics, EG, PG Plants	100	
VOC (paraffin, Acetone and Olefins)	Non-methane, HC (paraffin), Acetone, Olefins Plants	150	
Note: HAP - Hazardous Air Pollutants are those pollutants that cause cancer or other serious health effects, or adverse environmental and ecological effects.			

Abbreviations: EG - Ethylene Glycol, PG - Propylene Glycol, EO - Ethylene Oxide, VCM - Vinyl Chloride Monomer, EDC - Ethylene Di Chloride, ACN - Acrylonitrile, PO - Propylene Oxide, HCN - Hydrogen Cyanide."

C. Standards for Fugitive Emission

Storage of Volatile Liquids: General Petrochemical/Petroleum Products.

- 1 Storage tanks with capacity between 4 to 75m³ and total vapour pressure (TVP) of more than 10 kpa should have Fixed Roof Tank (FRT) with pressure valve vent.
- 2 Storage tanks with capacity between 75 to 500 m³ and total vapour pressure (TVP) of 10 to 76 kpa should have internal floating roof or external floating roof or fixed roof with vapour control or vapour balancing system.
- 3 Storage tanks with the capacity of more than 500 m³ and total vapour pressure (TVP) of 10 to 76 kpa should have internal floating roof or external floating roof or fixed roof with vapour control system.
- 4 The tanks with the capacity of more than 75 m³ and total vapour pressure (TVP) of more than 76 kpa should have fixed roof with vapour control system.
- 5 Requirement for seals in Floating Roof Tanks -
 - (i) (a) Internal Floating Roof Tank (IFRT) and External Floating Roof Tank (EFRT) shall be provided 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 cm²/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 cm²/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) (a) inspection and maintenance of storage tanks shall be carried out under strict control;
 - (b) for the inspection, API RP 575 may be adopted;
 - (c) In-service inspection with regard seal gap should be carried out once in every six months and repair to be implemented in short time; and
 - (d) the possibility of on-stream repair of both shall be examined.
 - iv. Storage tanks shall be painted with white colour shade, except for derogation of visually sensitive area.

D. Storage of Benzene, VCM and ACN

- (i) FRT with vapour for incineration with 99.9% of removal efficiency for volatile organic compounds (VOC) shall be provided; or
- (ii) 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; or
- (iii) Internal floating roof and nitrogen blanketing in between fixed and floating roofs shall be provided.

(Emission control for Road tank, truck/Rail tank, wagon loading)		
Loading of Volatile Products	Naphtha: i. VOC reduction, % or	i. ≥ 99.5 or

	ii. Emission, gm/m ³	ii. ≤5
	Benzene and Butadiene:	
	i. VOC reduction, %	(i) ≥99.99
	or	or
	ii. Emission, mg/m ³	(ii) ≤20
	Toluene/Xylene:	
	i. VOC reduction, %	i. ≥99.98
	or	or
	ii. Emission, mg /m ³	ii. ≤150.]

S. No.	Industry	Parameter	Standards		
1	2	3	4		
1 ¹ 39	Hotel Industry	Effluent Standards			
		(i) Hotel with atleast 20 bedrooms			
		Limiting concentration in mg/l Except for pH			
			Inland Surface Water	On land for Irrigation	
		pH	5.5-9.0	5.5-9.0	
		BOD 3 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 with minimum floor area of 100 m ² or a Restaurant with minimum seating capacity of 36			
		pH	5.5-9.0	5.5-9.0	
		BOD 3 days 27 °C	100	100	
		Total Suspended Solids	100	100	
		Oil & Grease	10	10	
		Notes:			
		i. Hotels, banquet halls, restaurants, etc. located in coastal area shall also comply with the provisions of the Coastal Regulation Zone, as applicable.			
		ii. If, the effluent is discharged into a municipal sewer leading to a Sewage Treatment Plant, the hotel or restaurant or banquet hall, as the case may be, shall provide a proper Oil and Grease Trap for effluent arising from its kitchen and laundry and shall have to comply with the 'General Standards for Discharge of Environmental Pollutants Part-A: Effluents' notified under Schedule-VI.]			

S. No.	Industry	Parameter	Standards		
1	2	3	4		
2 ² 40	Pesticide Industry	A. Emission Standards			
		Limiting concentration in mg/Nm ³			
		HCl	20		
		Cl ₂	5		
		H ₂ S	5		

¹ Inserted by Rule of the Environment (Protection) (Sixth Amendment Rules, 2009 notified by G.S.R. 794(E), dated 4.11.2009.

² Subs. By G.S.R. 446(E), dated 13th June, 2011 for Serial No. 40 and their entries relating thereto (w.e.f. 13.06.2011)

	P ₂ O ₅ as H ₃ PO ₄	10
	NH ₃	30
	Pesticides compounds in the form of particulate matter	20
	CH ₃ Cl	20
	HBr	5
B. Effluent Standards		
		Limiting concentration in mg/l, except for pH and Bioassay test
(i) Compulsory Parameters		
	pH	6.5-8.5
	BOD, 3 days 27 °C	Formulation unit Technical Grade Unit
		30 100
	Oil and Grease	10
	Suspended Solids	100
	Bioassay Test	90 percent survival of fish after 96 hours in 100% effluent*
(ii) Additional Parameters		
	Arsenic (as As)	0.2
	Copper	1.0
	Manganese	1.0
	Mercury	0.01
	Antimony (as Sb)	0.1
	Zinc	1.0
	Nickel, etc. (heavy metals individually)	Shall not exceed individually 5 times the drinking water standards as per Bureau of Indian Standards
	Cyanide (as CN)	0.2
	Nitrate (as NO ₃)	50
	Phosphate (as P)	5.0
	Phenol & Phenolic Compounds as C ₆ H ₅ OH	1.0
	Sulphur	0.03
	Benzene Hexachloride (BHC)	0.01
	Carbonyl	0.01
	Copper Sulphate	0.05
	Copper Oxychloride	9.6
	DDT	0.01
	Dimethoate	0.45
	2,4 D	0.4
	Endosulfan	0.01
	Fenitrothion	0.01
	Malathion	0.01
	Methyl Parathion	0.01
	Paraquat	2.3
	Phenathoate	0.01
	Phorate	0.01
	Proponil	7.3
	Pyrethrums	0.01
	Ziram	1.0
	Other Pesticide (individually)	0.10

*Bioassay Test shall be carried out as per IS: 6582-1971.			
Note:			
(1) The concerned State Pollution Control Board / Pollution Control Committee shall prescribe limits of Total Dissolved Solids (TDS), Sulphates and Chlorides depending on the usages of recipient water body in down stream, in which effluent shall be disposed off.			
(2) No limit for Chemical Oxygen Demand (COD) is prescribed but, COD in the treated effluent shall be monitored. If COD is persistently reported more than 250 mg/l, the industry units discharging such an effluent shall be required to identify chemicals causing the same. In case, these are found to be toxic, as defined in schedule I of the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989, the concerned State Pollution Control Board /Pollution Control Committee in such cases shall direct the industries to install tertiary treatment system by 31 st March, 2012.			
(3) Parameters listed as “Additional Parameters” shall be prescribed depending upon the process and product, on a case to case basis.			
C. Emission Standards for Incinerator			
	Limiting Concentration in mg/Nm ³ , unless stated	Sampling Duration in minutes, unless stated	
Particulate Matter	50	30 or more (for sampling of 300 litres of emission)	
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	0.01 ngTEQ/Nm ³	8 hours
Sb+As+Pb+Cr+Co+Cu+Mn+Ni+V 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 by 18 th August, 2013.			
Note:			
(i) All monitored value shall be corrected to 11 % oxygen on 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% by weight input waste, all the facilities in single chamber incinerators shall be designed so as to achieve a minimum temperature of 1100 °C in the incinerator. For fluidized bed technology based incinerator, temperature shall be maintained at 950 °C.			
(iv) In case halogenated organic waste is more than 1% by weight in input waste, waste shall be incinerated only in twin chamber incinerators and all the facilities shall be designed to achieve a minimum temperature of 850±25 °C in primary chamber and 1100 °C in secondary combustion chamber with a gas residence time in secondary combustion chamber not less than two seconds.			
(v) Scrubber meant for scrubbing emissions shall not be used as quencher.			

		<p>(vi) Incineration plants shall be operated (combustion chambers) with such temperature, retention time and turbulence, as to achieve Total Organic Carbon (TOC) content in the incineration ash and residue less than 3% and their loss on ignition is less than 5% of the dry weight. In case of non-conformity, ash and residue as the case may be, shall be re-incinerated.</p> <p>(vii) The incinerator shall have a chimney of atleast thirty metres height.</p>
		D. Effluent from Incinerator
		<p>Note:</p> <p>(i) Effluent from scrubber(s) and floor washings shall flow through closed conduit or pipe network and be treated to comply with the effluent standards mentioned at 'B' above read with Schedule VI: General Standards for Discharge of Environment Pollutions (Part A : Effluents) notified under the Environment (Protection) Rules, 1986.</p> <p>(ii) The build-up in TDS in wastewater or floor washings shall not exceed 1000 mg/l over and above the TDS of raw water used.</p>
		E. Stormwater
		<p>Note:</p> <p>(i) Stormwater shall be allowed to mix with scrubber water and/or floor washings.</p> <p>(ii) Stormwater shall be channelized through separate drains passing through a HDPE lined pit having holding capacity of 10 minutes (hourly average) of rainfall.]</p>

¹[41 Tannery (After Primary Treatment***)

S. No.	Industry	Parameter	Standards
1	2	3	4
² [42.	Paint Industry	A. Emission Standards	
			Concentration not to exceed
		Particulate Matter (all process vents attached to pre-mixers and mixers)	50 mg/Nm ³
		<p>Note: -</p> <p>(i) All dust generating equipment or processes shall be provided with dust extraction arrangement.</p> <p>(ii) The bag houses, etc. shall be connected to chimneys or stacks of at least twelve metres height or at least two metres above the top most point of the building, shed or plant in the industry, which so ever is higher.</p> <p>(iii) The unit shall channelize shop floor or fugitive emissions through a stack of twelve metres height or at least two metres above the top most point of the building or shed or plant in the industry, which so ever is higher.</p>	

¹ Serial No. 41 relating to "Tannery (After Primary Treatment)" and entries relating thereto omitted by S.O. 4(E), dated 1st January, 2016 (w.e.f. 01.01.2016)

² Substituted by Part II, Section 3, Sub-section (i) vide number S.O. 844 (E), dated the 19th November, 1986 G.S.R. 1025(E), for Serial No. 42 and their entries relating thereto (w.e.f. 9th November, 2018).

B. Effluents Standards	
<p>(i) Large scale water based plants shall meet zero liquid discharge from process section.</p> <p>(ii) All Micro, Small and Medium units as per Micro, Small and Medium Enterprises Development Act, 2006 (27 of 2006) and Solvent based large scale paint units shall meet the standards given as:</p>	
Parameters	Concentration not to exceed, (in mg/l except for pH and Bioassay)
pH	6.5-8.5
Total Suspended solid (TSS)	100
Bio-Chemical Oxygen Demand (BOD) (3 days at 27 °C)	30
Phenolics as C ₆ H ₅ OH	1.0
Oil and Grease	10.0
Bio-Assay Test	90% survival in 100% effluent in 96 hours
Heavy Metals*	
Lead as Pb	0.1
Chromium (Hexavalent)	0.1
Total Chromium	2.0
Copper as Cu	2.0
Nickle as Ni	2.0
Zinc as Zn	5.0
Arsenic as As**	0.2
Cobalt as Co	0.2
Total Heavy metals	7.0
C- Service Wastewater	
All efforts shall be made by the industry for 'zero discharge' of service wastewater, and in case, the industry prefers to discharge service wastewater, the following norms shall be complied with:-	
	Concentration not to exceed, (in mg/l except for pH and temperature)
pH	6.5 – 8.5
Suspended Solids	100
Oil and Grease	10
Temperature	Not more than 5 °C higher than the intake water temperature
D- Storm-water	
<p>(i) Storm water for a plant, a unit (having plot size at least 250 square metres) shall not be allowed to mix with scrubber water, effluent and/or floor washings.</p> <p>(ii) Storm water within the battery limits of a unit shall be channelized through separate drain or pipe passing through a High Density Poly ethylene (HDPE) lines pit having holding capacity of 10 minutes (hourly average) of rainfall.</p>	
E- Guidelines for Solvent Losses	
(i) the total losses of solvent should not be more than 5% of the solvent consumed, if solvent consumption less than 1000 tons/Annum; and	

		(ii) the solvent loss should not be more than 3% of the solvent consumed, if solvent consumption greater than 1000 tons/Annum.
<p>* The units shall meet the prescribed limits of heavy metals in treated effluent, however, in cases where heavy metal concentration in intake water is more than prescribed limits, State Pollution Control Boards or Pollution Control Committees may specify higher limits of heavy metals provided the maximum limits are restricted to the background limits of intake water.</p> <p>** In case As is geogenic in ground water, the State Pollution Control Boards/Pollution Control Committees may relax the limit with respect to it appropriately, provided the built of As in waste water does not exceed 0.2 mg/l over and above the As in raw water and limit with respect to total heavy metals is maintained.]</p>		

S. No.	Industry	Parameter	Standards
1	2	3	4
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 Chromium	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	0.01
		Cyanide as CN	0.2
		Oil & Grease	10.0
		Suspended Solids	30.0
In addition to the above, total heavy metals are to be limited to 7 mg/l.			

S. No.	Industry	Parameter	Standards
1	2	3	4
44.	Bullion Refining (Waste water discharge)	Effluents	
		pH	6.5-8.5
		Cyanide as CN	0.2
		Sulphide as S	0.2
		Nitrate as N	10.0
		Free Cl ₂ as Cl	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

¹[45 Dye & Dye Intermediate Industry (Waste Water Discharge) ***]

¹ Serial No. 45 relating to "Dye & Dye Intermediate Industry (Waste Water Discharge)" and entries relating thereto omitted by S.O. 4(E), dated 1st January, 2016 (w.e.f. 01.01.2016)

S. No.	Category	Standards dB(A)
1	2	4
46.	Noise Limits for Automobiles (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 achieve 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

S. No.	Industry	Parameter	Standards
1	2	3	4
² [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 other sections:		
	(i) Raw materials should be transported in leak proof containers.		
	(ii) Cullet preparation should be dust free 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 other sections:			
(i) Batch mixing, proportioning section and transfer points should be covered and it should be connected to control equipment to meet the following standards:			
	Particulate Matter	50 mg/Nm ³	
	Lead	20 mg/Nm ³	

¹ The words and figures 'Diesel generators for domestic purposes85-90' omitted by Rule 2(a) of the Environment (Protection) Second Amendment Rules, 2002 published vide Notification No. G.S.R. 371(E), dated 17.5.2005

² S. No. 48 and entries relating thereto inserted vide G.S.R. 93(E), dated 21.2.1991 published in the Gazette No. 79 dated 27.2.91.

(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/Central Pollution Control Board can prescribe more stringent standards than those prescribed above.			
Glass Industries (for all categories)	Effluents		
	pH	6.5-8.5	
	Total Suspended Solids	100 mg/l	
	Oil & Grease	10 mg/l	

S. No.	Industry	Parameter	Standards
1	2	3	4
49.	Lime Kiln		
	Capacity:	Stack Height	
	Upto 5 T/day	Stack Height	A hood should be provided with a stack of 30 meter height from ground level (including kiln height).
	Above 5 T/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 5 T/day and upto 40 T/day	Particulate Matter	500 mg/Nm ³
	Above 40 T/day	Particulate Matter	150 mg/Nm ³

S. No.	Industry	Parameter	Standards
1	2	3	4
¹ [50.	A. Slaughterhouses or Meat Processing Units or Both*	Effluents	Maximum Concentration values are in mg/l except for pH
		pH	6.5 to 8.5
		Bio-chemical Oxygen Demand (BOD) [3 days at 27 °C]	30
		Chemical Oxygen Demand (COD)	250
		Suspended Solids	50
		Oil and Grease	10
	B. Sea Food Industry*	Bio-chemical Oxygen Demand (BOD) [3 days at 27 °C]	30
		Suspended Solids	50
		Oil and Grease	10
		*The emission standards from Boiler House of Slaughterhouses or Meat Processing Units or both and Sea Food Industry shall conform to the standards prescribed vide notification No. G.S.R. 742 (E), dated 30.08.1990 as amended from time to time under the Environment (Protection) Act, 1986	
Note:			
(i) For Slaughterhouses operating in local bodies/ municipalities, where the treated effluent is discharged into municipal sewers leading to full-fledged Sewage Treatment Plant, the BOD may be relaxed to 100mg/l.			

¹ Subs. By vide notification G.S.R. 1016 (E), dated 28th October, 2016.

	(ii) All Slaughterhouses/ meat processing units shall ensure safe and proper disposal of solid waste {Type I (Vegetable matter such as rumen, stomach and intestinal contents, dung, agriculture residues etc) and Type II (Animal matter such as inedible offal, tissues, meat trimmings, waste and condemned meat, bones etc.)} through suitable technology approved by SPCBs/PCCs.]
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S. No.	Industry	Parameter	Standards	
1	2	3	4	
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 and Grease	10	
		BOD ¹ [3 days 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 ² [3 days at 27 °C]	30	
	(b) 0.1-0.4 MT/Day (10MT/Day)		Disposal via septic Tank	-
	C. Bakery			
	(a) Bread and Bread & Biscuit			
	(i) Continuous process (More than 20 T/Day)	pH	6.5-8.5	-
		BOD ¹ [3 days at 27 °C]	200	25
	(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 [3 days at 27 °C]	300	35
	D. Confectioneries			
	(a) 4 T/Day and above	Effluents		
		pH	6.5-8.5	-
		Suspended Solids	50	
		Oil and Grease	10	
	(b) Below 4 T/Day	BOD ¹ [3 days at 27 °C]	30	
			Disposal via Septic Tank	
	Note: To ascertain the category of 'unit fails' the average of daily production and waste water discharge for the preceding 30 operating days from the date of sampling shall be considered.			
	*The emission from the 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.

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.

S. No.	Industry	Parameter	Standards
1	2	3	4
52.	*Jute Processing Industry	Effluents	Concentration in mg/l except pH and water consumption
		pH	5.5-9.0
		BOD ¹ [3 days at 27 °C]	30
		Suspended Solids	100
		Oil and Grease	10
		Water Consumption	1.60 Cum/Ton of product produced.
		Note:	
1. Water Consumption for the Jute processing industry will be 1.5 Cum/Ton of product from January, 1992.			
2. At the present no limit for colour is given for liquid effluent. However, as far as possible colour should be removed.			
* Stack emissions from boiler house shall conform to the standards already prescribed under Environment (Protection) Act, 1986, vide Notification No. G.S.R. 742(E), dated 30.08.90			
53.	Large Pulp & Paper News Print/Rayon Grade Plants of ²[capacity above 24,000 MT per annum]	Effluents	Concentration in mg/l except pH and AOX
		pH	7.0-8.5
		BOD ³ [3 days at 27°C]	30
		COD	350
		Suspended Solids	500
		² [Absorbable Organic Halogens (AOX) in effluent discharge]	1.5 kg/ton of product with effect from the date of publication of this notification. 1.0 kg/ton of product with effect from the 1 st day of March, 2008.]
		Flow (Total Waste Water Discharge)	
		** ⁽ⁱ⁾ Large Pulp & Paper	200 Cum/Ton of Paper produced
⁽ⁱⁱ⁾ Large Rayon Grade Newsprint	150 Cum/Ton of Paper produced		

S. No.	Industry	Parameter	Standards	
1	2	3	4	
54.	Small Pulp and Paper Paper Plant of Capacity upto 24000 MT/Annum	Effluent		
		Category:		
		A. *-Agro-based	Total waste water discharge	200 cum/Ton of paper produced
		B. **Waste paper based	Total waste water discharge	75 cum/Ton of paper 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.

² Substituted by G.S.R. 546(E), dated 30.08.2005.

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 27o C) wherever BOD 5 days 20 °C occurred.

** The Standards with respect of total waste water discharge for the large pulp and paper mills be established from 1992, will meet the standards of 100 cum/Ton of paper produced.

	*The agro based mills to be established from January, 1992 will meet the standards of 150 cum/Ton of paper produced.					
	** The waste-paper mills to be established from January, 1992 will meet the standards of 50 cum/Ton of paper produced.					
S. No.	Industry	Parameter	Standards			
1	2	3	4			
155.	Common Effluent Treatment Plants (CETP)					
	A. Inlet Quality Standards	For each Common Effluent Treatment Plant (CETP), the State Board will prescribe Inlet Quality Standards for General Parameters, Ammonical-Nitrogen and Heavy metals as per design of the Common Effluent Treatment Plant (CETP) and local needs & conditions.				
	B. Treated Effluent Quality Standards		Max. permissible values (in milligram/litre except for pH and Temperature)			
			Into inland surface water	On land for irrigation	Into sea	
			General Parameters			
			pH	6-9	6-9	6-9
			Biological Oxygen Demand (BOD) ₃ , 27 °C	30	100	100
			Chemical Oxygen Demand (COD)	250	250	250*
			Total Suspended Solids (TSS)	100	100	100
			Fixed Dissolved Solids (FDS)	2100*	2100*	NS*
			Specific Parameters			
			Temperature, °C	Shall not exceed more than 5 °C above ambient water temperature	Shall not exceed more than 5 °C above ambient water temperature	Shall not exceed more than 5 °C above ambient water temperature
			Oil & Grease	10	10	10
			Ammonical – Nitrogen	50	NS*	50
			Total Kjeldahl Nitrogen (TKN)	50	NS*	50
			Nitrate – Nitrogen	10	NS*	50
			Phosphates, as P	5	NS*	NS*
			Chlorides	1000	1000	NS*
			Sulphates, as SO ₄	1000	1000	NS*
			Fluoride	2	2	15
			Sulphides, as S	2	2	5
			Phenolic Compounds (as C ₆ H ₅ OH)	1	1	5
		Total Res. Chlorine	1	1	1	
		Zinc	5	15	15	
		Iron	3	3	3	
		Copper	3	3	3	
		Trivalent Chromium	2	2	2	

¹ Subs. By S.O. 4(E), dated 1st January, 2016 for Serial No. 55 and their entries relating thereto

	Manganese	2	NS*	2
	Nickel	3	NS*	3
	Arsenic	0.2	NS*	0.2
	Cyanide, as CN	0.2	NS*	0.2
	Vanadium	0.2	NS*	0.2
	Lead	0.1	NS*	0.1
	Hexavalent Chromium	0.1	NS*	0.1
	Selenium	0.05	NS*	0.05
	Cadmium	0.05	NS*	0.05
	Mercury	0.01	NS*	0.01
	Bio-assay test	As per industry specific standards	As per industry specific standards	As per industry specific standards
	*NS - Not specified			
	<p>Note:</p> <ol style="list-style-type: none"> *Discharge of treated effluent into sea shall be through proper marine outfall. The existing shore discharges shall be converted to marine outfalls. In case where the marine outfall provides a minimum initial dilution of 150 times at the point of discharge and a minimum dilution of 1500 times at a point 100 m away from discharge point, then, the State Board may relax the Chemical Oxygen Demand (COD) limit. Provided that the maximum permissible value for Chemical Oxygen Demand (COD) in treated effluent shall be 500 milligram/litre. *Maximum permissible Fixed Dissolved Solids (FDS) contribution by constituent units of a Common Effluent Treatment Plant (CETP) shall be 1000 milligram/litre. In case where Fixed Dissolved Solids (FDS) concentration in raw water used by the constituent units is already high (i.e. it is more than 1100 milligram/litre) then the maximum permissible value for Fixed Dissolved Solids (FDS) in treated effluent shall be accordingly modified by the State Board. In case of discharge of treated effluent on land for irrigation, the impact on soil and groundwater quality shall be monitored twice a year (pre- and post-monsoon) by Common Effluent Treated Plant (CETP) management. For combined discharge of treated effluent and sewage on land for irrigation, the mixing ratio with sewage shall be prescribed by State Board. 			
	4. Specified parameters for some important sectors, selected from sector-specified standards			
	Sector	Specific Parameters		
	Textile	Bio-assay test, Total Chromium, Sulphide, Phenolic compounds		
	Electroplating Industries	Oil & Grease, Ammonia-Nitrogen, Nickel, hexavalent Chromium, Total Chromium, Copper, Zinc, Lead, Iron, Cadmium, Cyanide, Fluorides, sulphides, Phosphates, Sulphates,		
	Tanneries	Sulphides, Total Chromium, Oil & Grease, Chlorides		
	Dye & Dye Intermediate	Oil & Grease, Phenolic compounds, Cadmium, Copper, Manganese, Lead, Mercury, Nickel, Zinc, Hexavalent Chromium, Total Chromium, Bio-assay test, Chlorides, Sulphates,		
	Organic Industry Chemicals Manufacturing	Oil & Grease, Bio-assay test, Nitrates, Arsenic, Hexavalent Chromium, Total Chromium, Lead, Cyanide, Zinc, Mercury, Copper, Nickel, Phenolic compounds, Sulphides		

	Pharmaceutical Industry	Oil & Grease, Bio-assay test, Mercury, Arsenic, Hexavalent Chromium, Lead, Cyanide, Phenolic compounds, Sulphides, Phosphates.]
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S. No.	Industry	Parameter	Standards	
1	2	3	4	
1 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	-	3m ³ /KL of milk
<p>Note</p> <p>* BOD may be made stringent upto 30 mg/l if the recipient fresh water body is a source for drinking water supply. BOD shall be upto 350 mg/l for the chilling plant effluent for applying on land provide the land is designed and operated as a secondary treatment system with suitable 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 expressed as 'N'. The net addition to the groundwater quality should not be more than 3 mg/l of BOD and 3 mg/l of nitrate expressed as 'N'. This limit for applying on land is allowed subject to the availability of adequate land for discharge under the control of industry, BOD value is relaxable upto 350 mg/l, provide the wastewater is discharged into a town sewer leading to secondary treatment of the sewage.</p> <p>** Suspended solids limit is relaxable upto 450 mg/l, provide the waste water is discharged into town sewer leading to secondary treatment of the sewage.</p>				

S. No.	Industry	Parameter	Standards (applicable for all modes of disposal*)
1	2	3	4
3 ³ [57.	Tanneries	Standards for Discharge of Effluent from Tannery Industry	
		Treated Effluent	Max. permissible values (in mg/l, except pH)
		pH	6 to 9
		Biochemical Oxygen Demand (BOD) ₃ at 27 °C	20
		Chemical Oxygen Demand (COD)	250
		Total Suspended Solids (TSS)	50
		Total Dissolved Solids (TSS)	2100**
		Sulphides (as S)	2.0
		Total Chromium (as Cr)	2.0
		Hexavalent Chromium (as Cr ⁺⁶)	0.1
		Oil and Grease	10
		Notes:	

¹ Sl. No. 56 entry relating thereto inserted vide GSR 475(E) dated 5.5.1992 published in the Gazette No. 202 dated 5.5.1992.

² Substituted by Rule 2 of the Environment (Protection) Amendment Rules, 1996 notified by G.S.R. 1769(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 Part II, Section 3, Sub-section (i) vide number S.O. 844(E), dated the 19th November, 1986 and lastly amended vide notification G.S.R. 47(E), dated the 24th January, 2020.

	<ol style="list-style-type: none"> 1. *In case of direct disposal into rivers and lakes, the Central Pollution Control Board (CPCB) or State Pollution Control Boards / Pollution Control Committees (SPCBs / PCCs) may specify more stringent standards depending upon the quality of the recipient system. 2. **Standards for TDS shall not be applicable in case of marine disposal through proper marine outfall. 3. **TDS limit with respect to treated effluent shall be 2100 mg/l; however, in case where TDS in intake water is above 1100 mg/l, a maximum contribution up to 1000 mg/l shall be permitted provided the maximum limit of 3100 mg/l is not exceeded in the treated effluent. 4. Standards are equally applicable to all types of stand-alone tanneries irrespective of their scale of production. 5. Chrome tanning units shall ensure installation of 'Chrome Recovery Plant' for treatment of spent chrome liquor so as to recover chromium sulphate. 6. The tannery shall ensure salt recovery through soak liquor segregation. 7. The treated effluent shall be allowed to be discharged in the ambient environment only after exhausting options for reuse in industrial process / irrigation in order to minimize freshwater usage. 8. The standalone units shall meet prescribed discharge norms; however, SPCB / PCC shall mandate recycle / reuse of the treated water in water scarce / environmentally sensitive / critical areas. 9. In case of discharge of treated effluent on land for irrigation, the impact on soil and groundwater quality shall be monitored twice a year (pre- and post- monsoon) by the tannery unit. 10. Management, handling and disposal of Sludge and other wastes shall be undertaken as per the provisions made in the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016. 11. The units shall follow the guidelines prescribed by CPCB and SPCB / PCC on "Best Available Technologies for Environmentally Sound Management of the Process and Treatment of Wastes". <table border="1" data-bbox="533 1464 1327 1621"> <tr> <td colspan="2">Maximum specific water consumption for processing hides/ skins: (monthly average values)</td> </tr> <tr> <td>Raw-to-Wet blue/white</td> <td>20 m³ per ton of hides /skins</td> </tr> <tr> <td>Post-tanning process</td> <td>20 m³ per ton of hides /skins</td> </tr> <tr> <td>Raw-to-finished</td> <td>40 m³ per ton of hides /skins</td> </tr> </table> <p>Maximum wastewater discharge= 85% of maximum water consumption.</p> <p>Factors to re-calculate Finished leather into Wet blue/white and Hide:</p> <p>Shoe upper leather: 15 ton of Raw hides/skins=7.84 ton of Wet blue=2.94 ton of finished leather</p> <p>Upholstery leather: 15 ton of Raw hides/skins=5.08 ton of Wet blue=1.48 ton of finished leather.]</p>	Maximum specific water consumption for processing hides/ skins: (monthly average values)		Raw-to-Wet blue/white	20 m ³ per ton of hides /skins	Post-tanning process	20 m ³ per ton of hides /skins	Raw-to-finished	40 m ³ per ton of hides /skins
Maximum specific water consumption for processing hides/ skins: (monthly average values)									
Raw-to-Wet blue/white	20 m ³ per ton of hides /skins								
Post-tanning process	20 m ³ per ton of hides /skins								
Raw-to-finished	40 m ³ per ton of hides /skins								

¹[58. Natural Rubber Processing Industry ****]

59.	Bagasse-Fired Boilers	Emissions	(Concentration in mg/l)
	(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 boiler is attached to a single stack, the Standard shall be fixed based on added capacity of all the boilers connected with the stack.			

²[60 Man-Made Fibre Industry (Semi-Synthetic) ****]

S. No.	Industry	Parameter	Standards
1	2	3	4
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	*

¹ Serial No. 58 relating to "Natural Rubber Processing Industry" and entries relating thereto omitted by G.S.R. 221(E), dated 18th March, 2011.

² Serial No. 60 relating to "Man-Made Fibre Industry (Semi-Synthetic)" and entries relating thereto omitted by G.S.R. 1095 (E), dated 9th November, 2018.

c) Lime/Plasters of Paris manufacture		
Capacity:		
Upto 5T/day	Stack Height	A. Hood should be provided with a stack of 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 in meters.
More than 5T/day	Particulate matter	500 mg/Nm ³
and upto 40 T/day	Particulate matter	150 mg/Nm ³
<p>Note: Oxygen reference level for particulate matter Concentration calculations for kilns mentioned at A(c) is 18% and for those at A(b), A(d) and A(c) is 8%.</p> <p>* All possible preventive measures should be taken to control pollution as far as practicable.</p> <p>** The standard for sulphur dioxide in terms of stack height limits for kilns with various capacities of coal consumption shall be as indicated below:</p>		
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 105MT		24 m
More than 105 to 126 MT		27 m
More than 126 MT		30 m or using formula

$$H = 14(Qg)^{0.3} \text{ (whichever is more)}$$

Note: In this notification

H- Physical height of the Stack

Qg- Emission of sulphur dioxide in Kg/hr.

MT- Metric tones

m- meters

¹[62. Viscose Filament Yarn****]

S. No.	Industry	Parameter	Standards
1	2	3	4
² [63.	Starch Industry (Maize products)	Effluents :	
		pH	Concentration not to exceed mg/l (except pH and waste water discharge) 6.5-8.5

¹ Serial No. 62 relating to "viscose filament yarn" and entries relating thereto omitted by G.S.R. 1095 (E), dated 9th November, 2018.

² Sl. No. 63 to 67 entries relating thereto inserted by Rule 3(c) of the Environment (Protection) Amendment Rules, 1996 notified by G.S.R. 176(E), dated 2.4.1996.

	BOD (3 days at 27 °C)*	100
	Suspended Solids	150
	Wastewater discharge	8 m ³ /tonne of maize processed
<p>Note: The prescribed limits for BOD and suspended solids shall be made more stringent or less stringent depending upon the condition and local requirement a mentioned below:</p> <ol style="list-style-type: none"> BOD shall be made stringent upto 30 mg/l if the recipient fresh water body is a source for drinking water supply. 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 30mg/l of BOD and 10mg/l of nitrate expressed as "N". The net addition to ground water quality should not be more than 3 mg/l of BOD and 10mg/l of nitrate expressed as "N". BOD shall be allowed upto 350 mg/l for discharge into a town sewer, if such sewer leads to a secondary biological treatment system. 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. In the event of bulking of sludge, the industry shall immediately apprise the respective State Pollution Control Board. 		

S. No.	Industry	Parameter	Standards
1	2	3	4
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
<p>Note: For control of emission and proper dispensation of pollutants the following guidelines shall be followed: —</p> <ol style="list-style-type: none"> Units set up after the publication of this notification shall be treated as new units. A minimum stack height of 20 meters shall be provided by each unit. Emission from coke ovens shall be channelized 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. Wet scrubbing system or waste heat utilization for power generation or by-product recovery system should be installed preferably to achieve the prescribed standards. 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

* 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 at 20 °C occurred.

	ii. Units having capacity 10 tonnes or more	Particulate matter (corrected to 6% CO ₂)	150 mg/Nm ³
<p>Note: For control of emission/and proper dispersal of pollutants, the following guidelines shall be followed by the industry: -</p> <p>(i) A minimum stack height of 20 meters shall be provided.</p> <p>(ii) All ovens shall be modified to single chimney multi-oven systems.</p> <p>(iii) Emissions from ovens shall be channelised through inbuilt draft stack. Optimum heat utilization technique shall be used.</p> <p>(iv) In case of units having capacity 10 tonnes and above, wet scrubbing system shall be provided to control air pollution.</p>			
S. No.	Industry	Parameter	Standards
1	2	3	4
66.	Soft Coke Industry	Particulate matter (corrected to 6% CO ₂)	350 mg/Nm ³
<p>Note: Wet scrubbing system along with by-product recovery system shall be provided.</p>			
<p>Guidelines for emission control to improve work zone environment (applicable for industries at serial numbers 64, 65 and 66):</p> <p>(a) Water used for quenching and wet scrubbing shall be recalculated and reused through catch pits.</p> <p>(b) Leakages in the oven shall be sealed by bentonite or by any suitable paste and by proper maintenance to avoid fugitive emission.</p> <p>Guidelines for coal handling and crushing plant (applicable for industries at serial numbers 64, 65 and 66):</p> <p>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.</p> <p>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.</p> <p>c) Work area surrounding the plant shall be asphalted or concreted.</p> <p>d) Green belt shall be developed along the boundary of the industry.</p> <p>e) Open burning of coal to manufactures soft coke shall be stopped.</p>			
S. No.	Industry	Parameter	Standards
1	2	3	4
67.	Edible oil & Vanaspati Industry	Effluents :	
		Temperature	Not more than 5 °C above ambient temperature of the recipient waterbody
		pH	6.5-8.5
		Suspended solids	150 mg/l
		Oil & grease	20 mg/l
		BOD (3 days at 27 °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-odorise water	15.0 cum/tonne of refined oil Vanaspati
		<p>Note:</p> <p>i. The above standards shall be applicable to waste water form processes and cooling.</p> <p>ii. BOD shall be made stringent upto 30 mg/l if the recipient fresh water body is source of drinking water supply.</p> <p>iii. The standards for boiler emission shall be applicable as prescribed under Schedule I of these rules.]</p>	
¹ [68.	Organic Chemicals Manufacturing Industry	A. Effluents Standards	
			Limiting concentration in mg/l, except for pH and Bioassay test
		Compulsory parameters	
		pH	6.5-8.5
		BOD 3 days at 27 °C	100
		Oil & Grease	10
		Bioassay test +	Minimum 90% survival after 96 hours in 100% effluent
		Additional Parameters	
		Nitrate (as N)	10
		Arsenic (as As)	0.2
		Chromium (Hexavalent)	0.1
		Chromium Total	1.0
		Lead (as Pb)	0.1
		Cyanide (as CN)	0.2
		Zinc (as Zn)	5.0
		Mercury (as Hg)	0.01
		Copper (as Cu)	2.0
		Nickel (as Ni)	2.0
		Phenolics (as C ₆ H ₅ OH)	5.0
		Sulphide	2.0
	+ The Bioassay test shall be conducted as per IS: 6582-1971		
	<p>Note:</p> <p>i. Industries covered under this group includes halo aliphatics, plasticizers, aromatics (alcohols, phenols, esters, acids and salts, aldehydes and ketones), substituted aromatics, aliphatics (alcohols, esters, acids, aldehydes, ketones, amines and amides) and detergents.</p> <p>ii. Though norms for COD are not mentioned here but, COD shall be monitored. If the COD in treated effluent exceeds 250 mg/l, the concerned industrial units discharging such effluent shall be required to identify chemicals responsible for high COD in effluent. In case, these are found to be toxic as defined under the Manufacture, Storage and Import of Hazardous</p>		

¹ Substituted by G.S.R. 608(E), dated 21.7.2010.

Chemicals Rules, 1989, the concerned industry shall install tertiary treatment system.	
iii. The above mentioned standards shall not be applicable to small scale detergent formulating units.	
B. Emission Standards for Incinerator	
Limiting concentration in mg/Nm ³ , unless otherwise stated	
Sampling Duration in minutes unless otherwise stated	
Particulate Matter	50
	30 or more (for sampling about 300 litres of emission)
HCl	50
SO ₂	200
CO	100
	daily average
Total Organic Carbon	20
	30
Total Dioxins and Furans*	
Existing Incinerator	0.2 ng TEQ/Nm ³
	8 hours
New Incinerator	0.1 ng TEQ/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 by 1st January, 2014	
Note:	
(i) All monitored values shall be corrected to 11% oxygen on 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% by weight in input waste, all the facilities in twin chamber incinerator shall be designed so as to achieve a minimum temperature of 850 ± 25 °C in primary chamber and 950 °C in secondary combustion chamber and with a gas residence time in secondary combustion chamber not less than two seconds.	
or	
all the facilities in single chamber incinerator for gaseous hazardous waste shall be designed so as to achieve a minimum temperature of 950 °C in the combustion chamber with a gas residence time not less than two seconds.	
(iv) In case halogenated organic waste is more than 1% by weight in input waste, waste shall be incinerated only in twin chamber incinerators and all the facilities shall be designed to achieve a minimum temperature of 850 ± 25 °C in primary chamber and 1100 °C in secondary combustion chamber with a gas residence time in secondary combustion chamber not less than two seconds.	

		<p>(v) Scrubber meant for scrubbing emission shall not be used as quencher.</p> <p>(vi) incineration plants shall be operated (i.e. combustion chambers) with such temperature, retention time and turbulence, as to achieve Total Organic Carbon (TOC) content in the incineration ash and residue less than 3%, and their loss on ignition is less than 5% of the dry weight. In case of non-conformity, ash and residue, as the case may be shall be re-incinerated.</p> <p>(vii) The incinerator shall have a chimney of at least thirty meters height.</p>
		C. Effluent Standards for Incinerator
		<p>Note:</p> <p>(i) Effluent from scrubber(s) and floor washing shall flow through closed conduit or pipe network and be treated to comply with effluent standards mentioned in 'A' above.</p> <p>(ii) The built up in Total Dissolved Solids (TDS) in wastewater of floor washings shall not exceed 1000 mg/l over and above the TDS or raw water used.</p>
		D. Storm water
		<p>Note:</p> <p>(i) Storm water shall not be allowed to mix with scrubber water and/or floor washings.</p> <p>(ii) Storm water shall be channelized through separate drains passing through a HDPE lined pit having holding capacity of 10 minutes (hourly average) of rainfall.]</p>

S. No.	Industry	Parameters	Standards	
(1)	(2)	(3)	(4)	
1 ¹ 69	Grain Processing, Floor Mills, Paddy Processing, Pulse Making or Grinding Mills	A-Emission Standards		
			Capacity (tonne per hour) Limiting Concentration in mg/Nm ³	
		Particulate matter	1 to 3	150
			More than 3	100
		Notes: -		
(i) All dust generating equipments or processes shall be provided with dust extraction arrangement.				
(ii) The bag houses, etc., shall be connected to chimneys/stacks of 12 metres height or at least 02 metres above the top most point of the building or shed or plant in the industry.				
(iii) The unit shall channelise shop floor/fugitive emissions through a stack of 12 metres height or at least 02 metres above the top most point of the building or shed or plant in the industry.				
		B-Effluent Standards		
		Limiting value for concentration in mg/l, except for pH		

¹ Subs. By G.S.R. 152(E), dated 16.03.2012

	Inland Water	Surface	Public sewer	Land for irrigation
pH	5.5-9.0		5.5-9.0	5.5-9.0
Suspended Solids	100		600	200
Oil & Grease	10		20	10
BOD, 3 days at 27 °C	30		350	100
COD	250		-	-
C- Stormwater Standards				
(i) Stormwater for a unit (having plot size atleast 250 square metres) shall not be allowed to mix with scrubber water, effluent and/or floor washings.				
(ii) Stormwater within the battery limits of a unit shall be channelized through separate drain/pipe passing through a HDPE lined pit having holding capacity of 10 minutes (hourly average) of rainfall				

1[70.	Boiler (Small)		
		Steam generation capacity (ton/hour)	Particular matters emission (mg/Nm ³)
		less than 2	1200*
		2 to less than 10	800*
		10 to less than 15	600*
		15 to 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 supersede the earlier limits notified under Scheduled I at serial number 34 of Environment (Protection) Act, 1986 vide notification GSR 742(E), dated 30 th 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- Total Stack height in meters 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 stack 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.]			

¹ Sl. No. 70 entries relating thereto inserted by Rule 3(c) of the Environment (Protection) Amendment Rules, 1996 notified by G.S.R. 176(E), dated 2.4.1996.

¹[71. Pesticides Industry ***]

S. No.	Industry	Parameter	Standards	
1	2	3	4	
² [72]	Oil Drilling and Gas Extraction Industry	A. Standards For Liquid Effluent		
		1.0 On-Shore facilities (For Marine Disposal)		
		pH	5.5 – 9.0	
		Oil & Grease	10 mg/l	
		Suspended solids	100 mg/l	
		BOD (3 day at 27 °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 or 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 – 9.0		
2.	Temperature	40 °C		
3.	Suspended Solids	100 mg/l		
4.	Zinc	2 mg/l		
5.	BOD	30 mg/l		
6.	COD	100 mg/l		
7.	Chlorides	600 mg/l		
8.	Sulphates	1000 mg/l		
9.	TDS	2100 mg/l		
10.	% Sodium	60		
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		

¹ Serial No. 71 relating to "Pesticide Industry" and entries relating thereto omitted by G.S.R. 446(E), dated 13th June, 2011 (w.e.f. 13.06.2011)

² Sl. No. 72 entries relating thereto inserted by Rule 3(c) of the Environment (Protection) Amendment Rules, 1996 notified by G.S.R. 176(E), dated 2.4.1996.

	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 emission 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 Burning of effluent in the pits shall not be carried out at any stage.

¹C. 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:

(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

¹ Substituted "paragraph C", for "paragraph C relating to Guidelines for Disposal of Solid Waste" by Rule 2(iii) of the Environment (Protection) Third Amendments Rules, 2005 notified vide Notification No. G.S.R. 546(E), dated 30.08.2005.

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 > 3 mg/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 annulars, 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 Installation:

- (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 discharge 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 LC₅₀ > 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 desire 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 effluent quality, and submit the compliance report once in every six-month to Ministry of Environment and Forests.}]

S. No.	Industry	Parameter	Standards
1	2	3	4
¹ [73	Pharmaceutical (Manufacturing and Formulation Industry)]	¹ [Effluent Standards	
		i. Compulsory Parameters	
			Limiting concentration in mg/l, expect for pH
		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 Parameters	
		Mercury	0.01

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.

		Arsenic	0.20
		Chromium (Cr ⁶⁺)	0.10
		Lead	0.10
		Cyanide	0.10
		Phenolic (C ₆ H ₅ OH)	1.0
		Sulphides (as S)	2.0
		Phosphate (as P)	5.0
		<p>Note:</p> <p>* The BOD and COD limits shall be 30mg/l and 250 mg/l respectively, if treated effluent is discharged directly into a fresh water body i.e., stream, canal, river or lake.</p> <p>** The Bioassay Test shall be conducted as per IS: 6582-1971.</p> <p>i. Parameters listed as 'Additional Parameters' shall be prescribed depending upon the process and product.</p> <p>ii. Limits for total dissolved solids in effluent shall be prescribed by the concerned Pollution Control Board/Pollution Control Committee depending upon the recipient water body.]</p>	
		¹[A. Emission from Incinerator	
			Limiting concentration in mg/Nm ³ , unless stated
			Sampling duration in (minutes) unless stated
		Particulate Matter	50
			30 or more (for sampling about 300 litre emission)
		HCl	50
		SO ₂	200
		CO	100
		Total Organic Carbon	20
			30
		Total Dioxins and Furans*	0.2 ng TEQ/Nm ³
		Existing Incinerator	8 hours
		New Incinerator	0.1 ng TEQ/Nm ³
			8 hours
		Sb+As+Pb+Cr+Co+Cu+Mn+Ni+V+Cd+Th+Hg and their compounds	1.5
			2 hours
		<p>* The existing plant shall comply with norms for dioxins and furans as 0.1 ng/TEQ/m³ within 5 years from the date of notification.</p> <p>Note:</p> <p>i. All monitored values shall be corrected to 11% oxygen on dry basis.</p> <p>ii. The CO₂ concentration in tail gas shall not be less than 7%.</p> <p>iii. In case, halogenated organic waste is less than 1% by weight in input waste,</p> <p>all the facilities in twin chamber incinerator shall be designed so as to achieve a minimum temperature of 850 ± 25 °C in primary chamber and 950 °C in secondary combustion chamber and with a gas residence time in secondary combustion chamber not less than 2 (two) seconds.</p> <p style="text-align: center;">or</p>	

¹ Inserted Rule 2 of the Environment (Protection) Second Amendment Rules, 2009 notified by G.S.R. 149(E), dated 4.3.2009.

		<p>all the facilities in single chamber incinerator for gaseous hazardous waste shall be designed so as to achieve a minimum temperature of 950 °C in the combustion chamber with a gas residence time not less than 2 (two) seconds.</p> <p>iv. In case halogenated organic waste is more than 1% by weight in input waste, waste shall be incinerated only in twin chamber incinerators and all the facilities shall be designed to achieve a minimum temperature of 850 ± 25 °C in primary chamber and 1100 °C in secondary combustion chamber with a gas residence time in secondary combustion chamber not less than 2 (two) seconds.</p> <p>v. Scrubber meant for scrubbing emission shall not be used as quencher.</p> <p>vi. Incineration plants shall be operated (combustion chambers) with such temperature, retention time and turbulence, as to achieve Total Organic Carbon (TOC) content in the incineration ash and residue less than 3%, and their loss on ignition is less than 5% of the dry weight. In case of non-conformity, ash and/or residue shall be re-incinerated.</p> <p>The incinerator shall have a chimney of at least thirty metre height.</p>
		B. Effluent from Incinerator
		<p>(i) Effluent from scrubber (s) and floor washing shall flow through closed conduit/pipe network.</p> <p>(ii) Storm water shall not be allowed to mix with scrubber water and/or floor washings.</p> <p>(iii) Storm water shall be channelized through separate drains passing through HDPE lined pit having holding capacity of 10 minutes (hourly average) of rainfall.</p> <p>(iv) The built up in Total Dissolved Solids (TDS) in wastewater of floor washings shall not exceed 1000 mg/l over and above the TDS or raw water used.</p> <p>(v) Effluent shall not be stored in holding tank(s) in such manner which may cause pollution to groundwater.</p> <p>(vi) Effluent (scrubber water and floor washings) shall be discharged into receiving water conforming to the norms prescribed under Schedule VI: General Standards for Discharge of Environment Pollutions (Part A: Effluents) notified under the Environment (Protection) Rules, 1986].</p>

S. No.	Industry	Parameter	Standards	
1	2	3	4	
1[74	Brick Kilns	Emission Standards		
		(i) Bull's Trench Kiln (BTK)		
			Category*	Limiting concentration in mg/Nm ³
		Particulate matter	Small	1000
			medium	750
large	750			

¹ Subs. Rule 2 of the Environment (Protection) Fourth Amendment Rules, 2009 notified by G.S.R. 543(E), dated 22.7.2009.

<i>minimum (meter)</i>		
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 of 50 mm WG with 17 metre stack height.
*Category	Trench width (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
(ii) Down-Draft Kiln (DDK)		
	Category⁺⁺	Limiting concentration in mg/Nm³
Particulate Matter	small/large/medium	1200
<i>minimum (metre)</i>		
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 concentration in mg/Nm³
Particulate matter	small/large/medium	250
<i>minimum (metre)</i>		
Stack height	small	11 (at least 5.5 m 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
<p>Note:</p> <ol style="list-style-type: none"> 1. Gravitational Settling Chamber along with fixed chimney of appropriate height shall be provided for all Bull's Trench kilns. 2. One chimney per shaft in Vertical Shaft Kiln shall be provided. The two chimneys emanating from a shaft shall either be joined (at the loading platform in case of brick chimney or at appropriate level in case of metal chimney) to form a single chimney. 3. The above standards shall be applicable for different kilns if coal, firewood and/or agricultural residue are used as fuel.] 		

S. No. 1	Industry 2	Parameter 3	Standards 4				
1[75.	Soda Ash Industry		Effluent Standards				
			A. Solvay Process				
			Limiting concentration in mg/l except for pH, Temperature and Bio-assay				
			Creek	Marine Coastal Zone	Estuary Area	Inland Surface water	
		Suspended Solids	500*	1000**	200	100	
		Ammonical Nitrogen as N	50	50	50	30	
		Oil & Grease	5	5	5	5	
		Bio-assay***	Minimum 90% survival of fish after 96 hours in 100% effluent				
		pH	6.5-9.0				
		Temperature	Not to exceed 5 °C above the temperature of the receiving water body				
		* The effluent discharge point in creek shall be beyond low tide line.					
		** The diffuser system shall be located conformity with the Coastal Regulation Zone Notification 2011 at a minimum depth of 5 metres below low tide level with exit velocity for effluent velocity more than 3 metres/sec.					
		*** The Bio-assay test shall be conducted as per IS: 6582-1971					
		B. Dual Process					
					Inland Surface water		
					6.5-9.0		
					50		
					10		
					2		
					0.1		
					2		
			100				
			10				
C. Stormwater							
i. Stormwater shall not be allowed to mix with effluent and/or floor washings.							
ii. Stormwater within battery limit of industry shall be channelized through separate drain(s) passing through HDPE lined pit(s), each having holding capacity of 10 minutes (hourly average) of rainfall for its catchment area.]							

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 and amended by Notification G.S.R. 424(E) dated 1st June, 2011

76. Emission Standard for SO₂ from Cupola Furnace

Standard for Sulphur Dioxide emission from Cupola Furnace:

Characteristics	Emission limit
(1)	(2)
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 reason, installation of scrubber is not possible, the value of SO₂ to the ambient air has to be effected through the stack height.

¹[77. Specifications of Motor Gasoline for Emission Related Parameters-*****]

²[78. Specification of Diesel Fuel for Emission Related Parameters*****]

³[79. Coke Oven Plants*****]

⁴[80. Specifications of Two-Stroke Engine Oil*****]

[81. Battery Manufacturing Industry**(i) Lead Acid Battery Manufacturing Industries: Emission Standards.**

Source	Pollutant	Concentration based Standards (mg/Nm ³)
Grid casting	Lead	10
	Particulate matter	25
Oxide manufacturing	Lead	10
	Particulate matter	25
Paste mixing	Lead	10
	Particulate matter	25
Assembling	Lead	10
	Particulate matter	25
PVC Section	Particulate matter	150

- 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	6.5–8.5
Suspended solids	50 mg/l
Lead	0.1 mg/l

¹ Serial No. 77 relating to “Specification of Motor Gasoline for emission related parameters” and entries relating thereto omitted by G.S.R 229(E), dated 28th March, 2014.

² Serial No. 78 relating to “Specification of Diesel fuel for emission related parameters” and entries thereto omitted by G.S.R 229(E), dated 28th March, 2014

³ Serial No. 79 relating to “Coke Oven Plants” and entries thereto omitted by G.S.R 277(E), dated 31st March, 2012 (w.e.f. 31.03.2012)

⁴ Sl. No. 80 and entries relating to “Specifications of Two-stroke Engine Oil” entries thereto omitted by G.S.R 229(E), dated 28th March,

(ii) Dry Cell Manufacturing Industry: Emission Standard

Pollutant	Concentration- based Standard (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 30 m.

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/Naphtha-based Thermal Power Plants**(i) Limit for emissions of NO_x**

- For existing units – 150 ppm (v/v) at 15% excess oxygen.
- For new units with effect from 1.6.1999.

Total generation of gas turbine	Limit for Stack NO _x 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

- Stack height H in m should be calculated using the formula $H=14 Q^{0.3}$, where Q is the emission rate of SO₂ 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 (GD) 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 aquatic flora and fauna.

¹ Serial No. 83 entry relating thereto omitted by Rule 2 (b) of the Environment (Protection) Second Amendment Rules, 2002 notified vide notification G.R.S. 371 (E), dated 17.5.2002.

85. Environmental Standards for Coal Washeries**1. Fugitive emission standards.**

The difference in the value of suspended particulate matter, delta (Δ), 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 m³ per minute, using upwind downwind method of measurement:

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 clearing 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 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.	BOD (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 30 m, conforming particulate matter emission standard of 150 mg/Nm³ or provided with adequate water sprinkling arrangement.
- Water sprinkling by using fine atomizer nozzles 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 meters 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 demands highest level of water quality/purity and that is termed as “designated-best use” 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-I (See Table 1.1)	Salt pans, Shell fishing, Mariculture and Ecologically 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-VI (See Table 1.4)	Harbour
SW -V (See Table 1.5)	Navigation and Controlled Waste Disposal

The standards along with 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-I 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, conducive for propagation of aquatic lives is given. Value largely dependent upon soil-water interaction.
2.	Dissolved Oxygen	5.0 mg/1 or 60 percent saturation value whichever is higher	Not less than 3.5 mg/1 at any time of the year for protection of aquatic lives.
3.	Colour and Odour	No noticeable colour or offensive odour.	Specially caused by chemical compounds like creosols, phenols, naphtha pyridine benzene, toluene etc. causing visible colouration of salt crystal and fainting of fish flesh.
4.	Floating Matters	Nothing obnoxious or detrimental for use purpose	Surfactants should not exceed an upper limit of 1.0 mg/1 and the concentration not to cause any visible foam.
5.	Suspended Solids	None from sewage or industrial waste origin	Settleable inert matters not in such concentration that would impair any usages specially assigned to this class.
6.	Oil and Grease (including Petroleum Products)	0.1 mg/1	Concentration should not exceed 0.1 mg/1 as because it has effect on fish eggs and larvae.
¹ [7.	Heavy Metals : Mercury (as Hg) Lead (as Pb) Cadmium (as Cd)	0.001 mg/1 0.001 mg/1 0.01 mg/1]	Values depend on: (i) Concentration in salt, fish and shell fish. (ii) Average per capita consumption per day. (iii) Minimum ingestion rate that induces symptoms of resulting diseases.

Note: SW-I is desirable to be safe and relatively free from hazardous chemicals like pesticides, heavy metals and radionuclide concentrations. Their combines (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 purpose of setting case-specific limits.

¹ Substituted by Rule 2(ii) 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 or eye irritation and is also conducive for propagation of aquatic lives.
2.	Dissolved Oxygen	4.0 mg/l or 50 percent saturation value whichever is higher.	Not less than 3.5 mg/l at any time for protection of aquatic lives.
3.	Colour and Odour	No noticeable colour or offensive odour	Specially caused by chemical compound like creosols phenols, naphtha, and benzene, pyridine toluene etc. causing visible colouration of water and tainting of and odour in fish flesh.
4.	Floating Matters	Nothing obnoxious or detrimental for use purposes.	None in such concentration that would impair usages 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 not exceeding 200/100 ml in 20 percent of samples in the year and in 3 consecutive samples in monsoon months.
7.	Biochemical Oxygen Demand (BOD) (3 days at 27 °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 for propagation of aquatic species and restoring natural system.
2.	Dissolved Oxygen	3.0 mg/l or 40 percent saturation value whichever is higher.	To protect aquatic lives.
3.	Colour and Odour	No noticeable colour or offensive odour	None in such concentration that would impair usages specifically assigned to this 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 ml in 20 percent of samples in the year and in 3 consecutive samples in monsoon months.
6.	Turbidity	30 NTU	Reasonably clear water for Recreation Aesthetic appreciation and Industrial cooling purposes.
*7.	Dissolved Iron (as Fe)	0.5 mg/l or less	It is desirable to have the collective concentration of dissolved Fe and Mn less or equal to 0.5 mg/l to avoid 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 percent saturation value whichever is higher.	Considering bio-degradation of oil and inhibition to oxygen production through 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 percent 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 Water Pollution Control Commission.
2.	Dissolved Oxygen	3.0 mg/l or 40 percent saturation value whichever is higher.	To Protect aquatic lives.
3.	Colour and Odour	None in such concentrations that would impair any usages specifically assigned to this class.	As in (i) above.
4.	Sludge deposits, Solid refuse floating solids, oil grease and scum.	None except for such small amount that may result from discharge of appropriately treated sewage and or industrial waste effluents.	As in (i) above.
5.	Fecal Coliform	500/100 ml (MPN)	Not exceeding 1000/100 ml in 20 percent of samples in the year and in 3 consecutive samples in monsoon months.

¹[87. Emission Regulations for Rayon Industry*]****²[88. Generator Sets Run on Petrol and Kerosene**

A. Emission Standards: - The emission standards for Generator sets on Petrol and Kerosene shall be as follows: -

Class	Displacement (CC)	CO (g/kW-hr)	HC+NOx (g/kW-hr)
1.	Upto 99	≤ 250	≤ 12
2.	99 and upto 225	≤ 250	≤ 10
3.	>225	≤ 250	≤ 8

(i) Test method shall be as specified in SAE J 1088 and the measurement mode shall be D1-3 mode cycle specified under ISO 8178: Part 4 (Weighting Factor of 0.3 for 100 percent load, 0.5 for 75 percent load and 0.2 for 50 percent load);

(ii) Any of the following institutions shall test and certify emission standards for the petrol and kerosene based generator sets, at manufacturing stage, namely: -

- (a) The Automotive Research Association of India, Pune (Maharashtra);
- (b) The International Centre for Automotive Technology, Manesar (Haryana);
- (c) The Indian Oil Corporation, Research and Development Centre, Faridabad (Haryana);
- (d) The Indian Institute of Petroleum, Dehradun (Uttarakhand); and
- (e) The Vehicle Research Development Establishment, Ahmednagar (Maharashtra).

(iii) Type Approval or Conformity of Production certificates in respect of emission standards, issued prior to the date of publication of this notification and valid upto the 31st May 2014 or beyond, shall be re-issued considering above revised norms by the respective certification agency.

B. Noise Limits. - (i) The noise limit for new generator sets run with petrol and kerosene shall be as follows: -

	Noise Limits
Sound Power Level L _{wa}	86 dBA

(ii) Any of the following institutions shall undertake 'type approval' and for 'verification of conformity of production' for noise norms for petrol and kerosene gensets, namely: -

- (a) The Automotive Research Association of India, Pune (Maharashtra);
- (b) The International Centre for Automotive Technology, Manesar (Haryana);
- (c) The Fluid Control Research Institute, Palghat (Kerala);
- (d) The National Test House, Ghaziabad (Uttar Pradesh);
- (e) The National Aerospace Laboratory, Bangalore (Karnataka); and
- (f) The Naval Science and Technology Laboratory, Visakhapatnam (Andhra Pradesh).

³[(g) National Physical Laboratory, New Delhi.]

¹ Serial No. 87 relating to emission regulations for rayon industry and entries relating thereto omitted by G.S.R 1095(E), dated 9th November, 2018.

² S. No. 88 entries relating thereto inserted by the Environment (Protection) (Second Amendment) Rules, 1999 vide G.S.R. 682(E), dated 5.10.1999 & amendment Notification vide G.S.R. 535(E) dated-7th August, 2013

³ Inserted item (g) as (7) by Rule 2(a) vide G.S.R 97(E) dated 29th January, 2018

C. General Conditions

1. Applicability. - The stipulations in respect of emissions and noise referred to in entry A and entry B shall apply to all new generator sets using petrol and kerosene as fuel, manufactured in or, imported into India:

Provided that this provision shall not apply to, -

- (a) genset manufactured or, imported for the purpose of exports outside India; or,
- (b) genset intended for the purpose of Research and Development and not for sale or, captive use in India.

2. Requirement of certification. - Every manufacturer or importer (hereinafter referred to as manufacturer) of genset (hereinafter referred to as product) to which these conditions apply shall have a separate valid certificate of type approval for all the product models for emission as well as noise norms being manufactured or imported.

3. Verification of conformity of production. - Every manufacturer shall submit its products to the verification for conformity of production for emission and noise, by any of the institutions, as applicable, every conformity of production year.

4. Sale of generator sets not complying with these conditions. - The sale of product model, not having valid type approval certificate, or not complying with the emission or noise norms, as determined by the verification for conformity of production, shall continue to be prohibited in India.

5. Requirement of conformance labelling. - (1) The manufacturer of the product shall affix a conformance label on the product containing the following requirements, namely: -

- (i) the label shall be durable and legible;
- (ii) the label shall be affixed on a part necessary for normal operation of the product and not normally requiring replacement during the product life.

(2) The conformance label must contain the following information, namely: -

- (i) name and address of the manufacturer (even, if the address is described in the owners manual);
- (ii) statement that this product conforms to the Environment (Protection) Rules, 1986; and
- (iii) type approval certificate number and time phase (namely from the January 2014, the January 2016 or the January 2017).

6. Nodal agency. - (1) The Central Pollution Control Board shall be the nodal agency for implementation of these stipulations.

(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 for emission related issues and a National Committee for noise related issues, respectively to advise it on all matters related to the implementation of these rules including the dispute, if any.

7. Compliance and testing procedure. - (1) The compliance and testing procedure as published from time to time, if reviewed by Central Pollution Control Board shall be followed.

(2) The Central Pollution Control Board may revise the compliance and testing procedure.

(3) The institutes referred to in paragraph A and B above shall submit the testing and certification details in respect of emission or, noise, as applicable to the Central Pollution Control Board, annually and the Central Pollution Control Board shall be free to depute its official(s) 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(AI) of 145 dB(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.

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 equivalent.
- (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. ¹[Petroleum and Explosives Safety Organization] shall ensure implementation of these standards.

²[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) there shall be a declaration on the box "not for sale in India" or "only for export in other countries".]

Note: dB (A1): A – weighted impulse sound pressure level in decibel.

dB(C)_{pk}: C – weighted peak sound pressure level in decibel.

³90. Standards for Coal Mines

1. Air Quality Standards

The Suspended Particulate Matter (SPM), Respirable Particulate Matter (RPM), Sulphur dioxide (SO₂) and Oxides of Nitrogen (NO_x) 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:

¹ Substituted by G.S.R. 176(E), dated 18.3.2013.

² Inserted sub paragraph D by Rule 2(ii) of the Environment (Protection) Second Amended Rules, 2006 notified by G.S.R. 640(E), dated 16.10.2006.

³ Serial No. 90 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 25.09.2000.

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*	360 µg/m ³	– High Volume Sampling (Average flow rate not less than 1.1 m ³ /min)
		24 Hours **	500 µg/m ³	
	Respirable Particulate Matter (size less than 10µm) (RPM)	Annual Average*	180 µg/m ³	Respirable Particulate Matter sampling and analysis
		24 Hours **	250 µg/m ³	
Sulphur Dioxide (SO ₂)	Annual Average*	80 µg/m ³	1 Improved west and Gaeke method 2 Ultraviolet fluorescence	
	24 Hours **	120 µg/m ³		
Oxide of Nitrogen as NO ₂	Annual Average *	80 µg/m ³	1. Jacob & Hochheiser Modified (Na-Arsenic) Method 2. Gas phase Chemiluminescence	
	24 hours**	120 µg/m ³		

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, Wardha, Nagpur, Silewara, Pench Kanhan, Patharkhera, Umrer, Korba, Chirimiri, Central India Coalfields, (Including	Suspended Particulate Matter (SPM)	Annual Average*	430 µg/m ³	– High Volume Sampling (Average flow rate not less than 1.1 m ³ /min)
		24 Hours **	600 µg/m ³	
	Respirable Particulate Matter (size less than 10µm) (RPM)	Annual Average*	215µg/m ³	Respirable Particulate Matter sampling and analysis
		24 Hours **	300µg/m ³	
Sulphur Dioxide (SO ₂)	Annual Average*	80 µg/m ³	1. Improved west and Gaeke method 2. Ultraviolet fluorescence	
	24 Hours **	120µg/m ³		
Oxide of Nitrogen as NO ₂	Annual Average*	80 µg/m ³	1. Jacob & Hochheiser Modified (Na-Arsenic) Method	
	24 Hours **	120µg/m ³		

Baikunthpur, Bistrampur), Singrauli, Ib Valley, Talcher, Godavary Valley and any other				2. Gas phase Chemiluminescence
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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 <ul style="list-style-type: none"> • Jharia • Raniganj • Bokaro 	Suspended Particulate Matter (SPM)	Annual Average* 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 10µm) (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 fluorescence
	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 Chemiluminescence

Note:

- * Annual Arithmetic mean for the measurement 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 scheduled 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)	

2. 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.

¹[91. Noise Limit for Generator Sets run with Petrol or Kerosene***]

²[92. Standards for Effluents from Textile Industry ***]

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 uses 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.

¹ Serial No.91 relating to “Noise Limit for generator sets run with petrol or Kerosene” and entries thereto omitted by G.S.R. 535(E), dated 7th August, 2013 w.e.f. 07.08.2013).

² Serial No. 92 relating to Standards for effluents from Textile Industry and entries relating thereto omitted by G.S.R 978(E), dated 10th October, 2016 (w.e.f. 10.10.2016).

Table 1.
PRIMARY WATER QUALITY CRITERIA FOR BATHING WATER
(Water used for organised outdoor bathing)

CRITERIA		RATIONALE
1. Faecal Coliform MPN/100 ml:	500 (desirable)	To ensure low sewage contamination Faecal Coliform and faecal streptococci are considered as they reflect the bacterial pathogenicity.
	2500 (Maximum Permissible)	
2. Faecal Streptococci MNP/100 ml:	100 (desirable)	The desirable and permissible limits are suggested to allow for fluctuation in environmental conditions such as seasonal change, changes in flow conditions etc.
	500 (Maximum Permissible)	
3. pH:	Between 6.5-8.5	The range provides protection to the skin and delicate organs like eyes, nose and ears etc. which are directly exposed during outdoor bathing.
4. Dissolved Oxygen:	5 mg/l or more	The minimum dissolved oxygen concentration of 5 mg/l ensures reasonable freedom from oxygen consuming organic pollution immediately upstream which is necessary for preventing production of anaerobic gases (obnoxious gases) from sediment.
5. Biochemical Oxygen Demand 3 day, 27 °C:	3 mg/l or less	The Biochemical Oxygen Demand of 3 mg/l or less of the water ensures reasonable freedom from oxygen demanding pollutants and prevent production of obnoxious gases.

¹94. 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 upto 1000 KVA, manufactured on or after the ²{1st January, 2005} shall be 75 dB(A) at 1 metre from the enclosure surface.

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 limits for DG sets not covered by paragraph 1.

Noise limits for diesel generator sets not covered by paragraph 1, shall be as follows:

¹ Serial No.94 and entries relating thereto were inserted by Rule 2 (c) of the Environmental (Protection) Second Amendment Rules, 2002 notified vide Notification G.S.R. 371(E), dated 17.05.2002.

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 12.07.2004 (Earlier it was 1st July 2003 as per the Environment (Protection) Second Amendment, Rules, 2002 notified by G.S.R.371 (E), dated 17.05.2002. Subsequently, substituted as 1st July, 2004 by the Environment (Protection) Amendment Rules, 2003 notified by G.S.R.520 (E), dated 1.07.2003 and later substituted as 1st January, 2005 by the Environment (Protection) Second Amendment, Rules, 2004 notified by G.S.R. 448, dated 12.07.2004)

- 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 manufactures/users of Diesel Generator sets shall be as under:
 - 01 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).
 - 02 The user shall make efforts to bring down the noise levels due to the DG set, outside his premises, within the ambient noise requirement by proper siting and control measures.
 - 03 Installation of a DG set must be strictly in compliance with the recommendations of the DG set manufacturer.
 - 04 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

- 01 These rules apply to DG sets upto 1000 KVA rated output, manufactured or imported in India, on or after ¹{1ST January, 2005}.
- 02 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 (thereinafter 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 product models

¹ Substituted by Rule 2(a) (ii) of the Environment (Protection) Second Amendment Rules, 2004 notified vide Notification No. G.S.R. 448 (E), dated 17.05.2002. 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 12.07.2004).

² Substituted by Rule 2(a) (i) of the Environment (Protection) Eighth Amendment Rules, 2008 notified by G.S.R.752 (E), dated 24.10.2008.

being ¹{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.

3.4 Requirement of Conformance Labelling

- (i) The ²{manufacturer} of the 'product' must affix a conformance label on the product meeting the following requirements:
 - (a) The label shall be durable and legible.
 - (b) The label shall be affixed on apart necessary for normal operation of the 'product' and not normally requiring replacement during the 'product' life.
- (ii) The conformance label must contain the following information;
 - (a) Name and address of the ³{manufacturer} (if the address is described in the owner's manual, it may not be included in the label.)
 - (b) Statement "This product conforms to the Environment (Protection) Rules, 1986".
 - (c) Noise limit viz. 75 dB (A) at 1 m.
 - (d) Type approval certificate number.
 - (e) Date of manufacture of the product.

3.5 Nodal Agency

- (i) The Central Pollution Control Board shall be the nodal agency for implementation of these regulations.
- (ii) In case of any dispute or difficulty in implementation of these regulations, 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 regulations.

3.6 Authorized agencies for certification

The following agencies are authorized to carry out such tests as they deem necessary for giving certificates for Type Approval and Conformity of Production testings of DG sets and to give such certificates: -

- (i) The Automotive Research Association of India, Pune
- (ii) The Naval Science and Technology Laboratory, Visakhapatnam
- (iii) The Fluid Control Research Institute, Palghat
- (iv) The National Aerospace Laboratory, Bangalore

¹ Substituted by Rule 2(a) (ii) of the Environment (Protection) Eighth Amendment Rules, 2008 notified by G.S.R. 752(E), dated 24.10.2008

² Substituted by Rule 2(b) of the Environment (Protection) Eighth Amendment Rules, 2008 notified by G.S.R.752 (E), dated 24.10.2008.

³ Substituted by Rule 2(b) of the Environment (Protection) Eighth Amendment Rules, 2008 notified by G.S.R.752 (E), dated 24.10.2008.

- (v) The International Centre for Automotive Technology, Manesar
- (vi) The National Test House, Ghaziabad (Uttar Pradesh)
- ¹[(vii) National Physical Laboratory];

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.

²[4.0 Exemption from the provisions of paragraph 1 and 3, 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 till ³[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 ⁴[manufacture] 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 gensets to emboss on the engine and the main body of the gensets, the words '**For the use of Army only**'.
- (iv) The gensets 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.
- (v) Registers shall be maintained at the manufactures premises and in the Ministry of Defence to ensure that the number of gensets manufactured under special dispensation is 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 onetime exemption during which the Army shall remodel its vehicles to contain the new gensets and also obtain the necessary Type Approval of the gensets.]

⁵[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: -

¹ Inserted item (vii) by Rule 2(b) vide G.S.R 97(E) dated 29th January, 2018

² Inserted by Rule 2 of the Environment (Protection) Second Amendment Rules, 2005 notified vide Notification G.S.R. 315(E), dated 16.05.2005

³ Substituted by Rule 2 of the Environment (Protection) Amendment Rules, 2006 notified by G.S.R.(E), dated 07.08.2006.

⁴ Substituted by Rule 2(c) of the Environment (Protection) Eighth Amendment Rules, 2008 notified by G.S.R.752 (E), dated 24.10.2008.

⁵ Inserted by vide Notification G.S.R. 315(E), dated 29.08.2007

- (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 words "For the use of Army only in Mobile Decontamination System (MDS).
- (iii) A register shall be maintained at the manufactures premises and in the Ministry of Defence to ensure that only sixteen numbers of 45 KVA gensets are manufacturers under special dispensation and are not misused elsewhere.]

¹[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.
- (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.]

²[95. Emission limits for new diesel engine up to 800 kW for generator set (Genset) application. - The emission limits for new diesel engine upto 800 kW for generator set (hereinafter referred to as Genset) application shall be effective from 1st April, 2014 as specified in the Table below subject to the general conditions contained therein, namely: -

TABLE

Power Category	Emission Limits (g/kW-hr)			Smoke Limit (light absorption coefficient, m ⁻¹)
	NO _x + HC	CO	PM	
Upto 19 KW	≤ 7.5	≤ 3.5	≤ 0.3	≤ 0.7
More than 19 KW upto 75 KW	≤ 4.7	≤ 3.5	≤ 0.3	≤ 0.7
More than 75 KW upto 800 KW	≤ 4.0	≤ 3.5	≤ 0.2	≤ 0.7

Note:

1. The abbreviations used in the Table shall mean as under: NO_x – Oxides of Nitrogen; HC – Hydrocarbon; CO – Carbon Monoxide; and PM – Particulate Matter.
2. Smoke shall not exceed above value throughout the operating load points of the test cycle.
3. The testing shall be done as per D2 – 5 mode cycle of ISO: 8178- Part 4.
4. The above mentioned emission limits shall be applicable for Type Approval and Conformity of Production (COP) carried out by authorised agencies.
5. Every manufacturer, importer or, assembler (hereinafter referred to as manufacturer) of the diesel engine (hereinafter referred to as 'engine') for genset application manufactured or imported into India or, diesel genset (hereinafter referred to as 'product'), assembled or imported into India shall obtain Type Approval and comply with COP of their product(s) for the emission limits which shall be valid for the next COP year or, the date of implementation of the revised norms specified above, whichever earlier.

Explanation. - The term 'COP year' means the period from 1st April to 31st March of next year.

¹ Inserted by Rule 2(d) of the Environment (Protection) Eighth Amendment Rules, 2008 notified by G.S.R. 752(E), dated 24.10.2008.

² Substituted by vide notification no. G.S.R. 771(E) dated 11th December, 2013

6. Stack height (in metres), for genset shall be governed as per Central Pollution Control Board (CPCB) guidelines.

General Conditions:

1. **Applicability.** - These conditions shall apply to all new engines for genset application and products manufactured, assembled or, imported into India, as the case may be:

Provided that these rules, shall not apply to, -

- (a) any engine or, product, assembled or manufactured or imported, as the case may be, for the purpose of export outside India, or;
 - (b) any engine or product intended for the purpose of sample limited to four in number and to be exported back within three months, and not for sale in India.
2. **Requirement of certification.** - Every manufacturer of engine or product, as the case may be, shall have valid certificate(s) of Type Approval and COP for each COP year, for all engine models being manufactured or, for all engine or product models being imported, after the effective date for the emission limits, as specified above and the COP for the genset sold on or after 1st April, 2014 shall be effective and in force as per revised emission norms with effect from 1st April, 2015.
 3. **Sale, import or use of engine or product not complying with these rules.** - No person shall sell, import or use an engine for genset application or, a product which is not having a valid Type Approval certificate and certificate of COP referred to in condition 2.
 4. **Requirement of conformance labelling.** - (1) All the engines, individually or as part of the product shall be clearly engraved 'Genset Engine' on the cylinder block.
 - (2) the engine or the product shall be affixed with a conformance label meeting the following requirements, namely: -
 - (a) the label shall be durable and legible;
 - (b) the label shall be affixed on a part necessary for normal operation of the engine or the product and not normally requiring replacement during the life of the engine or the product.
 - (3) The conformance label shall contain the following information, namely: -
 - (a) name and address of the manufacturer of engine or product, as the case may be;
 - (b) statement that the engine or product conforms to the Environment (Protection) Rules, 1986;
 - (c) Type Approval certificate number;
 - (d) date of manufacture of engine and the product or in case of import, the date of import of the engine and the product; and
 - (e) rated speed and corresponding gross power in kW.
 5. **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 Committee to advise it on all matters, including the disputed matters, related to the implementation of these rules.

- 6. Authorised agencies for certification.** - The following institutions are authorised to carry out such tests as they may deem necessary, for giving certificates of Type Approval and Conformity of Production tests for diesel engines or products and to give such certificates, namely: -
- (i) the Automotive Research Association of India, Pune (Maharashtra);
 - (ii) the International Centre for Automotive Technology, Manesar (Haryana);
 - (iii) the Indian Oil Corporation, Research and Development Centre, Faridabad (Haryana);
 - (iv) The Indian Institute of Petroleum, Dehradun (Uttarakhand); and
 - (v) The Vehicle Research Development Establishment, Ahmednagar (Maharashtra).
- 7. Compliance and testing procedure.** - (1) The Compliance and Testing Procedure, as published by the Central Pollution Control Board shall be followed by all concerned.
- (2) The authorised agencies for certification shall submit the testing and certification details in respect of the emission to the Central Pollution Control Board annually.
- 8. Fuel Specification.** - The specification of commercial fuel applicable for diesel gensets shall be the same as applicable for commercial High Speed Diesel applicable for diesel vehicles in the area where product would be operated, from time to time, as per policy of Government of India.
- 9. Engine component or parts identification.** - All the details of engine components or parts responsible for the emission performance shall be clearly marked in English language.].

¹95A. Genset run on dedicated Natural Gas (NG) or Liquid Petroleum Gas (LPG)

- A. Emission Limits.** - The emission limits for dedicated NG or LPG driven engine for genset application or genset (upto 800 kW) shall be effective from 1st July, 2016 as specified in the Table below subject to the general conditions contained therein, namely: -

TABLE

Power Category	Emission Limits (g/kW-hr)	
	NO _x + NMHC Or NO _x + RHC	CO
Upto 19 kW	≤ 7.5	≤ 3.5
More than 19 kW upto 75 kW	≤ 4.7	≤ 3.5
More than 75 kW upto 800 kW	≤ 4.0	≤ 3.5

Notes. - The abbreviations used in the Table shall mean as under:

1. NO_x - Oxides of Nitrogen; CO – Carbon Monoxide; NMHC – Non-Methane Hydrocarbon; and RHC – Reactive Hydrocarbon.
2. Dedicated NG or LPG genset engine shall mean a mono-fuel engine starting and operating with only one fuel, i.e., NG or LPG.
3. NO_x + NMHC or NO_x + RHC shall be measured in case of dedicated NG or LPG genset engine. NMHC shall be equal to 0.3×Total Hydrocarbon (THC) in case of NG, and RHC is equal to 0.5×THC in case of LPG.
4. These norms shall be applicable to Original Equipment Manufacturer (OEM) built dedicated NG or LPG genset engines.

¹ Inserted by G.S.R. 281(E), dated 07th March, 2016 serial no. 95A and the entries relating thereto

5. The above mentioned emission limits shall be applicable for Type Approval and Conformity of Production (COP) carried out by authorized agencies.
6. Any of the following institutions shall undertake Type Approval and for verification of Conformity of Production for emission standards for engine products and to issue such certificates on compliance of the prescribed norms, namely: -
 - (a) The Automotive Research Association of India, Pune (Maharashtra);
 - (b) The International Centre for Automotive Technology, Manesar (Haryana);
 - (c) The Indian Oil Corporation, Research and Development Centre, Faridabad (Haryana);
 - (d) The Indian Institute of Petroleum, Dehradun (Uttarakhand); and
 - (e) The Vehicle Research Development Establishment, Ahmednagar (Maharashtra).
7. Stack height (in metres), for genset shall be governed as per Central Pollution Control Board (CPCB) guidelines.

B. Noise Limits. - 1. The maximum permissible sound pressure level for genset, with rated capacity upto 800 kW shall be 75 dB(A) at 1 metre from the enclosure surface. Gensets should be provided with integral acoustic enclosure at the manufacturing stage itself. The noise norms shall be effective from the 1st January, 2017.

2. Noise limit for gensets not covered under paragraph (1) shall be as follows: -
 - (a) Noise from gensets shall be controlled by providing an acoustic enclosure or by treating the room acoustically, at the users end.
 - (b) The acoustic enclosure shall be designed for minimum 25 dB(A) insertion loss or for complying with 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 or acoustic treatment. Under such circumstances the performance may be checked for noise reduction upto actual ambient noise level, preferably, in the night time between 10.00 pm-6.00 am). The measurement for insertion loss may be done at different points at 0.5m from the acoustic enclosure or room, and then averaged.
 - (c) The genset shall be provided with proper exhaust muffler with insertion loss of minimum 25 dB(A).
 - (d) These limits shall be regulated by the State Pollution Control Boards and the State Pollution Control Committees.
 - (e) 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).
 - (f) The user shall make efforts to bring down the noise levels due to the genset, outside his premises, within the ambient noise requirements by proper siting and control measures.
 - (g) Installation of a genset shall be strictly in compliance with the recommendation of the genset manufacturer.
 - (h) A proper routine and preventive maintenance procedure for the genset shall be set and followed in consultation with the genset manufacturer.
3. Any of the following institutions shall undertake Type Approval and for verification of Conformity of Production for noise norms for dedicated NG or LPG gensets and issue such certificates on compliance of the prescribed norms, namely: -
 - (a) The Automotive Research Association of India, Pune (Maharashtra);
 - (b) The International Centre for Automotive Technology, Manesar (Haryana);
 - (c) The Fluid Control Research Institute, Palghat (Kerala);

- (d) The National Test House, Ghaziabad (Uttar Pradesh);
 - (e) The National Aerospace Laboratory, Bangaluru (Karnataka); and
 - (f) The Naval Science and Technology Laboratory, Visakhapatnam (Andhra Pradesh).
- ¹[(g) National Physical Laboratory, New Delhi.];

A. General Conditions. –

1. Every manufacturer, importer or assembler (hereinafter referred to as the 'manufacturer') of the dedicated NG or LPG engine (hereinafter referred to as 'engine') for genset application manufactured or imported into India or dedicated NG or LPG genset (hereinafter referred to as 'product'), assembled or imported into India shall obtain Type Approval and comply with the COP of their products for the emission limits which shall be valid for the next COP year or, the date of implementation of the norms specified above, whichever is earlier. Thereafter, the manufacturer shall obtain COP approval every COP year. NG or LPG kit shall also have independent Type Approval and shall independently comply with COP requirement, as and when notified.
2. These conditions shall apply to all new engines for genset application and products manufactured, assembled or imported into India, as the case may be:

Provided that these rules, shall not apply to, -

- (a) any engine or, product, assembled or manufactured or imported, as the case may be, for the purpose of export outside India; or
 - (b) any engine or product intended for the purpose of sample limited to four in number and to be exported back within three months, and not for sale in India.
3. Every manufacturer of engine or product, as the case may be, shall have valid certificates of Type Approval and COP for each COP year, for all engine models being manufactured or, for all engine or product models being imported, after the effective date of the emission limits, as specified above and CPCB shall develop system and procedure to monitor the norms and COP year.
 4. Every manufacturer shall submit its engine or products, as the case may be, for the verification for conformity of production for emission and noise, by any of the institutions, as applicable, every COP year.

Note. – The term COP year, duty cycle and any other requirement for compliance of Type Approval and COP shall be prescribed in the system and procedure to be developed by the Central Pollution Control Board.

5. No person shall manufacture, sell, import or use an engine for genset application or any product which is not having a valid Type Approval certificate and certificate of COP referred to in sub - paragraph (3) above, as applicable.
6. All the engines, individually or as part of the product shall be clearly engraved as NG genset Engine or LPG genset engine on the cylinder block, as the case may be.
7. The engine or the product shall be affixed with a conformance label meeting the following requirements, namely: -
 - (a) the label shall be durable and legible;

¹ Inserted item (g) by Rule 2(c) vide G.S.R 97(E) dated 29th January, 2018

- (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.
8. The conformance label shall contain the following information, namely: -
- Name and address of the manufacturer of engine or product, as the case may be;
 - Statement that the engine or product conforms to the Environment (Protection) Rules, 1986;
 - Type Approval Certificate number;
 - Date of manufacture of engine and the product or in case of import, the date of import of the engine and the product; and
 - Rated speed and corresponding gross power in kW.
9. (a) The Central Pollution Control Board shall be the nodal agency for implementation of these rules.
- In case of any dispute or difficulty in implementation of these rules, the matter shall be referred to the nodal agency.
 - The nodal agency shall constitute a Standing Committee for emission related issues and a National Committee for noise related issues, respectively, to advise it on all matters related to the implementation of these rules including disputes, if any.
10. (a) All genset engines operating on dedicated NG or LPG shall be tested for Type Approval and COP of emission and noise limits compliance as per system and procedure published from time to time by the Central Pollution Control Board.
- The Central Pollution Control Board may develop or as the case may be, revise the compliance and testing procedure allowing a time of six months for all concern.
 - The institutes referred to in paragraph A and B above shall submit the testing and certification details in respect of emission and, or, noise, as applicable, to the Central Pollution Control Board, annually and the Central Pollution Control Board shall be free to depute its officials to oversee the testing.
11. All genset engines operating on dedicated NG or LPG shall comply safety requirements.
12. The specification of commercial fuel applicable for NG or LPG shall be applicable for vehicles run on NG or LPG in the area where product shall be operated, from time to time, as per policy of Government of India.
13. All the details of engine components or part responsible for the emission performance shall be clearly marked in English language.

95B. Genset run on Petrol and Natural Gas (NG) or Petrol and Liquid Petroleum Gas (LPG): -

- A. Emission Limits.** —The emission limits for Petrol and NG or Petrol and LPG genset (upto 19 kW) powered by SI engine (upto 400 cc displacement) (hereinafter referred to as Genset) shall be effective from the 1st August, 2016 as specified in the following Table: -

TABLE

Class	Engine Displacement (cc)	CO (g/kWh)	NO _x + THC/ NO _x + NMHC/NO _x + RHC (g/kWh)
1.	Upto 99	≤ 250	≤ 12
2.	>99 and upto 225	≤ 250	≤ 10
3.	≥ 225 ≤ 400	≤ 250	≤ 8

Notes: The abbreviations used in above table shall mean as under:

1. SI – Spark Ignition, NG – Natural Gas, LPG – Liquid Petroleum Gas, NO_x – Oxides of Nitrogen, THC – Total Hydrocarbon, CO – Carbon Monoxide, NMHC – Non- Methane Hydrocarbon and RHC – Reactive Hydrocarbon.
2. Dual fuel engine operation shall mean a two – fuel system having petrol as a primary combustion fuel and NG or LPG as supplementary fuel, both in a certain proportion, throughout the engine operating zone. Such dual fuel Genset engine may operate on petrol stand-alone mode in absence of gaseous fuel i.e. NG or LPG.
3. NMHC shall be equal to 0.3×THC in case of Natural Gas and RHC shall be equal to 0.5×THC in case of LPG.
4. These norms shall be applicable to Original Equipment Manufacturer (OEM) built petrol and NG or petrol and LPG genset (upto 19 kW) powered by SI engine (upto 400 cc displacement). Conversion or Retrofitment of the existing petrol or Kerosene generator sets to run on petrol and NG or petrol and LPG shall not be permitted.
5. The above emission limits shall be applicable for Type Approval and Conformity of Production (COP) undertaken by authorized agencies and shall be complied with petrol alone or petrol and NG or LPG fuel mode separately.
6. Any of the following institutions shall undertake Type Approval and for verification of Conformity of Production for emission standards for engine products and to issue such certificates on compliance of the prescribed norms, namely: -
 - (a) The Automotive Research Association of India, Pune (Maharashtra);
 - (b) The International Centre for Automotive Technology, Manesar (Haryana);
 - (c) The Indian Oil Corporation, Research and Development Centre, Faridabad (Haryana);
 - (d) The Indian Institute of Petroleum, Dehradun (Uttarakhand); and
 - (e) The Vehicle Research Development Establishment, Ahmednagar (Maharashtra).
7. NO_x + THC shall be measured as emissions from petrol alone in bi-fuel fuel mode of operation. NO_x + NMHC or NO_x +RHC shall be measured in case of petrol and NG or petrol and LPG fuel mode of operation, respectively.

B. Noise Limits. —1. The noise limit for gensets (upto 19 kW) powered by an SI engine (upto 400 cc displacement) run on petrol and NG or petrol and LPG shall be effective from the 1st September, 2016 as specified in the following table: -

TABLE

Noise Parameter	Noise Limits
Sound Power Level _{wa}	86 dB(A)

2. Any of the following institutions shall undertake Type Approval and for verification of Conformity of Production for noise norms for dedicated petrol or petrol and NG or LPG gensets and issue such certificates on compliance of the prescribed norms, namely: -
 - (a) The Automotive Research Association of India, Pune (Maharashtra);
 - (b) The International Centre for Automotive Technology, Manesar (Haryana);
 - (c) The Fluid Control Research Institute, Palghat (Kerala);
 - (d) The National Test House, Ghaziabad (Uttar Pradesh);
 - (e) The National Aerospace Laboratory, Bangaluru (Karnataka); and

(f) The Naval Science and Technology Laboratory, Visakhapatnam (Andhra Pradesh).

¹[(g) National Physical Laboratory, New Delhi.];

C. General Conditions:

1. Every manufacturer, importer or assembler (hereinafter referred to as the 'manufacturer') of the petrol and NG or LPG engine (hereinafter referred to as 'engine') for genset application manufactured or imported into India or petrol and NG or LPG genset (hereinafter referred to as 'product'), assembled or imported into India shall obtain Type Approval and comply with the COP of their products for the emission limits which shall be valid for the next COP year or, the date of implementation of the norms specified above, whichever is earlier. Thereafter, the manufacturer shall obtain COP approval every COP year. Petrol and NG or LPG kit shall also have independent Type Approval and shall independently comply with COP requirement, as and when notified.
2. These conditions shall apply to all new engines for genset application and products manufactured, assembled or imported into India, as the case may be:

Provided that these rules, shall not apply to, -

- (a) any engine or, product, assembled or manufactured or imported, as the case may be, for the purpose of export outside India; or
 - (b) any engine or product intended for the purpose of sample limited to four in number and to be exported back within three months, and not for sale in India.
3. Every manufacturer of engine or product, as the case may be, shall have valid certificates of Type Approval and COP for each COP year, for all engine models being manufactured or, for all engine or product models being imported, after the effective date of the emission limits, as specified above and CPCB shall develop system and procedure to monitor the norms and COP year.
 4. Every manufacturer shall submit its engines or products to the verification for conformity of production for emission and noise, by any of the institutions, as applicable, every COP year.

Note. - The term 'COP year', duty cycle and any other requirement for compliance of Type Approval and COP to be prescribed in the System and Procedure developed by the Central Pollution Control Board.
 5. No person shall manufacture, sell, import or use an engine for genset application or any product which is not having a valid Type Approval certificate and certificate of COP referred to in sub - paragraph (3) above, as applicable.
 6. All the engines, individually or as part of the product shall be clearly engraved as petrol and NG genset Engine or petrol and LPG genset engine on the cylinder block, as the case may be.
 7. The engine or the product shall be affixed with a conformance label meeting the following requirements, namely: -
 - (a) the label shall be durable and legible;
 - (b) the label shall be affixed on a part necessary for normal operation of the engine or the product and not normally requiring replacement during the life of the engine or the product.
 8. The conformance label shall contain the following information, namely: -
 - (a) Name and address of the manufacturer of engine or product, as the case may be;

¹ Inserted item (g) by Rule 2(d) vide G.S.R 97(E) dated 29th January, 2018

- (b) Statement that the engine or product conforms to the Environment (Protection) Rules, 1986;
- (c) Type Approval Certificate number;
- (d) Date of manufacture of engine and the product or in case of import, the date of import of the engine and the product; and
- (e) Rated speed and corresponding gross power in kW.
9. (a) The Central Pollution Control Board shall be the nodal agency for implementation of these rules.
- (b) In case of any dispute or difficulty in implementation of these rules, the matter shall be referred to the nodal agency.
- (c) The nodal agency shall constitute a Standing Committee for emission related issues and a National Committee for noise related issues, respectively, to advise it on all matters related to the implementation of these rules including disputes, if any.
10. (a) All genset engines operating on petrol and NG or LPG shall be tested for Type Approval and COP of emission and noise limits compliance as per system and procedure published from time to time by the Central Pollution Control Board.
- (b) The Central Pollution Control Board may develop or as the case may be, revise the compliance and testing procedure allowing a time of six months for all concern.
- (c) The institutes referred to in paragraph A and B above shall submit the testing and certification details in respect of emission and, or, noise, as applicable, to the Central Pollution Control Board, annually and the Central Pollution Control Board shall be free to depute its officials to oversee the testing.
11. All genset engines operating on petrol and NG or LPG shall comply safety requirements.
12. The specification of commercial fuel applicable for petrol and NG or LPG shall be applicable for vehicles run on petrol and NG or LPG in the area where product shall be operated, from time to time, as per policy of Government of India.
13. All the details of engine components or part responsible for the emission performance shall be clearly marked in English language.

95C Genset run on Diesel and Natural Gas (NG) or Diesel and Liquid Petroleum Gas (LPG): -

- A. Emission Limits.** —The emission limits for Diesel and NG or Diesel and LPG driven engine (upto 800 kW) for generator set (hereinafter referred to as Genset) application shall be effective from the 1st July, 2016 as specified in the Table below, subject to the general conditions specified therein, namely: -

TABLE

Power Category	Emission Limits (g/kW-hr)			Smoke Limit (light absorption coefficient, m ⁻¹)
	NO _x + THC or NO _x + NMHC or RHC	CO	PM	
Upto 19 kW	≤7.5	≤3.5	≤0.3	≤0.7
More than 19 kW upto 75 kW	≤4.7	≤3.5	≤0.3	≤0.7
More than 75 kW upto 800 kW	≤4.0	≤3.5	≤0.2	≤0.7

Notes. - The abbreviations used in the Table shall mean as under: 1. NO_x – Oxides of Nitrogen; THC – Total Hydrocarbon; CO- Carbon Monoxide; PM – Particulate Matter; NMHC – Non – Methane Hydrocarbon; and RHC – Reactive Hydrocarbon.

2. Dual fuel engine operation shall mean a two – fuel system having diesel as a primary combustion fuel and NG or LPG as supplementary fuel, both in a certain proportion, throughout the engine operating zone. Such dual fuel genset engine may operate on diesel stand-alone mode in absence of gaseous fuel i.e. NG or LPG.
3. NO_x + THC shall be measured as emission while diesel alone is used as fuel. NO_x + NMHC or NO_x + RHC shall be measured in case of diesel and NG or diesel and LPG dual fuel operation respectively. NMHC shall be equal to 0.3 × THC in case of NG and RHC as 0.5 × THC in case of LPG.
4. These norms shall be applicable to Original Equipment Manufacturer (OEM) built diesel and NG or LPG Genset engines. Conversion or retro fitment of the existing diesel engines to run on diesel and NG or diesel and LPG shall not be permitted.
5. The above mentioned emission limits shall be applicable for Type Approval and Conformity of Production (COP) carried out by authorised agencies. For Type Approval and COP for diesel and NG or diesel and LPG dual fuel operation engines, the emission and smoke limits prescribed in above Table shall be met in diesel alone or diesel and NG or diesel and LPG dual fuel mode separately.
6. Any of the following institutions shall undertake Type Approval and for verification of Conformity of Production for emission standards for engine products and to issue such certificates on compliance of the prescribed norms, namely: -
 - (a) The Automotive Research Association of India, Pune (Maharashtra);
 - (b) The International Centre for Automotive Technology, Manesar (Haryana);
 - (c) The Indian Oil Corporation, Research and Development Centre, Faridabad (Haryana);
 - (d) The Indian Institute of Petroleum, Dehradun (Uttarakhand); and
 - (e) The Vehicle Research Development Establishment, Ahmednagar (Maharashtra)
7. Stack height (in metres) for genset shall be governed as per Central Pollution Control Board (CPCB) guidelines.
8. NO_x + THC shall be measured as emissions from diesel alone in bi-fuel fuel mode of operation. NO_x + NMHC or NO_x + RHC shall be measured in case of diesel and NG or diesel and LPG fuel mode of operation, respectively.
9. The emission standards for smoke and particulate matter shall be applicable, when diesel is used as fuel. Smoke limit prescribed in above Table shall not exceed throughout the operating load points of the test cycle.

B. Noise Limits. – 1. The maximum permissible sound pressure level for genset, with rated capacity upto 800 kW shall be 75 dB(A) at 1 metre from the enclosure surface. Gensets shall be provided with integral acoustic enclosure at the manufacturing stage itself. The noise norms shall be effective from the 1st January, 2017.

2. Noise limit for gensets not covered under paragraph (1) shall be as follows: -
 - (a) Noise from gensets shall be controlled by providing an acoustic enclosure or by treating the room acoustically, at the users end.
 - (b) The acoustic enclosure shall be designed for minimum 25 dB(A) insertion loss or for complying with 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 or acoustic treatment. Under such circumstances the performance

may be checked for noise reduction upto actual ambient noise level, preferably, in the night time between 10.00 PM-6.00 AM). The measurement for insertion loss may be done at different points at 0.5m from the acoustic enclosure or room, and then averaged.

- (c) The genset shall be provided with proper exhaust muffler with insertion loss of minimum 25 dB(A).
 - (d) These limits shall be regulated by the State Pollution Control Boards and Pollution Control Committees.
 - (e) 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).
 - (f) The user shall make efforts to bring down the noise levels due to the genset, outside his premises, within the ambient noise requirements by proper siting and control measures.
 - (g) Installation of a genset shall be strictly made in compliance with the recommendations of the genset manufacturer.
 - (h) A proper routine and preventive maintenance procedure for the genset shall be set and followed in consultation with the genset manufacturer.
3. Any of the following institutions shall undertake Type Approval and for verification of Conformity of Production for noise norms for dedicated diesel or diesel and NG or LPG gensets and issue such certificates on compliance of the prescribed norms, namely: -
- (a) The Automotive Research Association of India, Pune (Maharashtra);
 - (b) The International Centre for Automotive Technology, Manesar (Haryana);
 - (c) The Fluid Control Research Institute, Palghat (Kerala);
 - (d) The National Test House, Ghaziabad (Uttar Pradesh);
 - (e) The National Aerospace Laboratory, Bangaluru (Karnataka); and
 - (f) The Naval Science and Technology Laboratory, Visakhapatnam (Andhra Pradesh).

¹[(g) National Physical Laboratory, New Delhi.];

C. General Conditions

1. Every manufacturer, importer or assembler (hereinafter referred to as the 'manufacturer') of the diesel and NG or LPG engine (hereinafter referred to as 'engine') for genset application manufactured or imported into India or diesel and NG or LPG genset (hereinafter referred to as 'product'), assembled or imported into India shall obtain Type Approval and comply with the COP of their products for the emission limits which shall be valid for the next COP year or, the date of implementation of the norms specified above, whichever is earlier. Thereafter, manufacturer shall obtain COP approval every COP year. Diesel and NG or LPG kit shall also have independent Type Approval and shall independently comply with COP requirement, as and when notified.
2. These conditions shall apply to all new engines for genset application and products manufactured, assembled or imported into India, as the case may be:

Provided that these rules, shall not apply to, -

- (a) any engine or, product, assembled or manufactured or imported, as the case may be, for the purpose of export outside India; or

¹ Inserted item (g) by Rule 2(e) vide G.S.R 97(E) dated 29th January, 2018

- (b) any engine or product intended for the purpose of sample limited to four in number and to be exported back within three months, and not for sale in India.
3. Every manufacturer of engine or product, as the case may be, shall have valid certificates of Type Approval and COP for each COP year, for all engine models being manufactured or, for all engine or product models being imported, after the effective date of the emission limits, as specified above and CPCB shall develop system and procedure to monitor the norms and COP year.
 4. Every manufacturer shall submit its engine or products, as the case may be, for the verification of conformity of production for emission and noise, by any of the institutions, as applicable, every COP year.
Note. - The term COP year, duty cycle and any other requirement for compliance of Type Approval and COP shall be prescribed in the system and procedure to be developed by the Central Pollution Control Board.
 5. No person shall manufacture, sell, import or use an engine for genset application or any product which is not having a valid Type Approval certificate and certificate of COP referred to in sub - paragraph (3) above.
 6. All the engines, individually or as part of the product shall be clearly engraved as diesel and NG genset Engine or diesel and LPG genset engine on the cylinder block, as the case may be.
 7. The engine or the product shall be affixed with a conformance label meeting the following requirements, namely: -
 - (a) the label shall be durable and legible;
 - (b) the label shall be affixed on a part necessary for normal operation of the engine or the product and not normally requiring replacement during the life of the engine or the product.
 8. The conformance label shall contain the following informations, namely: -
 - (a) Name and address of the manufacturer of engine or product, as the case may be;
 - (b) Statement that the engine or product conforms to the Environment (Protection) Rules, 1986;
 - (c) Type Approval Certificate number;
 - (d) Date of manufacture of engine and the product or in case of import, the date of import of the engine and the product; and
 - (e) Rated speed and corresponding gross power in kW.
 9.
 - (a) The Central Pollution Control Board shall be the nodal agency for implementation of these rules;
 - (b) In case of any dispute or difficulty in implementation of these rules, the matter shall be referred to the nodal agency;
 - (c) The nodal agency shall constitute a Standing Committee for emission related issues and a National Committee for noise related issues, respectively, to advise it on all matters related to the implementation of these rules including disputes, if any.
 10.
 - (a) All genset engines operating on diesel and NG or LPG shall be tested for Type Approval and COP of emission and noise limits compliance as per system and procedure published from time to time by the Central Pollution Control Board.
 - (b) The Central Pollution Control Board may develop or as the case may be, revise the compliance and testing procedure allowing a time for a period of six months for all concern.

(c) The institutes referred to in paragraph A and B above shall submit the testing and certification details in respect of emission and, or, noise, as applicable, to the Central Pollution Control Board, annually and the Central Pollution Control Board shall be free to depute its officials to oversee the testing.

11. All genset engines operating on diesel and NG or LPG shall comply safety requirements.
12. The specification of commercial fuel applicable for diesel and NG or LPG shall be applicable for vehicles run on diesel and NG or LPG in the area where product shall be operated, from time to time, as per the policy of the Government of India.
13. All the details of engine components or part responsible for the emission performance shall be clearly marked in English language].

¹[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 date		
			Before 1.7.2003	Between 1.7.2003 to 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	
Sulphur content in fuel	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 meter:				
	(i) $14 Q^{0.3}$, Q = Total SO ₂ emission from the plant in kg/hr.				
	(ii) Minimum 6 m. above the building where generator set is installed.				
	(iii) 30m.				

¹ 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.

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	: parts per million (10 ⁶) by volume		

2. Area categories A and B are defined as follows:

Category A: Areas within the municipal limits of town/cities having population more than 10 lakhs and also up to 5 km beyond the municipal limits of such town/cities.

Category B: Areas not covered by category A.

- The standards shall be regulated by the State Pollution Control Boards or Pollution Control Committees, as the case may be.
- Individual units with engine ratings less than or equal to 800 KW are not covered by this notification.
- 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.
- For expansion project, stack height of new generator sets shall be as per total Sulphur Dioxide emission (including existing as well as additional load).
- 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.
- Particulate matter, Non-Methane Hydrocarbon and Carbon Monoxide results are to be normalized to 25 °C, 1.01 Kilo Pascal (760 mm of mercury) pressure and zero percent moisture (dry basis).
- Measurement shall be performed at steady load conditions of more than 85% of the rated load.
- 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.
- 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]

S. No.	Industry	Parameter	Standards
1	2	3	4
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 stoker 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.]

S. No.	Industry	Parameter	Standards	
1	2	3	4	
² [99.	Sponge Iron Plant (Rotary Kiln)	A. Emission Standards *		
			Fuel Type	Limiting value for Concentration
		Particulate Matter	coal	100 mg/Nm ³
			gas	50 mg/Nm ³
		Carbon Monoxide (Vol/Vol.)	coal/gas	1%
Stack Height** (minimum)	coal/gas	30.0 m		

¹ Entry 97 added by Rule 2 (iv) of the Environment (Protection) Third Amendment Rules, 2005 notified vide Notification G.S.R. 546(E), dated 30.08.2005

² Inserted by Rule 2 (i) of the Environment (Protection) Fourth Amendment Rules, 2008 notified by G.S.R. 414(E), dated 30.05.2008.

		<p>Note: -</p> <p>* Emission shall be normalized at 12% CO₂ in stack emission.</p> <p>** Stack height shall be calculated as $H=14.0 Q^{0.3}$ where Q is emission of Sulphur Dioxide (SO₂) in kg/hr. i.e.</p>		
		SO₂ (kg/hr)	Height (metre)	
		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/m³)	Existing Unit	New Unit
			100	50
		<p>Note: -</p> <p>(i) Stack attached to de-dusting unit shall have minimum height of 30.0 metre.</p> <p>(ii) If, De-dusting unit is connected to After Burner Chamber (ABC), emission shall be emitted through common stack (minimum height 30.0 metre) having separate arrangements for emission monitoring for de-dusting unit.</p>		
	(Rotary Kiln /De-dusting unit)	B. Fugitive Emission Standards		
		Particulate matter (µg/m³)	Existing Unit	New Unit
			3000	2000
		<p>Note: -</p> <p>(i) The existing industry shall comply with a standard of 2000 (µg/m³) after one year from the date of notification.</p> <p>(ii) Fugitive emission shall be monitored at a distance 10.0 metre from the source of fugitive emission as per following:</p>		
		Area	Monitoring Location	
		Raw material handling area	Wagon tippler, Screen area, Transfer points, Stock bin area.	
		Crusher area	Crushing plant, vibrating screen, transfer points.	
		Raw material feed area	Feeder area, Mixing area, Transfer points	
		Cooler discharge area	Over size discharge area, Transfer points	
		Product processing area	Intermediate stock bin area, Screening plant, Magnetic separation unit, Transfer points, Over size discharge area, Product separation area, Bagging area	
		Other areas	as specified by State Pollution Control Board/Pollution Control Committee	
		C. Effluent Standards		
		pH	5.5-9.0	
		Total suspended solids	100 mg/l	
		Oil & grease	10 mg/l	
		Chemical oxygen demand	250 mg/l	
		<p>Note: -</p> <p>(i) All effort shall be made to reuse and re-circulate the water and to maintain 'Zero discharge'.</p> <p>(ii) Storm water drain shall be provided within the premises of the industry so as to avoid mixing with effluent].</p>		

Guidelines / Code of Practice for Pollution Prevention for Sponge Iron Plants

1. Air Pollution

1.1. Stack Emission from Kiln

- (i) Suitable Air Pollution Control System shall be installed to achieve the prescribed stack emission standards. The following air pollution control system/combination of system are most commonly used in such type of industry:
 - Electrostatic Precipitator (ESP)
 - Bag Filter
 - Wet Scrubber
 - Cyclone / Multiclone
- (ii) All Pollution control equipment may be provided with separate electricity meter and totaliser for continuous recording of power consumption. The amperage of the ID fan may also be recorded continuously. Non-functioning of Pollution control equipment should be recorded in the same logbook along with reasons for not running the Pollution Control Equipment.
- (iii) The safety cap/emergency stack of rotary kiln type plant, which is generally installed above the After Burner Chamber (ABC) of feed end column should not be used for discharging untreated emission, bypassing the air pollution control device.
- (iv) In order to prevent bypassing of emissions through safety cap and non-operation of pollution control device, software controlled interlocking facility should be provided on the basis of real time data from the plant control system, to ensure stoppage of feed conveyor, so that, feed to the kiln would stop automatically, if safety cap of the rotary kiln is opened or Air Pollution Control System is not in operation. The system should be able to take care of multiple operating parameters and their inter relations to prevent any possibility of defeating the basic objective of the interlock. The system should be foolproof to prevent any kind of tempering. The software based interlocking system, proposed to be installed by industry should be get approved by the concerned State Pollution Control Board, for its adequacy, before installation by the industry.
- (v) Mechanical operated system for timely collection and removal of the flue dust generated in air pollution control device shall be installed.

1.2. Stack Emission from de-dusting units

All de-dusting units should be connected to a stack having a minimum stack height of 30 m. However, in specific cases stack height can be reduced as specified in the notified standards. Sampling porthole and platform etc. shall be provided as per CPCB emission regulation to facilitate stack monitoring. De-dusting units can also be connected to ABC Chamber and finally emitted through common stack with kiln off-gas emissions.

1.3. Fugitive Emission

The measurement may be done, preferably on 8-hour basis with high volume sampler. However, depending upon the prevalent conditions at the site, the period of measurement can be reduced.

2. Effluent Discharge

- (i) All efforts should be made to reuse and re-circulate the water and to maintain zero effluent discharge.
- (ii) Storm water / garland drain should be provided in the plant.

3. Noise Control

The industry should take measures to control the Noise Pollution so that the noise level standards already notified for Industrial area are complied.

4. Solid Waste Management

Char

Char should be mixed with coal or coal washery rejects and used as fuel for generation of power. It is techno-economic viable option for plants having capacity 200 TPD and above. Also the smaller capacity individual Sponge Iron Plants (Capacity upto 100 TPD) and operating in cluster can collectively install common unit for power generation. The Sponge Iron Plant are free to explore other options / possibilities to use char for generation of power. Char can be sold to local entrepreneurs for making coal briquettes. It can also be mixed with coal fines, converted to briquettes and used in brick kilns. The industry can explore other reuse / recycling techniques for Char.

Under no circumstances char should be disposed off in agricultural fields/other areas. Logbook for daily record, of Char production and usage must be maintained by the industry and the record shall be made available to officials of CPCB/SPCB/PCC during inspection.

Kiln Accretions

The kiln accretions are heavy solid lumps and can be used as sub- base material for road construction or landfill, after ascertaining the composition for its suitability and ensuring that it should not have any adverse environmental impact. The industry can explore other reuse / recycling techniques for Kiln Accretions.

Gas Cleaning Plant (GCP)/Scrubber Sludge

The sludge should be compacted and suitably disposed off after ascertaining the composition for its suitability and ensuring that it should not have any adverse environmental impact. The industry can explore other reuse/recycling techniques for Gas Cleaning Plant (GCP)/Scrubber Sludge

Flue Dust

Flue dust is generated from air pollution control system installed with kiln. Secondary flue dust is also generated from air pollution control equipment installed with Raw Material Handling, Coal Crusher, Cooler Discharge and Product house unit. The reuse/ recycling of the flue dust generated / collected may be explored and suitably implemented.

Fly ash

Fly ash is generated from Char / Coal based Captive Power Plant, if any. Fly ash brick making plant may be install for fly ash utilization. Fly ash can be utilized in cement making by Cement industry also. The industry can explore other reuse / recycling techniques for Flue Dust / Fly ash.

Bottom Ash

Bottom ash is generated from Char / Coal based Captive Power Plant, if any. Bottom ash may have objectionable metallic compounds, therefore should be stored in properly designed landfills as per CPCB guidelines to prevent leaching to the sub-soil and underground aquifer.

General

- (a) Solid waste management program should be prepared with thrust on reuse and recycling. Solid waste disposal site should be earmarked within the plant premises. The storage site of solid waste should be scientifically designed keeping in view that the storage of solid waste should not have any adverse impact on the air quality or water regime, in any way.
- (b) The various types of solid wastes generated should be stored separately as per CPCB guidelines so that it should not adversely affect the air quality, becoming air borne by wind or water regimen during rainy season by flowing along with the storm water.

5. Raw Material handling and Preparation

- (a) Unloading of coal by trucks or wagons should 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) Crushing and screening operation should be carried out in enclosed area. Centralized de-dusting facility (collection hood and suction arrangements followed by suitable de-dusting units such as bag filter or ESP or equally effective method or wet scrubber or any other de-dusting unit and finally discharge of emission through a stack) should be provided to control Fugitive Particulate Matter Emissions. The stack should conform to the emission standards notified for de-dusting units. Water sprinkling arrangement should be provided at raw material heaps and on land around the crushing and screening units.
- (c) Work area including the roads surrounding the plant shall be asphalted or concreted.
- (d) Enclosure should be provided for belt conveyors and transfer points of belt conveyors.

The above enclosures shall be rigid and permanent (and not of flexible/ cloth type enclosures) and fitted with self-closing doors and close fitting entrances and exits, where conveyors pass through the enclosures. Flexible covers shall be installed at entry and exit of the conveyor to the enclosures, minimizing the gaps around the conveyors.

In the wet system, water sprays/ sprinklers shall be provided at the following strategic locations for dust suppression during raw material transfer:

- Belt conveyor discharge/ transfer point
- Crusher/screen discharge locations

6. Waste Heat Recovery Boiler (WHRB)

Sponge Iron Plants of capacity more than 100 TPD kilns may use Waste Heat Recovery Boiler (WHRB) for generation of power. Installation of Waste Heat Recovery Boiler (WHRB) may qualify the industry for CDM benefits.

7. Cooler Discharge and Product Separation Unit

Permanent and rigid enclosures shall be provided for belt conveyors and transfer points of belt conveyors. Dust extraction cum control system to arrest product loss in cooler discharge and product separation area may be installed.

8. Char based Power Plant

For plant having capacity of 200 TPD of cumulative kiln capacity, the power generation using char as a part of fuel, is a viable option. Power generation using char as a part of fuel may be implemented in a phased manner targeting for 100% utilization of char.

Individual Sponge Iron Plants of capacity upto 100 TPD and located in cluster can install a common char based power plant collectively.

9. New Sponge Iron Plants

- (i) No New Sponge Iron Plant will be commissioned without installation of Pollution control systems to achieve the stipulated Standards. The concerned State Pollution Control Board will accord consent to operate only after physical verification of the adequacy of the installed pollution control systems for meeting the standards and stipulated conditions in the consent to establish.
- (ii) All new kilns shall have independent stack with the kiln or multi-flue stacks in case two or more kilns are joining the same stack for better dispersion of pollutants.

- (iii) Any entrepreneur having more than 2x100 TPD kiln may install WHRB for power generation, as it's a technically viable option, which also qualify the industry for CDM benefits.

For plants having capacity of 200 TPD or more, power generation using char as part of fuel in boiler is techno-economic viable option, therefore, new plants may install power generation unit at the time of installation of the industry.

10. General Guidelines

- (a) Extensive plantation/Green belt shall be developed along the roads and boundary line of the industry. A minimum 15 m width Green Belt along the boundary shall be maintained. However, the green belt may be designed scientifically depending upon the requirement and local and mix species of plants may be selected for the green belt.
- (b) Monitoring of stack emissions, fugitive emissions, trade effluent and noise level shall be done as per CPCB regulations. On line stack monitoring facilities shall be provided and operated continuously to ensure compliance to stack emission standards. Calibration of the system to be carried out by a third party accredited laboratory. List of the accredited laboratory may be obtained from CPCB/SPCB.
- (c) Pollution control systems shall be operated as an integral part of production to ensure minimum emissions. Pollution Control System shall start before conveyor operation/operation of plant. Similarly, pollution control system shall be stopped only after completion of conveyor operation/operation of plant so that possibility of dust settlement in ducts can be eliminated. Continuous evacuation of dust from air pollution control systems such as Dust catchers, ESPs, Bag filter hopper etc. shall be organized.

11. Siting Guideline for Sponge Iron Plants

Siting of new sponge iron plants shall be as per respective State Pollution Control Board guidelines. However, the following aspects shall also be considered:

- (a) Residential habitation (residential localities/ village) and ecologically and/or otherwise sensitive areas: A minimum distance of at least 1000 m (1.0 km) to be maintained.
- (b) If any plant/clusters of plants are located within 1 km from any residential area/ village they may be shifted by State Pollution Control Board/ State Govt. in a phased manner for which a time bound action plan is to be prepared by SPCBs.
- (c) The location of Sponge Iron Plant should be at least 500 m away from National Highway and State Highway.
- (d) Radial distance between two Sponge Iron Plants should be 5 km for plants having capacity 1000 TPD or more.
- (e) Sponge Iron Plants can be established in designated industrial areas / Estates as notified by State Govt.

S. No.	Industry	Parameter	Standards	
1	2	3	4	
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
		NO _x (NO and NO ₂ expressed as NO ₂)	400	30
		Total dioxins and furans	0.1 ngTEQ/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
		Notes:		
i. All monitored values shall be corrected to 11% oxygen on 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% by weight in input waste, all the facilities in twin chamber incinerators shall be designed to achieve a minimum temperature of 950°C in secondary combustion chamber and with a gas residence time in secondary combustion chamber not less than 2 (two) seconds.				
iv. In case halogenated organic waste is more than 1% by weight in input waste, waste shall be incinerated only in twin chamber incinerators and all the facilities shall be designed to achieve a minimum temperature of 1100°C in secondary combustion chamber with a gas residence time in secondary combustion chamber not less than 2 (two seconds).				
v. Incineration plants shall be operated (combustion chambers) with such temperature, retention time and turbulence, as to achieve Total Organic Carbon (TOC) content in the slag and bottom ashes less than 3%, or their loss on Ignition is less than 5% of the dry weight].				

²[101. Incinerator for Pesticide Industry ***]

¹ Inserted by Rule 2 of the Environment (Protection) Fifth Amendment Rules, 2008 notified by G.S.R. 481(E), dated 26.06.2008.

² Serial No. 101 relating to "Incinerator for Pesticide Industry" and entries relating thereto omitted by G.S.R. 446(E), dated 13.06.2011.

S. No.	Industry	Parameter	Standards	
1	2	3	4	
¹ [102.	Refractory Industry	A. Emission Standards		
		(i) Down Draft Kiln (Fuel: Coal)		
			Category *	limiting concentration (mg/Nm³)
		Particulate matter	small/medium /large	350
		Stack height		Minimum (metres)
			small	15
			medium	18
			large	21
		(ii) Other than Down Draft Kiln (Fuel: Coal)		
			Category *	limiting concentration (mg/Nm³)
		Particulate matter	small medium large	300 200 150
		Stack height		Minimum (metre)
			small	15
			medium	18
			large	21
		(iii) Box, Tunnel, Down Draft Kiln, etc. (Fuel: Natural Gas/ Producer Gas/LPG or a combination of Fuels/Furnace Oil as Secondary Fuel)		
			Category *	limiting concentration (mg/Nm³)
		Particulate matter	Small medium/ large	200 150
		Stack height		Minimum (metre)
			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: Furnace Oil)				
	Category *	limiting concentration (mg/Nm³)		
Particulate matter	Small medium/ large	200 150		
Stack height		Minimum (metre)		
	small	35		
	medium	45		
	large	60		
	Category*	Production (tpd)		
	Small rotary kiln	<50		
	medium rotary kiln	51-100		
	large rotary kiln	above 100		
Notes: -				
(i) All values of particulate matter are to be corrected at 6 percent Carbon Dioxide.				

¹ Inserted by Rule 2 of the Environment (Protection) Amendment Rules, 2009 notified by G.S.R. 97(E), dated 18.02.2009

	(ii) Fugitive emission shall not exceed 10 mg/m ³ from any process or plant.																																								
	(iii) Each stack shall be at least 2 meter above the top most point of the building, shed or plant in the industry excluding bucket elevator, mill house and vibrating screen.																																								
	(iv) If more than one kiln is connected to single stack, sum of the production capacity of all the kilns would be considered for determining the capacity of the kiln and accordingly depending upon the total capacity, emission standard and stack height would be implemented.																																								
	(v) Monitoring of stack shall be carried out at the time of charging and after the completion of charging and average of these two results shall be considered as emission level.																																								
	B. Effluent Standards																																								
	Limiting value for concentration (mg/l, except for pH)																																								
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;"></td> <td style="width: 33%; text-align: center;">Inland Surface Water</td> <td style="width: 33%; text-align: center;">Public Sewer</td> <td style="width: 33%; text-align: center;">Land for Irrigation</td> </tr> <tr> <td>pH</td> <td style="text-align: center;">5.5 to 9.0</td> <td style="text-align: center;">5.5 to 9.0</td> <td style="text-align: center;">5.5 to 9.0</td> </tr> <tr> <td>Oil and Grease</td> <td style="text-align: center;">10</td> <td style="text-align: center;">20</td> <td style="text-align: center;">10</td> </tr> <tr> <td>BOD (3 days, 27 °C)</td> <td style="text-align: center;">30</td> <td style="text-align: center;">250</td> <td style="text-align: center;">100</td> </tr> <tr> <td>COD</td> <td style="text-align: center;">250</td> <td style="text-align: center;">-</td> <td style="text-align: center;">-</td> </tr> <tr> <td>Suspended Solids</td> <td style="text-align: center;">100</td> <td style="text-align: center;">600</td> <td style="text-align: center;">200</td> </tr> <tr> <td>Phenols</td> <td style="text-align: center;">1.0</td> <td style="text-align: center;">5.0</td> <td style="text-align: center;">-</td> </tr> <tr> <td>Cyanide as CN</td> <td style="text-align: center;">0.2</td> <td style="text-align: center;">2.0</td> <td style="text-align: center;">0.2</td> </tr> <tr> <td>Cr (Hexavalent)</td> <td style="text-align: center;">0.1</td> <td style="text-align: center;">2.0</td> <td style="text-align: center;">1.0</td> </tr> <tr> <td>Cr (Total)</td> <td style="text-align: center;">2.0</td> <td style="text-align: center;">2.0</td> <td style="text-align: center;">2.0]</td> </tr> </table>		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 (3 days, 27 °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]
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pH	5.5 to 9.0	5.5 to 9.0	5.5 to 9.0																																						
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Cr (Total)	2.0	2.0	2.0]																																						

S. No. 1	Industry 2	Parameter 3	Standards 4	
¹ [103]	Cashew Seed Processing Industry	A - Emission Standards		
		<i>Process</i>	<i>limiting concentration in mg/Nm³</i>	
		Roasting	250	
		Particulate matter	Cooking (roasted shell/deoiled cake as fuel)	150
			Borma Oven Heater (roasted shell/deoiled cake as fuel)	150
		Stack height	<i>minimum (metres)</i>	
			Roasting	20
			Cooking	15
			Borma Oven Heater	15
		Note:		
<ul style="list-style-type: none"> • All values of particulate matter shall be corrected at 4% Carbon Dioxide. • Each stack shall be at least 2 metres above the top most point of the building, shed or plant in the industry. • The emission form 'Dog-house' shall be channelised alongwith Roasting-drum emissions and shall pass through wet scrubber. • Bio-gasifier shall be installed if roasted shells are used as fuel in the unit. 				
B - Effluent Standards				
<i>Limiting concentration in mg/l, except for pH</i>				

¹ Inserted by Rule 2 of the Environment (Protection) Rules, 2010 notified vide GSR 1(E), dated 1.1.2010.

		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, (3 days 27 °C)	30	250	100
	Suspended Solids	100	600	200
	Phenols	1.0	5.0	-]

S. No.	Industry	Parameter	Standards	
1	2	3	4	
¹ [104]	Plaster of Paris Industry	A. Stack Emission Standards		
		Production Capacity upto 30 tonnes per day (tpd)		
			Source	Limiting concentration in mg/Nm ³
		Particulate matter	Crusher	500
			Calcliner Furnace	500
			Grinder	150
		Production Capacity above 30 tpd		
		Particulate matter	Crusher/ Calcliner Furnace/ Grinder	150
		Note: -		
		1. The units having production capacity up to 30 tpd shall channelise their emission through a stack or chimney of height at least ten metres above ground level or three metres above the top of shed or building of the industry, whichever is more.		
2. The units having production capacity above 30 tpd shall channelise their emission through a stack or chimney of height at least thirty metres above ground level or three metres above the top of shed or building whichever is more				
B. Fugitive Emission Standards (µg/m³)				
Particulate matter	Particulate matter			
Note: - Fugitive emission shall be monitored at a distance of 10 ± 1 metres from the source, irrespective of production capacity.]				

Sl. No.	Industry	Parameters	Standards	
1	2	3	4	
² [105]	Sewage Treatment Plants (STPs)	Effluent discharge standards (applicable to all mode of disposal)		
			Location	Concentration not to exceed
			(a)	(b)
	pH	Anywhere in the country	6.5-9.0	

¹ Inserted by Rule 2 of the Environment (Protection) Second Amendment Rules, 2010 notified vide GSR 61(E), dated 5.2.2010.

² Inserted by vide Notification number G.S.R. 1265(E), dated 13.10.2017

	Bio-Chemical Oxygen Demand (BOD)	Metro Cities*, all State Capitals except in the State of Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, Tripura Sikkim, Himachal Pradesh, Uttarakhand, Jammu and Kashmir, and Union territory of Andaman and Nicobar Islands, Dadar and Nagar Haveli Daman and Diu and Lakshadweep	20
		Areas/regions other than mentioned above	30
	Total Suspended Solids (TSS)	Metro Cities*, all State Capitals except in the State of Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, Tripura Sikkim, Himachal Pradesh, Uttarakhand, Jammu and Kashmir and Union territory of Andaman and Nicobar Islands, Dadar and Nagar Haveli Daman and Diu and Lakshadweep	<50
		Areas/regions other than mentioned above	<100
Fecal Coliform (FC) (Most Probable Number per 100 milliliter, MPN/100ml)	Anywhere in the country	<1000	

*Metro Cities are Mumbai, Delhi, Kolkata, Chennai, Bengaluru, Hyderabad, Ahmedabad and Pune.

Note:

- (i) All values in mg/l except for pH and Fecal Coliform.
- (ii) These standards shall be applicable for discharge into water bodies as well as for land disposal/applications.
- (iii) The standards for Fecal Coliform shall not apply in respect of use of treated effluent for industrial purposes.
- (iv) These Standards shall apply to all STPs to be commissioned on or after the 1st June, 2019 and the old/existing STPs shall achieve these standards within a period of five years from date of publication of this notification in the Official Gazette.
- (v) In case of discharge of treated effluent into sea, it shall be through proper marine outfall and the existing shore discharge shall be converted to marine outfalls, and in cases where the marine outfall provides a minimum initial dilution of 150 times at the point of discharge and a minimum dilution of 1500 times at a point 100 meters away from discharge point, then, the existing norms shall apply as specified in the general discharge standards.
- (vi) Reuse/Recycling of treated effluent shall be encouraged and in cases where part of the treated effluent is reused and recycled involving possibility of human contact, standards as specified above shall apply.
- (vii) Central Pollution Control Board/State Pollution Control Boards/Pollution Control Committees may issue more stringent norms taking account to local condition under section 5 of the Environment (Protection) Act, 1986].

Sl. No.	Type of industrial boiler (fuel wise)	Standards	
		SO ₂	NO _x
¹ [106	Agro based fuel*	-	-
106A	Natural gas*	-	-
106B	Other fuels **	600 mg/Nm ³ at 6% dry O ₂ , for solid fuel and 3% dry O ₂ for liquid fuel	300 mg/Nm ³ at 6% dry O ₂ , for solid fuel and 3% dry O ₂ for liquid fuel

The boiler used in the industries, namely (1) sugar (2) cotton textiles (3) composite woollen mills (4) synthetic rubber (5) pulp and paper (6) distilleries (7) leather industries (8) calcium carbide (9) carbon black (10) natural rubber (11) asbestos (12) caustic soda (13) small boilers (14) aluminium plants (15) tannery (16) inorganic chemical and other such industries using boilers, shall adhere to emission norms in the said notification.

* It is required to meet stack height criteria notified vide G.S.R. 176(E), dated the 2nd April, 1996.

** The emissions from such industries need to be monitored and, all such industries as referred at Sl. No. 105C of the Table would be required to install online monitoring system as per online monitoring mechanism put in place by Central Pollution Control Board from time to time.

Note:

- *For captive power plants using Solid fuels such as coal, lignite, etc. the emission limit notified for Thermal Power Plants vide notification no S.O. 3305 (E), dated 7th December, 2015 shall be applicable.*
- *The standards set herein will not apply to any ban or restriction put in place by Competent Authority and for non-attainment cities, State Pollution Control Board or Pollution Control Committee may regulate or ban use of Pet Coke and Furnace Oil on the basis of available data].*

S. No.	Type of industrial Sector	Standards	
		SO ₂ (mg/Nm ³)	NO _x (mg/Nm ³)
² [107	Ceramic*	400	600
108	Foundry Industries ** (Furnaces based on Fuel)	300	400
109	Glass***	500 for natural gas firing 1500 for other fuels	1000
110	Lime Kiln****	400	500
111	Reheating furnace*****	300	1000]

Note:

* It is required to meet stack height criteria publication vide notification number G.S.R 475 (E), dated the 5th May, 1992 published in Gazette No. 202 dated 5th May 1992.

**It is required to meet stack height criteria publication vide notification number G.S.R. 742 (E), dated the 30th August, 1990 published in Gazette No. 365 dated 30th August, 1990.

***It is required to meet stack height criteria publication vide notification number G.S.R 93 (E), dated 21st February, 1991 published in the Gazette No. 79 dated the 27th February, 1991.

****The lime kiln shall ensure that the minimum stack height is in accordance with Environment (Protection) Act, 1986 as amended from time to time and relevant direction of SPCBs / PCCs shall to adhere to. It shall be the concerned SPCB/PCC to increase the stake height, if required based on the scientific studies, keeping in view the habitations around such lime kilns.

¹ Inserted by vide Notification number G.S.R. 96(E), dated 29.01.2018

² Inserted by vide Notification number G.S.R. 263(E), dated 22.03.2018

*****It is required to meet stack height criteria publication as prescribed by SPCBs/PCCs.

S. No.	Industry	Parameters	Standards	
1	2	3	4	
1[112]	Airports	Ambient Air Quality Standards with respect to Noise in Airport Noise Zone		
		Type of Airports	Limits in dB (A) Leq*	
			Day Time	Night Time
		Busy Airports	70	65
All other Airports excluding proposed airports	65	60		

Definitions:

- (a) *dB(A) Leq denotes the time weighted average of the level of sound in decibels on scale A which is relatable to human hearing. A day time from 6.00 a.m. to 10.00 p.m. and night time from 10.00 p.m. to 6.00 a.m. are considered for time weighted average.
- (b) "A", in dB(A) Leq, denotes the frequency weighting in the measurement of noise and corresponds to frequency response characteristics of the human ear (The range of human hearing is 20 Hz to 20 kHz).
- (c) A "decibel" is a unit in which noise is measured.
- (d) Leq: It is energy mean of the noise level over a specified period.
- (e) Busy Airport - For the purpose of noise management at airports, a busy airport shall be defined as "a civil airport which has more than 50,000 aircraft movements per year (a movement being a take-off or a landing)" excluding those purely for training purposes on light aircraft.
- (f) Take-off – A phase of flight from the application of takeoff power to an altitude of final take-off segment.
- (g) Landing – A phase of flight from the beginning of the landing flare until aircraft exits the landing runway comes to a stop on the runway, or when power is applied for takeoff in the case of a touch-and-go landing.
- (h) Lmax is unit for aircraft maximum noise level in units dB(A) which is maximum or peak noise value for aircrafts at the monitoring location in accordance with the noise standards notified by the Directorate General of Civil Aviation for respective airports.
- (i) Other Airports – an airport having more than 15000 but less than 50000 aircraft movement annually.
- (j) Proposed Airports – airport that is not functional yet and is under development.

Note:

- (i) Day time shall mean from 6.00 a.m. to 10.00 p.m and night time shall mean from 10.00 p.m. to 6.00 a.m.
- (ii) The above specified limits shall have a tolerance limit of 10dB (A) Leq.
- (iii) The specified limit excludes defence aircraft and aircraft landing and take-off noise from all runways and aircraft engine/ground run-ups, helipad locations earmarked by Airport Operator for this purpose.
- (iv) However, the limit for aircraft noise as Lmax will be notified by the airport operator with approval of the Directorate General of Civil Aviation at the aircraft noise monitoring locations installed by the airports as mentioned in paragraph 1 of this notification.

¹ Inserted by vide Notification number G.S.R. 568(E) dated 22.03.2018

- (v) The noise limits specified in above shall replace and supersede the ambient air quality in respect of noise limits of the following existing zones:
 - (a) Silence;
 - (b) Residential; and
 - (c) Commercial areas;
- (vi) As specified in the Noise Pollution (Regulation and Control) Rules, 2000 in the areas falling directly under Airport Noise Zone.
- (vii) The noise standards within the overall boundary of airports shall be applicable as Industrial Areas i.e. day time 75 dB (A) Leq and night time 70 db (A) Leq as per the Noise (Regulation and Control) Rules, 2000 and shall be measured at different points of airport boundary and then averaged.
- (viii) These standards will not be applicable to a civil airport which has less than 15,000 aircraft movement annually.

1(1) For Airports excluding newly proposed airports:

In addition to dB(A) Leq applicable in the 'airport noise zones' specified above, Lmax value in dB(A) shall be published by the airport operator with approval of the Directorate General of Civil Aviation only for airports having more than 50,000 annual traffic movements. These Lmax values shall be complied by airlines and to be monitored and communicated by Airport Operator to the Directorate General of Civil Aviation. These Lmax value shall be reviewed as and when there is a requirement in future.

(2) For Proposed Airports (yet to be operationalized):

- (i) For any upcoming/New Airports, noise modelling shall be conducted by the airport operators and results should be submitted to the Ministry of Environment, Forest and Climate Change while seeking Environment Clearance under the Environment Impact Assessment Notification, 2006.
 - (ii) The airport operators should also develop airport noise zone as specified in paragraph 4 and share the same with Ministry of Housing and Urban Affairs and concerned State Development Authority for necessary land use planning around airport.
 - (iii) The concerned State / Union Territory Development Authorities should not allow any new residential, institutions & commercial facilities and other noise sensitive area falling in the airport noise zone area without any noise reduction measure.
2. Compliance of noise levels applicable to Airport Noise Zone as specified above shall lie with the airport operator and overseen by the Directorate General of Civil Aviation.
 3. Airport operators shall prepare Noise Management Plan for compliance of the Airport Noise Standards.
 4. Airport Noise Zones:
 - (1) The Airport Noise Zone area for each Airport shall be defined as Noise Contour for day and night period by the respective Airport Operator on the basis of existing GSR 751 (E), issued by the Ministry of Civil Aviation (Height Restrictions for Safeguarding of Aircraft Operations) Rules, 2015 published on 30th September, 2015 as amended from time to time on Height Restriction for Safeguarding of Aircraft Operation considering all approach and departure funnels and Instrument Flight Procedures (i.e. Instrument Approach Procedures, Standard Instrument Departure & Standard Terminal Arrival Route) in consultation with airports Air Navigation Service Provider as per the Master Plan of the Airport. The same shall be approved by the Directorate General of Civil Aviation and displayed on the website of respective Airport Operators. This activity shall be completed within two years from the date of issuance of the final notification.

- (2) State / Union Territory Development Authorities should take into consideration of Airport Operations requirements in the airport noise zone area for the land use planning around the airport.

5. Airport Noise Mapping:

Noise mapping in for all airports should be carried out as per the requirements specified in the Director General Civil Aviation's requirements by the airport operators considering future aircraft movement and traffic projections of the airport as per the Master Plan of the Airport. This information to be displayed at a prominent places at Airports as well as in the website of respective Airport Operator and State / Union Territory Development Authority.

6. Protocol and Measurements Procedure:

Monitoring protocol and measurements procedure for airport noise zone displayed on the website of the Ministry of Environment, Forest and the Climate Change and the Central Pollution Control Board shall be followed.

7. Development Authorities / Regional Planning Department shall specify provisions for inclusion of sound resistance in new buildings, facilities and projects of residential, institutional, hospital and commercial facilities in the design, construction and materials selections for improving indoor environment under existing building codes and bye laws for any building constructions coming under airport noise zones.

8. All the Airport, Airline and Authority shall comply with the requirements specified in the notification within two years from the date of notification].

Sl. No.	Industry	Parameter	Standard	
1	2	3	4	
¹ [113	Kerosene standards	Characteristic	Requirement	
			Grade A	Grade B
		Appearance	Clear and bright. Free from undissolved water, foreign matter and other visible impurities	Clear and bright. Free from undissolved water, foreign matter and other visible impurities
		Acidity, inorganic	Nil	Nil
		Burning quality ⁽²⁾		
		(a) Char value, mg/kg of oil consumed, <i>Max</i>	20	20
		(b) Bloom on glass Chimney Colour	Not darker than grey	Not darker than grey
		(a) Saybolt (in case of undyed Kerosene) ⁽³⁾ , <i>Min</i>	10	10
		(b) Visual (in case of dyed Kerosene)	Blue	Blue
		Copper strip corrosion for 3 h at 50 °C	Not worse than No.1	Not worse than No.1
Density at 15 °C, kg/m ³	Not limited, but to be reported	Not limited, but to be reported		

¹ Inserted by vide Notification number G.S.R. 5(E) dated 03.01.2019

	Distillation		
	(a) Percent recovered below 200 °C, percent (v/v), <i>Min</i>	20	20
	(b) Final boiling point, °C, <i>Max</i>	300	300
	Flash point (Abel), °C, <i>Min</i>	35	35
	Smoke point ⁽⁴⁾ , mm, <i>Min</i>	18	18
	Total sulphur content, percent ⁽⁵⁾ , m/m, <i>Max</i>	0.10	0.20*
*The Ministry of Petroleum and Natural Gas shall make efforts to produce and supply Grade A Kerosene by 2020.			

NOTES:

- (1) In case of dispute, this shall be the referee method.
- (2) This test is to be done at refinery end.
- (3) Where Saybolt chromo meter is not available Lovibond colour of the sample kept in an 18 cell may be measured according to IS 1448: P-13 in which case the colour shall not be deeper than standard white (IP 4.0), however, in case of dispute [P:14] shall be referee method.
- (4) For supplies to Defence and Railway signal lamps the smoke point of the product shall be 22 mm, Minimum.
- (5) For all other specifications i.e. test methods, scope, references, grades, requirements, packing and marketing and sampling. It is require to meet Indian Standard IS 1459:2018 for Kerosene – Specifications (Fourth Revision), ICS No. 75.160.20, published in July, 2018].

Sl. No.	Industry	Parameter	Standard
1	2	3	4
¹ [114]	Automobile Service Station, Bus Depot or Workshop	Effluent Standard (Concentration not to exceed, in mg/l except for pH)	
		Inland Surface water/land for irrigation/Public Sewer	
		pH	6.5-8.5
		Total Suspended Solids	50
		Chemical Oxygen Demand	150
		Oil and Grease	10]

Note:

- (i) For Service Stations, Bus Depots and Workshops with metal pre-treatment facilities, limit of 5 mg/l of dissolved phosphates (as P) and 5 mg/l of zinc shall also apply.
- (ii) Solid Wastes/ Hazardous Waste, if any, shall be disposed off as per the Solid Waste Management Rules 2016, and the Hazardous and Other Wastes (Management and Transboundary-Movement) Rules, 2016.]

(F. No. Q-15017/95/2000-CPW)

(R. K. VAISH)

JOINT SECRETARY TO THE GOVT. OF INDIA

¹ Inserted by vide Notification number G.S.R. 952(E) dated 26.12.2019

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 18th April, 1987, S.O.64(E) dated the 18th January, 1988, S.O. 3(E) dated 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 13th March, 1992, G.S.R. 475(E), dated the 5th 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 11th 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 5th May, 2005, G.S.R.315(E), dated the 16th May, 2005 and G.S.R.546(E), dated 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 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 1st January, 2010 and G.S.R.61(E), dated the 5th February, 2010. G.S.R. 485 (E), dated the 9th June, 2010; G.S.R. 608 (E), dated the 21 st July, 2010; G.S.R. 739(E), dated the 9th September, 2010; G.S.R. 809(E), dated, the 4th October, 2010, G.S.R. 215 (E), dated the 15th March, 2011; G.S.R.221(E), dated the 18th March, 2011; G.S.R. 354 (E)i dated the 2nd Max, 2011; G.S.R. 424 (E), dated the 1st June,2011; G.S.R. 446 (E), dated the 13 June, 2011; G.S.R. 152 (E), dated the 16th March, 2012; G.S.R. 266(E), dated the 30th March, 2012; G.S.R. 277 (E); dated the 31 st March, 2012; G.S.R. 820(E), dated the 9th November, 2012; and G.S.R. 820(E), dated the 18th March, 2013. G.S.R. 535(E), dated the 7th August, 2013; G.S.R. 771(E), dated the 11th December, 2013; G.S.R. 2(E), dated the 2nd January, 2014; G.S.R. 229(E), dated the 28th March, 2014; G.S.R. 232(E), dated the 31st March, 2014; G.S.R. 325(E), dated the 7th May, 2014; G.S.R. 612(E), dated the 25th August 2014; G.S.R. 789(E), dated the 11th November 2014; S.O. 3305(E), dated the 7th December, 2015; S.O.4(E), dated the 1st January 2016; G.S.R. 35(E), dated the 14th January 2016; G.S.R. 281 (E), dated the 7th March, 2016; G.S.R. 496(E), dated the 9th May, 2016; G.S.R.497(E), dated the 10th May, 2016; G.S.R.978(E), dated the 10thOctober, 2016; dated the 28th October, 2016 ; and lastly amended vide notification G.S.R. 1265(E), dated the 13th October, 2017; G.S.R. 1607(E), dated the 29th December, 2017; G.S.R. 97(E), dated the 29th January, 2018; G.S.R. 263(E), dated the 22nd March, 2018; G.S.R. 593(E), dated the 28th June, 2018; G.S.R. 1025(E), dated the 9th November, 2018; G.S.R. 1241(E), dated the 28th December, 2018; G.S.R. 5 (E), dated the 3rd January 2019; G.S.R. 952 (E), G.S.R. 952(E), dated the 26th December, 2019; G.S.R. 48(E), dated the 24th January, 2020.

APPENDIX A

FORM I

(See rule 7)

Notice of intention to have sample analysed

To

.....
.....

Take notice that is intended to have analysed the sample of.....which has
been taken today, the.....day of
19.....from.....

(Name and designation of the person who takes the sample)

*Specify the place from where the sample is taken.

(SEAL)

DATE

FORM II

(See rule 8)

MEMORANDUM TO GOVERNMENT ANALYST

From

.....
.....

To

The Government Analyst

.....
.....

The portion of sample described below is sent herewith for analysis (under rule 6 of the
Environment (Protection) Rules, 1986.

The portion of the sample has been marked by me with the following mark:

Details of the portion of samples taken.

Name and designation of person who sends the sample.

(SEAL)

Date.....

FORM III

(See Rule 8)

Report by Government Analyst

Report No.....

Date.....

I hereby certify that I.....
Government Analyst duly appointed under Section 13 of the Environment (Protection) Act, 1986,
received on the..... day of..... 19.....
.....from.....

*.....
a sample offor analysis.

The-sample was in a condition fit for analysis as reported below.

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

**.....
.....

The condition of seals, fastening of samples on receipt was as follows:

.....
.....

Signed this.....day of
19.....

Address.....

Signature

(Government Analyst)

To

.....
.....
.....

* Here write the names of the officer/authority from whom the sample was obtained.

**Here write full details of analysis and method of analysis

FORM IV

(See Rule 11)

Form of Notice

By registered post-acknowledgement due

From (1)

Shri.....
.....
.....

To

.....
.....

Notice under Section 19(b) of the Environment (Protection) Act, 1986.

Whereas an offence under the Environment (Protection) Act, 1986, has been committed/is being committed by.....(2)
I/We hereby give notice of 60 days under Section 19 (b) of Environment (Protection) Act, 1986, of my/our intention to file a complaint in the court against.....(3)
for violation of section of the Environment (Protection) Act, 1986.

In support of my/our notice, I am/we are enclosing the following documents (3) as evidence of proof of violation of the Environment (Protection) Act, 1986.

Place.....
Date

Signature (s)

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 the explanation to sub-rule (6) of rule 4.
- (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. 1 (18),/86-FL]
T. N. SESHAN, Secy.

¹[FORM V**(See Rule 14)****Environmental Statement for the financial year ending the 31st March.....****PART - A**

- (i) Name and address of the owner/occupier of the industry operation or process.
- (ii) Industry category Primary - (STC Code) Secondary- (STC Code).
- (iii) Production capacity-Units-
- (iv) Year of establishment.
- (v) Date of the 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 output.	
	During the previous financial year	during the current financial year
	(1)	(2)
(1)		
(2)		
(3)		
(ii) Raw material consumption		
*Name of raw materials	Name of products	Consumption of raw material per unit of output.
		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) Pollution	Quantity of pollutants discharged (mass/day)	Concentrations of pollutants in discharges (mass/	Percentage of variation from

¹ Subs. by G.S.R. 386(E), dated 22nd April, 1993 (w.e.f.22.04.1993), previously inserted by G.S.R. 329(E) dated 13th March, 1992 (w.e.f. 13.03.1992).

		volume)	prescribed standards with reasons
(a) Water			
(b) Air			

PART - D**HAZARDOUS WASTES**

(as specified under Hazardous Wastes (Management and Handling) Rules, 1989)

Hazardous Wastes	Total Quantity (Kg)	
	during the previous financial year	during the current financial year
(a) From process		
(b) From pollution control facilities.		

PART - E**Solid Wastes**

	Total Quantity	
	during the previous financial year	during the current financial year
(a) From process		
(b) From pollution control facility		
(c) (1) Quantity recycled or re-utilised within the unit		
(2) Sold		
(3) Disposed.		

PART-F

Please specify the characterisation (in terms of composition and 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 abatement of pollution, prevention of pollution.

PART - I

Any other particulars for improving the quality of the environment.]

¹[SCHEDULE II]

(See rule 3)

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.

¹[SCHEDULE III]

(See rule 3)

AMBIENT AIR QUALITY STANDARDS IN RESPECT OF NOISE

Area Code	Category of Area	Limits in dB (A)	Leg-
		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 is reckoned in between 6 a.m. and 9 p.m.
2. Nigh time is reckoned in between 9 p.m. and 6 a.m.
3. Silence zone is defined as areas upto 100 metres 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.)

²[SCHEDULE IV]

(See Rule 3)

Standards for Emission of Smoke, Vapour, etc. from Motor Vehicles

- (1) Every motor vehicle shall be manufactured and maintained in such condition and shall be so driven that smoke, visible vapour, grit, sparks, ashes, cinders or only 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;

¹ Schedule III inserted vide GSR 1063(E), dt. 26.12.89, published in the Gazette No. 643 dt. 26.12.89.

² Ins. by G.S.R. 54 (E) dated 5th February 1990 (w.e.f. 05.02.1990).

(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
Full load at a speed of 60% to 70% of maximum engine rated speed declared	3.1	5.2	75
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 Annexure 'I'. The breakdown of the operating cycle used for the test shall be as specified at Annexure '11' and the reference fuel for all such tests shall be as specified in Annexure 'III' to this Schedule.
- (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 exhaust gas opacity as specified at Annexure 'IV' to this Schedule.
- (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 emissions under the Indian driving cycle: -

Mass of Carbon Monoxide (CO). Maximum Grams per KWH	Mass of Hydro Carbons (HC) Maxim. Grams per KWH	Mass of Nitrogen Oxides (NO) 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 be conforming to the standards specified in the said paragraphs and the manufactures 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 nominal 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 rank 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 in-charge of the vehicle to submit the vehicle for undergoing a test to measure the standard of black smoke or the standard of any other pollutants.
 - (b) The driver or any person in-charge 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
$R \leq 150$	12	8
$150 \leq$	$^{12} \frac{18(R-150)}{200}$	$^{8+} \frac{4(R-150)}{200}$
$R > 350$	30	12

Light Duty Vehicles:

Reference Mass, rw (Kg)	CO (g/km)	HC (g/km)
1	2	3
$r w \leq 1020$	14.3	2.0
$1020 < r w \leq 1250$	16.5	2.1
$1250 < r w \leq 1470$	18.8	2.1
$1470 < r w \leq 1700$	20.7	2.3
$1700 < r w \leq 1930$	22.9	2.5
$1930 < r w \leq 2150$	24.9	2.7
$r w \leq 2150$	27.1	2.9

2. Conformity of Production Tests:

Reference Mass, rw (Kg)	CO (g/km)	HC (g/km)
1	2	3
$R \leq 150$	15	8
$150 < 350$	$^{15+} \frac{25(R-150)}{200}$	$^{10+} \frac{5(R-150)}{200}$
$R > 350$	40	15
$r w \leq 1020$	17.3	2.7
$1020 \leq r w \leq 1250$	19.7	2.7
$1250 \leq r w \leq 1470$	22.5	2.8
$1470 \leq r w \leq 1700$	24.9	3.0
$1700 \leq r w \leq 1930$	27.6	3.3
$1930 \leq r w \leq 2150$	29.9	3.5
$r w \leq 2150$	32.6	3.7

For any of the pollutants referred to above of the three results obtained may exceed the limit specified for the vehicle by not more than 10 percent.

Explanation. -Mass emission standards refer to the gm. of pollutants emitted per km. run of the vehicle, as determined by a chassis dynamometer test using the Indian Driving Cycle.

ANNEXURE-II

(See paragraph -3)

Breakdown of the Operating Cycle used for the Tests.

Sl. No.	No. of Operation	Acceleration (m/ac2)	Speed (Km/h)	Duration of each Operation(s)	Cumulative Time (s)
1	2	3	4	5	6
01.	Idling	-	-	16	16
02.	Acceleration	0.65	0-14	6	22
03.	Acceleration	0.56	14-22	4	26
04.	Deceleration	-0.63	22-13	4	30
05.	Steady speed	-	13	2	32
06.	Acceleration	0.56	13-23		37
07.	Acceleration	0.44	23-31	5	42
08.	Deceleration	-0.56	31-25	3	45
09.	Steady speed	-	25		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	34-34	2	78
16.	Acceleration	0.32	34-42	7	85
17.	Deceleration	-0.46	42-47	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.	Characteristic	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	Not limited but to be reported		P: 16(1967)
4.	Distillation:			P:18 (1967)
	(a) Initial boiling point	Not limited but to be reported		
	(b) Recovery upto 20 °C percent by Volume Min,	10	10	
	(c) Recovery upto 125 °C 50 percent by volume	50	50	

	(d)	Recovery upto 130 °C 50 percent by volume, Min	90	90	
	(e)	Final boiling poin4 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-jet 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		0.70	0.70	P: 39 (1967)

*Methods of test for petroleum and its products.

ANNEXURE -IV

(See paragraph 4)

Limit Values of Exhaust Gas Opacity applicable for Diesel Driven Vehicles The engine tests at steady speed

Nominal Flow G(l/s)	Absorption Co-efficient K(m-1)	Nominal Flow G(l/s)	Absorption Co-efficient
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[SCHEDULE V]

(See rule 12)

S. No.	Place at which the discharge of any environmental Pollutant in excess of prescribed standards occurs or is 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 the Central Government and engaged in carrying out the purposes of the Atomic Energy Act, 1962;	(i) 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) ² [Controller General of Mines]	The Mines and Mineral (Regulation & Development) Act, 1957.
		(ii) ² [Regional Controller of Mines having local jurisdiction]	-do-
		(iii) The Ministry of Environment and Forests.	-
3.	Port as defined under the Indian 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 Plantations having local jurisdiction	-do-

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.

² Subs. the entries (i) and (ii), under column (3), against serial number 2, vide S.O. 64(E) dated 18th January, 1988

		(iii) The Ministry of Environment and Forests	-
5.	Motor Vehicle as defined under the Motor Vehicles Act, 1939	(i) State Transport Authority	The Motor Vehicles Act, 1939
		(ii) Regional Transport Authority having Regional jurisdictions	-do-
		(iii) The Ministry of Environment and 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 and Forests.	-

¹[SCHEDULE – VI]
(See rule 3A)

GENERAL STANDARDS FOR DISCHARGE OF ENVIRONMENTAL POLLUTANTS

PART A: EFFLUENTS

S. No.	Parameters	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 °C above the receiving water temperature	--	--	shall not exceed 5 °C above the receiving water temperature
7.	Oil and grease mg/l Max.	10	20	10	¹ [10]
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 NH ₃) mg/l, Max.	100	--	--	100
11.	Free ammonia	5.0	--	--	5.0

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.	Parameters	Standards			
		Inland surface water	Public Sewers	Land for irrigation	Marine coastal areas
1	2	3			
		(a)	(b)	(c)	(d)
	(as NH ₃) mg/l, Max.				
12.	Biochemical Oxygen Demand ¹ [3 days at 27 °C] mg/l	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
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
² [24.	***	*	*	*	*
25.	***	*	*	*	*
26.	***	*	*	*	*]
27.	Cyanide (as	0.2	2.0	0.2	0.2

¹ Substituted by Rule 2 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.

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.	Parameters	Standards			
		Inland surface water	Public Sewers	Land for irrigation	Marine coastal areas
1	2	3			
		(a)	(b)	(c)	(d)
	CN) mg/l Max.				
¹ [28.	***	*	*	*	*]
29.	Fluoride (as F) mg/l Max.	2.0	15	--	15
30.	Dissolved Phosphates (as P), mg/l Max.	5.0	--	--	--
¹ [31.	***	*	*	*	*]
32.	Sulphide (as S) mg/l Max.	2.0	--	--	5.0
33.	Phenoile compounds (as C ₆ H ₅ OH) mg/l, Max.	1.0	5.0	--	5.0
34.	Radioactive materials:				
	Alpha emitter micro curie/ml.	10 ⁻⁷	10 ⁻⁷	10 ⁻⁸	10 ⁻⁷
	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
¹ [6.	Man-made Fibre	
	(a) Viscous Staple Fibre (VSF) Plant	75 m ³ /tonne of fibre
	(b) Viscous Filament Yarn (VFY) Plant	150 m ³ /tonne of fibre
	(c) Nylon Polyester	10 m ³ /tonne of fibre
	(d) Acrylic-	
	(i) Wet Process	25 m ³ /tonne of fibre
	(ii) Dry Process	10 m ³ /tonne of fibre.];
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

¹ Substituted by G.S.R. 1095 (E), dated 9.11.2018

S. No.	Industry		Quantum
¹ [11]	Fertilizer Industry	Naphtha, Natural Gas & Mixed Feedstock (Naphtha + Natural Gas) Based (Straight Nitrogenous Fertiliser)	3.0 m ³ /tonne of Urea or equivalent produced
		Straight Phosphatic Fertilizer (Single Super Phosphate (SSP) & Triple Super Phosphate (TSP) excluding manufacturing of any acid	0.4 m ³ /tonne of SSP or TSP
		Complex Fertilizer	Standards of nitrogenous and Phosphatic fertiliser are applicable depending on the primary product.]
² [12]	Natural Rubber Processing Industry: Centrifuging and Creaming Units and Craps and Crumb Units		
	– 5 m ³ /tonne of product in Centrifuge units;		
	– 8 m ³ /tonne of product in Creaming units; and		
	– 40 m ³ /tonne of product in Craps and Crumb units.]		

LOAD BASED STANDARDS - PART-C

³[1. Petroleum Oil Refinery:

Parameter	Standard
1	2
	Quantum limit in Kg/1,000 tonne of crude processed
1. Oil & Grease	2.0
2. BOD _{3 days, 27 °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

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

¹ Substituted by G.S.R. 1607 (E), dated 29.12.2017

² Substituted by G.S.R. 221 (E), dated 18.03.2011

³ Substituted by Rule 2(ii)(a) of the Environment (Protection) Amendment Rules, 2008 notified by G.S.R.186(E), dated 18.3.2008

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 m³/1000 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 m³/1000 tonne of crude processed].

2. Large Pulp & Paper, News Print/ Rayon grade Plants of capacity above 24000 tonne/ Annum

Parameters	Standards
Total Organic Chloride (TOCI)	1 kg/tonne of product.

¹[3. Natural Rubber Processing and Rubber Product Industry: Centrifuging and Creaming Units, Craps and Crumb Units.

Parameters	Standards: Quantum limit in kg/100 tonne of finished Products
(1)	(2)
Oil & Grease	15
BOD, 3 days, 27 °C	200
Suspended Solids	200
Total Chromium	0.10
Lead	0.15]

GENERAL EMISSION STANDARDS - PART-D

I. Concentration Based Standards

S. No.	Parameters	Standards
		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.	Chlorine	15
6.	Hydrochloric acid vapour and mist	35
7.	***	*
8.	Sulphuric acid mist	50
9.	Carbon monoxide	1% max. (v/v)

¹ Inserted by G.S.R. 221 (E), dated 18.03.2011

S. No.	Parameters	Standards
		Concentration not to exceed (in mg/Nm ³)
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]

S. 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

Note:

H – Physical height of the stack in metre
Q – Emission rate of SO₂ in kg/hr.

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), of the Environment (Protection) Third Amendment Rules, 1993 vide G.S.R. 801(E) dated 31.12.1993

III. Load/Mass based Standards

S. 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		
¹ [2.	Copper, Lead or Zinc Smelting Plant	Sulphur Dioxide (SO ₂)	Quantum Limit in kg/tonne		
			Plant capacity for 100% concentration of Sulphuric Acid (tonne/day)	Existing Unit	New Unit
			Upto 300	2.5	2.0
			Above 100	2.0	1.5].
3.	Nitric Acid	Oxides of Nitrogen	3 kg/tonne of weak acid (before concentration) produced		
² [4.	Sulphuric Acid Plant	Sulphur Dioxide (SO ₂)	Quantum Limit in kg/tonne		
			Plant capacity for 100% concentration of Sulphuric Acid (tonne/day)	Existing Unit	New Unit
			Up to 300	2.5	2.0
			Above 100	2.0	1.5]
³ [5.	Integrated Iron and Steel Plant	Carbon Monoxide in coke oven	3 Kg/tonne of coke produced		
		Particulate matter during coke pushing in coke oven	5 gramme/tonne of coke produced		
		Particulate matter for quenching operation in Coke Oven	50 gramme/tonne of coke produced.]		
⁴ [6.	Petroleum Oil Refinery (Sulphur Recovery)	Sulphur Dioxide	Installed Capacity of SRU* (tonne/day)	kg/tonne of Sulphur in the feed to SRU	
				Existing SRU	New SRU
			Above 20	26	10
			5 to 20	80	40
			Upto 5	120	80
* SRU – Sulphur Recovery Unit]					

¹ Substituted by G.S.R.354(E), dated 02.05.2011

² Substituted by Rule 2(ii) of the Environment (Protection) Third Amendment Rules, 2008 notified by G.S.R.344(E), dated 7.5.2008.

³ Inserted by G.S.R 277 (E), dated 31.03.2012

⁴ Substituted by Rule 2 of the Environment (Protection) Fifth Amendment Rules, 2009 notified by G.S.R.595(E), dated 21.8.2009.

S. No.	Industry	Parameter	Standard	
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 ca	
	(ii) Product draw capacity more than 60 MT/Day	-do-	0.8 kg/MT of Product drawn	
¹ [9]	Petrochemicals (Basic and Intermediates)		Source	Quantum limit in gm/hour for New /Expansion Plants (gm/hr)
		Organic Particulate	Phthalic anhydride (PA), Maleic anhydride (MA), Toluene Di-isocyanate (TDI) plants - process emission	100
		VOC-HAPs (TDI +MDI)	(Toluene Di-isocyanate) TDI, Methylenediphenyl Di-isocyanate (MDI) Plants - Process emission	0.5
		VOC-HAPs (Benzene + Butadiene)	Benzene, Butadiene Plants - Process emission	25.0
		VOC-HAPs (EO, VCM, EDC, ACN + PO)	EO, VCM, EDC, ACN, PO Plants - Process emission	50.0
Abbreviations: EG - Ethylene Glycol, PG - Propylene Glycol, EO - Ethylene Oxide, VCM – Vinyl Chloride Monomer, EDC - Ethylene Di Chloride, ACN - Acrylonitrile, PO - Propylene Oxide, HCN Hydrogen Cyanide."				
² [10]	Cement Plants (without coprocessing)	Rotary kiln based plants (Particulate Matter from raw mill, kiln and pre-calciner system put together).	0.125 kg/ tonne of clinker (with effect from 01.01.2017)	

¹ Inserted by GSR 820 (E) dated 09.11.2012

² Inserted by G.S.R 612 (E), dated 25.08.2014

S. No.	Industry	Parameter	Standard
		Vertical shaft kiln based plants (Particulate Matter from raw mill and kiln put together)	0.50 kg/ tonne of clinker (with effect from 01.01.2017).]
¹ [10 A	Cement Plants (with co-processing)	Rotary kiln based plants (Particulate Matter from raw mill, kiln and pre-calciner system put together).	0.125 kg/ tonne of clinker.]
² [11	Manmade Fibre	A. Emission Standards	
	(a) Viscous Staple Fibre (VSF)	Carbon Disulphide	95 kg/tonne of VSF
		Hydrogen Sulphide	30 kg/tonne of VSF
	(b) Viscous Filament Yarn (VFY)	Carbon Disulphide	200 kg/tonne of VFY
		Hydrogen Sulphide	30 kg/tonne of VFY
	(c) Rayon, Polyester and Nylon fabric (Dipping process Plant only)	Ammonia	0.3 kg/tonne of dipped Fabric].

***NOISE STANDARDS - PART-E**

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 up to 4 MT	85
(d) Passenger or Commercial vehicles above 4 MT and up to 12 MT	89
(e) Passenger or Commercial vehicles exceeding 12 MT	91

³[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 Inserted by G.S.R 497 (E), dated 10.05.2016

² Inserted by G.S.R. 1095 (E), dated 9.11.2018

* Standards notified at S. No. 46 may also be referred.

³ Substituted by Rule 2 of the Environment (Protection) Fourth Amendment Rules, 2002 notified vide Notification G.S.R.849(E), dated 30.12.2002

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 but 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 of having not more than nine seats, including the driver's seat	74
4.0	Vehicles used for the carriage of passengers having more than nine seats, including the driver's seat, and a maximum 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 than nine seats, including the driver's seat: vehicles used for 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 exceeding 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 150 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 [(d)	***]	
(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 Entry (d) relating to 'Diesel Generator of Domestic Purposes.....85 – 90' omitted by Rule 3 of the Environment (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[(a)...(f)]
- (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, 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)²[***.....]
- (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

¹ Omitted by Rule 4 of the Environment (Protection) Rules, 1996 notified by notification G.S.R. 176(E), dated 2.4.1996.

² Omitted by Rule, 2(k) (vii) of the Environment (Protection) Third amendment Rules, 1993 vide G.S.R. 801 (E), dated 31.12.1993.

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.

¹[(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 Inserted by rule 2(k) (ix) of the Environment (Protection) Third amendment Rules, 1993 vide G.S.R. 801 (E), dated 31.12.1993.

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/Nm³ and 250 mg/Nm³ 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/Nm³.
- (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/Nm³.
- (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/Nm³.
- (e) In case of horse shoe/pulsating Grate and Spreader Stroker Bagasse- fired-Boilers, the PM emission shall be within 500 (12% CO₂) and 800 (12% CO₂) mg/Nm³ 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/Nm³.
- (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/Nm³.
- (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/Nm³.
- (i) In case of integrated Iron and Steel Plants, PM emission upto 400 mg/Nm³ 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/Nm³. ¹[***] These units must also adopt the following pollution control measures:
 - (k) Dust containment cum suppression system for the equipment;
 - (i) Construction of wind breaking walls;
 - (ii) Construction of the metalled roads within the premises;
 - (iii) Regular cleaning and wetting of the ground within the premises;
 - (iv) Growing of a green belt along with periphery.
- (l) In case of Ceramic industry, from the other sources of pollution, such as basic raw materials

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.

and processing operations, heat recovery dryers, mechanical finishing operation, all possible preventive measures should be taken to control PM emission as far as practicable.

1. The total fluoride emission in respect of Glass and Phosphatic Fertilizers shall not exceed 5 mg/Nm³ and 25 mg/Nm³ respectively.

¹[3. In case of copper, lead and zinc smelting, the off-gases may, as far as possible, be utilized for manufacturing sulphuric acid]

²[4. In case of cupolas (Foundries) having capacity (melting rate) less than 3 tonne/hour, the particulate matter emission shall be within 450 mg/Nm³. 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 Substituted by Rule 2(1)(i) of the Environment (Protection) Third Amendment Rules, 1993, vide G.S.R. 801(E) dated 31.12.1993.

² Added by Rule 2(1)(ii), of the Environment (Protection) Third Amendment Rules, 1993, vide G.S.R. 801(E) dated 31.12.1993.

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 - Chemiluminescence - 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.

9	Benzene (C ₆ H ₆) µg/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.]

[File No. Q-15017/43/2007-CPW]
RAJNEESH DUBE, Jr. Secretary

**NOTIFICATIONS UNDER
THE ENVIRONMENT
(PROTECTION) RULES, 1986**

(as amended to date)

**PROHIBITION ON THE LOCATION OF ALL INDUSTRIES IN MURUDJANJIRA AREA IN
RAIGARH DISTRICT OF MAHARASHTRA**

MINISTRY OF ENVIRONMENT & FORESTS

(Department of Environment, Forests & Wildlife)

New Delhi, the 6th January, 1989

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 kilometre from the high tide mark from the Revdanda Creek (lat 19° 35') upto Devgarh Point (near Shrivardhan) (lat 18° 0') as well as in a one kilometre belt along the banks of the Rajpuri Creek upto Mhasla, 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-IA]

SUDHA SHROTRIA, Under Secy.

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)

NOTIFICATION

New Delhi, the 1st February, 1989

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 Lesser 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 INDUSTRIAL AREAS WHICH MAY BE DIRECTLY CONSIDERED FOR ISSUE OF NO OBJECTION CERTIFICATE WITHOUT REFERRING TO (MINISTRY OF ENVIRONMENT & FORESTS) (IN CASE OF DOUBTS REFERENCE WILL BE MADE TO MINISTRY OF ENVIRONMENT & FORESTS).

1. All such non-obnoxious and non-hazardous industries employing upto 100 persons. The obnoxious and hazardous industries are those using inflammable, explosive, corrosive or toxic substances.
2. All such industries which do not discharge industrial effluents of a polluting nature and which do not undertake any of the following process:

Electroplating

Galvanizing

Bleaching

Degreasing

Phosphating

Dyeing

Pickling, tanning

Polishing

Cooking of fibres and Digesting

Designing of Fabric

Unhairing, Soaking, delimiting and bating of hides

Washing of fabric

Trimming, Puling, juicing and blanching of fruits and vegetables

Washing of equipment and regular floor washing, using of considerable cooling water

Separated milk, buttermilk and whey

Stopping and processing of grain

Distillation of alcohol, stillage and evaporation

Slaughtering of animals, rendering of bones, washing of meat

Juicing of sugar cane, extraction of sugar, Filtration, centrifugation, distillation

Pulping and fermenting of coffee bean; Processing of fish

Filter back wash in D.M. Plants exceeding 20 K.I. per day capacity

Pulp making, pulp processing and paper making Coking of coal washing of blast furnace flue gases

Stripping of oxides
 Washing of used sand by hydraulic discharge
 Washing of latex etc.
 Solvent extraction.

3. All such industries which do not use fuel in their manufacturing process or in any subsidiary process and which do not emit fugitive emissions of a diffused nature.

Industries not satisfying any one of the three criteria are recommended to be referred to Ministry of Environment & Forests.

The following industries appear to fall in non-hazardous, non-obnoxious and non-polluting category, subject to fulfillment of above three conditions:

1. Atta-chakkies
2. Rice Mullors
3. Iceboxes
4. Dal mills
5. Groundnut decortinating (dry)
6. Chilling
7. Tailoring and garment making
8. Apparel making
9. Cotton and woolen hosiery
10. Handloom weaving
11. Shoe lace manufacturing
12. Gold and Silver thread and sari work
13. Gold and Silver smithy
14. Leather Footwear and leather products excluding tanning & hide processing.
15. Manufacture of mirror from sheet glass and photo-frame.
16. Musical instruments manufacturing
17. Sports goods
18. Bamboo and cane products (only dry operations)
19. Card Board and paper products (Paper & pulp manufacture excluded)
20. Insulation and other coated papers (Paper & pulp manufacture excluded)
21. Scientific and Mathematical instruments
22. Furniture (Wooden and Steel)
23. Assembly of domestic electrical appliances
24. Radio assembling
25. Fountain pens
26. Polythene, plastic and PVC goods through extrusion/moulding
27. Surgical gauges and bandages

28. Railway sleepers (only concrete)
29. Cotton spinning and weaving
30. Rope (cotton and plastic)
31. Carpet weaving
32. Assembly of Air coolers
33. Wires, pipes-extruded shapes from metals
34. Automobile servicing & repair stations
35. Assembly of Bicycles, baby carriages and other small non-motorised vehicles
36. Electronics equipment (assembly)
37. Toys
38. Candles
39. Carpentry – 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 control device and Supreme Court's decision on quarrying.
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 CO₂
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, firefighting 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 permanganate
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: -

1. 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.
2. 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).

3. 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 beneficiation pelletization etc.
3. Phosphate rock 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 (Cyanides, cyanamides and other nitrogen 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 pending certification of proven technology on pollution control;
43. Chlorates, perchlorates & peroxides;
44. Polishes
45. Synthetic resin & Plastic products.

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 government's intention for the imposition of prohibition on 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 dyeing and colour processing industries. All dyes and dye-intermediates containing benzidine and its derivatives shall be prohibited for "handling". The use of benzidine-based dyes, also called as benzidine-azo dyes, shall be required to be discontinued within three years from the date of issue of this notification.

[File No. 1-48/86-PL/HSMD]

DR. G. SUNDARAM, Jt. Secy.

PROHIBITION ON THE HANDLING OF AZODYES**MINISTRY OF ENVIRONMENT 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 handling of these azodyes;

Now, therefore, in exercise of the powers conferred by the clause (d) of subsection (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 throughout 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	2	3
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

Sl. No.	Colour Index Generic Number	Colour Index Number
1	2	3
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	-

Sl. No.	Colour Index Generic Number	Colour Index Number
1	2	3
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]

VIJAI SHARMA, Jt. Secy.

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 5-12-1989 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 in appropriates 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 representations 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 tonnes. 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 turnover, 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 or 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 rutile	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.	Dipotassium 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.	Salicylic 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.	Sorbitol	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	100 te
52.	Tapioca	25 te
53.	Trisodium Phosphate	50 te
54.	Wax	35 te
55.	Zinc Oxide	50 te

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

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. ¹[***]. 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

¹ Sub by Notification S.O. 130 (E), dt. 24.02.1999

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-13011/24/87-IA)

R. RAJAMANI, Secy

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, delimiting 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 fulfillment 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.

Book binding.

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.

(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 agarbattis.

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 CO₂).
 Surgical and Medical products, excluding prophylactics and latex products. Rubber Foot wear.
 Malt foods.
 Manufacture of pumps/compressors, refrigeration units and firefighting 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
Fibre glass 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 ARAVALI 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 Aravali 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 9th 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,
 - (b) Existing mining leases in sanctuaries/ national Park and areas covered under Project Tiger and/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).
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 form (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

¹ Substituted vide Notification S.O. 248(E), dated 28.2.2003.

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.
 - (b) (ii) Erodeability 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, CO₂, SO₂, 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:
 - (f) (ii) Quantum & Quality of water in the receiving water body:
 - (f) (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 Forest land 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(ii)

Note: The Principal notification restricting certain activities in specified area of Aravali 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 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, Jt. Secy.

SCHEDULE-I

COMPOSITION OF THE EXPERT COMMITTEE

1.	Secretary, Department of Environment of the concerned State 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)/District 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 the State	Member
9.	Representative of the Department of Environment of the 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 Rajasthan) / District Forest Officer (for Haryana)	Member
4.	Representative of the Regional Office of Indian Bureau of Mines	Member
5.	Representative of a non-governmental organisation to be nominated by the respective State Governments.	Member
6.	Representative of Town and Country Planning Department of 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 10th April, 1997, S.O. 73 (E) dated 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 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, wildbuffallo, 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 ⁰ - 32' - 49"	26 ⁰ -40'-30"
2.	93 ⁰ - 33'- 15"	26 ⁰ -41'-45"
3.	93 ⁰ - 36' - 45"	26 ⁰ -37'-30"
4.	93 ⁰ - 40' - 30"	26 ⁰ -40'-45"
5.	93 ⁰ - 47' - 30"	26 ⁰ -43'-40"
6.	93 ⁰ - 47' - 10"	26 ⁰ -26'-08"
7.	93 ⁰ - 58' - 30"	26 ⁰ -34'-20"

(No. J-11011/16/90-IA-II)
VISHWANATH ANAND
ADDITIONAL SECRETARY

PROHIBITION OF THE IMPORT OF HAZARDOUS WASTES**MINISTRY OF ENVIRONMENT & FORESTS**

(DEPARTMENT OF ENVIRONMENT, FORESTS & WILDLIFE)

NOTIFICATION

New Delhi, the 15th April, 1997

¹S.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 date of publication of the Notification with regard to Government's intention for the 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.

¹ 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, the 13th October, 1998

S.O.899 (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 fibre).

¹ 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 matter of Government's intention for imposition of prohibition against open burning of 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.

[F. No. 23 (7)/96-HSMD]
VISHWANATH ANAND, Spl. Secy.

* 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 sub-section (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 called "the Eco-sensitive Zone").

2. The said Eco-sensitive Zone covers an area of 214.73 sq. kms. and a 200 mts. buffer zone¹[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:

- (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

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.

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, agriculture, parks and other like places to non-green uses and tribal uses to non-tribal uses shall be permitted in the Zonal Master Plan without the prior approval of the Central Government in the Ministry of Environment and Forests. The Zonal Master Plan shall also indicate measures and lay down stipulations for regulating traffic, especially through traffic in the Eco-sensitive Zone.

(iii) The areas within and outside Matheran 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 and concurrence of the Ministry of Environment and Forests shall be obtained on such Sub-zonal Master Plans. All habitations in the Eco-sensitive Zone having population of more than 5000 should also have Area Development Plans. The Sub-zonal Master Plan shall also include development regulations for gaothan and gaothan expansion areas.

(iv) Pending the preparation of and approval by the Ministry of Environment and Forests to the Zonal Master Plan and Sub-zonal Master Plan for Eco-sensitive Zone, there shall be no increase in the existing parameters of permissible Floor Area Ratio, permissible height, maximum number of storeys and ground coverage for buildings. ¹[***...] Stilts, Mezzanines and basements shall not be permitted in Matheran Municipal limits. No new constructions shall be allowed but repairs and restoration may be permitted provided that it does not involve structural changes and are on the existing authorised plinth area in the Matheran Municipal limits. ²[In the Eco-Sensitive Zone:]

- (1) There shall be no reduction in Tribal Area, Forest Zone, Green Zones and Agricultural Area.
- (2) Absolute height of buildings shall not exceed 9 meters and the number of storeys shall not exceed ground plus one upper storey.
- (3) Activities mentioned in Annexure-D may be permitted by the Monitoring Committee subject to the State and local laws and the rules and regulations made there under.
- (4) All development activities including additions, alterations, demolitions, repairs, renovations and restorations of buildings shall require prior approval of the Monitoring Committee and shall be subject to heritage clearance if necessary.
- (5) The Monitoring Committee shall prescribe additional measures, if necessary, in furtherance of the objectives and for giving effect to the provisions of this notification.

(b) Industrial units: - On or after the publication of this notification in the Official Gazette, only non-polluting, non-hazardous small-scale and service industries, agriculture, floriculture, horticulture or agro-based industries producing products from indigenous goods from the Eco-sensitive Zone and which do not cause any adverse environmental impact shall be permitted. Accordingly, guidelines shall be drawn by the Government of Maharashtra and approved by the Ministry of Environment and Forests. No such, guidelines shall conflict with the provisions of the Environment Impact Assessment Notification number S.O. 60(E) dated the 27th January, 1994 of the Government of India in the Ministry of Environment and Forests and as amended from time to time.

¹ The words "in Matheran Municipal Limits" omitted by Para 3(a)(i) of the Amendment Notification S.O.83(E), dated 16.1.2004.

² Substituted for the "In areas other than Matheran Municipal limits" by Para 3(a)(ii) of the Amendment Notification S.O.83(E), dated 16.1.2004.

(c) **Quarrying and Mining:** - Quarrying and Mining activities shall be banned in the Eco-sensitive Zone and no fresh mining lease shall be granted. However, the Monitoring Committee shall be 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 Matheran Municipal Council area based on site evaluation. No quarrying shall be permitted on steep hill slopes or areas with a high degree of erosion or on forestlands.

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 ¹[5] 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.

(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, ²[except one ambulance and one fire engine and in addition to one ambulance and one fire engine as standby.]

(3) 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 consist of not more than ten members.

(3) The Monitoring Committee shall consist of a representative each from the Ministry of

¹ Substituted for the figure "4" by Para 3(b) of the Amendment Notification S.O.83(E), dated 16.1.2004.

² Substituted by Para 3(c) of the Amendment Notification S.O.83(E), dated 16.1.2004.

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.

3. 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 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 time 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 facts 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.

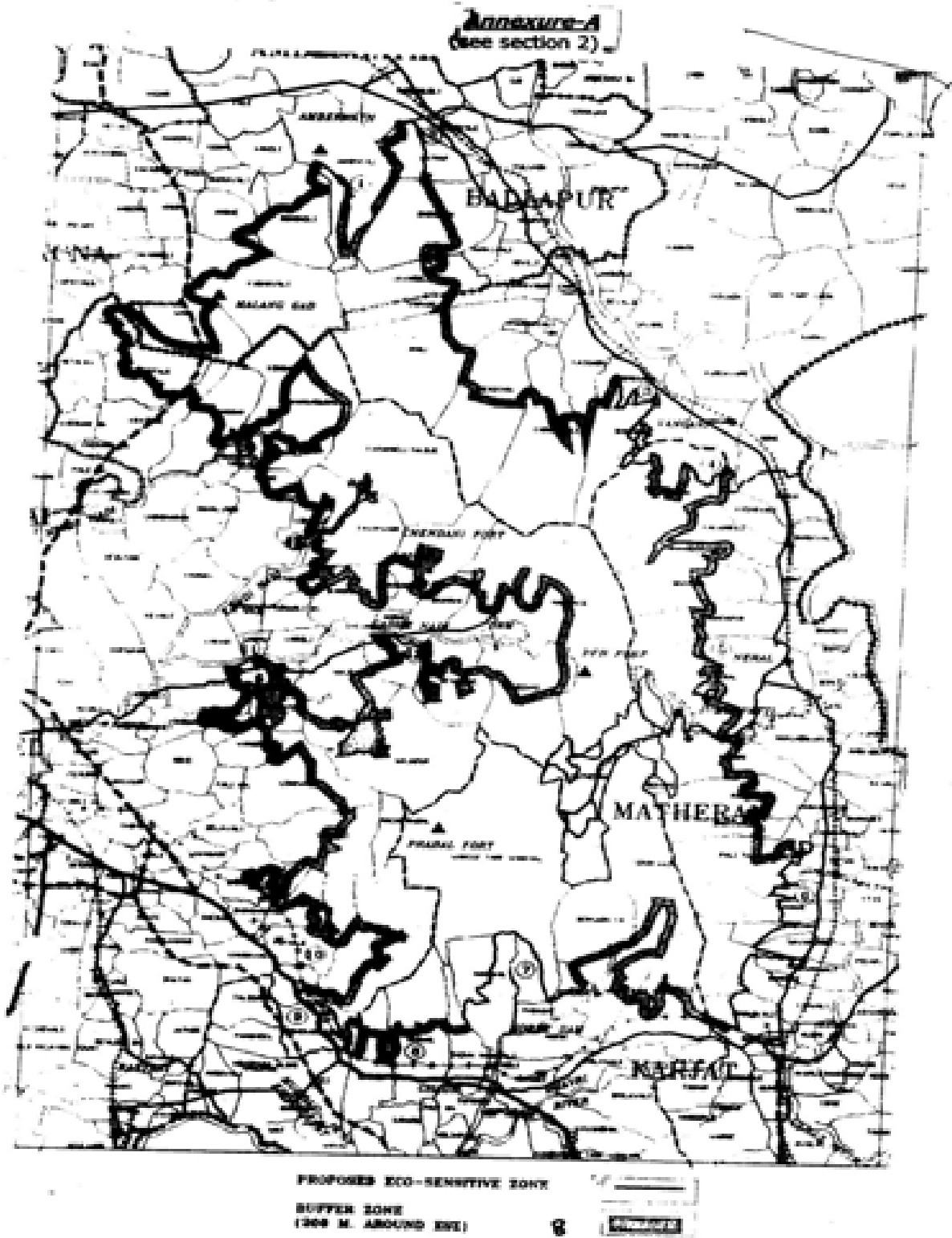
(3) Every memorandum of appeal shall be made within ninety days from the date of receipt of the decision or order by the affected person.

(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.A.-III]
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 ECO-SENSITIVE ZONE

The boundary of the Eco-Sensitive Zone comprising area of Matheran Hill Station Municipal Council, contiguous Forest Zone of the Regional Plan for ¹[Mumbai Metropolitan Region (MMR)] and Buffer Zone around the Forest Zone shall be defined as follows: -

Direction	Bounded By
North	Boundary of the Forest Zone passing through village Jambhivali, then outer boundary of the buffer zone passing through Village Jambhivali, Chikhaloli; then boundary of Forest Zone passing through village Chikhaloli of Ulhasnagar Tehsil.
East	Boundary of the Forest Zone passing through Village Katrap; then outer boundary of the buffer zone passing through villages Shirgaon, Savroli, Varde, Bhoj, Bensil, Chinvali, Kasgaon, Goregaon; then boundary of Forest Zone passing through villages Goregaon, Davle of Ulhasnagar Tehsil and Bedisagaon of Karjat Tehsil; then outer boundary of buffer zone and Forest Zone passing through villages Bedisagaon; then outer boundary of buffer zone passing through villages Kushivali, Kalamboli, Damat, Bhadaval, Mamdapur, Neral, Mangaon Tarf Waredi, Bhikare, Asai, Bhutiwali, Pali Terf Varde; then boundary of Forest Zone passing through villages Pali Tarf Verde, Umroli, Asane, Kasane, Vanjale, Kariwali, Paliwali, Bhisegaon of Karjat Tehsil.
South	The outer boundary of buffer zone passing through village Bhisegaon of Karjat Tehsil then outer boundary of buffer zone passing through villages Warele, Wadvihar, Sondewadi, Boregaon Kh., Boregaon Bk.; 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 of Khalapur Tehsil.
West	Boundary of Forest Zone passing through villages Bhokarpada, Barwai, then outer boundary of buffer zone passing through Villages Barwai, Pali Bk., Poyanje, Mohope, Bhingarwada, Bherle, Wardoli, Loniwali, Wangani Tarf Waje, Ambivali, Vihigar, Nere; then boundary of Forest Zone Passing through village Nere; then outer boundary of buffer zone passing through villages Sangartoli, Cheravali, Wajapur, Waje, Gadhe; then boundary of Forest Zone passing through village Gadhe; then outer boundary of buffer zone passing through villages Dehrang, Dhodani, Maldunge, Dhamani, Tamsai, Khairwadi, Karambeli, Dhundre, Usarli Bk. Ritghar, Khairwadi, Kondale, Morbe, Ambhe Tarf Taloje, Shiriavali, Karambeli Tarf Taloje, Wangani Tarf Taloje, Kondap, Mohodar, Vavanje, Nitale, Chorme of Panvel Tehsil; then outer boundary of buffer zone passing through villages Wadi, Bandhanwadi, Khusavali, Ambhe, Shiravali, Bohonole, Jambhavalivali of 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

¹ Substituted by Para 6 of the Amendment Notification S.O.83(E), dated 16.1.2004.

and in 14 exceptional cases the Eco-Sensitive Zone Is restricted to Forest Zone.

- ii. No area of Urbanisable Zone 1, Urbanisable 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 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.	VILLAGE	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			
1	Jambivali, (Ambernath)	Urbanisable Zone 1	The U-1 zone of Ambernath Municipal Council abuts the F Zone the buffer zone is less than 200 M. or no buffer is proposed
2.	Jambhawali, (Ambernath) Katrap, (Badlapur)	Industrial Zone and Urbanisable Zone I	The I-Zone of Ambernath Additional Industrial Estate planned by Maharashtra Industrial Development Corporation and U-I Zone of Kulgaon Badlapur Municipal Council abuts the F-Zone the buffer zone is less than 200 M. or No buffer is proposed
Raigad District			
3.	Goregaon, Vangani	Urbanisable Zone 2	U-2 Zone of the sanctioned Regional Plan abutting the F Zone.
4.	Vangani	Urbanisable Zone 1	U-1 Zone of the dormitory town planned in the 1973 sanctioned Regional Plan abutting Forest Zone
5.	Neral	Urbanisable Zone 1	U-1 Zone of 1999 sanctioned Regional Plan abutting F Zone
6.	Pali Tarf Verde, Umroli, Asane, Kasane, Vanjale, Kariwali, Paliwali, Bhisegaon	Urbanisable Zone 2	U-2 Zone of the sanctioned Regional Plan abutting the F Zone.
7.	Boregaon Bk., Warose Tarf Wankhal, Naniwal	Morbe Dam	Earthen dam is under construction for drinking water supply benefiting Navi Mumbai and other adjoining towns. Excavation of dam floor

			and strengthening of embankment by using local material and for repairs and maintenance may be necessary.
8.	Chowk Maniwali, Nadhal, Lodhivali	Railway Line	The buffer Zone is restricted upto the railway line which acts as a physical buffer for development.
9.	Barwai, Pali Bk.	Road and Railway Line	The buffer Zone is restricted upto the railway line which acts as a physical buffer for development.
10.	Bhingarwada, Bherle	Railway Line	The buffer Zone is restricted upto the railway line which acts as a physical buffer for development.
11.	Nere, Sangartoli	River Gadhe	River acts as the natural buffer, no additional buffer is therefore proposed.
12.	Gadhe	River Gadhe	River acts as the natural buffer, no additional buffer is therefore proposed.
13.	Khairwadi	River Lendhe	River acts as the natural buffer, no additional buffer is therefore proposed.
14.	Mohodar	River Nande	River acts as the natural buffer, no additional buffer is therefore proposed.

ANNEXURE- D

[see section 4(a)(iv)(3)]

PERMISSIBLE DEVELOPMENTAL ACTIVITIES IN MATHERAN ECOSENSITIVE 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 agricultural 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.

5. 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-paragraph "5.2" Omitted by Para 7 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 29° 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 as follows, namely: -

Mankraula, Jhanjraula, Mohammedpur, Patli, Dhanawas, Wazirpr, Dhani, Ramnagar, Sikhawala, Ghari Harasru, 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 no 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 or, 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 India	Member
(c)	A representative of non- governmental organization working in the field of environment (including heritage conservation) to be nominated by the Central Government	Member
(d)	Regional Officer, Haryana State Pollution 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.

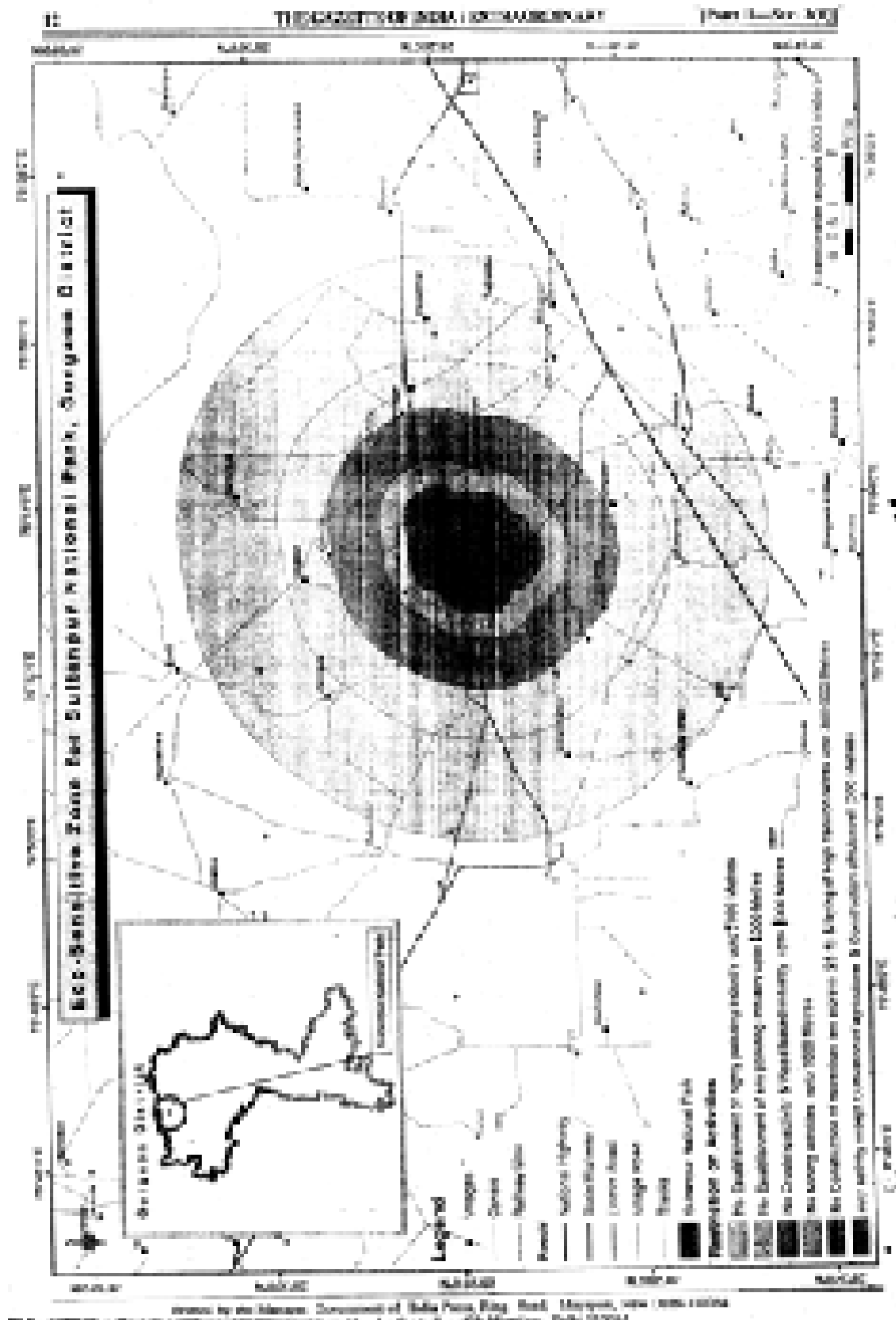
- (5) The Monitoring Committee may also invite representatives or experts from the concerned Department or associations to assist in its deliberation depending on the requirements on issue to issue basis.

- (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] Dr.
G.V.SUBRAHMANYAM, Scientist "G"



MOUNT ABU ECO-SENSITIVE ZONE
MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 25th June, 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 manmade 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 Eco-sensitive Zone").

2. Boundaries of Eco-sensitive Zone

(a) The said Eco-sensitive Zone is situated in the southern area of Rajasthan in Sirohi District between 24° 33' 42'' and 24° 39' 00'' North latitude and between 72° 41' 36'' and 72° 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 based products may be allowed subject to the usual “non Agricultural permission requirements and a maximum of 1/8th of the plot areas being built up”.

(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 throughout 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 non biodegradable 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: - In this notification, "solid wastes" shall include domestic, 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:

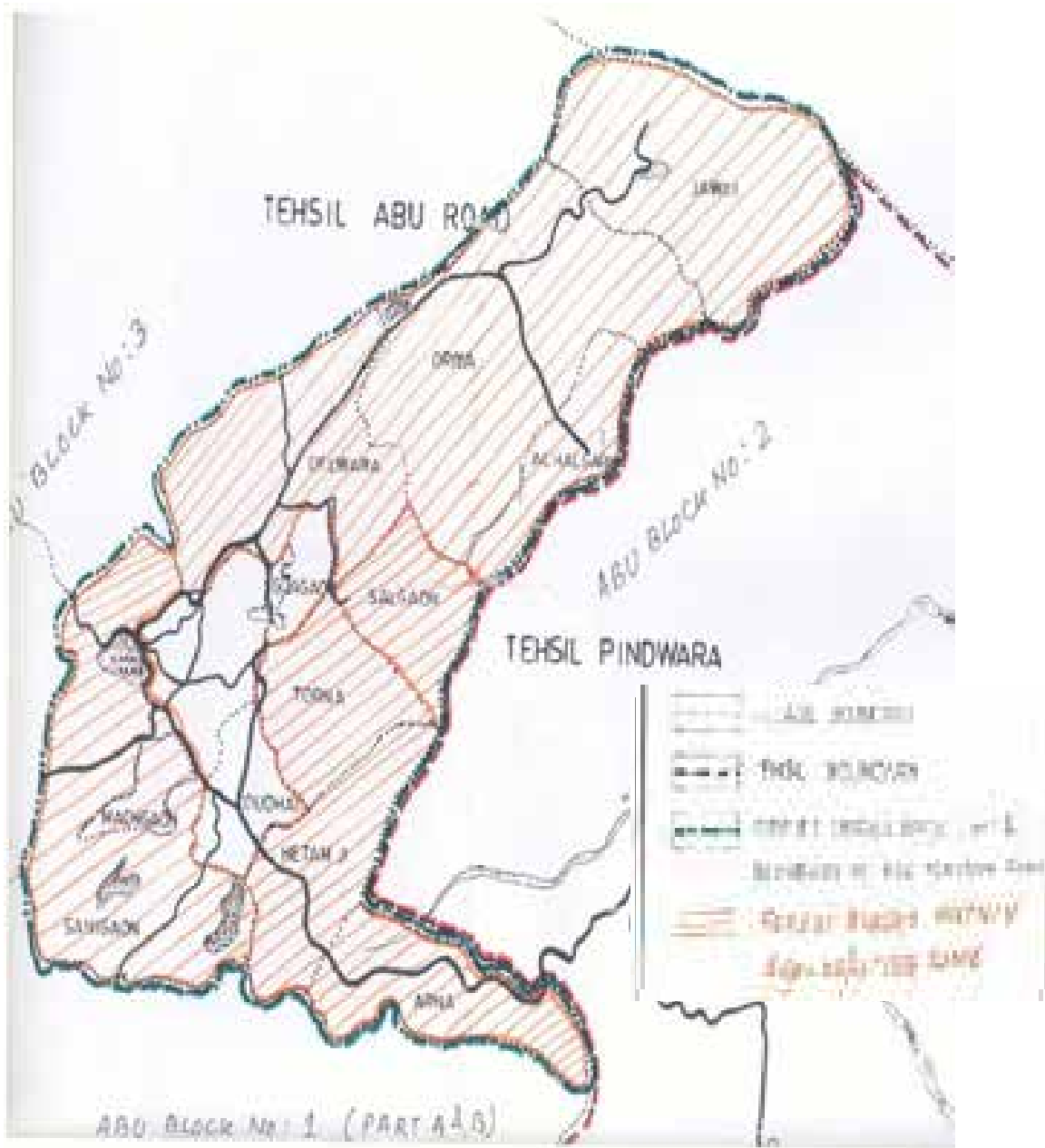
- (i) for construction of any road including untarred in the Eco-sensitive Zone of more than 5 km length (including the extension or widening of existing roads);
- (ii) provision shall be made in the design of the road for treatment of hill slope instabilities resulting from road cutting cross drainage 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 bio- engineering 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 set 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 from 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-IA-III]
Dr. G.V. SUBRAHMANYAM, Scientist 'G'

MAHABLESHWAR PANCHGANI ECO-SENSITIVE ZONE
MINISTRY OF ENVIRONMENT AND FORESTS
NOTIFICATION

New Delhi, the 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 gaathan 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 readymade 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, mushroom-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 "not agriculture" permission requirements and a maximum 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.

[F. 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) (hereinafter referred to as "the said act"), to Government of Maharashtra, hereby establishes a region for the purpose of the said Act to be named as the "Mahableshwar Panchgani Region" which shall include the entire area within 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, Maharashtra 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)

MINISTRY OF ENVIRONMENT AND FORESTS
(Department of Environment, Forests and Wildlife)
COASTAL REGULATION ZONE NOTIFICATION

New Delhi, the 6th January, 2011

S.O.19 (E). Whereas a draft notification under sub-section (1) of section and clause (V) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 was issued inviting objections and suggestions for the declaration of coastal stretches as Coastal Regulation Zone and imposing restrictions on industries, operations and processes in the CRZ was published vide S.O. No. 2291 (E), dated 15th September, 2010.;

AND WHEREAS, copies of the said Gazette were made available to the public on 15th September, 2010;

AND WHEREAS, the suggestions and objections received from the public have been 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), the Central Government, with a view to ensure livelihood security to the fisher communities and other local communities, living in the coastal areas, to conserve and protect coastal stretches, its unique environment and its marine area and to promote development through sustainable manner based on scientific principles taking into account the dangers of natural hazards in the coastal areas, sea level rise due to global warming, does hereby, declare the coastal stretches of the country and the water area upto its territorial water limit, excluding the islands of Andaman and Nicobar and Lakshadweep and the marine areas surrounding these islands up to its territorial limit, as Coastal Regulation Zone (hereinafter referred to as the CRZ) and restricts the setting up and expansion of any industry, operations or processes and manufacture or handling or storage or disposal of hazardous substances as specified in the Hazardous Substances (Handling, Management and Transboundary Movement) Rules, 2009 in the aforesaid CRZ.; and

In exercise of powers also conferred by clause (d) and sub rule (3) of rule 5 of Environment (Protection) Act, 1986 and in supersession of the notification of the Government of India in the Ministry of Environment and Forests, number S.O.114(E), dated the 19th February, 1991 except as respects things done or omitted to be done before such supersession, the Central Government hereby declares the following areas as CRZ and imposes with effect from the date of the notification the following restrictions on the setting up and expansion of industries, operations or processes and the like in the CRZ,-

- (i) The land area from High Tide Line (hereinafter referred to as the HTL) to 500mts on the landward side along the sea front.
- (ii) CRZ shall apply to the land area between HTL to 100 mts or width of the creek whichever is less on the landward side along the tidal influenced water bodies that are connected to the sea and the distance upto which development along such tidal influenced water bodies is to be regulated shall be governed by the distance upto which the tidal effects are experienced which shall be determined based on salinity concentration of 5 parts per thousand (ppt) measured during the driest period of the year and distance upto which tidal effects are experienced shall be clearly identified and demarcated accordingly in the Coastal Zone Management Plans (hereinafter referred to as the CZMPs).

Explanation. - For the purposes of this sub-paragraph the expression tidal influenced water bodies means the water bodies influenced by tidal effects from sea, in the bays, estuaries, rivers, creeks, backwaters, lagoons, ponds connected to the sea or creeks and the like.

¹[(iii) ****]

¹ Sub- para (iii) deleted & sub-paras (iv) & (v) re-numbered as (iii) & (iv) vide S.O. 3197(E) dated 2nd July, 2018.

¹(iii) land area between HTL and Low Tide Line (hereinafter referred to as the LTL) which will be termed as the intertidal zone.

¹(iv) the water and the bed area between the LTL to the territorial water limit (12 Nm) in case of sea and the water and the bed area between LTL at the bank to the LTL on the opposite side of the bank, of tidal influenced water bodies.

2. For the purposes of this notification, the HTL means the line on the land upto which the highest water line reaches during the spring tide and shall be demarcated uniformly in all parts of the country by the demarcating authority(s) so authorized by the MoEF in accordance with the general guidelines issued at Annexure-I. HTL shall be demarcated within one year from the date of issue of this notification

3. **Prohibited Activities Within CRZ, -** The following are declared as prohibited activities within the CRZ, -

(i) Setting up of new industries and expansion of existing industries except, -

(a) Those directly related to waterfront or directly needing foreshore facilities;

Explanation: The expression “foreshore facilities” means those activities permissible under this notification and they require waterfront for their operations such as ports and harbours, jetties, quays, wharves, erosion control measures, breakwaters, pipelines, lighthouses, navigational safety facilities, coastal police stations and the like.;

(b) projects of Department of Atomic Energy;

(c) facilities for generating power by non-conventional energy sources and setting up of desalination plants in the areas not classified as CRZ- I(i) based on an impact assessment study including social impacts.;

(d) development of green field Airport already permitted only at Navi Mumbai;

(e) reconstruction, repair works of dwelling units of local communities including fishers in accordance with local town and country planning regulations.

(ii) manufacture or handling oil storage or disposal of hazardous substance as specified in the notification of Ministry of Environment and Forests, No. S.O.594 (E), dated the 28th July 1989, S.O.No.966 (E), dated the 27th November, 1989 and GSR 1037 (E), dated the 5th December, 1989 except,

-

(a) transfer of hazardous substances from ships to ports, terminals and refineries and vice versa;

(b) facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-II appended to this notification and facilities for regasification of Liquefied Natural Gas (hereinafter referred to as the LNG) in the areas not classified as CRZ- I(i) subject to implementation of safety regulations including guidelines issued by the Oil Industry Safety Directorate in the Ministry of Petroleum and Natural Gas and guidelines issued by MoEF and subject to further terms and conditions for implementation of ameliorative and restorative measures in relation to environment as may be stipulated by in MoEF.

Provided that facilities for receipt and storage of fertilizers and raw materials required for manufacture of fertilizers like ammonia, phosphoric acid, sulphur, sulphuric acid, nitric acid and the like, shall be permitted within the said zone in the areas not classified as CRZ- I(i).

(iii) Setting up and expansion of fish processing units including warehousing except hatchery and natural fish drying in permitted areas:

- (iv) Land reclamation, bunding or disturbing the natural course of seawater except those, -

¹[(a) required for setting up, construction or modernisation or expansion of foreshore facilities like ports, harbours, jetties, wharves, quays, slipways, bridges, sea link, road on stilts, road on reclaimed surface, and such as meant for defence and security purpose and for other facilities that are essential for activities permissible under the notification:

Provided that such roads shall not be taken as authorized for permitting development on landward side of such roads till existing High Tide Line.

Provided further that the use of reclaimed land may be permitted for roads, mass rapid or multimodal transit system, construction and installation, on land ward side of such roads, of all necessary associated public utilities and infrastructure to operate such transit or transport system including those for electrical or electronic signal system, transit stopover of permitted designs; except for any industrial operation, repair and maintenance.];

(b) measures for control of erosion, based on scientific including Environmental Impact Assessment (hereinafter referred to as the EIA) studies

(c) maintenance or clearing of waterways, channels and ports, based on EIA studies;

(d) measures to prevent sand bars, installation of tidal regulators, laying of storm water drains or for structures for prevention of salinity ingress and freshwater recharge based on carried out by any agency to be specified by MoEF.

- (v) Setting up and expansion of units or mechanism for disposal of wastes and effluents except facilities required for, -

(a) discharging treated effluents into the water course with approval under the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);

(b) storm water drains and ancillary structures for pumping;

(c) treatment of waste and effluents arising from hotels, beach resorts and human settlements located in CRZ areas other than CRZ-I and disposal of treated wastes and effluents;

(vi) Discharge of untreated waste and effluents from industries, cities or towns and other human settlements. The concerned authorities shall implement schemes for phasing out existing discharge of this nature, if any, within a time period not exceeding two years from the date of issue of this notification.

(vii) Dumping of city or town wastes including construction debris, industrial solid wastes, fly ash for the purpose of land filling and the like and the concerned authority shall implement schemes for phasing out any existing practice, if any, shall be phased out within a period of one year from date of commencement of this notification.

Note: - The MoEF will issue a separate instruction to the State Governments and Union territory Administration in respect of preparation of Action Plans and their implementation as also monitoring including the time schedule thereof, in respect of paras (v), (vi) and (vii).

(viii) Port and harbour projects in high eroding stretches of the coast, except those projects classified as strategic and defence related in terms of EIA notification, 2006 identified by MoEF based on scientific studies in consultation with the State Government or the Union territory Administration.

²[(ix) Reclamation for commercial purposes such as shopping and housing complexes, hotels and entertainment activities except for construction of memorials/monuments and allied facilities, only in CRZ-IV (A) areas, in exceptional cases, by the concerned State Government, on a case to case basis;].

¹ Substituted vide S. O. 3552 (E) dated 30th December, 2015

² Substituted vide S. O. 556 (E) dated 17th February, 2015.

(x) Mining of sand, rocks and other sub-strata materials except, -

¹[(a) Mining of Atomic Minerals notified under Part-B of the First Schedule of the Mining and Minerals (Development) Act, 1957 (67 of 1957) occurring as such or in association with one or other minerals];

(b) exploration and exploitation of Oil and Natural Gas.

(xi) Drawl of groundwater and construction related thereto, within 200 mts of HTL; except the following: -

(a) in the areas which are inhabited by the local communities and only for their use.

(b) in the area between 200mts-500mts zone the drawl of groundwater shall be permitted only when done manually through ordinary wells for drinking, horticulture, agriculture and fisheries and where no other source of water is available.

Note: - Restrictions for such drawl may be imposed by the Authority designated by the State Government and Union territory Administration in the areas affected by sea water intrusion.

(xii) Construction activities in CRZ-I except those specified in para 8 of this notification.

(xiii) ²[Dressing or altering the sand dunes, hills, natural features including landscape change for beautification, recreation and other such purpose except utilizing the rocks/hills/natural features, only in CRZ-IV (A) areas, for development of memorials/monuments and allied facilities, by the concerned State Government];

(xiv) Facilities required for patrolling and vigilance activities of marine/coastal police stations.

4. Regulation of permissible activities in CRZ area. - The following activities shall be regulated except those prohibited in para 3 above, -

(i) (a) clearance shall be given for any activity within the CRZ only if it requires waterfront and foreshore facilities;

(b) for those projects which are listed under this notification and also attract EIA notification, 2006 (S.O.1533 (E), dated the 14th September, 2006), for such projects clearance under EIA notification only shall be required subject to being recommended by the concerned State or Union territory Coastal Zone Management Authority (hereinafter referred to as the CZMA).

(c) Housing schemes in CRZ as specified in paragraph 8 of this notification;

(d) Construction involving more than 20,000sq mts built-up area in CRZ-II shall be considered ³[for approval] in accordance with EIA notification, 2006 and in case of projects less than 20,000sq mts built- up area shall be approved by the concerned State or Union territory Planning authorities in accordance with this notification after obtaining recommendations from the concerned CZMA and prior recommendations of the concern CZMA shall be essential for considering the grant of environmental clearance under EIA notification, 2006 or grant of approval by the relevant planning authority.

(e) MoEF may under a specific or general order specify projects which require prior public hearing of project affected people.

(f) Construction and operation for ports and harbours, jetties, wharves, quays, slipways, ship

¹ Substituted vide G.S.R. 1227 (E) dated 6th October, 2017.

² Substituted vide S. O. 556 (E) dated 17th February, 2015.

³ Inserted vide S. O. 3085 dated 28th November, 2014.

construction yards, breakwaters, groynes, erosion control measures ¹[and salt works];

(g) ²[construction of road by way of reclamation in CRZ area shall be only in exceptional cases, to be recommended by the concerned Coastal Zone Management Authority and approved by the Ministry of Environment, Forest and Climate Change; and in case the construction of such road is passing through mangroves or likely to damage the mangroves, three times the number of mangroves destroyed or cut during the construction process shall be replanted.]

(ii) The following activities shall require clearance from MoEF ²[after being recommended by the concerned CZMA], namely: -

(a) ³[those activities listed under category 'A' in the EIA notification 2006 and permissible under the said notification.]

(b) construction activities relating 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. Residential buildings, office buildings, hospital complexes, workshops of strategic and defence projects in terms of EIA notification, 2006.;

(c) construction, operation of light houses;

(d) laying of pipelines, conveying systems, transmission line;

(e) exploration and extraction of oil and natural gas and all associated activities and facilities thereto;

(f) Foreshore requiring facilities for transport of raw materials, facilities for intake of cooling water and outfall for discharge of treated wastewater or cooling water from thermal power plants. MoEF may specify for category of projects such as at (f), (g) and (h) of para 4;

(g) ⁴[Mining of Atomic Minerals notified under Part-B of the First Schedule of the Mining and Minerals (Development) Act, 1957 occurring as such or in association with one or other minerals;]

(h) Facilities for generating power by non-conventional energy resources, desalination plants and weather radars;

(i) Demolition and reconstruction of (a) buildings of archaeological and historical importance, (ii) heritage buildings; and buildings under public use which means buildings such as for the purposes of worship, education, medical care and cultural activities;

(j) ⁵[Construction of memorials/monuments and allied facilities by the concerned State Government in CRZ-IV (A) areas, in exceptional cases, with adequate environmental safeguards, subject to the following, namely: —

(A) The concerned State Government shall submit justification for locating the project in CRZ –IV (A) area along with details of alternate sites considered and weightage matrix on various parameters including environmental parameters, to State CZMA who will examine the project and make recommendation to the Central Government (MoEF) for grant of

¹ Inserted vide S. O. 3552 dated 30th December, 2015.

² Inserted vide S. O. 3085 dated 28th November, 2014.

³ Substituted vide S. O. 3085 dated 28th November, 2014.

⁴ Substituted vide G.S.R. 1227 (E) dated 6th October, 2017.

⁵ Inserted vide S. O. 556 (E) dated 17th February, 2015.

Terms of Reference (ToRs) for preparation of an environmental impact assessment report by the State Government;

(B) On grant of ToRs by the Central Government, the concerned State Government shall submit the draft Environmental Impact Assessment report (EIA) with Environmental Management Plan (EMP), draft Risk Assessment Report with Disaster Management Plan (DMP) including on-site and off-site emergency plan and evacuation plan during emergency, to the State Pollution Control Board for conduct of public hearing for the proposed project in accordance with the procedure laid down under the Environment Impact Assessment notification;

(C) The concerned State Government shall, after addressing the relevant issues raised by the public during the public hearing referred to in sub-item (B), submit the final EIA, EMP, Risk Assessment and DMP, to the State CZMA for their examination and recommendation to MoEF;

(D) The Central Government may, if it considers necessary so to do, dispense with the requirement of public hearing referred to in sub-item (B), if it is satisfied that the project will not involve rehabilitation and resettlement of the public or the project site is located away from human habitation.]

4.2 Procedure for Clearance of Permissible Activities. - All projects attracting this notification shall be considered for CRZ clearance as per the following procedure, namely: -

(i) The project proponents shall apply with the following documents seeking prior clearance under CRZ notification to the concerned State or the Union territory Coastal Zone Management Authority, -

- (a) Form-1 (Annexure-IV of the notification);
- (b) Rapid EIA Report including marine and terrestrial component except for construction projects listed under 4(c) and(d)
- (c) Comprehensive EIA with cumulative studies for projects in the stretches classified as low and medium eroding by MoEF based on scientific studies and in consultation with the State Governments and Union territory Administration;
- (d) Disaster Management Report, Risk Assessment Report and Management Plan;
- (e) CRZ map indicating HTL and LTL demarcated by one of the authorized agency (as indicated in para 2) in 1:4000 scale;
- (f) Project layout superimposed on the above map indicated at (e) above;
- (g) The CRZ map normally covering 7km radius around the project site.
- (h) The CRZ map indicating the CRZ-I, II, III and IV areas including other notified ecologically sensitive areas;
- (i) No Objection Certificate from the concerned State Pollution Control Boards or Union territory Pollution Control Committees for the projects involving discharge of effluents, solid wastes, sewage and the like.;

(ii) The concerned CZMA shall examine the above documents in accordance with the approved CZMP and in compliance with CRZ notification and make recommendations within a period of sixty days from date of receipt of complete application, -

- (a) MoEF or State Environmental Impact Assessment Authority (hereinafter referred to as the SEIAA) as the case may be for the project attracting EIA notification, 2006;
- (b) MoEF for the projects not covered in the EIA notification, 2006 but attracting para 4 (ii) of the CRZ notification;

- (c) ¹[SEIAA, for the projects specified under paragraph 4(i) (except with respect to item (d) thereof relating to building projects with less than 20,000 sq. mts of built-up area) and for the projects not attracting EIA notification, 2006.]
- (iii) ²[MoEF or SEIAA shall consider such projects for clearance based on the recommendations of the concerned CZMA within a period of sixty days.
- (iv) In case the CZMAs are not in operation due to their reconstitution or any other reasons, then it shall be responsibility of the Department of Environment in the State Government or Union territory Administrations, who are the custodian of the Coastal Zone Management Plans of respective States or Union Territories to provide comments and recommend the proposals in terms of the provisions of the said notification to the Ministry of Environment, Forest and Climate Change.
- (v) ³{The clearance accorded to the projects under this notification shall be valid for a period of seven years from the date of issue of such clearance:
- Provided that the construction activities shall commence within a period of five years from the date of the issue of clearance and the construction be completed and the operations be commenced within seven years from the date of issue of such clearance:
- Provided further that the period of validity may be extended for a maximum period of three years in case an application is made to the concerned authority by the applicant within the validity period, along with recommendation for extension of validity of the clearance by the concerned State/Union Territory Coastal Zone Management Authority}
- (vi) For Post clearance monitoring–
- (a) it shall be mandatory for the project proponent to submit half- yearly compliance reports in respect of the stipulated terms and conditions of the environmental clearance in hard and soft copies to the regulatory authority(ies) concerned, on 1st June and 31st December of each calendar year and all such compliance reports submitted by the project proponent shall be published in public domain and its copies shall be given to any person on application to the concerned CZMA.
- (b) the compliance report shall also be displayed on the website of the concerned regulatory authority.
- (vii) To maintain transparency in the working of the CZMAs it shall be the responsibility of the CZMA to create a dedicated website and post the agenda, minutes, decisions taken, clearance letters, violations, action taken on the violations and court matters including the Orders of the Hon'ble Court as also the approved CZMPs of the respective State Government or Union territory.]

⁴[4.3 Post facto clearance for permissible activities. -

- (i) all activities, which are otherwise permissible under the provisions of this notification, but have commenced construction without prior clearance, would be considered for regularisation only in such cases wherein the project applied for regularization in the specified time and the projects which are in violation of CRZ norms would not be regularised;
- (ii) the concerned Coastal Zone Management Authority shall give specific recommendations regarding regularisation of such proposals and shall certify that there have been no violations of the CRZ regulations, while making such recommendations;

¹ Inserted vide S. O. 3085 (E) dated 28th November, 2014.

² Substituted vide S.O. 1393 (E) dated 3rd May, 2017.

³ Substituted vide S.O. 1002 (E) dated 6th March, 2018.

⁴ Inserted vide S. O. 1002 (E) dated 6th March, 2018

- (iii) such cases where the construction have been commenced before the date of this notification without the requisite CRZ clearance, shall be considered only by Ministry of Environment, Forest and Climate Change, provided that the request for such regularisation is received in the said Ministry by 30th June, 2018.]

5. Preparation of Coastal Zone Management plans: -

- (i) The MoEF may obtain the CZMPs prepared through the respective State Government or Union territory;
- (ii) The CZMPs may be prepared by the coastal State Government or Union territory by engaging reputed and experienced scientific institution(s) or the agencies including the National Centre for Sustainable Coastal Management (hereinafter referred to as the NCSCM) of MoEF and in consultation with the concerned stakeholders;
- (iii) ¹[A 'Hazard line' shall be demarcated by the Survey of India, taking into account the extent of the flooding on the land area due to water level fluctuations, sea level rise and shoreline changes (erosion/accretion) occurring over a period of time, and shared with the coastal States and Union Territories through the National Centre for Sustainable Coastal Management, Chennai;
- (iv) The Hazard line shall be used as a tool for disaster management plan for the coastal environment, including planning of adaptive and mitigation measures;
- (v) With a view to reduce the vulnerability of the coastal communities and ensuring sustainable livelihood, while drawing the Coastal Zone Management Plans (CZMPs), the land use planning for the area between the Hazard line and HTL shall take into account such impacts of climate change and shoreline changes;];
- (vi) The coastal States and Union Territory will prepare within a period of twenty four months from the date of issue this notification, draft CZMPs in 1:25,000 scale map identifying and classifying the CRZ areas within the respective territories in accordance with the guidelines given in Annexure-I of the notification, which involve public consultation;
- (vii) The draft CZMPs shall be submitted by the State Government or Union territory to the concerned CZMA for appraisal, including appropriate consultations, and recommendations in accordance with the procedure(s) laid down in the Environment (Protection) Act, 1986;
- (viii) ²[The Coastal Zone Management Authority of a State or of a Union territory shall submit the draft Coastal Zone Management Plan along with its recommendations to the Ministry of Environment, Forest and Climate Change, after incorporating the suggestions and objections received from the stakeholders;]
- (ix) MoEF shall thereafter consider and approve the CZMPs within a period of four months from the date of receipt of the CZMPs complete in all respects;
- (x) All developmental activities listed in this notification shall be regulated by the State Government, Union Territory Administration, the local authority or the concerned CZMA within the framework of such approved CZMPs as the case may be in accordance with provisions of this notification;
- (xi) The CZMPs shall not normally be revised before a period of five years after which, the concerned State Government or the Union territory may consider undertaking revision of the maps following the above procedures;

¹ Substituted vide S.O. 3197(E) dated 2nd July, 2018.

² Substituted vide S. O. 938(E) dated 31st March, 2015.

- (xii) ¹[The Coastal Zone Management Plans as already approved by the erstwhile Ministry of Environment and Forest under the Coastal Regulation Zone notification, 1991, shall be valid up to the 31st day of January, ²{2018} or till such time as the approval is given by this Ministry to the fresh Coastal Zone Management Plans made under the said notification, whichever is earlier.]

6. Enforcement of The CRZ, Notification, 2011: -

(a) For the purpose of implementation and enforcement of the provisions this notification and compliance with conditions stipulated there under, the powers either original or delegated are available under Environment (Protection) Act, 1986 with the MoEF, State Government or the Union territory Administration NCZMA and SCZMAS;

(b) The composition, tenure and mandate of NCZMA and State Government or the Union territory CZMAS have already been notified by MoEF in terms of Orders of Hon'ble Supreme Court in Writ Petition 664 of 1993;

(c) the State Government or the Union territory CZMAS shall primarily be responsible for enforcing and monitoring of this notification and to assist in this task, the State Government and the Union territory shall constitute district level Committees under the Chairmanship of the District Magistrate concerned containing atleast three representatives of local traditional coastal communities including from fisherfolk;

(d) The dwelling units of the traditional coastal communities including fisher folk, tribals as were permissible under the provisions of the CRZ notification, 1991, but which have not obtained formal approval from concerned authorities under the aforesaid notification shall be considered by the respective Union territory CZMAS and the dwelling units shall be regularized subject to the following condition, namely-

- (i) these are not used for any commercial activity
- (ii) these are not sold or transferred to non-traditional coastal community.

7. Classification of The CRZ- For the purpose of conserving and protecting the coastal areas and marine waters, the CRZ area shall be classified as follows, namely: -

(i) CRZ-I, -

A. The areas that are ecologically sensitive and the geomorphological features which play a role in the maintaining the integrity of the coast, -

- (a) Mangroves, in case mangrove area is more than 1000 sq. mts, a buffer of 50 meters along the mangroves shall be provided;
- (b) Corals and coral reefs and associated biodiversity;
- (c) Sand Dunes;
- (d) Mudflats which are biologically active;
- (e) National parks, marine parks, sanctuaries, reserve forests, wildlife habitats and other protected areas under the provisions of Wild Life (Protection) Act, 1972 (53 of 1972), the Forest (Conservation) Act, 1980 (69 of 1980) or Environment (Protection) Act, 1986 (29 of 1986); including Biosphere Reserves;
- (f) Salt Marshes;
- (g) Turtle nesting grounds;
- (h) Horse shoe crabs habitats;

¹ Substituted by S. O. 622(E) dated 23rd February, 2017.

² Substituted by S. O. 2444 (E) dated 31st July, 2017

- (i) Sea grass beds;
- (j) Nesting grounds of birds;
- (k) Areas or structures of archaeological importance and heritage sites.

B. The area between Low Tide Line and High Tide Line;

(ii) CRZ-II, -

The areas that have been developed up to or close to the shoreline.

Explanation. - For the purposes of the expression “developed area” is referred to as that area within the existing municipal limits or in other existing legally designated urban areas which are substantially built-up and has been provided with drainage and approach roads and other infrastructural facilities, such as water supply and sewerage mains;

(iii) CRZ-III, -

Areas that are relatively undisturbed and those do not belong to either CRZ-I or II which 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.

(iv) CRZ-IV, -

A. the water area from the Low Tide Line to twelve nautical miles on the seaward side;

B. shall include the water area of the tidal influenced water body from the mouth of the water body at the sea upto the influence of tide which is measured as five parts per thousand during the driest season of the year.

(v) Areas requiring special consideration for the purpose of protecting the critical coastal environment and difficulties faced by local communities, -

- A. (i) CRZ area falling within municipal limits of Greater Mumbai;
- (ii) the CRZ areas of Kerala including the backwaters and backwater islands;
- (iii) CRZ areas of Goa.

B. Critically Vulnerable Coastal Areas (CVCA) such as Sunderbans region of West Bengal and other ecologically sensitive areas identified as under Environment (Protection) Act, 1986 and managed with the involvement of coastal communities including fisherfolk.

8. Norms for Regulation of Activities Permissible Under this Notification, -

(i) The development or construction activities in different categories of CRZ shall be regulated by the concerned CZMA in accordance with the following norms, namely: -

¹[***]

I. CRZ-I, -

- (i) No new construction shall be permitted in CRZ-I except, -
 - (a) projects relating to Department of Atomic Energy;

¹ Omitted vide S. O. 1599 (E), dated 16th June, 2015.

- (b) pipelines, conveying systems including transmission lines;
- (c) facilities that are essential for activities permissible under CRZ-I;
- (d) installation of weather radar for monitoring of cyclones movement and prediction by Indian Meteorological Department;
- (e) construction of trans harbour sea link and without affecting the tidal flow of water, between LTL and HTL.
- (f) development of green field airport already approved at only Navi Mumbai;

¹[(g) Projects relating to Defence organisations which are of strategic requirement and national importance and cannot be located elsewhere, subject to strict environmental safeguards.]

(ii) Areas between LTL and HTL which are not ecologically sensitive, necessary safety measures will be incorporated while permitting the following, namely: -

- (a) Exploration and extraction of natural gas;
- (b) construction of dispensaries, schools, public rain shelter, community toilets, bridges, roads, jetties, ²[erosion control measures], water supply, drainage, sewerage which are required for traditional inhabitants living within the biosphere reserves after obtaining approval from concerned CZMA.
- (c) necessary safety measure shall be incorporated while permitting such developmental activities in the area falling in the hazard zone;
- (d) salt harvesting by solar evaporation of seawater;
- (e) desalination plants;
- (f) storage of non-hazardous cargo such as edible oil, fertilizers and food grain within notified ports;
- (g) construction of trans harbour sea links, roads on stilts or pillars without affecting the tidal flow of water.

³[(h) Manual mining of atomic mineral(s) notified under Part-B of First Schedule of Mining and Minerals (Development) Act, 1957 occurring as such or in association with one or other minerals - in the inter-tidal zone by such agencies as authorised by Department of Atomic Energy, as per mining plan approved by the Department of Atomic Energy:

Provided that the manual mining operations are carried out only by deploying persons using baskets and hand spades for collection of ore or mineral within the intertidal zone and as per approved mining plan.

Explanation. —For the purpose of this notification, manual mining shall mean the mining operations undertaken without deploying or using drilling and blasting or Heavy Earth Moving machinery in the intertidal zone.]

II. CRZ-II, -

- (i) buildings shall be permitted only on the landward side of the existing road, or on the landward side

¹ Inserted vide S. O. 3197(E) dated 2nd July, 2018

² Inserted vide S. O. 3085 (E) dated 28th November, 2014.

³ Inserted vide G.S.R. 1227 (E) dated 6th October, 2017.

of existing authorized structures;

- (ii) ¹[buildings permitted on the landward side of the existing and proposed roads or existing authorized structures shall be subject to the existing local town and country planning regulations as modified from time to time, except the Floor Space Index or Floor Area Ratio, which shall be as per 1991 level:

Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road:

Provided further that the construction in CRZ-II area of Goa, Kerala and Mumbai shall be governed by the provisions of Clause V of paragraph 8.]

- (iii) reconstruction of authorized building to be permitted subject with the existing Floor Space Index or Floor Area Ratio Norms and without change in present use;
- (iv) facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-II appended to this notification and facilities for regasification of Liquefied Natural Gas subject to the conditions as mentioned in sub-paragraph (ii) of paragraph 3;
- (v) desalination plants and associated facilities;
- (vi) storage of non-hazardous cargo, such as edible oil, fertilizers and food grain in notified ports;
- (vii) facilities for generating power by non-conventional power sources and associated facilities;

III. CRZ-III, -

A. Area up to 200mts from HTL on the landward side in case of seafront and 100mts along tidal influenced water bodies or width of the creek whichever is less is to be earmarked as — “No Development Zone (NDZ)”, -

- (i) The NDZ shall not be applicable in such area falling within any notified port limits;
- (ii) No construction shall be permitted within NDZ except for repairs or reconstruction of existing authorized structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities; Construction/reconstruction of dwelling units of traditional coastal communities including fisherfolk may be permitted between 100 and 200 metres from the HTL along the seafront in accordance with a comprehensive plan prepared by the State Government or the Union territory in consultation with the traditional coastal communities including fisherfolk and incorporating the necessary disaster management provision, sanitation and recommended by the concerned State or the Union territory CZMA to NCZMA for approval by MoEF;
- (iii) however, the following activities may be permitted in NDZ–
- (a) agriculture, horticulture, gardens, pasture, parks, play field, and forestry;
- (b) projects relating to Department of Atomic Energy;
- (c) ²[Mining of Atomic Minerals notified under Part-B of the First Schedule of the Mining and Minerals (Development) Act, 1957 occurring as such or in association with one or other minerals Salt manufacture from sea water;]
- (d) Salt manufacture from seawater;
- (e) facilities for receipt and storage of petroleum products and liquefied natural gas as specified

¹ Substituted vide S. O. 1599 (E) dated 16th June, 2015.

² Substituted vide G.S.R. 1227(E) dated 6th October, 2017

in Annexure-II;

- (f) facilities for regasification of liquefied natural gas subject to conditions as mentioned in subparagraph (ii) of paragraph 3;
- (g) facilities for generating power by non-conventional energy sources;
- (h) Foreshore facilities for desalination plants and associated facilities;
- (i) weather radars;
- (j) construction of dispensaries, schools, public rain shelter, community toilets, bridges, roads, provision of facilities for water supply, drainage, sewerage, crematoria, cemeteries and electric sub-station which are required for the local inhabitants may be permitted on a case to case basis by CZMA;
- (k) construction of units or auxiliary thereto for domestic sewage, treatment and disposal with the prior approval of the concerned Pollution Control Board or Committee;
- (l) facilities required for local fishing communities such as fish drying yards, auction halls, net mending yards, traditional boat building yards, ice plant, ice crushing units, fish curing facilities and the like;
- (m) development of green field airport already permitted only at Navi Mumbai.

B. Area between 200mts to 500mts,-

The following activities shall be permissible in the above areas;

- (i) development of vacant plot in designated areas for construction of hotels or beach resorts for tourists or visitors subject to the conditions as specified in the guidelines at Annexure-III;
- (ii) facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-II;
- (iii) facilities for regasification of liquefied natural gas subject to conditions as mentioned in subparagraph (ii) of paragraph 3;
- (iv) storage of non-hazardous cargo such as, edible oil, fertilizers, food grain in notified ports;
- (v) foreshore facilities for desalination plants and associated facilities;
- (vi) facilities for generating power by non-conventional energy sources;
- (vii) construction or reconstruction of dwelling units so long it is within the ambit of traditional rights and customary uses such as existing fishing villages and goathans. Building permission for such construction or reconstruction will be subject to local town and country planning rules with overall height of construction not exceeding 9mts with two floors (ground + one floor);
- (viii) construction of public rain shelters, community toilets, water supply drainage, sewerage, roads and bridges by CZMA who 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;
- (ix) reconstruction or alteration of existing authorized building subject to sub- paragraph (vii), (viii);
- (x) development of green field airport already permitted only at Navi Mumbai.

¹[(xi) Mining of Atomic Minerals notified under Part-B of the First Schedule of Mining and Minerals

¹ Inserted vide G.S.R. 1227(E) dated 6th October, 2017

(Development) Act, 1957 occurring as such or in association with one or other minerals.]

(IV) In CRZ-IV areas, -

The activities impugning on the sea and tidal influenced water bodies will be regulated except for traditional fishing and related activities undertaken by local communities as follows: -

- (a) No untreated sewage, effluents, ballast water, ship washes, fly ash or solid waste from all activities including from aquaculture operations shall be let off or dumped. A comprehensive plan for treatment of sewage generating from the coastal towns and cities shall be formulated within a period of one year in consultation with stakeholders including traditional coastal communities, traditional fisherfolk and implemented;
- (b) Pollution from oil and gas exploration and drilling, mining, boat house and shipping;
- (c) There shall be no restriction on the traditional fishing and allied activities undertaken by local communities.

V. Areas requiring special consideration, -

1. CRZ areas falling within municipal limits of the Greater Mumbai.

(i) Developmental activities in the CRZ area of the Greater Mumbai because of the environmental issues, relating to degradation of mangroves, pollution of creeks and coastal waters, due to discharge of untreated effluents and disposal of solid waste, the need to provide decent housing to the poor section of society and lack of suitable alternatives in the inter connected islands of Greater Mumbai shall be regulated as follows, namely: -

- A. Construction of roads - In CRZ-I areas indicated at sub-paragraph (i) of paragraph 7 of the notification the following activities only can be taken up: -
 - (a) Construction of roads, approach roads and missing link roads approved in the Developmental Plan of Greater Mumbai on stilts ensuring that the free flow of tidal water is not affected, without any benefit of CRZ-II accruing on the landward side of such constructed roads or approach roads subject to the following conditions: -
 - (i) All mangrove areas shall be mapped and notified as protected forest and necessary protection and conservation measures for the identified mangrove areas shall be initiated.
 - (ii) Five times the number of mangroves destroyed/cut during the construction process shall be replanted.
- B. Solid waste disposal sites shall be identified outside the CRZ area and thereafter within two years the existing conventional solid waste sites shall be relocated outside the CRZ area.

¹[C. The construction of sewage treatment plants in CRZ-I for the purpose of treating the sewage from the municipal area shall be taken only by the municipal authorities in exceptional circumstances, where no alternate site is available to set up such facilities, subject to recommendations of the concerned CZMA and approval by the Central Government. Three times the number of mangroves destroyed or cut during construction process shall be replanted.]

(iii) In CRZ-II areas-

(a) The development or redevelopment shall continue to be undertaken in accordance with the norms laid down in the Town and Country Planning Regulations as they existed on the date of issue of the

¹ Inserted vide S.O. No. 1393 (E) dated 3rd May, 2017.

notification dated the 19th February, 1991, unless specified otherwise in this notification.

(b) SLUM REHABILITATION SCHEMES, -

1. In the Greater Mumbai area there are large slum clusters with lakhs of families residing therein and the living conditions in these slums are deplorable and the civic agencies are not able to provide basic infrastructure such as drinking water, electricity, roads, drainage and the like because the slums come up in an unplanned and congested manner and the slums in the coastal area are at great risk in the event of cyclones, storm surges or tsunamis, in view of the difficulties in providing rescue, relief and evacuation.

2. To provide a safe and decent dwelling to the slum dwellers, the State Government may implement slum redevelopment schemes as identified as on the date of issue of this notification directly or through its parastatal agencies like Maharashtra Housing and Area Development Authority (MHADA), Shivshahi Punarvasan Prakash Limited (SPPL), Mumbai Metropolitan Region Development Authority (MMRDA) and the like:

Provided that, -

- (i) such redevelopment schemes shall be undertaken directly or through joint ventures or through public private partnerships or other similar models ensuring that the stake of the State Government or its parastatal entities shall be not less than 51%;
- (ii) the Floor Space Index or Floor Area Ratio for such redevelopment schemes shall be in accordance with the Town and Country Planning Regulations prevailing as on the date on which the project is granted approval by the competent authority;
- (iii) it shall be the duty of the project proponent undertaking the redevelopment through conditions (i) (2) above along with the State Government to ensure that all legally regularized tenants are provided houses in situ or as per norms laid down by the State Government in this regard.

(c) REDEVELOPMENT OF DILAPIDATED, CESSSED AND UNSAFE BUILDINGS:

1. In the Greater Mumbai, there are, also a large number of old and dilapidated, cessed and unsafe buildings in the CRZ areas and due to their age these structures are extremely vulnerable and disaster prone and therefore there is an urgent need for the redevelopment or reconstruction of these identified buildings.

2. These projects shall be taken up subject to the following conditions and safeguards:

- (i) such redevelopment or reconstruction projects as identified on the date of issue of this notification shall be allowed to be taken up involving the owners of these buildings either above or with private developers in accordance with the prevailing Regulation, directly or through joint ventures or through other similar models.
- (ii) the Floor Space Index or Floor Area Ratio for such redevelopment schemes shall be in accordance with the Town and Country Planning Regulations prevailing as on the date on which the project is granted approval by the competent authority
- (iii) suitable accommodation to the original tenants of the specified buildings shall be ensured during the course of redevelopment or reconstruction of the buildings by the project proponents, undertaking the redevelopment through condition 2(i) above.

(d) Notwithstanding anything contained in this notification, the developmental activities for slums and for dilapidated, ceased and unsafe buildings as specified at paras (b) and (c) above shall be carried out in an accountable and transparent manner by the project proponents mentioned therein which shall include the following pre-condition measures, wherever applicable; -

- 1. (i) applicability of the Right to Information Act, 2005 to all redevelopment or reconstruction projects granted clearance by the Competent Authorities;

- (ii) MoEF shall issue an order constituting the CPIO and the first Appellate Authority of appropriate ranks in consultation with Government of Maharashtra;
- (iii) details of the Slum Rehabilitation Scheme, including the complete proposal and the names of the eligible slum dwellers will be declared suo-motu as a requirement of Section 4 of compliance of the Right to Information Act, 2005 by the appropriate authority in the Government of Maharashtra in one month before approving it;
- (iv) the implementing or executing agency at the State Government with regard to projects indicated at sub-item (b) and (c) of item (iii) of sub-paragraph V shall display on a large notice boards at the site and at the office of the implementing or executing agency the names of the eligible builders, total number of tenements being made, names of eligible slum dwellers who are to be provided the dwelling units and the extra area available for free sale.
- (v) Projects being developed under sub-items (b) and (c) of item (iii) of sub-paragraph V shall be given permission only if the project proponent agree to be covered under the Right to Information Act, 2005.
2. MoEF may appoint statutory auditors, who are empanelled by the Comptroller and auditor General (hereinafter referred to as the C&AG) to undertake performance and fiscal audit in respect of the projects relating to redevelopment of dilapidated, cessed and unsafe buildings and the projects relating to Slum Rehabilitation Scheme shall be audited by C&AG.
3. A High Level Oversight Committee may be set up by the Government of Maharashtra for periodic review of implementation of V(iii)(b) and (c) which shall include eminent representatives of various Stakeholders, like Architects, Urban Planner, Engineers, and Civil Society, besides the local urban bodies, the State Government and the Central Government.
4. The individual projects under V(iii)(b) and (c) shall be undertaken only after public consultation in which views of only the legally entitled slum dweller or the legally entitled tenent of the dilapidated or cessed buildings shall be obtained in accordance with the procedures laid down in EIA notification, 2006.
- (e) In order to protect and preserve the 'green lung' of the Greater Mumbai area, all open spaces, parks, gardens, playgrounds indicated in development plans within CRZ-II shall be categorized as CRZ-III, that is, 'no development zone'.
- (f) the Floor Space Index up to 15% shall be allowed only for construction of civic amenities, stadium and gymnasium meant for recreational or sports related activities and the residential or commercial use of such open spaces shall not be permissible.
- (g) Koliwada namely, fishing settlement areas as identified in the Development Plan of 1981 or relevant records of the Government of Maharashtra, shall be mapped and declared as CRZ-III so that any development, including construction and reconstruction of dwelling units within these settlements shall be undertaken in accordance with applicable as per local Town and Country Planning Regulations.
- (h) Reconstruction and repair works of the dwelling units, belonging to fisher communities and other local communities identified by the State Government, shall be considered and granted permission by the Competent Authorities on a priority basis, in accordance with the applicable Town and Country Planning Regulations.

¹[(i) Construction of Memorial in the honor of Bharat Ratna Dr. Babasaheb Ambedkar in Mumbai on Indu 6 Mills lands shall be allowed with change in land use from industrial to construction of Memorial in accordance with the applicable Town and Country Planning Regulations.]

2. CRZ for Kerala. -In view of the unique coastal systems of backwater and backwater islands along

¹ Inserted vide S. O. 4162(E) dated 23rd December, 2016.

with space limitation present in the coastal stretches of the State of Kerala, the following activities in CRZ shall be regulated as follows, namely: -

- (i) all the islands in the backwaters of Kerala shall be covered under the CRZ notification;
- (ii) the islands within the backwaters shall have 50mts width from the High Tide Line on the landward side as the CRZ area;
- (iii) within 50mts from the HTL of these backwater islands existing dwelling units of local communities may be repaired or reconstructed however no new construction shall be permitted;
- (iv) beyond 50mts from the HTL on the landward side of backwater islands, dwelling units of local communities may be constructed with the prior permission of the Gram panchayat;

3. foreshore facilities such as fishing jetty, fish drying yards, net mending yard, fishing processing by traditional methods, boat building yards, ice plant, boat repairs and the like, may be taken up within 50mts width from HTL of these back water islands.

4. CRZ of Goa. - In view of the peculiar circumstances of the State Goa including past history and other developments, the specific activities shall be regulated and various measures shall be undertaken as follows: -

- (i) the Government of Goa shall notify the fishing villages wherein all foreshore facilities required for fishing and fishery allied activities such as traditional fish processing yards, boat building or repair yards, net mending yards, ice plants, ice storage, auction hall, jetties may be permitted by Gram Panchayat in the CRZ area;
- (ii) reconstruction, repair works of the structures of local communities including fishermen community shall be permissible in CRZ;
- (iii) purely temporary and seasonal structures customarily put up between the months of September to May;
- ¹[(iiiia) such structures shall not be removed and dismantled during the month of June to August: Provided that the facilities available in these structures shall remain non-operational during the month of June to August;]
- (iv) the eco sensitive low lying areas which are influenced by tidal action known as khazan lands shall be mapped;
- (v) the mangroves along such as khazan land shall be protected and a management plan for the khazan land prepared and no developmental activities shall be permitted in the khazanland;
- (vi) sand dunes, beach stretches along the bays and creeks shall be surveyed and mapped. No activity shall be permitted on such sand dune areas;
- (vii) the beaches such as Mandrem, Morjim, Galgiba and Agonda has been designated as turtle nesting sites and protected under the Wildlife Protection Act, 1972 and these areas shall be surveyed and management plan prepared for protection of these turtle nesting sites;
- (viii) no developmental activities shall be permitted in the turtle breeding areas referred to in subparagraph (vii).

4. (a) Critical Vulnerable Coastal Areas (CVCA) which includes Sunderbans and other identified ecological sensitive areas which shall be managed with the involvement of the local coastal communities including the fisher folk; -

¹ Inserted vide S.O. No. 1393(E) dated 3rd May, 2017.

- (b) the entire Sunderbans mangrove area and other identified ecologically important areas such as Gulf of Khambhat and Gulf of Kutchchh in Gujarat, Malvan, Achra-Ratnagiri in Maharashtra, Karwar and Coondapur in Karnataka, Vembanad in Kerala, Gulf of Mannar in Tamil Nadu, Bhaitarkanika in Orissa, Coringa, East Godavari and Krishna in Andhra Pradesh shall be declared as Critical Vulnerable Coastal Areas (CVCA) through a process of consultation with local fisher and other communities inhabiting the area and depend on its resources for their livelihood with the objective of promoting conservation and sustainable use of coastal resources and habitats;
- (c) the process of identifying planning, notifying and implementing CVCA shall be detailed in the guideline which will be developed and notified by MoEF in consultations with the stakeholders like the State Government, local coastal communities and fisherfolk and the like inhabiting the area;
- (d) the Integrated Management Plans (IMPs) prepared for such CVCA shall interalia keep in view the conservation and management of mangroves, needs of local communities such as, dispensaries, schools, public rain shelter, community toilets, bridges, roads, jetties, water supply, drainage, sewerage and the impact of sea level rise and other natural disasters and the IMPs will be prepared in line with the para 5 above for preparation of Coastal Zone Management Plans;
- (e) till such time the IMPs are approved and notified, construction of dispensaries, schools, public rain shelters, community toilets, bridges, roads, jetties, water supply, drainage, sewerage which are required for traditional inhabitants shall be permitted on a case to case basis, by the CZMA with due regards to the views of coastal communities including fisherfolk.

[F.No.11-83/2005-IA-III]

J. M. MAUSKAR, Addl. Secy.

ANNEXURE I**GUIDELINES FOR PREPARATION OF COASTAL ZONE MANAGEMENT PLANS****I. A. Demarcation of High Tide Line**

1. Demarcation of High Tide Line (HTL) and Low Tide Line (LTL) shall be carried out by one of the agencies authorised by MoEF based on the recommendations of the National Centre for Sustainable Coastal Management (NCSCM).
2. Demarcation of the High Tide Line or LTL shall be made on the Coastal Zone Management (CZM) Maps of scale 1:25,000 prepared by the agencies identified by the MoEF.
3. Local level CZM Maps shall be prepared for use of officials of local bodies for determination of the CRZ.
4. The local level CZM Maps shall be prepared on a Cadastral scale in accordance with the CZM Maps approved by the Central Government.

B. Preparation of CZM Maps

5. Base Maps of 1:25,000 scale shall be acquired from the Survey of India (SOI) and wherever 1:25,000 maps are not available, 1:50,000 maps shall be enlarged to 1:25,000 for the purpose of base map preparation and these maps will be of the standard specification given below:

Unit	: 7.5 minutes X 7.5 minutes
Numbering	: Survey of India Sheet Numbering system
Horizontal Datum	: Everest or WGS 84
Vertical Datum	: Mean Sea Level (MSL)
Topography	: Topography in the SOI maps will be updated using latest satellite imageries or aerial photographs

6. The High Water Level (HWL) and Low Water Level (LWL) marked on the Base maps will be transferred to the CZM maps.
7. Coastal geomorphological signatures in the field or satellite imageries or aerial photographs will be used for appropriate adjustment, in the HWL or LWL for demarcating HTL or LTL in accordance with the CRZ notification.
8. The following geomorphological features shall be considered while demarcating in HTL or LTL:
 - Landward (monsoonal) berm crest in the case of sandy beaches
 - Rocks, Headlands, Cliffs
 - Seawalls or revetments or embankments
9. 500 meter and 200 meter lines will be demarcated with respect of HTL.
10. HTL (as defined in the CRZ notification) and LTL shall also be demarcated in the CZM maps along the banks of tidal influenced inland water bodies with the help of the geomorphological signatures or features.
11. Classification of different coastal zones shall be done as per the CRZ notification
12. Standard national or international colour codes shall be used to highlight sub- classification of data.

C. Local level CZM Maps

Local level CZM Maps are for the use of local bodies and other agencies to facilitate

implementation of the Coastal Zone Management Plans

13. Cadastral (village) maps in 1:3960 or the nearest scale, shall be used as the base maps.
14. These maps are available with revenue Authorities and are prepared as per standard norms.
15. HTL (as defined in the CRZ notification) and LTL will be demarcated in the cadastral map based on detailed physical verification using coastal geomorphological signatures or features in accordance with the CZM Maps approved by the Central Government.
16. 500metre and 200metre lines shall be demarcated with respect to the HTL thus marked.
17. HTL (as defined in the CRZ notification, 1991) and LTL will also be demarcated along the banks of tidal influenced inland water bodies with the help of geomorphological signatures or features.
18. Classifications shall be transferred into local level CZM maps from the CZM Plans.
19. Symbols will be adopted from CZM Maps.
20. Colour codes as given in CZM Maps shall be used.
21. Demarcation of cadastral maps will be done by local agencies approved by the Central Government. The local agencies shall work under the guidance of the concerned State Government or Union Territory Coastal Zone Management Authorities.

D. Hazard mapping: -

II. Classification of CRZ areas

1. The CZM Maps shall be prepared in accordance with para 5 of the CRZ notification demarcating CRZ I, II, III, IV and V.
2. The CZM Maps shall clearly demarcate the land use plan of the area and lists out the CRZ-I areas. All the CRZ-I areas listed under para 7(I)A and B shall be clearly demarcated and colour codes given so that each of the CRZ-I areas can be clearly identified.
3. Buffer zone along mangrove areas of more than 1000sq mts shall be stipulated with a different colour distinguishing from the mangrove area.
4. The buffer zone shall also be classified as CRZ-I area.
5. The hazard line to be drawn up by MoEF shall be superimposed on the CZM maps in 1:25,000 scale and also on the cadastral scale maps.
6. The CRZ-II areas shall be those areas which have been substantially built-up with a ratio of built-up plots to that of total plots is more than 50%.
7. In the CRZ areas, the fishing villages, common properties of the fishermen communities, fishing jetties, ice plants, fish drying platforms or areas infrastructure facilities of fishing and local communities such as dispensaries, roads, schools, and the like, shall be indicated on the cadastral scale maps. States shall prepare detailed plans for long term housing needs of coastal fisher communities in view of expansion and other needs, provisions of basic services including sanitation, safety, and disaster preparedness.
8. No developmental activities other than those listed above shall be permitted in the areas between the hazard line and 500mts or 100mts or width of the creek on the landward side. The dwelling unit of the local communities including that of the fishers will not be relocated if the dwelling units are located on the seaward side of the hazard line. The State Government

will provide necessary safeguards from natural disaster to such dwelling units of local communities.

9. The water areas of CRZ IV shall be demarcated and clearly demarcated if the water body is sea, lagoon, backwater, creek, bay, estuary and for such classification of the water bodies the terminology used by Naval Hydrographic Office shall be relied upon.
10. The fishing Zones in the water bodies and the fish breeding areas shall be clearly marked.
11. The water area shall be demarcated indicating the pollution levels as per Central Pollution Control Board standards on water quality.
12. In the CRZ V areas the land use maps shall be superimposed on the Coastal Zone Management Plan and clearly demarcating the CRZ I, II, III, IV.
13. The existing authorized developments on the sea ward side shall be clearly demarcated.
14. The features like cyclone shelters, rain shelters, helipads and other infrastructure including road network may be clearly indicated on the CZM Maps for the purpose of rescue and relief operations during cyclones, storms, tsunami and the like.

III. CZMPs approved by MoEF in accordance with CRZ notification,1991

1. While preparing the CZMPs under CRZ notification, 2011, the CZMPs that have been approved under the CRZ Notification, 1991 shall be compared. A justification shall be provided by the concerned CZMA in case the CZMPs prepared under CRZ notification, 2011 varies with respect to the approved CZMP prepared under CRZ notification,1991.

IV. Public Views on the CZMP.

- a) The draft CZMPs prepared shall be given wide publicity and suggestions and objections received in accordance with the Environment (Protection) Act, 1986. Public hearing on the draft CZMPs shall be held at district level by the concerned CZMAs.
- b) Based on the suggestions and objections received the CZMPs shall be revised and approval of MoEF shall be obtained.
- c) The approved CZMP shall be put up on the website of MoEF, concerned website of the State, Union Territory CZMA and hard copy made available in the panchayat office, District collector office and the like.

V. Revision of Coastal Zone Management Plans

1. Whenever there is a doubt the concerned State or Union territory Coastal Zone Management Authority shall refer the matter to the National Centre for Sustainable Coastal Management who shall verify the CZMP based on latest satellite imagery and ground truthing.
2. The rectified map would be submitted to MoEF for its record.

Annexure-II**List of petroleum and chemical products permitted for storage in [CRZ except CRZ-I(A)]**

- (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) Naphtha;
- (xii) Furnace oil;
- (xiii) Low Sulphur Heavy Stock;
- (xiv) Liquefied Natural Gas;
- (xv) Fertilizers and raw materials for manufacture of fertilizers.

Annexure-III**Guidelines for development of beach resorts or hotels in the designated areas of CRZ-III and CRZ-II for occupation of tourist or visitors with prior approval of the Ministry of Environment and Forests**

- I. Construction of beach resorts or hotels with prior approval of MoEF in designated areas of CRZ-II and III for occupation of tourist or visitors shall be subject to the following conditions, namely: -
- (a) The project proponent shall not undertake any construction within 200 metres in the landward side of High Tide Line and within the area between Low Tide Line and High Tide Line;
 - (b) The proposed constructions shall be beyond the hazard line or 200mts from the High Tide Line whichever is more;
 - (c) 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;
 - (d) no flattening of sand dunes shall be carried out;
 - (e) no permanent structures for sports facilities shall be permitted except construction of goal posts, net posts and lamp posts;
 - (f) Construction of basement may be allowed subject to the condition that no objection certification is obtained from the State Ground Water Authority to the effect that such construction will not adversely affect the flow of groundwater in that area;
 - (g) the State Ground Water Authority shall take into consideration the guidelines issued by Central Government before granting such no objection certificate;
 - (h) though no construction is allowed in the no development zone for the purposes of calculation of Floor Space Index, the area of entire plot including the portion which falls within the no development zone shall be taken into account;
 - (i) the total plot size shall not be less than 0.4 hectares and the total covered area on all floors shall not exceed 33 percent of the plot size i.e., the Floor Space Index shall not exceed 0.33 and the open area shall be suitably landscaped with appropriate vegetative cover;
 - (j) the construction shall be consistent with the surrounding landscape and local architectural style;
 - (k) the overall height of construction upto the highest ridge of the roof, shall not exceed 9metres and the construction shall not be more than two floors (ground floor plus one upper floor);
 - (l) groundwater shall not be tapped within 200 metre of the High Tide Line; within the 200metre 500metre zone it can be tapped only with the concurrence of the Central or State Ground Water Board;
 - (m) extraction of sand, leveling or digging of sandy stretches except for structural foundation of building, swimming pool shall not be permitted within 500metres of the High Tide Line;
 - (n) the quality of treated effluents, solid wastes, emissions and noise levels and the like, from the project area must conform to the standards laid down by the competent

authorities including the Central or State Pollution Control Board and under the Environment (Protection) Act, 1986;

- (o) necessary arrangements for the treatment of the effluents and solid wastes must be made and it must be ensured that the untreated effluents and solid wastes are not discharged into the water or on the beach; and no effluent or solid waste shall be discharged on the beach;
 - (p) to allow public access to the beach, atleast a gap of 20 metres width shall be provided between any two hotels or beach resorts; and in no case shall gaps be less than 500metres apart; and
 - (q) ff the project involves diversion of forestland for non-forest purposes, clearance as required under the Forest (Conservation) Act, 1980 shall be obtained and the requirements of other Central and State laws as applicable to the project shall be met with; and
 - (r) approval of the State or Union territory Tourism Department shall be obtained.
- II. In ecologically sensitive areas (such as marine parks, mangroves, coral reefs, breeding and spawning grounds of fish, wildlife habitats and such other area as may be notified by the Central or State Government Union territories) construction of beach resorts or hotels shall not be permitted.

¹[Note: For the development of beach resorts or hotels in the CRZ-II area, the guidelines at sub-items (c), (d), (e), (f), (g), (n), (o), (q), (r) of Item I and at item II shall be applicable.]

¹ Inserted by S. O. 383(E) dated 4th February, 2015.

Annexure-IV**Form-I for seeking clearance for project attracting CRZ notification**

Basic information:

Name of the Project: -

Location or site alternatives under consideration: -

Size of the project (in terms of total area): -

CRZ classification of the area: -

Expected cost of the project: -

Contact Information: -

(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, and the like)

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 use, land cover or topography including increase in intensity of land use (with respect to local land use plan)		
1.2	Details of CRZ classification as per the approved Coastal Zone Management Plan?		
1.3	Whether located in CRZ-I area?		
1.4	The distance from the CRZ-I areas.		
1.5	Whether located within the hazard zone as mapped by Ministry of Environment and Forests/National Disaster Management Authority?		
1.6	Whether the area is prone to cyclone, tsunami, tidal surge, subduction, earthquake etc.?		
1.7	Whether the area is prone for saltwater ingress?		
1.8	Clearance of existing land, vegetation and buildings?		
1.9	Creation of new land uses?		
1.10	Pre-construction investigations e.g. bore hole, soil testing?		
1.11	Construction works?		
1.12	Demolition works?		
1.13	Temporary sites used for construction works or housing of construction workers?		

S. No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/ rates, wherever possible) with source of information data
1.14	Above ground buildings, structures or earthworks including linear structures, cut and fill or excavations		
1.15	Underground works including mining or tunneling?		
1.16	Reclamation works?		
1.17	Dredging/reclamation/land filling/ /disposal of dredged material etc.?		
1.18	Offshore structures?		
1.19	Production and manufacturing processes?		
1.20	Facilities for storage of goods or materials?		
1.21	Facilities for treatment or disposal of solid waste or liquid effluents?		
1.22	Facilities for long term housing of operational workers?		
1.23	New road, rail or sea traffic during construction or operation?		
1.24	New road, rail, air waterborne or other transport infrastructure including new or altered routes and stations, ports, airports etc?		
1.25	Closure or diversion of existing transport routes or infrastructure leading to changes in traffic movements?		
1.26	New or diverted transmission lines or pipelines?		
1.27	Impoundment, damming, culverting, realignment or other changes to the hydrology of watercourses or aquifers?		
1.28	Stream and river crossings?		
1.29	Abstraction or transfers of water form ground or surface waters?		
1.30	Changes in water bodies or the land surface affecting drainage or run-off?		
1.31	Transport of personnel or materials for construction, operation or decommissioning?		
1.32	Long-term dismantling or decommissioning or restoration works?		
1.33	Ongoing activity during decommissioning which could have an impact on the environment?		
1.34	Influx of people to an area in either temporarily or permanently?		
1.35	Introduction of alien species?		
1.36	Loss of native species or genetic diversity?		
1.37	Any other actions?		

2. Use of Natural resources for construction or 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 are hazardous (as per MSIHC rules) to human health or the environment (flora, fauna, and water supplies)		
3.2	Changes in occurrence of disease or affect disease vectors (e.g. insect or water borne diseases)		
3.3	Affect the welfare of people e.g. by changing living conditions?		
3.4	Vulnerable groups of people who could be affected by the project e.g. hospital patients, children, the elderly etc.,		
3.5	Any other causes, that would affect local communities, fisherfolk, their livelihood, dwelling units of traditional local communities etc		

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 or commercial wastes)		

4.3	Hazardous wastes (as per Hazardous Waste Management Rules)		
4.4	Other industrial process wastes		
4.5	Surplus product		
4.6	Sewage sludge or other sludge from effluent 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 fuels from stationary or mobile sources		
5.2	Emissions from production processes		
5.3	Emissions from materials handling including storage or transport		
5.4	Emissions from construction activities including plant and equipment		
5.5	Dust or odours from handling of materials including construction materials, sewage and waste		
5.6	Emissions from incineration of waste		
5.7	Emissions from burning of waste in open air (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
6.1	From operation of equipment e.g. engines, 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 of hazardous materials		
7.2	From discharge of sewage or other effluents to water or the land (expected mode and place of discharge)		
7.3	By deposition of pollutants emitted to air into the land or into water		
7.4	From any other sources		
7.5	Is there a risk of long term build up of pollutants in the environment from these 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 from storage, handling, use or production of hazardous substances		
8.2	From any other causes		
8.3	Could the project be affected by natural disasters causing environmental damage (e.g., floods, earthquakes, landslides, 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	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
9.1	Lead to development of supporting activities, ancillary development or development stimulated by the project which could have impact on the environment e.g.: Supporting infrastructure (roads, power supply, waste or waste water treatment, etc.) housing development extractive industries		

	supply industries other		
9.2	Lead to after-use of the site, which could have an impact on the environment		
9.3	Set a precedent for later developments		
9.4	Have cumulative effects due to proximity to other existing or planned projects with similar effects		

III. Environmental Sensitivity

S. No.	Areas	Name/ Identity	Aerial distance (within 15 km.) Proposed project location boundary
1	Areas protected under international conventions, national or local legislation for their ecological, landscape, cultural or other related value		
2	Areas which are important or sensitive for ecological reasons - Wetlands, watercourses or other water bodies, coastal zone, biospheres, mountains, forests		
3	Areas used by protected, important or sensitive species of flora or fauna for breeding, nesting, foraging, resting, over wintering, migration		
4	Inland, coastal, marine or underground waters		
5	State, National boundaries		
6	Routes or facilities used by the public for access to recreation or other tourist, pilgrim areas		
7	Defence installations		
8	Densely populated or built-up area		
9	Areas occupied by sensitive man-made land uses (hospitals, schools, places of worship, community facilities)		
10	Areas containing important, high quality or scarce resources (ground water resources, surface resources, forestry, agriculture, fisheries, tourism, minerals)		
11	Areas already subjected to pollution or environmental damage. (those where existing legal environmental standards are exceeded)		
12	Areas susceptible to natural hazard which could cause the project to present environmental problems (earthquakes, subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions)		

Explanation: - For the purpose of the notification, the word “existing” used in the said notification shall mean existence of the features or regularization or norms as on 19th February, 1991 wherein CRZ notification, was notified.]

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
NOTIFICATION

New Delhi, the 18th January, 2019

G.S.R. 37(E).—Whereas by notification of the Government of India in the erstwhile Ministry of Environment and Forests number S.O.19 (E), dated the 6th January, 2011 (hereinafter referred to as the Coastal Regulation Zone Notification, 2011), the Central Government declared certain coastal stretches as Coastal Regulation Zone (hereinafter referred to as the CRZ) under section 3 of Environment (Protection) Act, 1986 (29 of 1986);

And Whereas, the Ministry of Environment, Forest and Climate Change has received representations from various coastal States and Union territories, besides other stakeholders, regarding certain provisions in the Coastal Regulation Zone Notification, 2011 related to management and conservation of marine and coastal ecosystems, development in coastal areas, eco-tourism, livelihood options and sustainable development of coastal communities etc.;

And Whereas, various State Governments and Union territory administrations and stakeholders have requested the Ministry of Environment, Forest and Climate Change to address the concerns related to coastal environment and sustainable development with respect to the Coastal Regulation Zone Notification, 2011;

And Whereas, the Ministry of Environment, Forest and Climate Change had constituted a Committee under the Chairmanship of Dr. Shailesh Nayak to examine various issues and concerns of coastal States and Union territories and various stakeholders, relating to the Coastal Regulation Zone Notification 2011 and to recommend appropriate changes in the said Notification;

And Whereas, the report submitted by Dr. Shailesh Nayak Committee has been examined in the Ministry and consultations have been held with various stakeholders in this regard;

And Whereas, a draft Coastal Regulation Zone Notification, 2018 was issued and hosted in the website of the Ministry of Environment, Forest and Climate Change on the 18th April, 2018 seeking comments and suggestions from all concerned;

And Whereas, objections and suggestions received in response to the above mentioned draft Coastal Regulation Zone Notification, 2018 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) and in supersession of the Coastal Regulation Zone Notification 2011, number S.O. 19(E), dated the 6th January, 2011, except as respects things done or omitted to be done before such supersession, the Central Government, with a view to conserve and protect the unique environment of coastal stretches and marine areas, besides livelihood security to the fisher communities and other local communities in the coastal areas and to promote sustainable development based on scientific principles taking into account the dangers of natural hazards, sea level rise due to global warming, do hereby, declares the coastal stretches of the country and the water area up to its territorial water limit, excluding the islands of Andaman and Nicobar and Lakshadweep and the marine areas surrounding these islands, as Coastal Regulation Zone as under:-

- (i) The land area from High Tide Line (hereinafter referred to as the HTL) to 500 meters on the landward side along the sea front.

Explanation. - For the purposes of this notification, the HTL means the line on the land upto which the highest water line reaches during the spring tide, as demarcated by the National Centre for Sustainable Coastal Management (NCSCM) in accordance with the laid down procedures and made available to various coastal States and Union territories.

- (ii) CRZ shall apply to the land area between HTL to 50 meters or width of the creek, whichever is less on the landward side along the tidal influenced water bodies that are connected to these and the distance upto which development along such tidal influenced water bodies is to be regulated shall be governed by the distance upto which the tidal effects are experienced which shall be determined

based on salinity concentration of five parts per thousand (ppt) measured during the driest period of the year and distance up to which tidal effects are experienced shall be clearly identified and demarcated accordingly in the Coastal Zone Management Plan (hereinafter referred to as the CZMP):

Provided that the CRZ limit of 50 meters or width of the creek whichever is less, shall be subject to revision and final approval of the respective CZMPs as per this notification, framed with due consultative process, public hearing etc. and environmental safeguards enlisted therein, and till such time the CZMP to this notification is approved, the limit of 100 meters or width of the creek whichever is less, shall continue to apply.

Explanation. - For the purposes of this sub-paragraph the expression “tidal influenced water bodies” means the water bodies influenced by tidal effects from sea in the bays, estuaries, rivers, creeks, backwaters, lagoons, ponds that are connected to the sea.

- (iii) The “intertidal zone” means land area between the HTL and the Low Tide Line (hereinafter referred to as the LTL).
- (iv) The water and the bed area between the LTL to the territorial water limit (12 Nm) in case of sea and the water and the bed area between LTL at the bank to the LTL on the opposite side of the bank, of tidal influenced water bodies.

2.0 Classification of CRZ. – For the purpose of conserving and protecting the coastal areas and marine waters, the CRZ area shall be classified as follows, namely: -

2.1 CRZ-I areas are environmentally most critical and are further classified as under:

2.1.1 CRZ-I A:

- (a) CRZ-I A shall constitute the following ecologically sensitive areas (ESAs) and the geomorphological features which play a role in maintaining the integrity of the coast viz.:
 - (i) Mangroves (in case mangrove area is more than 1000 square meters, a buffer of 50 meters along the mangroves shall be provided and such area shall also constitute CRZ-I A);
 - (ii) Corals and coral reefs;
 - (iii) Sand dunes;
 - (iv) Biologically active mudflats;
 - (v) National parks, marine parks, sanctuaries, reserve forests, wildlife habitats and other protected areas under the provisions of Wild Life (Protection) Act, 1972 (53 of 1972), Forest (Conservation) Act, 1980 (69 of 1980) or Environment (Protection) Act, 1986 (29 of 1986), including Biosphere Reserves;
 - (vi) Salt marshes;
 - (vii) Turtle nesting grounds;
 - (viii) Horse shoe crabs’ habitats;
 - (ix) Sea grass beds;
 - (x) Nesting grounds of birds;
 - (xi) Areas or structures of archaeological importance and heritage sites.
- (b) A detailed environment management plan shall be formulated by the states and Union territories for such ecologically sensitive areas in respective territories, as mapped out by the National Centre for Sustainable Coastal Management (NCSCM), Chennai based on guidelines as contained in **Annexure-I** to this notification and integrated with the CZMP.

2.1.2 CRZ-I B:

The intertidal zone i.e. the area between Low Tide Line and High Tide Line shall constitute the CRZ-I B.

2.2 CRZ-II:

CRZ-II shall constitute the developed land areas up to or close to the shoreline, within the existing municipal limits or in other existing legally designated urban areas, which are substantially built-up with a ratio of built-up plots to that of total plots being more than 50 per cent and have been provided with drainage and approach roads and other infrastructural facilities, such as water supply, sewerage mains, etc.

2.3 CRZ-III:

Land areas that are relatively undisturbed (viz. rural areas, etc.) and those which do not fall under CRZ-II, shall constitute CRZ-III, and CRZ-III shall be further classified into following categories: -

2.3.1 CRZ-III A:

Such densely populated CRZ-III areas, where the population density is more than 2161 per square kilometre as per 2011 census base, shall be designated as CRZ-III A and in CRZ-III A, area up to 50 meters from the HTL on the landward side shall be earmarked as the 'No Development Zone (NDZ)', provided the CZMP as per this notification, framed with due consultative process, have been approved, failing which, a NDZ of 200 meters shall continue to apply.

2.3.2 CRZ-III B:

All other CRZ-III areas with population density of less than 2161 per square kilometre, as per 2011 census base, shall be designated as CRZ-III B and in CRZ-III B, the area up to 200 meters from the HTL on the landward side shall be earmarked as the 'No Development Zone (NDZ)'.

2.3.3

Land area up to 50 meters from the HTL, or width of the creek whichever is less, along the tidal influenced water bodies in the CRZ III, shall also be earmarked as the NDZ in CRZ III.

Note: The NDZ shall not be applicable in the areas falling within notified Port limits.

2.4 CRZ- IV:

The CRZ- IV shall constitute the water area and shall be further classified as under: -

2.4.1 CRZ- IVA:

The water area and the sea bed area between the Low Tide Line up to twelve nautical miles on the seaward side shall constitute CRZ-IV A.

2.4.2 CRZ- IVB:

CRZ-IV B areas shall include the water area and the bed area between LTL at the bank of the tidal influenced water body to the LTL on the opposite side of the bank, extending from the mouth of the water body at the sea up to the influence of tide, i.e., salinity of five parts per thousand (ppt) during the driest season of the year.

3.0 Areas requiring special consideration in the CRZ. - Following coastal areas shall be accorded special consideration for the purpose of protecting the critical coastal environment and difficulties faced by local communities: -

3.1 Critically Vulnerable Coastal Areas (CVCA):

Sundarban region of West Bengal and other ecologically sensitive areas identified as under Environment (Protection) Act, 1986 such as Gulf of Khambat and Gulf of Kutchh in Gujarat, Malvan, Achra-Ratnagiri in Maharashtra, Karwar and Coondapur in Karnataka, Vembanad in Kerala, Gulf of Mannar in Tamil Nadu, Bhaitarkanika in Odisha, Coringa, East Godavari and Krishna in Andhra Pradesh shall be treated as Critical Vulnerable Coastal Areas (CVCA) and managed with the involvement of coastal communities including fisher folk who depend on coastal resources for their sustainable livelihood.

3.2 CRZ for inland Backwater islands and islands along the mainland coast.

3.3 CRZ falling within municipal limits of Greater Mumbai.

4. Prohibited activities within CRZ. - The following activities shall be prohibited, in general, within the entire CRZ and exceptions to these and other permissible and regulated activities in specific CRZ categories viz. CRZ-I, II, III and IV, shall be governed by the provisions of paragraph 5: -

- (i) Setting up of new industries and expansion of existing industries, operations or processes.
- (ii) Manufacture or handling of oil, storage or disposal of hazardous substances as specified in the notification of the Ministry of Environment, Forest and Climate Change number G.S.R.395 (E), dated the 4th April, 2016.
- (iii) Setting up of new fish processing units.
- (iv) Land reclamation, bunding or disturbing the natural course of seawater except for the activities permissible under this notification and executed with prior permission from the competent authority.
- (v) Discharge of untreated waste and effluents from industries, cities or towns and other human settlements.
- (vi) Dumping of city or town wastes including construction debris, industrial solid wastes, fly ash for the purpose of land filling.
- (vii) Port and harbour projects in high eroding stretches of the coast.
- (viii) Mining of sand, rocks and other sub-strata materials.
- (ix) Dressing or altering of active sand dunes.
- (x) In order to safeguard the aquatic system and marine life, disposal of plastic into the coastal waters shall be prohibited and adequate measures for management and disposal of plastic materials shall be undertaken in the CRZ.
- (xi) Drawal of ground water.

5. Regulation of permissible activities in CRZ:

5.1 CRZ-I:

5.1.1 CRZ-IA:

These areas are ecologically most sensitive and generally no activities shall be permitted to be carried out in the CRZ-I A area, with following exceptions: -

- (i) Eco-tourism activities such as mangrove walks, tree huts, nature trails, etc., in identified stretches areas subject to such eco-tourism plan featuring in the approved CZMP as per this notification, framed with due consultative process, public hearing, etc. and further subject to environmental safeguards and precautions related to the Ecologically Sensitive Areas, as enlisted in the CZMP.
- (ii) In the mangrove buffer, only such activities shall be permitted like laying of pipelines, transmission lines, conveyance systems or mechanisms and construction of road on stilts, etc. that

are required for public utilities.

- (iii) Construction of roads and roads on stilts, by way of reclamation in CRZ-I areas, shall be permitted only in exceptional cases for defence, strategic purposes and public utilities, subject to a detailed marine or terrestrial or both environment impact assessment, to be recommended by the Coastal Zone Management Authority and approved by the Ministry of Environment, Forest and Climate Change; and in case construction of such roads passes through mangrove areas or is likely to damage the mangroves, a minimum three times the mangrove area affected or destroyed or cut during the construction process shall be taken up for compensatory plantation of mangroves.

5.1.2 CRZ-I B - The inter tidal areas:

Activities shall be regulated or permissible in the CRZ-I B areas as under: -

- (i) Land reclamation, bunding, etc. shall be permitted only for activities such as, -
 - (a) foreshore facilities like ports, harbours, Jetties, wharves, quays, slipway, bridges, hover ports for coast guard, sea links, etc;
 - (b) projects for defence, strategic and security purposes;
 - (c) road on stilts, provided that such roads shall not be authorised for permitting development on the landward side of such roads, till the existing High Tide Line:

Provided that the use of reclaimed land may be permitted only for public utilities such as mass rapid or multimodal transit system, construction and installation of all necessary associated public utilities and infrastructure to operate such transit or transport system including those for electrical or electronic signaling system, transit stopover of permitted designs; except for any industrial operation, repair or maintenance;
 - (d) measures for control of erosion;
 - (e) maintenance and clearing of waterways, channels, ports and hover ports for coast guard;
 - (f) measures to prevent sand bars, installation of tidal regulators, laying of storm water drains or for structure for prevention of salinity ingress and freshwater recharge.
- (ii) Activities related to waterfront or directly needing foreshore facilities such as ports and harbours, jetties, quays, wharves, erosion control measures, breakwaters, pipelines, lighthouses, navigational safety facilities, coastal police stations, Indian coast guard stations and the like.
- (iii) Power by non-conventional energy sources and associated facilities.
- (iv) Transfer of hazardous substances from ships to Ports, terminals and refineries and vice versa.
- (v) Facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-II to this notification, subject to implementation of safety regulations including guidelines issued by the Oil Industry Safety Directorate in the Ministry of Petroleum and Natural Gas and guidelines issued by the Ministry of Environment, Forest and Climate Change, provided that such facilities are for receipt and storage of fertilizers and raw materials required for fertilizers, like ammonia, phosphoric acid, sulphur, sulphuric acid, nitric acid, etc.
- (vi) Storage of non-hazardous cargo i.e. edible oil, fertilizers and food grains in notified Ports.
- (vii) Hatchery and natural fish drying.
- (viii) Existing fish processing units may utilise 25% additional plinth area for modernisation purposes (only for additional equipment and pollution control measures) subject to the following: -
 - (a) Floor Space Index of such reconstruction not exceeding the permissible Floor Space Index as per prevalent town and country planning regulations;
 - (b) additional plinth area is constructed only to the landward side.

- (c) approval of the concerned State Pollution Control Board or Pollution Control Committee.
- (ix) Treatment facilities for waste and effluents and conveyance of treated effluents.
- (x) Storm water drains.
- (xi) Projects classified as strategic, defence related projects and projects of the Department of Atomic Energy, Government of India.
- (xii) Manual mining of atomic mineral(s) notified under Part-B of the First Schedule to the Mining and Minerals (Development and Regulation) Act, 1957 (67 of 1957) occurring as such or in association with one or other minerals in the intertidal zone by such agencies as authorised by the Department of Atomic Energy, Government of India as per mining plan approved by the Atomic Mineral Directorate for Exploration and Research:

Provided that the manual mining operations shall be carried out only by deploying persons using baskets and hand spades for collection of ore or mineral within the intertidal zone and as per approved mining plan, without deploying or using drilling and blasting or Heavy Earth Moving Machinery in the intertidal zone.

- (xiii) Exploration and extraction of oil and natural gas and all associated activities and facilities thereto;
- (xiv) Foreshore requiring facilities for transport of raw materials, facilities for intake of cooling water, intake water for desalination plants, etc, and outfall for discharge of treated wastewater or cooling water from thermal power plants in conformity with the environmental standards notified by Ministry of Environment, Forest and Climate Change and relevant directions of Central Pollution Control Board (CPCB) or State Pollution Control Board (SPCB) or Pollution Control Committee (PCC), as the case may be.
- (xv) Pipelines, conveying systems including transmission lines.
- (xvi) Weather radar for monitoring of cyclones prediction, ocean observation platforms, movement and associated activities.
- (xvii) Salt harvesting and associated facilities.
- (xviii) Desalination plants and associated facilities.

5.2 CRZ-II:

- (i) Activities as permitted in CRZ-I B, shall also be permissible in CRZ-II, in so far as applicable.
- (ii) Construction of buildings for residential purposes, schools, hospitals, institutions, offices, public places, etc. shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised fixed structures:

Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road.

- (iii) Buildings permitted as in (ii) above, shall be subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index (FSI) or Floor Area Ratio (FAR) prevailing as on the date of this Notification, and in the event that there is a need for amendment of the FSI after the date of publication of this notification in the official Gazette, the Urban Local Body or State Government or Union territory Administration shall approach the Ministry of Environment, Forest and Climate Change through the concerned State Coastal Zone Management Authority (SCZMA) or Union Territory Coastal Zone Management Authority, as the case may be and the SCZMA shall forward the proposal to the National Coastal Zone Management Authority (NCZMA) with its views in the matter, and the NCZMA shall thereafter examine various aspects like availability of public amenities, environmental protection measures, etc., and take a suitable decision on the proposal and it shall be the responsibility of the concerned Town Planning Authority to ensure that the Solid Wastes are handled as per respective Solid Waste Management Rules and no untreated sewage is discharged on to the coast or coastal waters.
- (iv) Reconstruction of authorised buildings shall be permitted, without change in present land use, subject to the local town and country planning regulations as applicable from time to time, and the

norms for the Floor Space Index or Floor Area Ratio, prevailing as on the date of publication of this notification in the official Gazette and in the event that there is a need for amendment of the FSI after the said date of this notification, the Urban Local Body or State Government or Union territory Administration shall approach the Ministry of Environment, Forest and Climate Change through the concerned State Coastal Zone Management Authority (SCZMA) or Union Territory Coastal Zone Management Authority, as the case may be and the CZMA shall forward the proposal to the National Coastal Zone Management Authority (NCZMA) with its views in the matter, and the NCZMA shall thereafter examine various aspects like availability of public amenities, environmental protection measures etc., and take a suitable decision on the proposal and it shall be the responsibility of the concerned Town Planning Authority to ensure that the Solid Wastes are handled as per respective Solid Waste Management Rules and no untreated sewage is discharged on to the coast or coastal waters.

- (v) Development of vacant plots in designated areas for construction of beach resorts or hotels or tourism development projects subject to the conditions or guidelines at **Annexure-III** to this notification.
- (vi) Temporary tourism facilities shall be permissible in the beaches which shall only include shacks, toilets or washrooms, change rooms, shower panels; walk ways constructed using interlocking paver blocks, etc, drinking water facilities, seating arrangements, etc. and such facilities shall however be permitted only subject to the tourism plan featuring in the approved CZMP as per this notification, framed with due consultative process or public hearing, etc. and further subject to environmental safeguards enlisted in the CZMP, however, a minimum distance of 10 meter from HTL shall be maintained for setting up of such facilities.

5.3 CRZ-III:

- (i) Activities as permitted in CRZ-I B, shall also be permissible in CRZ-III, in so far as applicable.

(ii) Regulation of activities in NDZ:

Following shall be permissible and regulated in the NDZ: -

- (a) No construction shall be permitted within NDZ in CRZ III, except for repairs or reconstruction of existing authorised structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under this notification including facilities essential for activities and construction or reconstruction of dwelling units of traditional coastal communities including fisher folk, incorporating necessary disaster management provisions and proper sanitation arrangements.
- (b) Agriculture, horticulture, gardens, pastures, parks, playfields and forestry.
- (c) Construction of dispensaries, schools, public rain shelter, community toilets, bridges, roads, provision of facilities for water supply, drainage, sewerage, crematoria, cemeteries and electric sub-station which are required for the local inhabitants may be permitted on a case to case basis by Coastal Zone Management Authority (CZMA).
- (d) Construction of units or auxiliary thereto for domestic sewage, treatment and disposal with the prior approval of the concerned Pollution Control Board or Committee.
- (e) Facilities required for local fishing communities such as fish drying yards, auction halls, net mending yards, traditional boat building yards, ice plant, ice crushing units, fish curing facilities and the like.
- (f) Wherever there is a national or State highway passing through the NDZ of CRZ-III areas, temporary tourism facilities such as toilets, change rooms, drinking water facility and temporary shacks can be taken up on the seaward side of the road.

On landward side of such roads in the NDZ, resorts or hotels and associated tourism facilities shall be permitted and such facilities shall, however, be permitted only subject to the incorporation of tourism plan in the approved CZMP as per this notification and the conditions or guidelines at Annexure-III, to this notification as applicable.

- (g) Temporary tourism facilities shall be permissible in the NDZ and beaches in the CRZ-III

areas and such temporary facilities shall only include shacks, toilets or washrooms, change rooms, shower panels, walk ways constructed using interlocking paver blocks, etc, drinking water facilities, seating arrangements etc., and such facilities shall, however, be permitted only subject to the tourism plan featuring in the approved CZMP as per this notification subject to maintaining a minimum distance of 10 meters from HTL for setting up of such facilities.

- (h) Mining of atomic minerals notified under Part-B of the First Schedule to Mining and Minerals (Development and Regulation) Act, 1957 (67 of 1957) occurring as such or in association with one or other minerals by such agencies as authorised by the Department of Atomic Energy, Government of India, as per mining plan by the Atomic Mineral Directorate for Exploration and Research.

(iii) Regulation of activities for CRZ–III areas beyond NDZ:

- (a) Development of vacant plots in designated areas for construction of beach resorts or hotels or tourism development projects subject to the conditions or guidelines at Annexure-III to this notification.
 - (b) Construction or reconstruction of dwelling units, so long it is within the ambit of traditional rights and customary uses such as existing fishing villages, etc. and building permission for such construction or reconstruction will be subject to local town and country planning rules, with an overall height of construction not exceeding 9 meters and with only two floors (ground + one floor).
 - (c) The local communities including fishermen may be permitted to facilitate tourism through ‘home stay’ without changing the plinth area or design or facade of the existing houses.
 - (d) Construction of public rain shelters, community toilets, water supply drainage, sewerage, roads, bridges, etc.
 - (e) Limestone mining:
 Selective mining of limestone minerals may be permitted in specific identified areas under the mining plans, which are adequately above the height of HTL, based on the recommendations of reputed National Institutes in the mining field such as Council of Scientific and Industrial Research (CSIR), Central Mining Research Institute etc., provided that the extraction of minerals shall be carried out not below a height of 1 meter above the HTL and an adequate barrier shall be created so as to safeguard against saline water incursion and subject to appropriate safeguards related to pollution of coastal waters and prevention of coastal erosion.
 - (f) Mining of atomic minerals notified under Part-B of the First Schedule of Mining and Minerals (Development and Regulation) Act, 1957 (67 of 1957) occurring as such or in association with one or other minerals by such agencies as authorised by Department of Atomic Energy, Government of India, as per mining plan by the Atomic Mineral Directorate for Exploration and Research.
- (iv) Drawing of groundwater and construction related thereto shall be prohibited within 200 meters of HTL except for the use of local communities in areas inhabited by them and in the areas between 200 to 500 meters of the HTL, groundwater withdrawal may be permitted only through manual means from ordinary wells for drinking, horticulture, agriculture and fisheries, etc. where no other source of water is available and restrictions for such drawal may be imposed by the designated Authority by State Government or Union territory Administration in the areas affected by sea water intrusion, however, for horticulture and agriculture purpose, micro irrigation promoted by Government welfare schemes shall be permitted.
- (v) Development of airports in wastelands and non-arable lands in CRZ-III areas with adequate environmental safeguards.

5.4 CRZ-IV:

Activities shall be permitted and regulated in the CRZ IV areas as under: -

- (i) Traditional fishing and allied activities undertaken by local communities.
- (ii) Land reclamation, bunding, etc to be permitted only for activities such as. -
 - (a) foreshore facilities like ports, harbours, Jetties, wharves, quays, slipway, bridges, sea links and hover ports for coast guard, etc;
 - (b) projects for defence, strategic and security purpose including coast guard;
 - (c) measures for control of erosion;
 - (d) maintenance and clearing of waterways, channels and ports;
 - (e) measures to prevent sand bars, installation of tidal regulators, laying of storm water drains or for structure for prevention of salinity ingress and freshwater recharge.
- (iii) Activities related to waterfront or directly needing foreshore facilities, such as ports and harbours, jetties, quays, wharves, erosion control measures, breakwaters, pipelines, navigational safety facilities and the like.
- (iv) Power by non-conventional energy sources and associated facilities such as offshore wind, wave energy, ocean thermal energy conversion, etc.
- (v) Transfer of hazardous substances from ships to Ports.
- (vi) Storage of non-hazardous cargo like edible oil, fertilizers and food grains in notified Ports.
- (vii) Facilities for discharging treated effluents into the water course.
- (viii) Projects classified as strategic and defence related projects including coast guard coastal security network.
- (ix) Projects of department of Atomic Energy.
- (x) Exploration and extraction of oil and natural gas and all associated activities and facilities thereto.
- (xi) Exploration and mining of atomic minerals notified under Part-B of the First Schedule of the Mining and Minerals (Development and Regulation) Act, 1957 (67 of 1957), occurring as such or in association with other mineral(s) and of such associated mineral(s).
- (xii) Foreshore requiring facilities for transport of raw materials, facilities for intake of cooling water and outfall for discharge of treated wastewater or cooling water from thermal power plants, and foreshore requiring facilities for transport of raw materials, facilities for intake of cooling water and outfall for discharge of treated wastewater or cooling water from thermal power plants, in conformity with the environmental standards notified by Ministry of Environment, Forest and Climate Change and relevant directions of the Central Pollution Control Board or State Pollution Control Board or Pollution Control Committee.
- (xiii) Pipelines, conveying systems including transmission lines.
- (xiv) Weather radar for monitoring of cyclone prediction, ocean observation platforms, movement and associated activities.
- (xv) Construction of memorials or monuments and allied facilities by the concerned State Government in CRZ-IV (A) areas, in exceptional cases, with adequate environmental safeguards, subject to the following, namely: -
 - (a) the concerned State Government shall submit justification for locating the project in CRZ-IVA area along with details of alternate sites considered and weightage matrix on various parameters including environmental parameters, to State Coastal Zone Management Authority who will examine the project and make recommendation to the Central Government (Ministry of Environment, Forest and Climate Change) for grant of Terms of Reference (ToRs) for preparation of an environmental impact assessment report by the State Government;

- (b) On grant of ToRs by the Central Government, the concerned State Government shall submit the draft Environmental Impact Assessment report (EIA) with Environmental Management Plan (EMP), draft Risk Assessment Report with Disaster Management Plan (DMP) including on-site and off-site emergency plan and evacuation plan during emergency, to the State Pollution Control Board for conduct of public hearing for the proposed project in accordance with the procedure laid down under the Environment Impact Assessment (EIA) notification number S.O. 1533(E), dated the 14th September, 2006;
- (c) The concerned State Government shall, after addressing the relevant issues raised by the public during the public hearing referred to in sub-item (b), submit the final EIA, EMP, Risk Assessment and DMP, to the State CZMA for their examination and recommendation to MoEF&CC;
- (d) The Central Government may, if it considers necessary so to do, dispense with the requirement of public hearing referred to in sub-clause (b), if it is satisfied that the project will not involve rehabilitation and resettlement of the public or the project site is located away from human habitation.

5.5 Requirement for Clearance from Department of Atomic Energy installations:

Prior to undertaking any developmental activity including construction of new structures, falling in the boundary limits specified by Atomic Energy Regulatory Board (AERB) guidelines, prior clearance shall be obtained from Department of Atomic Energy installations.

6. Coastal Zone Management Plan (CZMP)

- (i) All coastal States and Union territory administrations shall revise or update their respective coastal zone management plan (CZMP) framed under CRZ Notification, 2011 number S.O. 19(E), dated 6th January, 2011, as per provisions of this notification and submit to the Ministry of Environment, Forest and Climate Change for approval at the earliest and all the project activities attracting the provisions of this notification shall be required to be appraised as per the updated CZMP under this notification and until and unless the CZMPs is so revised or updated, provisions of this notification shall not apply and the CZMP as per provisions of CRZ Notification, 2011 shall continue to be followed for appraisal and CRZ clearance to such projects.
- (ii) The CZMP may be prepared or updated by the coastal State Government or Union territory by engaging reputed and experienced scientific institution(s) or the agencies including the National Centre for Sustainable Coastal Management (hereinafter referred to as the NCSCM) of Ministry of Environment, Forest and Climate Change and in consultation with the concerned stakeholders.
- (iii) The coastal States and Union territories shall prepare draft CZMP in 1:25,000 scale map identifying and classifying the CRZ areas within the respective territories in accordance with the guidelines given in **Annexure-IV** to this notification, which involve public consultation.

All developmental activities listed in this notification shall be regulated by the State Government, Union territory administration, the local authority or the concerned Coastal Zone Management Authority within the framework of such approved CZMP, as the case maybe, in accordance with provisions of this notification.

- (iv) The draft CZMP shall be submitted by the State Government or Union territory to the concerned Coastal Zone Management Authority for appraisal, including appropriate consultations, and recommendations in accordance with the procedure(s) laid down in the Environment (Protection) Act, 1986 (29 of 1986).
- (v) The Ministry of Environment, Forest and Climate Change shall thereafter consider and approve the respective CZMP of concerned State Governments or Union territory administrations.
- (vi) The CZMP shall not normally be revised before a period of five years after which, the concerned State Government or the Union territory may consider undertaking a revision.

7. CRZ clearance for permissible and regulated activities- Delegation:

- (i) All permitted or regulated project activities attracting the provisions of this notification shall be

required to obtain CRZ clearance prior to their commencement.

- (ii) All development activities or projects in CRZ-I and CRZ-IV areas, which are regulated or permissible as per this notification, shall be dealt with by Ministry of Environment, Forest and Climate Change for CRZ clearance, based on the recommendation of the concerned Coastal Zone Management Authority.
- (iii) For all other permissible and regulated activities as per this notification, which fall purely in CRZ-II and CRZ-III areas, the CRZ clearance shall be considered by the concerned Coastal Zone Management Authority and such projects in CRZ-II and III, which also happen to be traversing through CRZ-I or CRZ-IV areas or both, CRZ clearance shall, however be considered only by the Ministry of Environment, Forest and Climate Change, based on recommendations of the concerned Coastal Zone Management Authority.
- (iv) Projects or activities which attract the provisions of this notification as also the provisions of EIA notification, 2006 number S.O. 1533(E), dated the 14th September, 2006, shall be dealt with for a composite Environmental and CRZ clearance under EIA Notification, 2006 by the concerned approving Authority, based on recommendations of the concerned Coastal Zone Management Authority, as per delegations i.e., State Environmental Impact Assessment Authority (hereinafter referred to as the SEIAA) or the Ministry of Environment, Forest and Climate Change for category 'B' and category 'A' projects respectively.
- (v) In case of building or construction projects with built-up area less than the threshold limit stipulated for attracting the provisions of the EIA Notification, 2006 these shall be approved by the concerned local State or Union territory Planning Authorities in accordance with this notification, after obtaining recommendations of the concerned Coastal Zone Management Authority.
- (vi) Only for self-dwelling units up to a total built up area of 300 square meters, approval shall be accorded by the concerned local Authority, without the requirement of recommendations of concerned Coastal Zone Management Authority and such authorities shall, however, examine the proposal from the perspective of the Coastal Regulation Zone notification before according approval.

8. Procedure for CRZ clearance for permissible and regulated activities:

- (i) The project proponents shall apply with the following documents to the concerned State or the Union territory Coastal Zone Management Authority for seeking prior clearance under this notification: -
 - (a) Project summary details as per Annexure-V to this notification.
 - (b) Rapid Environment Impact Assessment (EIA) Report including marine and terrestrial component, as applicable, except for building construction projects or housing schemes.
 - (c) Comprehensive EIA with cumulative studies for projects, (except for building construction projects or housing schemes with built-up area less than the threshold limit stipulated for attracting the provisions of the EIA Notification, 2006 number S.O 1533(E), dated 14th September, 2006) if located in low and medium eroding stretches, as per the CZMP to this notification.
 - (d) Risk Assessment Report and Disaster Management Plan, except for building construction projects or housing schemes with built-up area less than the threshold limit stipulated for attracting the provisions of the EIA Notification, 2006 number S.O 1533(E), dated 14th September, 2006).
 - (e) CRZ map in 1:4000 scale, drawn up by any of the agencies identified by the Ministry of Environment, Forest and Climate Change vide its Office Order number J-17011/8/92-IA- III, dated the 14th March, 2014 using the demarcation of the HTL or LTL, as carried out by NCSCM.
 - (f) Project layout superimposed on the CRZ map duly indicating the project boundaries and the CRZ category of the project location as per the approved Coastal Zone Management Plan under this notification.

- (g) The CRZ map normally covering 7 kilometre radius around the project site also indicating the CRZ-I, II, III and IV areas including other notified ecologically sensitive areas.
 - (h) "Consent to establish" or No Objection Certificate from the concerned State Pollution Control Board or Union territory Pollution Control Committee for the projects involving treated discharge of industrial effluents and sewage, and in case prior consent of Pollution Control Board or Pollution Control Committee is not obtained, the same shall be ensured by the proponent before the start of the construction activity of the project, following the clearance under this notification.
- (ii) The concerned Coastal Zone Management Authority shall examine the documents in clause (i) above, in accordance with the approved Coastal Zone Management Plan and in compliance with this notification and make recommendations within a period of sixty days from date of receipt of complete application as under: -
- (a) For the projects or activities also attracting the EIA Notification, 2006 number S.O. 1533(E), dated 14th September, 2006, the Coastal Zone Management Authority shall forward its recommendations to Ministry of Environment, Forest and Climate Change or SEIAA for category 'A' and category 'B' projects respectively, to enable a composite clearance under the EIA Notification, 2006 number S.O. 1533(E), dated 14th September, 2006, however, even for such Category 'B' projects located in CRZ-I or CRZ-IV areas, final recommendation for CRZ clearance shall be made only by the Ministry of Environment, Forest and Climate Change to the concerned SEIAA to enable it to accord a composite Environmental Clearance and CRZ clearance to the proposal.
 - (b) Coastal Zone Management Authority shall forward its recommendations to the Ministry of Environment, Forest and Climate Change for the projects or activities not covered in the EIA notification, 2006, but attracting this notification and located in CRZ-I or CRZ-IV areas.
 - (c) Projects or activities not covered in the aforesaid EIA Notification, 2006, but attracting this notification and located in CRZ-II or CRZ-III areas shall be considered for clearance by the concerned Coastal Zone Management Authority within sixty days of the receipt of the complete proposal from the proponent.
 - (d) In case of construction projects attracting this notification but with built-up area less than the threshold limit stipulated for attracting the provisions of the aforesaid EIA Notification 2006, Coastal Zone Management Authority shall forward their recommendations to the concerned State or Union territory planning authorities, to facilitate granting approval by such authorities.
- (iii) The Ministry of Environment, Forest and Climate Change shall consider complete project proposals for clearance under this notification, based on the recommendations of the Coastal Zone Management Authority, within a period of sixty days.
- (iv) In case the Coastal Zone Management Authorities are not in operation due to their reconstitution or any other reasons, then it shall be responsibility of the Department of Environment in the State Government or Union territory Administration, who are the custodian of the CZMP of respective States or Union territories, to provide comments and recommend the proposals in terms of the provisions of the said notification.
- (v) The clearance accorded to the projects under this notification shall be valid for a period of seven years, provided that the construction activities are completed and the operations commence within seven years from the date of issue of such clearance.
- The validity may be further extended for a maximum period of three years, provided an application is made to the concerned authority by the applicant within the validity period, along with recommendation for extension of validity of the clearance by the concerned State or Union territory Coastal Zone Management Authority.
- (vi) Post clearance monitoring:
- (a) It shall be mandatory for the project proponent to submit half-yearly compliance reports in

respect of the stipulated terms and conditions of the environmental clearance in hard and soft copies to the regulatory authority(s) concerned, on the 1st June and 31st December of each calendar year and all such compliance reports submitted by the project proponent shall be published in public domain and its copies shall be given to any person on application to the concerned Coastal Zone Management Authority.

- (b) The compliance report shall also be displayed on the website of the concerned regulatory authority.
- (vii) To maintain transparency in the working of the Coastal Zone Management Authority, it shall be the responsibility of the Coastal Zone Management Authority to create a dedicated website and post the agenda, minutes, decisions taken, clearance letters, violations, action taken on the violations and court matters including the Orders of the Hon'ble Court as also the approved CZMP of the respective State Government or Union territory.

9. Enforcement of this notification:

- (i) For the purposes of implementation and enforcement of the provisions of this notification and compliance with conditions stipulated thereunder, the powers either original or delegated are available under Environment (Protection) Act, 1986 (29 of 1986) with the Ministry of Environment, Forest and Climate Change, State Government or the Union territory Administration, National Coastal Zone Management Authority and the State or Union territory Coastal Zone Management Authority;
- (ii) The composition, tenure and mandate of National Coastal Zone Management Authority and State Government or the Union territory Coastal Zone Management Authority have already been notified by the Ministry of Environment, Forest and Climate Change in terms of Orders of Hon'ble Supreme Court in Writ Petition 664 of 1993;
- (iii) The State Government or the Union territory Coastal Zone Management Authority shall primarily be responsible for enforcing and monitoring of this notification and to assist in this task, the State Government and the Union territory shall constitute district level Committees under the Chairmanship of the District Magistrate concerned comprising at least three representatives of local traditional coastal communities including from fishermen, and the State Government may consider the enforcement of this notification to the level of respective District Magistrates.
- (iv) The dwelling units of the traditional coastal communities including fishermen, tribals as were permissible under the provisions of the Coastal Regulation Zone notification, 2011 number S.O. 19(E), dated the 6th January, 2011, but which have not obtained formal approval from concerned authorities under the said Notification shall be considered by the respective Coastal Zone Management Authority and the dwelling units shall be regularised subject to the following condition, namely: -
 - (a) these are not used for any commercial activity;
 - (b) these are not sold or transferred to non-traditional coastal community.

10. Areas requiring special consideration:

10.1 Critically Vulnerable Coastal Areas (CVCAs):

- (i) For all the CVCAs mentioned in sub-paragraph 3.1, Integrated Management Plans (IMPs) shall be prepared, which shall, inter alia, keep in view the conservation and management of mangroves, needs of local communities, such as dispensaries, schools, public rain shelter, community toilets, bridges, roads, jetties, water supply, drainage, sewerage and the impact of sea level rise and other natural disasters and the IMPs will be prepared in line with the guidelines for preparation of Coastal Zone Management Plan.
- (ii) Till such time the IMPs are approved and notified, construction of dispensaries, schools, public rain/cyclone shelters, community toilets, bridges, roads, jetties, water supply, drainage, sewerage which are required for traditional inhabitants shall be permitted on a case to case basis, by

the Coastal Zone Management Authority with due regards to the views of coastal communities including fisher folk.

10.2 CRZ for inland backwater islands and islands along mainland coast:

- (i) All the inland islands in the coastal backwaters and islands along the mainland coast shall also be covered under this notification.
- (ii) In view of the unique coastal systems of backwater islands and islands along the mainland coast, along with space limitations in such coastal stretches, CRZ of 20 meters from the HTL on the landward side shall uniformly apply to such islands and activities shall be regulated as under: -
 - (a) existing dwelling units of local communities may be repaired or reconstructed within 20 meters from the HTL of these islands, however, no new construction shall be permitted in this zone.
 - (b) foreshore facilities, such as fishing jetty, fish drying yards, net mending yard, fishing processing by traditional methods, boat building yards, ice plant, boat repairs and the like, may be taken up in CRZ limits subject to due environmental safeguards.
- (iii) Integrated Island Management Plans (IIMPs), as applicable to smaller islands in Lakshadweep and Andaman & Nicobar, as per Island Protection Zone Notification, 2011 number S.O. 20(E), dated the 6th January, 2011, shall be formulated by respective States or Union territory for all such islands and submitted to Ministry of Environment, Forest and Climate Change and till the IIMPs are framed, provisions of this notification shall not apply and the CZMP as per provisions of CRZ Notification 2011 number S.O. 19(E), dated the 6th January, 2011, shall continue to apply.

10.3 CRZ areas falling within municipal limits of Greater Mumbai:

- (i) In order to protect and preserve the 'green lung' of the Greater Mumbai area, all open spaces, parks, gardens, playgrounds indicated in development plans within CRZ-II shall be categorised as No Development Zone and a Floor Space Index up to 15% shall be allowed only for construction of civic amenities, stadium and gymnasium meant for recreational or sports related activities and the residential or commercial use of such open spaces shall not be permissible.
- (ii) Construction of sewage treatment plants in CRZ-I area for the purpose of treating the sewage from the municipal area shall be taken only by the municipal authorities in exceptional circumstances, where no alternate site is available to set up such facilities, subject to recommendations of the Coastal Zone Management Authority and approval by the Central Government and in case the construction of such plant is inevitable in a mangrove area, a minimum three times the mangrove area affected or destroyed or cut during the construction process shall be taken up for compensatory plantation of mangroves.

[F. No. 19-112/2013-IA-III]

RITESH KUMAR SINGH, Jt. Secy.

Annexure-I**CONSERVATION, PROTECTION AND MANAGEMENT FRAMEWORK FOR ECOLOGICALLY SENSITIVE AREAS**

The coastal and marine Ecologically Sensitive Areas (ESAs) and the geo-morphological features play a vital role in maintaining the functions of the coast. Mangroves, beaches, coral reefs, etc., aid in controlling coastal erosion, shoreline change, saltwater intrusion and also serve as natural defence against coastal hazards such as storm surges, cyclones and tsunamis. The ESAs maintain the biological integrity of the coast by providing direct and indirect ecosystem services to the coastal livelihood. In addition, several invaluable archaeological and heritage sites are also located along the coast. Hence conservation and protection of the above areas, features and sites become necessary.

1. General measures

- (i) All ESAs shall be identified and boundary delineated by NCSCM using satellite data.
- (ii) The State Governments or Union territory Administrations through the authorised agencies shall prepare CZMP as per the guidelines contained in this notification highlighting the conservation and protection of the ESAs.
- (iii) Those activities permissible under this notification shall be included in the CZMP.

Specific conditions shall be adopted for the conservation, protection and management of each of the ESAs as under: -

1.1 Mangroves:

- (i) Mangroves declared as forest under the Forest (Conservation) Act, 1980 (69 of 1980).

Notwithstanding anything contained in this notification, such mangroves declared by the concerned State Governments or Union territory Administrations or Central Government as forest land under the Forest (Conservation) Act, 1980 (69 of 1980) shall attract the provisions of the said Act.

- (ii) Mangroves not declared under Forest (Conservation) Act, 1980:

- (a) Mangroves in Government land shall be protected based on a detailed plan to be prepared by the concerned State Governments or Union territory administrations, and in case the mangrove area is more than 1000 square meters, a buffer of 50 metre along the periphery of mangrove area shall be provided. This buffer zone of 50 metre may be utilised for public facilities for developing parks, research facilities related to mangrove biodiversity, facilities for conservation and the like.
- (b) Mangroves in private land will not require a buffer zone.

1.2 Corals and coral reefs and associated biodiversity:

- (i) Destruction of coral and coral reefs and the surroundings is a prohibited activity.
- (ii) All coral and coral reefs shall be protected except for those small quantities required for research purposes.
- (iii) Coral and coral reefs transplantation activities shall be through recognised research institutions wherever required for regeneration after obtaining necessary approvals under Wildlife (Protection) Act 1972 (53 of 1972).
- (iv) The dead or destroyed or both coral areas shall be taken up for rejuvenation and rehabilitation. The conservation and protection of corals and coral reefs shall be taken up as follows: -

- (a) active and live coral and coral reefs identified and delineated shall be declared and

notified as ESA under Environment (Protection) Act 1986 (29 of 1986);

- (b) it shall be ensured that no activities that are detrimental to the health of corals, coral reefs and its associated biodiversity, such as mining, effluent and sewage discharge, dredging, ballast water discharge, ship washings, fishing other than traditional non-destructive fisheries, construction activities and the like are taken up in and around the coral areas.

1.3 The National Parks, marine parks, Sanctuaries, reserve forests, wildlife habitats and other protected areas declared under the provisions of Wild Life (Protection) Act, 1972 (53 of 1972), the Forest (Conservation) Act 1980 (69 of 1980) or Environment (Protection) Act 1986 (29 of 1986); including Biosphere Reserves shall be conserved and protected as follows: -

- (i) Conservation and protection of the above mentioned areas shall be as per the provisions of the respective Acts, notifications or guidelines as the case may be.
- (ii) Efforts shall be made to increase the forest area in the coastal region in order to prevent loss of life and property from increased storms, tides and floods.
- (iii) The concerned State Governments or Union territory administrations shall provide for adequate funds for such measures to undertake shelter belt plantation or bio-shields with planting material suitable to the location.

1.4 Salt marshes:

The conservation and protection of salt marshes shall be as follows: -

- (i) The salt marsh areas shall be conserved and protected and efforts shall be made to promote the endemic biodiversity in the salt marshes.
- (ii) Only those activities required for overhead conveying or transmission of cables and underground laying of transmission line cables and so on, shall be permissible.
- (iii) Traditional fishing shall be permissible in salt marshes.
- (iv) Temporary tourism facilities around the salt marsh areas may be considered subject to adhering to norms laid down in the guidelines.
- (v) Certain salt marshes which have less biodiversity, identified by NCSCM and demarcated in Coastal Zone Management Plan can be considered for salt pan activities.

1.5 Turtle nesting grounds shall be protected and conserved as follows: -

- (i) Turtle nesting grounds identified by the concerned State Governments or Union territory administrations shall be protected as per Wildlife (Protection) Act of 1972.
- (ii) No activities shall be permitted in and around the turtle nesting ground including those causing light and sound pollution except for those required for conservation and protection of these sites.
- (iii) Strict management plans for protecting the turtle nesting grounds shall be undertaken and implemented by the concerned State or Union territory Authorities.

1.6 Horse shoe crabs habitats shall be protected and conserved as follows: -

- (i) The habitat identified shall be taken up for conservation and protection.
- (ii) No activities shall be taken up in and around these habitats which affect the horse shoe crab ecosystem.

1.7 Sea grass beds shall be protected and conserved as follows: -

- (i) Identified sea grass beds shall be conserved and protected.
- (ii) No developmental activities that have adverse effect on the sea grass bed shall be undertaken.
- (iii) Efforts shall be made to propagate sea grass beds along the coastal waters where ever possible by States or Union territories as it acts as a carbon sink.

1.8 Nesting grounds of birds shall be protected and conserved as follows: -

- (i) The nesting ground of birds including their local migratory route shall be protected. No developmental activities which have adverse impact on the nesting grounds and the migratory routes shall be undertaken including construction of wind mills, transmission lines and the like in the locality.
- (ii) Efforts shall be made to increase the forest cover and mangrove cover including enriching the biodiversity of salt marsh and other coastal water bodies so as to provide for suitable habitat for the avifauna.

1.9 Geo-morphologically Important Zones shall be protected and managed as follows:**(i) Sand dunes** identified shall be conserved and protected as follows:

- (a) sand dunes identified shall be notified under Environment (Protection) Act 1986;
- (b) no developmental activities shall be permissible except for providing eco-friendly temporary tourism facilities on stilts such as walkways, tents and the like;
- (c) mining of sand from sand dunes shall be prohibited activity except for the removal of atomic minerals with proper replenishment using the tailings or other suitable sand;
- (d) no activities on the sand dunes shall be taken up that would lead to erosion/destruction of sand dunes;
- (e) afforestation, if any, on the sand dunes shall be done only with native flora;
- (f) the States or Union territory shall prepare management plans for the demarcated sand dunes.

(ii) Sandy beaches:

- (a) Mining of beach sand is prohibited except for manual mining of atomic minerals with proper replenishment using the tailings or other suitable sand.
- (b) When the permissible developmental activities are taken up on the beaches if loss of beach in the neighbourhood is predicted, necessary beach nourishment to compensate for the losses shall be undertaken by the project authorities and its long term maintenance shall be ensured by them.
- (c) The States or Union Territory shall prepare management plans for the demarcated beaches.

(iii) Biologically active mudflats:

- (a) Biologically active mudflats shall be identified by NCSCM in association with State Governments or Union territory administrations.
- (b) The States or Union territories shall prepare management plans for such demarcated biologically active mudflats.

1.10 Areas or structures of archaeological importance and heritage value sites:

- (i) State Archaeological agencies shall be responsible for conservation and protection of all archaeological structures and heritage sites identified by the Archaeological Survey of India, as per the provisions of the respective Acts, notifications or guidelines.
- (ii) No activities that are detrimental to the identified areas or structures of archaeological and heritage value shall be permitted.
- (iii) It shall be ensured that these structures or areas are preserved and activities undertaken without changing the façade/plinth of such structures. Such structures could be considered for use in accordance with the relevant norms after undertaking careful designing of the interiors without changing the exterior architectural design of the structure.

Annexure-II

LIST OF PETROLEUM AND CHEMICAL PRODUCTS PERMITTED FOR STORAGE IN CRZ, EXCEPT CRZ-I A

- (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) Naphtha;
- (xii) Furnace oil;
- (xiii) Low Sulphur Heavy Stock;
- (xiv) Liquefied Natural Gas;
- (xv) Fertilizers and raw materials for manufacture of fertilizers;
- (xvi) Acetic acid;
- (xvii) Mono ethylene glycol;
- (xviii) Paraxylene;
- (xix) Ethane;
- (xx) Butadine;
- (xxi) Methanol;
- (xxii) Caustic;
- (xxiii) Bitumen.

Annexure-III**GUIDELINES FOR DEVELOPMENT OF BEACH RESORTS, HOTELS AND TOURISM DEVELOPMENT PROJECTS IN THE DESIGNATED CRZ AREAS****1. CRZ-II**

Construction of beach resorts or hotels in designated areas of CRZ-II for occupation of tourist or visitors shall be subject to the following conditions, namely: -

- (i) construction shall be permitted only to the landward side of an existing road or existing authorized fixed structures;
- (ii) 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;
- (iii) no flattening of sand dunes shall be carried out;
- (iv) no permanent structures for sports facilities shall be permitted except construction of goal posts, net posts and lamp posts;
- (v) construction of basement may be allowed subject to the condition that no objection certification is obtained from the State Ground Water Authority to the effect that such construction will not adversely affect the flow of groundwater in that area;
- (vi) the State Ground Water Authority shall take into consideration the guidelines issued by the Central Government before granting such no objection certificate;
- (vii) the quality of treated effluents, solid wastes, emissions and noise levels and the like, from the project area must conform to the standards laid down by the competent authorities including the Central or State Pollution Control Board and under the Environment (Protection) Act, 1986 (29 of 1986);
- (viii) necessary arrangements for the treatment of the effluents and solid wastes must be made and it must be ensured that the untreated effluents and solid wastes are not discharged into the water or on the beach; and no effluent or solid waste shall be discharged on the beach;
- (ix) if the project involves diversion of forest land for non-forest purposes, clearance as required under the Forest (Conservation) Act, 1980 (69 of 1980) shall be obtained and the requirements of other Central and State laws as applicable to the project shall be met with and approval of the State or Union territory Tourism Department shall be obtained.

2. CRZ-III

Construction of beach resorts and hotels in designated areas of CRZ- III for occupation of tourists or visitors shall be subject to the following conditions, namely: -

- (i) 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;
- (ii) no flattening of sand dunes shall be carried out;
- (iii) no permanent structures for sports facilities shall be permitted except construction of goal posts, net posts and lamp posts;
- (iv) construction of basement may be allowed subject to the condition that no objection certification is obtained from the State Ground Water Authority to the effect that such construction will not adversely affect the flow of groundwater in that area;
- (v) the State Ground Water Authority shall take into consideration the guidelines issued by the Central Government before granting such no objection certificate;
- (vi) though no construction is allowed in the no development zone for the purposes of calculation of Floor Space Index, the area of entire plot including the portion which falls

- within the no development zone shall be taken into account;
- (vii) the total covered area on all floors shall not exceed 33 per cent of the plot size i.e., the Floor Space Index shall not exceed 0.33 and the open area shall be suitably landscaped with appropriate vegetal cover;
 - (viii) the construction shall be consistent with the surrounding landscape and local architectural style;
 - (ix) the overall height of construction up to the highest ridge of the roof, shall not exceed 9 metres and the construction shall not be more than two floors (ground floor plus one upper floor);
 - (x) groundwater shall not be tapped within 200 metre of the High Tide Line; and within the 200 to 500 metre zone it can be tapped only with the concurrence of the Central or State Ground Water Board;
 - (xi) extraction of sand, leveling or digging of sandy stretches, except for structural foundation of building or swimming pool, shall not be permitted within 500 metres of the High Tide Line;
 - (xii) the quality of treated effluents, solid wastes, emissions and noise levels and the like, from the project area must conform to the standards laid down by the competent authorities including the Central or State Pollution Control Board and under the Environment (Protection) Act, 1986 (29 of 1986);
 - (xiii) necessary arrangements for the treatment of the effluents and solid wastes must be made and it must be ensured that the untreated effluents and solid wastes are not discharged into the water or on the beach; and no effluent or solid waste shall be discharged on the beach;
 - (xiv) to allow public access to the beach, at least a gap of 20 metres width shall be provided between any two hotels or beach resorts; and in no case shall gaps be less than 500 metres apart; and
 - (xv) If the project involves diversion of forestland for non-forest purposes, clearance as required under the Forest (Conservation) Act, 1980 (69 of 1980) shall be obtained and the requirements of other Central and State laws as applicable to the project shall be met with; and approval of the State or Union territory Tourism Department shall be obtained.

Note: Construction of beach resorts or hotels shall not be permitted in Ecologically sensitive areas (such as marine parks, mangroves, coral reefs, breeding and spawning grounds of fish, wildlife habitats and such other area as may be notified by the Central Government or State Government or Union territory administrations).

ANNEXURE –IV**GUIDELINES FOR PREPARATION OF COASTAL ZONE MANAGEMENT PLANS****1. Demarcation of High Tide Line and Low Tide Line:**

Demarcation of High Tide Line (HTL) and Low Tide Line (LTL) as carried out by NCSCM for the entire coastline of the country, has been made available to the Coastal States or Union territories and only such demarcation of HTL and LTL shall be applicable for all purposes of this notification.

2. Hazard Line:

A 'Hazard line' has been demarcated by the Survey of India (SOI) taking into account the extent of the flooding on the land area due to water level fluctuations, sea level rise and shoreline changes (erosion or accretion) occurring over a period of time. The hazard line mapped by SOI has been shared with the coastal States or Union territories through NCSCM. The hazard line shall be used as a tool for disaster management plan for the coastal environment, including planning of adaptive and mitigation measures. With a view to reduce the vulnerability of the coastal communities and ensuring sustainable livelihood, while drawing the CZMP, the land use planning for the area between the Hazard line and HTL shall take into account such impacts of climate change and shoreline changes.

3. Preparation of CZM Maps:

- (i) Base Maps of 1:25,000 scale shall be acquired from the Survey of India (SOI) and wherever 1: 25,000 maps are not available, 1: 50,000 maps shall be enlarged to 1: 25,000 for the purpose of base map preparation and these maps will be of the standard specification given below: -

Unit	: 7.5 minutes X 7.5minutes
Numbering	: Survey of India Sheet Numbering System
Horizontal Datum	: Everest or WGS 84
Vertical Datum	: Mean Sea Level (MSL)
Topography	: Topography in the SOI maps will be updated using latest satellite imageries or aerial photographs

- (ii) Coastal Zone Management (CZM) Maps of scale 1:25,000 shall be got prepared by any of the agencies identified by the Ministry of Environment, Forest and Climate Change vide its Office Order number J-17011/8/92-IA-III dated the 14th March, 2014 using the demarcation of the High Tide Line or LTL, as carried out by NCSCM.
- (iii) Various regulatory lines viz. at a distance of 20 metres, 50 metres, 200 metres and 500 metres from HTL respectively, as applicable in various CRZ categories, and the Hazard line shall be demarcated and transferred to the CZM maps.
- (iv) HTL, LTL and CRZ boundaries, as applicable, shall also be demarcated in the CZM maps along the banks of tidal influenced inland water bodies.
- (v) Classification of different coastal zones shall be done as per the CRZ notification and Standard national or international colour codes shall be used.

4. Local level CZM Maps:

- (i) Local level CZM Maps are for the use of local bodies and other agencies to facilitate implementation of the Coastal Zone Management Plans.
- (ii) Cadastral (village) maps in 1:3960 or the nearest scale, as available with revenue authorities shall be used as the base maps.
- (iii) HTL, LTL, other CRZ regulatory lines and the Hazard line shall be demarcated in the cadastral maps and classifications shall be transferred into local level CZM maps.

5. Classification of CRZ areas:

- (i) The CZM Maps shall clearly demarcate the land use plan of the area and map out the Ecologically Sensitive Areas (ESAs) or the CRZ-IA areas as per mapping made available by NCSCM to coastal State or Union territories. All such ESAs shall be appropriately demarcated with colour codes.
- (ii) Buffer zone along mangrove areas of more than 1000 square metres shall be stipulated with a different colour distinguishing from the mangrove area. The buffer zone shall also be classified as CRZ-I area.
- (iii) In the CRZ areas, the fishing villages, common properties of the fishermen communities, fishing jetties, ice plants, fish drying platforms or areas infrastructure facilities of fishing and local communities such as dispensaries, roads, schools, and the like, shall be indicated on the cadastral scale maps. States and Union territories shall prepare detailed plans for long term housing needs of coastal fisher communities in view of expansion and other needs, provisions of basic services including sanitation, safety, and disaster preparedness.
- (iv) The water areas of CRZ-IV shall be demarcated and clearly demarcated if the water body is sea, lagoon, backwater, creek, bay, and estuary and for such classification of the water bodies the terminology used by Naval Hydrographic Office shall be relied upon.
- (v) The fishing Zones in the water bodies and the fish breeding areas shall be clearly marked.
- (vi) In CVCAs, the land use maps shall be superimposed on the Coastal Zone Management Plan clearly demarcating the CRZ-I, II, III, IV.
- (vii) The existing authorised developments on the seaward side shall be clearly demarcated.
- (viii) The features like cyclone shelters, rain shelters, helipads and other infrastructure including road network may be clearly indicated on the CZM Maps for the purpose of rescue and relief operations during cyclones, storms, tsunami and the like.
- (ix) Construction of buildings or other activities shall be permitted under the CZMP provided adequate arrangements are made for proper management and disposal of solid and liquid wastes in accordance with the environmental standards, rules and statutes, and under no circumstances, untreated effluents shall be disposed off in the coastal waters.

6. Public consultations on CZMP:

- (i) The draft CZMP prepared shall be given wide publicity and suggestions and objections received in accordance with the Environment (Protection) Act, 1986. Public hearing on the draft CZMP shall be held at district level by the concerned CZMA.
- (ii) Based on the suggestions and objections received the CZMPs shall be revised and approval of Ministry of Environment, Forest and Climate Change shall be obtained.
- (iii) The approved CZMP shall be put up on the website of Ministry of Environment, Forest and Climate Change, concerned website of the State or Union Territory Coastal Zone Management Authority and hard copy made available in the Panchayat Office and District Collector Office.

7. Revision of Coastal Zone Management Plans:

- (i) Whenever there is a doubt, the concerned State or Union territory Coastal Zone Management Authority shall refer the matter to the National Centre for Sustainable Coastal Management who shall verify the CZMP based on latest satellite imagery and ground truthing.
- (ii) If required, the rectified map shall be submitted to Ministry of Environment, Forest and Climate Change for consideration.

ANNEXURE-V**PROJECT INFORMATION DETAILS****1. PROJECT DETAILS**

- A.** Project Name
- B.** Survey No./ Village/ Co-ordinates
- C.** District
- D.** State
- E.** Whether the proposal is for (Select relevant field)
 - (i) Fresh Clearance under CRZ
 - (ii) Amendment to an already issued CRZ clearance
 - (iii) Extension of validity of an already issued CRZ clearance
- F.** Name of the Applicant
- G.** Address of the Applicant
- H.** Contact details (Telephone nos. and e-mail address)
- I.** Cost of the project (Rs in crores)

2. BENEFITS OF THE PROJECT

- A.** Details of Project Benefits
- B.** Employment Likely to be Generated (Yes/No)

If Yes

- (i) Total Manpower Requirement
- (ii) Permanent Employment (Numbers)
- (iii) Temporary Employment (Numbers)
- (iv) Temporary Employment- During Construction (Numbers)
- (v) Temporary Employment- During Operation (Numbers)

3. DESCRIPTION OF THE PROJECT UNDER CONSIDERATION (Select the Category of the project):

- A. Resort / Buildings / civic amenities**
 - (i) Total area/Built-up area (in sqm.)
 - (ii) Height of structure
 - (iii) FSI ratio
 - (iv) Name of concerned town planning authority/ Panchayat etc.
 - (v) Details of provision of car parking area

B. Coastal Roads / Roads on Stilt

- (i) Area of land reclamation
- (ii) Estimated quantity of muck/earth for reclamation
- (iii) Traffic carrying capacity
- (iv) Dimensions of road

C. Pipelines from thermal power blow down

- (i) Length of pipeline
- (ii) Length traversing CRZ area
- (iii) Depth of excavation
- (iv) Width of excavation
- (v) Length of pipeline from seashore to deep sea
- (vi) Depth of outfall point from surface of sea water
- (vii) Temperature of effluent above ambient at disposal point

D. Marine Disposal of Treated Effluent through pipelines

- (i) Location of intake/ outfall
- (ii) Depth of outfall point
- (iii) Length of pipeline
- (iv) Length traversing CRZ area
- (v) Depth of excavation
- (vi) Width of excavation
- (vii) Length of pipeline from shore to deep sea/creek
- (viii) Depth of outfall point from surface of water
- (ix) Depth of water at disposal point
- (x) BOD, COD, TSS, oil and grease, heavy metals in the effluent

E. Facility for storage of goods/chemicals

- (i) Name of chemical
- (ii) End use of the chemical
- (iii) No. of tanks for storage
- (iv) Capacity of tanks

F. Offshore structures

- (i) Exploration or development
- (ii) Depth of sea bed
- (iii) No. of rigs
- (iv) No. of platform
- (v) Details of group gathering stations

G. Desalination Plant

- (i) Capacity of desalination
- (ii) Total brine generation
- (iii) Temperature of effluent above ambient at disposal point
- (iv) Ambient salinity
- (v) Disposal point

H. Mining of atomic minerals

- (i) Capacity of mining
- (ii) Type of mineral to be extracted
- (iii) End use of the mineral
- (iv) Government order for mining lease/exploration and approved mining plan details
- (v) Extent of mining lease area

I. Sewage Treatment Plants

- (i) Capacity
- (ii) Total area of construction
- (iii) Compliance of effluent parameters as laid down by cpcb/spcb/other authorized agency
- (iv) Whether discharge is in seawater/creek?

If yes

- Distance of marine outfall point from shore/from the tidal river bank
- Depth of outfall point from sea water/river water surface
- Depth of seabed/riverbed at outfall point

J. Lighthouse

- (i) Total ground area of foundation/platform
- (ii) Height of the structure

K. Wind Mills

- (i) Capacity (MW)
- (ii) Height of the windmill
- (iii) Diameter of the windmill
- (iv) Length of blade
- (v) Speed of rotation
- (vi) Transmission lines (overhead or underground)

L. Others

- (i) Please specify with salient features
- (ii) Upload relevant Documents (upload PDF only)

4. **PROJECT LOCATION AS PER CRZ CLASSIFICATION** (If project site falls in different/multiple CRZ categories the same may also be elaborated)
5. **CLAUSE OF CRZ NOTIFICATION UNDER WHICH PROJECT IS A PERMISSIBLE /REGULATED ACTIVITY**
6. **MANDATORY FIELDS FOR PROJECT ASSESSMENT**
 - A. **CRZ map in 1:4000 scale indicating HTL, LTL demarcation and distance of the nearest project boundary (in meters) from HTL to be stated**
 - (i) Upload Map (kml file)
 - B. **Project layout superimposed on CRZ Map 1:4000 scale with classification of project location including other notified ESAs prepared**
 - (i) Upload Map (kml file)
 - C. **CRZ map 1:25000 scale covering 7 km radius around Project site**
 - (i) Upload Map (kml file)
7. **PROJECT LOCATED IN** (Select Type)
 - (i) Non eroding Coast
 - (ii) Low and Medium eroding coast
 - (iii) High eroding Coast
8. **DETAILS OF FOREST/ MANGROVES LAND INVOLVED (YES/NO)**

IF YES

 - (i) Detail of area diverted
 - (ii) Forest clearance to be submitted (Upload document)
 - (iii) No. of trees to be cut under the project
 - (iv) Compensatory afforestation plan to be submitted (Upload document)
9. **DISTANCE OF PROPOSED PROJECT FROM ESA/MARINE PARK/ WILD LIFE SANCTUARY**
 - (i) Within 10 kilometre radius from the project site (Yes/No)

If YES

 - Permission from NBWL to be submitted (Upload document)
10. **NOC OR CONSENT TO ESTABLISH FROM STATE/UT POLLUTION CONTROL BOARDS OBTAINED (YES/NO)**

IF YES

 - (i) Copy of NOC to be provided (Upload document)
 - (ii) Conditions imposed to be stated (Upload document)

11. Environment Impact Assessment (EIA) studies (relevant fields to be filled)**A. Terrestrial studies:**

- (i) Summary details of EIA (Terrestrial) Studies
- (ii) Upload Recommendation made in EIAs (Upload document)
- (iii) State period of Study

B. Marine Studies

- (i) Summary details of EIA (Marine) Studies
- (ii) Upload Recommendation made in EIAs (Upload document)
- (iii) State period of Study

12. DISASTER MANAGEMENT PLAN/ NATIONAL OIL SPILL DISASTER CONTINGENCY PLAN (if applicable)**13. PROJECT INVOLVING DISCHARGE OF LIQUID EFFLUENTS:**

- (i) Capacity of Sewage Treatment Plant
- (ii) Quantity of effluent generated
- (iii) Quantity of effluent treated
- (iv) Method of treatment and disposal

14. PROJECT INVOLVING DISCHARGE OF SOLID WASTE:

- (i) Type of solid waste
- (ii) Quantity of solid waste generated
- (iii) Method of disposal
- (iv) Mode of transport

15. WATER REQUIREMENT in kilo litres per day (KLD)

- (i) Quantity of water required
- (ii) Source of water
- (iii) If Ground water (Upload a copy of approval from Central Ground Water Authority or other authorised body)
- (iv) If other Source (Upload a copy of permission from competent authority)
- (v) Mode of transport
- (vi) Commitment of water supply (Upload document)

16. DETAILS OF WATER TREATMENT AND RECYCLING (If any) (Multiple Entries Allowed)

Type/ Source	Quantity of Waste Water Generated (Kilos Litre per Day)	Treatment Capacity (Kilos Litre per Day)	Treatment Method	Mode of Disposal	Quantity of Discharged Water (Kilos Litre per Day)	Quantity of Treatment Water used in Recycling/Reuse (Kilo Litre per Day)

17. DETAILS OF RAINWATER HARVESTING

- (i) No. of Storage tanks
- (ii) Total capacity of tanks
- (iii) No. of Recharge Pits
- (iv) Capacity of pits

18. ENERGY REQUIREMENT AND SOURCES

- (i) Total Power Requirements (kwh)
- (ii) Source
- (iii) Upload Copy of Agreement (upload pdf only)
- (iv) Stand by Arrangement (Details)

19. ENERGY EFFICIENCY/SAVING MEASURES

- (i) Source/Mode
- (ii) Details of savings

20. RECOMMENDATION OF STATE COASTAL ZONE MANAGEMENT AUTHORITY

- (i) Upload Copy of CZMA recommendations (Upload pdf only)
- (ii) Compliance status of the Conditions Imposed

21. WHETHER PROPOSAL ATTRACTS EIA NOTIFICATION, 2006. (Yes/No)

If YES,

- (i) the category thereof
- (ii) Status of proposal for EC (as applicable)

22. SOCIAL AND ENVIRONMENTAL ISSUES AND MITIGATIONS MEASURES SUGGESTED INCLUDING BUT NOT LIMITED TO R&R, WATER, AIR, HAZARDOUS WASTES, ECOLOGICAL ASPECTS, ETC. (Brief Details to be Provided)**23. DETAILS OF COURT CASES** Whether there is any Court Cases pending against the project and/or land in which the project is proposed to be set up? **(Yes/No)**

If Yes, Pending or Disposed (Select relevant)

- (i) Name of the Court (Supreme Court, High Court, National Green Tribunal)
- (ii) Case No.
- (iii) Case Details
- (iv) Orders/Directions of the court, if any and its relevance with the proposed project
(Upload document)

24. ADDITIONAL INFORMATION, If any

UNDERTAKING: It is certified that the information given above are true to the best of my knowledge and belief and nothing contravening the provisions of CRZ Notification, 2011 has been concealed therefore.

Name and Signature of the applicant:

Date:

**ENVIRONMENT IMPACT
ASSESSMENT
NOTIFICATION, 2006**

(as amended to date)

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
ENVIRONMENT IMPACT ASSESSMENT NOTIFICATION 2006 AND SUBSEQUENT
AMENDMENTS

(Incorporating subsequent amendments issued up to 18th March, 2021 and status before Courts /
Tribunal)

New Delhi, 14th September, 2006

S.O.1533(E).-Whereas, a draft notification under sub-rule (3) of Rule 5 of the Environment (Protection) Rules, 1986 for imposing certain restrictions and prohibitions on new projects or activities, or on the expansion or modernization of existing projects or activities based on their potential environmental impacts as indicated in the Schedule to the notification, being undertaken in any part of India¹, unless prior environmental clearance has been accorded in accordance with the objectives of National Environment Policy as approved by the Union Cabinet on 18th May, 2006 and the procedure specified in the notification, by the Central Government or the State or Union Territory Level Environment Impact Assessment Authority (SEIAA), to be constituted by the Central Government in consultation with the State Government or the Union Territory Administration concerned under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 for the purpose of this notification, was published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (ii) vide number S.O. 1324 (E) dated the 15th September, 2005 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 Gazette containing the said notification were made available to the public;

And whereas, copies of the said notification were made available to the public on 15th September, 2005;

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) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986, read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 and in supersession of the notification number S.O. 60 (E) dated the 27th January, 1994, except in respect of things done or omitted to be done before such supersession, the Central Government hereby directs that on and from the date of its publication the required construction of new projects or activities or the expansion or modernization of existing projects or activities listed in the Schedule to this notification entailing capacity addition with change in process and or technology shall be undertaken in any part of India only after the prior environmental clearance from the Central Government or as the case may be, by the State Level Environment Impact Assessment Authority, duly constituted by the Central Government under sub-section (3) of section 3 of the said Act, in accordance with the procedure specified hereinafter in this notification.

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 the Ministry of Environment and Forests for matters falling under Category 'A' in the Schedule and at State level the State Environment Impact Assessment Authority (SEIAA) for matters falling under Category 'B' in the said Schedule, *²[and at District level, the District Environment Impact Assessment Authority (DEIAA) for matters falling under Category 'B2' for mining of minor minerals in the in the said schedule] before any 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;

¹ Includes territorial waters

² Words inserted vide S.O. 141(E), dated the 15th January, 2016 (This notification has been suspended by NGT in EA No. 55/2018 in OA No. 520/2016 in the matter of Vikrant Tongad Vs. UoI vide order dated 11th December, 2018 and same has been appealed before Hon'ble Supreme Court and matter is sub-judice)

- ¹[(ii) Expansion, modernisation or any change in the product mix or raw material mix in existing projects or activities, listed in the Schedule to this notification, resulting in capacity beyond the threshold limits specified for the concerned sector in the said Schedule, subject to conditions and procedure provided in the sub-paragraph (ii) of paragraph 7];

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.
- (3) ²[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).

³[Provided that wherever considered necessary and expedient, the Central Government may extend the term for a further period not exceeding ⁴{twelve} months.]

- (7) ⁵[All decisions of the SEIAA 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].

⁶[3A. District Level Environment Impact Assessment Authority: - (1) A District Level Environment Impact Assessment Authority hereinafter referred to as the DEIAA shall be constituted by the Central Government under sub- section (3) of section 3 of the Environment (Protection) Act, 1986 comprising of four members including a Chairperson and a Member-Secretary.

- (2) The District Magistrate or District Collector shall be the Chairperson of the DEIAA.
- (3) The Sub-Divisional Magistrate or Sub-Divisional Officer of the district head quarter of the concerned district of the State shall be the Member-Secretary of the DEIAA.

¹ Subs. by S.O. 980(E), dated 2nd March, 2021

² Substituted para by S.O.1737 (E), dated 11th October, 2007.

³ Inserted by S.O. 1562(E), dated 21st May, 2020

⁴ Substituted the words “twelve months” for the words “six months” by S.O. 3752(E), dated 20th October, 2020

⁵ Substituted by S.O.3067 (E), dated 1st December, 2009

⁶ Inserted. by S.O. 141, dated 15th January, 2016

- (4) The other two members of the DEIAA shall be the senior most Divisional Forest Officer and one expert. The expert shall be nominated by the Divisional Commissioner of the Division or Chief Conservator of Forest, as the case may be. The term and qualifications of the expert fulfilling the eligibility criteria are given in Appendix VII to this notification.
- (5) The members of the DEIAA who are serving officers of the concerned State Government or the Union territory Administration shall be *ex-officio* members except the expert member.
- (6) The District Level Expert Appraisal Committee hereinafter referred to as the DEAC shall comprise of eleven members, including a Chairman and a Member- Secretary.
- (7) The senior most Executive Engineer, Irrigation Department in the district of respective State Governments or Union territory Administration shall be the Chairperson of the DEAC.
- (8) The Assistant Director or Deputy Director of the Department of Mines and Geology or District Mines Officer or Geologist of the district shall be the Member-Secretary of the DEAC in that order.
- (9) A representative of the State Pollution Control Board or Committee, senior most Sub-Divisional Officer (Forest) in the district, representative of Remote Sensing Department or Geology Department or State Ground Water Department, one occupational health expert or Medical Officer to be nominated by the District Magistrate or District Collector, Engineer from Zila Parishad, and three expert members to be nominated by the Divisional Commissioner or Chief Conservator of Forest, as the case may be, shall be the other members of the DEAC. The term and qualifications of the experts fulfilling the eligibility criteria are given in Appendix VII to this notification.
- (10) The members of the DEAC who are serving officers of the concerned State Government or the Union territory Administration shall be *ex-officio* members except the expert members.
- (11) The District Magistrate or District Collector shall notify an agency to act as Secretariat for the DEIAA and the DEAC and shall provide all financial and logistic support for their statutory functions.
- (12) The DEIAA and DEAC shall exercise the powers and follow the procedure as specified in the said notification, as amended from time to time.
- (13) The DEAC shall function on the principle of collective responsibility and the Chairman shall endeavor to reach a consensus in each case and if consensus cannot be reached, the view of the majority shall prevail.];

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 manmade resources.
- (ii) All projects or activities included as Category 'A' 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) All projects or activities included as Category 'B' in the Schedule, 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. ¹[In the absence of a duly constituted SEIAA or SEAC, a Category 'B' project shall be considered at the Central Level as a Category 'B' project.]

²[(iv) The 'B2' Category projects pertaining to mining of minor mineral of lease area less than or equal to five hectare shall require prior environmental clearance from DEIAA. The DEIAA shall base its decision on the recommendations of DEAC, as constituted for this notification.];

***³[5. Screening, Scoping and Appraisal Committees: -**

The same Expert Appraisal Committees (EACs) at the Central Government, SEACs at the State or Union territory level and DEAC at the district level shall screen, scope and appraise projects or activity in category 'A', 'B1 and B2' and 'B2' projects for mining of minor minerals of lease area less than and equal to five hectare respectively. EAC, SEACs and DEACs shall meet at least once every month.

(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. DEAC at the district level shall be constituted by the Central Government as per the composition given in paragraph 3A.

(b) The Central Government may with the prior concurrence of the concerned State Governments or the Union territory Administration constitute one SEAC for more than one State or Union territory for reasons of administrative convenience and cost.

⁴[(c) The Expert Appraisal Committee and State Level Expert Appraisal Committee shall be reconstituted after every three years:

Provided that wherever considered necessary and expedient, the Central Government may extend the term for a further period not exceeding ⁵{twelve} months.]

(d) The authorized members of the EAC, SEACs and DEACs concerned, may inspect any site connected with the project or activity in respect of which the prior environmental clearance is sought for the purpose of screening or scoping or appraisal with prior notice of at least seven days to the project proponent who shall provide necessary facilities for the inspection.

(e) The EAC, SEACs and DEACs shall function on the principle of collective responsibility. The Chairperson shall endeavor to reach a consensus in each case and if consensus cannot be reached the view of the majority shall prevail.]

***³[6. Application for Prior Environmental Clearance (EC): -**

An application seeking prior environmental clearance in all cases shall be made by the project proponent 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; and in Form 1M for mining of minor minerals up to five hectare under Category 'B2' projects, as given in Appendix VIII, before commencing any construction activity, or preparation of land,

¹ Substituted words by S.O.3067(E), dated 1st December, 2009

² Ins. by S.O. 141(E), dated 15th January, 2016

³ Para substituted vide S.O. 141(E), dated the 15th January, 2016 (This notification has been suspended by NGT in EA No. 55/2018 in OA No. 520/2016 in the matter of Vikrant Tongad vs. UoI vide order dated 11th December, 2018 and same has been appealed before Hon'ble Supreme Court and matter is sub-judice) and Para 5(c) substituted vide S.O. No. 1562(E), dated the 21st May, 2020 and subsequently amended vide S. O. 3752 (E), dated the 20th October, 2020

⁴ Substituted the words "twelve months" for the words "six months" by S.O. 1562 (E), dated 21st May, 2020.

⁵ Substituted by S.O. 3752 (E), dated 20th October, 2020.

or mining at the site by the project proponent. The project proponent shall furnish along with the application, a copy of the pre-feasibility project report, in addition to Form 1, Form 1A, and Form 1M; and in case of construction projects or activities (item 8 of the Schedule), a copy of the conceptual plan shall be provided instead of pre-feasibility report.]

7. Stages in the Prior Environmental Clearance (EC) Process ¹[***]: -

(i) ²[For new projects or activities listed in the Schedule to this notification]: 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 (Only for Category 'B' projects and activities)
- Stage (2) Scoping
- Stage (3) Public Consultation
- Stage (4) Appraisal

I. Stage (1) -Screening:

³[(A)] In case of Category 'B' projects or activities, this stage will entail the scrutiny of 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 termed Category 'B1' and remaining projects shall be termed Category 'B2' and will not 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.

^{*4}[(B)] The cases as specified in Appendix IX shall be exempted from prior environmental clearance.];

⁵[II Stage (2) –Scoping:

(i) ⁶[“Scoping” refers to the process to determine detailed and comprehensive Terms of Reference (ToR) addressing all relevant environmental concerns for the preparation of an Environmental Impact Assessment and Environment Management Report in respect of the project or activity for which Prior Environmental Clearance is sought.

(ii) All projects or activities listed under Category “B2” of the schedule shall not require Scoping.

(iii) Sector specific Standard Terms of References developed by the Ministry of Environment, Forest and Climate Change, from time to time shall be displayed on its website.

(iv) The Standard Terms of References shall be issued to the following projects or activities

¹ Omitted vide S.O. 980(E), dated 2nd March, 2021

² Ins. vide S.O. 980(E), dated 2nd March, 2021

³ Re-numbered as (A) by S.O. 141 (E), dated 15th January, 2016 (Notification is under Sub-judice before the Hon'ble Courts/Tribunal) *.

⁴ Inserted vide S.O. 141(E), dated the 15th January, 2016 (This notification has been suspended by NGT in EA No. 55/2018 in OA No. 520/2016 in the matter of Vikrant Tongad vs. UoI vide order dated 11th December, 2018 and same has been appealed before Hon'ble Supreme Court and matter is sub-judice)

⁵ Substituted by S.O. 751 (E), dated 17th February, 2020.

⁶ Amended vide S.O.695(E), dated the 4th April, 2011, S.O. 2259 dated 22nd August, 2013, S.O. 562(E) dated 26th February, 2014; S.O. 382(E) dated 3rd February, 2015, S.O. 996(E) dated 10th April, 2015.

through online mode, on acceptance of application within 7 working days, without referring to EAC or SEAC by the Ministry or SEIAA, as the case may be:

- (a) All Highway projects in Border States covered under entry (i) and (ii) of column (3) and (4) against item 7(f) of the Schedule;
- (b) All projects or activities proposed to be located in industrial estates or parks (item 7(c) of the Schedule) approved by the concerned authorities, and which are not disallowed in such approvals; and
- (c) All expansion proposals of existing projects having earlier Prior Environmental Clearance:

Provided that EAC or SEAC may recommend additional specific Terms of Reference in addition to the Standard ToR, if found necessary, for a project or activity, within 30 days from the date of acceptance of application.

- (v) All new projects or activities other than specified in sub-paragraph (iv) above, shall be referred to the EAC or SEAC by the Regulatory Authority, as the case may be, within 30 days from the date of application, for recommending the specific ToR in addition to the Standard ToR, deemed necessary. In case, the regulatory authority does not refer the matter to the EAC or SEAC, as the case may be, within 30 days of date of application in Form-I, sector specific Standard ToR shall be issued, online, on 30th day, by the Regulatory Authority.
- (vi) Applications for Terms of Reference may be rejected by the regulatory authority concerned on the recommendation of the EAC or SEAC concerned. In case of such rejection, the decision together with reasons for the same after due personal hearing shall be communicated to the applicant in writing within sixty days of the receipt of the application.
- (vii) The project proponent shall prepare the EIA report based on the sector specific Standard ToR as well as additional specific ToR, if any, stipulated by the EAC or SEAC.
- (viii) The Terms of Reference for the projects or activities except for River valley and Hydroelectric projects, issued by the regulatory authority concerned, shall have the validity of four years from the date of issue. In case of the River valley and Hydro-electric projects, the validity will be for five years.]

¹[(ix) Notwithstanding anything contained above, the period from the 1st April, 2020 to the 31st March, 2021 shall not be considered for the purpose of calculation of the period of validity of Terms of Reference granted under the provisions of this notification in view of outbreak of Corona Virus (COVID-19) and subsequent lockdowns (total or partial) declared for its control, however, all activities undertaken during this period in respect of the said Terms of Reference shall be treated as valid.];

²[(x) Notwithstanding anything contained above, the projects where construction and commissioning of proposed activities have not been completed within the validity period of the Environmental Clearance (EC) and a fresh application for EC has been submitted due to expiry of the said period of the EC, the concerned Expert Appraisal Committee or State Level Expert Committee, as the case may be, may exempt the requirement of public hearing subject to the condition that the project has been implemented not less than fifty percentage in its physical form or construction.].

III. Stage (3) – Public Consultation:

- (i) “Public Consultation” refers to the process by which the concerns of local affected persons

¹ Inserted by S.O. 221(E) dated 18th January, 2021

² Inserted by S.O. 1247(E) dated 18th March, 2021

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. All Category 'A' and Category B1 projects or 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).]
- (d) all Category "B2" projects and activities.
- (e) all projects or activities concerning national defense and security or involving other strategic considerations as determined by the Central Government.
- ³[(g) all linear projects such as Highways, pipelines, etc., in border States.]
- ⁴[(h) all standalone pillarization plants, which were in existence and in operation on or before the 27th day of May, 2014 and have valid consent to establish and consent to operate from the concerned State Pollution Control Board or the Union Territory Pollution Control Committee.]
- (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 ⁵[45 (forty five) days] 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

¹ Inserted by Para III(i) of the Amendment Notification issued by S.O.3067(E) dated 1st December, 2009.

² Substituted by Para III (ii) of the Amendment Notification issued by S.O,3067(E), dated 1.12.2009

³ Ins. By S.O. 382 (E) dated 3rd February, 2015

⁴ Ins. by S.O. 2572 (E), dated 14th September, 2015

⁵ Amended by Corrigendum by S.O.1939(E), dated 13th November, 2006.

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 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

¹ Amended as per para (iv) of the corrigendum issued by Notification S.O.1939 (E), dated 13th November, 2006

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;

¹[7(ii). Prior Environmental Clearance (EC) Process for Expansion or Modernization or Change of product mix in Existing Projects:

- (a) 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 Environment Impact Assessment and public consultations and the application shall be appraised accordingly for grant of environmental clearance, ²[in respect of projects or activities other than falling in clause (b) and (c)];

³***[(b) Existing projects (having Prior Environmental Clearance) with no increase in pollution load:***
Any increase in production capacity in respect of processing or production or manufacturing sectors (listed against item numbers 2,3, 4 and 5 in the Schedule to this notification) with or without any change in (i) raw material-mix or (ii) product-mix or (ii) quantities within products or (ii) number of products including new products falling in the same category or (iv) configuration of the plant or process or operations in existing area or in areas contiguous to the existing area (for which prior environmental clearance has been granted) shall be exempt from the requirement of Prior Environmental Clearance provided that there is no increase in pollution load (derived on the basis of such Prior Environmental Clearance):

Provided that such exemption shall be applicable only consequent to –

- A. *the project proponent furnishing information regarding such changes along with no increase in pollution load certificate, from the environmental auditor or reputed institutions empanelled by the State Pollution Control Board or Union Territory Pollution Control Committee or Central Pollution Control Board or Ministry of Environment, Forest and Climate Change, as per the procedure laid down in Appendix-XIII, on PARIVESH portal as well as to the concerned State Pollution Control Board or Union Territory Pollution Control Committee.*

Note: *If on verification, the State Pollution Control Board or Union Territory Pollution Control Committee, as the case may be, after giving the project proponent the opportunity of being heard, holds that such change or expansion or modernisation results in increase in pollution load, the exemption claimed under this clause shall not be valid and it shall be deemed that the project proponent was always liable to obtain prior environmental clearance, in respect of such change or expansion or modernisation, as per the clause (a) and the provisions of Environment (Protection) Act, 1986 shall apply accordingly;*

- B. *installation and implementation of Online Continuous Monitoring System (OCMS) with at least 95% uptime, connected to the servers of the Central Pollution Control Board*

¹ Substituted by S.O. 3518 (E), dated 23rd.November, 2016.

² Inserted by S.O. 980(E), dated 2nd March, 2021

³ Subs. by S.O. 980(E), dated 2nd March, 2021

and State Pollution Control Board or Union Territory Pollution Control Committee concerned to report the quantity and quality, of emission and discharges:

Provided further that the provisions of this clause shall not be applicable if such change or increase results in change in category of project or activity from Category- 'B2' to either Category- 'A' or Category 'B1'.

(c) Any change in configuration of the plant or activity from the environmental clearance conditions during execution of the project after detailed engineering, in respect of projects or activities, falling in any item of the Schedule to this notification, shall not require prior environmental clearance, if there is no change in production capacity and there is no increase in pollution load subject to furnishing particulars of such changes on PARIVESH portal in the format as may be provided by the Government from time to time, before implementing such changes whereupon a system generated acknowledgement will be issued by the concerned Regulatory Authority.

Explanation:- *For the purpose of this sub-paragraph, "Pollution load" shall be determined on the basis of multiplication of quantity and concentration of different components and parameters (as provided or referred in the Prior Environment Clearance or the Environment Impact Assessment Report (EIA) and Environment Management Plan based on which such Prior Environment Clearance has been granted), in respect of emissions, effluents or discharge, solid, industrial hazardous waste and such other parameters notified under the Environment (Protection) Rules, 1986 as amended from time to time.]*

***¹[7 (iii) Preparation of District Survey Report for Sand Mining or River Bed Mining and Mining of Other Minor Minerals:**

- (a) The prescribed procedure for preparation of District Survey Report for sand mining or river bed mining and mining of other minor minerals is given in Appendix X.
- (b) The prescribed procedure for environmental clearance for mining of minor minerals including cluster situation is given in Appendix XI."]

8. Grant or Rejection of Prior Environmental Clearance (EC):

- (i) The regulatory authority shall consider the recommendations of the ²[Expert Appraisal Committee or State Level Expert Appraisal Committee or District Level Expert Appraisal Committee] concerned and convey its decision to the applicant within forty five days of the receipt of the recommendations of the ²[Expert Appraisal Committee or State Level Expert Appraisal Committee or District 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 ²[Expert Appraisal Committee or State Level Expert Appraisal Committee or District Level Expert Appraisal Committee] concerned. In cases where it disagrees with the recommendations of the ³[Expert Appraisal Committee or State Level Expert Appraisal Committee or District Level Expert Appraisal Committee] concerned, the regulatory authority shall request reconsideration by the ¹[Expert Appraisal Committee or State Level Expert Appraisal Committee or District Level Expert Appraisal Committee] concerned within forty five days of the receipt of the recommendations of

¹ Inserted by S.O. 141 (E), dated 15th January, 2016 (Notification is under Sub-judice before the Hon'ble Courts/Tribunal) *.

² Substitute by S.O. 141 (E), dated 15th January, 2016

³ Substitute by S.O. 141 (E), dated 15th January, 2016

the ¹[Expert Appraisal Committee or State Level Expert Appraisal Committee or District 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 ¹[Expert Appraisal Committee or State Level Expert Appraisal Committee or District Level 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 ²[Expert Appraisal Committee or State Level Expert Appraisal Committee or District Level Expert Appraisal Committee] concerned shall be final and conveyed to the applicant by the regulatory authority concerned within the next thirty days.

- (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 for has been granted or denied by the regulatory authority in terms of the final recommendations of the ¹[Expert Appraisal Committee or State Level Expert Appraisal Committee or District 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 ²[Expert Appraisal Committee or State Level Expert Appraisal Committee or District 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.

³**9. Validity of Environmental Clearance (EC):**

(i) The "Validity of Environmental Clearance" is meant the period from which a prior environmental clearance is granted by the regulatory authority, or may be presumed by the applicant to have been granted under sub paragraph (iii) of paragraph 8, 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 or District Level Expert Appraisal Committee] subject to a maximum of thirty years for mining projects and seven years in the case of all other projects and activities.

(ii) In case of Area Development projects and Townships [item 8 (b), the validity period of Seven years shall be limited only to such activities as may be the responsibility of the applicant as a developer:

Provided that this period of validity with respect to sub-paragraphs (i) and (ii) above may be extended by the regulatory authority concerned by a maximum period of three years if an application is made to the regulatory authority by the applicant within the validity period, together with an updated

¹ Substituted by S.O. 141 (E) dated 15th January, 2016.

² Substitute by S.O. 141 (E), dated 15th January, 2016

³ Re-numbered and then text in bold was amended vide S.O.1141 (E), dated the 29th April, 2015 further substituted vide S.O. 2944 (E), the 14th September, 2016

Form I, and Supplementary Form IA, for Construction projects or activities (item 8 of the Schedule):

Provided further that the regulatory authority may also consult the Expert Appraisal Committee or State Level Expert Appraisal Committee, as the case may be, for grant of such extension.

- (iii) Where the application for extension under sub-paragraphs (i) and (ii) above has been filed –
- (a) within thirty days after the validity period of Environmental Clearance, such cases shall be referred to concerned Expert Appraisal Committee or State Level Expert Appraisal Committee or District Level Expert Appraisal Committee and based on their recommendations, the delay shall be condoned at the level of the Joint Secretary in the Ministry of Environment, Forest and Climate Change or Member Secretary, State Level Expert Appraisal Committee or Member Secretary, District Level Expert Appraisal Committee, as the case may be;
- (b) more than thirty days after the validity period of Environmental Clearance but less than ninety days after such validity period, then, based on the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee or District Level Expert Appraisal Committee, the delay shall be condoned with the approval of the Minister in charge of Environment, Forest and Climate Change or Chairman, as the case may be:

Provided that no condonation for delay shall be granted for any application for extension filed beyond 90 days after the validity period of Environment Clearance.].

¹[9A. Notwithstanding anything contained in this notification, the period from the 1st April, 2020 to the 31st March, 2021 shall not be considered for the purpose of calculation of the period of validity of Prior Environmental Clearances granted under the provisions of this notification in view of outbreak of Corona Virus (COVID-19) and subsequent lockdowns (total or partial) declared for its control, however, all activities undertaken during this period in respect of the Environmental Clearance granted shall be treated as valid.].

10. Post Environmental Clearance monitoring:

²[(i) (a) In respect of Category 'A' projects, it 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 in the 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.]

*³[(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 ⁴[soft copy] to the

¹ Inserted vide S.O.4254(E), dated the 27th November, 2020 and substituted vide S.O. 221(E), dated the 18th January, 2021.

² Inserted/re-numbered vide S.O.3067(E), dated the 1st December, 2009

³ 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 1st December, 2009.

⁴ Subs. vide S.O.No.5845 (E), dated 26th November, 2018

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.]

*¹[(iv) The prescribed procedure for sand mining or river bed mining and monitoring is given in Appendix XII.];

11. Transferability of Environmental Clearance (EC):

²[(1) A prior environmental clearance granted for a specific project or activity to an applicant may be 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 a written “no objection” by the transferor, to, and by the 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 *³[Expert Appraisal Committee or State Level Expert Appraisal Committee or District Level Expert Appraisal Committee] concerned is necessary in such cases.

⁴[(2) Where an allocation of coal block is cancelled in any legal proceedings, or by the Government in accordance with law, the environmental clearance granted in respect of such coal block may be transferred, subject to the same validity period as was initially granted, to any legal person to whom such block is subsequently allocated, and in such case, obtaining of “no objection” from either the holder of environment clearance or from the regulatory authority concerned shall not be necessary and no reference shall be made to the Expert Appraisal Committee or the State Level Expert Appraisal Committee concerned.]

⁵[(3) The successful bidder of the mining leases, expiring under the provisions of sub-sections (5) and (6) of section 8A of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957) and selected through auction as per the procedure provided under that Act and the rules made thereunder, shall be deemed to have acquired valid prior environmental clearance vested with the previous lessee for a period of two years, from the date of commencement of new lease and it shall be lawful for the new lessee to continue mining operations as per the same terms and conditions of environmental clearance granted to the previous lessee on the said lease area for a period of two years from the date of commencement of new lease or till the new lessee obtains a fresh environmental clearance with the terms and conditions mentioned therein, whichever is earlier:

Provided that the successful bidder shall apply and obtain prior environmental clearance from the regulatory authority within a period of two years from the date of grant of new lease.];

⁶[(4) Where an allocation of iron ore block pertaining to the State of Karnataka is cancelled in any legal proceeding, or by the Government in accordance with law, the environmental clearance granted in respect of such iron block may be transferred subject to the same validity period it was initially granted, to any legal person to whom such block is subsequently allocated, and in such case, obtaining of “no objection” from either the holder of environmental clearance or from the regulatory authority concerned shall not be necessary and no reference shall be made to the Expert

¹ Inserted vide S.O. 141(E), dated the 15th January, 2016 (This notification has been suspended by NGT in EA No. 55/2018 in OA No. 520/2016 in the matter of Vikrant Tongad vs. UoI vide order dated 11th December, 2018 and same has been appealed before Hon'ble Supreme Court and matter is sub-judice)

² Renumbered sub-para (1) by S.O. 811 (E) dated 23rd March, 2015

³ Subs. by S.O. 141 (E) dated 15th January, 2016 (Notification is under Sub-judice before the Hon'ble Courts/Tribunal) *.

⁴ Ins. by S.O. 811 (E) dated 23rd March, 2015.

⁵ Ins. by S.O. 1224 (E) dated 28th March, 2020

⁶ Ins. by S.O. 4241 (E) dated 30th December, 2016 [re-numbered as (4)].

Appraisal Committee or the State Level Expert Appraisal Committee concerned.];

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 supersession of the things done or omitted to be done before such supersession] 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 in ²[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.

⁴[13. Preparation and Presentation of Environment Impact Assessment (EIA) Report and Environment Management Plan (EMP). -

The Environmental consultant organizations which are accredited for a particular sector and the category of project for that sector with the Quality Council of India (QCI) or National Accreditation Board for Education and Training (NABET) or any other agency as may be notified by the Ministry of Environment, Forest and Climate Change from time to time shall be allowed to prepare the Environment Impact Assessment report and Environment Management Plan of a project in that sector and category and to appear before the concerned Expert Appraisal Committee (EAC) or the State Expert Appraisal Committee (SEAC). The Ministry will also prepare a panel of national level reputed educational and research institutions to work as Environmental Consultant Organizations.]

14. Integration of Environmental Condition in Building Bye-Laws. –

⁵[(14) Local bodies such as Municipalities, Development Authorities and District Panchayats, shall stipulate environmental conditions while granting building permission, for the Building or Construction projects with built-up area $\geq 20,000$ sq. mtrs and $< 50,000$ sq. mtrs and industrial sheds, educational institutions, hospitals and hostels for educational institutions from built-up area $\geq 20,000$ sqm to $< 1,50,000$ sq.m as specified in Notification S.O. 5733(E) dated 14th November, 2018].

¹ Corrected spelling of “suppression” as “supersession” as per para (ii)(a) of the corrigendum issued by Notification S.O. 939 (E), dated 13th November, 2006.

² Corrected “Schedule I” as “Schedule” as per para (ii)(b) of the corrigendum issued by Notification S.O. 1939 (E), dated 02.11.2006

³ Substituted by Para II of the Amendment Notification issued by S.O. 1737 (E), dated 11th October, 2007

⁴ Ins. By S.O. 648 (E) dated 3rd March, 2016

⁵ Substituted by S.O. 5736(E) dated 15th November, 2018 (*Notification is under Sub-judice before the Hon'ble Courts/Tribunal*)*.

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	> 100 ha of mining lease area of non- coal mine lease.	≤ 100 ha of mining lease area in respect of non-coal mine lease.	General Condition shall Apply except: (i) For project or activity of mining of minor minerals of Category 'B2' (up to 25 ha of mining lease area); (ii) For project or activity of mining of minor minerals of Category 'B1' in case of cluster of mining lease area, and (iii) River bed mining projects on account of inter-state boundary.
		> 150 ha of mining lease area in respect of coal mine lease.	≤150 ha of mining lease area in respect of coal mine lease.	
		Asbestos mining irrespective of mining area		
	(ii) Slurry pipelines (coal lignite and other ores) passing through national parks/sanctuaries/coral reefs, ecologically sensitive areas.	All projects		Note: (1) Mineral prospecting is exempted; (2) The prescribed procedure for environmental clearance for mining of minor minerals including cluster situation is given in Appendix XI]; ² [(3) The evacuation or removal and transportation of already mined out material lying within the mining leases expiring under the provisions of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), by the previous lessee, after the expiry of the said lease, shall not form the part of the mining capacity so permitted to the successful bidder, selected through auction as per the procedure provided under that Act and the rules made thereunder.];

¹ Substituted by S.O. 3977 (E), dated 14th August, 2018.

² Inserted by S.O. 1224 (E), dated 28th March, 2020

¹ [1(b)]	Offshore and onshore oil and gas exploration, development and production	All projects in respect of off-shore and onshore oil and gas development and production except exploration		<p>Note 1: Seismic surveys which are part of Exploration Surveys are exempted provided the concession areas have got previous clearance for physical survey</p> <p>Note 2: All project in respect of off-shore and onshore oil and gas exploration are categorized as 'B2' projects]</p>
² [1(c)]	(i) River Valley Projects (ii) Irrigation projects	(i) ≥ 50 MW hydroelectric power generation. (ii) $\geq 10,000$ ha, of culturable command area.	(i) ≥ 25 MW and < 50 MW hydroelectric power generation; (ii) > 2000 ha and $< 10,000$ ha, of culturable command area	General condition shall apply, Note: - (i) Category 'B' river valley projects falling in more than one state shall be appraised at the central Government Level. (ii) Change in irrigation technology having environmental benefits (eg. From flood irrigation to Drip irrigation etc.) by an existing project, leading to increase in Culturable Command Area but without increase in dam height and submergence, will not require amendment/ revision of EC.]
		Irrigation system	Requirement of EC	
		(a) Minor Irrigation system (≤ 2000 Ha)	Exempted	
		(b) Medium irrigation system (> 2000 and $< 10,000$ ha.)	Required to prepare EMP and to be dealt at State Level (B2 category).	
		(c) Major irrigation system ($\geq 10,000$ to $< 50,000$ ha.)	Required to prepare EIA/EMP and to be dealt at State Level (B1 category).	

¹ Substituted by S.O. 236 (E), dated 16th February, 2020.

² Substituted by S.O. 3977 (E), dated 14th August, 2018.

1(d)	¹ [Thermal Power Plants	<p>> 500 MW (coal/lignite/naphtha and gas bases);</p> <p>> 50 MW (all other fuels except biomass).</p> <p>>20MW (using municipal solid non-hazardous waste, as fuel).</p>	<p>²[> 5MW] to <500 MW (coal/lignite/naphtha and gas based);</p> <p>< 50 MW and ≥5 MW (all other fuels except biomass and municipal solid non-hazardous waste).</p> <p>< 20MW > 15MW (using municipal solid non-hazardous waste, as fuel),</p> <p>> 15 MW plants based on biomass fuel.</p>	<p>General condition shall apply</p> <p>Note: -</p> <p>a. Thermal Power plants up to 15 MW based on biomass or non-hazardous municipal solid waste using auxiliary fuel such as coal, lignite/ petroleum products up to 15 % are exempt.</p> <p>b. Thermal power plants using waste heat boilers without any auxiliary fuel are exempt.]</p>
1(e)	Nuclear power projects and processing of nuclear fuel	All projects	-	

2 Primary Processing				
2(a)	Coal washeries	<1million ton/annum throughput of coal	<1million ton/annum throughput of coal	General Condition shall apply (If located within mining area the proposal shall be appraised together with the mining proposal)
2 (b)	³ [Mineral Beneficiation	> 0.5 million TPA through put	<0.5 Million TPA through put	General condition shall apply (Mining proposal with mineral beneficiation shall be appraised together for grant of clearance).]
3. Material Production				
3(a)	Metallurgical industries(ferrous & ferrous)	a) Primary metallurgical industry All projects	Sponge iron manufacturing <200TPD	<p>⁴[General Condition shall apply</p> <p>Note:</p> <p>(i) The recycling industrial units registered under the HSM</p>
		b) Sponge iron manufacturing ≥	Secondary metallurgical processing	

¹ Substituted by S.O. 1599 (E), dated 25th June, 2014.

² Substituted by S.O. 1834 (E), dated 6th July, 2015.

³ Subs. by S.O.1599(E), dated 25th June, 2014

⁴ Subs. by S.O.3067(E), dated 1st December, 2009

		200TPD	industry	Rules are exempted.
		c) Secondary metallurgical processing industry All toxic and heavy metal producing units \geq 20,000 tonnes/annum	i) All toxic and heavy metal producing units <20,000 tonnes/annum ii) All other non-toxic secondary metallurgical processing industries >5000 tonnes/annum	(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]

¹ 3(b)	Cement plants	\geq 1.0 million tonnes/annum production capacity	<1.0 million tonnes/annum production capacity. All Standalone grinding units	General Condition shall apply Note. - 1. Fuel for cement industry may be coal, pet coke, mixture of coal and pet coke and co-processing of waste provided it meets the emission standards. 2. The manufacturing of composite cement by plants having environmental clearance for manufacturing Ordinary Portland Cement (OPC), Portland Pozzolana Cement (PPC) and Portland Slag Cement (PSC) shall be exempt provided the production is within sanctioned capacity.]
4	Materials Processing			
4(a)	Petroleum refining industry	All projects	-	-
² 4(b)	(i) Coke oven plants (ii)Coal tar processing units	\geq 2,50,000 tonnes/annum	<2,50,000 and \geq 25,000 tonnes/annum All projects	General condition shall apply.]
4(c)	Asbestos milling	All projects	-	-

¹ Subs. by S.O. 3518 (E) dated 23rd November, 2016

² Subs. by S.O. 1599 (E) dated 25th June, 2014

	and asbestos based products			
4(d)	Chlor-alkali industry	¹ [≥ 300 TPD Production capacity if a unit located outside the notified industrial area/estate.]	² [(i) All projects irrespective of the size, if it is located in a notified Industrial area/ Estate. (ii) <300 tonnes per day (TPD) and located outside	³ [General as well as specific condition shall apply No new Mercury Cell based plants will be permitted and existing units converting to membrane cell technology are exempt from the Notification]
4(e)	Soda ash Industry	All projects	-	-
4(f)	⁴ [Skin/hide processing including tanning industry]	New projects outside the industrial area or expansion of Existing units outside the industrial area	All new or Expansion of Projects located within a notified industrial area/ estate	⁵ [General as well as specific condition shall apply]
5	Manufacturing/Fabrication			
⁶5(a)	Chemical fertilizers	All projects including all Single Super Phosphate With H_2SO_4 production except granulation of chemical fertilizers.	All single Super Phosphate without H_2SO_4 production and granulation of chemical fertilizers.	General condition shall apply. Note: <ul style="list-style-type: none"> Granulation of single super phosphate powder is exempt. Neem coating of fertilizers is exempt provided that the total production does not exceed the sanctioned capacity in EC plus the weight of the coating material used. Fortification of fertilizers is exempt provided that the total production does not exceed the sanctioned capacity in EC plus the weight of the fortification material used.]
5(b)	Pesticides industry and pesticide specific intermediates (excluding formulations)	All units producing technical grade pesticides	-	-
5(c)	Petro- chemical complexes	All projects -	-	-

¹ Subs. by S.O. 1599 (E) dated 25th June, 2014

² Substituted by S.O.3067(E), dated 1st December, 2009

³ Substituted by S.O.3067(E), dated 1st December, 2009

⁴ Subs. by S.O. 1599 (E), dated 25th June, 2014

⁵ Substituted by S.O.3067(E), dated 1st December, 2009

⁶ Subs. by S.O. 3518 (E), 23rd November, 2016

	(industries based on processing of petroleum fractions & natural gas and/or reforming to aromatics)			
5(d)	Manmade fibres manufacturing	Rayon	Others	General Condition shall apply
5(e)	¹ [Petroleum products and petro chemical based processing such as production of carbon black and electrode grade graphite (processes other than cracking & reformation and not covered under the complexes)]	Located outside the notified industrial area/ estate -	Located in a notified industrial area/ estate	¹ [General as well as specific condition shall apply. Note: Manufacturing of products from polymer granules is exempt.;
5(f)	² [Synthetic organic chemicals industry (dyes and dye intermediates; bulk drugs and intermediates excluding drug and intermediates excluding drug formulations; synthetic rubbers; basic organic chemicals, other synthetic organic chemicals and chemical intermediates)	Located outside the notified industrial area/estate except small units as defined in column (5).	(i) Located in a notified industrial area/estate. (ii) Small units as defined in column (5).	General as well as specific condition shall apply. Small units: with water consumption, <math><25\text{m}^3/\text{day}</math>, fuel consumption <math><25\text{TPD}</math> and not covered in the category of MAH units as per the Management, Storage and Import of Hazardous Chemical Rules, 1989]. ³ [All proposals for projects or activities in respect of Active Pharmaceutical Ingredients (API), received up to the ⁴ [30th March, 2021], shall be appraised, as Category 'B2' projects, provided that any subsequent amendment or expansion or change in product mix, after the ² [30th March, 2021], shall be considered as per the provisions in force at

¹ Subs. 1599 (E) dated 25th June, 2014.

² Subs. by S.O. 1599 (E), dated 25th June, 2014.

³ Ins. by S.O.1223(E), dated 27th March, 2020

⁴ Subs. the figures, letters and word "30th March, 2021" for the figures, letters and word "30th September, 2020", by S.O. 3636(E), dated 15th October, 2020

				that time.].
¹ [5(g)]	Distilleries	Molasses based distilleries > 100 KLD Non-molasses based distilleries >200 KLD	Molasses based distilleries ≤ 100 KLD Non-molasses based distilleries ≤ 200 KLD	General condition shall apply.] ² [Note: Expansion of sugar manufacturing units or distilleries, having Prior Environment Clearance and for production of ethanol, to be used as fuel for blending only as certified by the competent authority, shall be appraised as Category 'B2' projects.];
5(h)	Integrated industry	-	All projects	General condition shall apply
5(i)	³ [Pulp and paper industry	Pulp manufacturing and Pulp and Paper manufacturing industry except from waste paper.	Pulp manufacturing form waste paper and paper manufacturing from waste paper pulp and other ready pulp.	General condition shall apply Note: Paper manufacturing from waste paper pulp and ready pulp without deinking, bleaching and coloring is exempt.];
5(j)	Sugar Industry	-	≥5000 tcd cane crushing capacity	General condition shall apply
⁴ [5(k)]	*.....]			
6	Service Sectors			
6(a)	Oil & gas transportation on pipeline (crude and refinery/ petrochemical products), passing through national parks/sanctuaries/ coral reefs/ecologically sensitive areas including LNG Terminal	6(a)	Oil & gas transportation on pipeline (crude and refinery/ petrochemical products), passing through national parks/sanctuaries/coral reefs/ecologically sensitive areas including LNG Terminal	6(a)
⁵ [6(b)]	*.....]			
7	Physical Infrastructure including Environmental Services			
7(a)	Air ports	⁶ [All projects including air strip, which are for commercial	-	Note: Air strips which do not involve bunkering/refueling facility and or Air Traffic

¹ Subs. by S.O.1960(E), dated 13th June, 2019

² Ins. by S.O. 980(E), dated 2nd March, 2021

³ Subs. by S.O. 1599 (E), dated 25th June, 2014.

⁴ Omitted by S.O. 3067(E), dated 1st December, 2009

⁵ Omitted by S.O.1960(E), dated 13th June, 2019

⁶ Substituted by S.O. 3067(E), dated 1.12.2009

		use		Control are exempted]
7(b)	All ship breaking yards including ship breaking units	All projects	-	-
7(c)	Industrial estates/parks/complexes/areas, export processing Zones (EPZs), Special Economic Zones (SEZs), Biotech Parks, Leather Complexes.	If at least one industry in the proposed industrial estate falls under the Category A, entire industrial area shall be treated as Category A, irrespective of the area. Industrial estates with area greater than 500 ha and housing at least one Category B industry.	Industrial estates housing at least one Category B industry and area <500 ha. Industrial estates of area > 500 ha. and not housing any industry belonging to Category A or B.	¹ [General as well as Special conditions shall apply Note: 1. Industrial Estate of area below 500 ha. and not housing any industry of category 'A' or 'B' does not require clearance. 2. If the area is less than 500 ha but contains building and construction projects less than 2000 sq. mtr. and or development area more than 50 ha it will be treated as activity listed at Serial No.8(a) or 8(a) in the Schedule, as the case may be]
7(d)	Common hazardous waste treatment, storage and disposal facilities (TSDFs)	All integrated facilities having incineration & landfill or incineration alone	All facilities having land fill only	General Condition shall apply
² [7(da)	Bio-medical Waste Treatment Facilities	-	All Projects	-]
7(e)	³ [Ports, Harbours, break waters, dredging]	< 5 million TPA of cargo handling capacity (excluding fishing harbours)	<5million TPA of cargo handling capacity and/or ports/ harbors <10,000TPA of fish handling capacity	³ [General Condition shall apply. Note: 1. Capital dredging inside and outside the ports or harbors and channels are included; 3. Maintenance dredging is exempt provided it formed part of the original proposal; for which Environmental Management Plan (EMP) was prepared and environmental Clearance obtained];

¹ Subs. by S.O.3067(E), dated 1st December, 2009

² Inserted by S.O. No.1142(E), dated 17th April, 2015

³ Subs. by S.O.3067(E), dated 1st December, 2009

7(f)	Highways	¹ [i] New National Highways; and ² [ii] Expansion of National Highways greater than 100 km, involving additional right of way or land acquisition greater than 40m on existing alignments and 60m on re-alignments or by-passes.]	(i) ³ ⁴ All New State Highway Projects;] State Highway expansion projects in hilly terrain (above 1,000m AMSL)and/or ecologically sensitive areas]	⁵ [General Condition shall apply. Note: Highways included expressways]
7(g)	Aerial ropeways	⁶ [(i) All projects located at altitude of 1,000 mtr. and above. (ii) All projects located in notified ecologically sensitive areas.]	⁷ [All projects except those covered in Column(3)]	General Condition shall apply
⁸ 7 (h)	Common Effluent Treatment Plants (CETPs)	-	All projects	General Condition shall apply Note: Environmental clearance for CETPs setup for or within projects or activities which do not require environmental clearance are exempted, and if any of the existing or proposed member units of the said CETP produces or proposes to produce any product requiring environmental clearance, then the CETP shall need environmental clearance].

¹ Subs. by S.O.1737 (E), dated 11th October, 2007

² Subs. by S.O. 2559 (E) dated 22nd August, 2013.

³ Substituted by S.O.3067(E), dated 1st December, 2009

⁴ Substituted by S.O. 695 (E) dated 4th April, 2011

⁵ Substituted by O.3067(E), dated 1st December, 2009

⁶ Subs. by S.O.3067(E), dated 1st December, 2009

⁷ Subs. by S.O.3067(E), dated 1st December, 2009

⁸ Subs. by S.O. 6250 (E) dated 19th December, 2018

7(i)	Common Municipal Waste Management Facility (CMSWMF)		All projects	General Condition shall apply
¹ 8	Building or Construction projects or Area Development projects and Townships as well as for industrial sheds, educational institutions, hospitals and hostels for educational institutions			
8(a)	Building or Construction projects		>20000 sq.mtrs and < 1,50,000 sq. mtrs. of built up area	<p>The term “built up area” for the purpose of this notification the built up or covered area on all floors put together, including its basement and other service areas, which are proposed in the building or construction projects.</p> <p>Note 1.- The projects or activities shall not include industrial shed, school, college, hostel for educational institution, but such buildings shall ensure sustainable environmental management, solid and liquid waste management, rain water harvesting and may use recycled materials such as fly ash bricks.</p> <p>Note 2.- “General Conditions” shall not apply.</p>
8(b)	Townships and Area Development Projects		Covering an area of > 50 ha and or built up area > 1,50,000 sq. mtrs	<p>A projects of Townships and Area Development Projects covered under this item shall require an Environmental Assessment Report and be appraised as Category ‘B1’ Project.</p> <p>Note.- General Conditions shall not apply.]</p>
* ² 8	Building or Construction projects or Area Development projects and Townships as well as for industrial sheds, educational institutions, hospitals and hostels for educational institutions			
8(a)	Building or Construction projects		≥50,000 sq. mtrs and <1,50,000 sq. mtrs. of built-up area	<p>Note 1.- The term “built up area” for the purpose of this notification is the built up or covered area on all floors put together, including its basement and other service areas, which are proposed in the building and construction projects.</p>

¹ Subs. by S.O. (E) 3252 (E) dated 22nd December, 2014

² Subs. by S.O. 5736 (E) dated 15th November, 2018 (Notification is under Sub-judice before the Hon'ble Courts/Tribunal) *.

				<p>Note 2.- The projects or activities shall not include industrial shed, educational institutions, hospitals and hostels for educational institutions.</p> <p>Note 3.- General conditions shall not apply.</p>
8(b)	Townships and Area Development projects as well as industrial sheds, educational institutions, hospitals and hostels for educational institutions		≥ 1,50,000 sq. mtrs and <3,00,000 sq. mtrs built up area or covering an area ≥50 ha	<p>A projects of Townships and Area Development Projects covered under this item shall require an Environmental Assessment Report and be appraised as Category 'B1' Project.</p> <p>Note.- General Conditions shall not apply.]</p>

Note: -**¹[General Condition (GC):**

Any project or activity specified in category 'B' will be appraised at the Central level as Category 'A', if located in whole or in part within 5 km. from the boundary of : (i) Protected areas notified under the Wildlife (Protection) Act, 1972 (53 of 1972); (ii) critically polluted areas as identified by the Central Pollution Control Board constituted under the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) from time to time; (iii) Eco-sensitive areas as notified under sub-section (2) of section 3 of the Environment (Protection) Act, 1986 and (iv) inter-State boundaries and international boundaries; provided that for River Valley Projects specified in item 1(c), Thermal Power Plants specified in item 1(d), industries estates/parks/complexes/areas, export processing zones (EPZs), Special Economic Zone (SEZs), biotech parks, leather complexes specified in item 7(c) and common hazardous waste treatment, storage and disposal facilities (TSDFs) specified in item 7(d), the appraisal shall be made at Central level even if located within 10 km.

Provided further that the requirement regarding distance of 5 km or 10 km, as the case may be, of the inter-State boundaries can be reduced or completely done away with by an agreement between the respective State or the Union Territories sharing the common boundary in case the activity does not fall within 5km or 10 km, as the case may be 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 pre –defined 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 Subs. by S.O. 1599 (E) dated 25th June, 2014

APPENDIX I
(See paragraph – 6)
FORM I

¹[(I) Basic Information

S. No.	Item	Details
1.	Name of the project/s	
2.	S. No. in the schedule	
3.	Proposed capacity/area/length/tonnage to be handled/command area/lease area/ number of wells to be drilled.	
4.	New/Expansion/Modernization	
5.	Existing Capacity/Area etc.	
6.	Category of Project i.e. "A" or 'B'	
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, Municipal Corporation, Local body (complete postal addresses with telephone nos. to be given)	
13.	Name of the applicant	
14.	Registered Address	
15.	Address for correspondence:	
	Name	
	Designation (Owner/Partner/CEO)	
	Address	
	Pin Code	
	E-mail	
	Telephone No.	
	Fax No.	

¹ Subs. by S.O.3067(E), dated 1st December, 2009

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, 1991?	
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 use, land cover or topography including increase in intensity of land use (with respect to local land use plan)		
1.2	Clearance of existing land, vegetation and buildings?		
1.3	Creation of new land uses?		
1.4	Pre-construction investigations e.g. bore houses, soil testing?		
1.5	Construction works?		
1.6	Demolition works?		

S. No.	Information/Checklist confirmation	Yes/ No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
1.7	Temporary sites used for construction works or housing of construction workers?		
1.8	Above ground buildings, structures or earthworks including linear structures, cut and fill or excavations		
1.9	Underground works including mining or 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 solid waste or liquid effluents?		
1.16	Facilities for long term housing of operational workers?		
1.17	New road, rail or sea traffic during construction or operation?		
1.18	New road, rail, air waterborne or other transport infrastructure including new or altered routes and stations, ports, airports etc?		
1.19	Closure or diversion of existing transport routes or infrastructure leading to changes in traffic movements?		
1.20	New or diverted transmission lines or pipelines?		
1.21	Impoundment, damming, culverting, realignment or other changes to the hydrology of watercourses or aquifers?		
1.22	Stream crossings?		
1.23	Abstraction or transfers of water from ground or surface waters?		
1.24	Changes in water bodies or the land surface affecting drainage or run-off?		
1.25	Transport of personnel or materials for construction, operation or decommissioning?		
1.26	Long-term dismantling or decommissioning or restoration works?		
1.27	Ongoing activity during decommissioning which could have an impact on the environment?		
1.28	Influx of people to an area in either temporarily or permanently?		
1.29	Introduction of alien species?		

S. No.	Information/Checklist confirmation	Yes/ No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
1.30	Loss of native species or genetic diversity?		
1.31	Any other action?		

2. Use of Natural resources for construction or operation of the Project (such as land, water, materials or energy, especially any resources which are nonrenewable 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 are hazardous (as per MSIHC rules) to human health or the environment (flora, fauna, and water supplies)		
3.2	Changes in occurrence of disease or affect disease vectors (e.g. insect or water borne diseases)		
3.3	Affect the welfare of people e.g. by changing living conditions?		

S. No.	Information/Checklist confirmation	Yes/ No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
3.4	Vulnerable groups of people who could be affected by the project e.g. hospital patients, 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	Detail 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 or commercial wastes)		
4.3	Hazardous wastes (as per Hazardous Waste Management Rules)		
4.4	Other industrial process wastes		
4.5	Surplus product		
4.6	Sewage sludge or other sludge from effluent 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 fuels from stationary or mobile sources`		
5.2	Emissions from production processes		

S. No.	Information/Checklist confirmation	Yes/ No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
5.3	Emissions from materials handling including storage or transport		
5.4	Emissions from construction activities including plant and equipment		
5.5	Dust or odours from handling of materials including construction materials, sewage and waste		
5.6	Emissions from incineration of waste		
5.7	Emissions from burning of waste in open air (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. engines, 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 of hazardous materials		
7.2	From discharge of sewage or other effluents to water or the land (expected mode and place of		

S. No.	Information/Checklist confirmation	Yes/ No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
	discharge)		
7.3	By deposition of pollutants emitted to air into the land or into water		
7.4	From any other sources		
7.5	Is there a risk of long term buildup of pollutants in the environment from these 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. from storage, handling, use or production of hazardous substances		
8.2	From any other causes		
8.3	Could the project be affected by natural disasters causing environmental damage (e.g. floods, earthquakes, landslides, 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	Yes/ No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
9.1	Lead to development of supporting lities, ancillary development or development stimulated by the project which could have impact on the environment. e.g.: <ul style="list-style-type: none"> • Supporting infrastructure (roads, power supply, waste or waste water treatment, etc.) • Housing development • extractive industries • supply industries 		

S. No.	Information/Checklist confirmation	Yes/ No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
	• other		
9.2	Lead to after-use of the site, which could have an impact on the environment		
9.3	Set a precedent for later developments		
9.4	Have cumulative effects due to proximity to other existing or planned projects with similar effects		

(III) Environmental Sensitivity

S. No.	Areas	Name/ Identity	Aerial distance (within 15 km.) Proposed project location boundary
1.	Areas protected under international conventions, national or local legislation for their ecological, landscape, cultural or other related value		
2.	Areas which are important or sensitive for ecological reasons - Wetlands, watercourses or other water bodies, coastal zone, biospheres, mountains, forests		
3.	Areas used by protected, important or sensitive species of flora or fauna for breeding, nesting, foraging, resting, over wintering, migration.		
4.	Inland, coastal, marine or underground waters		
5.	State, National boundaries		
6.	Routes or facilities used by the public for access to recreation or other tourist, pilgrim areas		
7.	Defense installations		
8.	Densely populated or built-up area		
9.	Areas occupied by sensitive man-made land uses (<i>hospitals, schools, places of worship, community facilities</i>)		
10.	Areas containing important, high quality or scarce resources <i>(ground water resources, surface resources, forestry, agriculture, fisheries, tourism, minerals)</i>		
11.	Areas already subjected to pollution or environmental damage. <i>(those where existing legal environmental standards are exceeded)</i>		
12.	Areas susceptible to natural hazard which could cause the project to present environmental problems <i>(earthquakes, subsidence, landslides,</i>		

	<i>erosion, flooding or extreme or adverse climatic conditions)</i>		
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(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 stage of EC).”
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 S.O.3067(E), dated 1st December, 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 land use get significantly altered from the project that is not consistent with the surroundings? (Proposed land use must conform to the approved Master Plan / Development Plan of the area. Change of land use 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 need sets.
- 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 there be 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? (Give 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 the incremental 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 anyway?
- 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 local ecosystem with its unique features, if any)
- 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 artifacts nearby? State if any other significant features in the vicinity of the proposed site have been considered.

7. SOCIO-ECONOMICASPECTS

- 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 maximize 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 utilized 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 ASSESMENT DOCUMENT

S. NO.	EIA STRUCTURE	CONTENTS
1.	Introduction	<ul style="list-style-type: none"> • Purpose of the report • Identification of project & project proponent • Brief description of nature, size, location of the project and its importance to the country, region. • Scope of the study – details of regulatory scoping carried out (As per Terms of Reference)
2.	Project Description	<ul style="list-style-type: none"> • Condensed description of those aspects of the project (based on project feasibility study), likely to cause environmental effects. Details should be provided to give clear picture of the following: <ul style="list-style-type: none"> • Type of project • Need for the project • Location (maps showing general location, specific location, project boundary & project site layout). • Size or magnitude of operation (incl. Associated activities required by or for the project. • Proposed schedule for approval and implementation. • Technology and process description. • Project description. Including drawings showing project layout, components of project etc. Schematic representations of the feasibility drawings which give information important for EIA purpose. • Description of mitigation measures incorporated into the project to meet environmental standards, environmental operating conditions, or other EIA requirements (as required by the scope). • Assessment of New & untested technology for the risk of technological failure
3.	Description of the Environment	<ul style="list-style-type: none"> • Study area, period, components & methodology. • Establishment of baseline for valued environmental components, as identified in the scope. • Base maps of all environmental components
4.	Anticipated Environmental Impacts & Mitigation Measures	<ul style="list-style-type: none"> • Details of Investigated Environmental impacts due to project location, possible accidents, project design, project construction, regular operations, final decommissioning or rehabilitation of a completed project. • Measures for minimizing and / or offsetting adverse impacts identified. • Irreversible and Irretrievable commitments of environmental components. • Assessment of significance of impacts (Criteria for determining significance, assigning significance).

		<ul style="list-style-type: none"> • Mitigation measures
5.	Analysis of Alternatives (Technology & Site)	<ul style="list-style-type: none"> • In case, the scoping exercise results in need for alternatives: • Description of each alternative • Summary of adverse impacts of each alternative • Mitigation measures proposed for each alternative and Selection of alternative
6.	Environmental Monitoring Program	<ul style="list-style-type: none"> • Technical aspects of monitoring the effectiveness of mitigation measures (incl. Measurement methodologies, frequency, location, data analysis, reporting schedules, emergency procedures, detailed budget & procurement schedules)
7.	Additional Studies	<ul style="list-style-type: none"> • Public Consultation • Risk assessment • Social Impact Assessment. R&R Action Plans
8.	Project Benefits	<ul style="list-style-type: none"> • Improvements in the physical infrastructure • Improvements in the social infrastructure • Employment potential—skilled; semi- skilled and unskilled • Other tangible benefits
9.	Environmental Cost Benefit Analysis	<ul style="list-style-type: none"> • If recommended at the Scoping stage
10.	EMP	<ul style="list-style-type: none"> • Description of the administrative aspects of ensuring that mitigative measures are implemented and their effectiveness monitored, after approval of the EIA.
11.	Summary and Conclusion(This will constitute the summary of the EIA Report)	<ul style="list-style-type: none"> • Overall justification for implementation of the project • Explanation of how adverse effects have been mitigated
12.	Disclosure of Consultants engaged	<ul style="list-style-type: none"> • The names of the consultants engaged with their brief 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 (Stage2). 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

¹ Substituted by S.O.3067(E), dated 1st December, 2009

- (c) District Industries Office
- (d) Urban Local Bodies (ULBs) /PRIs Concerned/Development authorities
- (e) Concerned Regional Office of the Ministry of Environment and Forests

- 2.3 On receiving the draft Environmental Impact Assessment report, the abovementioned 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 Commissioner and** 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 the **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 Panchayats 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 in Form-1 and environment impact assessment report, in the case of all projects and activities (other than item 8 of the Schedule), except in the said project activity falls under category 'B2', and in the case of items 8(a) and 8(b) of the Schedule, considering their unique project cycle, the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall appraise projects or activities on the basis of Form- 1, Form-1-A, conceptual plan and the environmental impact assessment report [required only for projects under 8(b)] 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 finalized 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 vide S.O.3067(E) dated 1st December, 2009, S.O. 695(E) dated 4th April, 2011, and S.O. 165(E) dated 25th January, 2012

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

- ¹2. 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 criteria of “Experts” are not available, Professionals in the same field with sufficient 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.
- **Risk Assessment**
- **Life Science (Floral and Faunal management)**
- **Forestry and Wildlife**
- **Environmental Economics with experience in project appraisal**

²{Public Administration or Management covering various developmental sectors and environmental issues}

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 Substituted by S.O.1737 (E), dated 11th October, 2007

² Substituted by S.O. No. 2600 (E) dated 9th October, 2014.

- ¹[4. The Chairperson shall be an eminent person having experience in environmental policy related issues, in management or in public administration dealing with various developmental sectors.]
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.
- ²[Provided that wherever considered necessary and expedient, the Central Government may extend the term of such member for a further period not exceeding ³{twelve} months.]
8. The Chairman / Members may not be removed prior to expiry of the tenure without cause and proper enquiry.

⁴[APPENDIX VII
(see paragraph 3 A)]

Qualification and terms for the Experts in DEIAA and DEAC

1. **Qualification:** : The person should have at least (i) 5 years of formal University training in the concerned discipline leading to a MA or M Sc Degree or (ii) in case of Engineering/ Technology/ Architectural discipline, 4 years formal 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. MBA etc.) 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 associations (e.g. Chartered Accountancy) or (v) a University degree, followed by two years of formal training in a University or Service Academy (e.g. MBA/MPA etc.). In selecting the individual professionals, experience gained by them in their respective fields will be taken note of.
2. **Expert:** A professional fulfilling the above eligibility criteria with at least 10 years of relevant experience in the field or with an advanced degree (e.g. Ph. D) in a concerned field with at least 5 years of relevant experience.
3. **Age:** Below 70 years. However, in the event of non-availability of paucity of experts in a given field, the maximum age of a member may be allowed up to 75 years.
4. **Fields:** Experts in Mining, Geology, Hydrology, Remote Sensing, Environment Quality, Environment Impact Assessment Process, Risk Assessment, Life Sciences, Marine Sciences, Forestry and Wildlife, Environmental Economics, Bio-diversity, and River Ecology.
5. **Tenure:** The maximum tenure of expert members shall be for two terms of three years each.
6. The Expert Members may not be removed prior to expiry of the tenure without cause and proper enquiry.

¹ Ins. by S.O. 2600 (E), dated 09th October, 2014

² Ins. by S.O. 1562(E), dated 21st May, 2020

³ Substituted the words "twelve months" for the words "six months" by S.O. 3752 (E), dated 20th October, 2020.

⁴ Ins. by S.O. 141(E), dated 15th January, 2016

**APPENDIX VIII
(See paragraph 6)**

FORM 1 M

APPLICATION FOR MINING OF MINOR MINERALS UNDER CATEGORY ‘B2’ FOR LESS THAN AND EQUAL TO FIVE HECTARE

(II) Basic Information

- (i) Name of the Mining Lease site:
- (ii) Location / site (GPS Co-ordinates):
- (iii) Size of the Mining Lease(Hectare):
- (iv) Capacity of Mining Lease(TPA):
- (v) Period of Mining Lease:
- (vi) Expected cost of the Project:
- (vii) Contact Information:

Environmental Sensitivity

Sl. No.	Areas	Distance in kilometer/ Details
1.	Distance of project site from nearest rail or road bridge over the concerned River, Rivulet, Nallah etc.	
2.	Distance from infrastructural facilities: Railway line National Highway State Highway Major District Road Any Other Road Electric transmission line pole or tower Canal or check dam or reservoirs or lake or ponds In-take for drinking water pump house Intake for Irrigation canal pumps	
3.	Areas protected under international conventions, national or local legislation for their ecological, landscape, cultural or other related value	
4.	Areas which are important or sensitive for ecological reasons - Wetlands, watercourses or other water bodies, coastal zone, biospheres, mountains, forests	
5.	Areas used by protected, important or sensitive species of flora or fauna for breeding, nesting, foraging, resting, over wintering, migration	
6.	Inland, coastal, marine or underground waters	
7.	State, National boundaries	

8.	Routes or facilities used by the public for access to recreation or other tourist, pilgrim areas	
9.	Defence installations	
10.	Densely populated or built-up area, distance from nearest human habitation	
11.	Areas occupied by sensitive man-made land uses (hospitals, schools, places of worship, community facilities)	
12.	Areas containing important, high quality or scarce resources (ground water resources, surface resources, forestry, agriculture, fisheries, tourism, minerals)	
13.	Areas already subjected to pollution or environmental damage. (those where existing legal environmental standards are exceeded)	
14.	Areas susceptible to natural hazard which could cause the project to present environmental problems (earthquakes, subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions)	
15.	Is proposed mining site located or near fissure/ fracture for ground water recharge.	
16.	Whether the proposal involves approval or clearance under the following Regulation or Acts, namely: - (a) The Forest (Conservation) Act,1980; (b) The Wildlife (Protection) Act,1972; (c) The Coastal Regulation Zone Notification, 2011. If yes, details of the same and their status to be given.	
17.	Forest land involved (hectares)	
18.	Whether there is any litigation pending against the project and/or land in which the project is propose to be setup? (a) Name of the Court (b) Case No. (c) Orders or direction of the Court, if any, and its relevance with the proposed projects.	

**(Signature of Project Proponent
Along with name and address)]**

¹[APPENDIX-IX
[See paragraph 7(i) (B)]

**EXEMPTION OF CERTAIN CASES FROM REQUIREMENT OF ENVIRONMENTAL
CLEARANCE**

The following cases shall not require Prior Environmental Clearance, namely: -

1. Extraction of ordinary clay or sand by manual mining, by the Kumhars (Potter) to prepare earthen pots, lamp, toys, etc. as per their customs.
2. Extraction of ordinary clay or sand by manual mining, by earthen tile makers who prepare earthen tiles.
3. Removal of sand deposits on agricultural field after flood by farmers.
4. Customary extraction of sand and ordinary earth from sources situated in Gram Panchayat for personal use or community work in village.
5. Community works, like, de-silting of village ponds or tanks, construction of village roads, ponds or bunds undertaken in Mahatma Gandhi National Rural Employment and Guarantee Schemes, other Government sponsored schemes and community efforts.
6. Extraction or sourcing or borrowing of ordinary earth for the linear projects such as roads, pipelines, etc.
7. Dredging and de-silting of dams, reservoirs, weirs, barrages, river and canals for the purpose of their maintenance, upkeep and disaster management.
8. Traditional occupational work of sand by Vanjara and Oads in Gujarat vide notification number GU/90(16)/MCR-2189(68)/5-CHH, dated the 14th February, 1990 of the Government of Gujarat.
9. Manual extraction of lime shells (dead shell), shrines, etc., within inter tidal zone by the traditional community.
10. Digging of wells for irrigation or drinking water purpose.
11. Digging of foundation for buildings, not requiring prior environmental clearance, as the case may be.
12. Excavation of ordinary earth or clay for plugging of any breach caused in canal, nallah, drain, water body, etc., to deal with any disaster or flood like situation upon orders of the District Collector or District Magistrate or any other Competent Authority.
13. Activities declared by the State Government under legislations or rules as non-mining activity.]

¹ Inserted vide S.O. 141(E) dated 15th January, 2016 and substituted vide S.O. 3611(E) dated 25th July, 2018 and S.O. 1224 (E) dated 28th March, 2020

¹[APPENDIX - X
[See paragraph 7 (iii) (a)]

**I. PROCEDURE FOR PREPARATION OF DISTRICT SURVEY REPORT FOR SAND MINING
OR RIVER BED MINING**

The main objective of the preparation of District Survey Report (as per the Sustainable Sand Mining Guideline) is to ensure the following:

Identification of areas of aggradations or deposition where mining can be allowed; and identification of areas of erosion and proximity to infrastructural structures and installations where mining should be prohibited and calculation of annual rate of replenishment and allowing time for replenishment after mining in that area.

The report shall have the following structure:

- (1) Introduction
- (2) Overview of Mining Activity in the District
- (3) The List of Mining Leases in the District with location, area and period of validity
- (4) Details of Royalty or Revenue received in last three years
- (5) Detail of Production of Sand or Bajari or minor mineral in last three years
- (6) Process of Deposition of Sediments in the rivers of the District
- (7) General Profile of the District
- (8) Land Utilization Pattern in the district: Forest, Agriculture, Horticulture, Mining etc.
- (9) Physiography of the District
- (10) Rainfall: month-wise
- (11) Geology and Mineral Wealth

In addition to the above, the report shall contain the following:

- (a) District wise detail of river or stream and other sand source.
- (b) District wise availability of sand or gravel or aggregate resources.
- (c) District wise detail of existing mining leases of sand and aggregates.

A survey shall be carried out by the District Environment Impact Assessment Authority with the assistance of Geology Department or Irrigation Department or Forest Department or Public Works Department or Ground Water Boards or Remote Sensing Department or Mining Department etc. in the district.

Drainage system with description of main rivers

S. No.	Name of the River	Area drained (Sq. Km)	% Area drained in the District
(1)			
(2)			

Salient Features of Important Rivers and Streams:

¹ Substituted by S.O. No. 3611(E) dated 25th July, 2018

S. No.	Name of the River or Stream	Total Length in the District (in km)	Place of origin	Altitude at Origin
(1)				
(2)				

Portion of the River or Stream Recommended For Mineral Concession	Length of area recommended for mineral concession (in kilometer)	Average width of area recommended for mineral concession (in meters)	Area recommended for mineral concession (in square meter)	Mineable mineral potential (in metric tonne) (60% of total mineral potential)

Mineral Potential

Boulder (MT)	Bajari (MT)	Sand (MT)	Total Mineable Mineral Potential (MT)

Annual Deposition

S. No.	River or Stream	Portion of the river or stream recommended for mineral concession	Length of area recommended for mineral concession (in kilometer)	Average width of area recommended for mineral concession (in meters)	Area recommended for mineral concession (in square meter)	Mineable mineral potential (in metric tonne) (60% of total mineral potential)
(1)						
(2)						
Total for the District						

A Sub-Divisional Committee comprising of Sub-Divisional Magistrate, Officers from Irrigation department, State Pollution Control Board or Committee, Forest department, Geology or mining officer shall visit each site for which environmental clearance has been applied for and make recommendation on suitability of site for mining or prohibition thereof.

Methodology adopted for calculation of Mineral Potential:

The mineral potential is calculated based on field investigation and geology of the catchment

Date of commencement of Mining Operation	Status (Working/ Non-Working/ Temp. Working for dispatch etc.)	Captive/ Non Captive	Obtained Environmental Clearance (Yes/No), If Yes Letter No with date of grant of EC.	Location of the Mining lease (Latitude & Longitude)	Method of Mining (Opencast/ Underground)
11	12	13	14	15	16

- (10) details of Royalty or Revenue received in last three years;
- (11) details of Production of Minor Mineral in last three years;
- (12) mineral Map of the District;
- (13) list of Letter of Intent (LOI) Holders in the District along with its validity as per the following format: -
- (14) total Mineral Reserve available in the District;

Sl. No.	Name of the Mineral	Name of the Lessee	Address & Contact No. of Letter of Intent Holder	Letter of Intent Grant Order No. & date	Area of Mining lease to be allotted	Validity of LoI	Use (Captive/ Non-Captive)	Location of the Mining lease (Latitude & Longitude)
1	2	3	4	5	6	7	8	9

- (15) quality /Grade of Mineral available in the District;
- (16) use of Mineral;
- (17) demand and Supply of the Mineral in the last three years;
- (18) mining leases marked on the map of the district;
- (19) details of the area of where there is a cluster of mining leases viz. number of mining leases, location (latitude and longitude);
- (20) details of Eco-Sensitive Area, if any, in the District;
- (21) impact on the Environment (Air, Water, Noise, Soil, Flora & Fauna, land use, agriculture, forest etc.) due to mining activity;
- (22) remedial Measures to mitigate the impact of mining on the Environment;
- (23) reclamation of Mined out area (best practice already implemented in the district, requirement as per rules and regulation, proposed reclamation plan);
- (24) risk Assessment & Disaster Management Plan;
- (25) details of the Occupational Health issues in the District. (Last five-year data of number of patients of Silicosis & Tuberculosis is also needs to be submitted);
- (26) plantation and Green Belt development in respect of leases already granted in the District;
- (27) any other information.

The District Environment Impact Assessment Authority (DEIAA) based on the nature and type of minor mineral in the District may include the additional parameters in the District Survey Report in consultation with the Department of Mines and Geology of the concerned State Government.

The District Survey Report shall form the basis for application for environmental clearance, preparation of reports and appraisal of projects. The Report shall be updated once every five years];

[F. No. L-11011/26/2018-IA-II (M)]

GYANESH BHARTI, Jt. Secy.

***¹APPENDIX - XI**

[See paragraph 7 (iii) (b)]

PROCEDURE FOR ENVIRONMENTAL CLEARANCE FOR MINING OF MINOR MINERALS INCLUDING CLUSTER

The following policy shall be followed for environmental clearance of mining of minor minerals including cluster situation: -

- (1) The data provided by the States (Sustainable Sand Mining Guidelines) shows that most of the mining leases for minor minerals are of lease area less than 5 hectare. It is also reported that in hill States getting a stretch in river with area more than 5 hectare is very uncommon. So the size of lease for minor minerals including river sand mining will be determined by the States as per their circumstances.
- (2) The mining of minor minerals is mostly in clusters. The Environment Impact Assessment or Environment Management Plan are required to be prepared for the entire cluster in order to capture all the possible externalities. These reports shall capture carrying capacity of the cluster, transportation and related issues, replenishment and recharge issues, geo-hydrological study of the cluster area. The Environment Impact Assessment or Environment Management Plan shall be prepared by the State or State nominated Agency or group of project proponents in the Cluster or the project proponent in the cluster.
- (3) There shall be one public consultation for entire cluster after which the final Environment Impact Assessment or Environment Management Plan report for the cluster shall be prepared.
- (4) Environmental clearance shall be applied for and issued to the individual project proponent. The individual lease holders in cluster can use the same Environment Impact Assessment or Environment Management Plan for application for environmental clearance. The cluster Environment Impact Assessment or Environment Management Plan shall be updated as per need keeping in view any significant change.
- (5) The details of cluster Environment Impact Assessment or Environment Management Plan shall be reflected in each environmental clearance in that cluster and DEAC, SEAC, and EAC shall ensure that the mitigate measures emanating from the Environment Impact Assessment or Environment Management Plan study are fully reflected as environmental clearance conditions in the environmental clearances of individual project proponents in that cluster.
- ²{(6) A cluster shall be formed when the distance between the peripheries of one lease is less than 500 meters from the periphery of other lease in a homogeneous mineral area which shall be applicable to the mine lease or quarry licenses granted on and after 9th September, 2013.}
- (7) Form 1M, Pre-Feasibility Report and mine plan for Category 'B2' projects for mining of minor minerals shall be prepared by the Registered Qualified Person or Accredited Consultants of Quality Council of India, National Accreditation Board for Education and Training. The Environment Impact Assessment or Environment Management Plan for Category 'A' and Category 'B1' projects shall be prepared by the accredited consultants of Quality Council of India, National Accreditation Board for Education and Training.
- (8) The SEIAAs shall have supervisory jurisdiction over the DEIAAs and decisions of DEIAA shall be reviewed by the SEIAA without prejudice to any provisions under any existing law.]

¹ Inserted vide S.O. 141(E) dated 15th January, 2016

² Subs. by S.O. 2269 (E), dated 1st July, 2016.

¹[Schematic Presentation of Requirements on Environmental Clearance of Minor Minerals Including Cluster Situation

Area of Lease (Hectare)	Category of Project	Requirement of EIA / EMP/DSR	Requirement of Public Hearing	Requirement of EC	Who can prepare EIA/EMP	Who will apply for EC	Authority to appraise/grant EC	Authority to monitor EC compliance
EC Proposal of Sand Mining and other Minor Mineral Mining on the basis of individual mine lease								
0 – 5ha	‘B2’	Form – 1M, PFR, DSR and Approved Mine Plan	No	Yes	Project Proponent	Project Proponent	DEAC/ DEIAA	DEIAA SEIAA SPCB CPCB
>5 ha and < 25 ha	‘B2’	From –I, PFR, DSR and Approved Mine Plan and EMP	No	Yes	Project Proponent	Project Proponent	SEAC/ SEIAA	MoEF&CC Agency nominated by MoEFCC
≥25 ha and ≤100 ha	‘B1’	From –I, PFR, DSR and Approved Mine Plan and EIA and EMP	Yes	Yes	Project Proponent	Project Proponent	SEAC/ SEIAA	
≥100 ha	‘A’	From –I, PFR, DSR and Approved Mine Plan and EIA and EMP	Yes	Yes	Project Proponent	Project Proponent	EAC/ MoEF&CC	
EC Proposal of Sand Mining and other Minor Mineral Mining in cluster situation								
Cluster area of mine leases up to 5 ha	‘B2’	Form- 1M, PFR, DSR and Approved Mine Plan	No	Yes	State, State Agency, Group of Project Proponents, Project Proponent	Project Proponent	DEAC/ DEIAA/	DEIAA SEIAA SPCB CPCB MoEF&CC Agency nominated by MoEF&CC]
Cluster area of Mine leases >5 ha and <25 ha with no individual lease >5 ha	‘B2’	From-I, PFR, DSR and Approved Mine Plan and one EMP for all leases in the Cluster	No	Yes	State, State Agency, Group of Project Proponents, Project Proponent	Project Proponent	DEAC/ DEIAA /	DEIAA SEIAA SPCB CPCB MoEF&CC Agency nominated by MoEF&CC

¹ Substituted by S.O. 3977 (E), dated 14th August, 2018.

Cluster area of Mine leases >5 ha and <25 ha with no individual lease >5 ha	‘B2’	Form-I, PFR, DSR and Approved Mine Plan and one EMP for all leases in the Cluster	No	Yes	State, State Agency, Group of Project Proponents, Project Proponent	Project Proponent	DEAC/DEIAA /
Cluster of mine leases of area ≥ 25 hectares with individual lease size < 100ha	‘B1’	Form –I, PFR, DSR and Approved Mine Plan and one EIA/EMP for all leases in the Cluster	Yes	Yes	State, State Agency, Group of Project Proponents, Project Proponent	Project Proponent	SEAC/SEIAA
Cluster of any size with any of the individual lease ≥ 50 ha	‘A’	Form –I, PFR, DSR and Approved Mine Plan and one EIA/EMP for all leases in the Cluster	Yes	Yes	State, State Agency, Group of Project Proponents, Project Proponent	Project Proponent	EAC/MoEF&C]

¹[**Note.** - (1) In the State of Rajasthan, for mining of minor minerals, in situation of a large number of leases or quarry licenses of very small size (up to one hectare each) in contiguous area, the Mines and Geology Department of the State Government shall, -

- (A) define the size of cluster as per local situation for effective formulation and implementation of mine plan and Environment Management Plan;
- (B) prepare mine plan and an Environment Management Plan for the cluster;
- (C) prepare a Regional Mine Plan and Regional Environment Management Plan including all the clusters in that contiguity.
- (D) provide for mobilization of funds from the Project Proponents in predetermined proportion for implementation of cluster and Regional Environment Management Plan.

(2) The District Mineral Fund can also be used to augment the fund for implementation of Environment Management Plans.

(3) The Environment Management Plan shall be prepared and presented within ninety days from the date of publication of this notification in the Official Gazette for environment clearance granted on or after 15th January, 2016 to any lease in that cluster. The recommendation of the State Expert Appraisal Committee and approval of the State Environment Impact Assessment Authority shall be granted within sixty days of presentation of the Environment Management Plan.

¹ Ins. by S.O. 2269 (E), dated 1st July, 2016

(4) The implementation of the Environment Management Plan shall begin within six months from the date of publication of this notification in the Official Gazette. The Environment Management Plan shall be monitored at the interval of six months by the concerned State Environment Impact Assessment Authority.

(5) The leases not operative for three years or more and leases which have got environmental clearance as on 15th January, 2016 shall not be counted for calculating the area of cluster, but shall be included in the Environment Management Plan and the Regional Environmental Management Plan.]

***¹[APPENDIX – XII**
[See paragraph 10 (iv)]

PROCEDURE FOR MONITORING OF SAND MINING OR RIVER BED MINING

1. The security feature of Transport Permit shall be as under:
 - (a) Printed on Indian Bank's Association (IBA) approved Magnetic Ink Character Recognition (MICR) Code paper.
 - (b) Unique Barcode.
 - (c) Unique Quick Response (QR) code.
 - (d) Fugitive Ink Background.
 - (e) Invisible Ink Mark.
 - (f) Void Pantograph.
 - (g) Watermark.

2. Requirement at Mine Lease Site:
 - (a) Small Size Plot (Up to 5 hectare): Android Based Smart Phone.
 - (b) Large Size Plots (More than 5 hectare): CCTV camera, Personal Computer (PC), Internet Connection, Power Back up.
 - (c) Access control of mine lease site.
 - (d) Arrangement for weight or approximation of weight of mined out mineral on basis of volume of the trailer of vehicle used.

3. Scanning of Transport Permit or Receipt and Uploading on Server:
 - (a) Website: Scanning of receipt on mining site can be done through barcode scanner and computer using the software;
 - (b) Android Application: Scanning on mining site can be done using Android Application using smart phone. It will require internet availability on SIM card;
 - (c) SMS: Transport Permit or Receipt shall be uploaded on server even by sending SMS through mobile. Once Transport Permit or Receipt get uploaded, an unique invoice code gets generated with its validity period.

4. Proposed working of the system:

The State Mining Department should print the Transport Permit or Receipt with security features

¹ Inserted vide S.O. 141(E) dated 15th January, 2016

enumerated at Paragraph 1 above and issue them to the mine lease holder through the District Collector. Once these Transport Permits or Receipts are issued, they would be uploaded on the server against that mine lease area. Each receipt should be preferably with pre-fixed quantity, so the total quantity gets determined for the receipts issued.

When the Transport Permit or Receipt barcode gets scanned and invoice is generated, that particular barcode gets used and its validity time is recorded on the server. So all the details of transporting of mined out material can be captured on the server and the Transport Permit or Receipt cannot be reused.

5. Checking On Route:

The staff deployed for the purpose of checking of vehicles carrying mined mineral should be in a position to check the validity of Transport Permit or Receipt by scanning them using website, Android Application and SMS.

6. Breakdown of Vehicle:

In case the Vehicle breakdown, the validity of Transport Permit or Receipt shall be extended by sending SMS by driver in specific format to report breakdown of vehicle. The server will register this information and register the breakdown. The State can also establish a call Centre, which can register breakdowns of such vehicles and extend the validity period. The subsequent restart of the vehicle also should be similarly reported to the server or call centre.

7. Tracking of Vehicles:

The route of vehicle from source to destination can be tracked through the system using check points, RFID Tags, and GPS tracking.

8. Alerts or Report Generation and Action Review:

The system will enable the authorities to develop periodic report on different parameters like daily lifting report, vehicle log or history, lifting against allocation, and total lifting. The system can be used to generate auto mails or SMS. This will enable the District Collector or District Magistrate to get all the relevant details and shall enable the authority to block the scanning facility of any site found to be indulged in irregularity. Whenever any authority intercepts any vehicle transporting illegal sand, it shall get registered on the server and shall be mandatory for the officer to fill in the report on action taken. Every intercepted vehicle shall be tracked.

The monitoring of mined out mineral, environmental clearance conditions and enforcement of Environment Management Plan will be ensured by the DEIAA, SEIAA and the State Pollution Control Board or Committee. The monitoring arrangements envisaged above shall be put in place not later than three months. The monitoring of enforcement of environmental clearance conditions shall be done by the Central Pollution Control Board, Ministry of Environment, Forest and Climate Change and the agency nominated by the Ministry for the purpose].

¹[Appendix-XIII**Verification of No Increase in Pollution Load**

The instant amendment in EIA Notification exempts the requirement of Prior Environmental Clearance for any increase in production capacity in respect of processing or production or manufacturing sectors (listed against item numbers 2,3, 4 and 5 in the Schedule to this notification) with or without any change in (i) raw material-mix or (ii) product-mix or (ii) quantities within products or (ii) number of products including new products falling in the same category or (iv) configuration of the plant or process or operations in existing area or in areas contiguous to the existing area specified in the environmental clearance of the project. This facility is available to those units which have obtained prior environmental clearance under EIA Notification, 1994 and EIA Notification, 2006. To claim exemption from obtaining Prior Environment Clearance in respect of such cases, the project proponent shall follow the following process: -

1. *The project proponent is required to obtain a certificate of „no increase in the pollution load“ from the environmental auditors or reputed institutions, to be empanelled by the State Pollution Control Board or Central Pollution Control Board or Ministry of Environment, Forest and Climate Change (hereinafter referred to as the Ministry).*
2. *A copy of „no increase in pollution load“ certificate and intimation, as provided by the Ministry from time to time on PARIVESH portal, shall be uploaded by the unit for which system generated acknowledgement shall be issued online;*
3. *The unit shall inform the State Pollution Control Board or Union Territory Pollution Control Committee, as the case may be, in specified format along with-*
 - i. *no increase in pollution load“ certificate from the Environmental Auditor or reputed institutions empanelled by the State Pollution Control Board or Pollution Control Committee or Central Pollution Control Board or Ministry;*
 - ii. *last Consent to Operate certificate for the project or activity; and*
 - iii. *online system generated acknowledgement of uploading of intimation and „no increase in pollution load“ certificate on PARIVESH Portal;*
4. *The information so received shall be examined by the State Pollution Control Board or Union Territory Pollution Control Committee, as the case may be, who shall take decision on such information, received from the project proponent.*
5. *If on verification the State Pollution Control Board or Union Territory Pollution Control Committee, as the case may be, holds that the change or expansion or modernisation will result or has resulted in increase in pollution load, the exemption claimed under this clause shall not be valid and it shall be deemed that the project proponent was liable to obtain Prior Environmental Clearance before under taking such changes or increase, as per the clause (a) of sub-paragraph (ii) of paragraph 7 of this notification and the provisions of Environment (Protection) Act, 1986 shall apply accordingly.*

Note: *For removal of doubts, it is clarified that it shall be the responsibility of the project proponent to satisfy itself about „no increase in pollution load“ as a result of changes, expansion or modernisation, as the case may be, before under taking such changes or increase, and the project proponent shall be liable for action under the provisions of the Environment (Protection) Act, 1986 if on verification of facts or claim it is found that such change or expansion or modernisation involves increase in pollution load.].*

¹ Inserted vide notification number S.O. 3518(E), dated the 23rd November, 2016 and subsequently substituted vide notification number S.O.908(E), dated the 2nd March, 2021

*¹[APPENDIX –XIV**ENVIRONMENTAL CONDITIONS FOR BUILDINGS AND CONSTRUCTIONS****(CATEGORY '1': 5,000 to less than 20,000 Square meters)**

MEDIUM	S. N.	ENVIRONMENTAL CONDITIONS
Topography and Natural Drainage	1	The natural drain system should be maintained for ensuring unrestricted flow of water. No construction shall be allowed to obstruct the natural drainage through the site. No construction is allowed on wetland and water bodies. Check dams, bio-swales, landscape, and other sustainable urban drainage systems (SUDS) are allowed for maintaining the drainage pattern and to harvest rainwater.
Water Conservation, Rain Water Harvesting, and Ground Water Recharge	2	Use of water efficient appliances shall be promoted. The local bye-law provisions on rain water harvesting should be followed. If local bye-law provision is not available, adequate provision for storage and recharge should be followed as per the Ministry of Urban Development Model Building Bye-Laws, 2016. A rain water harvesting plan needs to be designed where the recharge bores (minimum one recharge bore per 5,000 square meters of built up area) is recommended. Storage and reuse of the rain water harvested should be promoted. In areas where ground water recharge is not feasible, the rain water should be harvested and stored for reuse. The ground water shall not be withdrawn without approval from the Competent Authority. All recharge should be limited to shallow aquifer.
	2(a)	At least 20% of the open spaces as required by the local building bye-laws shall be pervious. Use of Grass pavers, paver blocks with at least 50% opening, landscape etc. would be considered as pervious surface.
Waste Management	3	Solid waste: Separate wet and dry bins must be provided in each unit and at the ground level for facilitating segregation of waste. Sewage: In areas where there is no municipal sewage network, onsite treatment systems should be installed. Natural treatment systems which integrate with the landscape shall be promoted. As far as possible treated effluent should be reused. The excess treated effluent shall be discharged following the CPCB norms. Sludge from the onsite sewage treatment, including septic tanks, shall be collected, conveyed and disposed as per the Ministry of Urban Development, Central Public Health and Environmental Engineering Organization (CPHEEO) Manual on Sewerage and Sewage Treatment Systems, 2013. The provisions of the Solid Waste (Management) Rules 2016 and the e-waste (Management) Rules 2016, and the Plastics Waste (Management) Rules 2016 shall be followed.

¹ Inserted by S.O. 3999 (E) dated 09th December, 2016 (Notification is under Sub-judice before the Hon'ble Courts/Tribunal) *.

Energy	4	<p>Compliance with the Energy Conservation Building Code (ECBC) of Bureau of Energy Efficiency shall be ensured. Buildings in the States which have notified their own ECBC, shall comply with the State ECBC.</p> <p>Outdoor and common area lighting shall be Light Emitting Diode (LED).</p> <p>Solar, wind or other Renewable Energy shall be installed to meet electricity generation equivalent to 1% of the demand load or as per the state level/ local building bye-laws requirement, whichever is higher.</p> <p>Solar water heating shall be provided to meet 20% of the hot water demand of the commercial and institutional building or as per the requirement of the local building bye-laws, whichever is higher. Residential buildings are also recommended to meet its hot water demand from solar water heaters, as far as possible.</p> <p>Concept of passive solar design that minimize energy consumption in buildings by using design elements, such as building orientation, landscaping, efficient building envelope, appropriate fenestration, increased day lighting design and thermal mass etc. shall be incorporated in the building design.</p> <p>Wall, window, and roof u-values shall be as per (remove space) ECBC specifications.</p>
Air Quality and Noise	5	<p>Dust, smoke & other air pollution prevention measures shall be provided for the building as well as the site. These measures shall include screens for the building under construction, continuous dust/ wind breaking walls all around the site (at least 3-meter height). Plastic/tarpaulin sheet covers shall be provided for vehicles bringing in sand, cement, murrum and other construction materials prone to causing dust pollution at the site as well as taking out debris from the site.</p> <p>Sand, murrum, loose soil, cement, stored on site shall be covered adequately so as to prevent dust pollution.</p> <p>Wet jet shall be provided for grinding and stone cutting. Unpaved surfaces and loose soil shall be adequately sprinkled with water to suppress dust.</p> <p>All construction and demolition debris shall be stored at the site (and not dumped on the roads or open spaces outside) before they are properly disposed. All demolition and construction waste shall be managed as per the provisions of the Construction and Demolition Waste Rules 2016. All workers working at the construction site and involved in loading, unloading, carriage of construction material and construction debris or working in any area with dust pollution shall be provided with dust mask.</p> <p>For indoor air quality the ventilation provisions as per National Building Code of India shall be made.</p>
	5 (a)	<p>The location of the DG set and exhaust pipe height shall be as per the provisions of the CPCB norms.</p>

Green Cover	6	A minimum of 1 tree for every 80 square meters of land should be planted and maintained. The existing trees will be counted for this purpose. Preference should be given to planting native species.
	6 (a)	Where the trees need to be cut, compensatory plantation in the ratio of 1:3 (i.e. planting of 3 trees for every 1 tree that is cut) shall be done and maintained.

(Category '2': 20,000 to less than 50,000 Square meters)

MEDIUM	S. No.	ENVIRONMENTAL CONDITIONS
Topography and Natural Drainage	1	<p>The natural drain system should be maintained for ensuring unrestricted flow of water. No construction shall be allowed to obstruct the natural drainage through the site. No construction is allowed on wetland and water bodies. Check dams, bio-swales, landscape, and other sustainable urban drainage systems (SUDS) are allowed for maintaining the drainage pattern and to harvest rainwater.</p> <p>Buildings shall be designed to follow the natural topography as much as possible. Minimum cutting and filling should be done.</p>
Water Conservation Rain Water Harvesting, and Ground Water Recharge	2	<p>A complete plan for rain water harvesting, water efficiency and conservation should be prepared.</p> <p>Use of water efficient appliances should be promoted with low flow fixtures or sensors.</p> <p>The local bye-law provisions on rain water harvesting should be followed. If local bye-law provision is not available, adequate provision for storage and recharge should be followed as per the Ministry of Urban Development Model Building Byelaws, 2016.</p> <p>A rain water harvesting plan needs to be designed where the recharge bores of minimum one recharge bore per 5,000 square meters of built up area and storage capacity of minimum one day of total fresh water requirement shall be provided. In areas where ground water recharge is not feasible, the rain water should be harvested and stored for reuse. The ground water shall not be withdrawn without approval from the Competent Authority.</p> <p>All recharge should be limited to shallow aquifer.</p>
	2(a)	<p>At least 20% of the open spaces as required by the local building bye-laws shall be pervious. Use of Grass pavers, paver blocks with at least 50% opening, landscape etc. would be considered as pervious surface.</p>
Waste Management	3	<p>Solid waste: Separate wet and dry bins must be provided in each unit and at the ground level for facilitating segregation of waste.</p> <p>Sewage: Onsite sewage treatment of capacity of treating 100% waste water to be installed. Treated waste water shall be reused on site for landscape, flushing, cooling tower, and other end-uses. Excess treated water shall be discharged as per CPCB norms. Natural treatment systems shall be promoted.</p> <p>Sludge from the onsite sewage treatment, including septic tanks, shall be collected, conveyed and disposed as per the Ministry of Urban Development, Central Public Health and Environmental</p>

		<p>Engineering Organization (CPHEEO) Manual on Sewerage and Sewage Treatment Systems, 2013.</p> <p>The provisions of the Solid Waste (Management) Rules 2016 and the e-waste (Management) Rules 2016, and the Plastics Waste (Management) Rules 2016 shall be followed.</p>
	3 (a)	All non-biodegradable waste shall be handed over to authorized recyclers for which a written tie up must be done with the authorized recyclers.
	3(b)	Organic waste compost/Vermiculture pit with a minimum capacity of 0.3 kg /person/day must be installed.
Energy	4	<p>Compliance with the Energy Conservation Building Code (ECBC) of Bureau of Energy Efficiency shall be ensured. Buildings in the States which have notified their own ECBC, shall comply with the State ECBC.</p> <p>Outdoor and common area lighting shall be LED.</p> <p>Concept of passive solar design that minimize energy consumption in buildings by using design elements, such as building orientation, landscaping, efficient building envelope, appropriate fenestration, increased day lighting design and thermal mass etc. shall be incorporated in the building design.</p> <p>Wall, window, and roof u-values shall be as per ECBC specifications.</p>
	4 (a)	Solar, wind or other Renewable Energy shall be installed to meet electricity generation equivalent to 1% of the demand load or as per the state level/ local building bye-laws requirement, whichever is higher.
	4 (b)	Solar water heating shall be provided to meet 20% of the hot water demand of the commercial and institutional building or as per the requirement of the local building bye-laws, whichever is higher. Residential buildings are also recommended to meet its hot water demand from solar water heaters, as far as possible.
	4 (c)	<p>Use of environment friendly materials in bricks, blocks and other construction materials, shall be required for at least 20% of the construction material quantity. These include fly ash bricks, hollow bricks, AACs, Fly Ash Lime Gypsum blocks, Compressed earth blocks, and other environment friendly materials.</p> <p>Fly ash should be used as building material in the construction as per the provisions of the Fly Ash Notification of September, 1999 as amended from time to time.</p>

Air Quality and Noise	5	<p>Dust, smoke & other air pollution prevention measures shall be provided for the building as well as the site. These measures shall include screens for the building under construction, continuous dust/ wind breaking walls all around the site (at least 3-meter height). Plastic/tarpaulin sheet covers shall be provided for vehicles bringing in sand, cement, murrum and other construction materials prone to causing dust pollution at the site as well as taking out debris from the site.</p> <p>Sand, murrum, loose soil, cement, stored on site shall be covered adequately so as to prevent dust pollution.</p> <p>Wet jet shall be provided for grinding and stone cutting. Unpaved surfaces and loose soil shall be adequately sprinkled with water to suppress dust.</p> <p>All construction and demolition debris shall be stored at the site (and not dumped on the roads or open spaces outside) before they are properly disposed. All demolition and construction waste shall be managed as per the provisions of the Construction and Demolition Waste Rules 2016.</p> <p>All workers working at the construction site and involved in loading, unloading, carriage of construction material and construction debris or working in any area with dust pollution shall be provided with dust mask.</p> <p>For indoor air quality the ventilation provisions as per National Building Code of India.</p>
	5 (a)	<p>The location of the DG set and exhaust pipe height shall be as per the provisions of the CPCB norms.</p>
Green Cover	6	<p>A minimum of 1 tree for every 80 sq.mt. of land should be planted and maintained. The existing trees will be counted for this purpose. Preference should be given to planting native species.</p>
	6 (a)	<p>Where the trees need to be cut, compensatory plantation in the ratio of 1:3 (i.e. planting of 3 trees for every 1 tree that is cut) shall be done and maintained.</p>
Top Soil preservation and reuse	7	<p>Topsoil should be stripped to a depth of 20 cm from the areas proposed for buildings, roads, paved areas, and external services.</p> <p>It should be stockpiled appropriately in designated areas and reapplied during plantation of the proposed vegetation on site.</p>
Transport	8	<p>A comprehensive mobility plan, as per MoUD best practices guidelines (URDPFI), shall be prepared to include motorized, non-motorized, public, and private networks. Road should be designed with due consideration for environment, and safety of users. The road system can be designed with these basic criteria.</p> <ol style="list-style-type: none"> 1. Hierarchy of roads with proper segregation of vehicular and pedestrian traffic. 2. Traffic calming measures. 3. Proper design of entry and exit points. 4. Parking norms as per local regulation

(Category '3': 50000 to 150000 m²)

MEDIUM	S. No.	ENVIRONMENTAL CONDITIONS
Topography and Natural Drainage	1	<p>The natural drain system should be maintained for ensuring unrestricted flow of water. No construction shall be allowed to obstruct the natural drainage through the site. No construction is allowed on wetland and water bodies. Check dams, bio-swales, landscape, and other sustainable urban drainage systems (SUDS) are allowed for maintaining the drainage pattern and to harvest rain water.</p> <p>Buildings shall be designed to follow the natural topography as much as possible. Minimum cutting and filling should be done.</p>
Water conservation, Rain Water Harvesting, and Ground Water Recharge	2	<p>A complete plan for rain water harvesting, water efficiency and conservation should be prepared.</p> <p>The local bye-law provisions on rain water harvesting should be followed. If local bye-law provisions are not available, adequate provision for storage and recharge should be followed as per the Ministry of Urban Development Model Building Bye-laws, 2016.</p> <p>A rain water harvesting plan needs to be designed where the recharge bores of minimum one recharge bore per 5,000 square meters of built up area and storage capacity of minimum one day of total fresh water requirement shall be provided. In areas where ground water recharge is not feasible, the rain water should be harvested and stored for reuse. The ground water shall not be withdrawn without approval from the Competent Authority.</p> <p>All recharge should be limited to shallow aquifer.</p>
	2(a)	At least 20% of the open spaces as required by the local building bye-laws shall be pervious. Use of Grass pavers, paver blocks with at least 50% opening, landscape etc. would be considered as pervious surface.
	2 (b)	Use of water efficient appliances should be promoted. Low flow fixtures or sensors be used to promote water conservation.
	2 (c)	Separation of grey and black water should be done by the use of dual plumbing system. In case of single stack system separate recirculation lines for flushing by giving dual plumbing system be done.
Solid Waste Management	3	<p>Solid waste: Separate wet and dry bins must be provided in each unit and at the ground level for facilitating segregation of waste.</p> <p>The provisions of the Solid Waste (Management) Rules 2016 and the e-waste (Management) Rules 2016, and the Plastics Waste (Management) Rules 2016 shall be followed.</p>
	3 (a)	All non-biodegradable waste shall be handed over to authorized recyclers for which a written tie up must be done with the authorized recyclers.
	3(b)	Organic waste composter/Vermiculture pit with a minimum capacity of 0.3 kg /person/day must be installed.

Sewage Treatment Plant	4	<p>Onsite sewage treatment of capacity of treating 100% waste water to be installed. Treated waste water shall be reused on site for landscape, flushing, cooling tower, and other end-uses. Excess treated water shall be discharged as per CPCB norms. Natural treatment systems shall be promoted.</p> <p>Sludge from the onsite sewage treatment, including septic tanks, shall be collected, conveyed and disposed as per the Ministry of Urban Development, Central Public Health and Environmental Engineering Organisation (CPHEEO) Manual on Sewerage and Sewage Treatment Systems, 2013.</p>
Energy	5	<p>Compliance with the Energy Conservation Building Code (ECBC) of Bureau of Energy Efficiency shall be ensured. Buildings in the States which have notified their own ECBC, shall comply with the State ECBC.</p> <p>Outdoor and common area lighting shall be LED.</p> <p>Concept of passive solar design that minimize energy consumption in buildings by using design elements, such as building orientation, landscaping, efficient building envelope, appropriate fenestration, increased day lighting design and thermal mass etc. shall be incorporated in the building design.</p> <p>Wall, window, and roof u-values shall be as per ECBC specifications.</p>
	5 (a)	<p>Solar, wind or other Renewable Energy shall be installed to meet electricity generation equivalent to 1% of the demand load or as per the state level/ local building bye-laws requirement, whichever is higher.</p>
	5 (b)	<p>Solar water heating shall be provided to meet 20% of the hot water demand of the commercial and institutional building or as per the requirement of the local building bye-laws, whichever is higher. Residential buildings are also recommended to meet its hot water demand from solar water heaters, as far as possible.</p>
	5 (c)	<p>Use of environment friendly materials in bricks, blocks and other construction materials, shall be required for at least 20% of the construction material quantity. These include flyash bricks, hollow bricks, AACs, Fly Ash Lime Gypsum blocks, Compressed earth blocks, and other environment friendly materials.</p> <p>Fly ash should be used as building material in the construction as per the provisions of the Fly Ash Notification of September, 1999 as amend from time to time.</p>
Air Quality and Noise	6	<p>Dust, smoke & other air pollution prevention measures shall be provided for the building as well as the site. These measures shall include screens for the building under construction, continuous dust/ wind breaking walls all around the site (at least 3meter height). Plastic/tarpaulin sheet covers shall be provided for vehicles bringing in sand, cement, murrum and other construction materials prone to causing dust pollution at the site as well as taking out debris from the site. Wheel washing for the vehicles used be done.</p> <p>Sand, murrum, loose soil, cement, stored on site shall be covered adequately so as to prevent dust pollution.</p>

		<p>Wet jet shall be provided for grinding and stone cutting. Unpaved surfaces and loose soil shall be adequately sprinkled with water to suppress dust.</p> <p>All construction and demolition debris shall be stored at the site (and not dumped on the roads or open spaces outside) before they are properly disposed. All demolition and construction waste shall be managed as per the provisions of the Construction and Demolition Waste Rules 2016.</p> <p>All workers working at the construction site and involved in loading, unloading, carriage of construction material and construction debris or working in any area with dust pollution shall be provided with dust mask.</p> <p>For indoor air quality the ventilation provisions as per National Building Code of India.</p>
	6 (a)	The location of the DG set and exhaust pipe height shall be as per the provisions of the CPCB norms.
Green Cover	7	<p>A minimum of 1 tree for every 80 sq.mt. of land should be planted and maintained.</p> <p>The existing trees will be counted for this purpose. Preference should be given to planting native species.</p>
	7 (a)	Where the trees need to be cut, compensatory plantation in the ratio of 1:3 (i.e. planting of 3 trees for every 1 tree that is cut) shall be done and maintained.
Top Soil Preservation and Reuse-	8	Topsoil should be stripped to a depth of 20 cm from the areas proposed for buildings, roads, paved areas, and external services. It should be stockpiled appropriately in designated areas and reapplied during plantation of the proposed vegetation on site.
Transport	9	<p>A comprehensive mobility plan, as per MoUD best practices guidelines (URDPFI), shall be prepared to include motorized, non-motorized, public, and private networks. Road should be designed with due consideration for environment, and safety of users. The road system can be designed with these basic criteria.</p> <ol style="list-style-type: none"> 1. Hierarchy of roads with proper segregation of vehicular and pedestrian traffic. 2. Traffic calming measures. 3. Proper design of entry and exit points. 4. Parking norms as per local regulation.
Environment Management Plan	10	An environmental management plan (EMP) shall be prepared and implemented to ensure compliance with the environmental conditions specified in item number 1 to 9 above. A dedicated Environment Monitoring Cell with defined functions and responsibility shall be put in place to implement the EMP. The environmental cell shall ensure that the environment infrastructure like Sewage Treatment Plant, Landscaping, Rain Water Harvesting, Energy efficiency and conservation, water efficiency and conservation, solid waste management, renewable energy etc. are kept operational and meet the required standards. The environmental cell shall also keep the record of environment monitoring and those related to the environment infrastructure.

APPENDIX-XV**Accreditation of Environmental Auditors (Qualified Building Auditors)**

The Ministry of Environment, Forest and Climate Change (MoEF&CC), through qualified agencies shall accredit the Qualified Building Environment Auditors (QBEAs). The Qualified Building Environment Auditors could be a firm / organization or an individual expert, who fulfills the requirements. The Ministry will implement this process of accreditation through Quality Council of India (QCI), National Productivity Council or any other organization identified by the Government. The organizations like Indian Green Building Council, Bureau of Energy Efficiency etc. can also be associated in the process of accreditation, training, and renewal. The environmental consultants accredited by the QCI for building sector will be qualified as QBEAs. The QBEAs will meet the following criteria. The accrediting agency can improvise on these criteria.

Qualifications of the Auditor:

- a. Education: Architect (Degree or Diploma), Town Planners (Degree), Civil Engineer / Mechanical Engineer (Degree or Diploma), PG in Environmental Science or any other qualification as per the scheme of the accreditation.

Training:

- b. Mandatory training to be given by the accreditation body or their approved training providers. This will be as per the scheme of the accreditation.

Experience:

- c. At least 3 years of work experience in the related field or building sector Environment Impact Assessment consultants accredited by QCI or any other experience criteria as per the scheme of the accreditation.

Infrastructure and equipment:

- d. As per the scheme of the accreditation

Renewal:

- e. The accreditation will be valid for 5 years and will be renewed as per the process developed under the accreditation scheme.

Accountability/Complaint redressal mechanism: Any complaints regarding the quality of the work of QBEAs shall be made to the accreditation body. The accreditation body shall evaluate the complaint and take appropriate action including black listing or cancellation of the accreditation with wide public notice. This will be in addition to the action at the level of local authority for penalty and blacklisting. The Ministry can also take such action in case of specific complaint or feedback.

APPENDIX-XVI**Environmental Cell at the level of Local Authority:**

An Environmental Cell shall be setup at the local authority level to support compliance and monitoring of environmental conditions in buildings. The Cell shall also provide assistance in environmental planning and capacity building within their jurisdiction. The responsibility of this cell would be monitoring the implementation of this notification and providing an oversight to the Third-Party Auditing process. The cell will operate under the local authority.

Constitution of the cell:

The cell will comprise of at least 3 dedicated experts in following fields:

- a. Waste management (solid and liquid)
- b. Water conservation and management
- c. Resource efficiency including Building materials
- d. Energy Efficiency and renewable energy
- e. Environmental planning including air quality management.
- f. Transport planning and management.

The Cell shall induct at least two outside experts as per the requirements and background of dedicated experts. Existing environmental cells at the level of local authority can be co-opted and trained for this Cell.

Financial Support:

An additional fee may be charged along with processing fee for building permission for integrating environmental conditions and it's monitoring. The local authority can fix and revise this additional fee from time to time. The amount of this fee shall be deposited in a separate bank account, and used for meeting the requirement of salary /emoluments of experts and running the system of online application, verifications and the Environmental Cell.

Functions of the Cell:

1. The cell shall be responsible for assessing and appraising the environmental concerns of the area under their jurisdiction where building activities are proposed. The Cell can evolve and propose additional environmental conditions as per requirements. These conditions may be area specific and shall be notified in advance from time to time. These additional conditions shall be approved following a due consultation process. These environmental conditions will be integrated in building permissions by the sanctioning authority.
2. Develop and maintain an online system for application and payment of fees. The Cell shall maintain an online database of all applications received, projects approved, the compliance audit report, random inspections made. The Cell shall maintain a portal for public disclosure of project details including self-certification and compliance audit reports filed by the Qualified Building Environment Auditors for public scrutiny of compliance of environmental conditions by the project.
3. Monitoring the work of Environmental Audit process carried by the Qualified Building Auditors.
4. The Cell shall review the applications; finalize the additional environmental conditions if required within 30 days of the submission of the application to the local authority.
5. The Cell shall adopt risk based random selection of projects for verifying on site for certification of QBA, compliance of environmental conditions and five yearly audit report.
6. The Cell shall recommend to the local authority for financial penalty for non- compliance of environmental conditions by the project proponent.
7. The Cell shall recommend to the accrediting body and the local authority against any Qualified Building Environment Auditor, if any lapse is found in their work.]

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
NOTIFICATION

New Delhi, the 14th November, 2018

S.O. 5733(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 to local bodies such as Municipalities, Development Authorities, District Panchayats as the case may be, to ensure the compliance of the environmental conditions as specified in the Appendix in respect of building or construction projects with built-up area $\geq 20,000$ sq. mtrs. To 50,000 sq. mtrs. and industrial sheds, educational institutions, hospitals and hostels for educational institutions $\geq 20,000$ sqm upto 1,50,000 sqm along with building permission and to ensure that the conditions specified in Appendix are complied with, before granting the occupation certificate/completion certificate.

APPENDIX

Environmental Conditions for Buildings and Constructions

(Category: Building or Construction projects or Area Development projects and Townships $\geq 20,000$ to $<50,000$ Square meters as well as for industrial sheds, educational institutions, hospitals and hostels for educational institutions from 20,000 sq. m to $<1,50,000$ sq. m)

S. No.	MEDIUM	ENVIRONMENTAL CONDITIONS
(1)	(2)	(3)
1	Topography and Natural Drainage	<p>The natural drain system shall be maintained for ensuring unrestricted flow of water. No construction shall be allowed to obstruct the natural drainage through the site. No construction is allowed on wetland and water bodies. Check dams, bio-swales, landscape, and other sustainable urban drainage systems (SUDS) are allowed for maintaining the drainage pattern and to harvest rain water.</p> <p>Buildings shall be designed to follow the natural topography as much as possible. Minimum cutting and filling should be done.</p>
2	Water Conservation, Rain Water Harvesting and Ground Water Recharge	<p>A complete plan for rain water harvesting, water efficiency and conservation should be prepared and implemented.</p> <p>Use of water efficient appliances should be promoted with low flow fixtures or sensors.</p> <p>The local bye-law provisions on rain water harvesting should be followed. If local bye-law provision is not available, adequate provision for storage and recharge should be followed as per the Ministry of Urban Development Model Building Bye-laws, 2016.</p> <p>A rain water harvesting plan needs to be designed where the recharge bores of minimum one recharge bore per 5,000 square meters of built up area and storage capacity of minimum one day of total fresh water requirement shall be provided. In areas where ground water recharge is not feasible, the rain water should be harvested and stored for reuse. The ground water shall not be withdrawn without approval from the Competent Authority.</p> <p>All recharge should be limited to shallow aquifer.</p>

2(a)		At least 20 per cent of the open spaces as required by the local building bye- laws shall be pervious. Use of Grass pavers, paver blocks, landscape etc. with at least 50 per cent opening in paving which would be considered as pervious surface.
3	Waste Management	<p>Solid waste: Separate wet and dry bins must be provided in each unit and at the ground level for facilitating segregation of waste.</p> <p>Sewage: Onsite sewage treatment of capacity of treating 100 per cent waste water to be installed. Treated waste water shall be reused on site for landscape, flushing, cooling tower, and other end-uses. Excess treated water shall be discharged as per statutory norms notified by Ministry of Environment, Forest and Climate Change. Natural treatment systems shall be promoted.</p> <p>Sludge from the onsite sewage treatment, including septic tanks, shall be collected, conveyed and disposed as per the Ministry of Urban Development, Central Public Health and Environmental Engineering Organisation (CPHEEO) Manual on Sewerage and Sewage Treatment Systems, 2013.</p> <p>The provisions of the Solid Waste (Management) Rules 2016 and the e-waste (Management) Rules 2016, and the Plastics Waste (Management) Rules 2016 shall be followed.</p>
3 (a)		All non-biodegradable waste shall be handed over to authorized recyclers for which a written tie up must be done with the authorized recyclers.
3(b)		Organic waste compost/ Vermiculture pit with a minimum capacity of 0.3 kg per person per day must be installed.
4	Energy	<p>Compliance with the Energy Conservation Building Code (ECBC) of Bureau of Energy Efficiency shall be ensured. Buildings in the States which have notified their own ECBC, shall comply with the State ECBC.</p> <p>Outdoor and common area lighting shall be Light Emitting Diode (LED). Concept of passive solar design that minimize energy consumption in buildings by using design elements, such as building orientation, landscaping, efficient building envelope, appropriate fenestration, increased day lighting design and thermal mass etc. shall be incorporated in the building design.</p> <p>Wall, window, and roof u-values shall be as per ECBC specifications.</p>
4 (a)		Solar, wind or other Renewable Energy shall be installed to meet electricity generation equivalent to 1 per cent of the demand load or as per the state level/ local building bye-laws requirement, whichever is higher.
4 (b)		Solar water heating shall be provided to meet 20 per cent of the hot water demand of the commercial and institutional building or as per the requirement of the local building bye-laws, whichever is higher. Residential buildings are also recommended to meet its hot water demand from solar water heaters, as far as possible.
4 (c)		Use of environment friendly materials in bricks, blocks and other construction materials, shall be required for at least 20 per cent of the construction material quantity. These include fly ash

		bricks, hollow bricks, Autoclaved Aerated Concrete (AAC), Fly Ash Lime Gypsum blocks, Compressed earth blocks, and other environment friendly materials. Fly ash should be used as building material in the construction as per the provisions of the Fly Ash Notification, S.O. 763(E) dated 14 th September, 1999 as amended from time to time.
5	Air Quality and Noise	<p>Roads leading to or at construction sites must be paved and blacktopped (i.e. metallic roads).</p> <p>No excavation of soil shall be carried out without adequate dust mitigation measures in place.</p> <p>No loose soil or sand or Construction & Demolition Waste or any other construction material that causes dust shall be left uncovered.</p> <p>Wind-breaker of appropriate height i.e. 1/3rd of the building height and maximum up to 10 meters shall be provided.</p> <p>Water sprinkling system shall be put in place.</p> <p>Dust mitigation measures shall be displayed prominently at the construction site for easy public viewing.</p> <p>Grinding and cutting of building materials in open area shall be prohibited. Construction material and waste should be stored only within earmarked area and road side storage of construction material and waste shall be prohibited.</p> <p>No uncovered vehicles carrying construction material and waste shall be permitted.</p> <p>Construction and Demolition Waste processing and disposal site shall be identified and required dust mitigation measures be notified at the site</p> <p>Dust, smoke and other air pollution prevention measures shall be provided for the building as well as the site.</p> <p>Wet jet shall be provided for grinding and stone cutting.</p> <p>Unpaved surfaces and loose soil shall be adequately sprinkled with water to suppress dust.</p> <p>All demolition and construction waste shall be managed as per the provisions of the Construction and Demolition Waste Rules 2016.</p> <p>All workers working at the construction site and involved in loading, unloading, carriage of construction material and construction debris or working in any area with dust pollution shall be provided with dust mask.</p> <p>For indoor air quality the ventilation provisions as per National Building Code of India.</p>
5 (a)		<p>The location of the Genset and exhaust pipe height shall be as per the provisions of the statutory norms notified by Ministry of Environment, Forest and Climate Change</p> <p>The Genset installed for the project shall follow the emission limits, noise limits and general conditions notified by Ministry</p>

		of Environment, Forest and Climate Change vide GSR 281(E) dated 7th March 2016 as amended from time to time.
6	Green Cover	A minimum of 1 tree for every 80 sq.mt. of land should be planted and maintained. The existing trees will be counted for this purpose. Preference should be given to planting native species.
6 (a)		Where the trees need to be cut, compensatory plantation in the ratio of 1:3 (i.e. planting of 3 trees for every 1 tree that is cut) shall be done and maintained.
7	Top Soil Preservation and reuse	Topsoil should be stripped to a depth of 20 cm from the areas proposed for buildings, roads, paved areas, and external services. It should be stockpiled appropriately in designated areas and reapplied during plantation of the proposed vegetation on site.
8	Transport	The building plan shall be aligned with the approved comprehensive mobility plan (as per Ministry of Housing and Urban Affairs best practices guidelines (URDPFI).

[F. No 3-49/2017-IA.III-Pt]

JIGMET TAKPA, Jt. Secy.

***Note:** The principal notification was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) *vide* number S.O. 1533 (E), dated the 14th September, 2006 and subsequently amended *vide* the following numbers: -

1. S.O. 1949 (E) dated the 13th November, 2006;
2. S.O. 1737 (E) dated the 11th October, 2007;
3. S.O. 3067 (E) dated the 1st December, 2009;
4. S.O. 695 (E) dated the 4th April, 2011;
5. S.O. 156 (E) dated the 25th January, 2012;
6. S.O. 2896 (E) dated the 13th December, 2012;
7. S.O. 674 (E) dated the 13th March, 2013;
8. S.O. 2204 (E) dated the 19th July 2013;
9. S.O. 2555 (E) dated the 21st August, 2013;
10. S.O. 2559 (E) dated the 22nd August, 2013;
11. S.O. 2731 (E) dated the 9th September, 2013;
12. S.O. 562 (E) dated the 26th February, 2014;
13. S.O. 637 (E) dated the 28th February, 2014;
14. S.O. 1599 (E) dated the 25th June, 2014;
15. S.O. 2601 (E) dated the 7th October, 2014;
16. S.O. 2600 (E) dated the 9th October, 2014;
17. S.O. 3252 (E) dated the 22nd December, 2014;
18. S.O. 382 (E) dated the 3rd. February, 2015;
19. S.O. 811 (E) dated the 23rd. March, 2015;
20. S.O. 996 (E) dated the 10th April, 2015;
21. S.O. 1142 (E) dated the 17th April, 2015;
22. S.O. 1141 (E) dated the 29th April, 2015;
23. S.O. 1834 (E) dated the 6th July, 2015;
24. S.O. 2571 (E) dated the 31st August, 2015;
25. S.O. 2572 (E) dated the 14th September, 2015;

26. S.O. 141 (E) dated the 15th January, 2016;
27. S.O. 190 (E) dated the 20th January, 2016;
28. S.O. 648 (E) dated the 3rd March, 2016;
29. S.O. 2269(E) dated the 1st July, 2016;
30. S.O. 3518 (E) dated 23rd November 2016;
31. S.O. 3999 (E) dated the 9th December, 2016;
32. S.O. 4241(E) dated the 30th December, 2016;
33. S.O. 3611(E) dated the 25th July, 2018;
34. S.O. 3977 (E) dated the 14th August, 2018;
35. S.O. 5733 (E) dated the 14th November, 2018;
36. S.O. 5736 (E) dated the 15th November, 2018;
37. S.O. 5845(E) dated the 26th November, 2018;
38. S.O. 345(E) dated the 17th January, 2019;
39. S.O. 1960(E) dated the 13th June, 2019;
40. S.O. 236(E) dated the 16th January, 2020;
41. S.O. 751(E) dated the 17th February, 2020;
42. S.O. 1223(E), dated the 27th March, 2020;
43. S.O. 1224(E), dated the 28th March, 2020;
44. S.O 1562 (E), dated the 21st May, 2020;
45. S.O. 3636(E), dated the 15th October, 2020;
46. S.O. 3752(E), dated the 20th October, 2020;
47. S.O. 4254(E), dated the 27th November, 2020;
48. S.O. 221(E), dated the 18th January, 2021;
49. S.O. 908(E), dated the 2nd March, 2021; and
50. S.O. 1247(E), dated the 18 March, 2021

STANDALONE NOTIFICATIONS RELATED TO ENVIRONMENT IMPACT ASSESSMENT**MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE****NOTIFICATION**

New Delhi, the 14th March, 2017

S.O. 804(E).—Whereas, a draft notification under sub-section (1), and clause (v) of sub-section (2) of Section 3 of the Environment (Protection) Act, 1986 (29 of 1986) was published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (ii), vide number S.O. 1705(E), dated the 10th May, 2016, as required by sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, for finalising the process for appraisal of projects for grant of Terms of Reference and Environmental Clearance, which have started the work on site, expanded the production beyond the limit of environmental clearance or changed the product mix without obtaining prior environmental clearance under the Environment Impact Assessment Notification, 2006 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 Gazette containing the said notification were made available to the public;

2. And whereas, copies of the said notification were made available to the public on the 10th May, 2016;

3. And whereas, all objections and suggestions received in response to the above mentioned draft notification have been duly considered by the Central Government.

4. Whereas, subject to the provisions of the Environment (Protection) Act, 1986, under sub-section (1) of section 3 of the Act, the Central Government has 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 environment pollution;

5. Whereas, section 5 of the Environment (Protection) Act, 1986 empowers the Central Government to give directions which reads as “Notwithstanding anything contained in any other law but subject to the provisions of this Act, the Central Government may, 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;

6. Whereas the Ministry of Environment, Forest and Climate Change issued Office Memoranda dated 12.12.2012 and 27.06.2013 to establish a process for grant of environmental clearance to cases of violation.

7. Whereas, the Hon’ble High Court of Jharkhand had passed an order dated the 28th November, 2014 in W.P. (C) No. 2364 of 2014 in the matter of Hindustan Copper Limited Versus Union of India in which the High Court held that the conditions laid down under Office Memorandum dated 12th December, 2012 in paragraph No. 5 (i) and 5 (ii) were illegal and unconstitutional and had further held that action for alleged violation would be an independent and separate proceeding and therefore, consideration of proposal for environment clearance could not await initiation of action against the project proponent. The Hon’ble Court further ruled that the proposal for environment clearance must be examined on its merits, independent of any proposed action for alleged violation of the environmental laws;

8. And whereas, Hon’ble National Green Tribunal, Principal Bench vide its order dated 7th July, 2015 in Original Application No. 37 of 2015 and Original Application No. 213 of 2015 had also held that the Office Memoranda dated 12th December, 2012 and 24th June, 2013 on the subject of consideration of proposals for Terms of Reference or Environment Clearance or Coastal Regulation Zone Clearance involving violations of the Environment (Protection) Act, 1986 or Environment Impact Assessment Notification, 2006 Coastal Regulation Zone Notification, 2011 could not alter or amend the provisions of the Environment Impact Assessment notification, 2006 and had quashed the same;

9. And whereas, the Ministry of Environment, Forest and Climate Change and State Environment Impact Assessment Authorities have been receiving certain proposals under the Environment Impact Assessment Notification, 2006 for grant of Terms of References and Environmental Clearance for

projects which have started the work on site, expanded the production beyond the limit of environmental clearance or changed the product mix without obtaining prior environmental clearance;

10. Whereas, the Ministry of Environment, Forest and Climate Change deems it necessary for the purpose of protecting and improving the quality of the environment and abating environmental pollution that all entities not complying with environmental regulation under Environment Impact Assessment Notification, 2006 be brought under compliance with in the environmental laws in expedient manner;

11. And whereas, the Ministry of Environment, Forest and Climate Change deems it necessary to bring such projects and activities in compliance with the environmental laws at the earliest point of time, rather than leaving them unregulated and unchecked, which will be more damaging to the environment and in furtherance of this objective, the Government of India deems it essential to establish a process for appraisal of such cases of violation for prescribing adequate environmental safeguards to entities and the process should be such that it deters violation of provisions of Environment Impact Assessment Notification, 2006 and the pecuniary benefit of violation and damage to environment is adequately compensated for;

12. And whereas, Hon'ble Supreme Court in Indian Council for Enviro-Legal Action Vs. Union of India (the Bichhri village industrial pollution case), while delivering its judgment on 13th. February, 1996, analyzed all the relevant provisions of law and concluded that damages may be recovered under the provisions of the Environment (Protection) Act, 1986 (1996 [3] SCC 212). The Hon'ble Court observed that section 3 of the Environment (Protection) Act, 1986 expressly empowers the Central Government [or its delegate, as the case may be] to "take all such measures as it deems necessary or expedient for the purpose of protecting and improving the quality of environment". Section 5 clothes the Central Government [or its delegate] with the power to issue directions for achieving the objects of the Act. Read with the wide definition of "environment" in Section 2 (a), Sections 3 and 5 clothe the Central Government with all such powers as are "necessary or expedient for the purpose of protecting and improving the quality of the environment". The Central Government is empowered to take all measures and issue all such directions as are called for the above purpose. In the present case, the said powers will include giving directions for the removal of sludge, for undertaking remedial measures and also the power to impose the cost of remedial measures on the offending industry and utilize the amount so recovered for carrying out remedial measures Hon'ble Court has further observed that levy of costs required for carrying out remedial measures is implicit in Sections 3 and 5 which are couched in very wide and expansive language. Sections 3 and 5 of the Environment (Protection) Act, 1986, apart from other provisions of Water and Air Acts, empower the Government to make all such directions and take all such measures as are necessary or expedient for protecting and promoting the 'environment', which expression has been defined in very wide and expansive terms in Section 2 (a) of the Environment (Protection) Act. This power includes the power to prohibit an activity, close an industry, direct to carry out remedial measures, and wherever necessary impose the cost of remedial measures upon the offending industry. The question of liability of the respondents to defray the costs of remedial measures can also be looked into from another angle, which has now come to be accepted universally as a sound principle, viz., the "Polluter Pays" Principle. "The polluter pays principle demands that the financial costs of preventing or remedying damage caused by pollution should lie with the undertakings which cause the pollution, or produce the goods which cause the pollution".

13 (1). Now, therefore, in exercise of the powers conferred by sub-section (1) and sub clause (a) of clause (i) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986, read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986; the Central Government hereby directs that the projects or activities or the expansion or modernisation of existing projects or activities requiring prior environmental clearance under the Environment Impact Assessment Notification, 2006 entailing capacity addition with change in process or technology or both undertaken in any part of India without obtaining prior environmental clearance from the Central Government or by the State Level Environment Impact Assessment Authority, as the case may be, duly constituted by the Central Government under sub-section (3) of Section 3 of the said Act, shall be considered a case of violation of the Environment Impact Assessment Notification, 2006 and will be dealt strictly as per the procedure specified in the following manner:-

¹[(2) In case the projects or activities requiring prior environmental clearance under the Environment Impact Assessment Notification, 2006 from the concerned regulatory authority are brought for environmental clearance after starting the construction work, or have undertaken expansion, modernisation, and change in product-mix without prior environmental clearance, these projects shall be treated as cases of violations and the projects or activities covered under category A of the Schedule to the Environment Impact Assessment Notification, 2006, including expansion and modernisation of existing projects or activities and change in product mix, shall be appraised for grant of environmental clearance by the Expert Appraisal Committee in the Ministry and the environmental clearance shall be granted at Central level, and for category B projects, the appraisal and approval thereof shall vest with the State or Union territory level Expert Appraisal Committees and State or Union territory Environment Impact Assessment Authorities in different States and Union territories, constituted under sub-section (3) of section 3 of the Environment (Protection) Act, 1986.];

(3) In cases of violation, action will be taken against the project proponent by the respective State or State Pollution Control Board under the provisions of section 19 of the Environment (Protection) Act, 1986 and further, no consent to operate or occupancy certificate will be issued till the project is granted the environmental clearance.

²[(4) The cases of violations will be appraised by the Expert Appraisal Committee at the Central level or State or Union territory level Expert Appraisal Committee constituted under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 with a view to assess that the project has been constructed at a site which under prevailing laws is permissible and expansion has been done which can run sustainably under compliance of environmental norms with adequate environmental safeguards, and in case, where the findings of Expert Appraisal Committee for projects under category A or State or Union territory level Expert Appraisal Committee for projects under category B is negative, closure of the project will be recommended along with other actions under the law.];

(5) In case, where the findings of the Expert Appraisal Committee or State or Union territory level Expert Appraisal Committee on point at sub-paragraph (4) above are affirmative, the projects will be granted the appropriate Terms of Reference for undertaking Environment Impact Assessment and preparation of Environment Management Plan and the Expert Appraisal Committee or State or Union territory level Expert Appraisal Committee, will prescribe specific Terms of Reference for the project on assessment of ecological damage, remediation plan and natural and community resource augmentation plan and it shall be prepared as an independent chapter in the environment impact assessment report by the accredited consultants, and the collection and analysis of data for assessment of ecological damage, preparation of remediation plan and natural and community resource augmentation plan shall be done by an environmental laboratory duly notified under the Environment (Protection) Act, 1986, or a environmental laboratory accredited by the National Accreditation Board for Testing and Calibration Laboratories, or a laboratory of the Council of Scientific and Industrial Research institution working in the field of environment.;

(6) The Expert Appraisal Committee or State or Union territory level Expert Appraisal Committee, as the case may be, shall stipulate the implementation of Environmental Management Plan, comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefit derived due to violation as a condition of environmental clearance.;

(7) The project proponent will be required to submit a bank guarantee equivalent to the amount of remediation plan and Natural and Community Resource Augmentation Plan with the State Pollution Control Board and the quantification will be recommended by the Expert Appraisal Committee for category A projects or by the State or Union territory level Expert Appraisal Committee for category B projects, as the case may be, and finalised by the concerned Regulatory Authority, and the bank guarantee shall be deposited prior to the grant of environmental clearance and released after successful implementation of the remediation plan and Natural and Community Resource Augmentation Plan, and after recommendation by regional office of the Ministry, Expert Appraisal Committee or State or Union

¹ Sub. By S. O. No. 1030 (E), dated 8th March, 2018

² Sub. By S. O. No. 1030 (E), dated 8th March, 2018

territory level Expert Appraisal Committee and approval of the Regulatory Authority.].

14. The projects or activities which are in violation as on date of this notification only will be eligible to apply for environmental clearance under this notification and the project proponents can apply for environmental clearance under this notification only within six months from the date of this notification.

[F. No. 22-116/2015-IA-III]

MANOJ KUMAR SINGH, Jt. Secy.

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE**ORDER**

New Delhi, the 6th June, 2017

S.O. 1805(E).—Whereas, by the notification of the Government of India in the Ministry of Environment, Forest and Climate Change number S.O. 804(E), dated the 14th March, 2017, issued under sub-section (1), sub-clause (a) of clause (i) and 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) of rule 5 of the Environment (Protection) Rules, 1986 (hereinafter referred to as the said notification), the Central Government has established an arrangement to appraise the projects, which have started the work without taking prior environmental clearance and such cases have been termed as cases of violation;

And whereas, vide sub-paragraph (1) of paragraph 13 of the said notification, it has been directed that the projects or activities or the expansion or modernisation of existing projects or activities requiring prior environmental clearance under the Environment Impact Assessment Notification, 2006 entailing capacity addition with change in process or technology or both, undertaken in any part of India without obtaining prior environmental clearance from the Central Government or by the State Environment Impact Assessment Authority, as the case may be, duly constituted by the Central Government under the said Act, shall be considered a case of violation of the Environment Impact Assessment Notification, 2006;

And whereas, the said notification further provides that the projects and activities referred above, shall be dealt strictly as per the procedure specified in sub-paragraph (2) to (7) of paragraph 13 of the said notification;

And whereas, in pursuance of sub-paragraph (4) of paragraph 13 of the said notification, it is proposed to constitute the Expert Appraisal Committee (EAC) comprising of members with expertise in different sectors to appraise and make recommendations to the Central Government as cases of violation in all the sectors;

And now, therefore, 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 sub-paragraph (4) of paragraph 13 of the notification of the Government of India in the Ministry of Environment, Forest and Climate Change, number S.O. 804(E), dated the 14th March, 2017, the Central Government hereby constitutes the Expert Appraisal Committee, as follows: —

S. No.	Chairman/Member	Role
(1)	(2)	(3)
1.	Dr. S.R. Wate, Director (Retired) National Environmental Engineering Research Institute, Nagpur	Chairman;
2.	Dr. P.A. Joshi Chairman, Anchor Institute & Professor, Chemical Engineering, Dharmsinh Desai University, Nadiad - 387 001 (Gujarat)	Member;
3.	Dr. G. V. Subrahmanyam Advisor (Retired), MoEFCC D-II/183, Kaka Nagar, New Delhi - 75	Member;
4.	Dr. A.L. Ramanathan Professor, School of Environmental Sciences, Jawaharlal Nehru University, New Mehrauli Road, New Delhi - 67	Member;
5.	Dr. M.V. Ramana Murthy Advisor, ICMAM, NIOT Campus, Pallikarai, Chennai - 600 100	Member;
6.	Shri K Gowarappan, Plot No. 6, Ganesh Avenue, II Street, Sakthi Nagar, Porur, Chennai – 600116	Member;

7.	Dr. Dilip S. Ramteke Scientist (Retired), NEERI, 64 B, Adhyapak Colony, Jaitala Chowk, Trimurti Nagar, Nagpur - 440 020	Member;
8.	Dr. Poonam Kumria Professor, Geography Department, Miranda House, University of Delhi, Delhi - 7	Member;
9.	Dr. Bharat Jain Dy. Chief Engineer (Retired), GIDC Gujarat Cleaner Production Centre, Udyog Bhavan, Gandhinagar - 11	Member;
10.	Dr. Subrata Maity, Professor (Retired), BCKV (Agriculture University), B2/210 Kalyani, Nadia - 741235 (West Bengal)	Member;
11.	¹ [Scientist E or Scientist F or Scientist G, as the case may be Ministry of Environment, Forest and Climate Change, Jorbagh Road, New Delhi - 3].	Member Secretary.

2. The Expert Appraisal Committee shall exercise such powers and follow such procedures as enumerated in the said notification.
3. The Expert Appraisal Committee may co-opt an expert as a Member in a relevant field with prior approval of the Ministry of Environment, Forest and Climate Change.
4. The Chairman and Members of the Expert Appraisal Committee shall hold office for a term of three years from the date of publication of this order in the Official Gazette.
5. The meetings of the Expert Appraisal Committee shall be held in Delhi, however, in special cases, with the prior concurrence of the Ministry of Environment, Forest and Climate Change, a meeting may be held elsewhere in the country.
6. The sitting fee, travelling and dearness allowances to the Chairman and Members of the Expert Appraisal Committee shall be paid as per the Government of India rules.

[F. No. 19-43/2017-IA-III]

MANOJ KUMAR SINGH, Jt. Secy.

¹ Sub. by S.O. No. 1031 (E), dated 8th March, 2018

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

New Delhi, the 8th March, 2018

S.O. 1030(E). —Whereas, the Ministry of Environment, Forest and Climate Change *vide* notification number S.O.804(E), dated the 14th March, 2017 (hereinafter referred to as the said notification) has notified the process for appraisal of projects for grant of Terms of Reference and Environmental Clearance, which have started the work on site, expanded the production beyond the limit of environmental clearance or changed the product mix without obtaining prior environmental clearance as mandated under the Environment Impact Assessment Notification, 2006 [S.O.1533 (E), dated the 14th September, 2006];

And whereas, the Ministry of Environment, Forest and Climate Change (hereinafter referred to as the Ministry) in the said notification *inter alia*, directed *vide* sub-paragraph (2) of paragraph 13, that in case the projects or activities requiring prior environmental clearance under Environment Impact Assessment Notification, 2006 from the concerned Regulatory Authority, are brought for environmental clearance after starting the construction work, or have undertaken expansion, modernization, and change in product- mix without prior environmental clearance, these projects shall be treated as cases of violations and in such cases, even Category B projects which are granted environmental clearance by the State Environment Impact Assessment Authority constituted under sub-section (3) section 3 of the Environment (Protection) Act, 1986 shall be appraised for grant of environmental clearance only by the Expert Appraisal Committee and environmental clearance will be granted at the Central level;

And whereas, the Ministry has received a number of proposals relating to all sectors covered under category A and category B, for consideration in pursuance of the said notification;

And whereas, the Ministry is in receipt of representations from the public representatives and Industrial Associations, requesting delegation of powers to the respective States to deal with the violation cases for operational reasons and expediting the proposals;

And whereas, the National Green Tribunal, Principal Bench at New Delhi *vide* their order dated the 27th November, 2017 in similar matters in OA No.570/2016 titled M/s Anjli Infra Housing LLP Vs Union of India & others, OA No.576/2016 in the matter of M/s Ankur Khusal Construction LLP Vs Union of India & others and OA No.579/2016 in the matter of Anjli Infra Housing LLP Vs Union of India & others, has passed directions for consideration of the projects at the State level and pass appropriate orders in regard to grant/refusal of the environmental clearance in accordance with law;

And whereas, in view of the above, the Central Government finds it necessary to amend the said notification number S.O.804(E), dated the 14th March, 2017 by dispensing with the requirement of notice referred to in clause (a) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 regarding inviting objections and suggestions from persons likely to be affected thereby, in public interest;

Now, therefore, in exercise of the powers conferred by sub-section (1), sub-clause (a) of clause (i) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), read with sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following amendments in the said notification by dispensing with the requirement of notice referred to in clause (a) of sub-rule (3) of rule 5 of the said rules, in public interest, namely:-

In the said notification, in paragraph 13, -

(a) for sub-paragraph (2), the following sub-paragraph shall be substituted, namely: -

“(2) In case the projects or activities requiring prior environmental clearance under the Environment Impact Assessment Notification, 2006 from the concerned regulatory authority are brought for environmental clearance after starting the construction work, or have undertaken expansion, modernisation, and change in product-mix without prior environmental clearance, these projects shall be treated as cases of violations and the projects or activities covered under category A of the Schedule to the Environment Impact Assessment Notification, 2006, including expansion and modernisation of existing projects or activities and change in product mix, shall be appraised for grant of environmental clearance by the Expert Appraisal Committee in the Ministry and the

environmental clearance shall be granted at Central level, and for category B projects, the appraisal and approval thereof shall vest with the State or Union territory level Expert Appraisal Committees and State or Union territory Environment Impact Assessment Authorities in different States and Union territories, constituted under sub-section (3) of section 3 of the Environment (Protection) Act, 1986.”;

- (b) for sub-paragraph (4), the following sub-paragraph shall be substituted, namely: -

“(4) The cases of violations will be appraised by the Expert Appraisal Committee at the Central level or State or Union territory level Expert Appraisal Committee constituted under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 with a view to assess that the project has been constructed at a site which under prevailing laws is permissible and expansion has been done which can run sustainably under compliance of environmental norms with adequate environmental safeguards, and in case, where the findings of Expert Appraisal Committee for projects under category A or State or Union territory level Expert Appraisal Committee for projects under category B is negative, closure of the project will be recommended along with other actions under the law.”;

- (c) for sub-paragraph (5), the following sub-paragraph shall be substituted, namely:-

“(5) In case, where the findings of the Expert Appraisal Committee or State or Union territory level Expert Appraisal Committee on point at sub-paragraph (4) above are affirmative, the projects will be granted the appropriate Terms of Reference for undertaking Environment Impact Assessment and preparation of Environment Management Plan and the Expert Appraisal Committee or State or Union territory level Expert Appraisal Committee, will prescribe specific Terms of Reference for the project on assessment of ecological damage, remediation plan and natural and community resource augmentation plan and it shall be prepared as an independent chapter in the environment impact assessment report by the accredited consultants, and the collection and analysis of data for assessment of ecological damage, preparation of remediation plan and natural and community resource augmentation plan shall be done by an environmental laboratory duly notified under the Environment (Protection) Act, 1986, or a environmental laboratory accredited by the National Accreditation Board for Testing and Calibration Laboratories, or a laboratory of the Council of Scientific and Industrial Research institution working in the field of environment.”;

- (d) for sub-paragraph (6), the following sub-paragraph shall be substituted, namely: -

“(6) The Expert Appraisal Committee or State or Union territory level Expert Appraisal Committee, as the case may be, shall stipulate the implementation of Environmental Management Plan, comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefit derived due to violation as a condition of environmental clearance.”;

- (e) for sub-paragraph (7), the following sub-paragraph shall be substituted, namely: -

“(7) The project proponent will be required to submit a bank guarantee equivalent to the amount of remediation plan and Natural and Community Resource Augmentation Plan with the State Pollution Control Board and the quantification will be recommended by the Expert Appraisal Committee for category A projects or by the State or Union territory level Expert Appraisal Committee for category B projects, as the case may be, and finalised by the concerned Regulatory Authority, and the bank guarantee shall be deposited prior to the grant of environmental clearance and released after successful implementation of the remediation plan and Natural and Community Resource Augmentation Plan, and after recommendation by regional office of the Ministry, Expert Appraisal Committee or State or Union territory level Expert Appraisal Committee and approval of the Regulatory Authority.”.

[F.No.Z-11013/22/2017-IA-II (M)]

GYANESH BHARTI, Jt. Secy.

ORDER

New Delhi, the 8th March, 2018

S.O. 1031(E).—Whereas, by the notification of the Government of India in the Ministry of Environment, Forest and Climate Change number S.O. 804(E), dated the 14th March, 2017, issued under subsection (1), sub-clause (a) of clause (i) and 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) of rule 5 of the Environment (Protection) Rules, 1986 (hereinafter referred to as the said notification), the Central Government has established an arrangement to appraise the projects, which have started the work without obtaining prior environmental clearance and such cases have been termed as cases of violation;

And whereas, vide sub-paragraph (1) of paragraph 13 of the said notification, it has been directed that the projects or activities or the expansion or modernisation of existing projects or activities requiring prior environmental clearance under the Environment Impact Assessment Notification, 2006 [S.O.1533(E), dated the 14th September, 2006] entailing capacity addition with change in process or technology or both, undertaken in any part of India without obtaining prior environmental clearance from the Central Government or by the State Environment Impact Assessment Authority, as the case may be, duly constituted by the Central Government under the said Act, shall be considered a case of violation of the Environment Impact Assessment Notification, 2006;

And whereas, the said notification further provides that the projects and activities referred above, shall be dealt strictly as per the procedure specified in sub-paragraph (2) to (7) of paragraph 13 of the said notification;

And whereas, in exercise of the power conferred by sub-section (3) of section 3 of the Environment (Protection) Act, 1986 and in pursuance of sub-paragraph (4) of paragraph 13 of the said notification, an Expert Appraisal Committee (EAC) was constituted by notification of the Government of India in the Ministry of Environment, Forest and Climate Change *vide* number S.O.1805(E), dated the 6th June, 2017 comprising members with expertise in different sectors to appraise and make recommendations to the Central Government as cases of violation in all the sectors;

And whereas, in this Expert Appraisal Committee so constituted, Shri S K Srivastava, Scientist E was nominated as representative of the Ministry of Environment, Forest and Climate Change as Member Secretary of the said Committee;

And whereas, due to administrative and operating reasons, it has become expedient to replace the nomination of Shri S. K. Srivastava, Scientist E with the Scientist E or Scientist F or Scientist G, as the case may be, as Member Secretary of the Expert Appraisal Committee constituted to deal with violation cases;

And now, therefore, 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 sub-paragraph (4) of paragraph 13 of the said notification number S.O.804(E), dated the 14th March, 2017, the Central Government hereby makes the following amendments in the order of the Government of India in the Ministry of Environment, Forest and Climate Change number S.O.1805(E), dated the 6th June, 2017, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), dated the 6th June, 2017, namely:-

In the said order, in the Table, against serial number 11, for the entries in column (2), the following entries shall be substituted, namely:-

“Scientist E or Scientist F or Scientist G, as the case may be, Ministry of Environment, Forest and Climate Change, Jorbagh Road, New Delhi-3”.

[F. No. Z-11013/22/2017-IA-II (M)]
GYANESH BHARTI, Jt. Secy.

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

New Delhi, the 6th April, 2018

S. O. 1530(E).—Whereas, the Hon'ble Supreme Court, vide judgment dated the 2nd August, 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors., inter-alia, has directed that the validity of the environmental clearance granted for mining projects under the notification number S.O. 60(E), dated the 27th January, 1994 (hereinafter referred to as the EIA Notification, 1994) of the Government of India in the erstwhile Ministry of Environment and Forests shall be five years, and for considering expansion under the EIA Notification, 1994, the annual production of 1993-94 or immediately preceding year shall be the base year;

And whereas, the Hon'ble Supreme Court vide judgment dated the 7th February, 2018 in Special Leave to Appeal (Civil) No. 32138 of 2015 in the matter of Goa Foundation versus M/s Sesa Sterlite Ltd., & Ors. has reiterated that the validity of the environmental clearance for mining projects granted under the EIA Notification, 1994 shall be five years;

And whereas, the Hon'ble Supreme Court in its aforesaid judgment dated the 7th February, 2018 has held that para 9 of the notification number S.O. 1533 (E), dated the 14th September, 2006 of the Government of India in the erstwhile Ministry of Environment and Forests (hereinafter referred to as the EIA Notification, 2006), provides that the environmental clearance would be valid for the estimated project life subject to a maximum of 30 years;

And whereas, in the view of the above, there would be two categories of cases related to mining projects under EIA Notification, 1994, namely: -

(a) mining projects, which were granted environmental clearance under the EIA Notification, 1994, and also granted environmental clearance for expansion / modernisation / amendment under the EIA Notification, 2006; and

(b) mining projects, which were granted environmental clearance under the EIA Notification, 1994, and but not obtained environmental clearance for expansion / modernisation / amendment under the EIA Notification, 2006.

And whereas, as per third paragraph above, the projects mentioned in clause (a) of fourth paragraph above do not suffer from the infirmity of validity of environmental clearance being five years;

And whereas, the projects mentioned in clause (a) of fourth paragraph above, do not suffer from the infirmity of expansion vis-à-vis the base production as these projects were already appraised and granted environmental clearance under the EIA Notification, 2006;

And whereas, all mining projects mentioned in clause (b) of fourth paragraph above are required to obtain environmental clearance under the EIA Notification, 2006, in pursuance of the aforesaid judgments of the Hon'ble Supreme Court; And whereas, the Ministry of Environment, Forest and Climate Change deems it necessary for implementation of the aforesaid judgments of the Hon'ble Supreme Court as well as for the protecting and improving the quality of environment and abating the environmental pollution, that all projects mentioned in clause (b) of fourth paragraph above, be brought under the regulatory framework of the EIA Notification, 2006;

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 sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby directs, after having dispensed with the requirement of notice under clause (a) of sub-rule (3) of the rule 5 of the said rules in public interest, for implementation of the aforesaid judgments of the Hon'ble Supreme Court, that the project proponent in all such cases involving validity of the environmental clearance and expansion of mining projects vis-à-vis the base production, shall make application within six months from the date of issue of this notification in Form-I as given in Appendix-II of the EIA Notification, 2006, for grant of environmental clearance under the provisions of the EIA Notification, 2006, and all such applications shall

be considered by the concerned Expert Appraisal Committee or the State Level Expert Appraisal Committee, as the case may be, who shall decide on the due diligence necessary including preparation of Environmental Impact Assessment Report and public consultation and the application shall be appraised accordingly for grant of environmental clearance.

[F. No. L-11011/69/2014-IA. II(M)]

GYANESH BHARTI, Jt. Secy.

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
NOTIFICATION

New Delhi, the 29th May, 2018

S.O. 2172(E).— Whereas by a notification of the Government of India in the erstwhile Ministry of Environment and Forests vide number S.O.319(E), dated the 7th May, 1992 (herein referred to as the said notification) issued under sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (herein referred to as the said Act) read with rule 5 of the Environment (Protection) Rules, 1986 (herein referred to as the said rules), the Central Government had imposed prohibitions on carrying out certain processes and operations in the specified areas of Aravalli range as provided in the said notification, except with prior permission of the Central Government;

And whereas, the Central Government had delegated the aforesaid powers conferred on it by the said notification, to the State Governments of Haryana and Rajasthan vide notification of the Government of India in the Erstwhile Ministry of Environment and Forests number S.O.1189(E), dated the 29th November, 1999;

And whereas, the Central Government with a view to adopt uniform procedure for grant of environmental clearance to mining projects for major minerals involving mining lease areas of more than five hectares had integrated the provisions of the notification of the Government of India published in the Gazette of India vide number S.O.60(E), dated the 27th January, 1994 (hereafter referred as the EIA Notification, 1994) with the Aravalli Notification published in the Gazette of India, vide number S.O.319(E), dated the 7th May, 1992 for regulation of mining activities in the specified areas of Aravalli range;

And whereas, the Government of India in the erstwhile Ministry of Environment and Forest Notification number S.O. 1533 (E), dated the 14th September, 2006 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) (hereinafter referred to as the said EIA Notification, 2006) which superseded the EIA Notification, 1994 had mandated the requirement of prior environmental clearance for all projects or activities included in the Schedule, including expansion and modernisation of existing projects or activities and change in product mix including mining operations;

And whereas, pursuant to the order of the Hon'ble Supreme Court dated the 27th February, 2012 in I.A. No.12-13 of 2011 in Special Leave Petition (Civil) No.19628-19629 of 2009, in the matter of Deepak Kumar etc. Vs. State of Haryana and Others etc., prior environmental clearance has now become mandatory for mining of minor minerals and the Central Government has published notification number S.O.141(E), dated the 15th January, 2016 making prior environment clearance mandatory for all minerals (major as well as minor) irrespective of size of the mine lease;

And whereas, all mine lease holders are required to obtain prior environment clearance based on the recommendations of the Expert Appraisal Committees at the Central Government, State level Expert Appraisal Committee at the State or Union territory level and District level Expert Appraisal Committee at the district level;

And whereas, the Central Government opines to further integrate the provisions of notification number S.O. 1533 (E), dated the 14th September, 2006 to maintain uniformity in the procedure for grant of environmental clearance to mining projects of major as well as minor minerals with the Aravalli Notification number S.O.319(E), dated the 7th May, 1992;

And whereas, sub-rule (4) of rule 5 of the said rules provides that, whenever it appears to the Central Government that it is in the public interest to do so, it may dispense with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the said rules;

And whereas, the Central Government is of the opinion that it is in the public interest to dispense with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the said rules for amending the notifications of the erstwhile Ministry of Environment and Forests vide number S.O. 319(E), dated the 7th May, 1992.

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 read with rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following further amendments in the aforesaid notification with effect from the date of publication of this notification in the Official Gazette namely:

In the notification of the erstwhile Ministry of Environment and Forests number S.O. 319(E), dated the 7th May, 1992, in paragraph 1, clause (ii), shall be omitted.

[F. No. Z-11013/64/2017-IA-II (M)]

GYANESH BHARTI, Jt. Secy.

Note: - The Principal notification was published in the Gazette of India, Extraordinary, 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 and S.O.248(E) dated 28th February, 2003.

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
NOTIFICATION

New Delhi, the 17th January, 2019

S.O. 345(E).—WHEREAS, the Central Government in the erstwhile Ministry of Environment and Forests, in exercise of its powers under sub-section (1) and clause (v) of sub-section (2) of section (3) of the Environment (Protection) Act, 1986 has published the Environment Impact Assessment Notification, 2006 (hereinafter referred to as the EIA Notification) vide S.O.1533(E), dated the 14th September, 2006, making the requirement of prior environmental clearance from the concerned regulatory authority mandatory for all new projects/activities listed in the schedule to the said notification, their expansion and modernization and/or change in product mix, as the case may be, before any construction work or preparation of land by the project management except for securing the land;

AND WHEREAS, the projects/activities listed in the schedule to the said notification include distilleries (molasses and non-molasses based) under item 5(g), and thus requiring prior environmental clearance from the Ministry or the State Environment Impact Assessment Authorities in different States/Union Territory, as the case may be;

AND WHEREAS, the Central Government has published the National Policy on Bio-fuels, 2018 stipulating Ethanol Blended with Petrol (EBP) Programme as its main component, offering indigenous and non-polluting renewable energy source and successful implementation of the programme would not only result in substantial reduction in air pollution but also saving of precious foreign exchange through import substitutions;

AND WHEREAS, the Ministry of Environment, Forest and Climate Change deems it necessary for expediting environmental clearances to the projects for manufacturing of bio-ethanol for the purpose of blending with the petrol under the Ethanol Blended with Petrol (EBP) Programme;

AND WHEREAS, based on substantial experience gained in matters relating to prior environmental clearance related to distilleries, conditions of grant of environmental clearance have been standardized;

AND WHEREAS, distillery units adhering to Zero Liquid Discharge norms provide reasonable safeguard with respect to ambient environment;

AND WHEREAS, distilleries adhering to Zero Liquid Discharge in areas with adequate water availability can be provided special dispensation for a year with view to achieving objective set as above without adverse environmental impact for a year;

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 sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government, after having dispensed with the requirement of notice under clause (a) of sub-rule (3) of the rule 5 of the said rules in public interest, for expediting production of Ethanol for its limited purpose of blending with petrol exclusively for its usage as bio-fuel, hereby makes the following special provision, namely:-

“(1) All expansion projects of sugar manufacturing or distilleries, having environmental clearances for their present industrial operations and intended to produce Ethanol for blending with petrol under the Ethanol Blended with Petrol (EBP) Programme, shall make an application in Form-1 given in Appendix-I of the EIA Notification, 2006 along with the Environmental Management Plan, certificate from the Government of India, the Ministry of Petroleum and Natural Gas stating that the proposal is for the purpose of blending the bio-ethanol with the petrol, for grant of environmental clearance under the provisions of the EIA Notification, 2006, and all such applications shall be considered by the concerned sectoral Expert Appraisal Committee or State Expert Appraisal Committee, who shall appraise the proposal as per the procedure applicable to category B2 projects specified in the EIA Notification, 2006 based on certificate from the Central Ground Water Board regarding adequate availability of water and adherence to standard conditions related to distilleries (appendix).

(2) The Expert Appraisal Committee may prescribe, in addition to the standard environmental clearance conditions given in the appendix to this notification, the specific conditions on case to case basis.”

This notification shall remain in force for a period of one year from the date of publication of this notification in the Official Gazette.

[F. No. IA-J-11013/55/2017-IA. II(I)]

GEETA MENON, Jt. Secy.

APPENDIX**Standard EC Conditions****I. Statutory compliance**

- i. The project proponent shall obtain forest clearance under the provisions of Forest (Conservation) Act, 1986, in case of the diversion of forest land for non-forest purpose involved in the project.
- ii. The project proponent shall obtain clearance from the National Board for Wildlife, if applicable.
- iii. The project proponent shall prepare a Site-Specific Conservation Plan & Wildlife Management Plan and approved by the Chief Wildlife Warden. The recommendations of the approved Site-Specific Conservation Plan / Wildlife Management Plan shall be implemented in consultation with the State Forest Department. The implementation report shall be furnished along with the six-monthly compliance report. (in case of the presence of schedule-I species in the study area)
- iv. The project proponent shall obtain Consent to Establish / Operate under the provisions of Air (Prevention & Control of Pollution) Act, 1981 and the Water (Prevention & Control of Pollution) Act, 1974 from the concerned State Pollution Control Board/Committee.
- v. The project proponent shall obtain authorization under the Hazardous and other Waste Management Rules, 2016 as amended from time to time.
- vi. The Company shall strictly comply with the rules and guidelines under Manufacture, Storage and Import of Hazardous Chemicals (MSIHC) Rules, 1989 as amended time to time. All transportation of Hazardous Chemicals shall be as per the Motor Vehicle Act (MVA), 1989

II. Air quality monitoring and preservation

- i. The project proponent shall install 24×7 continuous emission monitoring system at process stacks to monitor stack emission with respect to standards prescribed in Environment (Protection) Rules 1986 and connected to SPCB and CPCB online servers and calibrate these system from time to time according to equipment supplier specification through labs recognised under Environment (Protection) Act, 1986 or NABL accredited laboratories.
- ii. The project proponent shall install system carryout to Ambient Air Quality monitoring for common/criterion parameters relevant to the main pollutants released (e.g. PM₁₀ and PM_{2.5} in reference to PM emission, and SO₂ and NO_x in reference to SO₂ and NO_x emissions) within and outside the plant area at least at four locations (one within and three outside the plant area at an angle of 120° each), covering upwind and downwind directions. (case to case basis small plants: Manual; Large plants: Continuous)
- iii. The project proponent shall submit monthly summary report of continuous stack emission and air quality monitoring and results of manual stack monitoring and manual monitoring of air quality /fugitive emissions to Regional Office of MoEF&CC, Zonal office of CPCB and Regional Office of SPCB along with six-monthly monitoring report.
- iv. Appropriate Air Pollution Control (APC) system shall be provided for all the dust generating points including fugitive dust from all vulnerable sources, so as to comply prescribed stack emission and fugitive emission standards.
- v. The National Ambient Air Quality Emission Standards issued by the Ministry vide G.S.R. No. 826(E) dated 16th November, 2009 shall be complied with.

- vi. Sulphur content should not exceed 0.5% in the coal for use in coal fired boilers to control particulate emissions within permissible limits (as applicable). The gaseous emissions shall be dispersed through stack of adequate height as per CPCB/SPCB guidelines.
- vii. The DG sets shall be equipped with suitable pollution control devices and the adequate stack height so that the emissions are in conformity with the extant regulations and the guidelines in this regard.
- viii. Storage of raw materials, coal etc shall be either stored in silos or in covered areas to prevent dust pollution and other fugitive emissions.

III. Water quality monitoring and preservation

- i. For online continuous monitoring of effluent, the unit shall install web camera with night vision capability and flow meters in the channel/drain carrying effluent within the premises (applicable in case of the projects achieving ZLD) and connected to SPCB and CPCB online servers.
- ii. Zero Liquid Discharge shall be ensured and no waste/treated water shall be discharged outside the premises (applicable in case of the projects achieving the ZLD).
- iii. Process effluent/any wastewater shall not be allowed to mix with storm water. The storm water from the premises shall be collected and discharged through a separate conveyance system.
- iv. The effluent discharge shall conform to the standards prescribed under the Environment (Protection) Rules, 1986, or as specified by the State Pollution Control Board while granting Consent under the Air/Water Act, whichever is more stringent.
- v. Total fresh water requirement shall not exceed the proposed quantity or as specified by the Committee. Prior permission shall be obtained from the concerned regulatory authority/CGWA in this regard.
- vi. Industrial/trade effluent shall be segregated into High COD/TDS and Low COD/TDS effluent streams. High TDS/COD shall be passed through stripper followed by MEE and ATFD (agitated thin film drier). Low TDS effluent stream shall be treated in ETP and then passed through RO system.
- vii. The Company shall harvest rainwater from the roof tops of the buildings and storm water drains to recharge the ground water and utilize the same for different industrial operations within the plant.

IV. Noise monitoring and prevention

- i. Acoustic enclosure shall be provided to DG set for controlling the noise pollution.
- ii. The overall noise levels in and around the plant area shall be kept well within the standards by providing noise control measures including acoustic hoods, silencers, enclosures etc. on all sources of noise generation.
- iii. The ambient noise levels should conform to the standards prescribed under E(P)A Rules, 1986 viz. 75 dB(A) during day time and 70 dB(A) during night time

V. Energy Conservation measures

- i. The energy sources for lighting purposes shall preferably be LED based.

VI. Waste management

- i. Hazardous chemicals shall be stored in tanks, tank farms, drums, carboys etc. Flame arresters shall be provided on tank farm and the solvent transfer through pumps.
- ii. Process organic residue and spent carbon, if any, shall be sent to cement industries. ETP sludge, process inorganic & evaporation salt shall be disposed off to the TSDF.
- iii. The company shall undertake waste minimization measures as below: -
 - a. Metering and control of quantities of active ingredients to minimize waste.
 - b. Reuse of by-products from the process as raw materials or as raw material substitutes in other processes.
 - c. Use of automated filling to minimize spillage.
 - d. Use of Close Feed system into batch reactors.
 - e. Venting equipment through vapour recovery system.
 - f. Use of high pressure hoses for equipment clearing to reduce wastewater generation

VII. Green Belt

- i. Green belt shall be developed in an area equal to 33% of the plant area with a native tree species in accordance with CPCB guidelines. The greenbelt shall inter alia cover the entire periphery of the plant

VIII. Safety, Public hearing and Human health issues

- i. Emergency preparedness plan based on the Hazard identification and Risk Assessment (HIRA) and Disaster Management Plan shall be implemented.
- ii. The PP shall provide Personal Protection Equipment (PPE) as per the norms of Factory Act.
- iii. Training shall be imparted to all employees on safety and health aspects of chemicals handling. Pre- employment and routine periodical medical examinations for all employees shall be undertaken on regular basis. Training to all employees on handling of chemicals shall be imparted.
- iv. Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.
- v. Occupational health surveillance of the workers shall be done on a regular basis and records maintained as per the Factories Act.
- vi. There shall be adequate space inside the plant premises earmarked for parking of vehicles for raw materials and finished products, and no parking to be allowed outside on public places

IX. Corporate Environment Responsibility

- i. The project proponent shall comply with the provisions contained in this Ministry's OM vide F. No. 22- 65/2017-IA.III dated 1st May 2018, as applicable, regarding Corporate Environment Responsibility.
- ii. The company shall have a well laid down environmental policy duly approved by the

Board of Directors. The environmental policy should prescribe for standard operating procedures to have proper checks and balances and to bring into focus any infringements/deviation/violation of the environmental / forest /wildlife norms/ conditions. The company shall have defined system of reporting infringements / deviation / violation of the environmental / forest / wildlife norms / conditions and / or shareholders / stake holders. The copy of the board resolution in this regard shall be submitted to the MoEF&CC as a part of six-monthly report.

- iii. A separate Environmental Cell both at the project and company head quarter level, with qualified personnel shall be set up under the control of senior Executive, who will directly to the head of the organization.
- iv. Action plan for implementing EMP and environmental conditions along with responsibility matrix of the company shall be prepared and shall be duly approved by competent authority. The year wise funds earmarked for environmental protection measures shall be kept in separate account and not to be diverted for any other purpose. Year wise progress of implementation of action plan shall be reported to the Ministry/Regional Office along with the Six Monthly Compliance Report.
- v. Self environmental audit shall be conducted annually. Every three years third party environmental audit shall be carried out.

X. Miscellaneous

- i. The project proponent shall 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, of which one shall be in the vernacular language within seven days and in addition this shall also be displayed in the project proponent's website permanently.
- ii. 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.
- iii. The project proponent shall upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and update the same on half-yearly basis.
- iv. The project proponent shall monitor the criteria pollutants level namely; PM₁₀, SO₂, NO_x (ambient levels as well as stack emissions) or critical sectoral parameters, indicated for the projects and display the same at a convenient location for disclosure to the public and put on the website of the company.
- v. The project proponent shall submit six-monthly reports on the status of the compliance of the stipulated environmental conditions on the website of the ministry of Environment, Forest and Climate Change at environment clearance portal.
- vi. The project proponent shall submit the environmental statement for each financial year in Form-V to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently and put on the website of the company.
- vii. The project proponent shall inform the Regional Office as well as the Ministry, the date of financial closure and final approval of the project by the concerned authorities, commencing the land development work and start of production operation by the project.
- viii. The project authorities must strictly adhere to the stipulations made by the State Pollution Control Board and the State Government.

- ix. The project proponent shall abide by all the commitments and recommendations made in the EIA/EMP report, commitment made during Public Hearing and also that during their presentation to the Expert Appraisal Committee.
- x. No further expansion or modifications in the plant shall be carried out without prior approval of the Ministry of Environment, Forests and Climate Change (MoEF&CC).
- xi. Concealing factual data or submission of false/fabricated data may result in revocation of this environmental clearance and attract action under the provisions of Environment (Protection) Act, 1986.
- xii. The Ministry may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory.
- xiii. The Ministry reserves the right to stipulate additional conditions if found necessary. The Company in a time bound manner shall implement these conditions.
- xiv. The Regional Office of this Ministry shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer (s) of the Regional Office by furnishing the requisite data / information/monitoring reports.
- xv. The above conditions shall be enforced, inter-alia under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and the Public Liability Insurance Act, 1991 along with their amendments and Rules and any other orders passed by the Hon'ble Supreme Court of India / High Courts and any other Court of Law relating to the subject matter.
- xvi. Any appeal against this EC shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

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

New Delhi, the 29th November, 2019

S.O. 4307(E). —Whereas, the Environment Impact Assessment Notification vide S.O. 1533 dated the 14th September, 2006 (hereinafter referred to as the EIA Notification, 2006), and subsequent amendments issued by the Government of India provides the “Validity of Environmental Clearance” for mining of minerals is meant for period of project life as estimated by Expert Appraisal Committee or State Level Expert Appraisal Committee or District Level Expert Appraisal Committee subject to a maximum of thirty years;

And whereas, the Hon’ble Supreme Court vide judgment dated the 7th February, 2018 in Special Leave to Appeal (Civil) No. 32138 of 2015 in the matter of Goa Foundation versus M/s Sesa Sterlite Ltd., & Ors., *inter alia*, has directed to obtain fresh environmental clearance to those who are successful in obtaining fresh mining leases;

And whereas, the sub-section (6) of section 8A of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957) prescribes as: -

“Notwithstanding anything contained in sub-sections (2), (3) and sub-section (4), the period of lease granted before the date of commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2015, where mineral is used for other than captive purpose, shall be extended and be deemed to have been extended up to a period ending on the 31st March, 2020 with effect from the date of expiry of the period of renewal last made or till the completion of renewal period, if any, or a period of fifty years from the date of grant of such lease, whichever is later, subject to the condition that all the terms and conditions of the lease have been complied with”.

And whereas, the sub-section (4) of section 8A of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957) prescribes as: -

“On the expiry of the lease period, the lease shall be put up for auction as per the procedure specified in this Act”

And whereas, in the view of the above, there would be cases related to mining projects granted environmental clearance under EIA Notification, 2006, wherein validity of the environmental clearance granted for the mining lease may not have expired, but the mining lease will have ended and freshly re-allocated to the successful bidder as per the provisions of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957).

And whereas, the mining projects mentioned in paragraph above are required to obtain fresh environmental clearance under the EIA Notification, 2006, in pursuance of the aforesaid judgment of the Hon’ble Supreme Court;

And whereas, the Ministry of Environment, Forest and Climate Change deems it necessary for implementation of the aforesaid judgment of the Hon’ble Supreme Court as well as continuation of the mining activity as per the approved mining scheme, mining plan, production capacity, mine lease area specified in the environmental clearance granted under the provisions of the EIA Notification, 2006, as these mining projects were already appraised and the Environmental Impact Assessment (EIA) and Environmental Management Plan (EMP) have been considered by the concerned Expert Appraisal Committee or the State Level Expert Appraisal Committee, as the case may be, and granted environmental clearance by the regulatory authority concerned, these projects need to be granted fresh environmental clearance expeditiously so that their mining activity does not get disrupted as per the earlier approved environmental clearance;

And whereas, therefore, a draft notification was published 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 sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 *vide* S. O. 1038 (E), dated the 27th February, 2019, inviting objections and suggestions from all the persons likely to be affected thereby, within a period of sixty days from the date of publication of

the said notification in the Gazette of India;

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) of sub-section (2) of section 3 of the said Environment (Protection) Act, 1986 (29 of 1986), read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby directs that for implementation of the aforesaid judgment of the Hon'ble Supreme Court dated the 7th February, 2018 in Special Leave to Appeal (Civil) No. 32138 of 2015 in the matter of Goa Foundation versus M/s Sesa Sterlite Ltd., & Ors, as well as, continuation of the mining activity without any changes to production capacity, mine lease area specified in the environmental clearance granted under the provisions of the EIA Notification, 2006 through an expeditious mechanism for grant of fresh environmental clearance, the successful bidder selected by the Government in accordance with law, in all such cases, shall make an application in Form-1 as given in Appendix-I of the EIA Notification, 2006, for grant of environmental clearance under the provisions of the EIA Notification, 2006 and all such applications shall be considered by the concerned Expert Appraisal Committee or the State Level Expert Appraisal Committee, as the case may be, who shall decide with due diligence, considering the existing EIA/EMP and the environmental clearance granted earlier, and the application shall be appraised accordingly for grant of environmental clearance subject to the same validity period as was initially granted, however, the concerned Expert Appraisal Committee or the State Level Expert Appraisal Committee, as the case may be, may stipulate case specific additional conditions to such mining projects.

[F. No. Z-11013/47/2018-IA. II (M)]

GEETA MENON, Jt. Secy.

**THE HAZARDOUS AND
OTHER WASTES
(MANAGEMENT AND
TRANSBOUNDARY
MOVEMENT) RULES, 2016**

(as amended to date)

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 04th April, 2016

G.S.R No. 395 (E). - Whereas the draft rules, namely the Hazardous And Other Wastes(Management and Transboundary Movement) Rules, 2015, were published by the Government of India in the Ministry of Environment, Forest and Climate Change *vide* number G.S.R. 582(E), dated the 24th July, 2015 in the Gazette of India, Extraordinary Part II, section 3, 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 on which copies of the Gazette containing the said notification were made available to the public;

AND WHEREAS the copies of the said Gazette containing the said notification were made available to the public on the 24th day of July, 2015;

AND WHEREAS the objections and suggestions received within the specified 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, Handling and Transboundary Movement) Rules, 2008, except as respects 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 and Other Wastes (Management and Transboundary Movement) Rules, 2016.

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

2. Application. —These rules shall apply to the management of hazardous and other wastes as specified in the Schedules to these rules but 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 and as amended from time to time;
- (b) wastes arising out of the operation from ships beyond five kilometres of the relevant baseline as covered under the provisions of the Merchant Shipping Act, 1958 (44 of 1958) and the rules made thereunder and as amended from time to time;
- (c) radio-active wastes as covered under the provisions of the Atomic Energy Act, 1962 (33 of 1962) and the rules made thereunder and as amended from time to time;
- (d) bio-medical wastes covered under the Bio-Medical Wastes (Management and Handling) Rules, 1998 made under the Act and as amended from time to time; and
- (e) wastes covered under the Municipal Solid Wastes (Management and Handling) Rules, 2000 made under the Act and as amended from time to time.

3. Definitions. — (1) In these rules, unless the context otherwise requires, —

1. “Act” means the Environment (Protection) Act, 1986 (29 of 1986);

2. “actual user” means an occupier who procures and processes hazardous and other waste for reuse, recycling, recovery, pre-processing, utilisation including co-processing;
3. “authorisation” means permission for generation, handling, collection, reception, treatment, transport, storage, reuse, recycling, recovery, pre-processing, utilisation including co-processing and disposal of hazardous wastes granted under sub-rule (2) of rule 6;
4. “Basel Convention” means the United Nations Environment Programme Convention on the Control of Transboundary Movement of Hazardous Wastes and their Disposal;
5. “captive treatment, storage and disposal facility” means a facility developed within the premises of an occupier for treatment, storage and disposal of wastes generated during manufacture, processing, treatment, package, storage, transportation, use, collection, destruction, conversion, offering for sale, transfer or the like of hazardous and other wastes;
6. “Central Pollution Control Board” 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);
7. “common treatment, storage and disposal facility” means a common facility identified and established individually or jointly or severally by the State Government, occupier, operator of a facility or any association of occupiers that shall be used as common facility by multiple occupiers or actual users for treatment, storage and disposal of the hazardous and other wastes;
8. “co-processing” means the use of waste materials in manufacturing processes for the purpose of energy or resource recovery or both and resultant reduction in the use of conventional fuels or raw materials or both through substitution;
9. “critical care medical equipment” means life saving equipment and includes such equipment as specified by the Ministry of Health and Family Welfare from time to time;
10. “disposal” means any operation which does not lead to reuse, recycling, recovery, utilisation including co-processing and includes physico-chemical treatment, biological treatment, incineration and disposal in secured landfill;
11. “export”, with its grammatical variations and cognate expressions, means taking out of India to a place outside India;
12. “exporter” means any person or occupier under the jurisdiction of the exporting country who exports hazardous or other wastes, including the country which exports hazardous or other waste;
13. “environmentally sound management of hazardous and other wastes” means taking all steps required to ensure that the hazardous and other wastes are managed in a manner which shall protect health and the environment against the adverse effects which may result from such waste;
14. “environmentally sound technologies” means any technology approved by the Central Government from time to time;
15. “facility” means any establishment wherein the processes incidental to the generation, handling, collection, reception, treatment, storage, reuse, recycling, recovery, pre-processing, co-processing, utilisation and disposal of hazardous and, or, other wastes are carried out;
16. “Form” means a form appended to these rules;
17. “hazardous waste” means any waste which by reason of characteristics such as physical, chemical, biological, reactive, toxic, flammable, explosive or corrosive, causes danger or is likely to cause danger to health or environment, whether alone or in contact with other wastes or substances, and shall include —

- (i) waste specified under column (3) of Schedule I;
 - (ii) waste having equal to or more than the concentration limits specified for the constituents in class A and class B of Schedule II or any of the characteristics as specified in class C of Schedule II; and
 - (iii) wastes specified in Part A of Schedule III in respect of import or export of such wastes or the wastes not specified in Part A but exhibit hazardous characteristics specified in Part C of Schedule III;
18. “import”, with its grammatical variations and cognate expressions, means bringing into India from a place outside India;
 19. “importer” mean any person or occupier who imports hazardous or other waste;
 20. “manifest” means transporting document prepared and signed by the sender authorised in accordance with the provisions of these rules;
 21. “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 hazardous and other wastes, the person in possession of the hazardous or other waste;
 22. “operator of disposal facility” means a person who owns or operates a facility for collection, reception, treatment, storage and disposal of hazardous and other wastes;
 23. “other wastes” means wastes specified in Part B and Part D of Schedule III for import or export and includes all such waste generated indigenously within the country;
 24. “pre-processing” means the treatment of waste to make it suitable for co-processing or recycling or for any further processing;
 25. “recycling” means reclamation and processing of hazardous or other wastes in an environmentally sound manner for the originally intended purpose or for other purposes;
 26. “reuse” means use of hazardous or other waste for the purpose of its original use or other use;
 27. “recovery” means any operation or activity wherein specific materials are recovered;
 28. “Schedule” means a Schedule appended to these rules;
 29. “State Government” in relation to a Union territory means, the Administrator thereof appointed under article 239 of the Constitution;
 30. “State Pollution Control Board” means the State Pollution Control Board constituted under section 4 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) and includes, in relation to a Union territory, the Pollution Control Committee;
 31. “storage” mean storing any hazardous or other waste for a temporary period, at the end of which such waste is processed or disposed of;
 32. “transboundary movement” means any movement of hazardous or other 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 that at least two countries are involved in the movement;
 33. “transport” means off-site movement of hazardous or other wastes by air, rail, road or water;
 34. “transporter” means a person engaged in the off-site transportation of hazardous or other waste by air, rail, road or water;

35. “treatment” means a method, technique or process, designed to modify the physical, chemical or biological characteristics or composition of any hazardous or other waste so as to reduce its potential to cause harm;
36. “used oil” means any oil-
- (i) derived from crude oil or mixtures containing synthetic oil including spent oil, used engine oil, gear oil, hydraulic oil, turbine oil, compressor oil, industrial gear oil, heat transfer oil, transformer oil and their tank bottom sludges; and
 - (ii) suitable for reprocessing, if it meets the specification laid down in Part A of Schedule V but does not include waste oil;
37. “utilisation” means use of hazardous or other waste as a resource;
38. “waste” means materials that are not products or by-products, for which the generator has no further use for the purposes of production, transformation or consumption.

Explanation. —for the purposes of this clause,

- (i) waste includes the materials that may be generated during, the extraction of raw materials, the processing of raw materials into intermediates and final products, the consumption of final products, and through other human activities and excludes residuals recycled or reused at the place of generation; and
 - (ii) by-product means a material that is not intended to be produced but gets produced in the production process of intended product and is used as such;
39. “waste oil” 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 V either as such or after reprocessing.

¹[40 “waste collector” means a person who collects hazardous and other wastes on behalf of actual user or operator of disposal facility from the occupier.]

(2) 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 MANAGEMENT OF HAZARDOUS AND OTHER WASTES

4. Responsibilities of the occupier for management of hazardous and other wastes. —

- (1) For the management of hazardous and other wastes, an occupier shall follow the following steps, namely: —
 - a. prevention;
 - b. minimization;
 - c. reuse,
 - d. recycling;
 - e. recovery, utilisation including co-processing;
 - f. safe disposal.
- (2) The occupier shall be responsible for safe and environmentally sound management of hazardous and other wastes.

¹ Inserted by G.S.R. 178(E) dated 01.03.2019.

- (3) The hazardous and other wastes generated in the establishment of an occupier shall be sent or sold to an authorised actual user or shall be disposed of in an authorised disposal facility.
- (4) The hazardous and other wastes shall be transported from an occupier's establishment to an authorised actual user or to an authorised disposal facility in accordance with the provisions of these rules.
- (5) The occupier who intends to get its hazardous and other wastes treated and disposed of by the operator of a treatment, storage and disposal facility shall give to the operator of that facility, such specific information as may be needed for safe storage and disposal.
- (6) The occupier shall take all the steps while managing hazardous and other wastes to-
 - (a) contain contaminants and prevent accidents and limit their consequences on human beings and the environment; and
 - (b) provide persons working in the site with appropriate training, equipment and the information necessary to ensure their safety.

5. Responsibilities of State Government for environmentally sound management of hazardous and other wastes. —(1) Department of Industry in the State or any other government agency authorised in this regard by the State Government, to ensure earmarking or allocation of industrial space or shed for recycling, pre-processing and other utilisation of hazardous or other waste in the existing and upcoming industrial park, estate and industrial clusters;

- (2) Department of Labour in the State or any other government agency authorised in this regard by the State Government shall, -

¹[(a) ensure recognition and registration of workers involved in generation, handling, collection, reception, treatment, transport, storage, reuse, recycling, recovery, pre-processing, utilisation including co-processing and disposal of hazardous wastes;]

(b) assist formation of groups of such workers to facilitate setting up such facilities;

¹[(c) undertake industrial skill development activities for the workers involved in generation, handling, collection, reception, treatment, transport, storage, reuse, recycling, recovery, pre-processing, utilisation including co-processing and disposal of hazardous wastes;

(d) undertake annual monitoring and to ensure safety and health of workers involved in generation, handling, collection, reception, treatment, transport, storage, reuse, recycling, recovery, pre-processing, utilisation including co-processing and disposal of hazardous wastes.].

- (3) Every State Government may prepare integrated plan for effective implementation of these provisions and to submit annual report to the Ministry of Environment, Forest and Climate Change, in the Central Government.

6. Grant of authorisation for managing hazardous and other wastes. — (1) Every occupier of the facility who is engaged in handling, generation, collection, storage, packaging, transportation, use, treatment, processing, recycling, recovery, pre-processing, co-processing, utilisation, offering for sale, transfer or disposal of the hazardous and other wastes shall be required to make an application in **Form 1** to the State Pollution Control Board and obtain an authorisation from the State Pollution Control Board within a period of sixty days from the date of publication of these rules. Such application for authorisation shall be accompanied with a copy each of the following documents, namely: -

(a) consent to establish granted by the State Pollution Control Board under the Water (Prevention and Control of Pollution) Act, 1974 (25 of 1974) and the Air (Prevention and Control of Pollution) Act, 1981 (21 of 1981);

(b) Consent to operate granted by the State Pollution Control Board under the Water (Prevention

¹ Subs by G.S.R. 641(E) dated 09.10.2020.

and Control of Pollution) Act, 1974 (25 of 1974) and/or Air (Prevention and Control of Pollution) Act, 1981, (21 of 1981);

- (c) in case of renewal of authorisation, a self-certified compliance report in respect of effluent, emission standards and the conditions specified in the authorisation for hazardous and other wastes:

Provided that an application for renewal of authorisation may be made three months before the expiry of such authorisation:

Provided further that-

- (i) any person authorised under the provisions of the Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2008, prior to the date of commencement of these rules, shall not be required to make an application for authorisation till the period of expiry of such authorisation;
- (ii) any person engaged in recycling or reprocessing of the hazardous waste specified in Schedule IV and having registration under the provisions of the Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2008, shall not be required to make an application for authorisation till the period of expiry of such registration.

¹[(1A) An occupier shall not be required obtain an authorisation under this rule, from the State Pollution Control Board, in case the consent to establish or consent to operate, is not required from the State Pollution Control Board or Pollution Control Committee under the Water (Prevention and Control of Pollution) Act, 1974 (25 of 1974) and Air (Prevention and Control of Pollution) Act, 1981 (21 of 1981);

Provided that the hazardous and other wastes generated by the occupier shall be given to the actual user, waste collector or operator of the disposal facility, in accordance with the Central Pollution Control Board guidelines.]

- (2) On receipt of an application complete in all respects for the authorisation, the State Pollution Control Board may, after such inquiry as it considers necessary, and on being satisfied that the applicant possesses appropriate facilities for collection, storage, packaging, transportation, treatment, processing, use, destruction, recycling, recovery, pre-processing, co-processing, utilisation, offering for sale, transfer or disposal of the hazardous and other waste, as the case may be, and after ensuring technical capabilities and equipment complying with the standard operating procedure or other guidelines specified by the Central Pollution Control Board from time to time and through site inspection, grant within a period of one hundred and twenty days, an authorisation in **Form 2** to the applicant, which shall be valid for a period of five years subject to such conditions as may be laid down therein. For commonly recyclable hazardous waste as given in Schedule IV, the guidelines already prepared by the Central Pollution Control Board shall be followed:

Provided that in the case of an application for renewal of authorisation, the State Pollution Control Board may, before granting such authorisation, satisfy itself that there has been no violation of the conditions specified in the authorisation earlier granted by it and same shall be recorded in the inspection report.

- (3) The authorisation granted by the State Pollution Control Board under sub-rule (2) shall be accompanied by a copy of the field inspection report signed by that Board indicating the adequacy of facilities for collection, storage, packaging, transportation, treatment, processing, use, destruction, recycling, recovery, pre-processing, co-processing, utilisation, offering for sale, transfer or disposal of the hazardous and other wastes and compliance to the guidelines or standard operating procedures specified by the Central Pollution Control Board from time to time.

¹ Inserted by G.S.R. 178(E) dated 01.03.2019.

- (4) The State Pollution Control Board may, for the reasons to be recorded in writing and after giving reasonable opportunity of being heard to the applicant, refuse to grant any authorisation under these rules.
 - (5) Every occupier authorised under these rules, shall maintain a record of hazardous and other wastes managed 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 the financial year to which that return relates.
 - (6) The State Pollution Control Board shall maintain a register containing particulars of the conditions imposed under these rules for management of hazardous and other wastes and it shall be open for inspection during office hours to any interested or affected person.
 - (7) The authorised actual user of hazardous and other wastes shall maintain records of hazardous and other wastes purchased in a passbook issued by the State Pollution Control Board along with the authorisation.
 - (8) Handing over of the hazardous and other wastes to the authorised actual user shall be only after making the entry into the passbook of the actual user.
- 7. Power to suspend or cancel an authorisation.** — (1) The State Pollution Control Board, may, if in its opinion the holder of the authorisation has failed to comply with any of the conditions of the authorisation 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 authorisation issued under rule 6 for such period as it considers necessary in the public interest.
- (2) Upon suspension or cancellation of the authorisation, the State Pollution Control Board may give directions to the person whose authorisation has been suspended or cancelled for the safe storage and management of the hazardous and other wastes, and such occupier shall comply with such directions.
- 8. Storage of hazardous and other wastes.** — (1) The occupiers of facilities may store the hazardous and other wastes for a period not exceeding ninety days and shall maintain a record of sale, transfer, storage, recycling, recovery, pre-processing, co-processing and utilisation of such wastes and make these records available for inspection:
- Provided that the State Pollution Control Board may extend the said period of ninety days in following cases, namely: -
- (i) small generators (up to ten tonnes per annum) up to one hundred and eighty days of their annual capacity;
 - (ii) actual users and disposal facility operators up to one hundred and eighty days of their annual capacity,
 - (iii) occupiers 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, recovery, pre-processing, co-processing or utilisation;
 - (v) in any other case, on justifiable grounds up to one hundred and eighty days.
- 9. Utilisation of hazardous and other wastes.** — (1) The utilisation of hazardous and other wastes as a resource or after pre-processing either for co-processing or for any other use, including within the premises of the generator (if it is not part of process), shall be carried out only after obtaining authorisation from the State Pollution Control Board in respect of waste on the basis of standard operating procedures or guidelines provided by the Central Pollution Control Board.
- (2) Where standard operating procedures or guidelines are not available for specific utilisation, the approval has to be sought from Central Pollution Control Board which shall be granting approval on the basis of trial runs and thereafter, standard operating procedures or guidelines shall be prepared by Central Pollution Control Board:

Provided, if trial run has been conducted for particular waste with respect to particular utilisation and compliance to the environmental standards has been demonstrated, authorisation may be granted by the State Pollution Control Board with respect to the same waste and utilisation, without need of separate trial run by Central Pollution Control Board and such cases of successful trial run, Central Pollution Control Board shall intimate all the State Pollution Control Board regarding the same.

- (3) No trial runs shall be required for co-processing of waste in cement plants for which guidelines by the Central Pollution Control Board are already available; however, the actual users shall ensure compliance to the standards notified under the Environment (Protection) Act, 1986 (29 of 1986), for cement plant with respect to co-processing of waste:

Provided that till the time the standards are notified, the procedure as applicable to other kind of utilisation of hazardous and other waste, as enumerated above shall be followed.

- 10. Standard Operating Procedure or guidelines for actual users.** —The Ministry of Environment, Forest and Climate Change or the Central Pollution Control Board may issue guidelines or standard operating procedures for environmentally sound management of hazardous and other wastes from time to time.

CHAPTER III

IMPORT AND EXPORT OF HAZARDOUS AND OTHER WASTES

- 11. Import and export (transboundary movement) of hazardous and other wastes.** —The Ministry of Environment, Forest and Climate Change shall be the nodal Ministry to deal with the transboundary movement of the hazardous and other wastes in accordance with the provisions of these rules.
- 12. Strategy for Import and export of hazardous and other wastes.** — (1) No import of the hazardous and other wastes from any country to India for disposal shall be permitted.
- (2) The import of hazardous and other wastes from any country shall be permitted only for recycling, recovery, reuse and utilisation including co-processing.
- (3) The import of hazardous waste in Part A of Schedule III may be allowed to actual users with the prior informed consent of the exporting country and shall require the permission of the Ministry of Environment, Forest and Climate Change.
- (4) The import of other wastes in Part B of Schedule III may be allowed to actual users with the permission of the Ministry of Environment, Forest and Climate Change.
- (5) The import of other wastes in Part D of Schedule III will be allowed as per procedure given in rule 13 and as per the note below the said Schedule.
- (6) No import of the hazardous and other wastes specified in Schedule VI shall be permitted.
- ¹[6A. The import of ‘post-industrial or pre-consumer polyethylene wastes’ and ‘Polymethyl Methacrylate’ mentioned at column (2), against Basel Number B3010 in Schedule VI, is permitted to units in Special Economic Zones and Export Oriented Units notified by the Central Government.
- 6B. the import of ‘post-industrial or pre-consumer polyethylene wastes’ shall be permitted with a requirement of at least fifty percent exports in terms of tonnage for 18 months from the date of this notification or till a decision is taken on the basis of review or audit undertaken to ascertain the effect of such import, whichever is later];

¹ Inserted sub-rule (6A & 6B) of rule 12 by G.S.R. 47(E) dated 27.01.2021

- (7) The export of hazardous and other wastes from India listed in Part A and Part B of Schedule III and Schedule VI shall be with the permission of Ministry of Environment, Forest and Climate Change. In case of applications for export of hazardous and other waste listed in Part A of Schedule III and Schedule VI, they shall be considered on the basis of prior informed consent of the importing country.
- (8) The import and export of hazardous and other wastes not specified in Schedule III, but exhibiting the hazardous characteristics outlined in Part C of Schedule III shall require prior written permission of the Ministry of Environment, Forest and Climate Change before it is imported to or exported from India, as the case may be.
- 13. Procedure for import of hazardous and other wastes.** —(1) Actual users intending to import or transit for transboundary movement of hazardous and other wastes specified in Part A and Part B of Schedule III shall apply in **Form 5** along with the documents listed therein, to the Ministry of Environment, Forest and Climate Change for the proposed import together with the prior informed consent of the exporting country in respect of Part A of Schedule III waste, and shall send a copy of the application, simultaneously, to the concerned State Pollution Control Board for information and the acknowledgement in this respect from the concerned State Pollution Control Board shall be submitted to the Ministry of Environment, Forest and Climate Change along with the application.
- (2) For the import of other wastes listed in Part D of Schedule III, the importer shall not require the permission of the Ministry of Environment, Forest and Climate Change. However, the importer shall furnish the required information as per **Form 6** to the Customs authorities, accompanied with the following documents in addition to those listed in Schedule VIII, wherever applicable. For used electrical and electronic assemblies listed at serial numbers 4 (e) to 4(i) of Schedule VIII (Basel No. B1110), there is no specific requirement of documentation under these rules:
- (a) the import license from Directorate General of Foreign Trade, if applicable;
 - (b) the valid consents under the Water (Prevention and Control of Pollution) Act, 1974 (25 of 1974) and the Air (Prevention and Control of Pollution) Act, 1981 (21 of 1981) and the authorisation under these rules as well as the authorisation under the E-Waste (Management and Handling) Rules, 2011, as amended from time to time, whichever applicable;
 - (c) importer who is a trader, importing waste on behalf of actual users, shall obtain one time authorisation in **Form 7** and copy of this authorisation shall be appended to **Form 6**.
- (3) For Part B of Schedule III, in case of import of any used electrical and electronic assemblies or spares or part or component or consumables as listed under Schedule I of the E-Waste (Management and Handling) Rules, 2011, as amended from time to time, the importer need to obtain extended producer responsibility-authorisation as producer under the said E-Waste (Management and Handling) Rules, 2011.
- (4) Prior to clearing of consignment of wastes listed in Part D of Schedule III, the Custom authorities shall verify the documents as given in column (3) of Schedule VIII.
- (5) On receipt of the complete application with respect to Part A and Part B of Schedule III, the Ministry of Environment, Forest and Climate Change 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 facilities;
 - (ii) adequate arrangements for treatment and disposal of wastes generated;
 - (iii) a valid authorisation and consents from the State Pollution Control Board;
 - (iv) prior informed consent from the exporting country in case of Part A of Schedule III wastes.
- (6) The Ministry of Environment, Forest and Climate Change shall forward a copy of the permission

to the concerned Port and Customs authorities, Central Pollution Control Board and the concerned State Pollution Control Board for ensuring compliance with respect to their respective functions given in Schedule VII.

- (7) The importer of the hazardous and other wastes shall maintain records of the hazardous and other waste imported by him in **Form 3** and the record so maintained shall be made available for inspection.
- (8) The importer of the hazardous and other wastes shall file an annual return in **Form 4** to the State Pollution Control Board on or before the 30th day of June following the financial year to which that return relates.
- (9) Samples of hazardous and other wastes being imported for testing or research and development purposes up to 1000 gm or 1000 ml shall be exempted from need of taking permission for import under these rules.
- (10) The Port and Customs authorities shall ensure that shipment is accompanied with the movement document as given in **Form 6** and the test report of analysis of the waste, consignment, wherever applicable, from a laboratory accredited or recognised by the exporting country. In case of any doubt, the customs may verify the analysis.

14. Procedure for Export of hazardous and other wastes from India. — (1) Any occupier intending to export waste specified in Part A of Schedule III, Part B of Schedule III and Schedule VI, shall make an application in **Form 5** along with insurance cover to the Ministry of Environment, Forest and Climate Change for the proposed transboundary movement of the hazardous and other wastes together with the prior informed consent in writing from the importing country in respect of wastes specified in Part A of Schedule III and Schedule VI.

- (2) On receipt of an application under sub-rule (1), the Ministry of Environment, Forest and Climate Change may give permission for the proposed export within a period of sixty days from the date of submission of complete application and may impose such conditions as it may consider necessary.
- (3) The Ministry of Environment, Forest and Climate Change shall forward a copy of the permission granted under sub-rule (2) to the State Pollution Control Board of the State where the waste is generated and the Pollution Control Board of the State where the port of export is located and the concerned Port and Customs authorities for ensuring compliance of the conditions of the export permission.
- (4) The exporter shall ensure that no consignment is shipped before the prior informed consent is received from the importing country, wherever applicable.
- (5) The exporter shall also ensure that the shipment is accompanied with movement document in **Form 6**.
- (6) The exporter of the hazardous and other wastes shall maintain the records of the hazardous or other waste exported by him in **Form 3** and the record so maintained shall be available for inspection.

15. Illegal traffic. — (1) The export and import of hazardous or other wastes from and into India, respectively 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 or other waste in contravention of the Basel Convention and of general principles of international or domestic law.

- (2) In case of illegal import of the hazardous or other waste, the importer shall re-export the waste in question at his cost within a period of ninety days from the date of its arrival into India and its implementation will be ensured by the concerned Port and the Custom authority. In case of disposal of such waste by the Port and Custom authorities, they shall do so in accordance with these rules with the permission of the Pollution Control Board of the State where the Port exists.
- (3) In case of illegal import of hazardous or other waste, where the importer is not traceable then the waste either can be sold by the Customs authority to any user having authorisation under these rules from the concerned State Pollution Control Board or can be sent to authorised treatment, storage and disposal facility.

CHAPTER IV

TREATMENT, STORAGE AND DISPOSAL FACILITY FOR HAZARDOUS AND OTHER WASTES

- 16. Treatment, storage and disposal facility for hazardous and other wastes.** — (1) The State Government, occupier, operator of a facility or any association of occupiers shall individually or jointly or severally be responsible for identification of sites for establishing the facility for treatment, storage and disposal of the hazardous and other waste 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.
 - (3) The State Pollution Control Board shall monitor the setting up and operation of the common or captive treatment, storage and disposal facility, regularly.
 - (4) The operator of common facility or occupier of a captive facility shall be responsible for safe and environmentally sound operation of the facility and its closure and post closure phase, as per guidelines or standard operating procedures issued by the Central Pollution Control Board from time to time.
 - (5) The operator of common facility or occupier of a captive facility shall maintain records of hazardous and other wastes handled by him in **Form 3**.
 - (6) The operator of common facility or occupier of a captive facility shall file an annual return in **Form 4** to the State Pollution Control Board on or before the 30th day of June following the financial year to which that return relates.

CHAPTER V

PACKAGING, LABELLING, AND TRANSPORT OF HAZARDOUS AND OTHER WASTES.

- 17. Packaging and Labelling.** — (1) Any occupier handling hazardous or other wastes and operator of the treatment, storage and disposal facility shall ensure that the hazardous and other wastes are packaged 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. The labelling shall be done as per **Form 8**.
- (2) The label shall be of non-washable material, weather proof and easily visible.
- 18. Transportation of hazardous and other wastes.** — (1) The transport of the hazardous and other waste 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 the guidelines issued by the Central Pollution Control Board from time to time in this regard.

- (2) The occupier shall provide the transporter with the relevant information in **Form 9**, regarding the hazardous nature of the wastes and measures to be taken in case of an emergency and shall label the hazardous and other wastes containers as per **Form 8**.
- (3) In case of transportation of hazardous and other waste for final disposal to a facility existing in a State other than the State where the waste is generated, the sender shall obtain 'No Objection Certificate' from the State Pollution Control Board of both the States.
- (4) In case of transportation of hazardous and other waste for recycling or utilisation including co-processing, the sender shall intimate both the State Pollution Control Boards before handing over the waste to the transporter.
- (5) In case of transit of hazardous and other waste for recycling, utilisation including co-processing or disposal through a State other than the States of origin and destination, the sender shall give prior intimation to the concerned State Pollution Control Board of the States of transit before handing over the wastes to the transporter.
- (6) In case of transportation of hazardous and other waste, the responsibility of safe transport shall be either of the sender or the receiver whosoever arranges the transport and has the necessary authorisation for transport from the concerned State Pollution Control Board. This responsibility should be clearly indicated in the manifest.
- (7) The authorisation for transport shall be obtained either by the sender or the receiver on whose behalf the transport is being arranged.

19. Manifest system (Movement Document) for hazardous and other waste to be used within the country only. — (1) The sender of the waste shall prepare seven copies of the manifest in **Form 10** comprising of colour code indicated below and all seven copies shall be signed by the sender:

Copy number with colour code	Purpose
(1)	(2)
Copy 1 (White)	To be forwarded by the sender to the State Pollution Control Board after signing all the seven copies.
Copy 2 (Yellow)	To be retained by the sender after taking signature on it from the transporter and the rest of the five signed copies to be carried by the transporter.
Copy 3 (Pink)	To be retained by the receiver (actual user or treatment storage and disposal facility operator) after receiving the waste and the remaining four copies are to be duly signed by the receiver.
Copy 4 (Orange)	To be handed over to the transporter by the receiver after accepting waste.
Copy 5 (Green)	To be sent by the receiver to the State Pollution Control Board.
Copy 6 (Blue)	To be sent by the receiver to the sender.
Copy 7 (Grey)	To be sent by the receiver to the State Pollution Control Board of the sender in case the sender is in another State.

- (2) The sender shall forward copy 1 (white) to the State Pollution Control Board, and in case the hazardous or other wastes is likely to be transported through any transit State, the sender shall intimate State Pollution Control Boards of transit States about the movement of the waste.
- (3) No transporter shall accept waste from the sender for transport unless it is accompanied by signed copies 3 to 7 of the manifest.
- (4) The transporter shall submit copies 3 to 7 of the manifest duly signed with date to the receiver along with the waste consignment.

- (5) The receiver after acceptance of the waste shall hand over copy 4 (orange) to the transporter and send copy 5 (green) to his State Pollution Control Board and send copy 6 (blue) to the sender and the copy 3 (pink) shall be retained by the receiver.
- (6) The copy 7 (grey) shall only be sent to the State Pollution Control Board of the sender, if the sender is in another State.

CHAPTER VI MISCELLANIOUS

- 20. Records and returns.** — (1) The occupier handling hazardous or other wastes and operator of disposal facility shall maintain records of such operations in **Form 3**.
- (2) The occupier handling hazardous and other wastes and operator of disposal facility shall send annual returns to the State Pollution Control Board in **Form 4**.
 - (3) The State Pollution Control Board based on the annual returns received from the occupiers and the operators of the facilities for disposal of hazardous and other wastes shall prepare an annual inventory of the waste generated; waste recycled, recovered, utilised including co- processed; waste re-exported and waste disposed and submit to the Central Pollution Control Board by the 30th day of September every year. The State Pollution Control Board shall also prepare the inventory of hazardous waste generators, actual users, and common and captive disposal facilities and shall submit the information to Central Pollution Control Board every two years.
 - (4) The Central Pollution Control Board shall prepare the consolidated review report on management of hazardous and other wastes and forward it to the Ministry of Environment, Forest and Climate Change, along with its recommendations before the 30th day of December once in every year.
- 21. Responsibility of authorities.** — The authority specified in column (2) of Schedule VII shall perform the duties as specified in column (3) of the said Schedule subject to the provisions of these rules.
- 22. Accident reporting.** — Where an accident occurs at the facility of the occupier handling hazardous or other wastes and operator of the disposal facility or during transportation, the occupier or the operator or the transporter shall immediately intimate the State Pollution Control Board through telephone, e-mail about the accident and subsequently send a report in **Form 11**.
- 23. Liability of occupier, importer or exporter and operator of a disposal facility.** —
- (1) The occupier, importer or exporter and operator of the disposal facility shall be liable for all damages caused to the environment or third party due to improper handling and management of the hazardous and other waste.
 - (2) The occupier and the operator of the disposal 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.
- 24. Appeal.** — (1) Any person aggrieved by an order of suspension or cancellation or refusal of authorisation 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 12** to the Appellate Authority, namely, the Environment Secretary of the State.
- (2) The Appellate Authority may entertain the appeal after 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.
 - (3) 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 (1) (17) (i)]

List of processes generating hazardous wastes

S. No.	Processes	Hazardous Waste*
(1)	(2)	(3)
1.	Petrochemical processes and pyrolytic operations	1.1 Furnace or reactor residue and debris 1.2 Tarry residues and still bottoms from distillation 1.3 Oily sludge emulsion 1.4 Organic residues 1.5 Residues from alkali wash of fuels 1.6 Spent catalyst and molecular sieves 1.7 Oil from wastewater treatment
2.	Crude oil and natural gas production	2.1 Drill cuttings excluding those from water based mud 2.2 Sludge containing oil 2.3 Drilling mud containing oil
3.	Cleaning, emptying and maintenance of petroleum oil storage tanks including ships	3.1 cargo residue, washing water and sludge containing oil 3.2 cargo residue and sludge containing chemicals 3.3 Sludge and filters contaminated with oil 3.4 Ballast water containing oil from ships
4.	Petroleum refining or re-processing of used oil or recycling of waste oil	4.1 Oil sludge or emulsion 4.2 Spent catalyst 4.3 Slop oil 4.4 Organic residue from processes 4.5 Spent clay containing oil
5.	Industrial operations using mineral or synthetic oil as lubricant in hydraulic systems or other applications	5.1 Used or spent oil 5.2 Wastes or residues containing oil 5.3 Waste cutting oils
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 or dust or ash or skimmings in dispersible form 6.3 Other residues from processing of zinc ash or skimmings 6.4 Flue gas dust and other particulates
7.	Primary production of zinc or lead or 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 and residue. 7.5 Sludge from scrubbers
8.	Secondary production of copper	8.1 Spent electrolytic solutions 8.2 Sludge 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 or particulate from flue gas 9.3 Acid from used batteries
10.	Production and/or industrial use of cadmium and arsenic and their compounds	10.1 Residues containing cadmium and arsenic
11.	Production of primary and secondary aluminum	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 Drosses and waste from treatment of salt sludge 11.6 Used anode butts 11.7 Vanadium sludge from alumina refineries
12.	Metal surface treatment, such as etching, staining, polishing, galvanizing, cleaning, degreasing, plating, etc.	12.1 Acidic and alkaline residues 12.2 Spent acid and alkali 12.3 Spent bath and sludge containing sulphide, cyanide and toxic metals 12.4 Sludge from bath containing organic 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 furnace; steel rolling and finishing mills; Coke oven and by products plant)	13.1 Spent pickling liquor 13.2 Sludge from acid recovery unit 13.3 Benzol acid sludge 13.4 Decanter tank tar sludge 13.5 Tar storage tank residue 13.6 Residues from coke oven by product plant.
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 or particulates from exhaust gas treatment.
16.	Production of caustic soda and chlorine	16.1 Mercury bearing sludge generated from mercury cell process 16.2 Residue or sludges and filter cakes 16.3 Brine sludge
17.	Production of mineral acids	17.1 Process acidic residue, filter cake, dust 17.2 Spent catalyst
18.	Production of nitrogenous and complex fertilizers	18.1 Spent catalyst 18.2 Carbon residue 18.3 Sludge or residue containing arsenic 18.4 Chromium sludge from water cooling tower
19.	Production of phenol	19.1 Residue or sludge containing phenol 19.2 Spent catalyst
20.	Production and/or industrial use of solvents	20.1 Contaminated aromatic, aliphatic or naphthenic solvents may or may not be fit for

		reuse. 20.2 Spent solvents 20.3 Distillation residues 20.4 Process Sludge
21.	Production and/or industrial use of paints, pigments, lacquers, varnishes and inks	21.1 Process wastes, residues and sludges 21.2 Spent solvent
22.	Production of plastics	22.1 Spent catalysts 22.2 Process residues
23.	Production and /or industrial use of glues, organic cements, adhesive and resins	23.1 Wastes or residues (not made with vegetable or animal materials) 23.2 Spent solvents
24.	Production of canvas and 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 industrial use of synthetic dyes, dye-intermediates and pigments	26.1 Process waste sludge/residues containing acid, toxic metals, organic compounds 26.2 Dust from air filtration system 26.3 Spent acid 26.4 Spent solvent 26.5 Spent catalyst
27.	Production of organic-silicone compound	27.1 Process residues
28.	Production/formulation of drugs/pharmaceutical and health care product	28.1 Process Residue and wastes 28.2 Spent catalyst 28.3 Spent carbon 28.4 Off specification products 28.5 Date-expired products 28.6 Spent solvents
29.	Production, and formulation of pesticides including stock-piles	29.1 Process wastes or residues 29.2 Sludge containing residual pesticides 29.3 Date-expired and off-specification pesticides 29.4 Spent solvents 29.5 Spent catalysts 29.6 Spent acids
30.	Leather tanneries	30.1 Chromium bearing residue and sludge
31.	Electronic Industry	31.1 Process residue and wastes 31.2 Spent etching chemicals and solvents
32.	Pulp and Paper Industry	32.1 Spent chemicals 32.2 Corrosive wastes arising from use of strong acid and bases 32.3 Process sludge containing absorbable organic halides(AOX)
33.	Handling of hazardous chemicals and wastes	33.1 Empty barrels/containers/ liners contaminated with hazardous chemicals /wastes 33.2 Contaminated cotton rags or other cleaning materials
34.	De-contamination of barrels / containers used for handling of	34.1 Chemical-containing residue arising from decontamination.

	hazardous wastes/chemicals	34.2 Sludge from treatment of wastewater arising out of cleaning / disposal of barrels / containers
35.	Purification and treatment of exhaust air/gases, water and waste water from the processes in this schedule and common industrial effluent treatment plants (CETP's)	35.1 Exhaust Air or Gas cleaning residue 35.2 Spent ion exchange resin containing toxic metals 35.3 Chemical sludge from waste water treatment 35.4 Oil and grease skimming 35.5 Chromium sludge from cooling water
36.	Purification process for organic compounds/solvents	36.1 Any process or distillation residue 36.2 Spent carbon or filter medium
37.	Hazardous waste treatment processes, e.g. pre-processing, incineration and concentration	37.1 Sludge from wet scrubbers 37.2 Ash from incinerator and flue gas cleaning residue 37.3 Concentration or evaporation residues
38.	Chemical processing of Ores containing heavy metals such as Chromium, Manganese, Nickel, Cadmium etc.	38.1 Process residues 38.2 Spent acid

* The inclusion of wastes contained in this Schedule does not preclude the use of Schedule II to demonstrate that the waste is not hazardous. In case of dispute, the matter would be referred to the Technical Review Committee constituted by Ministry of Environment, Forest and Climate Change.

Note: The high volume low effect wastes such as fly ash, Phosphogypsum, red mud, jarosite, 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 Central Pollution Control Board.

SCHEDULE II

[See rule 3 (1) (17) (ii)]

List of waste constituents with concentration limits

Class A: Based on leachable concentration limits [Toxicity Characteristic Leaching Procedure (TCLP) or Soluble Threshold Limit Concentration (STLC)]

Class	Constituents	Concentration in mg/l
(1)	(2)	(3)
A1	Arsenic	5.0
A2	Barium	100.0
A3	Cadmium	1.0
A4	Chromium and/or Chromium (III) compounds	5.0
A5	Lead	5.0
A6	Manganese	10.0
A7	Mercury	0.2
A8	Selenium	1.0
A9	Silver	5.0
A10	Ammonia	50*
A11	Cyanide	20*

Class	Constituents	Concentration in mg/l
A12	Nitrate (as nitrate-nitrogen)	1000.0
A13	Sulphide (as H ₂ S)	5.0
A14	1,1-Dichloroethylene	0.7
A15	1,2-Dichloroethane	0.5
A16	1,4-Dichlorobenzene	7.5
A17	2,4,5-Trichlorophenol	400.0
A18	2,4,6-Trichlorophenol	2.0
A19	2,4-Dinitrotoluene	0.13
A20	Benzene	0.5
A21	Benzo (a) Pyrene	0.001
A22	Bromodichloromethane	6.0
A23	Bromoform	10.0
A24	Carbon tetrachloride	0.5
A25	Chlorobenzene	100.0
A26	Chloroform	6.0
A27	Cresol (ortho+ meta+ para)	200.0
A28	Dibromochloromethane	10.0
A29	Hexachlorobenzene	0.13
A30	Hexachlorobutadiene	0.5
A31	Hexachloroethane	3.0
A32	Methyl ethyl ketone	200.0
A33	Naphthalene	5.0
A34	Nitrobenzene	2.0
A35	Pentachlorophenol	100.0
A36	Pyridine	5.0
A37	Tetrachloroethylene	0.7
A38	Trichloroethylene	0.5
A39	Vinyl chloride	0.2
A40	2,4,5-TP (Silvex)	1.0
A41	2,4-Dichlorophenoxyacetic acid	10.0
A42	Alachlor	2.0
A43	Alpha HCH	0.001
A44	Atrazine	0.2
A45	Beta HCH	0.004
A46	Butachlor	12.5
A47	Chlordane	0.03
A48	Chlorpyrifos	9.0
A49	Delta HCH	0.004
A50	Endosulfan (alpha+ beta+ sulphate)	0.04
A51	Endrin	0.02
A52	Ethion	0.3
A53	Heptachlor (& its Epoxide)	0.008
A54	Isoproturon	0.9
A55	Lindane	0.4

Class	Constituents	Concentration in mg/l
A56	Malathion	19
A57	Methoxychlor	10
A58	Methyl parathion	0.7
A59	Monocrotophos	0.1
A60	Phorate	0.2
A61	Toxaphene	0.5
A62	Antimony	15
A63	Beryllium	0.75
A64	Chromium (VI)	5.0
A65	Cobalt	80.0
A66	Copper	25.0
A67	Molybdenum	350
A68	Nickel	20.0
A69	Thallium	7.0
A70	Vanadium	24.0
A71	Zinc	250
A72	Fluoride	180.0
A73	Aldrin	0.14
A74	Dichlorodiphenyltrichloroethane (DDT), Dichlorodiphenyldichloroethylene (DDE), Dichlorodiphenyldichloroethane (DDD)	0.1
A75	Dieldrin	0.8
A76	Kepone	2.1
A77	Mirex	2.1
A78	Polychlorinated biphenyls	5.0
A79	Dioxin (2,3,7,8-TCDD)	0.001

Class B: Based on Total Threshold Limit Concentration (TTLC)

Class	Constituent	Concentration in mg/kg
(1)	(2)	(3)
B1	Asbestos	10000
B2	Total Petroleum Hydrocarbons (TPH) (C5 - C36)	5,000

Note:

- (1) The testing method for list of constituents at A1 to A61 in Class-A, shall be based on Toxicity Characteristic Leaching Procedure (TCLP) and for extraction of leachable constituents, USEPA Test Method 1311 shall be used.
- (2) The testing method for list of constituents at A62 to A79 in Class- A, shall be based on Soluble Threshold Limit Concentration (STLC) and Waste Extraction Test (WET) Procedure given in Appendix II of section 66261 of Title 22 of California Code regulation (CCR) shall be used.
- (3) In case of ammonia (A10), cyanide (A11) and chromium VI (A64), extractions shall be conducted using distilled water in place of the leaching media specified in the TCLP/STLC procedures.
- (4) A summary of above specified leaching/extraction procedures is included in manual for

characterization and analysis of hazardous waste published by Central Pollution Control Board and in case the method is not covered in the said manual, suitable reference method may be adopted for the measurement.

- (5) In case of asbestos, the specified concentration limits apply only if the substances are in a friable, powdered or finely divided state.
- (6) The hazardous constituents to be analyzed in the waste shall be relevant to the nature of the industry and the materials used in the process.

Wastes which contain any of the constituents listed below shall be considered as hazardous, provided they exhibit the characteristics listed in Class-C of this Schedule:

1.	Acid Amides
2.	Acid anhydrides
3.	Amines
4.	Anthracene
5.	Aromatic compounds other than those listed in Class A
6.	Bromates, (hypo-bromites)
7.	Chlorates (hypo-chlorites)
8.	Carbonyls
9.	Ferro-silicate and alloys
10.	Halogen- containing compounds which produce acidic vapours on contact with humid air or water e.g. silicon tetrachloride, aluminum chloride, titanium tetrachloride
11.	Halogen- silanes
12.	Halogenated Aliphatic Compounds
13.	Hydrazine (s)
14.	Hydrides
15.	Inorganic Acids
16.	Inorganic Peroxides
17.	Inorganic Tin Compounds
18.	Iodates
19.	(Iso- and thio-) Cyanates
20.	Manganese-silicate
21.	Mercaptans
22.	Metal Carbonyls
23.	Metal hydrogen sulphates
24.	Nitrides
25.	Nitriles
26.	Organic azo and azoxy Compounds
27.	Organic Peroxides
28.	Organic Oxygen Compounds
29.	Organic Sulphur Compounds
30.	Organo- Tin Compounds
31.	Organo nitro- and nitroso compounds
32.	Oxides and hydroxides except those of hydrogen, carbon, silicon, iron, aluminum, titanium, manganese, magnesium, calcium
33.	Phenanthrene
34.	Phenolic Compounds
35.	Phosphate compounds except phosphates of aluminum, calcium and iron

36.	Salts of pre-acids
37.	Total Sulphur
38.	Tungsten Compounds
39.	Tellurium and tellurium compounds
40.	White and Red Phosphorus
41.	2-Acetylaminofluorene
42.	4-Aminodiphenyl
43.	Benzidine and its salts
44.	Bis (Chloromethyl) ether
45.	Methyl chloromethyl ether
46.	1,2-Dibromo-3-chloropropane
47.	3,3'-Dichlorobenzidine and its salts
48.	4-Dimethylaminoazobenzene
49.	4-Nitrobiphenyl
50.	Beta-Propiolactone

CLASS C: Based on hazardous Characteristics

Apart from the concentration limit given above, the substances or wastes shall be classified as hazardous waste if it exhibits any of the following characteristics due to the presence of any hazardous constituents:

Class C1: Flammable— A waste exhibits the characteristic of flammability or ignitability if a representative sample of the waste has any of the following properties, namely: -

- (i) flammable liquids, or mixture of liquids, or liquids containing solids in solution or suspension (for example, paints, varnishes, lacquers, etc; but not including substances or wastes otherwise classified on account of their dangerous characteristics), which give off a flammable vapour at temperature less than 60°C. This flash point shall be measured as per ASTM D 93-79 closed-cup test method or as determined by an equivalent test method published by Central Pollution Control Board;
- (ii) it is not a liquid and is capable, under standard temperature and pressure, of causing fire through friction, absorption of moisture or spontaneous chemical changes and, when ignited, burns vigorously and persistently creating a hazard;
- (iii) it is an ignitable compressed gas;
- (iv) It is an oxidizer and for the purposes of characterisation is a substance such as a chlorate, permanganate, inorganic peroxide, or a nitrate, that yields oxygen readily to stimulate the combustion of organic matter.

Class C2: Corrosive- A waste exhibits the characteristic of corrosivity if a representative sample of the waste has either of the following properties, namely: -

- (i) it is aqueous and has a pH less than or equal to 2 or greater than or equal to 12.5;
- (ii) it is a liquid and corrodes steel (SAE 1020) at a rate greater than 6.35 mm per year at a test temperature of 55 °C;
- (iii) it is not aqueous and, when mixed with an equivalent weight of water, produces a solution having a pH less than or equal to 2 or greater than or equal to 12.5;
- (iv) it is not a liquid and, when mixed with an equivalent weight of water, produces a liquid that corrodes steel (SAE1020) at a rate greater than 6.35 mm per year at a test temperature of 55 °C.

Note: For the purpose of determining the corrosivity, the Bureau of Indian Standard 9040 C

method for pH determination, NACE TM 01 69: Laboratory Corrosion Testing of Metals and EPA 1110A method for corrosivity towards steel (SAE1020) to establish the corrosivity characteristics shall be adopted.

Class C3: Reactive or explosive— A waste exhibits the characteristic of reactivity if a representative sample of the waste it has any of the following properties, namely: -

- (i) it is normally unstable and readily undergoes violent change without detonating;
- (ii) it reacts violently with water or forms potentially explosive mixtures with water;
- (iii) when mixed with water, it generates toxic gases, vapours or fumes in a quantity sufficient to present a danger to human health or the environment;
- (iv) it is a cyanide or sulphide bearing waste which, when exposed to pH conditions between 2 and 12.5, can generate toxic gases, vapours or fumes in a quantity sufficient to present a danger to human health or the environmental;
- (v) it is capable of detonation or explosive reaction if it is subjected to a strong initiating source or if heated under confinement;
- (vi) it is readily capable of detonation or explosive decomposition or reaction at standard temperature and pressure;
- (vii) it is a forbidden explosive.

Class C4: Toxic— A waste exhibits the characteristic of toxicity, if, -

- (i) the concentration of the waste constituents listed in Class A and B (of this schedule) are equal to or more than the permissible limits prescribed therein;
- (ii) it has an acute oral LD50 less than 2,500 milligrams per kilogram;
- (iii) it has an acute dermal LD50 less than 4,300 milligrams per kilogram;
- (iv) it has an acute inhalation LC50 less than 10,000 parts per million as a gas or vapour;
- (v) it has acute aquatic toxicity with 50% mortality within 96 hours for zebra fish (*Brachidanio rerio*) at a concentration of 500 milligrams per litre in dilution water and test conditions as specified in BIS test method 6582 – 2001.
- (vi) it has been shown through experience or by any standard reference test- method to pose a hazard to human health or environment because of its carcinogenicity, mutagenicity, endocrine disruptivity, acute toxicity, chronic toxicity, bio-accumulative properties or persistence in the environment.

Class C5: Substances or Wastes liable to spontaneous combustion — Substances or Wastes which are liable to spontaneous heating under normal conditions encountered in transport, or to heating up on contact with air, and being then liable to catch fire.

Class C6: Substances or Wastes which, in contact with water emit flammable gases — Substances or Wastes which, by interaction with water, are liable to become spontaneously flammable or to give off flammable gases in dangerous quantities.

Class C5: Oxidizing — Substances or Wastes which, while in themselves not necessarily combustible, may, generally by yielding oxygen cause, or contribute to, the combustion of other materials.

Class C8: Organic Peroxides — Organic substances or Wastes which contain the bivalent O–O structure, which may undergo exothermic self-accelerating decomposition.

Class C9: Poisons (acute) — Substances or Wastes liable either to cause death or serious injury or to harm human health if swallowed or inhaled or by skin contact.

Class C10: Infectious — Substances or Wastes containing viable micro-organisms or their toxins which are known or suspected to cause disease in animals or humans.

Class C11: Liberation of toxic gases in contact with air or water — Substances or Wastes which, by interaction with air or water, are liable to give off toxic gases in dangerous quantities.

Class C12: Eco-toxic — Substances or Wastes which if released, present or may present immediate or delayed adverse impacts to the environment by means of bioaccumulation or toxic effects upon biotic systems or both.

Class C13: Capable, by any means, after disposal, of yielding another material, e.g., leachate, which possesses any of the characteristics listed above.

SCHEDULE III

[See rules 3 (1) (17) (iii), 3 (23), 12, 13 and 14]

Part A

List of hazardous wastes applicable for import and export with Prior Informed Consent [Annexure VIII of the Basel Convention*]

Basel No.	Description of Hazardous Wastes
(1)	(2)
A1	Metal and Metal bearing wastes
A1010	Metal wastes and waste consisting of alloys of any of the following but excluding such wastes specifically listed in Part B and Part D
	- Antimony
	- Cadmium
	- Lead
	- Tellurium
A1020	Waste having as constituents or contaminants, excluding metal wastes in massive form, any or the following:
	- Antimony, antimony compounds
	- Cadmium, cadmium compounds
	- Lead, lead compounds
	- Tellurium, tellurium compounds
A1040	Waste having metal carbonyls as constituents
A1050	Galvanic sludges
A1070	Leaching residues from zinc processing, dust and sludges such as jarosite, hematite, etc.
A1080	Waste zinc residues not included in Part B, containing lead and cadmium in concentrations sufficient to exhibit hazard characteristics indicated in Part C
A1090	Ashes from the incineration of insulated copper wire
A1100	Dusts and residues from gas cleaning systems of copper smelters
A1120	Waste sludges, excluding anode slimes, from electrolyte purification systems in copper electrorefining and electrowinning operations
A1140	Waste cupric chloride and copper cyanide catalysts not in liquid form note the related entry in Schedule VI
A1150	Precious metal ash from incineration of printed circuit boards not included in Part B

A1160	Waste lead acid batteries, whole or crushed
A1170	Unsorted waste batteries excluding mixtures of only Part B batteries. Waste batteries not specified in Part B containing constituents mentioned in Schedule II to an extent to render them hazardous
A2	Wastes containing principally inorganic constituents, which may contain metals and organic materials
A2010	Glass waste from cathode-ray tubes and other activated glasses
A2030	Waste catalysts but excluding such wastes specified in Part B
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 or adhesives excluding such wastes specified in Part B (B4020)
A3120	Fluff-light fraction from shredding
A3130	Waste organic phosphorus compounds
A4	Wastes which may contain either inorganic or organic constituents
A4010	Wastes from the production, preparation and use of pharmaceutical products but excluding such waste specified in Part B
A4040	Wastes from the manufacture, formulation and use of wood-preserving chemicals (does not include wood treated with wood preserving chemicals)
A4070	Waste from the production, formulation and use of inks, dyes, pigments, paints, lacquers, varnish excluding those specified in Part B (B4010)
A4100	Wastes from industrial pollution control devices for cleaning of industrial off-gases but excluding such wastes specified in Part B
A4120	Wastes that contain, consist of or are contaminated with peroxides.
A4130	Wastes packages and containers containing Schedule II constituents in concentration sufficient to exhibit Part C of Schedule III hazard characteristics.
A4140	Waste consisting of or containing off specification or outdated chemicals (unused within the period recommended by the manufacturer) corresponding to constituents mentioned in Schedule II and exhibiting Part C of Schedule III hazard characteristics.
A4160	Spent activated carbon not included in Part B, B2060

*This List is based on Annexure 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 Annexure VIII of the Basel Convention (Part C of this Schedule) to demonstrate that the wastes are not hazardous. **Hazardous wastes in Part-A are restricted and cannot be allowed to be imported without permission from the Ministry of Environment, Forest and Climate Change and the Directorate General of Foreign Trade license, if applicable.**

Part B

List of other wastes applicable for import and export and not requiring Prior Informed Consent [Annex IX of the Basel Convention*]

Basel No. (1)	Description of wastes (2)
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 bulk finished form (sheet, plates, beams, rods, etc.), of:	
	- Antimony scrap	
	- Beryllium scrap	
	- Cadmium scrap	
	- Lead scrap (excluding lead acid batteries)	
	- Selenium scrap	
	- Tellurium scrap	
B1030	Refractory metals containing residues	
B1031	Molybdenum, tungsten, titanium, tantalum, niobium and rhenium metal and metal alloy wastes in metallic dispersible form (metal powder), excluding such wastes as specified in Part A under entry A1050, Galvanic sludges	
B1040	Scrap assemblies from electrical power generation not contaminated with lubricating oil, PCB or PCT to an extent to render them hazardous	
B1050	Mixed non-ferrous metal, heavy fraction scrap, containing cadmium, antimony, lead & tellurium mentioned in Schedule II in concentrations sufficient to exhibit Part C characteristics	
B1060	Waste selenium and tellurium in metallic elemental form including powder	
B1070	Waste of copper and copper alloys in dispersible form, unless they contain any of the constituents mentioned in Schedule II to an extent that they exhibit Part C characteristics	
B1080	Zinc ash and residues including zinc alloys residues in dispersible form unless they contain any of the constituents mentioned in Schedule II in concentration such as to exhibit Part C characteristics	
B1090	Waste batteries conforming to a standard battery specification, excluding those made with lead, cadmium or mercury	
B1100	Metal bearing wastes arising from melting, smelting and refining of metals:	
	- Slags from copper processing for further processing or refining containing arsenic, lead or cadmium	
	- Slags from precious metals processing for further refining	
	- Wastes of refractory linings, including crucibles, originating from copper smelting	
	- Tantalum-bearing tin slags with less than 0.5% tin	
B1110	Used Electrical and electronic assemblies other than those listed in Part D of Schedule III	
	Electronic assemblies consisting only of metals or alloys Waste electrical and electronic assemblies or scrap (including printed circuit boards) not containing components such as accumulators and other batteries included in Part A of Schedule III, mercury-switches, glass from cathode-ray tubes and other activated glass and PCB-capacitors, or not contaminated with Schedule II constituents such as cadmium, mercury, lead, polychlorinated biphenyl) or from which these have been removed, to an extent that they do not possess any of the characteristics contained in Part C of Schedule III (note the related entry in Schedule VI, A1180)	
B1120	Spent catalysts excluding liquids used as catalysts, containing any of: Transition metals, excluding waste catalysts (spent catalysts, liquid used catalysts or other catalysts) in Part A and Schedule VI:	
	- Scandium	- Titanium
	- Vanadium-	- Chromium
	- Manganese-	- Iron
	- Cobalt-	- Nickel
	- Copper-	- Zinc
	- Yttrium-	- Zirconium
	- Niobium-	- Molybdenum
	- Hafnium-	- Tantalum
	- Tungsten-	- Rhenium
	Lanthanides (rare earth metals):	

	- Lanthanum	- Cerium
	- Praseodymium	- Neodymium
	- 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 group but not mercury) in a dispersible form, non-liquid form with appropriate packaging and labelling	
B1160	Precious metal ash from the incineration of printed circuit boards (note the related entry in Part A A1150)	
B1170	Precious metal ash from the incineration of photographic film	
B1180	Waste photographic film containing silver halides and metallic silver	
B1190	Waste photographic paper containing silver halides and metallic silver	
B1200	Granulated slag arising from the manufacture of iron and steel	
B1210	Slag arising from the manufacture of iron and steel including slags as a source of Titanium dioxide and Vanadium	
B1220	Slag from zinc production, chemically stabilised, having a high iron content (above 20%) and processed according to industrial specifications mainly for construction	
B1230	Mill scale arising from the manufacture of iron and steel	
B1240	Copper Oxide mill-scale	
B2	Wastes containing principally inorganic constituents, which may contain metals and organic materials	
B2010	Wastes from mining operations in non-dispersible form:	
	- Natural graphite waste	
	- Slate wastes	
	- Mica wastes	
	- Leucite, nepheline and nepheline syenite waste	
	- Feldspar waste	
	- Fluorspar waste	
	- Silica wastes in solid form excluding those used in foundry operations	
B2020	Glass wastes in non-dispersible form:	
	- Cullet and other waste and scrap of glass except for glass from cathode-ray tubes and other 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 gas desulphurization (FGD)	
	- Waste gypsum wallboard or plasterboard arising from the demolition of buildings	
	- Slag from copper production, chemically stabilized, having a high iron content (above 20%) and processed according to industrial specifications mainly for construction and abrasive applications	
	- Sulphur in solid form	
	- Limestone from production of calcium cyanamide (pH<9)	
	- Sodium, potassium, calcium chlorides	
	- Carborundum (silicon carbide)	

	<ul style="list-style-type: none"> - Broken concrete - Lithium-tantalum and lithium-niobium containing glass scraps
B2060	Spent activated carbon not containing any of Schedule II constituents to the extent they exhibit Part C characteristics, for example, carbon resulting from the treatment of potable water and processes of the food industry and vitamin production (note the related entry in Part A A4160)
B2070	Calcium fluoride sludge
B2080	Waste gypsum arising from chemical industry processes not included in Schedule VI (note the related entry in A2040)
B2090	Waste anode butts from steel or aluminium production made of petroleum coke or bitumen and cleaned to normal industry specifications (excluding anode butts from chlor alkali electrolyses and from metallurgical industry)
B2100	Waste hydrates of aluminium and waste alumina and residues from alumina production, excluding such materials used for gas cleaning, flocculation or filtration processes
B2130	Bituminous material (asphalt waste) from road construction and maintenance, not containing tar (note the related entry in Schedule VI, A3200)
B3	Wastes containing principally organic constituents, which may contain metals and inorganic materials
¹ [B3010	post-industrial or pre-consumer polyethylene waste Polymethyl Methacrylate]
B3027	Self-adhesive label laminate waste containing raw materials used in label material production
² [B3030	
B3035 ***]	
B3040	Rubber Wastes The following materials, provided they are not mixed with other wastes: <ul style="list-style-type: none"> - Waste and scrap of hard rubber (e.g., ebonite) - Other rubber wastes (excluding such wastes specified elsewhere)
B3050	Untreated cork and wood waste: <ul style="list-style-type: none"> - Wood waste and scrap, whether or not agglomerated in logs, briquettes, pellets or similar forms - Cork waste: crushed, granulated or ground cork
B3060	Wastes arising from agro-food industries provided it is not infectious: <ul style="list-style-type: none"> - Wine lees - Dried and sterilized vegetable waste, residues and by-products, whether or not in the form of pellets, of a kind used in animal feeding, not elsewhere specified or included - Degras: residues resulting from the treatment of fatty substances or animal or vegetable waxes - Waste of bones and horn-cores, unworked, defatted, simply prepared (but not cut to shape), treated with acid or degelatinised - Fish waste - Cocoa shells, husks, skins and other cocoa waste - Other wastes from the agro-food industry excluding by-products which meet national and international requirements and standards for human or animal consumption
B3070	The following wastes: <ul style="list-style-type: none"> - Waste of human hair - Waste straw - Deactivated fungus mycelium from penicillin production to be used as animal feed

¹ Inserted by G.S.R. 47 (E) dated 27.01.2021

² Omitted by G.S.R. 47 (E) dated 27.01.2021

B3080	Waste parings and scrap of rubber
B3090	Paring and other wastes of leather or of composition leather not suitable for the manufacture of leather articles, excluding leather sludges, not containing hexavalent chromium compounds and biocides (note the related entry in Schedule VI, A3100)
B3100	Leather dust, ash, sludges or flours not containing hexavalent chromium compounds or biocides (note the related entry in Schedule VI, A3090)
B3110	Fellmongery wastes not containing hexavalent chromium compounds or biocides or infectious substances (note the related entry in Schedule VI, A3110)
B3120	Wastes consisting of food dyes
B3130	Waste polymer ethers and waste non-hazardous monomer ethers incapable of forming peroxides
B3140	Waste pneumatic and other tyres, excluding those which do not lead to resource recovery, recycling, reclamation but not for direct reuse
B4	Wastes which may contain either inorganic or organic constituents
B4010	Wastes consisting mainly of water-based or latex paints, inks and hardened varnishes not containing organic solvents, heavy metals or biocides to an extent to render them hazardous (note the related entry in Part A, A4070)
B4020	Wastes from production, formulation and use of resins, latex, plasticizers, glues or adhesives, not listed in Part A, free of solvents and other contaminants to an extent that they do not exhibit Part C characteristics (note the related entry in Part A, A3050)
B4030	Used single-use cameras, with batteries not included in Part A

* This list is based on Annexure IX of the Basel Convention on Transboundary Movement of Hazardous Wastes and comprises of wastes not characterized as hazardous under Article-I of the Basel Convention. **The wastes in Part- B are restricted and cannot be allowed to be imported without permission from the Ministry of Environment, Forest and Climate Change and the Directorate General of Foreign Trade license, if applicable.**

Note:

- (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 copper reverts, cake and residues containing lead and cadmium equal to or less than 1.25% and 0.1% respectively are allowed for import without Director General of Foreign Trade license to units (actual users) authorised by State Pollution Control Board and with the Ministry of Environment, Forest and Climate Change's permission. 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 Director General of Foreign Trade license for the purpose of processing or reuse by units permitted with the Ministry of Environment, Forest and Climate Change (actual users).**
- (2) **Zinc ash or 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 Director General of Foreign Trade license to units authorised by State Pollution Control Board, Ministry of Environment, Forest and Climate Change's permission (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 Director General of Foreign Trade license and only for purpose of processing or reuse by units registered with the Ministry of Environment Forest and Climate Change (actual users).**

Part C**List of Hazardous Characteristics**

<u>Code</u>	<u>Characteristic</u>
H 1	Explosive An explosive substance or waste is a solid or liquid substance or waste (or mixture of substances or wastes) 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 surrounding.
H 3	Flammable liquids The word “flammable” has the same meaning as “inflammable”. Flammable liquids are liquids, or mixtures of liquids, or liquids containing solids in solution or suspension (for example, paints, varnishes, lacquers, etc. but not including substances or wastes otherwise classified on account of their dangerous characteristics) which give off a flammable vapour at temperatures of not more than 60.5°C, closed-cup test, or not more than 65.6°C, open-cup test. (Since the results of open-cups test and of closed-cup tests are not strictly comparable and even individual results by the same test are often variable, regulations varying from the above figures to make allowance for such differences would be within the spirit of this definition).
H 4.1	Flammable solids Solids, or waste solids, other than those classed as explosives, which under conditions encountered in transport are readily 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 heating under normal conditions encountered in transport, or to heating up on contact with air, and being then liable to catch fire.
H 4.3	Substances or wastes which, in contact with water emit flammable gases Substances or wastes which, by interaction with water, are liable to become spontaneously flammable or to give off flammable gases in dangerous quantities.
H 5.1	Oxidizing Substances or wastes which, while in themselves not necessarily combustible, may, generally by yielding oxygen cause, or 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 undergo exothermic self-accelerating decomposition.
H 6.1	Poisons (acute) Substances or wastes liable either to cause death or serious injury or to harm human health if swallowed or inhaled or by skin contact.
H 6.2	Infectious substances Substances or wastes containing viable micro-organisms or their toxins which are known or suspected to cause disease in animals or humans.

H 8 Corrosives

Substances or wastes which, by chemical action, will cause severe damage when in contact with living tissue, or, in the case of leakage, will materially damage, or even destroy, other goods or the means of transport; they may also cause other hazards.

H 10 Liberation of toxic gases in contact with air or water

Substances or wastes which, by interaction with air or water, are 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 effects, including carcinogenicity).

H 12 Eco-toxic

Substances or wastes which if released, present or may present immediate or delayed adverse impacts to the environment by means of bioaccumulation or toxic effects upon biotic systems or both.

H 13 Capable, by any means, after disposal, of yielding another material, e.g., leachate, which possesses any of the characteristics listed above.

Part D**List of other wastes applicable for import and export without permission from Ministry of Environment, Forest and Climate Change [Annex IX of the Basel Convention*]**

Basel No.	Description of wastes
(1)	(2)
B1	Metal and metal-bearing wastes
B1010	Metal and metal-alloy wastes in metallic, non-dispersible form :
	- Precious metals (gold, silver, platinum but not mercury) * *
	- Iron and steel scrap * *
	- Nickel scrap * *
	- Aluminium 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 * *
	- Magnesium scrap * *
	- Copper scrap * *
	- Chromium scrap * *
B1050	Mixed non-ferrous metal, heavy fraction scrap, containing metals other than specified in Part B1050 and not containing constituents mentioned in Schedule II in concentrations sufficient to exhibit Part C characteristics* *
B1100	Metal bearing wastes arising from melting, smelting and refining of metals:
	- Hard Zinc spelter * *
	- Zinc-containing drosses * *: <ul style="list-style-type: none"> ~ 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
	- Aluminium skimmings (or skims) excluding salt slag
B1110	Electrical and electronic assemblies (including printed circuit boards, electronic components and wires) destined for direct reuse and not for recycling or final disposal. ¹ [Electrical and electronic assemblies and components manufactured in and exported from India if found defective or non-functional can be imported back by Original Equipment Manufacturers (OEMs) within twelve months from the date of export.]
	- Used electrical and electronic assemblies imported for repair and to be re-exported back after repair within one year of import * * *
	- Used electrical and electronic assemblies imported for rental purpose and re-exported back within one year of import * * *
	- Used electrical and electronic assemblies exported for repair and to be re-import after repair
	- Used electrical and electronic assemblies imported for testing, research and development, project work purposes and to be re-exported back within a period of three years from the date of import * * *
	- Spares imported for warranty replacements provided equal number of defective or non-functional parts are exported back within one year of the import * * *
	- Used electrical and electronic assemblies imported by Ministry of Defence, Department of Space and Department of Atomic Energy * * *
	- Used electrical and electronic assemblies (not in bulk; quantity less than or equal to three) imported by the individuals for their personal uses
	- Used Laptop, Personal Computers, Mobile, Tablet up to 01 number each imported by organisations in a year
	- Used electrical and electronic assemblies owned by individuals and imported on transfer of residence
	- Used multifunction print and copying machines (MFDs)* * * *
	- Used electrical and electronic assemblies imported by airlines for aircraft maintenance and remaining either on board or under the custodianship of the respective airlines warehouses located on the airside of the custom bonded areas.

¹ Inserted by G.S.R. 178(E) dated 01.03.2019.

	<p>¹[-Used electrical and electronic assemblies imported for testing, research and development, project work purposes by the Department of Scientific and Industrial Research (DSIR) approved research and development units or units in Software Technology Parks of India (STPI), Electronic Hardware Technology Park (EHTP), Export Oriented Units (EOU) and Biotechnology Parks (BTP) with investment of Rs. 50 Crore in a Research and Development (R&D) facility*** -Used plant and machinery having a residual life of at least 5 years for manufacturing of electrical and electronic items by the electronic industry***]</p>
B3	Wastes containing principally organic constituents, which may contain metals and inorganic materials
B3020	<p>Paper, paperboard and paper product wastes * *</p> <p>The following materials, provided they are not mixed with hazardous wastes: Waste and scrap of paper or paperboard of:</p> <ul style="list-style-type: none"> - unbleached paper or paperboard or of corrugated paper or paperboard - other paper or paperboard, made mainly of bleached chemical pulp, not coloured in the mass - paper or paperboard made mainly of mechanical pulp (for example newspapers, journals and similar printed matter) - other, including but not limited to <ol style="list-style-type: none"> 1) laminated paperboard 2) unsorted scrap
² [B3030	<p>Textile wastes **</p> <p>The following materials which are textile wastes, provided they are not mixed with other wastes and are prepared to a specification:</p> <ul style="list-style-type: none"> - Silk wastes (including cocoons unsuitable for reeling, yarn waste and garnetted stock) <ul style="list-style-type: none"> • not carded or combed • other - Wastes of wool or of fine or coarse animal hair, including yarn waste but excluding garnetted stock <ul style="list-style-type: none"> • noils of wool or of fine animal hair • other wastes of wool or of fine animal hair • waste of coarse animal hair - Cotton wastes (including yarn waste and garnetted stock) <ul style="list-style-type: none"> • yarn wastes (including thread waste) • garnetted stock • other - Flax tow and wastes - Tow and waste (including yarn waste and garnetted stock) of true hemp (<i>Cannabis sativa L.</i>) - Tow and wastes (including yarn wastes and garnetted stock) of jute and other textile bast fibres (excluding flax, true hemp and ramie) - Tow and wastes (including yarn wastes and garnetted stock) of sisal and other textile fibres of the genus Agave

¹ Inserted by G.S.R. 544 (E) dated 11.06.2018.

² Inserted by G.S.R. 47 (E) dated 27.01.2021

	<ul style="list-style-type: none"> - Tow, noils and wastes (including yarn wastes and garneted stock) of coconut - Tow, noils and wastes (including yarn wastes and garneted stock) of abaca (Manila hemp or Musa textilis Nee) - Tow, noils and wastes (including yarn wastes and garneted stock) of ramie and other vegetable textile fibres, not elsewhere specified or included - Wastes (including noils, yarn wastes and garneted stock) of manmade fibres <ul style="list-style-type: none"> • of synthetic fibres • of artificial fibres - Worn clothing and other worn textile articles - Used rags, scrap twine, cordage, rope and cables and worn-out articles of twine, cordage, rope or cables of textile materials <ul style="list-style-type: none"> • sorted • other
B3035	Wastes textile floor coverings and carpets **];
B3140	Aircraft Tyres exported to Original Equipment Manufacturers for re-treading and re-imported after re-treading by airlines for aircraft maintenance and remaining either on board or under the custodianship of the respective airlines warehouses located on the airside of the custom bonded areas.

Note:

* This list is based on Annexure IX of the Basel Convention on Transboundary Movement of Hazardous Wastes and comprises of wastes not characterized as hazardous under Article-I of the Basel Convention.

* * Import permitted in the country to the actual user or to the trader on behalf of the actual users authorised by SPCB on one time basis and subject to verification of documents specified in Schedule VIII of these rules by the Custom Authority.

* * * Import permitted in the country only to the actual users from Original Equipment Manufacturers (OEM) and subject to verification of documents specified in Schedule VIII of these rules by the Custom Authority.

¹[****]Import permitted in the country to the actual users or trader in accordance with the documents required and verified by the Custom Authority as specified under Schedule VIII of these rules. The policy for free trade for multifunction print and copying machine to be reviewed once the MFDs are domestically manufactured.]

All other wastes listed in Part D of Schedule III having no “Stars” are permitted without any documents from MoEF&CC subject to compliance of the conditions of the Customs Authority, if any.

SCHEDULE IV

[See rules 6 (1) (ii) and 6 (2)]

List of commonly recyclable hazardous wastes

S. No.	Wastes
(1)	(2)
1.	Brass Dross
2.	Copper Dross

¹ Substituted by G.S.R. 670(E) dated 06.07.2016.

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 or copper with PVC sheathing including ISRI-code material namely "Druid"
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/Skimings 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.	Used Lead acid battery including grid plates and other lead scrap/ashes/residues not covered under Batteries (Management and Handling) Rules, 2001. [Battery scrap, namely: Lead battery plates covered by ISRI, Code word "Rails" Battery lugs covered by ISRI, Code word "Rakes". Scrap drained/dry while intact, lead batteries covered by ISRI, Code word "rains".
18.	Components of waste electrical and electronic assemblies comprising accumulators and other batteries included in Part A of Schedule III, mercury-switches, activated glass cullets from cathode-ray tubes and other activated glass and PCB-capacitors, or any other component contaminated with Schedule II constituents (e.g. cadmium, mercury, lead, polychlorinated biphenyl) to an extent that they exhibit hazard characteristics indicated in part C of Schedule III.
19.	Paint and ink Sludge/residues
20.	Used oil and waste oil

SCHEDULE V

[See rules 3 (36) and 3 (39)]

PART A**Specifications of Used Oil Suitable for recycling**

S. No.	Parameter	Maximum permissible Limits
(1)	(2)	(3)
1.	Polychlorinated biphenyls (PCBs)	< 2ppm *
2.	Lead	100 ppm
3.	Arsenic	5 ppm
4.	Cadmium+Chromium+Nickel	500 ppm
5.	Polyaromatic hydrocarbons (PAH)	6%

Part B**Specification 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 biphenyls (PCBs)	<2 ppm *
8.	Sulfur	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 rules 12 (6), 12 (7) and 14(1)]

Hazardous and Other wastes prohibited for import

Basel No	Description of hazardous and other wastes
(1)	(2)
A1	Metal and Metal bearing wastes
A1010	Metal wastes and waste consisting of alloys of any of the following but excluding such wastes specifically listed in Part B and Part D of Schedule III <ul style="list-style-type: none"> - Arsenic - Beryllium - Mercury - Selenium - Thallium
A1020	Wastes having as constituents or contaminants, excluding metal wastes in massive form, any of the following: <ul style="list-style-type: none"> - Beryllium; beryllium compounds - Selenium; selenium compounds
A1030	Wastes having as constituents or contaminants any of the following: <ul style="list-style-type: none"> - Arsenic; arsenic compounds - Mercury; mercury compounds - Thallium; thallium compounds
A1040	Waste having hexavalent chromium compounds as constituents
A1140	Waste cupric chloride and copper cyanide catalysts in liquid form (note the related entry in Part A of Schedule III)
A1060	Wastes liquors from the pickling of metals
A1110	Spent electrolytic solutions from copper electrorefining and electrowinning operations
A1130	Spent etching solutions containing dissolved copper
A1180	Waste electrical and electronic assemblies or scrap (does not include scrap assemblies from electric power generation) containing components such as accumulators and other batteries included in Part A of Schedule III, mercury-switches, glass from cathode-ray tubes and other activated glass and PCB-capacitors, or contaminated with Schedule II constituents (e.g. cadmium, mercury, lead, polychlorinated biphenyl) to an extent that they exhibit hazard characteristics indicated in Part C of Schedule III (note the related entry in Part B B1110)

A1190	Waste metal cables coated or insulated with plastics containing or contaminated with coal tar, PCB, lead, cadmium, other organohalogen compounds or other constituents as mentioned in Schedule II to the extent that they exhibit hazard characteristics indicated in Part C of Schedule III
A2	Wastes containing principally inorganic constituents, which may contain metals and organic materials
A2020	Waste inorganic fluorine compounds in the form of liquids or sludges but excluding such wastes specified in Part B
A2040	Waste gypsum arising from chemical industry processes, if it contains any of the constituents mentioned in Schedule 2 to the extent that they exhibit hazard characteristics indicated in Part C of Schedule III (note the related entry in Part B B2080)
A2050	Waste asbestos (dusts and fibres)
A2060	Coal-fired power plant fly-ash containing Schedule II constituents in concentrations sufficient to exhibit Part C characteristics
A3	Wastes containing principally organic constituents, which may contain metals and inorganic materials
A3030	Wastes that contain, consist of or are contaminated with leaded anti-knock compounds sludges.
A3040	Waste thermal (heat transfer) fluids
A3060	Waste nitrocellulose
A3070	Waste phenols, phenol compounds including chlorophenol in the form of liquids or sludges
A3080	Waste ethers not including those specified in Part B
A3090	Waste leather dust, ash, sludges and flours when containing hexavalent chromium compounds or biocides (note the related entry in Part B B3100)
A3100	Waste paring and other waste of leather or of composition leather not suitable for the manufacture of leather articles, containing hexavalent chromium compound and biocides (note the related entry in Part B B3090)
A3110	Fellmongery wastes containing hexavalent chromium compounds or biocides or infectious substances (note the related entry in Part B B3110)
A3140	Waste non-halogenated organic solvents but excluding such wastes specified in Part B
A3150	Waste halogenated organic solvents
A3160	Waste halogenated or unhalogenated non-aqueous distillation residues arising from organic solvent recovery operations
A3170	Waste arising from the production of aliphatic halogenated hydrocarbons (such as chloromethane, dichloro-ethane, vinyl chloride, vinylidene chloride, allyl chloride and epichlorhydrin)
A3180	Wastes, substances and articles containing, consisting of or contaminated with polychlorinated biphenyl (PCB), polychlorinated terphenyl (PCT), polychlorinated naphthalene (PCN) or polybrominated biphenyl (PBB) or any other polybrominated analogues of these compounds
A3190	Waste tarry residues (excluding asphalt cements) arising from refining, distillation and any pyrolytic treatment of organic materials
A3200	Bituminous material (asphalt waste) from road construction and maintenance, containing tar (note the related entry in Part B, B2130)
A4	Wastes which may contain either inorganic or organic constituents
A4020	Clinical and related wastes; that is wastes arising from medical, nursing, dental, veterinary, or similar practices, and wastes generated in hospitals or other facilities during the investigation or treatment of patients, or research projects.
A4030	Waste from the production, formulation and use of biocide and phyto-pharmaceuticals, including waste pesticides and herbicides which are off-

	specification, out-dated (unused within the period recommended by the manufacturer), or unfit for their originally intended use,
A4050	Wastes that contain, consist of, or are contaminated with any of the following: <ul style="list-style-type: none"> - Inorganic cyanides, excepting precious-metal- bearing residues in solid form containing traces of inorganic cyanides. - Organic cyanides
A4060	Waste oils/water, hydrocarbons/water mixtures, emulsions
A4080	Wastes of an explosive nature (but excluding such wastes specified in Part B)
A4090	Waste acidic or basic solutions, other than those specified at B2120 of this Schedule
A4110	Wastes that contain, consist of or are contaminated with any of the following: <ul style="list-style-type: none"> - Any congener of polychlorinated dibenzo-furan. - Any congener of polychlorinated dibenzo-P-dioxin.
A4150	Waste chemical substances arising from research and development or teaching activities which are not identified and /or are new and whose effects on human health and /or the environment are not known
B1	Metal and Metal bearing wastes
B 1110	Used critical care medical equipment for re-use
B1115	Waste metal cables coated or insulated with plastics, not included in A1190 of this schedule, excluding those destined for operations which do not lead to resource recovery, recycling, reclamation, direct re-use or alternative uses or any other disposal operations involving, at any stage, uncontrolled thermal processes, such as open-burning.
B1250	Waste end-of-life motor vehicles, containing neither liquids nor other hazardous components
B2	Wastes containing principally inorganic constituents, which may contain metals and organic materials
B2050	Coal-fired power plant fly-ash, note the related entry at A2060 of this Schedule
B2110	Bauxite residue (red mud) (pH moderated to less than 11.5)
B2120	Waste acidic or basic solutions with a pH greater than 2 and less than 11.5, which are not corrosive or otherwise hazardous (note the related entry at A4090 of this schedule)
B3	Wastes containing principally organic constituents, which may contain metals and inorganic materials
B3010	Solid Plastic Waste The following plastic or mixed plastic waste, prepared to a specification: <ul style="list-style-type: none"> - Scrap plastic of non-halogenated polymers and co-polymers, including but not limited to the following: <ul style="list-style-type: none"> - Ethylene, Styrene, Polypropylene, polyethylene terephthalate, Acrylonitrile, Butadiene, Polyacetals, Polyamides, polybutylene terephthalate, Polycarbonates, Polyethers, polyphenylene sulphides, acrylic polymers, alkanes C10-C13 (plasticiser), polyurethane (not containing CFC's), Polysiloxanes,¹[***], polyvinyl alcohol, polyvinyl butyral, Polyvinyl acetate - Cured waste resins or condensation products including the following: urea formaldehyde resins, phenol formaldehyde resins, melamine formaldehyde resins, epoxy resins, alkyd resins, polyamides

¹ Omitted the word [Polymethyl methacrylate] by G.S.R. 47 (E) dated 21.01.2021.

	<ul style="list-style-type: none"> - The following fluorinated polymer wastes (excluding post-consumer wastes): perfluoroethylene/ propylene, perfluoro alkoxy alkane, tetrafluoroethylene /per fluoro vinyl ether (PFA), tetrafluoroethylene/per fluoromethylvinyl ether (MFA), polyvinylfluoride , polyvinylidene fluoride <p>¹[Note.*****]</p>
B3026	<p>The following waste from the pre-treatment of composite packaging for liquids, not containing constituents mentioned in Schedule II in concentrations sufficient to exhibit Part C characteristics:</p> <ul style="list-style-type: none"> - Non-separable plastic fraction - Non-separable plastic-aluminium fraction
B3065	Waste edible fats and oils of animal or vegetable origin (e.g. frying oil)
B3140	Waste pneumatic tyres for direct reuse
Y 46	Wastes collected from household/municipal waste
Y 47	Residues arising from the incineration of household wastes

SCHEDULE VII

[See rules 13 (6) and 21]

List of authorities and corresponding duties

S. No.	Authority	Corresponding Duties
(1)	(2)	(3)
1.	Ministry of Environment, Forests and Climate Change under the Environment (Protection) Act, 1986	<ul style="list-style-type: none"> (i) Identification of hazardous and other wastes (ii) Permission to exporters of hazardous and other wastes (iii) Permission to importer of hazardous and other wastes (iv) Permission for transit of hazardous and other wastes through India. (v) Promote environmentally sound management of hazardous and other waste. (vi) Sponsoring of training and awareness programme on Hazardous and Other Waste Management related activities.
2.	Central Pollution Control Board Constituted under the Water (Prevention and Control of Pollution) Act, 1974	<ul style="list-style-type: none"> (i) Co-ordination of activities of State Pollution Control Boards (ii) Conduct training courses for authorities dealing with management of hazardous and other wastes (iii) Recommend standards and specifications for treatment and disposal of wastes and leachates, recommend procedures for characterisation of hazardous wastes. (iv) Inspection of facilities handling hazardous waste as and when necessary. (v) Sector specific documentation to identify

¹ Omitted by G.S.R. 178 (E) dated 01.03.2019.

		<p>waste for inclusion in these rules.</p> <p>(vi) Prepare and update guidelines to prevent or minimise the generation and handling of hazardous and other wastes.</p> <p>(vii) Prepare and update guidelines/ Standard Operating Procedures (SoPs) for recycling, utilization, pre-processing, co-processing of hazardous and other wastes.</p> <p>(viii) To prepare annual review report on management of hazardous waste.</p> <p>(ix) Any other function assigned by the Ministry of Environment, Forest and Climate Change, from time to time.</p>
3.	State Government/Union Territory Government/ Administration	<p>(i) Identification of site (s) for common Hazardous and Other Waste Treatment Storage and Disposal Facility (TSDF)</p> <p>(ii) Assess Environment Impact Assessment(EIA) reports and convey the decision of approval of site or otherwise Acquire the site or inform operator of facility or occupier or association of occupiers to acquire the site</p> <p>(iii) Notification of sites.</p> <p>(iv) Publish periodically an inventory of all potential or existing disposal sites in the State or Union Territory</p>
4.	State Pollution Control Boards or Pollution Control Committees constituted under the Water (Prevention and Control of Pollution) Act, 1974	<p>(i) Inventorisation of hazardous and other wastes</p> <p>(ii) Grant and renewal of authorisation</p> <p>(iii) Monitoring of compliance of various provisions and conditions of permission including conditions of permission for issued by Ministry of Environment, Forest and Climate Change for exports and imports</p> <p>(iv) Examining the applications for imports submitted by the importers and forwarding the same to Ministry of Environment, Forest and Climate Change</p> <p>(v) Implementation of programmes to prevent or reduce or minimise the generation of hazardous and other wastes.</p> <p>(vi) Action against violations of these rules.</p> <p>(vii) Any other function under these Rules assigned by Ministry of Environment, Forest and Climate Change from time to time.</p>
5.	Directorate General of Foreign Trade constituted under the Foreign Trade (Development and Regulation) Act, 1992	<p>(i) Grant of licence for import of hazardous and other wastes</p> <p>(ii) Refusal of licence for hazardous and other wastes prohibited for imports and export</p>
6.	Port authority under Indian Ports Act, 1908 (15 of 1908) and Customs Authority under the Customs Act, 1962 (52 of 1962)	<p>(i) Verify the documents</p> <p>(ii) Inform the Ministry of Environment, Forests and Climate Change of any illegal traffic</p> <p>(iii) Analyse wastes permitted for imports and exports, wherever required.</p> <p>(iv) Train officials on the provisions of these rules and in the analysis of hazardous and</p>

		other wastes (v) Take action against exporter or importer for violations under the Indian Ports Act, 1908 or Customs Act, 1962
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SCHEDULE VIII

[See rules 13(2) and 13 (4)]

List of documents for verification by Customs for import of other wastes specified in Part D of Schedule III

S. No.	Basel No.	Description of other wastes	List of Documents
(1)	(2)	(3)	(4)
1.	B1010	Metal and metal-alloy wastes in metallic, non-dispersible form: <ul style="list-style-type: none"> - Precious metals (gold, silver, platinum) - Iron and steel scrap - Nickel scrap - Aluminium 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 - Magnesium scrap - Copper scrap - Chromium scrap 	<ul style="list-style-type: none"> a) Duly filled up Form 6 – Movement document; b) The import license from Directorate General of Foreign Trade, wherever applicable; c) Pre-shipment inspection certificate issued by the inspection agency of the exporting country or the inspection and certification agency approved by Directorate General of Foreign Trade; d) The valid consents to operate under the Air and Water Acts and the authorisation under these rules, for actual users. For traders, only valid one time authorisation from concerned SPCB is required; e) The chemical analysis report of the waste being imported; f) an acknowledged copy of the annual return filed with concerned State Pollution Control Board for import in the last financial year.
2.	B1050	Mixed non-ferrous metal, heavy fraction scrap, containing metals other than specified in Part B1050 and not containing constituents mentioned in Schedule II	<ul style="list-style-type: none"> (a) Duly filled up Form 6 – Movement document; (b) The import license from Directorate General of Foreign Trade, wherever applicable; (c) Pre-shipment inspection certificate

		in concentrations sufficient to exhibit Part C characteristics* *	<p>issued by the inspection agency of the exporting country or the inspection and certification agency approved by Directorate General of Foreign Trade;</p> <p>(d) The valid consents to operate under the Air and Water Acts and the authorisation under these rules, for actual users. For traders, only valid one time authorisation from concerned SPCB is required;</p> <p>(e) The chemical analysis report of the waste being imported;</p> <p>(f) An acknowledged copy of the annual return filed with concerned State Pollution Control Board for import in the last financial year.</p>
3.	B1100	<p>Metal bearing wastes arising from melting, smelting and refining of metals:</p> <ul style="list-style-type: none"> - Hard Zinc spelter - Zinc-containing drosses: <ul style="list-style-type: none"> ~ 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 - Aluminium skimmings (or skims) excluding salt slag 	<p>(a) Duly filled up Form 6 – Movement document;</p> <p>(b) The import license from Directorate General of Foreign Trade, wherever applicable;</p> <p>(c) Pre-shipment inspection certificate issued by the inspection agency of the exporting country or the inspection and certification agency approved by Directorate General of Foreign Trade;</p> <p>(d) The valid consents to operate under the Air and Water Acts and the authorisation under these rules, for actual users. For traders, only valid authorisation from concerned SPCB is required;</p> <p>(e) The chemical analysis report of the waste being imported;</p> <p>(f) An acknowledged copy of the annual return filed with concerned SPCB for import in the last financial year.</p>
4.	B1110	Electrical and electronic assemblies (including printed circuit boards, electronic components and wires) destined for direct reuse and not for recycling or final disposal	
(a)		Used electrical and electronic assemblies imported for repair and to be re-exported after repair within one year of import	<p>(a) Duly filled up Form 6 – Movement document;</p> <p>(b) Undertaking for re-export;</p> <p>(c) Details of previous import, if there has been any and confirmation regarding their re-export;</p> <p>(d) An acknowledged copy of the annual return filed with concerned SPCB for import in the last financial year;</p> <p>(e) Certificate from exporting company for accepting the repaired and unrepairable electrical and electronic assemblies and the spares or part or component or consumables being re-exported.</p>

(b)		Used electrical and electronic assemblies imported for rental purpose and re-exported back within one year of import	<ul style="list-style-type: none"> (a) Duly filled up Form 6 –Movement document; (b) Undertaking for re-export; (c) Details of previous import, if there has been any and confirmation regarding their re-export; (d) An acknowledged copy of the annual return filed with concerned SPCB for import in the last financial year
(c)		Used electrical and electronic assemblies exported for repair and to be re-imported after repair	<ul style="list-style-type: none"> (a) Duly filled up Form 6 –Movement document; (b) Proof of export of the defective electrical and electronic assemblies i.e. shipping or airway document authenticated by Customs
(d)		Used electrical and electronic assemblies imported for testing, research and development, project work purposes and to be re-exported back within a period of three years from the date of import	<ul style="list-style-type: none"> (a) Duly filled up Form 6 –Movement document; (b) Undertaking for re-export; (c) Details of previous import, if there has been any and confirmation regarding their re-export; (d) Chartered Engineer Certificate or certificate from accredited agency of exporting country indicating the functionality, manufacturing date, residual life and serial number; (e) an acknowledged copy of the annual return filed with concerned SPCB for import in the last financial year; (f) Certificate from exporting company for accepting the second hand functional or non-functional electrical and electronic assemblies and/or the spares or part or component or consumables being re-exported at the end of three years.
¹ [d(i)]		Used electrical and electronic assemblies imported for testing, research and development, project work purposes by the Department of Scientific and Industrial Research (DSIR) approved research and development units or units in Software Technology Parks of India (STPI), Electronic Hardware Technology Park (EHTP), Export Oriented	<ul style="list-style-type: none"> (a) Duly filled up Form 6 – Movement document; (b) Details of previous import, if any. (c) Chartered Engineer Certificate or certificate from accredited agency of exporting country indicating the functionality, manufacturing date, residual life and serial number; (d) An acknowledged copy of the annual return filed with concerned State Pollution Control Board for import in the last financial year. (e) A certificate of investment of Rs. 50

¹ Inserted by G.S.R. 544 (E) dated 11.06.2018.

	Units (EOU) and Biotechnology Parks (BTP) with investment of Rs. 50 Crore in a Research and Development (R&D) facility.	crores or above in Research and Development (R&D) facility
d(ii)	Used plant and machinery having a residual life of at least 5 years for manufacturing of electrical and electronic items by the electronic industry.	(a) Duly filled up Form 6 – Movement document; (b) Details of previous import, if any. (c) Chartered Engineer Certificate or certificate from accredited agency of exporting country indicating the functionality, manufacturing date, residual life and serial number; (d) An acknowledged copy of the annual return filed with concerned State Pollution Control Board for import in the last financial year”.]
(e)	Spares imported for warranty replacements provided equal number of defective/ non- functional parts are exported back within one year of the import.	(a) Duly filled up Form 6 – Movement document; (b) if refurbished components being imported as replacement to defective component then undertaking for export of equivalent numbers of defective components; (c) Details of previous import, if there has been any and confirmation regarding their re-export; (d) Certificate from exporting company for accepting the re-export of defective or non-functional spares or part or component or consumables being re-exported; (e) Documents on the declared policy regarding the use of second hand or refurbished spare parts for repair of electrical and electronic assemblies during warranty period.
(f)	Used electrical and electronic assemblies imported by Ministry of Defence, Department of Space and Department of Atomic Energy.	---
(g)	Used electrical and electronic assemblies (not in bulk; quantity less than or equal to three) imported by the individuals for their personal uses.	---
(h)	Used Laptop, Personal Computers, Mobile, Tablet up to 03 number each imported by organisations in a year.	---

(i)		Used electrical and electronic assemblies owned by individuals and imported on transfer of residence.	As per existing guidelines of Custom Authority
(j)		Used electrical and electronic assemblies, spares, imported by airlines for aircraft maintenance and remaining either on board or under the custodianship of the respective airlines warehouses located on the airside of the custom bonded areas.	----
(j)		Used multifunction print and copying machines (MFDs)*	<ul style="list-style-type: none"> (a) The country of Origin Certificate along with bill of lading and packaging; (b) The certificate issued by the inspection agency as certified by the exporting country or the inspection and certification agency approved by Directorate General Foreign Trade (DGFT) for functionality, having residual life of not less than five years and serial number; (c) Extended Producer Responsibility-Authorisation under e-waste (Management and Handling) Rules, 2011 as amended from time to time as Producer; (d) The MFDs shall be for printing A 3 size and above; (e) An acknowledged copy of the annual return filed with concerned SPCB for import in the last financial year
5.	B3020	<p>Paper, paperboard and paper product wastes</p> <p>The following materials, provided they are not mixed with hazardous wastes:</p> <p>Waste and scrap of paper or paperboard of:</p> <ul style="list-style-type: none"> - unbleached paper or paperboard or of corrugated paper or paperboard - other paper or paperboard, made mainly of bleached chemical pulp, not coloured in the mass - paper or paperboard made mainly of mechanical pulp (for example newspapers, journals and similar 	<ul style="list-style-type: none"> (a) Duly filled up Form 6 – Movement document; (b) The import license from Directorate General of Foreign Trade, wherever applicable; (c) Pre-shipment inspection certificate issued by the inspection agency of the exporting country or the inspection and certification agency approved by Directorate General of Foreign Trade; (d) The valid consents to operate under the Air and Water Acts and the authorisation under these rules, for actual users. For traders, only valid one time authorisation from concerned SPCB is required; (e) The chemical analysis report of the waste being imported; (f) an acknowledged copy of the annual return filed with concerned State Pollution Control Board for import in

		<p>printed matter)</p> <ul style="list-style-type: none"> - other, including but not limited to <ul style="list-style-type: none"> (1) laminated paperboard (2) unsorted scrap 	<p>the last financial year.</p>
¹ [5 (A)	B3030	<p>Textile wastes</p> <p>The following materials which are textile wastes, provided they are not mixed with other wastes and are prepared to a specification:</p> <ul style="list-style-type: none"> - Silk wastes (including cocoons unsuitable for reeling, yarn wastes and garnetted stock) <ul style="list-style-type: none"> • not carded or combed • other - Wastes of wool or of fine or coarse animal hair, including yarn wastes but excluding garnetted stock <ul style="list-style-type: none"> • noils of wool or of fine animal hair • other wastes of wool or of fine animal hair • waste of coarse animal hair - Cotton wastes (including yarn wastes and garnetted stock) <ul style="list-style-type: none"> • yarn waste (including thread wastes) • garnetted stock • other - Flax tow and wastes - Tow and wastes (including yarn wastes and garnetted stock) of true hemp (<i>Cannabis sativa</i>L.) - Tow and wastes (including yarn wastes and garnetted stock) of jute and other textile bast fibres (excluding flax, true hemp and ramie) 	<ul style="list-style-type: none"> (a) Duly filled up Form 6 - Movement document. (b) The import license from Directorate General of Foreign Trade, wherever applicable. (c) Pre-shipment inspection certificate issued by the inspection agency of the exporting country or the inspection and certification agency approved by Directorate General of Foreign Trade. (d) The valid consents to operate under the Air (Prevention and Control of Pollution) Act, 1981 and the Water (Prevention and Control of Pollution) Act, 1974 and the authorisation under these rules, for actual users. For traders, only valid one-time authorisation from concerned State Pollution Control Board is required. (e) an acknowledged copy of the annual return filed with concerned State Pollution Control Board for import in the last financial year.

¹ Inserted by G.S.R 47(E) dated 27.01.2021

		<ul style="list-style-type: none"> - Tow and wastes (including yarn wastes and garneted stock) of sisal and other textile fibres of the genus Agave - Tow, noils and wastes (including yarn wastes and garneted stock) of coconut - Tow, noils and wastes (including yarn wastes and garneted stock) of abaca (Manila hemp or <i>Musa textilis</i> Nec) - Tow, noils and wastes (including yarn wastes and garneted stock) of ramie and other vegetable textile fibres, not elsewhere specified or included - Waste (including noils, yarn waste and garneted stock) of manmade fibres <ul style="list-style-type: none"> • of synthetic fibres • of artificial fibres - Worn clothing and other worn textile articles - Used rags, scrap twine, cordage, rope and cables and worn-out articles of twine, cordage, rope or cables of textile materials <ul style="list-style-type: none"> • Sorted • other 	
5 (B)	B3035	Waste textile floor coverings and carpets	<ul style="list-style-type: none"> (a) Duly filled up Form 6 - Movement document. (b) The import license from Directorate General of Foreign Trade, wherever applicable. (c) Pre-shipment inspection certificate issued by the inspection agency of the exporting country or the inspection and certification agency approved by the Directorate General of Foreign Trade. (d) The valid consents to operate under the Air (Prevention and Control of Pollution) Act, 1981 and the Water (Prevention and Control of Pollution) Act, 1974 and authorisation under these rules, for actual users. For traders, only valid one-time authorisation from concerned State Pollution Control

			Board is required. (e) an acknowledged copy of the annual return filed with concerned State Pollution Control Board for import in the last financial year.
6.	B3140	Aircraft Tyres exported to Original Equipment Manufacturers for re-treading and re-imported after re-treading by airlines for aircraft maintenance and remaining either on board or under the custodianship of the respective airlines warehouses located on the airside of the custom bonded areas	As per existing guidelines of Custom Authority

Note: * The policy for free trade for multifunction print and copying machine to be reviewed once the MFDs are domestically manufactured.

FORM 1

[See rule 6 (1)]

Application required for grant/renewal of authorisation for generation or collection or storage or transport or reception or recycling or reuse or recovery or pre-processing or co-processing or utilisation or treatment or disposal of hazardous and other waste

Part A: General (to be filled by all)

1. (a) Name and address of the unit and location of facility:
- (b) Name of the occupier of the facility or operator of disposal facility with designation, Tel, Fax and e-mail:
- (c) Authorisation required for (Please tick mark appropriate activity or activities):

(i)	Generation	<input type="checkbox"/>
(ii)	Collection	<input type="checkbox"/>
(iii)	Storage	<input type="checkbox"/>
(iv)	Transportation	<input type="checkbox"/>
(v)	Reception	<input type="checkbox"/>
(vi)	Reuse	<input type="checkbox"/>
(vii)	Recycling	<input type="checkbox"/>
(viii)	Recovery	<input type="checkbox"/>
(ix)	Pre-processing	<input type="checkbox"/>
(x)	Co-processing	<input type="checkbox"/>
(xi)	Utilisation	<input type="checkbox"/>
(xii)	Treatment	<input type="checkbox"/>
(xiii)	Disposal	<input type="checkbox"/>
(xiv)	Incineration	<input type="checkbox"/>

- (d) In case of renewal of authorisation previous authorisation numbers and dates and provide copies of annual returns of last three years including the compliance reports with respect to the conditions of Prior Environmental Clearance, wherever applicable:
2. (a) Nature and quantity of waste handled per annum (in metric tonne or kilo litre)
(b) Nature and quantity of waste stored at any time (in metric tonne or kilo litre)
 3. (a) Year of commissioning and commencement of production:
(b) Whether the industry works:
 - (i) 01 Shift
 - (ii) 02 Shifts
 - (iii) Round the clock
 4. Provide copy of the Emergency Response Plan (ERP) which should address procedures for dealing with emergency situations (viz. Spillage or release or fire) as specified in the guidelines of Central Pollution Control Board. Such ERP shall comprise the following, but not limited to:
 - Containing and controlling incidents so as to minimise the effects and to limit danger to the persons, environment and property;
 - Implementing the measures necessary to protect persons and the environment;
 - Description of the actions which should be taken to control the conditions at events and to limit their consequences, including a description of the safety equipment and resources available;
 - Arrangements for training staff in the duties which they are expected to perform;
 - Arrangements for informing concerned authorities and emergency services; and
 - Arrangements for providing assistance with off-site mitigatory action.
 5. Provide undertaking or declaration to comply with all provisions including the scope of submitting bank guarantee in the event of spillage, leakage or fire while handling the hazardous and other waste.

Part B: To be filled by hazardous waste generators

1. (a) Products and by-products manufactured (names and product wise quantity per annum):
(b) Process description including process flow sheet indicating inputs and outputs (raw materials, chemicals, products, by-products, wastes, emissions, waste water etc.) Please attach separate sheets:
(c) Characteristics (waste-wise) and Quantity of waste generation per annum:
(d) Mode of management of (c) above:
 - i. Capacity and mode of secured storage within the plant;
 - ii. Utilisation within the plant (provide details);
 - iii. If not utilised within the plant, please provide details of what is done with this waste;
 - iv. Arrangement for transportation to actual users/ TSDF;
(e) Details of the environmental safeguards and environmental facilities provided for safe handling of all the wastes at point (c) above;
2. Hazardous and other 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: To be filled by Treatment, storage and disposal facility operators

1. Provide details of the facility including:
 - (i) Location of site with layout map;
 - (ii) Safe storage of the waste and storage capacity;

- (iii) The treatment processes and their capacities;
- (iv) Secured landfills;
- (v) Incineration, if any;
- (vi) Leachate collection and treatment system;
- (vii) Fire fighting systems;
- (viii) Environmental management plan including monitoring; and
- (ix) Arrangement for transportation of waste from generators.

2. Provide details of any other activities undertaken at the Treatment, storage and disposal facility site.
3. Attach a copy of prior Environmental Clearance.

¹[Part D: To be filled by recyclers or pre-processors or co-processors or waste collectors or users of hazardous and other wastes]

1. Nature and quantity of different wastes received per annum from domestic sources or imported or both:
2. Installed capacity as per registration issued by the District Industries Centre or any other authorised Government agency. Provide copy:
3. Provide details of secured storage of wastes including the storage capacity:
4. Process description including process flow sheet indicating equipment details, inputs and outputs (input wastes, chemicals, products, by-products, waste generated, emissions, waste water, etc.). Attach separate sheets:
5. Provide details of end users of products or by-products:
6. Provide details of pollution control systems such as Effluent Treatment Plant, scrubbers, etc. including mode of disposal of waste:
7. Provide details of occupational health and safety measures:
8. Has the facility been set up as per Central Pollution Control Board guidelines? If yes, provide a report on the compliance with the guidelines:
9. Arrangements for transportation of waste to the facility:

**Signature of the Applicant
Designation**

Date.....

Place.....

¹ Substituted by G.S.R. 178 (E) dated 01.03.2019.

FORM 2
[See rule 6(2)]

FORM FOR GRANT OR RENEWAL OF AUTHORISATION BY STATE POLLUTION CONTROL BOARD TO THE OCCUPIERS, RECYCLERS, REPROCESSORS, REUSERS, USER AND OPERATORS OF DISPOSAL FACILITIES

1. Number of authorisation and date of issue :
2. Reference of application (No. and date) :
3.ofis hereby granted an authorisation based on the enclosed signed inspection report for generation, collection, reception, storage, transport, reuse, recycling, recovery, pre-processing, co-processing, utilisation, treatment, disposal or any other use of hazardous or other wastes or both on the premises situated at.....

Details of Authorisation

Sl. No.	Category of Hazardous Waste as per the Schedules I, II and III of these rules	Authorised mode of disposal or recycling or utilisation or co-processing, etc.	Quantity (ton/annum)

(1) The authorisation shall be valid for a period of

(2) The authorisation is subject to the following general and specific conditions (Please specify any conditions that need to be imposed over and above general conditions, if any):

A. General conditions of authorisation:

1. The authorised person shall comply with the provisions of the Environment (Protection) Act, 1986, and the rules made there under.
2. The authorisation or its renewal shall be produced for inspection at the request of an officer authorised by the State Pollution Control Board.
3. The person authorised shall not rent, lend, sell, transfer or otherwise transport the hazardous and other wastes except what is permitted through this authorisation.
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. The person authorised shall implement Emergency Response Procedure (ERP) for which this authorisation is being granted considering all site specific possible scenarios such as spillages, leakages, fire etc. and their possible impacts and also carry out mock drill in this regard at regular interval of time;
6. The person authorised shall comply with the provisions outlined in the Central Pollution Control Board guidelines on "Implementing Liabilities for Environmental Damages due to Handling and Disposal of Hazardous Waste and Penalty"
7. It is the duty of the authorised person to take prior permission of the State Pollution Control Board to close down the facility.
8. The imported hazardous and other wastes shall be fully insured for transit as well as for any accidental occurrence and its clean-up operation.

9. The record of consumption and fate of the imported hazardous and other wastes shall be maintained.
10. The hazardous and other waste which gets generated during recycling or reuse or recovery or pre-processing or utilisation of imported hazardous or other wastes shall be treated and disposed of as per specific conditions of authorisation.
11. The importer or exporter shall bear the cost of import or export and mitigation of damages if any.
12. An application for the renewal of an authorisation shall be made as laid down under these Rules.
13. Any other conditions for compliance as per the Guidelines issued by the Ministry of Environment, Forest and Climate Change or Central Pollution Control Board from time to time.
14. Annual return shall be filed by June 30th for the period ensuring 31st March of the year.

B. Specific conditions:

Date:

**Signature of Issuing Authority
Designation and Seal**

FORM 3

[See rules 6(5), 13(7), 14(6), 16(5) and 20 (1)]

FORMAT FOR MAINTAINING RECORDS OF HAZARDOUS AND OTHER WASTES

1. Name and address of the facility :
2. Date of issuance of authorisation and its reference number :
3. Description of hazardous and other wastes handled (Generated or Received)

Date	Type of waste with category as per Schedules I, II and III of these rules	Total quantity (Metric Tonnes)	Method of Storage	Destined to or received from

** Fill up above table separately for indigenous and imported waste.*

4. Date wise description of management of hazardous and other wastes including products sent and to whom in case of recyclers or pre-processor or utiliser:
5. Date of environmental monitoring (as per authorisation or guidelines of Central Pollution Control Board):

Signature of occupier

Date.....

Place.....

FORM 4

[See rules 6(5), 13(8), 16(6) and 20 (2)]

FORM FOR FILING ANNUAL RETURNS

[To be submitted to State Pollution Control Board by 30th day of June of every year for the preceding period April to March]

1. Name and address of facility:
2. Authorisation No. and Date of issue:
3. Name of the authorised person and full address with telephone, fax number and e-mail:
4. Production during the year (product wise), wherever applicable

Part A. To be filled by hazardous waste generators

1. Total quantity of waste generated category wise
2. Quantity dispatched
 - (i) to disposal facility
 - (ii) to recycler or co-processors or pre-processor
 - (iii) others
3. Quantity utilised in-house, if any -
4. Quantity in storage at the end of the year –

Part B. To be filled by Treatment, storage and disposal facility operators

1. Total quantity received -
2. Quantity in stock at the beginning of the year -
3. Quantity treated –
4. Quantity disposed in landfills as such and after treatment –
5. Quantity incinerated (if applicable) -
6. Quantity processed other than specified above -
7. Quantity in storage at the end of the year -

Part C. To be filled by recyclers or co-processors or other users

1. Quantity of waste received during the year –
 - (i) domestic sources
 - (ii) imported (if applicable)
2. Quantity in stock at the beginning of the year -
3. Quantity recycled or co-processed or used –
4. Quantity of products dispatched (wherever applicable) –
5. Quantity of waste generated -
6. Quantity of waste disposed -

- 7. Quantity re-exported (wherever applicable)-
- 8. Quantity in storage at the end of the year -

Signature of the Occupier or Operator of the disposal facility

Date.....
Place.....

FORM 5
[See rules 13 (1) and 14 (1)]

APPLICATION FOR IMPORT OR EXPORT OF HAZARDOUS AND OTHER WASTE FOR REUSE OR RECYCLING OR RECOVERY OR CO-PROCESSING OR UTILISATION

TO BE FILLED IN BY APPLICANT

S. No.	Description	Details to be furnished by the importer or exporter
(1)	(2)	(3)
1.	Importer or Exporter (name and address) in India	
	Contact person	
	Tel, fax and e-mail	
	Facility location/address	
	Reason for import or export	
2.	Importer or exporter (name and address) outside of India	
3.	Details of waste to be imported or exported	
	(a) Quantity	
	(b) Basel No.	
	(c) Single/multiple movement	
	(d) Chemical composition of waste (attach details), where applicable	
	(e) Physical characteristics	
	(f) Special handling requirements, if applicable	
4.	For Schedule III A hazardous waste whether Prior Informed Consent has been obtained	
5.	<p>For importer</p> <p>(a) Process details along with environmental safeguard measures (attach separate sheet)</p> <p>(b) Capacity of recycling or co-processing or recovery or utilization</p> <p>Enclose a copy each of valid authorisation and valid consent to operate from SPCB</p>	

6.	Details of import against the Ministry of Environment, Forest and Climate Change permission in the previous three years	
7.	Port of entry	

9. Undertaking _____ :

I hereby solemnly undertake that:

- (i) The information is complete and correct to the best of my knowledge and legally-enforceable written contractual obligations have been entered into and that my applicable insurance or other financial guarantees are or shall be in force covering the transboundary movement.
- (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 recorded and report sent to the SPCB every quarter.
- (iv) The hazardous or other waste which gets generated in our premises by the use of imported hazardous or other wastes in the form of raw material shall be treated and disposed of as per conditions of authorisation.
- (v) I agree to bear the cost of export and mitigation of damages if any.
- (vi) I am aware that there are significant penalties for submitting a false certificate/ undertaking/ disobedience of the rules and lawful orders including the possibility of fine and imprisonment.
- (vii) The exported wastes shall be taken back, if it is not acceptable to the importer.

**Signature of the Applicant
Designation**

Date.....

Place.....

FORM 6

[See rules 13(2), 13 (10) and 14 (5)]

TRANSBOUNDARY MOVEMENT- MOVEMENT DOCUMENT

S. No	Description	Details to be furnished by the exporter or importer
(1)	(2)	(3)
1	Exporter (Name and Address) Contact Person Tele, Fax and email	:
2.	Generator(s) of the waste (Name and Address)	:

	Contact Person	:	
	Tele, Fax and email	:	
	Site of generation	:	
3.	Importer or Actual user (Name and Address)	:	
	Contact person	:	
	Tele, Fax and email	:	
4.	Trader (Name and Address)	:	
	Contact person	:	
	Tele, Fax and email	:	
	Details of actual user (Name, Address, Telephone and email)	:	
5.	Corresponding to applicant Ref. No., If any	:	
6.	Bill of lading (attach copy)	:	
7.	Country of import/export	:	
8.	General description of waste	:	
	(a) Quantity		
	(b) Physical characteristics		
	(c) Chemical composition of waste (attach details), where applicable		
	(d) Basel No.		
	(e) UN Shipping name		
	(f) UN Class		
	(g) UN No		
	(h) H Number		
	(i) Y Number		
	(j) ITC (HS)		
	(k) Customs Code (H.S.)		
	(l) Other (specify)		
9.	Type of packages	:	
	Number	:	
10.	Special handling requirements including emergency provision in case of accidents	:	
11.	Movement subject to single/multiple consignment		
	In case of multiple movement-		
	(a) Expected dates of each shipment or expected frequency of the shipments	:	
	(b) Estimated total quantity and quantities for each individual shipment	:	
12.	Transporter of waste (Name and Address) ¹		
	Contact Person	:	
	Tele, Fax and email		
	Registration number	:	
	Means of transport (road, rail, inland waterway, sea, air) ²	:	
	Date of Transfer	:	
	Signature of Carrier's representative	:	

13.	Exporter's declaration for hazardous and other waste:	
	I certify that the information in Sl. Nos. 1 to 12 above are complete and correct to my best knowledge. I also certify that legally-enforceable written contractual obligations have been entered into and are in force covering the transboundary movement regulations/ rules. Date:..... Signature:..... Name:.....	
TO BE COMPLETED BY IMPORTER (ACTUAL USER OR TRADER)		
14.	Shipment received by importer/ actual user/trader ^{2/3} Quantity received.....Kg/litres Date: Name: Signature:	
15.	Methods of recovery R code* Technology employed (Attached details if necessary)	
16.	I certify that nothing other than declared goods covered as per these rules is intended to be imported in the above referred consignment and will be recycled /utilized. Signature: Date:	
17.	SPECIFIC CONDITIONS ON CONSENTING TO THE MOVEMENT if applicable.	(attach details)
Notes:- (1) Attach list, if more than one; (2) Select appropriate option; (3) Immediately contact competent authority in case of any emergency; (4) If more than one transporter carriers, attach information as required in SL. No. 12.		

List of abbreviations used in the Movement Document

Recovery Operations (*)

- R1** Use as a fuel (other than in direct incineration) or other means to generate energy.
- 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 R 1 to R 10

Date:
Place:

Signature
Designation:

FORM 7
[See rule 13 (2) (c)]

APPLICATION FORM FOR ONE TIME AUTHORISATION OF TRADERS FOR PART- D OF SCHEDULE III, WASTE
[To be submitted by trader to the State Pollution Control Board]

1.	Name and address of trader with Telephone, Fax Number and e-mail	:	
2.	TIN/VAT Number/Import/ Export Code	:	
3.	Description and quantity of other waste to be imported	:	
4.	Details of storage, if any	:	
5.	Names and address of authorised actual user (s)	:	

Signature of the authorised person

Date:
Place:

FORM 8
[See rules 17 (1) and 18 (2)]

LABELLING OF CONTAINERS OF HAZARDOUS AND OTHER WASTE

Handle with care

Waste category and characteristics as per Part C of Schedules II and III of these rules	Incompatible wastes and substances....
Total quantity	Date of storage
Physical State of the waste (Solid/Semi-solid/liquid):	
Sender's name and address	Receiver's name and address
Phone.....	Phone.....
E-mail.....	E-mail.....
Tel. and Fax No.....	Tel. and Fax No.....
Contact person.....	Contact person.....
In case of emergency please Contact.....	

Note:

1. Background colour of label - fluorescent yellow.
2. The word, 'HAZARDOUS WASTES' and 'HANDLE WITH CARE' to be prominent and written in red, in Hindi, English and in vernacular language.
3. The word 'OTHER WASTES' to be written prominently in orange, in Hindi, English and in vernacular language.
4. Label should be of non-washable material and weather proof.

FORM 9

[See rule 18 (2)]

TRANSPORT EMERGENCY (TREM) CARD

[To be carried by the transporter during transportation of hazardous and other wastes, provided by the sender of waste]

1. Characteristics of hazardous and other 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 and Address :
 - (ii) Telephone No. :

(Name, contact number and signature of sender)

Date.....

Place.....

FORM 10

[See rule 19 (1)]

MANIFEST FOR HAZARDOUS AND OTHER WASTE

1.	Sender's name and mailing address (including Phone No. and e-mail) :	
2.	Sender's authorisation No. :	
3.	Manifest Document No. :	
4.	Transporter's name and address (including Phone No. and e-mail) :	
5.	Type of vehicle :	(Truck/Tanker/Special Vehicle)
6.	Transporter's registration No. :	
7.	Vehicle registration No. :	
8.	Receiver's name and mailing address (including Phone No. and e-mail) :	

FORM 12
[See rule 24 (1)]

**APPLICATION FOR FILING APPEAL
AGAINST THE ORDER PASSED BY STATE POLLUTION CONTROL BOARD**

1. Name and address of the person making the appeal :
2. Number, date of order and address of the authority 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 point 2 against which the appeal is being filed. :

Signature.....

Name and address.....

Date:

[23-16/2009- HSMD]
BISHWANATH SINHA, Jt. Secy.

**THE MANUFACTURE, USE,
IMPORT, EXPORT AND
STORAGE OF HAZARDOUS
MICRO-ORGANISMS
GENETICALLY
ENGINEERED ORGANISMS
OR CELLS RULES, 1989**

(as amended to date)

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 gene technology 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 the 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 microorganisms 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 gene technologies apart from those referred to in clauses (ii) and (iv) of rule 3 and these rules shall apply to organisms/microorganisms and cells generated by the utilisation of such other gene- technologies and to substances and products of which such organisms and cells form part.

(1) 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;
- (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.

(4) These rules shall be applicable to the whole of India.

3. Definitions

In these rules unless the context requires,

¹ Rules came into force w.e.f.1.10.1993 vide Notification S.O.677(E), dated 13.9.1993.

- (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 subgroups.

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 up-to-date on-site emergency plan according to the manuals/guidelines of the RCGM and make available copies to the District Level Committee/State Biotechnology Coordinating Committee and the ¹[Genetic Engineering Appraisal Committee.]

(1) ²[Genetic Engineering Appraisal 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 Wildlife

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) ³[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 or their representatives not below the rank of Joint Secretary 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.

- (4) **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

¹ Subs. by G.S.R. 613 (E), dated 16.07.2010 (w.e.f. 22.07.2010).

² Subs. by G.S.R. 613 (E), dated 16.07.2010 (w.e.f. 22.07.2010).

³ Subs. by G.S.R. 1(E), dated 23-12-2010 (w.e.f. 3-1-2011).

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.

- (5) **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 Coordination Committee/ ¹[Genetic Engineering Appraisal 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.

¹ Subs. by G.S.R. 613 (E), dated 16.07.2010 (w.e.f. 22-07-2010).

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. 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

- (1) No person shall import, export, transport, manufacture, process, use or sell any hazardous microorganisms or genetically engineered organisms/substances or cells except with the approval of the ¹[Genetic Engineering Appraisal 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 ¹[Genetic Engineering Appraisal 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/ microorganisms mentioned in the schedule for scale up or pilot operations shall have to obtain licence issued by the ¹[Genetic Engineering Appraisal 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 ¹[Genetic Engineering Appraisal 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 Subs. by G.S.R. 613 (E), dated 16-07-2010 (w.e.f. 22.07.2010).

- (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 ¹[Genetic Engineering Appraisal 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 ¹[Genetic Engineering Appraisal Committee].

11. Permission and approval for foodstuffs

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 ¹[Genetic Engineering Appraisal Committee].

12. Guidelines

- (1) Any person who applies for approval under rules 8-11 shall, as determined by the ¹[Genetic Engineering Appraisal 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 ¹[Genetic Engineering Appraisal 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 Coordination Committee or to the District Level Committee.
- (2) All approvals of the ¹[Genetic Engineering Appraisal Committee] shall be for a specific period not exceeding four year at the first instance renewable for 2 years at a time. The ²[Genetic Engineering Appraisal 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.

¹ Subs. by G.S.R. 613 (E), dated 16-07-2010 (w.e.f. 22.07.2010).

- (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) Noncompliance of any condition stipulated by ¹[Genetic Engineering Appraisal Committee.]

14. Supervision

- (1) The ¹[Genetic Engineering Appraisal Committee] may supervise the implementation of the terms and conditions laid down in connection with the approvals accorded by it.
- (2) The ¹[Genetic Engineering Appraisal 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 (1) 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.

¹ Subs. by G.S.R. 613 (E), dated 16-07-2010 (w.e.f.22-7-2010).

- (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 ¹[Genetic Engineering Appraisal Committee] /the DLC or any person with special knowledge duly authorised by the State Biotechnology Co-ordination Committee or the ¹[Genetic Engineering Appraisal 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 ¹[Genetic Engineering Appraisal 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 ¹[Genetic Engineering Appraisal 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 appellatant 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.

¹ Subs. by G.S.R. 613 (E), dated 16-07-2010 (w.e.f.22-7-2010).

A. **ANIMAL AND HUMAN PATHOGENS**

SCHEDULE

BACTERIAL

Risk Group II

- *Acinetobacter calcoaceticus*
- *Actinobacillus* all species except *A. mallei*, which in Risk Group III *Acromonoas hydrophila*
- *Arizona hinshawii*-all serotypes
- *Bacillus anthracis*
- *Bordetella*-all species
- *Borrelia recurrentis* *B. vincenti*
- *Campylobacter fetus*
- *Campylobacter jejuni*
- *Chlamydia psittaci*
- *Chlamydia trachomatis*
- *Clostridium hauocci*, *Cl. Difficile* *Cl. fallax*, *Cl. haemolyticum* *Cl. histolyticum*, *Cl. novyi*, (*Cl. perfringes*), *Cl. speticum*, *Cl. sordeili*
- *Cornylobacterium diptheriae*, *C. equi*, *C. haemolyticum*, *C. pseudo tuberculosis*, *pyogenes*, *C. renale*
- *Diplococcus (Streptococcus) pneumoniae*
- *Edwardsiella tarda*
- *Erysipelothrix insidiosa*
- *Escherichia Coli*-all enteropathogenic serotypes enterotaxigenic *Haemophilus ducrevi*, *H. influenzae*, *H. pneumoniae*
- *Herellea vaginicola*
- *Klebsiella*- all species and all serotypes
- *Legionella 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
- Shpachrophorus necrophorus
- Staphylococcus aureus
- Straptobacillus moniformis
- Streptococcus pneumoniae
- Streptococcus pyogenes, S. equi
- Streptomyces madurae, s. pelleteri, s. somaliensis
- Treponema carateum, T. palidum and T. pertenu
- Vibrio foctus, V. comma including biotype EI 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

- Entamoeba histolytica
- Leishmania species
- Naegleria gruberia
- Plasmodium theileri, P. babesia P. falciparum
- Plasmodium babesia
- Schistosoma
- Toxoplasma gondii
- Toxocara canis
- Trichinella spiralis
- Trichomonas
- Trypanosoma cruzi

Risk Group III

- Schistosoma mansoni

VIRAL RICKETTSIAL AND CHLAMYDIAL

Risk Group II

- Adenoviruses-Human, all types
- Avian leukosis
- Cache Valley virus
- CELO (avian 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 Rhinotracheitis virus (IBR).
- Infections Bursal diseases of poultry and Infectious Bronchitis
- Infections Laryngotracheitis (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 types 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
- Epstein-Barr virus
- Feline Leukemia
- Feline sarcoma

- Foot and Mouth Disease virus (all serotypes and subtypes)
- Gibbon Ape Lymphosarcoma
- herpesvirus ateles
- herpevirus saimiri
- herpes Simplex 2
- HIV-1 & HIV-2 and strains of SIV
- Infectious Equine Anaemia
- Lymphocytic choriomeningitis virus (LCM)
- Monkey pox, when used in vitro
- Non-defective Adeno-2 SV-40 hybrids
- Psettaosis-ornithosis-trachoma group of agents
- Pseudorabies virus
- Rabies street virus, when used in inoculations of carnivores
- Rickettsia-all species except *Vole rickettsia* and *Coxiella burnetii* when used for vector transmission or animal inoculation experiments
- Sheep pox (field strain)
- Swine Fever virus
- Vesicular stomatitis virus
- Woolly monkey Fibrosarcoma
- 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 undefined
- Herpesvirus simiae (monkey B virus)
- Tick-borne encephalitis virus complex, including-Russian Spring Summer Encephalitis, Kyasanur Forest Disease, Omsk hemorrhagic fever and Central European encephalitis viruses

SPECIAL CATEGORY

BACTERIAL

- Contagious Equine Metritis (*H. equinilis*) Pestis-petit de ruminantium

VIRAL RICKETTSIAL 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-Archival 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) Gemini viruses,
- (ii) Calulimo viruses,
- (iii) Nuclear Polyhedrosis viruses,
- (iv) Grandulosis viruses, and
- (v) Cytoplasmic polyhedrosis viruses

2. Bacteria

Family Pseudomonadaceae

Genus Pseudomonas
Genus Xanthomonas
Genus Azotobacter

Family Rhizobiaceae

Genus Rhizobium/Azorhizobium
Genus Bradyrhizobium
Genus Agrobacterium
Genus Phyllobacterium
Genus Erwinia
Genus Enterobacter
Genus Klebsiella

Family Spiroplasmaceae

Genus Azospirillum
Genus Acqaspirillum
Genus Occeonospirillum
Family Sreplomycetaceae
Genus Streplomyces
Genus Nocardia

Family Actinomycetaceae

Genus Actinomyces

Coryneform Group

Genus Clavibacter
Genus Arthrobacter
Genus Curtobacterium
Genus Bdellovibro

Family Rickettsiaceae

Rickettsial 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 Chloophyceae
Family Euglenophyceae
Family Pyrophyceae
Family Chrysophyceae
Family Phacophyceae
Family Rhodophyceae

Fungi

Family Plasmodiophoraceae
Family Chytridiaceae
Family Oldipopsidaceae
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 Synephalastraceae
Family Dimargaritaceae
Family Kickxellaceae

Family Saksenaaceae
Family Entomophthoraceae
Family Ecerinaceae
Family Taphrinaceae
Family Endomycetaceae
Family Saccharomycetacea
Family Eutotiaceae
Family Gymnoascaceae
Family Aseophaeriaceae
Family Onygenaceae
Family Microascaceae
Family Protomycetaceae
Family Elsinoeaceae
Family Myriaginaceae
Family Dothidiaceae
Family Chaetothyriaceae
Family Pharmulariaceae
Family Phillipsiaceae
Family Gysteriaceae
Family Pleosporaceae
Family Melanomataceae
Family Ophiostomataceae
Family Aseosphaeriaceae
Family Erysiphaceae
Family Meliolaceae
Family Xylariaceae
Family Diaporthaceae
Family Hypoeraceae
Family Clavicipitaceae
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 Echioidiaceae
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 Laboulbeniaceae
Family Sphaeropsidaceae
Family Melabconiaceae
Family Tuberculariaceae
Family Dermatiaceae
Family Moniliaceae
Family Aganomucetaceae

Parasitic Weeds

Family Balanophoraceae-parasitic species
Family Cuscutaceae-parasitic species
Family Thydonoraceae-parasitic 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 pests

Nematodes

Family Anguinidae
Family Belonolaimidae
Family Calosittidae
Family Cariconematidae
Family Dolichodoridae
Family Fergussiidae
Family Hemicycliophoridae
Family Heteroderidae
Family Hoplolaimidae
Family Meloidogynidae
Family Neotylenchidae
Family Nothotylenchidae
Family Paratylenchidae
Family Pratylenchidae
Family Tylenchidae
Family Tylenchulidae
Family Aphelenchoidae
Family Longidoridae
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 Pyemotoidea
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 Tatragedidao
Family Thaumastocoridae
Super family Piesmatoidea
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 Ceambicidae
Family Chrysomelidae
Family Coccinellidae
Family Curculionidae
Family Dermestidae
Family Elateridae
Family Hydrophilidae
Family Lyctidae
Family Meloidae
Family Moredellidae
Family Platypodiidae
Family Scarabaeldae
Family Scolytidae
Family Selbytidae
Order Lepidoptera
Family Agromyidae
Family Anthomidae
Family Cecidomidae
Family Chioropidae
Family Ephydriidae
Family Lonchacidae
Family Muscidae
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 Xyloioipidae and

Also unclassified organism and/or organisms whose classification is unknown, and all other organisms associated with plant and insect disease.

**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.

**EXEMPTIONS TO THE OCCUPIER OF THE PROCESSED FOOD DERIVED FROM
LIVING MODIFIED ORGANISMS****MINISTRY 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 microorganism/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 (1)	Rule from which exempted (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 microorganisms/ 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 20th 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 microorganisms/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 MANUFACTURE,
STORAGE AND IMPORT
OF HAZARDOUS
CHEMICAL RULES, 1989**

(as amended to date)

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 sections 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 Chemicals Rules, 1989.
- (2) They shall come into force on the date of their publication in the Official Gazette.

(3) 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 chemicals;
- (e) "hazardous chemical" means, -
 - (i) any chemical which satisfies any of the criteria laid down in Part I of ²[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;
- (f) "import", with its grammatical variations and cognate expression, means bringing into India from a place outside India;
- (g) "importer" means an occupier or any person who imports 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;

¹ 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 19th January, 2000.

² Substituted by Rule 2 (i) of the Manufacture, Storage and Import of Hazardous Chemical (Amendment) Rules, 2000 notified vide S.O. 57(E), dated 19th January, 2000.

- (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 at least 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 effects 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 schedules 2 and 3 respectively;]
- (k) "pipeline" means a pipe (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 3 at a pressure of less than eight bars absolute; the pipeline also includes interstate 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 and 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.

²**[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;
- (c) subject to the other provisions of these rules, perform the duties specified in column 3 of Schedule 5.]

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.

² Substituted by Rule 2 of the MSIHC (Amendment) Rules, 1994 notified vide S.O.2882, dated 3rd October, 1994

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 I 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.

5. Notification of Major accident .- (1) Where a major accident occurs on a site, 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 instalments, if necessary, in Schedule 6.

(2) The concerned authority shall, on receipt of the report in accordance with sub-rule (1) of this rule, undertake a full analysis of the major accident and send the ⁴[requisite information within 90 days to the Ministry] of Environment and Forests through appropriate channel.

⁵[(3) An occupier shall notify to the concerned authority, steps taken to avoid any repetition of such occurrence on a site.]

⁶[(4) The concerned authority shall compile information regarding major accidents and make available a copy of the same to the Ministry of Environment and 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 a 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 columns 3 and 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 ⁷[columns 3 and 4 (rules 10-12 only for column 4)].

¹ Substituted by Rule 3 (i) of the MSIHC (Amendment) Rules, 1994 notified vide S.O. 2882 dated 3rd October, 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 3rd October, 1994

⁴ Substituted by Rule 3(b); of The MSIHC (Amendment) Rules, 1994 notified vide S.O. No. 2882, dated 3rd October, 1994

⁵ Substituted by Rule 3(c); of The MSIHC (Amendment) Rules, 1994 notified vide S.O. No. 2882, dated 3rd October, 1994

⁶ Inserted by Rule 3(c); of The MSIHC (Amendment) Rules, 1994 notified vide S.O. No. 2882, dated 3rd October, 1994

⁷ Substituted by S.O. 57 (E), dated 19th January, 2000 (w.e.f.20-01-2000)

(2) For the purposes 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;
- (b) an "existing industrial activity" means an industrial activity which is not a new industrial activity.

7. [Approval and Notification of sites].- (1) An occupier shall not undertake any industrial activity¹ [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 purposes 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.

²[(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

(b) within six months after that date an occupier commences 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. ³[Safety reports and safety audit reports]. - (1) Subject 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.

¹ Substituted by Rule 4 (a) of MSIHC (Amendment) Rules, 1994 notified vide S.O.2882, dated 3rd October, 1994

² Substituted by Rule 4(b), of MSIHC (Amendment) Rules, 1994 notified vide S.O.2882, dated 3rd October, 1994

³ Substituted by Rule 6 of the MSIHC (Amendment) Rules, 2000 notified vide S.O. 57(E), dated 19th January, 2000

¹[(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 the commencement of the Manufacture, Storage and Import of Hazardous Chemicals (Amendment) Rules, 1994, to the concerned authority.]

²[(4) After the commencement of the Manufacture, Storage and Import of Hazardous Chemicals (Amendment) Rules, 1994, the occupiers 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 alongwith his comments, to the concerned authority within 30 days after the completion of such Audit.

³[(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 previous report relating to safety and hazard assessment, and shall within 30 days ⁴[* * *], send a copy of the report to the concerned authority.

⁵[**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 of on-site emergency plan by the occupier. - (1) An occupier shall prepare and keep up-to-date ⁶[an on-site emergency plan containing details specified in Schedule 11 and detailing] how major accidents will be dealt with on the site on which the industrial activity is carried 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 authorised 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;

¹ Substituted by Rule 5 (a) of the MSIHC (Amendment) Rules, 1994 notified vide S.O. 2882, dated 3rd October, 1994

² Inserted by Rule 5(b), of MSIHC (Amendment) Rules, 1994 notified vide S.O.2882, dated 3rd October, 1994

³ Inserted by Rule 5(b), *ibid.*

⁴ Omitted by Rule 6, of the MSIHC (Amendment) Rules, 1994 notified vide S.O.2882, dated 3rd October, 1994

⁵ Ins. by MSIHC (Amendment) Rules, 1994 (w.e.f. 22-10-1994).

⁶ Ins. by MSIHC (Amendment) Rules, 1994 (w.e.f. 22-10-1994)

- (b) in the case of an existing industrial activity, within 90 days of coming 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 plans 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 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 of these rules.

³[(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 the 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 rules.

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 Ins. by MSIHC (Amendment) Rules, 1994 (w.e.f. 22-10-1994).

² Ins. by MSIHC (Amendment) Rules, 1994 (w.e.f. 22-10-1994).

³ Inserted by Rule 9(b) *ibid.*

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 1¹[or listed] 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 terms 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 the 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 1²[or listed] in column 2 of Part II of this Schedule.

(2) Any person responsible for importing hazardous chemicals in India shall provide³[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.

⁴[(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.]

⁵[(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.]

¹ Substituted by Rule 7 of the MSIHC (Amendment) Rules, 2000 notified vide S.O.57(E), dated 19th January, 2000

² Substituted by Rule 8(a), of the MSIHC (Amendment) Rules, 2000 notified vide S.O.57(E), dated 19th January, 2000

³ Substituted by Rule 10(a) of the MSIHC (Amendment) Rules, 1994 notified vide S.O.2882, dated 3rd October, 1994

⁴ Subs. by MSIHC (Amendment) Rules, 1994 (w.e.f. 22-10-1994)

⁵ Inserted by Rule 10(c), *ibid.*

(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.

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 be, ¹[the 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 the 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.

²[SCHEDULE 1

[See rules 2c (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:

Sr.No.	Toxicity	Oral toxicity LD50(mg/kg)	Dermal toxicity LD50/(mg/kg)	Inhalation toxicity LC50/(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.

¹ Substituted by Rule 11 of MSIHC Rules, 1994 notified vide S.O.2882, dated 3rd October, 1994

² Substituted by Rule 9 of the MSIHC (Amendment) Rules, 2000 notified vide S.O.57(E), dated 19th January, 2000

- (ii) Extremely flammable liquids. - chemicals which have flash point lower than or equal to 23⁰C and boiling point less than 35⁰C.
 - (iii) Very highly flammable liquids. chemicals which have a flash point lower than or equal to 23⁰C and initial boiling point higher than 35⁰C.
 - (iv) Highly flammable liquids. - chemicals which have a flash point lower than or equal to 60⁰C but higher than 23⁰C.
 - (v) Flammable liquids. - chemicals which have a flash point higher than 60⁰C but lower than 90⁰C.
- (c) **Explosives:** explosives means 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

S. No.	LIST OF HAZARDOUS CHEMICALS
1.	Acetaldehyde
2.	Acetic acid
3.	Acetic anhydride
4.	Acetone
5.	Acetone cyanohydrin
6.	Acetone thiosemicarbazide
7.	Acetonitrile
8.	Acetylene
9.	Acetylene tetra chloride
10.	Acrolein
11.	Acrylamide
12.	Acrylonitrile
13.	Adiponitrile
14.	Aldicarb
15.	Aldrin
16.	Allyl alcohol
17.	Allyl amine
18.	Allyl chloride
19.	Aluminium (powder)
20.	Aluminium azide
21.	Aluminium borohydride
22.	Aluminium chloride
23.	Aluminium fluoride
24.	Aluminium phosphide
25.	Amino diphenyl
26.	Amino pyridine
27.	Aminophenol-2
28.	Aminopterin
29.	Amiton
30.	Amiton dialate

31.	Ammonia
32.	Ammonium chloro platinate
33.	Ammonium nitrate
34.	Ammonium nitrite
35.	Ammonium picrate
36.	Anabasine
37.	Aniline
38.	Aniline 2,4, 6-Trimethyl
39.	Anthraquinone
40.	Antimony pentafluoride
41.	Antimycin A
42.	ANTU
43.	Arsenic pentoxide
44.	Arsenic trioxide
45.	Arsenous trichloride
46.	Arsine
47.	Asphalt
48.	Azinpho-ethyl
49.	Azinphos methyl
50.	Bacitracin
51.	Barium azide
52.	Barium nitrate
53.	Barium nitride
54.	Benzal chloride
55.	Benzenamine, 3-Trifluoromethyl
56.	Benzene
57.	Benzene sulfonyl chloride
58.	Benzene. 1- (chloromethyl)-4 Nitro
59.	Benzene arsenic acid
60.	Benzidine
61.	Benzidine salts
62.	Benzimidazole. 4, 5-Dichloro-2 (Trifluoromethyl)
63.	Benzoquinone-P
64.	Benzotrichloride
65.	Benzoyl chloride
66.	Benzoyl peroxide
67.	Benzyl chloride
68.	Beryllium (Powder)
69.	Bicyclo (2, 2, 1) Heptane -2- carbonitrile
70.	Biphenyl
71.	Bis (2-Chloroethyl) sulphide
72.	Bis (Chloromethyl) Ketone
73.	Bis (Tert-butyl peroxy) cyclohexane
74.	Bis (Terbutylperoxy) butane
75.	Bis(2,4, 6-Trinitrophenylamine)
76.	Bis (Chloromethyl) Ether

77.	Bismuth and compounds
78.	Bisphenol-A
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 peroxy maleate 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.	Camphchlor (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.	Chloromequat 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 etrintrinitranine
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 sulfolane (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.	Diphosphoramid octamethyl
229.	Diphenyl methane di-isocyanate (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.	Hexachloronaphthalene
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.	Mezcarbata
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 sulph. methyl phos
446.	OO Diethyl S propylthio methyl phosdithioate
447.	OO Diethyl s ethylsulphinyl 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.	Pentaerythritol 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.	Phosphorothioic 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.	Physostigmine
511.	Physostigmine 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.	Potassium 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 \geq 70%)
600.	Tert-Butyl peroxy-pivalate (Conc \geq 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.	Tetrafluorothyne
608.	Tetramethylene disulphotetramine
609.	Thallic oxide
610.	Thallium carbonate
611.	Thallium sulphate
612.	Thallos chloride
613.	Thallos malonate
614.	Thallos 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-di-thiolane)
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 naphthalene
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-ortho creysyl 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 monomer
671.	Vinyl bromide
672.	Vinyl chloride
673.	Vinyl cyclohexane dioxide
674.	Vinyl fluoride

675.	Vinyl norbornene
676.	Vinyl toluene
677.	Vinylethene chloride
678.	Warfarin
679.	Warfarin Sodium
680.	Xylene dichloride
681.	Xylidine
682.	Zinc dichloropentanitrile
683.	Zinc phosphide
684.	Zirconium & compounds]

SCHEDULE 2

[See rule 2(e)(ii), 4(1)(b), 4(2) 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 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 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: -
- 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;
 - 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
 - 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.

Sl.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 Schedule 1, paragraph (b) (i)	50	300
³ [7.]	Extremely flammable liquids as defined in Schedule 1, paragraph (b) (ii)	5000	50,000
8.	Liquid oxygen	200	2000
9.	Sodium chlorate	25	250
10.	Sulphur dioxide	20	500
11.	Sulphur 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

¹ Substituted by Rule 10(i) (a) of the MSIHC (Amendment) Rules, 2000 notified by S.O.57(E), dated 19th January, 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 3rd October, 1994

16.	Carbon disulphide	20	200
17.	Bromine	50	500
18.	Ethylene oxide	5	501
19.	Propylene oxide	5	50
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 di-isocyanate (MDI)	20	200
27.	Toluene di-isocyanate (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 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.
- (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).

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: -
- 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;
 - 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
 - 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.

¹ Inserted entries 28 to 30 by 10(iii) of the MSIHC (Amendment) Rules, 2000 notified by S.O.57(E), dated 19th January, 2000

PART I

Named Chemicals

S. No.	Chemicals	Threshold Quantity		CAS Number
		for application of Rules 5, 7-9 and 13-15	for application of Rules 10-12	
(1)	(2)	(3)	(4)	(5)
GROUP 1-TOXIC SUBSTANCES				
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 & salts	500 kg		
6.	Arsenic trioxide, Arsenic (III) acid & salts	100 kg		
7.	Arsine (Arsenic hydride)	10 kg		7784-42-1
8.	Azinphos-ethyl	100 kg		2642-71-9
9.	Azinphos-methyl	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		15159-40-7
19.	Chloromethyl methyl ether	1 kg		107-30-2
20.	Cobalt (metal, oxide, carbonates, 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
29.	OO-Diethyl S-isopropylthiomethyl 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 phosphorimidocynicidic acid	1 t		63917-41-9
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		37759- -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.	Hexmathylphosphoramidate	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 dione)	100 kg		481-39-0
64.	4,4-Methylenebis (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		13463-39-3
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		19624-22-7
76.	Phorate	100 kg		298-02-2
77.	Phosacetim	100 kg		4104-14-7

78.	Phosgene (carbonyl chloride)	750 kg	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-triazenthio-carboxamide)	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- -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
90.	Tellurium hexafluoride	100 kg		7783-80-4
91.	TEPP	100 kg		107-49-3
92.	2,3,7,8,-Tetrachlorodibenzo-p-dioxin(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.	Trichloromethanesulphonyl chloride	100 kg		594-42-3
97.	1-Tri (cyclohexyl) stannyl 1H-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-Cyanopropan-2-ol	200 t		75-86-5
101.	Acrolein (2-Propenal)	20 t	¹ [200t]	107-02-8
102.	Acrylonitrile	20 t	200t	107-13-1
103.	Allyl alcohol (Propen-1-ol)	200 t		107-18-6
104.	Alylamine	200 t		107-11-9
105.	Ammonia	50 t	500t	7664-41-7
106.	Bromine	40 t	¹ [500t]	7 6-95-6
107.	Carbon disulphide	20 t	200t	75-15-0
108.	Chlorine	10 t	25t	7782-50-5
109.	Diphneyl ethane di-isocyanate (MDI)	20 t	² [200t]	101-68-8
110.	Ethylene dibromide (1,2-Dibromoethane)	5 t	¹ [200t]	106-93-4
111.	Ethyleneimine	5 t		151-56-4
112.	Formaldehyde (concentration <90%)	5 t	¹ [50t]	50-00-0
113.	Hydrogen chloride (liquified gas)	25 t	250t	7647-01-0
114.	Hydrogen cyanide	5 t	20t	74-90-8
115.	Hydrogen fluoride	5 t	50t	7664-39-3
116.	Hydrogen sulphide	5 t	50t	7783-06-4
117.	Methyl bromide (Bromomethane)	20 t	¹ [200 t]	74-83-9
118.	Nitrogen oxides	50 t		11104-93-1

¹ Inserted by Rule 14 (a to h) of MSIHC (Amendment) Rules, 1994 notified vide notification S.O. 2882 dated 3rd October, 1994

² Inserted by Rule 14 (a to h) of MSIHC (Amendment) Rules, 1994 notified vide notification S.O. 2882 dated 3rd October, 1994

119.	Propyleneimine	50 t		75-55-8
120.	Sulphur dioxide	20 t	250t	7446-09-5
121.	Sulphur trioxide	15 t	75t	7446-11-9
122.	Tetraethyl lead	5 t		78-00-2
123.	Tetra methyl lead	5 t	¹ [200t]	75-74-1
124.	Toluene di-isocyanate (TDI)	10 t	¹ [100t]	584-84-9
GROUP 3-HIGHLY REACTIVE SUBSTANCES				
125.	Acetylene (ethyne)	5 t		74-86-2
126.	a. Ammonium nitrate (1)	350 t	2500 t	6484-52-2
	b. Ammonium nitrate in form of fertilizer (2)	1250 t		
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 peroxyacetate (concentration ≥ 70%)	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		23 -21-6
132.	Tert-Butyl peroxyacetate (concentration > 80%)	5 t		1931-62-0
133.	Tert-Butyl peroxy pivalate (concentration > 77%)	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 > 30%)	50 t		14666-78-5
137.	2,2-dihydroperoxypropane (concentration > 30%)	5 t		2614-76-08
138.	di-isobutyl peroxide (concentration > 50%)	50 t		3437-84-1
139.	Di-n-propyl peroxydicarbonate (concentration > 80%)	5 t		16066-38-9
140.	Ethylene 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 (concentration > 75%)	50 t		22397-33-7
143.	Hydrogen	2 t	50 t	1333-74-0
144.	Liquid Oxygen	200 t	¹ [2000t]	7782-41-7
145.	Methyl ethyl ketone peroxide (concentration > 60%)	5 t		1338-23-4
146.	Methyl isobutyl ketone peroxide (concentration > 60%)	50 t		3 06-20-5
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	² [100] kg		18810-58-7

¹ Inserted by Rule 14 (a to h) of MSIHC (Amendment) Rules, 1994 notified vide notification S.O. 2882 dated 3rd October, 1994

² Substituted entries by 11(i) of the MSIHC (Amendment) Rules, 2000 notified by S.O.57(E), dated 19th January, 2000

151.	Bis(2,4,6 -trinitrophenyl) amine	50 t		131-073-7
152.	Chlorotrinitro benzene	50 t		28260-61-9
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		20062-22-0
162.	Hydrazine nitrate	50 t		13464-97-6
163.	Lead azide	¹ [100 kg]		13424-46-9
164.	Lead Styphnate (Lead 2,4,6-trinitroresorcinoxide)	¹ [100 kg]		15245-44-0
165.	Mercury fulminate	¹ [100 kg]		20820-45-5
				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
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-Trinitrobenzene	50 t		3058-38-6
173.	Trinitroaniline-	50 t		26952-42-1
174.	2,4,6-Trinitroanisole	50 t		606-35-9
175.	Trinitrobenze	50 t		25377-32-6
176.	Trinitrobenzoic acid	50 t		35860-50-5
				126-66-8
177.	Trinitroresol	50 t		28905-71-7
178.	2,4,6-Trinitrophenitole	50 t		4732-14-3
179.	2,4,6-Trinitrotoluene	50 t	50 t	118-96-7

¹ Substituted entries by 11(i) of the MSIHC (Amendment) Rules, 2000 notified by S.O.57(E), dated 19th January, 2000

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	15 T	200 T
2.	Extremely flammable liquids	1000 T	5000 T
3.	Very Highly flammable liquids	1500 T	10000 T
4.	Highly Flammable liquids which remains liquid under pressure	25 T	200 T
5.	Highly Flammable liquids	2500 T	20000 T
6.	Flammable liquids	5000 T	50000 T]

(1) This applies to ammonium nitrate and mixtures of 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).

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

¹ Substituted entries by 11(ii) of the MSIHC (Amendment) Rules, 2000 notified by S.O.57(E), dated 19th January, 2000

- (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, 1[use] or treatment of energy gases, for example, LPG, LNG, SNG.
 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 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 Environment (Production) Act, 1986.	1. Notification of hazardous chemicals as per Rules 2(e)(i), 2(e) (ii) & 2(e) (iii).
2.	Chief Controller of Imports & Exports under Import & Exports (Control) Act, 1947.	Import of hazardous chemicals as per Rule 18.
3.	Central Pollution Control Board or ² [State Pollution Control Board or Committee] under Environment (Protection) Act, 1986 as the case may be.	(1) Enforcement of directions and procedures in respect of isolated storage of hazardous chemicals, regarding - (i) Notification of major accidents as per Rules 5(1) and 5(2) (ii) Notification of sites as per Rules 7 to 9. (iii) Safety reports in respect of isolated storages as per Rule 10 to 12. (iv) Preparation of on-site emergency plans as per Rule 13. (2) Import of hazardous Chemicals and enforcement of directions and procedures on import of hazardous chemicals as per Rule 18.
4.	Chief Inspector of Factories appointed under the Factories Act, 1948.	Enforcement of directions and procedures in respect of industrial installations and isolated storages covered under the Factories Act, 1948, dealing with hazardous chemicals and pipelines including inter-state pipelines regarding-

¹ Inserted by Rule 12 of the MSIHC (Amendment) Rules, 2000 notified vide S.O.57(E), dated 19th January, 2000

² Subs by Rule 13(i) of the MSIHC (Amendment) Rules, 2000 notified vide S.O.57(E), dated 19th January, 2000

		(i) Notification of major accidents as per Rule 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 plans as per Rule 13.
		(v) Preparation of off-site emergency plans in consultation with District Collector or District Emergency Authority as per S. No. 9 of this schedule.
5.	Chief Inspector of Dock Safety appointed under the Dock Workers (Safety, Health and Welfare) Act, 1986.	Enforcement of directions and procedures in respect of industrial installations and isolated storages dealing with hazardous chemicals and pipelines ¹ [inside a port {covered under the Dock Workers (Safety, Health and Welfare) Act, 1986}] regarding -
		(i) Notification of major accidents as per 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 plans as per Rule 13.
		(v) Preparation of off-site emergency plans in consultation with District Collector or District Emergency Authority as per S. No.9 of this Schedule.
6.	Chief Inspector of Mines appointed under the Mines Act, 1952	Enforcement of directions and procedures in respect of industrial installations and isolated storages dealing with hazardous chemicals ² [***] regarding -
		(i) Notification of major accidents as per 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 plans as per Rule 13.
		(v) Preparation of off-site emergency plans in consultation with District Collector or District Emergency Authority as per S. No.9 of this Schedule.
7.	Atomic Energy Regulatory Board appointed under the Atomic Energy Act, 1972.	³ [Enforcement of directions and procedures regarding :-
		(a) Notification of major accidents as per rule 5(1) and 5(2)
		(b) Approval and Notification of Sites as per rule 7;

¹ Substituted by Rule 13(ii) of the MSIHC (Amendment) Rules, 2000 notified vide S.O.57(E), dated 19th January, 2000

² Omitted by Rule 13(iii), *ibid*;

³ Substituted by Rule 13(iv), *ibid*.

		(c) Safety report and safety audit reports 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 Indian Explosive Act and Rules, 1983.	Enforcement of directions and procedures as per the provisions of the Indian Explosives Act, and Rules, 1983.
		¹ [(i) The Explosives Act, 1884(4 of 1884) and the rules made there under, 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 there under, 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 as 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.]
9.	District Collector or District Emergency Authority designated by the State Government.	Preparation of off-site emergency plans as per Rule 14.
³ [10.	⁴ {Centre for Environment and Explosive Safety (CEES)}, Defense Research and Development of Organisation (DRDO). Department of defence Research & Development, Ministry of Defence.	Enforcement of directions and procedures in respect of laboratories, industrial establishment and isolated storages dealing with hazardous chemicals in the Ministry of Defence].

¹ Substituted by Rule 15 of the MSIHC (Amendment) Rules, 1994, notified vide S.O.2882, dated 3rd October, 1994

² Inserted by Rule 13 (v) of the MSIHC (Amendment) Rules, 2000 notified vide S.O.57(E), dated 19th January, 2000

³ Inserted by G.S.R.584(E), dated 9th June, 1990

⁴ Substituted by Rule 13(ii) of the MSIHC (Amendment) Rules, 2000 notified vide S.O.57(E), dated 19th January, 2000

SCHEDULE 6

[See rule 5(1)]

INFORMATION TO BE FURNISHED REGARDING NOTIFICATION OF A MAJOR ACCIDENT

Report number.....
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.

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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)

Not Known

Information will be supplied as soon as possible

6. Nature and extent of damage

(a) Within the establishment - casualties

.....Killed

.....Injured

.....Poisoned

Persons exposed to the major accident
material damaged

.....

danger is still present

danger no longer exists.

(b) Outside the establishment-casualties

.....Killed

.....Injured

.....Poisoned

Persons exposed to the major accident
material damaged

.....

damage to environment

the danger is still present

the danger no longer exists

7. Data available for assessing the effects of the accident on persons and environment.

8. 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 events which could be significant in bringing 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) firefighting etc.
7. Information on the hazards assessment, namely-
- (a) identification of hazards,
 - (b) the causes 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 organisational 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 routes guidelines for fighting the emergency, information about hazardous chemicals, examples of possible accident sequences,
 - (d) co-ordination 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/Labels		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 @ 35 °C Others	
Specific Gravity (Water =1)	pH	

3. FIRE AND EXPLOSION HAZARD DATA

Flammability Yes/No	LEL	% Flash Point °C	Autoignition °C Temperature
TDG Flammability	UEL	% Flash Point °C	Hazardous Combustion Products
Explosion Sensitivity to Impact		Explosion Sensitivity to State Electricity	
Hazardous Polymerization			
Combustible Liquid	Explosive Material	Corrosive Material	
Flammable Material	Oxidizer	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
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Permissible Exposure Limits	ppm	mg/m ³	Odour Threshold	ppm	mg/m ³
LD ₅₀			LD ₅₀		

NEPA Hazard Signals	Health	Flammability	Stability	Special
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6. PREVENTIVE MEASURES

 Personnel Protective Equipment

 Handling and Storage Precautions

7. EMERGENCY AND FIRST AID MEASURE

FIRE	Fire Extinguishing Media
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FIRE	Special Procedures
	Unusual Hazards

EXPOSURE	First Aid Measures
	Antidotes/Dosages

SPIILLS	Steps to be taken
	Waste Disposal Method

8. ADDITIONAL INFORMATION/REFERENCES

9. MANUFACTURER/SUPPLIER DATA

Name of Firm	Contact Person in Emergency
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Mailing Address	Local Bodies Involved
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Telephone/Telex Nos.	Standard Packing
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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 and weight (in kilogram's/Tones)
4. Description of purpose of Import:
5. Description of storage of hazardous chemicals:
 - (a) Date:
 - (b) Method of storage:

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 organisations if involved in assisting during on-site emergency.
 - (a) Type of accidents
 - (b) Responsibility assigned

¹ Inserted by Rule 16 of the MSIHC (Amendment) Rules, 1994 notified by S.O.2882, dated 3.10.1994.

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
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 outside.
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 recognised rules of goods 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 stand by methods.
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.

¹ Ins. by Rule 16 of the MSIHC (Amendment) Rules, 1994 notified by SO. 2882, dated 3.10.1994.

**THE BIO-MEDICAL
WASTE MANAGEMENT
RULES, 2016**

(as amended to date)

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

New Delhi, the 28th March, 2016

G.S.R. 343(E).—Whereas the Bio-Medical Waste (Management and Handling) Rules, 1998 was published *vide* notification number S.O. 630 (E) dated the 20th July, 1998, by the Government of India in the erstwhile Ministry of Environment and Forests, provided a regulatory frame work for management of bio-medical waste generated in the country;

And whereas, to implement these rules more effectively and to improve the collection, segregation, processing, treatment and disposal of these bio-medical wastes in an environmentally sound management thereby, reducing the bio- medical waste generation and its impact on the environment, the Central Government reviewed the existing rules;

And whereas, in exercise of the powers conferred by sections 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government published the draft rules in the Gazette *vide* number G.S.R. 450 (E), dated the 3rd June, 2015 inviting objections or suggestions from the public within sixty days from the date on which copies of the Gazette containing the said notification were made available to the public;

And whereas, the copies of the Gazette containing the said draft rules were made available to the public on the 3rd June, 2015;

And whereas, the objections or comments received within the specified 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 section 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), and in supersession of the Bio-Medical Waste (Management and Handling) Rules, 1998, except as respects things done or omitted to be done before such suppression, the Central Government hereby makes the following rules, namely: -

1.Short title and commencement. -(1) these rules may be called the Bio-Medical Waste Management Rules, 2016.

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

2.Application. -

(1) These rules shall apply to all persons who generate, collect, receive, store, transport, treat, dispose, or handle bio medical waste in any form including hospitals, nursing homes, clinics, dispensaries, veterinary institutions, animal houses, pathological laboratories, blood banks, ayush hospitals, clinical establishments, research or educational institutions, health camps, medical or surgical camps, vaccination camps, blood donation camps, first aid rooms of schools, forensic laboratories and research labs.

(2) These rules shall not apply to, -

- (a) radioactive wastes as covered under the provisions of the Atomic Energy Act, 1962(33 of 1962) and the rules made there under;
- (b) hazardous chemicals covered under the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989 made under the Act;
- (c) solid wastes covered under the ¹[Solid Waste Management Rules, 2016] made under the Act;
- (d) the lead acid batteries covered under the Batteries (Management and Handling) Rules,

¹ Substituted *vide* G.S.R.234 (E) dated 16th March, 2018.

2001 made under the Act;

- (e) hazardous wastes covered under the ¹[Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016] made under the Act;
- (f) waste covered under the ²[E-Waste (Management) Rules, 2016] made under the Act; and
- (g) hazardous microorganisms, genetically engineered microorganisms and cells covered under the Manufacture, Use, Import, Export and Storage of Hazardous Microorganisms, Genetically Engineered Microorganisms or Cells Rules, 1989 made under the Act.

3. Definitions. -In these rules, unless the context otherwise requires, -

- (a) "Act" means the Environment (Protection) Act, 1986 (29 of 1986);
- (b) "animal house" means a place where animals are reared or kept for the purpose of experiments or testing;
- (c) "authorisation" means permission granted by the prescribed authority for the generation, collection, reception, storage, transportation, treatment, processing, disposal or any other form of handling of bio-medical waste in accordance with these rules and guidelines issued by the Central Government or Central Pollution Control Board as the case may be;
- (d) "authorised person" means an occupier or operator authorised by the prescribed authority to generate, collect, receive, store, transport, treat, process, dispose or handle bio-medical waste in accordance with these rules and the guidelines issued by the Central Government or the Central Pollution Control Board, as the case may be;
- (e) "biological" means any preparation made from organisms or micro-organisms or product of metabolism and biochemical reactions intended for use in the diagnosis, immunization or the treatment of human beings or animals or in research activities pertaining there to;
- (f) "bio-medical waste" means any waste, which is generated during the diagnosis, treatment or immunisation of human beings or animals or research activities pertaining thereto or in the production or testing of biological or in health camps, including the categories mentioned in Schedule I appended to these rules;
- (g) "bio-medical waste treatment and disposal facility" means any facility wherein treatment, disposal of bio-medical waste or processes incidental to such treatment and disposal is carried out, and includes common bio-medical waste treatment facilities;
- (h) "Form" means the Form appended to these rules;
- (i) "handling" in relation to bio-medical waste includes the generation, sorting, segregation, collection, use, storage, packaging, loading, transportation, unloading, processing, treatment, destruction, conversion, or offering for sale, transfer, disposal of such waste;
- (j) "health care facility" means a place where diagnosis, treatment or immunization of human beings or animals is provided irrespective of type and size of health treatment system, and research activity pertaining thereto;
- (k) "major accident" means accident occurring while handling of bio-medical waste having potential to affect large masses of public and includes toppling of the truck carrying bio-medical waste, accidental release of bio-medical waste in any water body but exclude accidents like needle prick injuries, mercury spills;
- (l) "management" includes all steps required to ensure that bio- medical waste is managed in such a manner as to protect health and environment against any adverse effects due to handling of such waste;
- (m) "occupier" means a person having administrative control over the institution and the premises

¹ Substituted vide G.S.R.234 (E) dated 16th March, 2018.

² Substituted vide G.S.R.234 (E) dated 16th March, 2018.

generating bio- medical waste, which includes a hospital, nursing home, clinic, dispensary, veterinary institution, animal house, pathological laboratory, blood bank, health care facility and clinical establishment, irrespective of their system of medicine and by whatever name they are called;

- (n) "operator of a common bio-medical waste treatment facility" means a person who owns or controls a Common Bio-medical Waste Treatment Facility (CBMWTF) for the collection, reception, storage, transport, treatment, disposal or any other form of handling of bio-medical waste;
- (o) "prescribed authority" means the State Pollution Control Board in respect of a State and Pollution Control Committees in respect of an Union territory;
- (p) "Schedule" means the Schedule appended to these rules.

4. Duties of the Occupier. -It shall be the duty of every occupier to-

- (a) Take all necessary steps to ensure that bio-medical waste is handled without any adverse effect to human health and the environment and in accordance with these rules;
 - (b) make a provision within the premises for a safe, ventilated and secured location for storage of segregated biomedical waste in colored bags or containers in the manner as specified in Schedule I, to ensure that there shall be no secondary handling, pilferage of recyclables or inadvertent scattering or spillage by animals and the bio-medical waste from such place or premises shall be directly transported in the manner as prescribed in these rules to the common bio-medical waste treatment facility or for the appropriate treatment and disposal, as the case may be, in the manner as prescribed in Schedule I;
 - (c) pre-treat the laboratory waste, microbiological waste, blood samples and blood bags through disinfection or sterilisation on-site in the manner as prescribed by the World Health Organisation (WHO) ¹[, guidelines on Safe management of wastes from health care activities and WHO Blue Book, 2014 and then sent to the Common bio-medical waste treatment facility for final disposal];
 - (d) ²[phase out use of chlorinated plastic bags (excluding blood bags) and gloves by the 27th March, 2019]¹;
- ³[**Explanation.** - For removal of doubts, it is hereby clarified that the expression "Chlorinated plastic bags" shall not include urine bags, effluent bags, abdominal bags and chest drainage bags.]
- (e) dispose of solid waste other than bio-medical waste in accordance with the provisions of respective waste management rules made under the relevant laws and amended from time to time;
 - (f) not to give treated bio-medical waste with municipal solid waste;
 - (g) provide training to all its health care workers and others, involved in handling of bio medical waste at the time of induction and thereafter at least once every year and the details of training programmes conducted, number of personnel trained and number of personnel not undergone any training shall be provided in the Annual Report;
 - (h) immunise all its health care workers and others, involved in handling of bio-medical waste for protection against diseases including Hepatitis B and Tetanus that are likely to be transmitted by handling of bio-medical waste, in the manner as prescribed in the National Immunisation Policy or the guidelines of the Ministry of Health and Family Welfare issued from time to time;
 - (i) establish a Bar- Code System for bags or containers containing bio-medical waste to be sent out

¹ Substituted vide G.S.R.234 (E) dated 16th March, 2018.

² Substituted vide G.S.R.234 (E) dated 16th March, 2018.

³ Substituted vide G.S.R.260 (E) dated 10th May, 2019.

of the premises or ¹[for the further treatment and disposal in accordance with the guidelines issued by the Central Pollution Control Board by 27th March, 2019];

- (j) ensure segregation of liquid chemical waste at source and ensure pre-treatment or neutralisation prior to mixing with other effluent generated from health care facilities;
- (k) ensure treatment and disposal of liquid waste in accordance with the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);
- (l) ensure occupational safety of all its health care workers and others involved in handling of bio-medical waste by providing appropriate and adequate personal protective equipments;
- (m) conduct health check up at the time of induction and at least once in a year for all its health care workers and others involved in handling of bio- medical waste and maintain the records for the same;
- (n) ²[in case of all bedded health care units, maintain and update on day to day basis the bio-medical waste management register and display the monthly record on its website according to the bio-medical waste generated in terms of category and colour coding as specified in Schedule I]
- (o) report major accidents including accidents caused by fire hazards, blasts during handling of bio-medical waste and the remedial action taken and the records relevant thereto, (including nil report) in Form I to the prescribed authority and also along with the annual report;
- (p) ³[in case of all bedded health care facilities (any number of beds), make available the annual report on its web-site within a period of two years from the date of publication of the Bio-Medical Waste Management (Amendment) Rules, 2018];
- (q) inform the prescribed authority immediately in case the operator of a facility does not collect the bio-medical waste within the intended time or as per the agreed time;
- (r) establish a system to review and monitor the activities related to bio-medical waste management, either through an existing committee or by forming a new committee and the Committee shall meet once in every six months and the record of the minutes of the meetings of this committee shall be submitted along with the annual report to the prescribed authority and the healthcare establishments having less than thirty beds shall designate a qualified person to review and monitor the activities relating to bio-medical waste management within that establishment and submit the annual report;
- (s) maintain all record for operation of incineration, hydro or autoclaving etc., for a period of five years;
- (t) existing incinerators to achieve the standards for treatment and disposal of bio-medical waste as specified in Schedule II for retention time in secondary chamber and Dioxin and Furans within two years from the date of this notification.

5. Duties of the operator of a common bio-medical waste treatment and disposal facility. -It shall be the duty of every operator to-

- (a) take all necessary steps to ensure that the bio-medical waste collected from the occupier is transported, handled, stored, treated and disposed of, without any adverse effect to the human health and the environment, in accordance with these rules and guidelines issued by the Central Government or, as the case may be, the central pollution control board from time to time;
- (b) ensure timely collection of bio-medical waste from the occupier as prescribed under these

¹ Substituted vide G.S.R.234 (E) dated 16th March, 2018.

² Substituted vide G.S.R 129 (E) dated 19th February, 2019

³ Substituted vide G.S.R.234 (E) dated 16th March, 2018.

rules;

- (c) establish bar coding and global positioning system for handling of bio- medical waste ¹[in accordance with the guidelines issued by the Central Pollution Control Board by 27th March, 2019];
- (d) inform the prescribed authority immediately regarding the occupiers which are not handing over the segregated bio-medical waste in accordance with these rules;
- (e) provide training for all its workers involved in handling of bio-medical waste at the time of induction and at least once a year thereafter;
- (f) assist the occupier in training conducted by them for bio-medical waste management;
- (g) undertake appropriate medical examination at the time of induction and atleast once in a year and immunize all its workers involved in handling of bio-medical waste for protection against diseases, including Hepatitis B and Tetanus, that are likely to be transmitted while handling bio-medical waste and maintain the records for the same;
- (h) ensure occupational safety of all its workers involved in handling of bio-medical waste by providing appropriate and adequate personal protective equipment;
- (i) report major accidents including accidents caused by fire hazards, blasts during handling of bio-medical waste and the remedial action taken and the records relevant thereto, (including nil report) in Form I to the prescribed authority **and also** along with the annual report;
- (j) maintain a log book for each of its treatment equipment according to weight of batch; categories of waste treated; time, date and duration of treatment cycle and total hours of operation;
- (k) allow occupier, who are giving waste for treatment to the operator, to see whether the treatment is carried out as per the rules;
- (l) shall display details of authorisation, treatment, annual report etc. on its web-site;
- (m) after ensuring treatment by autoclaving or microwaving followed by mutilation or shredding, whichever is applicable, the recyclables from the treated bio-medical wastes such as plastics and glass, shall be given to recyclers having valid consent or authorization or registration from the respective State Pollution Control Board or Pollution Control Committee;
- (n) supply non-chlorinated plastic coloured bags to the occupier on chargeable basis, if required;
- (o) common bio-medical waste treatment facility shall ensure collection of biomedical waste on holidays also;
- (p) maintain all record for operation of incineration, hydro or autoclaving for a period of five years; and
- (q) upgrade existing incinerators to achieve the standards for retention time in secondary chamber and Dioxin and Furans within two years from the date of this notification.

6. Duties of authorities. -The Authority specified in column (2) of Schedule-III shall perform the duties as specified in column (3) thereof in accordance with the provisions of these rules.

7. Treatment and disposal. - (1) Bio-medical waste shall be treated and disposed of in accordance with Schedule I, and in compliance with the standards provided in Schedule-II by the healthcare facilities and common bio-medical waste treatment facility.

¹ Substituted vide G.S.R.234 (E) dated 16th March, 2018.

(2) Occupier shall hand over segregated waste as per the Schedule-I to common bio-medical waste treatment facility for treatment, processing and final disposal:

Provided that the lab and highly infectious bio-medical waste generated shall be pre-treated by equipment like autoclave or microwave.

(3) No occupier shall establish on-site treatment and disposal facility, if a service of common bio-medical waste treatment facility is available at a distance of seventy-five kilometer.

(4) In cases where service of the common bio-medical waste treatment facility is not available, the Occupiers shall set up requisite biomedical waste treatment equipment like incinerator, autoclave or microwave, shredder prior to commencement of its operation, as per the authorization given by the prescribed authority.

(5) Any person including an occupier or operator of a common biomedical waste treatment facility, intending to use new technologies for treatment of biomedical waste other than those listed in Schedule I shall request the Central Government for laying down the standards or operating parameters.

(6) On receipt of a request referred to in sub-rule (5), the Central Government may determine the standards and operating parameters for new technology which may be published in Gazette by the Central Government.

(7) Every operator of common bio-medical waste treatment facility shall set up requisite biomedical waste treatment equipments like incinerator, autoclave or microwave, shredder and effluent treatment plant as a part of treatment, prior to commencement of its operation.

(8) Every occupier shall ¹[phase out use of chlorinated plastic bags] within two years from the date of publication of these rules and after two years from such publication of these rules, the chlorinated plastic bags shall not be used for storing and transporting of bio-medical waste and the occupier or operator of a common bio-medical waste treatment facility shall not dispose of such plastics by incineration and the bags used for storing and transporting biomedical waste shall be in compliance with the Bureau of Indian Standards. Till the Standards are published, the carry bags shall be as per ¹[the Plastic Waste Management Rules, 2016].

(9) After ensuring treatment by autoclaving or microwaving followed by mutilation or shredding, whichever is applicable, the recyclables from the treated bio-medical wastes such as plastics and glass shall be given to such recyclers having valid authorisation or registration from the respective prescribed authority.

(10) The Occupier or Operator of a common bio-medical waste treatment facility shall maintain a record of recyclable wastes referred to in sub-rule (9) which are auctioned or sold and the same shall be submitted to the prescribed authority as part of its annual report. The record shall be open for inspection by the prescribed authorities.

(11) The handling and disposal of all the mercury waste and lead waste shall be in accordance with the respective rules and regulations.

8. Segregation, packaging, transportation and storage. -(1) Non treated bio-medical waste shall be mixed with other wastes.

(2) The bio-medical waste shall be segregated into containers or bags at the point of generation in accordance with Schedule I prior to its storage, transportation, treatment and disposal.

(3) The containers or bags referred to in sub-rule (2) shall be labeled as specified in Schedule IV.

(4) Bar code and global positioning system shall be added by the Occupier and common bio-medical waste treatment facility in one year time.

¹ Substituted vide G.S.R.234 (E) dated 16th March, 2018.

(5) The operator of common bio-medical waste treatment facility shall transport the bio-medical waste from the premises of an occupier to any off-site bio-medical waste treatment facility only in the vehicles having label as provided in part 'A' of the Schedule IV along with necessary information as specified in part 'B' of the Schedule IV.

(6) The vehicles used for transportation of bio-medical waste shall comply with the conditions if any stipulated by the State Pollution Control Board or Pollution Control Committee in addition to the requirement contained in the Motor Vehicles Act, 1988 (59 of 1988), if any or the rules made there under for transportation of such infectious waste.

(7) Untreated human anatomical waste, animal anatomical waste, soiled waste and, biotechnology waste shall not be stored beyond a period of forty –eight hours:

Provided that in case for any reason it becomes necessary to store such waste beyond such a period, the occupier shall take appropriate measures to ensure that the waste does not adversely affect human health and the environment and inform the prescribed authority along with the reasons for doing so.

(8) Microbiology waste and all other clinical laboratory waste shall be pre-treated by sterilisation to Log 6 or disinfection to Log 4, as per the World Health Organisation guidelines before packing and sending to the common bio-medical waste treatment facility.

9. Prescribed authority. -(1) The prescribed authority for implementation of the provisions of these rules shall be the State Pollution Control Boards in respect of States and Pollution Control Committees in respect of Union territories.

(2) 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, who shall function under the supervision and control of the Ministry of Defence.

(3) The prescribed authorities shall comply with the responsibilities as stipulated in Schedule III of these rules.

10. Procedure for authorisation.-Every occupier or operator handling bio-medical waste, irrespective of the quantity shall make an application in Form II to the prescribed authority i.e. State Pollution Control Board and Pollution Control Committee, as the case may be, for grant of authorisation and the prescribed authority shall grant the provisional authorisation in Form III and the validity of such authorisation for bedded health care facility and operator of a common facility shall be synchronised with the validity of the consents.

(1) The authorisation shall be one time for non-bedded occupiers and the authorisation in such cases shall be deemed to have been granted, if not objected by the prescribed authority within a period of ninety days from the date of receipt of duly completed application along with such necessary documents.

(2) In case of refusal of renewal, cancellation or suspension of the authorisation by the prescribed authority, the reasons shall be recorded in writing:

Provided that the prescribed authority shall give an opportunity of being heard to the applicant before such refusal of the authorisation.

(3) Every application for authorisation shall be disposed of by the prescribed authority within a period of ninety days from the date of receipt of duly completed application along with such necessary documents, failing which it shall be deemed that the authorisation is granted under these rules.

(4) In case of any change in the bio-medical waste generation, handling, treatment and disposal for which authorisation was earlier granted, the occupier or operator shall intimate to the prescribed

authority about the change or variation in the activity and shall submit a fresh application in Form II for modification of the conditions of authorisation.

11. Advisory Committee. -(1) Every State Government or Union territory Administration shall constitute an Advisory Committee for the respective State or Union territory under the chairmanship of the respective health secretary to oversee the implementation of the rules in the respective state and to advise any improvements and the Advisory Committee shall include representatives from the Departments of Health, Environment, Urban Development, Animal Husbandry and Veterinary Sciences of that State Government or Union territory Administration, State Pollution Control Board or Pollution Control Committee, urban local bodies or local bodies or Municipal Corporation, representatives from Indian Medical Association, common bio-medical waste treatment facility and non-governmental organization

(2) Notwithstanding anything contained in sub-rule (1), the Ministry of Defence shall constitute the Advisory Committee (Defence) under the chairmanship of Director General of Health Services of Armed Forces consisting of representatives from the Ministry of Defence, Ministry of Environment, Forest and Climate Change, Central Pollution Control Board, Ministry of Health and Family Welfare, Armed Forces Medical College or Command Hospital.

(3) The Advisory Committee constituted under sub-rule (1) and (2) shall meet at least once in six months and review all matters related to implementation of the provisions of these rules in the State and Armed Forces Health Care Facilities, as the case may be.

(4) The Ministry of Health and Defence may co-opt representatives from the other Governmental and non- governmental organisations having expertise in the field of bio-medical waste management.

12. Monitoring of implementation of the rules in health care facilities. -(1) The Ministry of Environment, Forest and Climate Change shall review the implementation of the rules in the country once in a year through the State Health Secretaries and Chairmen or Member Secretary of State Pollution Control Boards and Central Pollution Control Board and the Ministry may also invite experts in the field of bio-medical waste management, if required.

(2) 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.

(3) The Central Pollution Control Board along with one or more representatives of the Advisory Committee constituted under sub-rule (2) of rule 11, may inspect any Armed Forces health care establishments after prior intimation to the Director General Armed Forces Medical Services.

(4) Every State Government or Union territory Administration shall constitute District Level Monitoring Committee in the districts under the chairmanship of District Collector or District Magistrate or Deputy Commissioner or Additional District Magistrate to monitor the compliance of the provisions of these rules in the health care facilities generating bio-medical waste and in the common bio-medical waste treatment and disposal facilities, where the bio-medical waste is treated and disposed of.

(5) The District Level Monitoring Committee constituted under sub-rule (4) shall submit its report once in six months to the State Advisory Committee and a copy thereof shall also be forwarded to State Pollution Control Board or Pollution Control Committee concerned for taking further necessary action.

(6) The District Level Monitoring Committee shall comprise of District Medical Officer or District Health Officer, representatives from State Pollution Control Board or Pollution Control Committee, Public Health Engineering Department, local bodies or municipal corporation, Indian Medical Association, common bio-medical waste treatment facility and registered non-governmental organisations working in the field of bio-medical waste management and the Committee may co-opt other members and experts, if necessary and the District Medical Officer shall be the Member Secretary of this Committee.

13. Annual Report. -(1) Every occupier or operator of common bio-medical waste treatment facility shall submit an annual report to the prescribed authority in Form-IV, on or before the 30th June of every year.

(2) The prescribed authority shall compile, review and analyse the information received and send this information to the ¹[Central Pollution Control Board in Form IVA before] the 31st July of every year.

(3) The Central Pollution Control Board shall compile, review and analyse the information received and send this information, along with its comments or suggestions or observations to the Ministry of Environment, Forest and Climate Change on or before 31st August every year.

(4) The Annual Reports shall also be available online on the websites of Occupiers, State Pollution Control Boards and Central Pollution Control Board.

14. Maintenance of records. -(1) Every authorised person shall maintain records related to the generation, collection, reception, storage, transportation, treatment, disposal or any other form of handling of bio-medical waste, for a period of five years, in accordance with these rules and guidelines issued by the Central Government or the Central Pollution Control Board or the prescribed authority as the case maybe.

(2) All records shall be subject to inspection and verification by the prescribed authority or the Ministry of Environment, Forest and Climate Change at any time.

15. Accident Reporting. -(1) In case of any major accident at any institution or facility or any other site while handling bio-medical waste, the authorised person shall intimate immediately to the prescribed authority about such accident and forward a report within twenty-four hours in writing regarding the remedial steps taken in Form I.

(2) Information regarding all other accidents and remedial steps taken shall be provided in the annual report in accordance with rule 13 by the occupier.

16. Appeal. -(1) Any person aggrieved by an order made by the prescribed authority under these rules may, within a period of thirty days from the date on which the order is communicated to him, prefer an appeal in Form-V to the Secretary (Environment) of the State Government or Union territory administration.

(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 in Form V to the Secretary, Ministry of Environment, Forest and Climate Change.

(3) The authority referred to in sub-para (1) and (2) as the case may be, 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) The appeal shall be disposed of within a period of ninety days from the date of its filing.

17. Site for common bio-medical waste treatment and disposal facility. -(1) Without prejudice to rule 5 of these rules, the department in the business allocation of land assignment shall be responsible for providing suitable site for setting up of common biomedical waste treatment and disposal facility in the State Government or Union territory Administration.

(2) The selection of site for setting up of such facility shall be made in consultation with the prescribed authority, other stakeholders and in accordance with guidelines published by the Ministry of Environment, Forest and Climate Change or Central Pollution Control Board.

18. Liability of the occupier, operator of a facility. - (1) The occupier or an operator of a common bio-medical waste treatment facility shall be liable for all the damages caused to the

¹ Substituted vide G.S.R. 234(E) dated 16th March, 2018

environment or the public due to improper handling of bio- medical wastes.

(2) The occupier or operator of common bio-medical waste treatment facility shall be liable for action under section 5 and section 15 of the Act, in case of any violation.

SCHEDULE I

[See rules 3 (e), 4(b), 7(1), 7(2), 7(5), 7 (6) and 8(2)]

Part-1

Biomedical wastes categories and their segregation, collection, treatment, processing and disposal options

Category	Type of Waste	Type of Bag or Container to be used	Treatment and Disposal options
(1)	(2)	(3)	(4)
Yellow	<p>(a) Human Anatomical Waste: Human tissues, organs, body parts and fetus below the viability period (as per the Medical Termination of Pregnancy Act 1971, amended from time to time).</p>	Yellow coloured non-chlorinated plastic bags	Incineration or Plasma Pyrolysis or deep burial*
	<p>(b) Animal Anatomical Waste: Experimental animal carcasses, body parts, organs, tissues, including the waste generated from animals used in experiments or testing in veterinary hospitals or colleges or animal houses.</p>		
	<p>(c) Soiled Waste: Items contaminated with blood, body fluids like dressings, plaster casts, cotton swabs and bags containing residual or discarded blood and blood components.</p>		Incineration or Plasma Pyrolysis or deep burial* In absence of above facilities, autoclaving or micro-waving/ hydroclaving followed by shredding or mutilation or combination of sterilization and shredding. Treated waste to be sent for energy recovery.
	<p>(d) Expired or Discarded Medicines: Pharmaceutical waste like antibiotics, cytotoxic drugs including all items contaminated with cytotoxic drugs along with glass or plastic ampoules, vials etc.</p>	Yellow coloured non-chlorinated plastic bags or containers	Expired cytotoxic drugs and items contaminated with cytotoxic drugs to be returned back to the manufacturer or supplier for incineration at temperature >1200 °C or to common bio-medical waste treatment facility or hazardous waste treatment, storage and disposal facility for incineration at >1200 °C Or Encapsulation or Plasma Pyrolysis at >1200 °C. All other discarded medicines shall be either sent back to manufacturer or disposed by incineration.

	<p>(e) Chemical Waste: Chemicals used in production of biological and used or discarded disinfectants.</p>	Yellow coloured containers or non-chlorinated plastic bags	Disposed of by incineration or Plasma Pyrolysis or Encapsulation in hazardous waste treatment, storage and disposal facility.
	<p>(f) Chemical Liquid Waste: Liquid waste generated due to use of chemicals in production of biological and used or discarded disinfectants, Silver X-ray film developing liquid, discarded Formalin, infected secretions, aspirated body fluids, liquid from Laboratories and floor washings, cleaning, house-keeping and disinfecting activities etc.</p>	Separate collection system leading to effluent treatment system	After resource recovery, the chemical liquid waste shall be pre-treated before mixing with other wastewater. The combined discharge shall conform to the discharge norms given in Schedule- III.
	<p>(g) Discarded linen, mattresses, beddings contaminated with blood or body fluid ¹[routine mask and gown].</p>	Non-chlorinated yellow plastic bags or suitable packing material	<p>Non-chlorinated chemical disinfection followed by incineration or Plazma Pyrolysis or for energy recovery.</p> <p>In absence of above facilities, shredding or mutilation or combination of sterilization and shredding. Treated waste to be sent for energy recovery or incineration or Plazma Pyrolysis.</p>
111	<p>(h) Microbiology, Biotechnology and other clinical laboratory waste: Blood bags, Laboratory cultures, stocks or specimens of micro-organisms, live or attenuated vaccines, human and animal cell cultures used in research, industrial laboratories, production of biological, residual toxins, dishes and devices used for cultures.</p>	² [Autoclave or Microwave or Hydroclave safe plastic bags or containers]	Pre-treat to sterilize with non-chlorinated chemicals on-site ² [as per World Health Organisation guidelines on Safe management of wastes from health care activities and WHO Blue Book, 2014 and thereafter sent for incineration]

¹ Inserted vide GSR 234(E) dated 16th March, 2018

² Substituted vide GSR 234(E) dated 16th March, 2018

Red	Contaminated Waste (Recyclable) (a) Wastes generated from disposable items such as tubing, bottles, intravenous tubes and sets, catheters, urine bags, syringes (without needles and <i>fixed needle</i> syringes) and vaccutainers with their needles cut) and gloves.	Red coloured non-chlorinated plastic bags or containers	Autoclaving or micro-waving/ hydroclaving followed by shredding or mutilation or combination of sterilization and shredding. Treated waste to be sent to registered or authorized recyclers or for energy recovery or plastics to diesel or fuel oil or for road making, whichever is possible. Plastic waste should not be sent to landfill sites.
White (Translucent)	Waste sharps including Metals: Needles, syringes with fixed needles, needles from needle tip cutter or burner, scalpels, blades, or any other contaminated sharp object that may cause puncture and cuts. This includes both used, discarded and contaminated metal sharps	Puncture proof, Leak proof, tamper proof containers	Autoclaving or Dry Heat Sterilization followed by shredding or mutilation or encapsulation in metal container or cement concrete; combination of shredding cum autoclaving; and sent for final disposal to iron foundries (having consent to operate from the State Pollution Control Boards or Pollution Control Committees) or sanitary landfill or designated concrete waste sharp pit.
Blue	(a) Glassware: Broken or discarded and contaminated glass including medicine vials and ampoules except those contaminated with cytotoxic wastes.	¹ [Puncture proof and leak proof boxes or containers with blue colored marking]	Disinfection (by soaking the washed glass waste after cleaning with detergent and Sodium Hypochlorite treatment) or through autoclaving or microwaving or hydroclaving and then sent for recycling.
	(b) Metallic Body Implants	² [Puncture proof and leak proof boxes or containers with blue colored marking]	

*Disposal by deep burial is permitted only in rural or remote areas where there is no access to common bio- medical waste treatment facility. This will be carried out with prior approval from the prescribed authority and as per the Standards specified in ³[Schedule-II]. The deep burial facility shall be located as per the provisions and guidelines issued by Central Pollution Control Board from time to time.

¹ Substituted vide GSR 234(E) dated 16th March, 2018

² Substituted vide G.S.R. 234(E) dated 16th March, 2018

³ Substituted the word and figure "Schedule-II" for the word and figure "Schedule-III" vide G.S.R. 234(E) dated 16th March, 2018

Part -2

- (1) All plastic bags shall be as per BIS standards as and when published, till then the prevailing Plastic Waste Management Rules shall be applicable.
- (2) Chemical treatment using at least ¹[1% to 2%] Sodium Hypochlorite having 30% residual chlorine for twenty minutes or any other equivalent chemical reagent that should demonstrate Log₁₀4 reduction efficiency for microorganisms as given in Schedule-III.
- (3) Mutilation or shredding must be to an extent to prevent unauthorized reuse.
- (4) There will be no chemical pretreatment before incineration, except for microbiological, lab and highly infectious waste.
- (5) Incineration ash (ash from incineration of any bio-medical waste) shall be disposed through hazardous waste treatment, storage and disposal facility, if toxic or hazardous constituents are present beyond the prescribed limits as given in the Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2008 or as revised from time to time.
- (6) Dead Fetus below the viability period (as per the Medical Termination of Pregnancy Act 1971, amended from time to time) can be considered as human anatomical waste. Such waste should be handed over to the operator of common bio-medical waste treatment and disposal facility in yellow bag with a copy of the official Medical Termination of Pregnancy certificate from the Obstetrician or the Medical Superintendent of hospital or healthcare establishment.
- (7) Cytotoxic drug vials shall not be handed over to unauthorised person under any circumstances. These shall be sent back to the manufactures for necessary disposal at a single point. As a second option, these may be sent for incineration at common bio-medical waste treatment and disposal facility or TSDFs or plasma pyrolysis at temperature >1200 °C.
- (8) Residual or discarded chemical wastes, used or discarded disinfectants and chemical sludge can be disposed at hazardous waste treatment, storage and disposal facility. In such case, the waste should be sent to hazardous waste treatment, storage and disposal facility through operator of common bio-medical waste treatment and disposal facility only.
- (9) On-site pre-treatment of laboratory waste, microbiological waste, blood samples, blood bags should be disinfected or sterilized as per the Guidelines of World Health Organisation or National AIDS Control Organisation and then given to the common bio-medical waste treatment and disposal facility.
- (10) Installation of in-house incinerator is not allowed. However, in case there is no common biomedical facility nearby, the same may be installed by the occupier after taking authorisation from the State Pollution Control Board.
- (11) Syringes should be either mutilated or needles should be cut and or stored in tamper proof, leak proof and puncture proof containers for sharps storage. Wherever the occupier is not linked to a disposal facility it shall be the responsibility of the occupier to sterilize and dispose in the manner prescribed.
- (12) Bio-medical waste generated in households during healthcare activities shall be segregated as per these rules and handed over in separate bags or containers to municipal waste collectors. Urban Local Bodies shall have tie up with the common bio-medical waste treatment and disposal facility to pickup this waste from the Material Recovery Facility (MRF) or from the house hold directly, for final disposal in the manner as prescribed in this Schedule.

¹ Substituted the figure "1% to 2%" for the figure "10 %" vide G.S.R. 234(E) dated 16th March, 2018

SCHEDULE II
[See rule 4(t), 7(1) and 7(6)]

STANDARDS FOR TREATMENT AND DISPOSAL OF BIO- MEDICALWASTES

1. STANDARDS FOR INCINERATION. –

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 a minimum of 800 °C and the secondary chamber shall be minimum of 1050 °C + or – 50 °C.
- 4) The secondary chamber gas residence time shall be at least two seconds.

B. Emission Standards

Sl. No. (1)	Parameter (2)	Standards (3)	Standards (4)
		Limiting concentration in ¹[mg/Nm³] unless stated	Sampling Duration in minutes, unless stated
1.	Particulate matter	50	30 or 1 ¹ [mg/Nm ³] of sample volume, whichever is more
2.	Nitrogen Oxides NO and NO ₂ expressed as NO ₂	400	30 for online sampling or grab sample
3.	HCl	50	30 or 1 NM ³ of sample volume, whichever is more
4.	Total Dioxins and Furans	0.1 ng TEQ/Nm ³ (at 11% O ₂)	8 hours or 5 NM ³ of sample volume, whichever is more
5.	Hg and its compounds	0.05	2 hours or 1 NM ³ of sample volume, whichever is more

C. Stack Height: Minimum stack height shall be 30 meters above the ground and shall be attached with the necessary monitoring facilities as per requirement of monitoring of ‘general parameters’ as notified under the Environment (Protection) Act, 1986 and in accordance with the Central Pollution Control Board Guidelines of Emission Regulation **Part-III**.

Note:

- (a) The existing incinerators shall comply with the above within a period of two years from the date of the notification.
- (b) The existing incinerators shall comply with the standards for Dioxins and Furans of 0.1 ng TEQ/Nm³, as given below within two years from the date of commencement of these rules.

¹ Substituted the letter and figure “mg/Nm³” for the letter and figure “mgNm³” vide G.S.R. 234(E) dated 16th March, 2018

- (c) All upcoming common bio-medical waste treatment facilities having incineration facility or captive incinerator shall comply with standards for Dioxins and Furans.
- (d) The existing secondary combustion chambers of the incinerator and the pollution control devices shall be suitably retrofitted, if necessary, to achieve the emission limits.
- (e) Wastes to be incinerated shall not be chemically treated with any chlorinated disinfectants.
- (f) Ash from incineration of biomedical waste shall be disposed of at common hazardous waste treatment and disposal facility. However, it may be disposed of in municipal landfill, if the toxic metals in incineration ash are within the regulatory quantities as defined under the Hazardous Waste (Management and Handling and Transboundary Movement) Rules, 2008 as amended from time to time.
- (g) Only low Sulphur fuel like Light Diesel Oil or Low Sulphur Heavy Stock or Diesel, Compressed Natural Gas, Liquefied Natural Gas or Liquefied Petroleum Gas shall be used as fuel in the incinerator.
- (h) The occupier or operator of a common bio-medical waste treatment facility shall monitor the stack gaseous emissions (under optimum capacity of the incinerator) once in three months through a laboratory approved under the Environment (Protection) Act, 1986 and record of such analysis results shall be maintained and submitted to the prescribed authority. In case of dioxins and furans, monitoring should be done once in a year.
- (i) The occupier or operator of the common bio-medical waste treatment facility shall install continuous emission monitoring system for the parameters as stipulated by State Pollution Control Board or Pollution Control Committees in authorisation and transmit the data real time to the servers at State Pollution Control Board or Pollution Control Committees and Central Pollution Control Board.
- (j) All monitored values shall be corrected to 11% Oxygen on dry basis.
- (k) Incinerators (combustion chambers) shall be operated with such temperature, retention time and turbulence, as to achieve Total Organic Carbon content in the slag and bottom ashes less than 3% or their loss on ignition shall be less than 5% of the dry weight.
- (l) The occupier or operator of a common bio-medical waste incinerator shall use combustion gas analyzer to measure CO₂, CO and O₂.

2. Operating and Emission Standards for Disposal by Plasma Pyrolysis or Gasification:

A. Operating Standards:

All the operators of the Plasma Pyrolysis or Gasification shall meet the following operating and emission standards:

- 1) Combustion Efficiency(CE) shall be at least 99.99%.
- 2) The Combustion Efficiency is computed as follows.

$$C.E.=\frac{\%CO_2}{(\%CO_2 + \%CO)} \times 100$$

- 3) The temperature of the combustion chamber after plasma gasification shall be 1050 ± 50 ° C with gas residence time of at least 2 (two) second, with minimum 3% Oxygen in the stack gas.
- 4) The Stack height should be minimum of 30 m above ground level and shall be attached with the necessary monitoring facilities as per requirement of monitoring of general parameters' as notified under the Environment (Protection) Act, 1986 and in accordance with the CPCB Guidelines of Emission Regulation Part-III.

B. Air Emission Standards and Air Pollution Control Measures

- (i) Emission standards for incinerator, notified at Sl No.1 above in this Schedule, and revised from time to time, shall be applicable for the Plasma Pyrolysis or Gasification also.
- (ii) Suitably designed air pollution control devices shall be installed or retrofitted with the 'Plasma Pyrolysis or Gasification to achieve the above emission limits, if necessary.
- (iii) Wastes to be treated using Plasma Pyrolysis or Gasification shall not be chemically treated with any chlorinated disinfectants and chlorinated plastics shall not be treated in the system.

C. Disposal of Ash Vitrified Material: The ash or vitrified material generated from the 'Plasma Pyrolysis or Gasification shall be disposed off in accordance with the Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2008 and revisions made thereafter in case the constituents exceed the limits prescribed under Schedule II of the said Rules or else in accordance with the provisions of the Environment (Protection) Act, 1986, whichever is applicable.

3. STANDARDS FOR AUTOCLAVING OF BIO-MEDICAL WASTE. –

The autoclave should be dedicated for the purposes of disinfecting and treating bio-medical waste.

- (1) 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.
- (2) When operating a vacuum autoclave, medical waste shall be subjected to a minimum of three pre-vacuum pulse to purge the autoclave of all air. The air removed during the pre-vacuum, cycle should be decontaminated by means of HEPA and activated carbon filtration, steam treatment, or any other method to prevent release of pathogen. 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;

Medical waste shall not be considered as 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.

- (3) **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.
- (4) **Validation test for autoclave:** The validation test shall use four biological indicator strips, one shall be used as a control and left at room temperature, and three shall be placed in the approximate center of three containers with the waste. Personal protective equipment (gloves, face mask and coveralls) shall be used when opening containers for the purpose of placing the biological indicators. At least one of the containers with a biological indicator should be placed in the most difficult location for steam to penetrate, generally the bottom center of the waste pile. The occupier

or operator shall conduct this test three consecutive times to define the minimum operating conditions. The temperature, pressure and residence time at which all biological indicator vials or strips for three consecutive tests show complete inactivation of the spores shall define the minimum operating conditions for the autoclave. After determining the minimum temperature, pressure and residence time, the occupier or operator of a common biomedical waste treatment facility shall conduct this test once in three months and records in this regard shall be maintained.

(5) **Routine Test:** A chemical indicator strip or 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 over the waste package at different locations to ensure that the inner content of the package has been adequately autoclaved. The occupier or operator of a common bio medical waste treatment facility shall conduct this test during autoclaving of each batch and records in this regard shall be maintained.

(6) **Spore testing:** The autoclave should completely and consistently kill the approved biological indicator at the maximum design capacity of each autoclave unit. Biological indicator for autoclave shall be *Geobacillusstearothermophilus* spores using vials or spore Strips; with at least 1×10^6 spores. Under no circumstances will an autoclave have minimum operating parameters less than a residence time of 30 minutes, a temperature less than 121 °C or a pressure less than 15 psi. The occupier or operator of a common bio medical waste treatment and disposal facility shall conduct this test at least once in every week and records in this regard shall be maintained.

4. 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 or routine tests and a performance guarantee may be provided by the supplier before operation of the limit.

(3) The microwave should completely and consistently kill the bacteria and other pathogenic organisms that are ensured by approved biological indicator at the maximum design capacity of each microwave unit. Biological indicators for microwave shall be *Bacillus atrophaeus* spores using vials or spore strips with at least 1×10^4 spores per detachable strip. The biological indicator shall be placed with waste and exposed to same conditions as the waste during a normal treatment cycle.

5. **STANDARDS FOR DEEP BURIAL.** - (1) A pit or trench should be dug about two meters 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 galvanised iron or 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 located so as to ensure that no contamination occurs to surface water or ground water. The area should not be prone to flooding or erosion.

(7) The location of the deep burial site shall be authorised by the prescribed authority.

(8) The institution shall maintain a record of all pits used for deep burial.

(9) The ground water table level should be a minimum of six meters below the lower level of deep burial pit.

6. STANDARDS FOR EFFICACY OF CHEMICAL DISINFECTION

Microbial inactivation efficacy is equated to “Log10 kill” which is defined as the difference between the logarithms of number of test microorganisms before and after chemical treatment. Chemical disinfection methods shall demonstrate a 4 Log10 reduction or greater for *Bacillus Subtilis* (ATCC 19659) in chemical treatment systems.

7. STANDARDS FOR DRY HEAT STERILIZATION

Waste sharps can be treated by dry heat sterilization at a temperature not less than 185°C, at least for a residence period of 150 minutes in each cycle, which sterilization period of 90 minutes. There should be automatic recording system to monitor operating parameters.

(i) Validation test for Sharps sterilization unit

Waste sharps sterilization unit should completely and consistently kill the biological indicator *Geobacillus Stearothermophilus* or *Bacillus Atropheausspoers* using vials with at least $\log_{10}6$ spores per ml. The test shall be carried out once in three months

(ii) Routine test

A chemical indicator strip or 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 over the waste to ensure that the inner content of the sharps has been adequately disinfected. This test shall be performed once in week and records in this regard shall be maintained.

8. STANDARDS FOR LIQUID WASTE. -

(1) The effluent generated or treated from the premises of occupier or operator of a common bio medical waste treatment and disposal facility, before discharge into the sewer should conform to the following limits-

PARAMETERS	PERMISSIBLE LIMITS
pH	6.5-9.0
Suspended solids	100 mg/l
Oil and grease	10 mg/l
BOD	30 mg/l
COD	250 mg/l
Bio-assay test	90% survival of fish after 96 hours in 100% effluent.

¹[“Note–

1. Above limits are applicable to the occupiers of Health Care Facilities (bedded) which are either connected with sewerage network without terminal sewage treatment plant or not connected to public sewers.
2. For discharge into public sewers with terminal facilities, the general standards as notified under the Environment (Protection) Act, 1986 (29 of 1986) shall be applicable.¹
3. ²{Health Care Facilities having less than ten beds shall have to comply with the output discharge standard for liquid waste by 31st December, 2019.}
4. Non-bedded occupiers shall dispose infectious liquid wastes only after treatment by disinfection as per Schedule – II (6) of the principal rules.”]

(2) Sludge from Effluent Treatment Plant shall be given to common bio-medical waste treatment facility for incineration or to hazardous waste treatment, storage and disposal facility for disposal.

¹ Inserted vide G.S.R 234(E) dated 16th March, 2018

² Substituted vide G.S.R 129(E) dated 19th February, 2019

Schedule III**[See rule 6 and 9(3)]**

List of Prescribed Authorities and the Corresponding Duties

Sl. No. (1)	Authority (2)	Corresponding Duties (3)
1	Ministry of Environment, Forest and Climate Change, Government of India	<ul style="list-style-type: none"> (i) Making Policies concerning bio-medical waste Management in the Country including notification of Rules and amendments to the Rules as and when required. (ii) Providing financial assistance for training and awareness programmes on bio-medical waste management related activities to for the State Pollution Control Boards or Pollution Control Committees. (iii) Facilitating financial assistance for setting up or up- gradation of common bio-medical waste treatment facilities. (iv) Undertake or support operational research and assessment with reference to risks to environment and health due to bio-medical waste and previously unknown disposables and wastes from new types of equipment. (v) Constitution of Monitoring Committee for implementation of the rules. (vi) Hearing Appeals and give decision made in Form- V against order passed by the prescribed authorities. (vii) Develop Standard manual for Trainers and Training.
2	Central or State Ministry of Health and Family Welfare, Central Ministry for Animal Husbandry and Veterinary or State Department of Animal Husbandry and Veterinary.	<ul style="list-style-type: none"> (i) Grant of license to health care facilities or nursing homes or veterinary establishments with a condition to obtain authorisation from the prescribed authority for bio-medical waste management. (ii) Monitoring, Refusal or Cancellation of license for health care facilities or nursing homes or veterinary establishments for violations of conditions of authorisation or provisions under these Rules. (iii) Publication of list of registered health care facilities with regard to bio-medical waste generation, treatment and disposal. (iv) Undertake or support operational research and assessment with reference to risks to environment and health due to bio-medical waste and previously unknown disposables and wastes from new types of equipment. (v) Coordinate with State Pollution Control Boards for organizing training programmes to staff of health care facilities and municipal workers on bio-medical waste. (vi) Constitution of Expert Committees at National or State level for overall review and promotion of clean or new technologies for bio-medical waste management. (vii) Organizing or Sponsoring of trainings for the regulatory authorities and health care facilities on bio-medical waste management related activities. (viii) Sponsoring of mass awareness campaigns in electronic media and print media.

3	Ministry of Defence	<ul style="list-style-type: none"> (i) Grant and renewal of authorisation to Armed Forces health care facilities or common bio-medical waste treatment facilities ¹[(Rule 10)]. (ii) Conduct training courses for authorities dealing with management of bio-medical wastes in Armed Forces health care facilities or treatment facilities in association with State Pollution Control Boards or Pollution Control Committees or Central Pollution Control Board or Ministry of Environment, Forest and Climate Change. (iii) Publication of inventory of occupiers and bio-medical waste generation from Armed Forces health care facilities or occupiers (iv) Constitution of Advisory Committee for implementation of the rules. (v) Review of management of bio-medical waste generation in the Armed Forces health care facilities through its Advisory Committee (Rule 11). (vi) Submission of annual report to Central Pollution Control Board within the stipulated time period (Rule 13). ²[(vii)] Inspection and monitoring of Medical Inspection (MI) rooms, sick bays onboard ships or submarines, station medical centres and field hospitals in forward locations operated by the Director General, Armed Force Medical Services.];
4	Central Pollution Control Board	<ul style="list-style-type: none"> (i) Prepare Guidelines on bio-medical waste Management and submit to the Ministry of Environment, Forest and Climate Change. (ii) Co-ordination of activities of State Pollution Control Boards or Pollution Control Committees on bio-medical waste. (iii) Conduct training courses for authorities dealing with management of bio-medical waste. (iv) Lay down standards for new technologies for treatment and disposal of bio-medical waste (Rule 7) and prescribe specifications for treatment and disposal of bio-medical wastes (Rule 7). (v) Lay down Criteria for establishing common bio-medical waste treatment facilities in the Country. (vi) Random inspection or monitoring of health care facilities and common bio-medical waste treatment facilities. (vii) Review and analysis of data submitted by the State Pollution Control Boards on bio-medical waste and submission of compiled information in the form of annual report along with its observations to Ministry of Environment, Forest and Climate Change. ⁴[(viii)] Inspection and monitoring of health care facilities other than Medical Inspection (MI) rooms, sick bays on board ships or submarines, station medical centres and field hospitals in forward locations operated by the Director General, Armed Forces Medical Services ⁵{(Rule-9)}.] (ix) Undertake or support research or operational research regarding

¹ Substituted the word and figure “(Rule 10)”, for the word and figure “(Rule 9)” vide GSR 234(E) dated 16th March, 2018

² Inserted vide G.S.R 129(E) dated 19th February, 2019

³ Substituted bracket and letter (vii) against the bracket and letter (viii) vide G.S.R. 360(E) dated 10th May, 2019

⁴ Substituted vide G.S.R 129(E) dated 19th February, 2019

⁵ Substituted the word and figure “(Rule 12)”, for the word and figure “(Rule 9)” vide GSR 234(E) dated 16th March, 2018

		bio-medical waste.
5	State Government of Health or Union Territory Government or Administration	<p>(i) To ensure implementation of the rule in all health care facilities or occupiers.</p> <p>(ii) Allocation of adequate funds to Government healthcare facilities for bio-medical waste management.</p> <p>(iii) Procurement and allocation of treatment equipments and make provision for consumables for bio-medical waste management in Government health care facilities.</p> <p>(iv) Constitute State or District Level Advisory Committees under the District Magistrate or Additional District Magistrate to oversee the bio-medical waste management in the Districts.</p> <p>(v) Advise State Pollution Control Boards or Pollution Control Committees on implementation of these Rules.</p> <p>(vi) Implementation of recommendations of the Advisory Committee in all the healthcare facilities.</p>
6	State Pollution Control Boards or Pollution Control Committees	<p>(i) Inventorisation of Occupiers and data on bio-medical waste generation, treatment & disposal.</p> <p>(ii) Compilation of data and submission of the same in annual report to Central Pollution Control Board within the stipulated time period.</p> <p>(iii) Grant and renewal, suspension or refusal cancellation or of authorisation under these rules (Rule 7, 8 and 10).</p> <p>(iv) Monitoring of compliance of various provisions and conditions of authorisation.</p> <p>(v) Action against health care facilities or common bio- medical waste treatment facilities for violation of these rules (Rule 18).</p> <p>(vi) Organizing training programmes to staff of health care facilities and common bio-medical waste treatment facilities and State Pollution Control Boards or Pollution Control Committees Staff on segregation, collection, storage, transportation, treatment and disposal of bio- medical wastes.</p> <p>(vii) Undertake or support research or operational research regarding bio-medical waste management.</p> <p>(viii) Any other function under these rules assigned by Ministry of Environment, Forest and Climate Change or Central Pollution Control Board from time to time.</p> <p>(ix) Implementation of recommendations of the Advisory Committee.</p> <p>(x) Publish the list of Registered or Authorised (or give consent) Recyclers.</p> <p>(xi) Undertake and support third party audits of the common bio-medical waste treatment facilities in their State.</p>
7	Municipalities or Corporations, Urban Local Bodies and Gram Panchayats	<p>(i) Provide or allocate suitable land for development of common bio-medical waste treatment facilities in their respective jurisdictions as per the guidelines of Central Pollution Control Board.</p> <p>(ii) Collect other solid waste (other than the bio-medical waste) from the health care facilities as per the Municipal Solid Waste (Management and handling) Rules, 2000 or as amended time to time.</p> <p>(iii) Any other function stipulated under these Rules.</p>

SCHEDULE-IV

[See rule 8(3) and (5)]

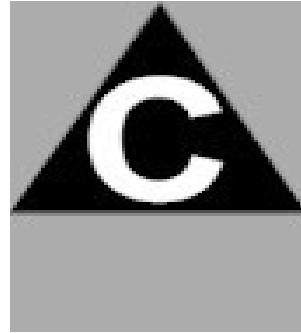
Part A

LABEL FOR BIO-MEDICAL WASTE CONTAINERS or BAGS



HANDLE WITH CARE

CYTOTOXIC HAZARD SYMBOL



HANDLE WITH CARE

Part B

LABEL FOR TRANSPORTING BIO-MEDICAL WASTE BAGS OR CONTAINERS

DayMonth

Year

Date of generation

Waste category Number

Waste quantity.....

Sender's Name and Address

Phone Number

Receiver's Name and Address:

Phone Number

Fax Number.....

Contact Person

Fax Number

Contact Person

In case of emergency please contact:

Name and Address:

Phone No.

Note: Label shall be non-washable and prominently visible.

FORM – I

[(See rule 4(o), 5(i) and 15 (2))]

ACCIDENT REPORTING

1. Date and time of accident:
2. Type of Accident:
3. Sequence of events leading to accident:
4. Has the Authority been informed immediately:
5. The type of waste involved in accident:
6. Assessment of the effects of the accidents on human health and the environment:
7. Emergency measures taken:
8. Steps taken to alleviate the effects of accidents:
9. Steps taken to prevent the recurrence of such an accident:
10. Does your facility have an Emergency Control policy? If yes give details:

Date:

Signature

Place:

Designation

FORM - II

(See rule 10)

APPLICATION FOR AUTHORISATION OR RENEWAL OF AUTHORISATION

(To be submitted by occupier of health care facility or common bio-medical waste treatment facility)

To

The Prescribed Authority
(Name of the State or UT Administration)
Address.

1. Particulars of Applicant:

(i) Name of the Applicant:

(In block letters & in full)

(ii) Name of the health care facility (HCF) or common bio-medical waste treatment facility (CBWTF):

(iii) Address for correspondence:

(iv) Tele No., Fax No.:

(v) Email:

(vi) Website Address:

2. Activity for which authorisation is sought:

Activity	Please tick
Generation, segregation	
Collection,	
Storage	
packaging	
Reception	
Transportation	
Treatment or processing or conversion	
Recycling	
Disposal or destruction	
use	
offering for sale, transfer	
Any other form of handling	

3. Application for fresh or renewal of authorisation (please tick whatever is applicable):

(i) Applied for CTO/CTE Yes/No

(ii) In case of renewal previous authorisation number and date:

.....

(iii) Status of Consents:

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

.....

(b) under the Air (Prevention and Control of Pollution) Act,1981:

4. (i) Address of the health care facility (HCF) or common bio-medical waste treatment facility

.....

(CBWTF):

(ii) GPS coordinates of health care facility (HCF) or common bio-medical waste treatment facility (CBWTF):

5. Details of health care facility (HCF) or common bio-medical waste treatment facility (CBWTF):

- (i) Number of beds of HCF:
- (ii) Number of patients treated per month by HCF:
- (iii) Number healthcare facilities covered by CBMWTF: _____
- (iv) No of beds covered by CBMWTF: _____
- (v) Installed treatment and disposal capacity of CBMWTF: _____ kg per day
- (vi) Quantity of biomedical waste treated or disposed by CBMWTF: _____ kg/ day
- (vii) Area or distance covered by CBMWTF: _____
- (pl. attach map a map with GPS locations of CBMWTF and area of coverage)
- (viii) Quantity of Biomedical waste handled, treated or disposed:

Category	Type of Waste	Quantity Generated or Collected, kg/day	Method of Treatment and Disposal (Refer Schedule-I)
(1)	(2)	(3)	(4)
Yellow	(a) Human Anatomical Waste:		
	(b) Animal Anatomical Waste :		
	(c) Soiled Waste:		
	(d) Expired or Discarded Medicines:		
	(e) Chemical Solid Waste:		
	(f) Chemical Liquid Waste :		
	(g) Discarded linen, mattresses, beddings contaminated with blood or body fluid.		
	(h) Microbiology, Biotechnology and other clinical laboratory waste:		
Red	Contaminated Waste (Recyclable)		
White (Translucent)	Waste sharps including Metals:		
Blue	Glassware:		
	Metallic Body Implants		

6. Brief description of arrangements for handling of biomedical waste (attach details):

- (i) Mode of transportation (if any) of bio-medical waste:
- (ii) Details of treatment equipment (please give details such as the number, type & capacity of each unit)

	No of units	Capacity of each unit
Incinerators:		
Plasma Pyrolysis:		
Autoclaves:		
Microwave:		
Hydroclave:		
Shredder:		
Needle tip cutter or destroyer		
Sharps encapsulation or		

concrete pit:

Deep burial pits:

Chemical disinfection:

Any other treatment

equipment:

7. Contingency plan of common bio-medical waste treatment facility (CBWTF) (attach documents):
8. Details of directions or notices or legal actions if any during the period of earlier authorization
9. 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:

Place:

Signature of the Applicant

Designation of the Applicant

FORM –III

(See rule 10)

AUTHORISATION

(Authorisation for operating a facility for generation, collection, reception, treatment, storage, transport and disposal of biomedical wastes)

1. File number of authorisation and date of issue.....
2. M/s _____ an occupier or operator of the facility located at _____ is hereby granted an authorisation for;

Activity	Please tick
Generation, segregation	
Collection,	
Storage	
packaging	
Reception	
Transportation	
Treatment or processing or conversion	
Recycling	
Disposal or destruction	
use	
offering for sale, transfer	
Any other form of handling	

3. M/s _____ is hereby authorized for handling of biomedical waste as per the capacity given below;

- (i) Number of beds of HCF: _____
- (ii) Number healthcare facilities covered by CBMWTF: _____
- (iii) Installed treatment and disposal capacity: _____ kg per day
- (iv) Area or distance covered by CBMWTF: _____
- (v) Quantity of Biomedical waste handled, treated or disposed: _____

Type of Waste Category	Quantity permitted for Handling
Yellow	
Red	
White (Translucent)	
Blue	

4. This authorisation shall be in force for a period of Years from the date of issue.
5. This authorisation is subject to the conditions stated below and to such other conditions as may be specified in the rules for the time being in force under the Environment (Protection) Act, 1986.

Date

Place:

Signature.....

Designation

Terms and conditions of authorisation *

1. The authorisation shall comply with the provisions of the Environment (Protection) Act, 1986 and the rules made there under.
2. The authorisation 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 and such other terms and conditions may be stipulated by the prescribed authority.

FORM - IV

(See rule 13)

ANNUAL REPORT

[To be submitted to the prescribed authority on or before 30th June every year for the period from January to December of the preceding year, by the occupier of health care facility (HCF) or common bio-medical waste treatment facility(CBMWTF)]

Sl. No.	Particulars		
1.	Particulars of the Occupier	:	
	(i) Name of the authorised person (occupier or operator of facility)	:	
	(ii) Name of HCF or CBMWTF	:	
	(iii) Address for Correspondence	:	
	(iv) Address of Facility		
	(v) Tel. No, Fax. No	:	
	(vi) E-mail ID	:	
	(vii) URL of Website		
	(viii)GPS coordinates of HCF or CBMWTF		
	(ix) Ownership of HCF or CBMWTF	:	(State Government or Private or Semi Govt. or any other)
	(x) Status of Authorisation under the Bio-Medical Waste (Management and Handling) Rules	:	Authorisation No.:valid up to
(xi) Status of Consents under Water Act and Air Act	:	Valid up to:	
2.	Type of Health Care Facility	:	
	(i) Bedded Hospital	:	No. of Beds:.....
	(ii) Non-bedded hospital (Clinic or Blood Bank or Clinical Laboratory or Research Institute or Veterinary Hospital or any other)	:	
	(iii) License number and its date of expiry		
3.	Details of CBMWTF	:	
	(i) Number healthcare facilities covered by CBMWTF	:	
	(ii) No of beds covered by CBMWTF	:	
	(iii) Installed treatment and disposal capacity of CBMWTF:	:	_____ kg per day
	(iv) Quantity of biomedical waste treated or disposed by CBMWTF	:	_____Kg/day
4.	Quantity of waste generated or disposed in Kg per annum (on monthly average basis)	:	Yellow Category :
			Red Category :
			White:
			Blue Category :
			General Solid waste:

5.	Details of the Storage, treatment, transportation, processing and Disposal Facility	:				
	(i) Details of the on-site storage facility	:	Size :			
				Capacity :		
			Provision of on-site storage: (cold storage or any other provision)			
	disposal facilities	:	Type of treatment equipment	No of units	Capacity Kg/day	Quantity treated or disposed in kg per annum
		:	Incinerators			
			Plasma Pyrolysis			
			Autoclaves			
			Microwave			
			Hydroclave			
			Shredder			
			Needle tip cutter or destroyer		-	
			Sharps encapsulation or concrete pit		-	
			Deep burial pits:			
			Chemical disinfection:		-	
			Any other treatment equipment:			
	(iii) Quantity of recyclable wastes sold to authorized recyclers after treatment in kg per annum.	:	Red Category (like plastic, glass etc.)			
	(iv) No of vehicles used for collection and transportation of biomedical waste					
	(v) Details of incineration ash and ETP sludge generated and disposed during the treatment of wastes in Kg per annum	:	Incineration Ash	Quantity generated	Where disposed	
			ETP Sludge			
	(vi) Name of the Common Bio-Medical Waste Treatment Facility Operator through which wastes are disposed of					

	(vii) List of member HCF not handed over bio-medical waste.		
6.	Do you have bio-medical waste management committee? If yes, attach minutes of the meetings held during the reporting period		
7.	Details trainings conducted on BMW		
	(i) Number of trainings conducted on BMW Management.		
	(ii) number of personnel trained		
	(iii) number of personnel trained at the time of induction		
	(iv) number of personnel not undergone any training so far		
	(v) whether standard manual for training is available?		
	(vi) any other information)		
8.	Details of the accident occurred during the year		
	(i) Number of Accidents occurred		
	(ii) Number of the persons affected		
	(iii) Remedial Action taken (Please attach details if any)		
	(iv) Any Fatality occurred, details.		
9.	Are you meeting the standards of air Pollution from the incinerator? How many times in last year could not met the standards?		
	Details of Continuous online emission monitoring systems installed		
10.	Liquid waste generated and treatment methods in place. How many times you have not met the standards in a year?		
11.	Is the disinfection method or sterilization meeting the log 4 standards? How many times you have not met the standards in a year?		
12.	Any other relevant information	:	(Air Pollution Control Devices attached with the Incinerator)

Certified that the above report is for the period from

.....

Name and Signature of the Head of the Institution

Date:
Place

¹[Form IVA

[See Rule 13(2)]

Format for Submission of the Annual Report Information on Bio-medical Waste Management (to be submitted by the State Pollution Control Boards or Pollution Control Committees and Director General Armed Forces Medical Services to Central Pollution Control Board on or before 31st July of every year for the period from January to December of the preceding calendar year)

Part-1 (Summary of Information)

- | | | |
|-----|--|----------------------|
| (1) | Name of the Organisation | : |
| (2) | Name of the Nodal Officer with contact telephone number and e-mail | : |
| (3) | Total no. of Health Care Facilities / Occupiers | : |
| | (i) Bedded Hospitals and Nursing Homes (bedded) | : |
| | (ii) Clinics, dispensaries | : |
| | (iii) Veterinary institutions | : |
| | (iv) Animal houses | : |
| | (v) Pathological laboratories | : |
| | (vi) Blood banks | : |
| | (vii) Clinical establishment | : |
| | (viii) Research Institutions | : |
| | (ix) AYUSH | : |
| (4) | Total no. of beds | : |
| (5) | Status of authorisation | : |
| | (i) Total number of Occupiers applied for authorisation | : |
| | (ii) Total number of Occupiers granted authorisation | : |
| | (iii) Total number of application under consideration | : |
| | (iv) Total number of applications rejected | : |
| | (v) Total number of Occupiers in operation without applying for authorisation: | : |
| (6) | Quantity of Bio-medical Waste Generation (in kg/day) | : |
| | (please enclose District Wise Bio-medical Waste Generation as per Part-2) | : |
| | (i) Bio-medical waste generation by bedded hospitals(in kg/day) | : |
| | (ii) Bio-medical waste generation by non-bedded hospitals (in kg/day) | : |
| | (iii) Any other | : |
| | | Total : _____ kg/day |
| (7) | Bio-medical waste treatment and disposal | |
| (a) | By Captive bio-medical waste treatment and disposal by Health Care Facilities (please enclose details as per Part-3) | |
| | (i) Number of Health Care Facilities having captive treatment and Disposal facilities | : |
| | (ii) Total bio-medical waste treated and disposed by captive treatment facilities in kg/day | : |
| (b) | Bio-medical waste treatment and disposal by Common Bio Medical Waste Treatment Facilities (please enclose details as per Part 4) | |
| | (i) Number of Common Bio Medical Waste Treatment Facilities in Operation | : |

¹ Inserted vide G.S.R. 234(E), dated 16th March, 2018

- (ii) Number of Common Bio Medical Waste Treatment Facilities under construction :
- (iii) Total bio-medical waste treated in kg/day :
- (iv) Total treated bio-medical waste disposed through authorised recyclers in Kg/day) :
- (8) Total no. of violation by :
- (i) Health Care Facilities (bedded and non-bedded) :
- (ii) Common Bio Medical Waste Treatment Facilities :
- (iii) Others (please specify) :
- (9) Show cause notices/directions issued to defaulters :
- (i) Health Care Facilities (bedded and non-bedded) :
- (ii) Common Bio Medical Waste Treatment Facilities :
- (iii) Others :
- (10) Any other relevant information:
- (i) Number of workshops / trainings conducted during the year :
- (ii) Number of occupiers installed liquid waste treatment facility :
- (iii) Number of captive incinerators complying to the norms :
- (iv) Number of occupiers organised trainings :
- (v) Number of occupiers constituted Bio-medical Waste Management Committees :
- (vi) Number of occupiers submitted Annual Report for the previous calendar year :
- (vii) Number of occupiers practising pre-treatment of lab microbiology and Bio-technology waste :
- (viii) Number of Common Bio Medical Waste Treatment Facilities that have installed Continuous Online Emission Monitoring Systems :

Part 2: District-wise Bio-medical Waste Generation (for the previous calendar year

S. No.	Name of the State / Union Territory	Name of the District	Bio-medical Waste Generation (in Kg/day)	Existing Total bio-medical waste treatment capacity (both captive and CBMWTF) in kg/day	
				Equipment	Total
				Incinerator:	
				Autoclave:	
				Deep	
				Burial:	
				Any other:	

Part 3: Information on Health Care Facilities having captive treatment facilities (for the previous calendar Year

S. No.	Name and address of the Health Care Facility	Quantity of Bio-medical Waste Generation (in kg/day)					Total Installed Treatment Capacity in kg/day				Total bio-medical waste treated and disposed by Health Care Facilities in kg/day	
		Yellow	Red	Blue	White	Total bio-medical waste generated (in kg/day)	Incinerator	Autoclave	Deep Burial	Any other		
											Incinerator:	
											Autoclave:	
											Deep Burial:	
											Any other:	
											Total:	

Part 4: Information on Common Bio-Medical Waste Treatment and Disposal Facilities (for the previous calendar Year)

S.No.	Name and Address of the Common Bio Medical Waste Treatment Facilities with contact person name and telephone number	GPS Coordinates	Coverage Area in KMS	Name of the cities/ areas covered by Common Bio-Medical Waste Treatment Facilities	Total number of Health Care Facilities being covered	Total number of beds covered	Total Quantity of Bio-Medical Waste collected from member Health Care Facilities (in Kg/day)	Capacity of Treatment equipments installed by Common Bio Medical Waste Treatment Facilities			Total Bio-Medical waste treated in kg/day	Method of Disposal of treated wastes (Incineration Ash/Sharps/Plastics)
								Equipment	Numbers	Total installed capacity (kg/day)		
								Incinerator				Incineration Ash:
								Plasma Pyrolysis				Quantity: Disposed by:
								Autoclave Hydroclave				Sharps: Quantity: Disposed by:
								Microwave				Plastics: Quantity: Disposed by:
								Shredder				
								Sharps encapsulation or concrete pit				
								Deep burial pits				

								Any other equipment				ETP Sludge: Quantity: Disposed by:
								Effluent Treatment Plant				
								Sub-total				

- (a) Total Number of transportation vehicles used for collection of Bio-medical Waste on daily basis by the Common Bio-Medical Waste Treatment Facilities:
- (b) List of Health Care Facilities not having membership with the Common Bio-Medical Waste Treatment Facilities and neither having captive treatment facilities:
- (c) Number of trainings organised by the Common Bio-Medical Waste Treatment Facility operators:
- (d) Number of Accidents **reported by the Common Bio Medical Waste Treatment Facilities:]**

FORM –V

(See rule 16)

Application for filing appeal against order passed by the prescribed 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:

Date:

Signature

Name and Address.....

[F. No. 3-1/2000-HSMD]

BISHWANATH SINHA, Jt. Secy.

**THE SOLID WASTE
MANAGEMENT RULES,
2016**

(as amended to date)

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

New Delhi, the 8th April, 2016

S.O. 1357(E).—Whereas the draft of the Solid Waste Management Rules, 2015 were published under the notification of the Government of India in the Ministry of Environment, Forest and Climate Change number G.S.R. 451 (E), dated the 3rd June, 2015 in the Gazette of India, part II, Section 3, sub-section (i) of the same date inviting objections or suggestions from the persons likely to be affected thereby, before the expiry of the period of sixty days from the publication of the said notification on the Solid Waste Management Rules, 2015 in supersession of the Municipal Solid Waste (Management and Handling) Rules, 2000;

And whereas, copies of the said Gazette were made available to the public on the 3rd June, 2015;

And whereas, the objections or comments received within the stipulated period were duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sections 3, 6 and 25 of the Environment (Protection) Act, 1986 (29 of 1986) and in supersession of the Municipal Solid Waste (Management and Handling) Rules, 2000, except as respect things done or omitted to be done before such supersession, the Central Government hereby makes the following rules for management of Solid Waste, namely: -

1. Short title and commencement. –

- (1) These rules may be called the Solid Waste Management Rules, 2016.
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. Application.- These rules shall apply to every urban local body, outgrowths in urban agglomerations, census towns as declared by the Registrar General and Census Commissioner of India, ¹[villages with population more than 3000,] notified areas, notified industrial townships, areas under the control of Indian Railways, airports, airbases, Ports and harbours, defence establishments, special economic zones, State and Central government organisations, places of pilgrims, religious and historical importance as may be notified by respective State government from time to time and to every domestic, institutional, commercial and any other non-residential solid waste generator situated in the areas except industrial waste, hazardous waste, hazardous chemicals, bio medical wastes, e-waste, lead acid batteries and radio-active waste, that are covered under separate rules framed under the Environment (Protection) Act, 1986.

3. Definitions – (1) In these rules, unless the context otherwise requires, -

1. **“aerobic composting”** means a controlled process involving microbial decomposition of organic matter in the presence of oxygen;
2. **“anaerobic digestion”** means a controlled process involving microbial decomposition of organic matter in absence of oxygen;
3. **“authorisation”** means the permission given by the State Pollution Control Board or Pollution Control Committee, as the case may be, to the operator of a facility or urban local authority, or any other agency responsible for processing and disposal of solid waste;
4. **“biodegradable waste ”** means any organic material that can be degraded by micro-

¹ Ins. the words and figure vide S.O. 1152(E) dated 19th March, 2020

organisms into simpler stable compounds;

5. **"bio-methanation"** means a process which entails enzymatic decomposition of the organic matter by microbial action to produce methane rich biogas;
6. **"brand owner"** means a person or company who sells any commodity under a registered brandlabel.
7. **"buffer zone"** means zone of no development to be maintained around solid waste processing and disposal facility, exceeding 5 TPD of installed capacity. This will be maintained within total land area allotted for the solid waste processing and disposal facility.
8. **"bulk waste generator"** means and includes buildings occupied by the Central government departments or undertakings, State government departments or undertakings, local bodies, public sector undertakings or private companies, hospitals, nursing homes, schools, colleges, universities, other educational institutions, hostels, hotels, commercial establishments, markets, places of worship, stadia and sports complexes having an average waste generation rate exceeding 100kg per day;
9. **"bye-laws"** means regulatory framework notified by local body, census town and notified area townships for facilitating the implementation of these rules effectively in their jurisdiction.
10. **"census town"** means an urban area as defined by the Registrar General and Census Commissioner of India;
11. **"combustible waste"** means non-biodegradable, non-recyclable, non-reusable, non-hazardous solid waste having minimum calorific value exceeding 1500 kcal/kg and excluding chlorinated materials like plastic, wood pulp, etc;
12. **"composting"** means a controlled process involving microbial decomposition of organic matter;
13. **"contractor"** means a person or firm that undertakes a contract to provide materials or labour to perform a service or do a job for service providing authority;
14. **"co-processing"** means use of non-biodegradable and non recyclable solid waste having calorific value exceeding 1500 kcal as raw material or as a source of energy or both to replace or supplement the natural mineral resources and fossil fuels in industrial processes;
15. **"decentralised processing"** means establishment of dispersed facilities for maximizing the processing of bio-degradable waste and recovery of recyclables closest to the source of generation so as to minimize transportation of waste for processing or disposal;
16. **"disposal"** means the final and safe disposal of post processed residual solid waste and inert street sweepings and silt from surface drains on land as specified in Schedule I to prevent contamination of ground water, surface water, ambient air and attraction of animals or birds;
17. **"domestic hazardous waste"** means discarded paint drums, pesticide cans, CFL bulbs, tube lights, expired medicines, broken mercury thermometers, used batteries, used needles and syringes and contaminated gauge, etc., generated at the household level;
18. **"door to door collection"** means collection of solid waste from the door step of households, shops, commercial establishments, offices, institutional or any other non residential premises and includes collection of such waste from entry gate or a designated location on the ground floor in a housing society, multi storied building or apartments, large residential, commercial or institutional complex or premises;
19. **"dry waste"** means waste other than bio-degradable waste and inert street sweepings and includes recyclable and non recyclable waste, combustible waste and sanitary napkin and diapers, etc;

20. **“dump sites”** means a land utilised by local body for disposal of solid waste without following the principles of sanitary land filling;
21. **“extended producer responsibility” (EPR)** means responsibility of any producer of packaging products such as plastic, tin, glass and corrugated boxes, etc., for environmentally sound management, till end-of-life of the packaging products;
22. **“facility”** means any establishment wherein the solid waste management processes namely segregation, recovery, storage, collection, recycling, processing, treatment or safe disposal are carried out;
23. **"fine"** means penalty imposed on waste generators or operators of waste processing and disposal facilities under the bye-laws for non-compliance of the directions contained in these rules and/or bye-laws
24. **"Form"** means a Form appended to these rules;
25. **“handling”** includes all activities relating to sorting, segregation, material recovery, collection, secondary storage, shredding, baling, crushing, loading, unloading, transportation, processing and disposal of solid wastes;
26. **“inerts”** means wastes which are not bio-degradable, recyclable or combustible street sweeping or dust and silt removed from the surface drains;
27. **“incineration”** means an engineered process involving burning or combustion of solid waste to thermally degrade waste materials at high temperatures;
28. **“informal waste collector”** includes individuals, associations or waste traders who are involved in sorting, sale and purchase of recyclable materials;
29. **"leachate"** means the liquid that seeps through solid waste or other medium and has extracts of dissolved or suspended material from it;
30. **" local body”** for the purpose of these rules means and includes the municipal corporation, nagar nigam, municipal council, nagarpalika, nagar Palika parishad, municipal board, nagar panchayat and town panchayat, census towns, notified areas and notified industrial townships with whatever name they are called in different States and union territories in India;
31. **“materials recovery facility” (MRF)** means a facility where non-compostable solid waste can be temporarily stored by the local body or any other entity mentioned in rule 2 or any person or agency authorised by any of them to facilitate segregation, sorting and recovery of recyclables from various components of waste by authorised informal sector of waste pickers, informal recyclers or any other work force engaged by the local body or entity mentioned in rule 2 for the purpose before the waste is delivered or taken up for its processing or disposal;
32. **“non-biodegradable waste”** means any waste that cannot be degraded by microorganisms into simpler stable compounds;
33. **"operator of a facility"** means a person or entity, who owns or operates a facility for handling solid waste which includes the local body and any other entity or agency appointed by the local body;
34. **"primary collection"** means collecting, lifting and removal of segregated solid waste from source of its generation including households, shops, offices and any other non-residential premises or from any collection points or any other location specified by the local body;
35. **"processing"** means any scientific process by which segregated solid waste is handled for the purpose of reuse, recycling or transformation into new products;
36. **"recycling"** means the process of transforming segregated non-biodegradable solid waste into new material or product or as raw material for producing new products which may or may not be similar to the original products;

37. **“redevelopment”** means rebuilding of old residential or commercial buildings at the same site, where the existing buildings and other infrastructures have become dilapidated;
38. **“refused derived fuel”(RDF)** means fuel derived from combustible waste fraction of solid waste like plastic, wood, pulp or organic waste, other than chlorinated materials, in the form of pellets or fluff produced by drying, shredding, dehydrating and compacting of solid waste;
39. **“residual solid waste”** means and includes the waste and rejects from the solid waste processing facilities which are not suitable for recycling or further processing;
40. **“sanitary land filling ”** means the final and safe disposal of residual solid waste and inert wastes on land in a facility designed with protective measures against pollution of ground water, surface water and fugitive air dust, wind-blown litter, bad odour, fire hazard, animal menace, bird menace, pests or rodents, greenhouse gas emissions, persistent organic pollutants slope instability and erosion;
41. **“sanitary waste”** means wastes comprising of used diapers, sanitary towels or napkins, tampons, condoms, incontinence sheets and any other similar waste;
42. **“Schedule”** means the Schedule appended to these rules;
43. **“secondary storage”** means the temporary containment of solid waste after collection at secondary waste storage depots or MRFs or bins for onward transportation of the waste to the processing or disposal facility;
44. **“segregation”** means sorting and separate storage of various components of solid waste namely biodegradable wastes including agriculture and dairy waste, non biodegradable wastes including recyclable waste, non- recyclable combustible waste, sanitary waste and non recyclable inert waste, domestic hazardous wastes, and construction and demolition wastes;
45. **“service provider”** means an authority providing public utility services like water, sewerage, electricity, telephone, roads, drainage, etc;
46. **“solid waste”** means and includes solid or semi-solid domestic waste, sanitary waste, commercial waste, institutional waste, catering and market waste and other non residential wastes, street sweepings, silt removed or collected from the surface drains, horticulture waste, agriculture and dairy waste, treated bio-medical waste excluding industrial waste, bio-medical waste and e-waste, battery waste, radio-active waste generated in the area under the local authorities and other entities mentioned in rule 2;
47. **“sorting”** means separating various components and categories of recyclables such as paper, plastic, card-boards, metal, glass, etc., from mixed waste as may be appropriate to facilitate recycling;
48. **“stabilising”** means the biological decomposition of biodegradable wastes to a stable state where it generates no leachate or offensive odours and is fit for application to farm land, soil erosion control and soil remediation;
49. **“street vendor”** means any person engaged in vending of articles, goods, wares, food items or merchandise of everyday use or offering services to the general public, in a street, lane, side walk, footpath, pavement, public park or any other public place or private area, from a temporary built up structure or by moving from place to place and includes hawker, peddler, squatter and all other synonymous terms which may be local or region specific; and the words “street vending” with their grammatical variations and cognate expressions, shall be construed accordingly;
50. **“tipping fee”** means a fee or support price determined by the local authorities or any state agency authorised by the State government to be paid to the concessionaire or operator of waste processing facility or for disposal of residual solid waste at the landfill;

51. **“transfer station”** means a facility created to receive solid waste from collection areas and transport in bulk in covered vehicles or containers to waste processing and, or, disposal facilities;
52. **“transportation”** means conveyance of solid waste, either treated, partly treated or untreated from a location to another location in an environmentally sound manner through specially designed and covered transport system so as to prevent the foul odour, littering and unsightly conditions;
53. **“treatment”** means the method, technique or process designed to modify physical, chemical or biological characteristics or composition of any waste so as to reduce its volume and potential to cause harm;
54. **“user fee”** means a fee imposed by the local body and any entity mentioned in rule 2 on the waste generator to cover full or part cost of providing solid waste collection, transportation, processing and disposal services.
55. **“vermi composting”** means the process of conversion of bio-degradable waste into compost using earth worms;
56. **“waste generator”** means and includes every person or group of persons, every residential premises and non residential establishments including Indian Railways, defense establishments, which generate solid waste;
57. **“waste hierarchy”** means the priority order in which the solid waste is to should be managed by giving emphasis to prevention, reduction, reuse, recycling, recovery and disposal, with prevention being the most preferred option and the disposal at the landfill being the least;
58. **“waste picker”** means a person or groups of persons informally engaged in collection and recovery of reusable and recyclable solid waste from the source of waste generation the streets, bins, material recovery facilities, processing and waste disposal facilities for sale to recyclers directly or through intermediaries to earn their livelihood.

(2) Words and expressions used herein but not defined, but defined in the Environment (Protection) Act, 1986, the Water (Prevention and Control of Pollution) Act, 1974, Water (Prevention and Control of Pollution) Cess Act, 1977 and the Air (prevention and Control of Pollution) Act, 1981 shall have the same meaning as assigned to them in the respective Acts.

4. Duties of waste generators. - (1) Every waste generator shall, -

(a) segregate and store the waste generated by them in three separate streams namely bio-degradable, non bio-degradable and domestic hazardous wastes in suitable bins and handover segregated wastes to authorised waste pickers or waste collectors as per the direction or notification by the local authorities from time to time;

(b) wrap securely the used sanitary waste like diapers, sanitary pads etc., in the pouches provided by the manufacturers or brand owners of these products or in a suitable wrapping material as instructed by the local authorities and shall place the same in the bin meant for dry waste or non- bio-degradable waste;

(c) store separately construction and demolition waste, as and when generated, in his own premises and shall dispose off as per the Construction and Demolition Waste Management Rules, 2016; and

(d) store horticulture waste and garden waste generated from his premises separately in his own premises and dispose of as per the directions of the local body from time to time.

(2) No waste generator shall throw, burn or bury the solid waste generated by him, on streets, open public spaces outside his premises or in the drain or water bodies.

(3) All waste generators shall pay such user fee for solid waste management, as specified

in the bye-laws of the local bodies.

(4) No person shall organise an event or gathering of more than one hundred persons at any unlicensed place without intimating the local body, at least three working days in advance and such person or the organiser of such event shall ensure segregation of waste at source and handing over of segregated waste to waste collector or agency as specified by the local body.

(5) Every street vendor shall keep suitable containers for storage of waste generated during the course of his activity such as food waste, disposable plates, cups, cans, wrappers, coconut shells, leftover food, vegetables, fruits, etc., and shall deposit such waste at waste storage depot or container or vehicle as notified by the local body.

(6) All resident welfare and market associations shall, within one year from the date of notification of these rules and in partnership with the local body ensure segregation of waste at source by the generators as prescribed in these rules, facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorised waste pickers or the authorised recyclers. The bio-degradable waste shall be processed, treated and disposed off through composting or bio-methanation within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by the local body.

(7) All gated communities and institutions with more than 5,000 sqm area shall, within one year from the date of notification of these rules and in partnership with the local body, ensure segregation of waste at source by the generators as prescribed in these rules, facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorised waste pickers or the authorised recyclers. The bio-degradable waste shall be processed, treated and disposed off through composting or bio-methanation within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by the local body.

(8) All hotels and restaurants shall, within one year from the date of notification of these rules and in partnership with the local body ensure segregation of waste at source as prescribed in these rules, facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorised waste pickers or the authorised recyclers. The bio-degradable waste shall be processed, treated and disposed off through composting or bio-methanation within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by the local body.

5. Duties of Ministry of Environment, Forest and Climate Change. - (1) The Ministry of Environment, Forest and Climate Change shall be responsible for over all monitoring the implementation of these rules in the country. It shall constitute a Central Monitoring Committee under the Chairmanship of Secretary, Ministry of Environment, Forest and Climate Change comprising officer not below the rank of Joint Secretary or Advisor from the following namely, -

- 1) Ministry of Housing and Urban Affairs
- 2) Ministry of Rural Development
- 3) Ministry of Chemicals and Fertilizers
- 4) Ministry of Agriculture
- 5) Central Pollution Control Board
- 6) Three State Pollution Control Boards or Pollution Control Committees by rotation
- 7) Urban Development Departments of three State Governments by rotation
- 8) Rural Development Departments from two State Governments by rotation
- 9) Three Urban Local bodies by rotation
- 10) Two census towns by rotation
- 11) FICCI, CII

12) Two subject experts

(2). This Central Monitoring Committee shall meet at least once in a year to monitor and review the implementation of these rules. The Ministry of Environment, Forest and Climate Change may co-opt other experts, if needed. The Committee shall be renewed every three years.

6. Duties of Ministry of Housing and Urban Affairs. - (1) The Ministry of Housing and Urban Affairs shall coordinate with State Governments and Union territory Administrations to, -

(a) take periodic review of the measures taken by the states and local bodies for improving solid waste management practices and execution of solid waste management projects funded by the Ministry and external agencies at least once in a year and give advice on taking corrective measures;

(b) formulate national policy and strategy on solid waste management including policy on waste to energy in consultation with stakeholders within six months from the date of notification of these rules;

(c) facilitate States and Union Territories in formulation of state policy and strategy on solid management based on national solid waste management policy and national urban sanitation policy;

(d) promote research and development in solid waste management sector and disseminate information to States and local bodies;

(e) undertake training and capacity building of local bodies and other stakeholders; ¹[***]

(f) provide technical guidelines and project finance to states, Union territories and local bodies on solid waste management to facilitate meeting timelines and standards, ²[and]

³[(g) ensure the implementation of these rules by the States and the Union territories as per rule 11].

7. Duties of Department of Fertilisers, Ministry of Chemicals and Fertilisers. - (1) The Department of Fertilisers through appropriate mechanisms shall, -

(a) provide market development assistance on city compost; and

(b) ensure promotion of co-marketing of compost with chemical fertilisers in the ratio of 3 to 4 bags: 6 to 7 bags by the fertiliser companies to the extent compost is made available for marketing to the companies.

8. Duties of Ministry of Agriculture, Government of India. - The Ministry of Agriculture through appropriate mechanisms shall, -

(a) provide flexibility in Fertiliser Control Order for manufacturing and sale of compost;

(b) propagate utilisation of compost on farm land;

(c) set up laboratories to test quality of compost produced by local authorities or their authorised agencies; and

(d) issue suitable guidelines for maintaining the quality of compost and ratio of use of compost visa-a-vis chemical fertilizers while applying compost to farmland.

9. Duties of the Ministry of Power. -The Ministry of Power through appropriate mechanisms shall, -

(a) decide tariff or charges for the power generated from the waste to energy plants based

¹ Omitted the word "and" vide S.O. 1152(E) dated 19th March, 2020

² Ins. the word "and" vide S.O. 1152(E) dated 19th March, 2020

³ Ins. sub-rule 4(iii) vide S.O. 1152(E) dated 19th March, 2020

on solid waste.

(b) compulsory purchase power generated from such waste to energy plants by distribution company.

10. Duties of Ministry of New and Renewable Energy Sources- The Ministry of New and Renewable Energy Sources through appropriate mechanisms shall, -

- (a) facilitate infrastructure creation for waste to energy plants; and
- (b) provide appropriate subsidy or incentives for such waste to energy plants.

11. Duties of the Secretary-in-charge, Urban Development in the States and Union territories. - (1) The Secretary, Urban Development Department in the State or Union territory through the Commissioner or Director of Municipal Administration or Director of local bodies shall, -

(a) prepare a state policy and solid waste management strategy for the state or the union territory in consultation with stakeholders including representative of waste pickers, self help group and similar groups working in the field of waste management consistent with these rules, national policy on solid waste management and national urban sanitation policy of the Ministry of Housing and Urban Affairs, in a period not later than one year from the date of notification of these rules;

(b) while preparing State policy and strategy on solid waste management, lay emphasis on waste reduction, reuse, recycling, recovery and optimum utilisation of various components of solid waste to ensure minimisation of waste going to the landfill and minimise impact of solid waste on human health and environment;

(c) state policies and strategies should acknowledge the primary role played by the informal sector of waste pickers, waste collectors and recycling industry in reducing waste and provide broad guidelines regarding integration of waste picker or informal waste collectors in the waste management system.

(d) ensure implementation of provisions of these rules by all local authorities;

(e) direct the town planning department of the State to ensure that master plan of every city in the State or Union territory provisions for setting up of solid waste processing and disposal facilities except for the cities who are members of common waste processing facility or regional sanitary landfill for a group of cities; and

(f) ensure identification and allocation of suitable land to the local bodies within one year for setting up of processing and disposal facilities for solid wastes and incorporate them in the master plans (land use plan) of the State or as the case may be, cities through metropolitan and district planning committees or town and country planning department;

(g) direct the town planning department of the State and local bodies to ensure that a separate space for segregation, storage, decentralised processing of solid waste is demarcated in the development plan for group housing or commercial, institutional or any other non-residential complex exceeding 200 dwelling or having a plot area exceeding 5,000 square meters;

(h) direct the developers of Special Economic Zone, Industrial Estate, Industrial Park to earmark at least five percent of the total area of the plot or minimum five plots or sheds for recovery and recycling facility.

(i) facilitate establishment of common regional sanitary land fill for a group of cities and towns falling within a distance of 50 km (or more) from the regional facility on a cost sharing basis and ensure professional management of such sanitary landfills;

(j) arrange for capacity building of local bodies in managing solid waste, segregation and transportation or processing of such waste at source;

(k) notify buffer zone for the solid waste processing and disposal facilities of more than

five tons per day in consultation with the State Pollution Control Board; and

- (l) start a scheme on registration of waste pickers and waste dealers.

12. Duties of District Magistrate or District Collector or Deputy Commissioner. - The District Magistrate or District Collector or as the case may be, the Deputy Commissioner shall, -

- (a) facilitate identification and allocation of suitable land as per clause (f) of rules 11 for setting up solid waste processing and disposal facilities to local authorities in his district in close coordination with the Secretary-in-charge of State Urban Development Department within one year from the date of notification of these rules;

- (b) review the performance of local bodies, at least once in a quarter on waste segregation, processing, treatment and disposal and take corrective measures in consultation with the Commissioner or Director of Municipal Administration or Director of local bodies and secretary-in-charge of the State Urban Development.

13. Duties of the Secretary-in-charge of Village Panchayats or Rural Development Department in the State and Union territory. - (1) The Secretary-in-charge of Village Panchayats or Rural Development Department in the State and Union territory shall have the same duties as the Secretary-in-charge, Urban Development in the States and Union territories, for the areas which are covered under these rules and are under their jurisdictions.

14. Duties of Central Pollution Control Board. -The Central Pollution Control Board shall, -

- (a) co-ordinate with the State Pollution Control Boards and the Pollution Control Committees for implementation of these rules and adherence to the prescribed standards by local authorities;

- (b) formulate the standards for ground water, ambient air, noise pollution, leachate in respect of all solid waste processing and disposal facilities;

- (c) review environmental standards and norms prescribed for solid waste processing facilities or treatment technologies and update them as and when required;

- (d) review through State Pollution Control Boards or Pollution Control Committees, at least once in a year, the implementation of prescribed environmental standards for solid waste processing facilities or treatment technologies and compile the data monitored by them;

- (e) review the proposals of State Pollution Control Boards or Pollution Control Committees on use of any new technologies for processing, recycling and treatment of solid waste and prescribe performance standards, emission norms for the same within 6 months;

- (f) monitor through State Pollution Control Boards or Pollution Control Committees the implementation of these rules by local bodies;

- (g) prepare an annual report on implementation of these rules on the basis of reports received from State Pollution Control Boards and Committees and submit to the Ministry of Environment, Forest and Climate Change and the report shall also be put in public domain;

- (h) publish guidelines for maintaining buffer zone restricting any residential, commercial or any other construction activity from the outer boundary of the waste processing and disposal facilities for different sizes of facilities handling more than five tons per day of solid waste;

- (i) publish guidelines, from time to time, on environmental aspects of processing and disposal of solid waste to enable local bodies to comply with the provisions of these rules; and

- (j) provide guidance to States or Union territories on inter-state movement of waste.

15. Duties and responsibilities of local authorities and village Panchayats of census towns and urban agglomerations. - The local authorities and Panchayats shall, -

- (a) prepare a solid waste management plan as per state policy and strategy on solid waste management within six months from the date of notification of state policy and strategy and submit a copy to respective departments of State Government or Union territory Administration or agency authorised by the State Government or Union territory Administration;
- (b) arrange for door to door collection of segregated solid waste from all households including slums and informal settlements, commercial, institutional and other non residential premises. From multi-storage buildings, large commercial complexes, malls, housing complexes, etc., this may be collected from the entry gate or any other designated location;
- (c) establish a system to recognise organisations of waste pickers or informal waste collectors and promote and establish a system for integration of these authorised waste-pickers and waste collectors to facilitate their participation in solid waste management including door to door collection of waste;
- (d) facilitate formation of Self Help Groups, provide identity cards and thereafter encourage integration in solid waste management including door to door collection of waste;
- (e) frame bye-laws incorporating the provisions of these rules within one year from the date of notification of these rules and ensure timely implementation;
- (f) prescribe from time to time user fee as deemed appropriate and collect the fee from the waste generators on its own or through authorised agency;
- (g) direct waste generators not to litter i.e throw or dispose of any waste such as paper, water bottles, liquor bottles, soft drink cans, tetra packs, fruit peel, wrappers, etc., or burn or bury waste on streets, open public spaces, drains, waste bodies and to segregate the waste at source as prescribed under these rules and hand over the segregated waste to authorised the waste pickers or waste collectors authorised by the local body;
- (h) setup material recovery facilities or secondary storage facilities with sufficient space for sorting of recyclable materials to enable informal or authorised waste pickers and waste collectors to separate recyclables from the waste and provide easy access to waste pickers and recyclers for collection of segregated recyclable waste such as paper, plastic, metal, glass, textile from the source of generation or from material recovery facilities; Bins for storage of bio-degradable wastes shall be painted green, those for storage of recyclable wastes shall be printed ¹[blue] and those for storage of other wastes shall be printed black;
- (i) establish waste deposition centres for domestic hazardous waste and give direction for waste generators to deposit domestic hazardous wastes at this centre for its safe disposal. Such facility shall be established in a city or town in a manner that one centre is set up for the area of twenty square kilometers or part thereof and notify the timings of receiving domestic hazardous waste at such centres;
- (j) ensure safe storage and transportation of the domestic hazardous waste to the hazardous waste disposal facility or as may be directed by the State Pollution Control Board or the Pollution Control Committee;
- (k) direct street sweepers not to burn tree leaves collected from street sweeping and store them separately and handover to the waste collectors or agency authorised by local body;
- (l) provide training on solid waste management to waste-pickers and waste collectors;
- (m) collect waste from vegetable, fruit, flower, meat, poultry and fish market on day to day basis and promote setting up of decentralised compost plant or bio-methanation plant at suitable locations in the markets or in the vicinity of markets ensuring hygienic conditions;

¹ Substituted for the word "white" the word "blue" by G.S.R. 298(E) dated 10.4.2019

(n) collect separately waste from sweeping of streets, lanes and by-lanes daily, or on alternate days or twice a week depending on the density of population, commercial activity and local situation;

(o) set up covered secondary storage facility for temporary storage of street sweepings and silt removed from surface drains in cases where direct collection of such waste into transport vehicles is not convenient. Waste so collected shall be collected and disposed of at regular intervals as decided by the local body;

(p) collect horticulture, parks and garden waste separately and process in the parks and gardens, as far as possible;

(q) transport segregated bio-degradable waste to the processing facilities like compost plant, bio-methanation plant or any such facility. Preference shall be given for on-site processing of such waste;

(r) transport non-bio-degradable waste to the respective processing facility or material recovery facilities or secondary storage facility;

(s) transport construction and demolition waste as per the provisions of the Construction and Demolition Waste Management Rules, 2016;

(t) involve communities in waste management and promotion of home composting, bio-gas generation, decentralised processing of waste at community level subject to control of odour and maintenance of hygienic conditions around the facility;

(u) phase out the use of chemical fertilizer in two years and use compost in all parks, gardens maintained by the local body and wherever possible in other places under its jurisdiction. Incentives may be provided to recycling initiatives by informal waste recycling sector.

(v) facilitate construction, operation and maintenance of solid waste processing facilities and associated infrastructure on their own or with private sector participation or through any agency for optimum utilisation of various components of solid waste adopting suitable technology including the following technologies and adhering to the guidelines issued by the Ministry of Housing and Urban Affairs from time to time and standards prescribed by the Central Pollution Control Board. Preference shall be given to decentralised processing to minimize transportation cost and environmental impacts such as-

a) bio-methanation, microbial composting, vermi-composting, anaerobic digestion or any other appropriate processing for bio-stabilisation of biodegradable wastes;

b) waste to energy processes including refused derived fuel for combustible fraction of waste or supply as feedstock to solid waste based power plants or cement kilns;

(w) undertake on their own or through any other agency construction, operation and maintenance of sanitary landfill and associated infrastructure as per Schedule I for disposal of residual wastes in a manner prescribed under these rules;

(x) make adequate provision of funds for capital investments as well as operation and maintenance of solid waste management services in the annual budget ensuring that funds for discretionary functions of the local body have been allocated only after meeting the requirement of necessary funds for solid waste management and other obligatory functions of the local body as per these rules;

(y) make an application in Form-I for grant of authorisation for setting up waste processing, treatment or disposal facility, if the volume of waste is exceeding five metric tonnes per day including sanitary landfills from the State Pollution Control Board or the Pollution Control Committee, as the case may be;

(z) submit application for renewal of authorisation at least sixty days before the expiry of the validity of authorisation;

(za) prepare and submit annual report in Form IV on or before the 30th April of the succeeding year to the Commissioner or Director, Municipal Administration or designated Officer;

(zb) the annual report shall then be sent to the Secretary-in-Charge of the State Urban Development Department or village panchayat or rural development department and to the respective State Pollution Control Board or Pollution Control Committee by the 31st May of every year;

(zc) educate workers including contract workers and supervisors for door to door collection of segregated waste and transporting the unmixed waste during primary and secondary transportation to processing or disposal facility;

(zd) ensure that the operator of a facility provides personal protection equipment including uniform, fluorescent jacket, hand gloves, raincoats, appropriate foot wear and masks to all workers handling solid waste and the same are used by the workforce;

(ze) ensure that provisions for setting up of centers for collection, segregation and storage of segregated wastes, are incorporated in building plan while granting approval of building plan of a group housing society or market complex; and

(zf) frame bye-laws and prescribe criteria for levying of spot fine for persons who litters or fails to comply with the provisions of these rules and delegate powers to officers or local bodies to levy spot fines as per the bye laws framed; and

(zg) create public awareness through information, education and communication campaign and educate the waste generators on the following; namely: -

- (i) not to litter;
- (ii) minimise generation of waste;
- (iii) reuse the waste to the extent possible;
- (iv) practice segregation of waste into bio-degradable, non-biodegradable (recyclable and combustible), sanitary waste and domestic hazardous wastes at source;
- (v) practice home composting, vermi-composting, bio-gas generation or community level composting;
- (vi) wrap securely used sanitary waste as and when generated in the pouches provided by the brand owners or a suitable wrapping as prescribed by the local body and place the same in the bin meant for non- biodegradable waste;
- (vii) storage of segregated waste at source in different bins;
- (viii) handover segregated waste to waste pickers, waste collectors, recyclers or waste collection agencies; and
- (ix) pay monthly user fee or charges to waste collectors or local bodies or any other person authorised by the local body for sustainability of solid waste management.

(zh) stop land filling or dumping of mixed waste soon after the timeline as specified in rule 23 for setting up and operationalisation of sanitary landfill is over;

(zi) allow only the non-usable, non-recyclable, non-biodegradable, non-combustible and non-reactive inert waste and pre-processing rejects and residues from waste processing facilities to go to sanitary landfill and the sanitary landfill sites shall meet the specifications as given in Schedule-I, however, every effort shall be made to recycle or reuse the rejects to achieve the desired objective of zero waste going to landfill;

(zj) investigate and analyse all old open dumpsites and existing operational dumpsites for their potential of bio-mining and bio-remediation and wheresoever feasible, take necessary actions to bio-mine or bio-remediate the sites;

(zk) in absence of the potential of bio-mining and bio-remediation of dumpsite, it shall be scientifically capped as per landfill capping norms to prevent further damage to the environment.

¹[(zl) collect and transport bio-degradable, non-bio-degradable and domestic hazardous waste from households including slums and informal settlements, commercial, institutional and other nonresidential premises, multi-storey buildings, large commercial complexes, malls, housing complexes and the like in compartmentalised and covered vehicle to the respective processing facility].

16. Duties of State Pollution Control Board or Pollution Control Committee. - (1) The State Pollution Control Board or Pollution Control Committee shall, -

(a) enforce these rules in their State through local bodies in their respective jurisdiction and review implementation of these rules at least twice a year in close coordination with concerned Directorate of Municipal Administration or Secretary-in-charge of State Urban Development Department;

(b) monitor environmental standards and adherence to conditions as specified under the Schedule I and Schedule II for waste processing and disposal sites;

(c) examine the proposal for authorisation and make such inquiries as deemed fit, after the receipt of the application for the same in Form I from the local body or any other agency authorised by the local body;

(d) while examining the proposal for authorisation, the requirement of consents under respective enactments and views of other agencies like the State Urban Development Department, the Town and Country Planning Department, District Planning Committee or Metropolitan Area Planning Committee, as may be applicable, Airport or Airbase Authority, the Ground Water Board, Railways, power distribution companies, highway department and other relevant agencies shall be taken into consideration and they shall be given four weeks time to give their views, if any;

(e) issue authorisation within a period of sixty days in Form II to the local body or an operator of a facility or any other agency authorised by local body stipulating compliance criteria and environmental standards as specified in Schedules I and II including other conditions, as may be necessary;

(f) synchronise the validity of said authorisation with the validity of the consents;

(g) suspend or cancel the authorization issued under clause (a) any time, if the local body or operator of the facility fails to operate the facility as per the conditions stipulated:

provided that no such authorization shall be suspended or cancelled without giving notice to the local body or operator, as the case may be; and

(h) on receipt of application for renewal, renew the authorisation for next five years, after examining every application on merit and subject to the condition that the operator of the facility has fulfilled all the provisions of the rules, standards or conditions specified in the authorisation, consents or environment clearance.

(2) The State Pollution Control Board or Pollution Control Committee shall, after giving reasonable opportunity of being heard to the applicant and for reasons thereof to be recorded in writing, refuse to grant or renew an authorisation.

(3) In case of new technologies, where no standards have been prescribed by the Central Pollution Control Board, State Pollution Control Board or Pollution Control Committee, as the case may be, shall approach Central Pollution Control Board for getting standards specified.

(4) The State Pollution Control Board or the Pollution Control Committee, as the case may be, shall monitor the compliance of the standards as prescribed or laid down and treatment technology as approved and the conditions stipulated in the authorisation and the standards specified in Schedules I and II under these rules as and when deemed appropriate but not less than once in a year.

(5) The State Pollution Control Board or the Pollution Control Committee may give

¹ Ins. sub-rule (zk) vide S.O. 1152(E) dated 19th March, 2020

directions to local bodies for safe handling and disposal of domestic hazardous waste deposited by the waste generators at hazardous waste deposition facilities.

(6) The State Pollution Control Board or the Pollution Control Committee shall regulate Inter-State movement of waste.

17. Duty of manufacturers or brand owners of disposable products and sanitary napkins and diapers. - (1) All manufacturers of disposable products such as tin, glass, plastics packaging, etc., or brand owners who introduce such products in the market shall provide necessary financial assistance to local authorities for establishment of waste management system.

(2) All such brand owners who sell or market their products in such packaging material which are non-biodegradable shall put in place a system to collect back the packaging waste generated due to their production.

(3) Manufacturers or brand owners or marketing companies of sanitary napkins and diapers shall explore the possibility of using all recyclable materials in their products or they shall provide a pouch or wrapper for disposal of each napkin or diapers along with the packet of their sanitary products.

(4) All such manufacturers, brand owners or marketing companies shall educate the masses for wrapping and disposal of their products.

18. Duties of the industrial units located within one hundred km from the refused derived fuel and waste to energy plants based on solid waste- All industrial units using fuel and located within one hundred km from a solid waste based refused derived fuel plant shall make arrangements within six months from the date of notification of these rules to replace at least five percent of their fuel requirement by refused derived fuel so produced.

19. Criteria for Duties regarding setting-up solid waste processing and treatment facility. - (1) The department in-charge of the allocation of land assignment shall be responsible for providing suitable land for setting up of the solid waste processing and treatment facilities and notify such sites by the State Government or Union territory Administration.

(2) The operator of the facility shall design and set up the facility as per the technical guidelines issued by the Central Pollution Control Board in this regard from time to time and the manual on solid waste management prepared by the Ministry of Housing and Urban Affairs.

(3) The operator of the facility shall obtain necessary approvals from the State Pollution Control Board or Pollution Control Committee.

(4) The State Pollution Control Board or Pollution Control Committee shall monitor the environment standards of the operation of the solid waste processing and treatment facilities.

(5) The operator of the facility shall be responsible for the safe and environmentally sound operations of the solid waste processing and or treatment facilities as per the guidelines issued by the Central Pollution Control Board from time to time and the Manual on Municipal Solid Waste Management published by the Ministry of Housing and Urban Affairs and updated from time to time.

(6) The operator of the solid waste processing and treatment facility shall submit annual report in Form III each year by 30th April to the State Pollution Control Board or Pollution Committee and concerned local body.

20. Criteria and actions to be taken for solid waste management in hilly areas. - In the hilly areas, the duties and responsibilities of the local authorities shall be the same as mentioned in rule 15 with additional clauses as under:

(a) Construction of landfill on the hill shall be avoided. A transfer station at a suitable enclosed location shall be setup to collect residual waste from the processing facility and inert waste. A suitable land shall be identified in the plain areas down the hill within 25 kilometers for setting up sanitary landfill. The residual waste from the transfer station shall be disposed of at this sanitary

landfill.

(b) In case of non-availability of such land, efforts shall be made to set up regional sanitary landfill for the inert and residual waste.

(c) Local body shall frame Bye-laws and prohibit citizen from littering wastes on the streets and give strict direction to the tourists not to dispose any waste such as paper, water bottles, liquor bottles, soft drink cans, tetra packs, any other plastic or paper waste on the streets or down the hills and instead direct to deposit such waste in the litter bins that shall be placed by the local body at all tourist destinations.

(d) Local body shall arrange to convey the provisions of solid waste management under the bye-laws to all tourists visiting the hilly areas at the entry point in the town as well as through the hotels, guest houses or like where they stay and by putting suitable hoardings at tourist destinations.

(e) Local body may levy solid waste management charge from the tourist at the entry point to make the solid waste management services sustainable.

(f) The department in-charge of the allocation of land assignment shall identify and allot suitable space on the hills for setting up decentralised waste processing facilities. Local body shall set up such facilities. Step garden system may be adopted for optimum utilisation of hill space.

21. Criteria for waste to energy process. - (1) Non recyclable waste having calorific value of 1500 Kcal/kg or more shall not be disposed of on landfills and shall only be utilised for generating energy either or through refuse derived fuel or by giving away as feed stock for preparing refuse derived fuel.

(2) High calorific wastes shall be used for co-processing in cement or thermal power plants.

(3) The local body or an operator of facility or an agency designated by them proposing to set up waste to energy plant of more than five tones per day processing capacity shall submit an application in Form-I to the State Pollution Control Board or Pollution Control Committee, as the case may be, for authorisation.

(4) The State Pollution Control Board or Pollution Control Committee, on receiving such application for setting up waste to energy facility, shall examine the same and grant permission within sixty days.

22. Time frame for implementation. - Necessary infrastructure for implementation of these rules shall be created by the local bodies and other concerned authorities, as the case may be, on their own, by directly or engaging agencies within the time frame specified below:

Sl. No.	Activity	Time limit from the date of notification of rules
(1)	(2)	(3)
1.	Identification of suitable sites for setting up solid waste processing facilities	1 year
2.	Identification of suitable sites for setting up common regional sanitary landfill facilities for suitable clusters of local authorities under 0.5 million population and for setting up common regional sanitary landfill facilities or stand alone sanitary landfill facilities by all local authorities having a population of 0.5 million or more .	1 year
3.	Procurement of suitable sites for setting up solid waste processing facility and sanitary landfill facilities	2 years
4.	Enforcing waste generators to practice segregation of bio degradable, recyclable, combustible, sanitary waste domestic	2 years

	hazardous and inert solid wastes at source ,	
5.	Ensure door to door collection of segregated waste and its transportation in covered vehicles to processing or disposal facilities.	2 years
6.	Ensure separate storage, collection and transportation of construction and demolition wastes	2 years
7.	Setting up solid waste processing facilities by all local bodies having 100000 or more population	2 years
8.	Setting up solid waste processing facilities by local bodies and census towns below 100000 population.	3 years
9	Setting up common or stand alone sanitary landfills by or for all local bodies having 0.5 million or more population for the disposal of only such residual wastes from the processing facilities as well as untreatable inert wastes as permitted under the Rules	3 years
10.	Setting up common or regional sanitary landfills by all local bodies and census towns under 0.5 million population for the disposal of permitted waste under the rules	3years
11.	Bio-remediation or capping of old and abandoned dump sites	5years

23. State Level Advisory Body. – (1) Every Department in-charge of local bodies of the concerned State Government or Union territory administration shall constitute a State Level Advisory Body within six months from the date of notification of these rules comprising the following members, namely: -

Sl. No	Designation	Member
(1)	(2)	(3)
1.	Secretary, Department of Urban Development or Local self-government department of the State	Chairperson, ex-officio
2.	One representative of Panchayats or Rural development Department not below the rank of Joint Secretary to State Government	Member, ex-officio
3.	One representative of Revenue Department of State Government	Member, ex-officio
4.	One representative from Ministry of Environment, Forest and Climate Change Government of India	Member, ex-officio
5.	One representative Government of India from Ministry of Housing and Urban Affairs,	Member, ex-officio
6.	One representative Government of India from Ministry of Rural Development,	Member, ex-officio
7.	One representative from the Central Pollution Control Board	Member, ex-officio
8.	One representative from the State Pollution Control Board or Pollution Control Committee	Member, ex-officio
9.	One representative from Indian Institute of Technology or National Institute of Technology	Member, ex-officio
10.	Chief town planner of the state	Member
11.	Three representatives from the local bodies by rotation	Member
12.	Two representatives from census towns or urban agglomerations by rotation.	Member
13.	One representative from reputed Non-Governmental Organisation or Civil Society working for the waste pickers or informal recycler or solid waste management	Member

14.	One representative from a body representing Industries at the State or Central level	Member
15.	One representative from waste recycling industry	Member
16.	Two subject experts	Member
17.	Co-opt one representative each from agriculture department, and labour department of State Government.	Member

(2) The State Level Advisory Body shall meet at least one in every six months to review the matters related to implementation of these rules, state policy and strategy on solid waste management and give advice to state government for taking measures that are necessary for expeditious and appropriate implementation of these rules.

(3) The copies of the review report shall be forwarded to the State Pollution Control Board or Pollution Control Committee for necessary action.

24. Annual report. - (1) The operator of facility shall submit the annual report to the local body in Form-III on or before the 30th day of April every year.

(2) The local body shall submit its annual report in Form-IV to State Pollution Control Board or Pollution Control Committee and the Secretary-in-Charge of the Department of Urban Development of the concerned State or Union Territory in case of metropolitan city and to the Director of Municipal Administration or Commissioner of Municipal Administration or Officer in -Charge of Urban local bodies in the state in case of all other local bodies of state on or before the 30th day of June every year

(3) Each State Pollution Control Board or Pollution Control Committee as the case may be, shall prepare and submit the consolidated annual report to the Central Pollution Control Board and Ministry of Housing and Urban Affairs on the implementation of these rules and action taken against non complying local body by the 31st day of July of each year in Form-V.

(4) The Central Pollution Control Board shall prepare a consolidated annual review report on the status of implementation of these rules by local bodies in the country and forward the same to the Ministry of Housing and Urban Affairs and Ministry of Environment, Forest and Climate Change, along with its recommendations before the 31st day of August each year.

(5) The annual report shall be reviewed by the Ministry of Environment, Forest and Climate Change during the meeting of Central Monitoring Committee.

25. Accident reporting. - In case of an accident at any solid waste processing or treatment or disposal facility or landfill site, the Officer- in- charge of the facility shall report to the local body in Form-VI and the local body shall review and issue instructions if any, to the in- charge of the facility.

SCHEDULE I

[see rule 15 (w), (zi), 16 (1) (b) (e), 16 (4)]

Specifications for Sanitary Landfills

(A) Criteria for site selection. –

- (i) The department in the business allocation of land assignment shall provide suitable site for setting up of the solid waste processing and treatment facilities and notify such sites.
- (ii) The sanitary landfill site shall be planned, designed and developed with proper documentation of construction plan as well as a closure plan in a phased manner. In case a new landfill facility is being established adjoining an existing landfill site, the closure plan of existing landfill should form a part of the proposal of such new landfill.

- (iii) The landfill sites shall be selected to make use of nearby wastes processing facilities. Otherwise, wastes processing facility shall be planned as an integral part of the landfill site.
- (iv) Landfill sites shall be set up as per the guidelines of the Ministry of Housing and Urban Affairs, Government of India and Central Pollution Control Board.
- (v) The existing landfill sites which are in use for more than five years shall be improved in accordance with the specifications given in this Schedule.
- (vi) The landfill site shall be large enough to last for at least 20-25 years and shall develop 'landfill cells' in a phased manner to avoid water logging and misuse.
- (vii) The landfill site shall be 100 meter away from river, 200 meter from a pond, 200 meter from Highways, Habitations, Public Parks and water supply wells and 20 km away from Airports or Airbase. However, in a special case, landfill site may be set up within a distance of 10 and 20 km away from the Airport/Airbase after obtaining no objection certificate from the civil aviation authority/ Air force as the case may be. The Landfill site shall not be permitted within the flood plains as recorded for the last 100 years, zone of coastal regulation, wetland, Critical habitat areas, sensitive eco-fragile areas.
- (viii) The sites for landfill and processing and disposal of solid waste shall be incorporated in the Town Planning Department's land-use plans.
- (ix) A buffer zone of no development shall be maintained around solid waste processing and disposal facility, exceeding five Tonnes per day of installed capacity. This will be maintained within the total area of the solid waste processing and disposal facility. The buffer zone shall be prescribed on case to case basis by the local body in consultation with concerned State Pollution Control Board.
- (x) The biomedical waste shall be disposed of in accordance with the Bio-medical Waste Management Rules, 2016, as amended from time to time. The hazardous waste shall be managed in accordance with the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016, as amended from time to time. The E- waste shall be managed in accordance with the e-Waste (Management) Rules, 2016 as amended from time to time.
- (xi) Temporary storage facility for solid waste shall be established in each landfill site to accommodate the waste in case of non-operation of waste processing and during emergency or natural calamities.

(B) Criteria for development of facilities at the sanitary landfills. –

- (i) Landfill site shall be fenced or hedged and provided with proper gate to monitor incoming vehicles, to prevent entry of unauthorised persons and stray animals
- (ii) The approach and / internal roads shall be concreted or paved so as to avoid generation of dust particles due to vehicular movement and shall be so designed to ensure free movement of vehicles and other machinery.
- (iii) The landfill site shall have waste inspection facility to monitor waste brought in for landfilling, office facility for record keeping and shelter for keeping equipment and machinery including pollution monitoring equipment. The operator of the facility shall maintain record of waste received, processed and disposed.
- (iv) Provisions like weigh bridge to measure quantity of waste brought at landfill site, fire protection equipment and other facilities as may be required shall be provided.
- (v) Utilities such as drinking water and sanitary facilities (preferably washing/bathing facilities for workers) and lighting arrangements for easy landfill operations during night hours shall be provided.
- (vi) Safety provisions including health inspections of workers at landfill sites shall be carried out.
- (vii) Provisions for parking, cleaning, washing of transport vehicles carrying solid waste shall

be provided. The wastewater so generated shall be treated to meet the prescribed standards.

(C) Criteria for specifications for land filling operations and closure on completion of land filling. –

- (i) Waste for land filling shall be compacted in thin layers using heavy compactors to achieve high density of the waste. In high rainfall areas where heavy compactors cannot be used, alternative measures shall be adopted.
- (ii) Till the time waste processing facilities for composting or recycling or energy recovery are set up, the waste shall be sent to the sanitary landfill. The landfill cell shall be covered at the end of each working day with minimum 10 cm of soil, inert debris or construction material.
- (iii) Prior to the commencement of monsoon season, an intermediate cover of 40-65 cm thickness of soil shall be placed on the landfill with proper compaction and grading to prevent infiltration during monsoon. Proper drainage shall be constructed to divert run-off away from the active cell of the landfill.
- (iv) After completion of landfill, a final cover shall be designed to minimise 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 cm of clay or amended soil with permeability coefficient less than 1×10^{-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 minimise erosion.

(D) Criteria for pollution prevention. - In order to prevent pollution from landfill operations, the following provisions shall be made, namely: -

- (i) The storm water drain shall be designed and constructed in such a way that the surface runoff water is diverted from the landfilling site and leachates from solid waste locations do not get mixed with the surface runoff water. Provisions for diversion of storm water discharge drains shall be made to minimise leachate generation and prevent pollution of surface water and also for avoiding flooding and creation of marshy conditions.
- (ii) 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) shall have liner of composite barrier of 1.5 mm thick high density polyethylene (HDPE) geo-membrane or geo-synthetic liners, 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 meter below the base of clay or amended soil barrier layer provided at the bottom of landfills.
- (iii) Provisions for management of leachates including its collection and treatment shall be made. The treated leachate shall be recycled or utilized as permitted, otherwise shall be released into the sewerage line, after meeting the standards specified in Schedule- II. In no case, leachate shall be released into open environment.
- (iv) Arrangement shall be made to prevent leachate runoff from landfill area entering any drain, stream, river, lake or pond. In case of mixing of runoff water with leachate or solid waste, the entire mixed water shall be treated by the concern authority.

(E) Criteria for water quality monitoring. –

- (i) 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 meter of the periphery of landfill site shall be periodically monitored covering different seasons in a year that is, summer, monsoon and post-monsoon period to ensure that the ground water is not contaminated.

- (ii) Usage of groundwater in and around landfill sites for any purpose (including drinking and irrigation) shall be considered only after ensuring its quality. The following specifications for drinking water quality shall apply for monitoring purpose, namely: -

S. No.	Parameters	IS 10500:2012, Edition 2.2(2003-09) Desirable limit (mg/l except for pH)
(1)	(2)	(3)
	Arsenic	0.01
	Cadmium	0.01
	Chromium(as Cr ⁶⁺)	0.05
	Copper	0.05
	Cyanide	0.05
	Lead	0.05
	Mercury	0.001
	Nickel	-
	Nitrate as NO ₃	45.0
	pH	6.5-8.5
	Iron	0.3
	Total hardness (as CaCO ₃)	300.0
	Chlorides	250
	Dissolved solids	500
	Phenolic compounds (as C ₆ H ₅ OH)	0.001
	Zinc	5.0
	Sulphate (as SO ₄)	200

(F) Criteria for ambient air quality monitoring. –

- (i) Landfill gas control system including gas collection system shall be installed at landfill site to minimize odour, prevent off-site migration of gases, to protect vegetation planted on the rehabilitated landfill surface. For enhancing landfill gas recovery, use of geomembranes in cover systems along with gas collection wells should be considered.
- (ii) The concentration of methane gas generated at landfill site shall not exceed 25 per cent of the lower explosive limit (LEL).
- (iii) 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 escape directly to the atmosphere or for illegal tapping. Passive venting shall be allowed in case if its utilisation or flaring is not possible.
- (iv) Ambient air quality at the landfill site and at the vicinity shall be regularly monitored. Ambient air quality shall meet the standards prescribed by the Central Pollution Control Board for Industrial area.

(G) Criteria for plantation at landfill Site. - A vegetative cover shall be provided over the completed site in accordance with the following specifications, namely: -

- (a) Locally adopted non-edible perennial plants that are resistant to drought and extreme temperatures shall be planted;
- (b) The selection of plants should be of such variety that their roots do not penetrate more than 30 cms. This condition shall apply till the landfill is stabilized;
- (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 minimise soil erosion.
- (e) Green belts shall be developed all around the boundary of the landfill in consultation with State Pollution Control Boards or Pollution Control Committees.

(H) Criteria for post-care of landfill site. - (1) 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 and around landfill;
- (d) Maintaining and operating the landfill gas collection system to meet the standards.

(2) 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 emission and leachate quality analysis complies with the specified standards and the soil stability is ensured.

(I) Criteria for special provisions for hilly areas. - Cities and towns located on hills shall have location-specific methods evolved for final disposal of solid waste by the local body with the approval of the concerned State Pollution Control Board or the Pollution Control Committee. The local body shall set up processing facilities for utilisation of biodegradable organic waste. The non-biodegradable recyclable materials shall be stored and sent for recycling periodically. The inert and non-biodegradable waste shall be used for building roads or filling-up of appropriate areas on hills. In case of constraints in finding adequate land in hilly areas, waste not suitable for road-laying or filling up shall be disposed of in regional landfills in plain areas.

(J) Closure and Rehabilitation of Old Dumps- Solid waste dumps which have reached their full capacity or those which will not receive additional waste after setting up of new and properly designed landfills should be closed and rehabilitated by examining the following options:

- (i) Reduction of waste by bio mining and waste processing followed by placement of residues in new landfills or capping as in (ii) below.
- (ii) Capping with solid waste cover or solid waste cover enhanced with geomembrane to enable collection and flaring / utilisation of greenhouse gases.
- (iii) Capping as in (ii) above with additional measures (in alluvial and other coarse grained soils) such as cut-off walls and extraction wells for pumping and treating contaminated ground water.
- (iv) Any other method suitable for reducing environmental impact to acceptable level.

SCHEDULE II

[see rule 16 (1), (b), (e), 16 (4)]

Standards of processing and treatment of solid waste

- A. Standards for composting.** - The waste processing facilities shall include composting as one of the technologies for processing of bio degradable waste. In order to prevent pollution from compost plant, the following shall be complied with namely: -
- (a) The incoming organic waste at site shall be stored properly 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;
 - (b) Necessary precaution shall be taken to minimise nuisance of odour, flies, rodents, bird menace and fire hazard;
 - (c) In case of breakdown or maintenance of plant, waste intake shall be stopped and arrangements be worked out for diversion of waste to the temporary processing site or temporary landfill sites which will be again reprocessed when plant is in order;
 - (d) 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-recyclable high calorific fractions to be segregated and sent to waste to energy or for RDF production, co-processing in cement plants or to thermal power plants. Only rejects from all processes shall be sent for sanitary landfill site(s).
 - (e) The windrow area shall be provided with impermeable base. Such a base shall be made of concrete or compacted clay of 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;
 - (f) Ambient air quality monitoring shall be regularly carried out. Odour nuisance at down-wind direction on the boundary of processing plant shall also be checked regularly.
 - (g) Leachate shall be re-circulated in compost plant for moisture maintenance.
 - (h) The end product compost shall meet the standards prescribed under Fertilizer Control Order notified from time to time.
 - (i) In order to ensure safe application of compost, the following specifications for compost quality shall be met, namely: -

Parameters	Organic Compost (FCO 2009)	Phosphate Rich Organic Manure (FCO 2013)
(1)	(2)	(3)
Arsenic (mg/kg)	10.00	10.00
Cadmium (mg/kg)	5.00	5.00
Chromium (mg/kg)	50.00	50.00
Copper (mg/kg)	300.00	300.00
Lead (mg/kg)	100.00	100.00
Mercury (mg/kg)	0.15	0.15
Nickel (mg/kg)	50.00	50.00
Zinc (mg/kg)	1000.00	1000.00
C/N ratio	<20	Less than 20:1
pH	6.5-7.5	(1:5 solution) maximum 6.7

Moisture, percent by weight, maximum	15.0-25.0	25.0
Bulk density (g/cm ³)	<1.0	Less than 1.6
Total Organic Carbon, percent by weight, minimum	12.0	7.9
Total Nitrogen (as N), percent by weight, minimum	0.8	0.4
Total Phosphate (as P ₂ O ₅) percent by weight, minimum	0.4	10.4
Total Potassium (as K ₂ O), percent by weight, minimum	0.4	-
Colour	Dark brown to black	-
Odour	Absence of foul Odor	-
Particle size	Minimum 90% material should pass through 4.0 mm IS sieve	Minimum 90% material should pass through 4.0 mm IS sieve
Conductivity (as dsm-1), not more than	4.0	8.2

* Compost (final product) exceeding the above stated concentration limits shall not be used for food crops. However, it may be utilized for purposes other than growing food crops.

B. Standards for treated leachates. -The disposal of treated leachates shall meet the following standards, namely: -

S. No	Parameter	(Mode of Disposal)		
		Inland surface water	Public sewers	Land disposal
(1)	(2)	(3)	(4)	(5)
1.	Suspended solids, mg/l, 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, max.	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	1.5	-
19	Phenolic compounds (as C ₆ H ₅ OH) 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.

C. Standards for incineration: The Emission from incinerators /thermal technologies in Solid Waste treatment/disposal facility shall meet the following standards, namely: -

Parameter (1)	Emission standard	
	(2)	(1)
Particulates	50 mg/Nm ³	Standard refers to half hourly average value
HCl	50 mg/Nm ³	Standard refers to half hourly average value
SO₂	200 mg/Nm ³	Standard refers to half hourly average value
CO	100 mg/Nm ³	Standard refers to half hourly average value
	50 mg/Nm ³	Standard refers to daily average value
Total Organic Carbon	20 mg/Nm ³	Standard refers to half hourly average value
HF	4 mg/Nm ³	Standard refers to half hourly average value
NO_x (NO and NO₂ expressed as NO₂)	400 mg/Nm ³	Standard refers to half hourly average value
Total dioxins and furans	0.1 ng TEQ/Nm ³	Standard refers to 6-8 hours sampling. Please refer guidelines for 17 concerned congeners for toxic equivalence values to arrive at total toxic equivalence.
Cd + Th + their compounds	0.05 mg/Nm ³	Standard refers to sampling time anywhere between 30 minutes and 8 hours.
Hg and its compounds	0.05 mg/Nm ³	Standard refers to sampling time anywhere between 30 minutes and 8 hours.
Sb + As + Pb + Cr + Co + Cu + Mn + Ni + V + their compounds	0.5 mg/Nm ³	Standard refers to sampling time anywhere between 30 minutes and 8 hours.
<i>Note.- All values corrected to 11% oxygen on a dry basis.</i>		

Note:

- (a) Suitably designed pollution control devices shall be installed or retrofitted with the incinerator to achieve the above emission limits.
- (b) Waste to be incinerated shall not be chemically treated with any chlorinated disinfectants.
- (c) Incineration of chlorinated plastics shall be phased out within two years.
- (d) If the concentration of toxic metals in incineration ash exceeds the limits specified in the Hazardous Waste (Management, Handling and Trans boundary Movement) Rules, 2008, as amended from time to time, the ash shall be sent to the hazardous waste treatment, storage and disposal facility.
- (e) Only low sulphur fuel like LDO, LSHS, Diesel, bio-mass, coal, LNG, CNG, RDF and bio-gas shall be used as fuel in the incinerator.
- (f) The CO₂ concentration in tail gas shall not be more than 7%.

- (g) All the facilities in twin chamber incinerators shall be designed to achieve a minimum temperature of 950⁰C in secondary combustion chamber and with a gas residence time in secondary combustion chamber not less than 2 (two) seconds.
- (h) Incineration plants shall be operated (combustion chambers) with such temperature, retention time and turbulence, as to achieve total Organic Carbon (TOC) content in the slag and bottom ash less than 3%, or the loss on ignition is less than 5% of the dry weight.
- (i) Odour from sites shall be managed as per guidelines of CPCB issued from time to time

FORM – I

[see rule 15 (y) 16 (1) (c), 21(3)]

Application for obtaining authorisation under solid waste management rules for processing/recycling/treatment and disposal of solid waste

To,
The Member Secretary,
State Pollution Control Board or Pollution Control Committee, of.....

Sir,

I/We hereby apply for authorisation under the Solid Waste Management Rules, 2016 for processing, recycling, treatment and disposal of solid waste.

1.	Name of the local body/agency appointed by them/ operator of facility	
2.	Correspondence address Telephone No. Fax No. e-mail:	
3.	Nodal Officer & designation(Officer authorised by the local body or agency responsible for operation of processing/ treatment or disposal facility)	
4.	Authorisation required for setting up and operation of the facility (Please tick mark)	waste processing recycling treatment disposal at landfill
5.	Attach copies of the Documents Site clearance (local body) Proof of Environmental Clearance Consent for establishment Agreement between municipal authority and operating agency Investment on the project and expected return	
6.	Processing/recycling/treatment of solid waste (i) Total Quantity of waste to be processed per day Quantity of waste to be recycled Quantity of waste to be treated Quantity of waste to be disposed into landfill (ii) Utilisation programme for waste processed (Product utilisation) (iii) Methodology for disposal (attach details)	

	<p>Quantity of leachate</p> <p>Treatment technology for leachate</p> <p>(iv) Measures to be taken for prevention and control of environmental pollution</p> <p>(v) Measures to be taken for safety of workers working in the plant</p> <p>(vi) Details on solid waste processing/ recycling/treatment/disposal facility (to be attached)</p>	
7.	<p>Disposal of solid waste</p> <p>Number of sites identified</p> <p>Quantity of waste to be disposed per day</p> <p>Details of methodology or criteria followed for site selection (attach)</p> <p>Details of existing site under operation</p> <p>Methodology and operational details of landfilling</p> <p>Measures taken to check environmental pollution</p>	
8	Any other information.	

Date:
Place:

Signature:
Designation

Form- II

[see rule 16 (1) (e)]

Format for issue of authorization

File No.: _____
 Dated: _____
Authorisation No. _____

To

Ref: Your application number _____ dt. _____

The _____ State Pollution Control Board/Pollution Control Committee after examining the _____ the _____ proposal hereby authorises _____ having _____ administrative office at _____ to set up and operate waste processing/recycling/ treatment/disposal facility at _____

The authorisation is hereby granted to operate the facility for processing, recycling, treatment and disposal of solid waste.

The authorisation is subject to the terms and conditions stated below and such conditions as may be otherwise specified in these rules and the standards laid down in Schedules I and II under these rules.

The _____ State Pollution Control Board/Pollution Control Committees of the UT _____ may, at any time, revoke any of the conditions applicable under the authorisation and shall communicate the same in writing.

Any violation of the provision of the Solid Waste Management Rules, 2016 will attract the penal provision of the Environment (Protection) Act, 1986 (29 of 1986).

(Member Secretary)
 State Pollution Control Board/Pollution Control Committee of the UT
 (Signature and designation)

Date:
 Place:

Form – III

[see rule 19 (6), 24 (1)]

Format of annual report to be submitted by the operator of facility to the local body

1	Name of the City/Town and State	
2	Population	
3	Area in sq. kilometers	
4	Name & Address of the local body Telephone No. Fax No. E-mail:	
5	Name and address of operator of the facility	
6	Name of officer in-charge of the facility Phone No: Fax No:	

	E-mail:	
7	Number of households in the city/town, Number of non-residential premises in the city Number of election/ administrative wards in the city/town	
8	Quantity of Solid waste	
	Estimated Quantity of solid waste generated in the local body area per day in metric tones	/tpd
	Quantity of solid waste collected per day	/tpd
	Per capita waste collected per day	/gm/day
9	Quantity of solid waste processed	/tpd
	Quantity of solid waste disposed at landfill	/tpd
	Status of Solid Waste Management (SWM) service	
	Segregation and storage of waste at source	
	Whether solid waste is stored at source in domestic/commercial/ institutional bins If yes,	Yes/No
	Percentage of households practice storage of waste at source in domestic bins	%
	Percentage of non-residential premises practice storage of waste at source in commercial /institutional bins	%
	Percentage of households dispose of throw solid waste on the streets	%
	Percentage of non-residential premises dispose of throw solid waste on the streets	%
	Whether solid waste is stored at source in a segregated form	Yes/No
	If yes, Percentage of premises segregating the waste at source	%
	Door to Door Collection of solid waste	
	Whether door to door collection (D2D) of solid waste is being done in the city/town	Yes/No
	if yes	
	Number of wards covered in D2D collection of waste	
	No. of households covered	
	No. of non-residential premises including commercial establishments, hotels, restaurants educational institutions/ offices etc covered	
	Percentage of residential and non-residential premises covered in door to door collection through:	
	Motorized vehicle	%
	Containerized tricycle/handcart	%
	Other device	%
If not, method of primary collection adopted		
Sweeping of streets		
	Length of roads, streets, lanes, bye-lanes in the	km

	city that need to be cleaned					
	Frequency of street sweepings and percentage of population covered	frequency	Daily	Alter nate days	Twice a week	Occa sional ly
		% of population covered				
	Tools used					
	Manual sweeping	%				
	Mechanical sweeping	%				
	Whether long handle broom used by sanitation workers	Yes/No				
	Whether each sanitation worker is given handcart/tricycle for collection of waste	Yes/No				
	Whether handcart / tricycle is containerized	Yes/No				
	Whether the collection tool synchronizes with collection/ waste storage containers utilized	Yes/No				
	Secondary Waste Storage facilities					
	No. and type of waste storage depots in the city/town Open waste storage sites Masonry bins Cement concrete cylinder bins Dhalao/covered rooms/space Covered metal/plastic containers Upto 1.1 m ³ bins 2 to 5 m ³ bins Above 5m ³ containers Bin-less city	No.	Capacity in m ³			
	Bin/ population ratio					
	Ward wise details of waste storage depots (attach): Ward No: Area: Population: No. of bins placed Total volume of bins placed					
	Total storage capacity of waste storage facilities in cubic meters					
	Total waste actually stored at the waste storage depots daily					
	Give frequency of collection of waste from the depots	Frequency			No. of bins	
		Daily				
		Alternate day				
		Twice a week				
		Once a week				
		Occasionally				
	Whether storage depots have facility for storage of segregated waste in green, blue and black bins	Yes/ No (if yes, add details) No. of green bins:				

		No. of blue bins: No. of black bins:	
Whether lifting of solid waste from storage depots is manual or mechanical. Give percentage	(%) of Manual Lifting of SOLID WASTE		%
	(%) of Mechanical lifting		%
If mechanical – specify the method used	front-end loaders/ Top loaders		
Whether solid waste is lifted from door to door and transported to treatment plant directly in a segregated form	Yes/ No		
Waste Transportation per day Type and Number of vehicles used (pl tick or add)	No. Trips made waste transported		
Animal cart			
Tractors			
Non tipping Truck			
Tipping Truck			
Dumper Placers			
Refuse collectors			
Compactors Others JCB/loader			
Frequency of transportation of waste	Frequency Daily Alternate day Twice a week Once a week Occasionally	(%) of waste transported	
Quantity of waste transported each day	/tpd		
Percentage of total waste transported daily	%		
Waste Treatment Technologies used			
Whether solid waste is processed	Yes/No		
If yes, Quantity of waste processed daily	/tpd		
Land(s) available with the local body for waste processing (in Hectares)			
Land currently utilized for waste processing			
Solid waste processing facilities in operation			
Solid waste processing facilities under construction			
Distance of processing facilities from city/town boundary			
Details of technologies adopted			
Composting,	Qty. raw material processed Qty. final product produced Qty. sold Qty. of residual waste landfilled		
Vermi composting	Qty. raw material processed Qty. final product produced Qty. sold Qty. of residual waste landfilled		
Bio-methanation	Qty. raw material processed		

		Qty. final product produced Qty. sold Qty. of residual waste landfilled
	Refuse Derived Fuel	Qty. raw material processed Qty. final product produced Qty. sold Qty. of residual waste landfilled
	Waste to Energy technology such as incineration, gasification, pyrolysis or any other technology (give detail)	Qty. raw material processed Qty. final product produced Qty. sold Qty. of residual waste landfilled
	Co-processing	Qty. raw material processed
	Combustible waste supplied to cement plant	
	Combustible waste supplied to solid waste based power plants	
	Others	Qty.
	Solid waste disposal facilities	
	No. of dumpsites sites available with the local body	
	No. of sanitary landfill sites available with the local body	
	Area of each such sites available for waste disposal	
	Area of land currently used for waste disposal	
	Distance of dumpsite/landfill facility from city/town	kms
	Distance from the nearest habitation	kms
	Distance from water body	kms
	Distance from state/national highway	kms
	Distance from Airport	kms
	Distance from important religious places or historical monument	kms
	Whether it falls in flood prone area	Yes/No
	Whether it falls in earthquake fault line area	Yes/No
	Quantity of waste landfilled each day	tpd
	Whether landfill site is fenced	Yes/No
	Whether lighting facility is available on site	Yes/No
	Whether Weigh bridge facility available	Yes/No
	Vehicles and equipments used at landfill (specify)	Bulldozer, Compacters etc. available
	Manpower deployed at landfill site	Yes/No (if yes, attach details)
	Whether covering is done on daily basis	Yes/No
	If not, frequency of covering the waste deposited at the landfill	
	Cover material used	
	Whether adequate covering material is available	Yes/No
	Provisions for gas venting provided	Yes/No, (if yes, attach technical data sheet)

	Provision for leachate collection	Yes/No, (if yes, attach technical data sheet)
10	Whether an Action Plan has been prepared for improving solid waste management practices in the city	Yes/No (if Yes attach Action Plan details)
11	What separate provisions are made for: Dairy related activities: Slaughter houses waste: C&D waste (construction debris) :	Attach details on Proposals, Steps taken, Yes/No Yes/No Yes/No
12	Details of Post Closure Plan	Attach Plan
13	How many slums are identified and whether these are provided with Solid Waste Management facilities :	Yes/ No (if Yes, attach details)
14	Give details of manpower deployed for collection including street sweeping, secondary storage, transportation, processing and disposal of waste	
15	Mention briefly, the difficulties being experienced by the local body in complying with provisions of these rules	
16	Mention briefly, if any innovative idea is implemented to tackle a problem related to solid waste, which could be replicated by other local bodies.	

Signature of Operator

Dated:

Place:

Form – IV

[see rules 15(za), 24(2)]

Format for annual report on solid waste management to be submitted by the local body

CALENDAR YEAR:	DATE OF SUBMISSION OF REPORT:

1	Name of the City/Town and State	
2	Population	
3	Area in sq. kilometers	
4	Name & Address of the local body Telephone No. Fax No. E-mail:	
5	Name of officer in-charge dealing with solid waste management (SOLID WASTEM) Phone No: Fax No: E-mail:	
6	Number of households in the city/town, Number of non-residential premises in the city Number of election/ administrative wards in the city/town	
7	Quantity of Solid waste (solid waste)	
	Estimated Quantity of solid waste generated in the local body area per day in metric tones	/tpd
	Quantity of solid waste collected per day	/tpd
	Per capita waste collected per day	/gm/day
	Quantity of solid waste processed	/tpd
	Quantity of solid waste disposed at dumpsite/landfill	/tpd
8	Status of Solid Waste Management service	
	Segregation and storage of waste at source	
	Whether SOLID WASTE is stored at source in domestic/commercial/ institutional bins, If yes,	Yes/No
	Percentage of households practice storage of waste at source in domestic bins	%
	Percentage of non-residential premises practice storage of waste at source in commercial /institutional bins	%
	Percentage of households dispose or throw solid waste on the streets	%
	Percentage of non-residential premises dispose of throw solid waste on the streets	%
	Whether solid waste is stored at source in a segregated form, If yes,	Yes/No

	Percentage of premises segregating the waste at source	%				
	Door to Door Collection of solid waste					
	Whether door to door collection (D2D) of solid waste is being done in the city/town if yes	Yes/No				
	Number of wards covered in D2D collection of waste					
	No. of households covered					
	No. of non-residential premises including commercial establishments, hotels, restaurants educational institutions/ offices etc covered					
	Percentage of residential and non-residential premises covered in door to door collection through:					
	Motorized vehicle	%				
	Containerized	%				
	tricycle/handcart	%				
	Other device	%				
	If not, method of primary collection adopted					
	Sweeping of streets					
	Length of roads, streets, lanes, bye-lanes in the city that need to be cleaned	km				
	Frequency of street sweepings and percentage of population covered	Frequency	Daily	Alternate days	Twice a week	Occasionally
		% of population covered				
	Tools used					
	Manual sweeping	%				
	Mechanical sweeping	%				
	Whether long handle broom used by sanitation workers	Yes/No				
	Whether each sanitation worker is given handcart/tricycle for collection of waste	Yes/No				
	Whether handcart / tricycle is containerized	Yes/No				
	Whether the collection tool synchronizes with collection/ waste storage containers utilized	Yes/No				
	Secondary Waste Storage facilities					
	No. and type of waste storage depots in the city/town	No.	Capacity in m ³			
	Open waste storage sites					
	Masonry bins					
	Cement concrete cylinder bins					
	Dhalao/covered rooms/space					
	Covered metal/plastic containers					
	Upto 1.1 m ³ bins					
	2 to 5 m ³ bins					
	Above 5m ³ containers					
	Bin-less city					
	Bin/ population ratio					

	Ward wise details of waste storage depots (attach): Ward No: Area: Population: No. of bins placed Total volume of bins placed		
	Total storage capacity of waste storage facilities in cubic meters		
	Total waste actually stored at the waste storage depots daily		
	Give frequency of collection of waste from the depots	Frequency	No. of bins
		Daily	
		Alternate day	
		Twice a week	
		Once a week	
		Occasionally	
	Whether storage depots have facility for storage of segregated waste in green, blue and black bins	Yes/ No (if yes, add details) No. of green bins: No. of blue bins: No. of black bins:	
	Whether lifting of solid waste from storage depots is manual or mechanical. Give percentage		
	(%) of Manual Lifting of solid waste	%	
	(%) of Mechanical lifting	%	
	If mechanical – specify the method used	front-end loaders/ Top loaders	
	Whether solid waste is lifted from door to door and transported to treatment plant directly in a segregated form	Yes/ No	
	Waste Transportation per day Type and Number of vehicles used (pl tick or add)	No. Trips made waste transported	
	Animal cart		
	Tractors		
	Non tipping Truck		
	Tipping Truck		
	Dumper Placers		
	Refuse collectors		
	Compactors		
	Others		
	JCB/loader		
	Frequency of transportation of waste	Frequency Daily Alternate day Twice a week Once a week Occasionally	(%) of waste transported
	Quantity of waste transported each day	/tpd	
	Percentage of total waste transported daily	%	

	Waste Treatment Technologies used	
	Whether solid waste is processed	Yes/No
	If yes, Quantity of waste processed daily	/tpd
	Whether treatment is done by local body or through an agency	
	Land(s) available with the local body for waste processing (in Hectares)	
	Land currently utilized for waste processing	
	Solid waste processing facilities in operation	
	Solid waste processing facilities under construction	
	Distance of processing facilities from city/town boundary	
	Details of technologies adopted	
	Composting,	Qty. raw material processed Qty. final product produced Qty. sold Qty. of residual waste landfilled
	Vermi composting	Qty. raw material processed Qty. final product produced Qty. sold Qty. of residual waste landfilled
	Bio-methanation	Qty. raw material processed Qty. final product produced Qty. sold Qty. of residual waste landfilled
	Refuse Derived Fuel	Qty. raw material processed Qty. final product produced Qty. sold Qty. of residual waste landfilled
	Waste to Energy technology such as incineration, gasification, pyrolysis or any other technology (give detail)	Qty. raw material processed Qty. final product produced Qty. sold Qty. of residual waste landfilled
	Co-processing	Qty. raw material processed
	Combustible waste supplied to cement plant	
	Combustible waste supplied to solid waste based power plants	
	Others	Qty.
	Solid waste disposal facilities	
	No. of dumpsites sites available with the local body	
	No. of sanitary landfill sites available with the local body	
	Area of each such sites available for waste disposal	
	Area of land currently used for waste disposal	

	Distance of dumpsite/landfill facility from city/town	kms
	Distance from the nearest habitation	kms
	Distance from water body	kms
	Distance from state/national highway	kms
	Distance from Airport	kms
	Distance from important religious places or historical monument	kms
	Whether it falls in flood prone area	Yes/No
	Whether it falls in earthquake fault line area	Yes/No
	Quantity of waste landfilled each day	tpd
	Whether landfill site is fenced	Yes/No
	Whether Lighting facility is available on site	Yes/No
	Whether Weigh bridge facility available	Yes/No
	Vehicles and equipments used at landfill (specify)	Bulldozer, Compacters etc. available
	Manpower deployed at landfill site	Yes/No (if yes, attach details)
	Whether covering is done on daily basis	Yes/No
	If not, Frequency of covering the waste deposited at the landfill	
	Cover material used	
	Whether adequate covering material is available	Yes/No
	Provisions for gas venting provided	Yes/No, (if yes, attach technical data sheet)
	Provision for leachate collection	Yes/No, (if yes, attach technical data sheet)
9	Whether an Action Plan has been prepared for improving solid waste management practices in the city	Yes/No (if Yes attach Action Plan details)
10	What separate provisions are made for: Dairy related activities: Slaughter houses waste: C&D waste (construction debris) :	Attach details on Proposals, Steps taken, Yes/No Yes/No Yes/No
11	Details of Post Closure Plan	Attach Plan
12	How many slums are identified and whether these are provided with Solid Waste Management facilities :	Yes/ No (if Yes, attach details)
13	Give details of Local body's own manpower deployed for collection including street sweeping, secondary storage, transportation, processing and disposal of waste	
14	Give details of: Contractor/ concessionaire's manpower deployed for collection including street sweeping, secondary storage, transportation, processing and disposal of waste	
15	Mention briefly, the difficulties being experienced by the local body in complying with provisions of these rules	

16	Mention briefly, if any innovative idea is implemented to tackle a problem related to solid waste, which could be replicated by other local bodies.	
----	---	--

Signature of CEO/Municipal Commissioner/
Executive Officer/Chief Officer

Dated:

Place:

Form – V
[see rule 24(3)]

Format of annual report to be submitted by the State Pollution Control Board Or Pollution Control Committee to the Central Pollution Control Board

PART-A

To,

The Chairman
Central Pollution Control Board
Parivesh Bhawan,
East Arjun Nagar, Delhi- 110 0032

1.	Name of the State/Union territory	:	
2.	Name & address of the State Pollution Control	:	
3.	Number of local bodies responsible for management of solid waste in the State/Union territory under these rules	:	
4.	No. of authorisation application Received	:	
5.	A Summary Statement on progress made by local body in respect of solid waste management	:	Please attach as Annexure-I
6.	A Summary Statement on progress made by local bodies in respect of waste collection, segregation, transportation and disposal	:	Please attach as Annexure-II
7.	A summary statement on progress made by local bodies in respect of implementation of Schedule II	:	Please attach as Annexure-III
Date: Place:			Chairman or the Member Secretary State Pollution Control Board/ Pollution Control Committee

PART B

Towns/cities

Total number of towns/cities

Total number of ULBs

Number of class I & class II cities/towns

Authorisation status (names/number)

Number of applications received

Number of authorisations granted

Authorisations under scrutiny

SOLID WASTE Generation status

Solid waste generation in the state (TPD)

collected

treated

landfilled

Compliance to Schedule I of SW Rules (Number/names of towns/capacity)

Good practices in cities/towns

House-to-house collection

Segregation

Storage

Covered transportation

Processing of SW (Number/names of towns/capacity)

Solid Waste processing facilities setup:

Sl. No.	Composting	Vermi-composting	Biogas	RDF/Pelletization

Processing facility operational:

Sl. No.	Composting	Vermi-composting	Biogas	RDF/Pelletization

Processing facility under installation/planned:

Sl. No.	Composting	Vermi-composting	Biogas	RDF/Pelletisation

Waste-to-Energy Plants: (Number/names of towns/capacity)

Sl. No.	Plant Location	Status of Operation	Power generation (MW)	Remarks

Disposal of solid waste (number/names of towns/capacity):

Landfill sites identified

Landfill constructed

Landfill under construction

Landfill in operation

Landfill exhausted

Landfilled capped

Solid Waste Dumpsites (number/names of towns/capacity):

Total number of existing dumpsites

Dumpsites reclaimed/capped

Dumpsites converted to sanitary landfill

Monitoring at Waste processing/Landfills sites

Sl. No.	Name of facilities	Ambient air	Groundwater	Leachate quality	Compost quality	VOCs
1.						
2.						
3.						

Status of Action Plan prepared by Municipalities

Total number of municipalities:

Number of Action Plan submitted:

Form – VI

[see rule 25]

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. 18-3/2004-HSMD]
BISHWANATH SINHA, Jt. Secy.

**THE BATTERIES
(MANAGEMENT AND
HANDLING) RULES, 2001**

(as amended to date)

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 notification with regard to the Government's intention to notify the Battery (Management and Handling) Rules, 2000.

And whereas all objections received 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), 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) **'Act'** – means the Environment (Protection) Act, 1986 (29 of 1986);

(b) **'assembler'** – means a person who manufactures lead acid batteries by assembling various components;

(c) **'auction'** – means bulk sale of used lead acid batteries or component(s) thereof by invitation of tenders or auction, contract or negotiation by individual(s), companies or Government Departments;

(d) **'auctioneer'** – means a person(s) who auctions used lead acid batteries or components thereof;

(e) **'battery'** – means lead acid battery which is a source of electrical energy and contains lead metal.

(f) ¹[**'bulk consumer'** – means a consumer such as the Departments of Central Government

¹ Susb. by S.O. 1002 (E), dated 04-05-2010 (w.e.f. 04-05-2010).

like Railways, Defence, Telecom, Posts and Telegraph, the Departments of State Government, the Undertakings, Boards and other agencies or companies who purchase hundred or more than hundred batteries per annum;]

- (g) **‘components’** – means lead bearing components of a lead acid battery;
- (h) **‘consumer’** – means a person using lead acid batteries excluding bulk consumers;
- (i) **‘dealer’** – 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 otherwise;
- (j) **‘designated collection centre’** – 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) **‘importer’** – means a person who imports new lead acid batteries or components containing lead thereof for the purpose of sale;
- (l) **‘manufacturer’** – 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) **‘original equipment manufacturer’** – means manufacturer of equipment or product using lead acid batteries as a component;
- (n) **‘reconditioner’** – means a person involved in repairing of lead acid batteries for selling the same in the market;
- (o) **‘recycler’** – means an occupier who processes used lead acid batteries or components thereof for recovering lead;
- (p) **‘registered recycler’** – 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) **‘State Board’** – means the concerned State Pollution Control Board or the Pollution Control Committee as the case may be;
- (r) **‘used batteries’** – 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 through 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.
- ¹[(xii) ensure that the new batteries shall be sold only to the registered dealers.

Notes. - The assemblers and reconditioners are excluded from the purview of responsibilities as specified in sub-clauses (iv), (vii), (ix) and (xii).]

5. ²[Registration of importers. —

(i) The importers shall get registered as per Form I with the Central Pollution Control Board for a period of five years and a provision of cancellation for failure in collection of the required number of used batteries as per the said rules, non- submission of timely half yearly returns to the State Pollution Control Boards with a copy to the Central Pollution Control Board, renewal of the registration shall be as per the compliance status:

Provided that the registration granted to the importer shall not be cancelled unless he has been given a reasonable opportunity of hearing;

(ii) An appeal shall lie against any order of suspension or cancellation or refusal of registration passed by the Member-Secretary of the Central Pollution Control Board or any other officer designated by the Central Pollution Control Board.

(iii) The appeal shall be in writing and shall be accompanied with a copy of the order appealed against and shall be made within period of thirty days from the date of passing of the order.]

6. Customs clearance of imports of new lead acid batteries. — Customs clearance of imports shall be contingent upon —

¹ Ins. by S.O. 1002 (E), dated 04-05-2010 (w.e.f. 04-05-2010).

² Subs. by S.O. 1002 (E), dated 04-05-2010 (w.e.f. 04-05-2010).

- (i) valid registration with the Reserve Bank of India (with Importer's Code 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.

¹[(vii)(a) registration with State Pollution Control Board for five years and a provision of cancellation for failure in collection of the required number of used batteries as per the said rules, non-submission of timely half yearly returns to the State Pollution Control Boards, renewal of the registration shall be as per the compliance status, to submit details as per Form IV, registration would be considered as deemed registered if not objected to within thirty days:

Provided that the registration granted to the dealer shall not be cancelled unless he has been given a reasonable opportunity of hearing;

- (b) an appeal shall lie against any order of suspension or cancellation or refusal of registration passed by the Member-Secretary of the State Pollution Control Board or any other officer designated by the State Pollution Control Board;
- (c) the appeal shall be in writing and shall be accompanied with a copy of the order appealed against and shall be made within period of thirty days from the date of passing of the order]

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;

¹ Subs. by S.O. 1002 (E), dated 04-05-2010 (w.e.f. 04-05-2010).

- (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) ¹[make available all records relating to receipt of used batteries, sources, quantities and metal yield to be submitted to the State Pollution Control Board for inspection;]
- (v) mark 'Recycled' on lead recovered by reprocessing; and
- (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 ²[90] 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 at least 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

¹ Subs. by S.O. 1002 (E), dated 04-05-2010 (w.e.f. 04-05-2010).

² Subs. by S.O. 1002 (E), dated 04-05-2010 (w.e.f. 04-05-2010).

(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 therefore;

(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/ reconditioner 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 of 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 data 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 ¹[manufacturer/importer/bulk consumer] by 30th June (for the period October-March) and 31st December (for the period April, September) every year]

1.	⁷ [Name and Address of the manufacturer/ importer/ bulk consumer]	
2.	Name of the authorised person and complete address with telephone and fax numbers	
3.	Total 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) Stand-by (iii) others (inverters, etc.) Number of batteries sold too (i) dealers (ii) bulk consumers (iii) OEM (iv) Any other party for replacement should be indicated separately	(i)No. of Batteries (ii) Approximate weight (in Metric Tonnes)
4.	Name and full address of the designated collection centres	
5.	Total number of used batteries of different categories as at Sl. No. 3 collected and sent to the registered recyclers*	

* enclose the list of recyclers to whom batteries have been sent of recycling.

Place -----

Date-----

Signature of the authorised person

⁷ Subs. by S.O. 1002 (E), dated 04-05-2010 (w.e.f. 04-05-2010).

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 be	

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

⁸FORM IV

[see rules 4 and 7 (vii)]

⁸ Subs. by S.O. 1002 (E), dated 04-05-2010 (w.e.f. 04-05-2010).

FORM FOR REGISTRATION OF DEALERS

[To be submitted by dealers to the State Pollution Control Boards/Pollution Control Committees]

1.	Name and address of the dealers with telephone and fax numbers	
2.	TIN/VAT number*	

* IF APPLICABLE (AS PER CURRENT STATE SALE TAX RULES, MANDATORY TIN/VAT NUMBER IS REQUIRED ONLY IF THE ANNUAL TURNOVER OF THE DEALER IS MORE THAN THE PRESCRIBED VALUE)

Signature of the authorized person]

Place -----

Date-----

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 full address with telephone and fax numbers	
3.	<p>Number of new Batteries sold during the period October-March/ April-September in respect of the following categories:</p> <p>Category</p> <p>(i) Automative</p> <p>(a) Four wheeler</p> <p>(b) Two wheeler</p> <p>(ii) Industrial</p> <p>(a) UPS</p> <p>(b) Motive Power</p> <p>(c) Stand-by</p> <p>(iii) others</p> <p>Number of batteries sold</p> <p>(i) As replacement of used Batteries</p> <p>(ii) to bulk consumers</p> <p>(iii) to OEM</p> <p>(iv) to any other party</p>	<p>(i) No. of Batteries</p> <p>(ii) Approximate weight (in Metric Tonnes)</p>
4.	Total number of used batteries of different	

	categories as at Sl. No. 3 collected and sent to registered recyclers */designated collection centres/manufacturers	
--	---	--

* Enclose the list of recyclers to whom batteries have been sent of recycling. Place-----

Date-----

Signature of the authorised person

FORM 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 upto- b) Under Water Act, 1974, Valid upto-		
6.	Validity of Authorisation under rule 5 of the Hazardous Wastes (Management and Handling) Rules, 1989 .	Valid up to -		
7.	Installed capacity of production in (MTA)			
8.	Products Manufactured (Tones/year) during the last three years 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 process flow diagram for each 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	Industrial -		

	b) actual m ³ /day(average of last three months)	Domestic -
14.	Waste water treatment (please provide flow diagram of the treatment scheme)	Industrial - Domestic -
15.	Waste water discharge	Quantity m ³ day Location – <u>Analysis of treated waste water –</u> pH, BOD, COD, SS, O&G, Any other (indicate the corresponding standards applicable)
16.	Air Pollution Control a. Please provide flow diagram for emission control system(s) installed for each process unit, utilities etc. b. Details of facilities provided for control of fugitive emission due to material handling process utilities etc. c. Fuel Consumption d. Stack emission monitoring results vis-à-vis the standards applicable e. Ambient air quality	S. No. Name of the fuel Quality/day S. No. Stack attached to Emission g/Nm ³ S. No. Location Results µg/m ³
17.	Hazardous Waste Management a) Waste generation b) Details of collection, treatment c) Disposal (including point of final discharge) (i) Please provide details of the disposal facility (ii) Whether facilities provided are in compliance of the conditions issued by the SPCB in Authorisation (iii) Please attach analysis report of characterization of hazardous wastes generated (including leachate test if applicable)	S. No. Name of Process Quantity/y the Waste Category
18.	Details of waste proposed to be taken in auction or import, as the case may be, for use as raw material	1. Name– 2. Quantity required/- Position in List A/ List B as per Basel Convention (BC) - 4. Nature as per Annexure III of BC -
19.	Occupational safety and health aspects	Please provide details of facilities provided
20.	Remarks (i) Whether industry has provided adequate pollution control system/equipment to meet the standards of emission/effluent (ii) Whether industry is in compliance with conditions laid down in the Hazardous Waste	Yes/ No If yes, please furnish details Yes/No

	<p>Authorisation.</p> <p>(iii) Whether Hazardous Waste collection and Treatment, Storage and Disposal Facility (TDSF) are operating satisfactorily</p> <p>(iv) Whether conditions exist or likely to exist of the material being handled/processed or posing immediate or delayed adverse impacts on the environment.</p> <p>(v) Whether conditions exist or is likely to exist of the material being handled/processed by any means capable to yielding another material e.g. leachate which may process ecotoxicity.</p>	<p>Yes/No</p> <p>Yes/No</p> <p>Yes/No</p>
21.	<p>(i) cost of the unit</p> <p>(ii) cost of pollution control equipment including environmental safeguard measures</p> <p>a) Capital:</p> <p>b) Recurring:</p>	
22.	<p>Any other information:</p> <p>i)</p> <p>ii)</p> <p>iii)</p>	

I hereby declare that the above statements/ information's are true and correct to the best of my knowledge and belief.

Date:

Place:

Signature
Name
Designation

FORM 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 upto- b) Under Water Act, 1974, Valid upto-		
6.	Validity of Authorisation under rule 5 of the Hazardous Wastes (Management and Handling) Rules, 1989.	Valid up to -		
7.	Installed capacity of production in (MTA)			
8.	Products Manufactured (Tones/year) during the last three years 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 process flow diagram for each 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 last three months)	Industrial -		
		Domestic -		
14.	Waste water treatment (please provide flow diagram of the treatment scheme)	Industrial -		
		Domestic -		
15.	Waste water discharge	Quantity m ³ day		
		Location –		
		<u>Analysis of treated waste water –</u>		
		pH, BOD, COD, SS, O&G, Any other (indicate the		

		corresponding standards applicable)
16.	<p>Air Pollution Control</p> <p>a. Please provide flow diagram for emission control system(s) installed for each process unit, utilities etc.</p> <p>b. Details of facilities provided for control of fugitive emission due to material handling process utilities etc.</p> <p>c. Fuel Consumption</p> <p>d. Stack emission monitoring results vis-à-vis the standards applicable</p> <p>e. Ambient air quality</p>	<p>S. No. Name of the fuel Quality/day</p> <p>S. No. Stack attached to Emission g/Nm³</p> <p>S. No. Location Results µg/m³</p>
17.	<p>Hazardous Waste Management</p> <p>a) Waste generation</p> <p>b) Details of collection, treatment</p> <p>c) Disposal (including point of final discharge)</p> <p>(i) Please provide details of the disposal facility</p> <p>(ii) Whether facilities provided are in compliance of the conditions issued by the SPCB in Authorisation</p> <p>(iii) Please attach analysis report of characterization of hazardous wastes generated (including leachate test if applicable)</p>	<p>S. No. Name of Process Quantity/y the Waste Category</p>
18.	<p>Details of waste proposed to be taken in auction or import, as the case may be, for use as raw material</p>	<p>1. Name–</p> <p>2. Quantity required/-</p> <p>Position in List A/ List B as per Basel Convention (BC) -</p> <p>4. Nature as per Annexure III of BC -</p>
19.	<p>Occupational safety and health aspects</p>	<p>Please provide details of facilities provided</p>
20.	<p>Remarks</p> <p>(i) Whether industry has provided adequate pollution control system/equipment to meet the standards of emission/effluent</p> <p>(ii) Whether industry is in compliance with conditions laid down in the Hazardous Waste Authorisation.</p> <p>(iii) Whether Hazardous Waste collection and Treatment, Storage and Disposal Facility (TDSF) are operating satisfactorily</p> <p>(iv) Whether conditions exist or likely to exist of the material being handled/processed or posing immediate or delayed adverse impacts on the environment.</p> <p>(v) Whether conditions exist or is likely to exist of the material being handled/processed by any means capable to yielding another material e.g. leachate which may process ecotoxicity.</p>	<p>Yes/ No</p> <p>If yes, please furnish details</p> <p>Yes/No</p> <p>Yes/No</p> <p>Yes/No</p> <p>Yes/No</p> <p>Yes/No</p>

21.	(i) cost of the unit (ii) cost of pollution control equipment including environmental safeguard measures a) Capital: b) Recurring:	
22.	Any other information: i) ii) iii)	

I hereby declare that the above statements/ information's 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 RECYCLERS 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 and full address with telephone and fax number	
3.	Installed annual capacity to recycler used battery scarp (in MT)	
4.	Total quantity of used battery scarp purchased from/sent for processing during the period from October March/April-September	i. Quantity of used batteries sent by/purchased from the Manufacturers. ii. Quantity of used batteries purchased from the dealers iii. Quantity of used batteries purchased from auctioneers— iv. Quantity of used batteries obtained from any other source-
5.	Quantity of lead recovered from the used battery scarp in (MTA)	
6.	Quantity of recycled lead sent back 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 CONSUMER 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 full address with telephone and fax number	
3.	<p>Number of new batteries of different categories purchased from the manufacturer/ importer/dealer or any other agency during October-March and April September</p> <p>Category:</p> <p>(i) Automative</p> <p>(a) four wheelers</p> <p>(b) two wheelers</p> <p>(ii) Industrial</p> <p>(a) UPS</p> <p>(b) Motive Power</p> <p>(c) Stand-by</p> <p>(iii) Others</p>	<p>(i) No. of Batteries (ii) Approximate weight (in Metric Tonnes)</p>
4.	Number of used batteries of categories mentioned in Sl. No. 3 and Tonnage of scrap sent to manufacturer/ dealer/ importer/ registered recycler/ or any other agency to whom the used batteries scrap 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 Authorised person and full address with telephone and fax number	
3.	Number of used batteries and total Tonnage (of MT) available during the period from October-March and April-September	
4.	Sources of the used battery scarp	
5.	Number of used batteries and total Tonnage (of MT) auctioned during the period from October-March and April- September	
6.	Number of used batteries and total Tonnage (of MT) sent to the registered recyclers*	

* enclose list.

Place

Date

Signature of the authorised Person

**E-WASTE
(MANAGEMENT) RULES,
2016**

(as amended to date)

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

New Delhi, the 23rd March, 2016

G.S.R. 338(E).—Whereas the draft rules, namely the e-waste (Management) Rules, 2015, were published by the Government of India in the Ministry of Environment, Forest and Climate Change *vide* number G.S.R. 472(E), dated the 10th June, 2015 in the Gazette of India, Extraordinary Part II, section 3, 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 on which copies of the Gazette containing the said notification were made available to the public;

AND WHEREAS the copies of the Gazette containing the said notification were made available to the public on the 10th day of June, 2015;

AND WHEREAS the objections and suggestions received within the specified 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 e-waste (Management and Handling) Rules, 2011, published in the Gazette of India, section 3, sub-section (ii), *vide* number S.O. 1035(E), dated the 12th May, 2011, except as respects 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 E-Waste (Management) Rules, 2016.

(2) They shall come into force from the 1st day of October, 2016.

2. Application. - These rules shall apply to every manufacturer, producer, consumer, bulk consumer, collection centres, dealers, e-retailer, refurbisher, dismantler and recycler involved in manufacture, sale, transfer, purchase, collection, storage and processing of e-waste or electrical and electronic equipment listed in Schedule I, including their components, consumables, parts and spares which make the product operational but shall not apply to -

- (a) used lead acid batteries as covered under the Batteries (Management and Handling) Rules, 2001 made under the Act;
- (b) micro enterprises as defined in the Micro, Small and Medium Enterprises Development Act, 2006 (27 of 2006); and
- (c) radio-active wastes as covered under the provisions of the Atomic Energy Act, 1962 (33 of 1962) and rules made there under.

3. Definitions. - (1) In these rules, unless the context otherwise requires, -

- (a) 'Act' means the Environment (Protection) Act, 1986 (29 of 1986);
- (b) 'authorisation' means permission for generation, handling, collection, reception, storage, transportation, refurbishing, dismantling, recycling, treatment and disposal of e-waste, granted to manufacturer, dismantler, refurbisher and recycler;
- (c) 'bulk consumer' means bulk users of electrical and electronic equipment such as Central Government or State Government Departments, public sector undertakings, banks, educational institutions, multinational organisations, international agencies, partnership and public or private companies that are registered under the Factories Act, 1948 (63 of 1948)

and the Companies Act, 2013 (18 of 2013) and health care facilities which have turnover of more than one crore or have more than twenty employees;

- (d) 'Central Pollution Control Board' 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) 'collection centre' means a centre or a collection point or both established by producer individually or as association jointly to collect e-waste for channelising the e-waste to recycler and play such role as indicated in the authorisation for Extended Producer Responsibility granted to the producer and having facilities as per the guidelines of Central Pollution Control Board, including the collection centre established by the dismantler or refurbisher or recycler which should be a part of their authorisation issued by the State Pollution Control Board where the facility exists;
- (f) 'component' means one of the parts of a sub-assembly or assembly of which a manufactured product is made up and into which it may be resolved and includes an accessory or attachment to another component;
- (g) 'consumables' means an item, which participates in or is required for a manufacturing process or for functioning of the electrical and electronic equipment and may or may not form part of end-product. Items, which are substantially or totally consumed during a manufacturing process, shall be deemed to be consumables;
- (h) 'consumer' means any person using electrical and electronic equipment excluding the bulk consumers;
- (i) 'channelisation' means to direct the path for movement of e-wastes from collection onwards to authorised dismantler or recycler. In case of fluorescent and other mercury containing lamps, where recyclers are not available, this means path for movement from collection centre to Treatment, Storage and Disposal Facility;
- (j) 'dealer' means any individual or firm that buys or receives electrical and electronic equipment as listed in Schedule I of these rules and their components or consumables or parts or spares from producers for sale;
- (k) 'deposit refund scheme' means a scheme whereby the producer charges an additional amount as a deposit at the time of sale of the electrical and electronic equipment and returns it to the consumer along with interest when the end-of-life electrical and electronic equipment is returned;
- (l) 'dismantler' means any person or organisation engaged in dismantling of used electrical and electronic equipment into their components and having facilities as per the guidelines of Central Pollution Control Board and having authorisation from concerned State Pollution Control Board;
- (m) 'disposal' means any operation which does not lead to recycling, recovery or reuse and includes physico- chemical or biological treatment, incineration and deposition in secured landfill;
- (n) 'end-of-life' of the product means the time when the product is intended to be discarded by the user;
- (o) 'environmentally sound management of e-waste' means taking all steps required to ensure that e-waste is managed in a manner which shall protect health and environment against any adverse effects, which may result from such e-waste;
- (p) 'electrical and electronic equipment' means equipment which are dependent on electric current or electro- magnetic field in order to become functional;
- (q) 'e-retailer' means an individual or company or business entity that uses an electronic network such as internet, telephone, to sell its goods;
- (r) 'e-waste' means electrical and electronic equipment, whole or in part discarded as waste by the consumer or bulk consumer as well as rejects from manufacturing, refurbishment and repair processes;
- (s) 'e-waste exchange' means an independent market instrument offering assistance or

independent electronic systems offering services for sale and purchase of e-waste generated from end-of-life electrical and electronic equipment between agencies or organisations authorised under these rules;

- (t) 'Extended Producer Responsibility' means responsibility of any producer of electrical or electronic equipment, for channelisation of e-waste to ensure environmentally sound management of such waste. Extended Producer Responsibility may comprise of implementing take back system or setting up of collection centres or both and having agreed arrangements with authorised dismantler or recycler either individually or collectively through a Producer Responsibility Organisation recognised by producer or producers in their Extended Producer Responsibility - Authorisation;
- (u) 'Extended Producer Responsibility - Authorisation' means a permission given by Central Pollution Control Board to a producer, for managing Extended Producer Responsibility with implementation plans and targets outlined in such authorisation including detail of Producer Responsibility Organisation and e-waste exchange, if applicable;
- (v) 'Extended Producer Responsibility Plan' means a plan submitted by a producer to Central Pollution Control Board, at the time of applying for Extended Producer Responsibility - Authorisation in which a producer shall provide details of e-waste channelisation system for targeted collection including detail of Producer Responsibility Organisation and e-waste exchange, if applicable;
- (w) 'facility' means any location wherein the process incidental to the collection, reception, storage, segregation, refurbishing, dismantling, recycling, treatment and disposal of e-waste are carried out;
- (x) 'Form' means a form appended to these rules;
- (y) 'historical e-waste' means e-waste generated from electrical and electronic equipment as specified in Schedule I, which was available on the date from which these rules come into force;
- (z) 'manufacturer' means a person or an entity or a company as defined in the Companies Act, 2013 (18 of 2013) or a factory as defined in the Factories Act, 1948 (63 of 1948) or Small and Medium Enterprises as defined in Micro, Small and Medium Enterprises Development Act, 2006 (27 of 2006), which has facilities for manufacture of electrical and electronic equipment;
- (aa) 'orphaned products' means non-branded or assembled electrical and electronic equipment as specified in Schedule I or those produced by a company, which has closed its operations;
- (bb) 'part' means an element of a sub-assembly or assembly not normally useful by itself, and not amenable to further disassembly for maintenance purposes. A part may be a component, spare or an accessory;
- (cc) 'producer' means any person who, irrespective of the selling technique used such as dealer, retailer, e-retailer, etc.;

 - (i) manufactures and offers to sell electrical and electronic equipment and their components or consumables or parts or spares under its own brand; or
 - (ii) offers to sell under its own brand, assembled electrical and electronic equipment and their components or consumables or parts or spares produced by other manufacturers or suppliers; or
 - (iii) offers to sell imported electrical and electronic equipment and their components or consumables or parts or spares;

- (dd) 'Producer Responsibility Organisation' means a professional organisation authorised or financed collectively or individually by producers, which can take the responsibility for collection and channelisation of e-waste generated from the 'end-of-life' of their products to ensure environmentally sound management of such e-waste;
- (ee) 'recycler' - means any person who is engaged in recycling and reprocessing of waste electrical and electronic equipment or assemblies or their components and having facilities as elaborated in the guidelines of Central Pollution Control Board;

- (ff) 'refurbishment' means repairing of used electrical and electronic equipment as listed in Schedule I for extending its working life for its originally intended use and selling the same in the market or returning to owner;
 - (gg) 'refurbisher' for the purpose of these rules, means any company or undertaking registered under the Factories Act, 1948 or the Companies Act, 1956 or both or district industries centre engaged in refurbishment of used electrical and electronic equipment;
 - (hh) 'Schedule' means the Schedule appended to these rules;
 - (ii) "spares" means a part or a sub-assembly or assembly for substitution which is ready to replace an identical or similar part or sub-assembly or assembly including a component or an accessory;
 - (jj) 'State Government in relation to an Union territory means, the Administrator thereof appointed under article 239 of the Constitution;
 - (kk) 'State Pollution Control Board' means the concerned State Pollution Control Board or the Pollution Control Committee of the Union Territories constituted under sub-section (1) of section 4 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);
 - (ll) 'target' means the quantity of e-waste to be collected by the producer in fulfilment of Extended Producer Responsibility;
 - (mm) 'transporter' means a person or company or entity engaged in the off-site transportation of e-waste by air, rail, road or water carrying a manifest system issued by the person or company or entity who has handed over the e-waste to the transporter, giving the origin, destination and quantity of the e-waste being transported;
- (2) 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

RESPONSIBILITIES

- 4. Responsibilities of the manufacturer.** – (1) collect e-waste generated during the manufacture of any electrical and electronic equipment and channelise it for recycling or disposal;
- (2) apply for an authorisation in Form 1 (a) in accordance with the procedure prescribed under sub-rule (2) of rule 13 from the concerned State Pollution Control Board, which shall give the authorisation in accordance with Form 1 (bb);
- (3) ensure that no damage is caused to the environment during storage and transportation of e-waste;
- (4) maintain records of the e-waste generated, handled and disposed in Form-2 and make such records available for scrutiny by the concerned State Pollution Control Board;
- (5) file annual returns in Form-3, to the concerned State Pollution Control Board on or before the 30th day of June following the financial year to which that return relates.
- 5. Responsibilities of the producer.** - The producer of electrical and electronic equipment listed in Schedule I shall be responsible for -
- (1) implementing the Extended Producers Responsibility with the following frameworks, namely: -
- (a) collection and channelisation of e-waste generated from the 'end-of-life' of their products or 'end-of-life' products with same electrical and electronic equipment code and historical waste available on the date from which these rules come into force as per Schedule I in line with the targets prescribed in Schedule III in Extended Producer Responsibility - Authorisation;
 - (b) the mechanism used for channelisation of e-waste from 'end-of-life' products including those from their service centres to authorised dismantler or recycler shall be in accordance with the Extended Producer Responsibility - Authorisation. In cases of fluorescent and other

mercury containing lamps, where recyclers are not available, channelisation may be from collection centre to Treatment, Storage and Disposal Facility;

- (c) for disposal in Treatment, Storage and Disposal Facility, a pre-treatment is necessary to immobilise the mercury and reduce the volume of waste to be disposed off;
- (d) Extended Producer Responsibility - Authorisation should comprise of general scheme for collection of waste Electrical and Electronic Equipment from the Electrical and Electronic Equipment placed on the market earlier, such as through dealer, collection centres, Producer Responsibility Organisation, through buy-back arrangement, exchange scheme, Deposit Refund System, etc. whether directly or through any authorised agency and channelising the items so collected to authorised recyclers;
- (e) providing contact details such as address, e-mail address, toll-free telephone numbers or helpline numbers to consumer(s) or bulk consumer(s) through their website and product user documentation so as to facilitate return of end-of-life electrical and electronic equipment;
- (f) creating awareness through media, publications, advertisements, posters, or by any other means of communication and product user documentation accompanying the equipment, with regard to -
 - (i) information on address, e-mail address, toll-free telephone numbers or helpline numbers and web site;
 - (ii) information on hazardous constituents as specified in sub-rule 1 of rule 16 in electrical and electronic equipment;
 - (iii) information on hazards of improper handling, disposal, accidental breakage, damage or improper recycling of e-waste;
 - (iv) instructions for handling and disposal of the equipment after its use, along with the Do's and Don'ts;
 - (v) affixing a visible, legible and indelible symbol given below on the products or product user documentation to prevent e-waste from being dropped in garbage bins containing waste destined for disposal;



- (vi) means and mechanism available for their consumers to return e-waste for recycling including the details of Deposit Refund Scheme, if applicable;
 - (g) the producer shall opt to implement Extended Producer Responsibility individually or collectively. In individual producer responsibility, producer may set up his own collection centre or implement take back system or both to meet Extended Producer Responsibility. In collective system, producers may tie-up as a member with a Producer Responsibility Organisation or with e-waste exchange or both. It shall be mandatory upon on the individual producer in every case to seek Extended Producer Responsibility - Authorisation from Central Pollution Control Board in accordance with the Form-1 and the procedure laid down in sub-rule (1) of rule 13;
- ¹[(h) The provisions of rule 5 shall apply to producers who have placed any goods in the market in the current financial year and the targets for the extended producer responsibility plan shall be as per clause (ii) of sub-rule (1) of rule 13 and Schedule III.]
- (2) to provide information on the implementation of Deposit Refund Scheme to ensure collection of end-of-life products and their channelisation to authorised dismantlers or recyclers, if such

¹ Inserted by G.S.R. 261(E) dated 22.3.2018.

scheme is included in the Extended Producer Responsibility Plan.

Provided that the producer shall refund the deposit amount that has been taken from the consumer or bulk consumer at the time of sale, along with interest at the prevalent rate for the period of the deposit at the time of take back of the end-of-life product;

- (3) the import of electrical and electronic equipment shall be allowed only to producers having Extended Producer Responsibility authorisation;
- (4) maintaining records in Form-2 of the e-waste handled and make such records available for scrutiny by the Central Pollution Control Board or the concerned State Pollution Control Board;
- (5) filing annual returns in Form-3, to the Central Pollution Control Board on or before the 30th day of June following the financial year to which that return relates. In case of the Producer with multiple offices in a State, one annual return combining information from all the offices shall be filed;
- (6) the Producer shall apply to the Central Pollution Control Board for authorisation in Form 1, which shall thereafter grant the Extended Producer Responsibility - Authorisation in Form 1(aa).
- (7) Operation without Extended Producer Responsibility-Authorisation by any producer, as defined in this rule, shall be considered as causing damage to the environment.

6. Responsibilities of collection centres. - (1) collect e-waste on behalf of producer or dismantler or recycler or refurbisher including those arising from orphaned products;

Provided the collection centres established by producer can also collect e-waste on behalf of dismantler, refurbisher and recycler including those arising from orphaned products

- (2) ensure that the facilities are in accordance with the standards or guidelines issued by Central Pollution Control Board from time to time;
 - (3) ensure that the e-waste collected by them is stored in a secured manner till it is sent to authorised dismantler or recycler as the case may be;
 - (4) ensure that no damage is caused to the environment during storage and transportation of e-waste;
 - (5) maintain records in Form-2 of the e-waste handled as per the guidelines of Central Pollution Control Board and make such records available for scrutiny by the Central Pollution Control Board or the concerned State Pollution Control Board as and when asked for.
- 7. Responsibilities of dealers.** - (1) in the case the dealer has been given the responsibility of collection on behalf of the producer, the dealer shall collect the e-waste by providing the consumer a box, bin or a demarcated area to deposit e-waste, or through take back system and send the e-waste so collected to collection centre or dismantler or recycler as designated by producer;
- (2) the dealer or retailer or e-retailer shall refund the amount as per take back system or Deposit Refund Scheme of the producer to the depositor of e-waste;
 - (3) every dealer shall ensure that the e-waste thus generated is safely transported to authorised dismantlers or recyclers;
 - (4) ensure that no damage is caused to the environment during storage and transportation of e-waste.

8. Responsibilities of the refurbisher. - (1) collect e-waste generated during the process of refurbishing and channelise the waste to authorised dismantler or recycler through its collection centre;

- (2) make an application in Form 1(a) in accordance with the procedure laid down in sub-rule (4)

of rule 13 to the concerned State Pollution Control Board for grant of one time authorisation;

- (a) the concerned State Pollution Control Board shall authorise the Refurbisher on one time basis as per Form 1 (bb) and authorisation would be deemed as considered if not objected to within a period of thirty days;
 - (b) the authorised Refurbisher shall be required to submit details of e-waste generated to the concerned State Pollution Control Board on yearly basis;
 - (3) ensure that no damage is caused to the environment during storage and transportation of e-waste;
 - (4) ensure that the refurbishing process do not have any adverse effect on the health and the environment;
 - (5) ensure that the e-waste thus generated is safely transported to authorised collection centres or dismantlers or recyclers;
 - (6) file annual returns in Form-3 to the concerned State Pollution Control Board, on or before the 30th day of June following the financial year to which that return relates;
 - (7) maintain records of the e-waste handled in Form-2 and such records should be available for scrutiny by the appropriate authority.
- 9. Responsibilities of consumer or bulk consumer.** – (1) consumers or bulk consumers of electrical and electronic equipment listed in Schedule I shall ensure that e-waste generated by them is channelised through collection centre or dealer of authorised producer or dismantler or recycler or through the designated take back service provider of the producer to authorised dismantler or recycler;
- (2) bulk consumers of electrical and electronic equipment listed in Schedule I shall maintain records of e-waste generated by them in Form-2 and make such records available for scrutiny by the concerned State Pollution Control Board;
 - (3) consumers or bulk consumers of electrical and electronic equipment listed in Schedule I shall ensure that such end-of-life electrical and electronic equipment are not admixed with e-waste containing radioactive material as covered under the provisions of the Atomic Energy Act, 1962 (33 of 1962) and rules made thereunder;
 - (4) bulk consumers of electrical and electronic equipment listed in Schedule I shall file annual returns in Form-3, to the concerned State Pollution Control Board on or before the 30th day of June following the financial year to which that return relates. In case of the bulk consumer with multiple offices in a State, one annual return combining information from all the offices shall be filed to the concerned State Pollution Control Board on or before the 30th day of June following the financial year to which that return relates
- 10. Responsibilities of the dismantler.** - (1) ensure that the facility and dismantling processes are in accordance with the standards or guidelines prescribed by Central Pollution Control Board from time to time;
- (2) obtain authorisation from the concerned State Pollution Control Board in accordance with the procedure under sub-rule (3) of rule 13;
 - (3) ensure that no damage is caused to the environment during storage and transportation of e-waste;
 - (4) ensure that the dismantling processes do not have any adverse effect on the health and the environment;
 - (5) ensure that dismantled e-waste are segregated and sent to the authorised recycling facilities for recovery of materials;
 - (6) ensure that non-recyclable or non-recoverable components are sent to authorised treatment

storage and disposal facilities;

- (7) maintain record of e-waste collected, dismantled and sent to authorised recycler in Form-2 and make such record available for scrutiny by the Central Pollution Control Board or the concerned State Pollution Control Board;
- (8) file a return in Form-3, to the concerned State Pollution Control Board as the case may be, on or before 30th day of June following the financial year to which that return relates;
- (9) not process any e-waste for recovery or refining of materials, unless he is authorised with concerned State Pollution Control Board as a recycler for refining and recovery of materials;
- (10) operation without Authorisation by any dismantler, as defined in this rule, shall be considered as causing damage to the environment.

11. Responsibilities of the recycler. – (1) shall ensure that the facility and recycling processes are in accordance with the standards or guidelines prescribed by the Central Pollution Control Board from time to time;

- (2) obtain authorisation from concerned State Pollution Control Board in accordance with the procedure under the sub-rule (3) of rule 13;
- (3) ensure that no damage is caused to the environment during storage and transportation of e-waste;
- (4) ensure that the recycling processes do not have any adverse effect on the health and the environment;
- (5) make available all records to the Central Pollution Control Board or the concerned State Pollution Control Board for inspection;
- (6) ensure that the fractions or material not recycled in its facility is sent to the respective authorised recyclers;
- (7) ensure that residue generated during recycling process is disposed of in an authorised treatment storage disposal facility;
- (8) maintain record of e-waste collected, dismantled, recycled and sent to authorised recycler in Form-2 and make such record available for scrutiny by the Central Pollution Control Board or the concerned State Pollution Control Board;
- (9) file annual returns in Form-3, to the concerned State Pollution Control Board as the case may be, on or before 30th day of June following the financial year to which that return relates;
- (10) may accept waste electrical and electronic equipment or components not listed in Schedule I for recycling provided that they do not contain any radioactive material and same shall be indicated while taking the authorisation from concerned State Pollution Control Board;
- (11) operation without Authorisation by any recycler, as defined in this rule, shall be considered as causing damage to the environment.

12. Responsibilities of State Government for environmentally sound management of E-waste.

– (1) Department of Industry in State or any other government agency authorised in this regard by the State Government, to ensure earmarking or allocation of industrial space or shed for e-waste dismantling and recycling in the existing and upcoming industrial park, estate and industrial clusters;

- (2) Department of Labour in the State or any other government agency authorised in this regard by the State Government shall:
 - a. ensure recognition and registration of workers involved in dismantling and recycling;
 - b. assist formation of groups of such workers to facilitate setting up dismantling facilities;
 - c. undertake industrial skill development activities for the workers involved in dismantling and recycling;

- d. undertake annual monitoring and to ensure safety & health of workers involved in dismantling and recycling;
- (3) State Government to prepare integrated plan for effective implementation of these provisions, and to submit annual report to Ministry of Environment, Forest and Climate Change.

CHAPTER III

PROCEDURE FOR SEEKING AND GRANT OF AUTHORISATION FOR MANAGEMENT OF E-WASTE

13. Procedure for Seeking and Grant of Authorisation. –

- (1) **Extended Producer Responsibility - Authorisation of Producers.** – (i) every producer of electrical and electronic equipment listed in Schedule I, shall make an application for Extended Producer Responsibility - Authorisation within a period of ninety days starting from the date of these rules coming into force in Form-1 to Central Pollution Control Board;
- (ii) on receipt of the application complete in all respects, the Central Pollution Control Board will carry out evaluation of the Extended Producer Responsibility Plan and on being satisfied that the producer has detailed out an effective system to manage Extended Producer Responsibility in the country, shall grant Extended Producer Responsibility - Authorisation, in Form 1(aa) within a period of one hundred and twenty days. The Extended Producer Responsibility - Authorisation shall be valid for a period of five years;

This authorisation shall include among others the targeted quantity of e-waste, product code wise, to be collected during the year. The actual target for collection of e-waste for dismantling or recycling will be fixed on the basis of quantity of electrical and electronic equipment, product code wise, placed in the market in the previous years and taking into consideration the average life of the equipment. The estimated quantity of e-waste generated during the current year will be indicated by the producer and the quantity expected to be collected with the collection scheme proposed to be implemented by the producer will be indicated in the Extended Producer Responsibility plan. The Central Pollution Control Board shall fix the targets in accordance with Schedule III.

- (iii) the Central Pollution Control Board, after giving reasonable opportunity of being heard to the applicant shall refuse to grant Extended Producer Responsibility – Authorisation;
- (iv) in the event of refusal of Extended Producer Responsibility - Authorisation by the Central Pollution Control Board, the producer will forfeit his right to put any Electrical and Electronic Equipment in the market till such time the Extended Producer Responsibility - Authorisation is granted;
- (v) the Central Pollution Control Board after grant of Extended Producer Responsibility - Authorisation shall forward the Extended Producer Responsibility Plan to respective State Pollution Control Board for monitoring;
- (vi) an application for the renewal of Extended Producer Responsibility-Authorisation shall be made in Form-1 before one hundred and twenty days of its expiry to Central Pollution Control Board. The Central Pollution Control Board may renew the authorisation for a period of five years after receipt of compliance report from the concerned State Pollution Control Board which shall submit the compliance report to Central Pollution Control Board within sixty days from the date of the receipt of the application. In case of non receipt of the compliance report from the State Pollution Control Board within stipulated time period of sixty days, Central Pollution Control Board may renew the Extended Producer Responsibility-Authorisation after examining such case on merit basis, subject to no report of violation of the provisions of the Act or the rules made there under or the conditions specified in the Extended Producer Responsibility - Authorisation;
- (vii) every producer of Electrical and Electronic Equipment listed in Schedule I, shall take all steps, wherever required, to comply with the conditions specified in the Extended Producer Responsibility – Authorisation;

- (viii) the concerned State Pollution Control Board shall monitor the compliance of Extended Producer Responsibility - Authorisation, take cognizance of any non-compliance and inform Central Pollution Control Board for taking action, as necessary;
- (ix) Central Pollution Control Board shall conduct random check and if in its opinion, the holders of the Extended Producer Responsibility - Authorisation has failed to comply with any of the conditions of the authorisation or with any provisions of the Act or these rules and after giving a reasonable opportunity of being heard and after recording reasons thereof in writing cancel or suspend the Extended Producer Responsibility - Authorisation issued under these rules for such period as it considers necessary in the public interest and inform the concerned State Pollution Control Board within ten days of cancellation.
- (x) the Central Pollution Control Board shall maintain an online register of Extended Producer Responsibility - Authorisation granted with conditions imposed under these rules for environmentally sound management of e- waste, and which shall be accessible to any citizen of the country.
- (xi) The producer authorised under the provision of this rule shall maintain records in Form-2 and shall file annual returns of its activities of previous year in Form-3 to the Central Pollution Control Board on or before 30th day of June of every year;
- ¹[(xii) In case the producer has started sale recently i.e. number of years of sales operations is less than average life of their product, the Extended Producer Responsibility target shall be applicable as per Schedule- III (A) and these targets applicable from financial year 2018-2019 and once the product achieves its average life as fixed by the Central Pollution Control Board, the collection target shall be revised as per Schedule III.
- (xiii) The e-waste already collected by producers as per Schedule III(A) in earlier years will be accounted for and the eligible set offs shall be provided for the corresponding years at the time of fixation of targets as per Schedule-III.
- (xiv) The revised Extended Producer Responsibility targets shall be applicable from the 1st October 2017 as per Schedule III.
- (xv) The quantity of e-waste collected by producers under Extended Producer Responsibility from the 1st October 2016 to 30th September 2017 shall be accounted for in the revised Extended Producer Responsibility targets as per Schedule III until March 2018 only.
- (xvi) In case of transfer or sale of assets by the producers the liability under Extended Producer Responsibility shall also be transferred to the buyer.
- (xvii) A Producer Responsibility Organisation shall apply to the Central Pollution Control Board for registration to undertake the activities prescribed for Producer Responsibility Organisations under these Rules.]
- (2) **Authorisation of Manufacturer.** – (i) the manufacturer generating e-waste shall obtain an authorisation from the concerned State Pollution Control Board;
 - (ii) the manufacturer shall make an application for authorisation, within a period of ninety days from the date of these rules coming into force in Form 1(a) to the concerned State Pollution Control Board for grant of authorisation;
 - (iii) on receipt of the application complete in all respects for the authorisation, the concerned State Pollution Control Board may, after such enquiry as it considers necessary and on being satisfied that the applicant possesses appropriate facilities, technical capabilities and equipment to handle e-waste safely, grant within a period of one hundred and twenty days an authorisation in Form 1(bb) to the applicant to carry out safe operations

¹ Inserted by G.S.R. 261(E) dated 22.3.2018.

in the authorised place only, which shall be valid for a period of five years;

- (iv) the concerned State Pollution Control Board after giving reasonable opportunity of being heard to the applicant may refuse to grant any authorisation;
- (v) every person authorised under these rules shall maintain the record of e-waste handled by them in Form-2 and prepare and submit to the concerned State Pollution Control Board, an annual return containing the details specified in Form-3 on or before the 30th day of June following the financial year to which that return relates;
- (vi) an application for the renewal of an authorisation shall be made in Form-1(a) before one hundred and twenty days of its expiry and the concerned State Pollution Control Board may renew the authorisation for a period of five years after examining each case on merit and subject to the condition that there is no report of violation of the provisions of the Act or the rules made thereunder or the conditions specified in the authorisation;
- (vii) manufacturer shall take all steps to comply with the conditions specified in the authorisation;
- (viii) the concerned State Pollution Control Board shall maintain an online register of authorisations granted with conditions imposed under these rules for environmentally sound management of e-waste, and which shall be accessible to any citizen of the country.

(3) **Procedure for grant of authorisation to dismantler or recycler.** - (i) every Dismantler or Recycler of e-waste shall make an application, within a period of one hundred and twenty days starting from the date of coming into force of these rules, in Form-4 in triplicate to the concerned State Pollution Control Board accompanied with a copy of the following documents for the grant or renewal of authorisation, namely: -

- (a) consent to establish granted by the concerned State Pollution Control Board under the Water (Prevention and Control of Pollution) Act, 1974, (25 of 1974) and the Air (Prevention and Control of Pollution) Act, 1981(21 of 1981);
- (b) certificate of registration issued by the District Industries Centre or any other government agency authorised in this regard;
- (c) proof of installed capacity of plant and machinery issued by the District Industries Centre or any other government agency authorised in this behalf;
- (d) in case of renewal, a certificate of compliance of effluent and emission standards, treatment and disposal of hazardous wastes as applicable from the concerned State Pollution Control Board or any other agency designated for this purpose:

Provided that any person authorised or registered under the provisions of the Hazardous Wastes (Management, Handling and Transboundary Movements) Rules, 2008, and the E-waste (Management & Handling) Rules, 2011 prior to the date of coming into force of these rules shall not be required to make an application for authorisation till the period of expiry of such authorisation or registration:

- (ii) the concerned State Pollution Control Board, on being satisfied that the application is complete in all respects and that the applicant is utilising environmentally sound technologies and possess adequate technical capabilities, requisite facilities and equipment to dismantle or recycle and process e-waste in compliance to the guidelines specified by Central Pollution Control Board from time to time and through site inspection, may grant authorisation to such applicants stipulating therein necessary conditions as deemed necessary for carrying out safe operations in the authorised place only;
- (iii) the concerned State Pollution Control Board shall dispose of the application for authorisation within a period of one hundred and twenty days from the date of the receipt of such application complete in all respects;
- (iv) the authorisation granted under these rules shall be valid for a period of five years from the date of its issue and shall be accompanied with a copy of the field inspection report

signed by that Board indicating the adequacy of facilities for dismantling or recycling of e-waste and compliance to the guidelines specified by Central Pollution Control Board from time to time;

- (v) the concerned State Pollution Control Board may refuse, cancel or suspend an authorisation granted under these rules, if it has reasons to believe that the authorised dismantler or recycler has failed to comply with any of the conditions of authorisation, or with any provisions of the Act or rules made thereunder, after giving an opportunity to the dismantler or recycler to be heard and after recording the reasons thereof;
- (vi) an application for the renewal of authorisation shall be made in Form - 4 before one hundred and twenty days of its expiry and the concerned State Pollution Control Board may renew the authorisation for a period of five years after examining each case on merit and subject to the condition that there is no report of violation of the provisions of the Act or the rules made there under or the conditions specified in the authorisation;
- (vii) the Dismantler and Recycler shall maintain records of the e-waste purchased, processed in Form-2 and shall file annual returns of its activities of previous year in Form-3 to the concerned State Pollution Control Board on or before 30th day of June of every year;
- (viii) the Central Government and the Central Pollution Control Board may issue guidelines for standards of performance for dismantling and recycling processes from time to time.

(4) **Procedure for grant of authorisation to refurbisher.** – (i) every refurbisher of e-waste shall make an application, with in a period of one hundred and twenty days starting from the date of coming into force of these rules, in Form 1 (a) in triplicate to the concerned State Pollution Control Board accompanied with a copy of the following documents for the ¹[grant of authorization], namely: -

- (a) consent to establish granted by the concerned State Pollution Control Board under the Water (Prevention and Control of Pollution) Act, 1974, (25 of 1974) and the Air (Prevention and Control of Pollution) Act, 1981 (21 of 1981);
- (b) certificate of registration issued by the District Industries Centre or any other government agency authorised in this regard;
- (c) proof of installed capacity of plant and machinery issued by the District Industries Centre or any other government agency authorised in this behalf.
- (ii) the concerned State Pollution Control Board, on being satisfied that the application is complete in all respects and complies with the guidelines prescribed by Central Pollution Control Board from time to time, may grant one time authorisation in Form 1 (bb) to such applicants stipulating therein necessary conditions as deemed necessary for carrying out refurbishing activities in the authorised place only;
- (iii) the concerned State Pollution Control Board shall dispose of the application for authorisation within a period of one hundred and twenty days from the date of the receipt of such application complete in all respects;
- (iv) the concerned State Pollution Control Board may refuse, cancel or suspend a authorisation granted under these rules, if it has reasons to believe that the authorised refurbisher has failed to comply with any of the conditions of authorisation, or with any provisions of the Act or rules made thereunder, after giving an opportunity to the refurbisher to be heard and after recording the reasons thereof;
- (v) the Refurbisher shall maintain records of the e-waste purchased and refurbished in Form-2 and shall file annual returns of its activities of previous year in Form-3 to the concerned State Pollution Control Board on or before 30th day of June of every year.

¹ Substituted by G.S.R. 261(E) dated 22.3.2018.

14. Power to suspend or cancel an authorisation. - (1) The State Pollution Control Board may, if in its opinion, the holder of Manufacturer or Dismantler or Recycler or Refurbisher Authorisation has failed to comply with any of the conditions of the authorisation or with any provisions of the Act or these rules and after giving a reasonable opportunity of being heard and after recording reasons thereof in writing cancel or suspend the authorisation issued under these rules for such period as it considers necessary in the public interest and inform Central Pollution Control Board within ten days of cancellation;

- (2) The Central Pollution Control Board, if in its opinion, the holders of the Extended Producer Responsibility- Authorisation has failed to comply with any of the conditions of the authorisation or with any provisions of the Act or these rules and after giving a reasonable opportunity of being heard and after recording reasons thereof in writing cancel or suspend the Extended Producer Responsibility- Authorisation issued under these rules for such period as it considers necessary in the public interest and inform State Pollution Control Boards or Pollution Control Committees within ten days of cancellation;
- (3) Upon suspension or cancellation of the authorisation, the Central Pollution Control Board or State Pollution Control Board may give directions to the persons whose authorisation has been suspended or cancelled for the safe storage and management of the e-waste and such persons shall comply with such directions.

CHAPTER IV

15. Procedure for storage of e-waste. - Every manufacturer, producer, bulk consumer, collection centre, dealer, refurbisher, dismantler and recycler may store the e-waste for a period not exceeding one hundred and eighty days and shall maintain a record of collection, sale, transfer and storage of wastes and make these records available for inspection:

Provided that the concerned State Pollution Control Board may extend the said period up to three hundred and sixty five days in case the waste needs to be specifically stored for development of a process for its recycling or reuse.

CHAPTER V

REDUCTION IN THE USE OF HAZARDOUS SUBSTANCES IN THE MANUFACTURE OF ELECTRICAL AND ELECTRONIC EQUIPMENT AND THEIR COMPONENTS OR CONSUMABLES OR PARTS OR SPARES

16. Reduction in the use of hazardous substances in the manufacture of electrical and electronic equipment and their components or consumables or parts or spares. – (1) Every producer of electrical and electronic equipment and their components or consumables or parts or spares listed in Schedule I shall ensure that, new Electrical and Electronic Equipment and their components or consumables or parts or spares do not contain Lead, Mercury, Cadmium, Hexavalent Chromium, polybrominated biphenyls and polybrominated diphenyl ethers beyond a maximum concentration value of 0.1% by weight in homogenous materials for lead, mercury, hexavalent chromium, polybrominated biphenyls and polybrominated diphenyl ethers and of 0.01% by weight in homogenous materials for cadmium.

- (2) Components or consumables or parts or spares required for the electrical and electronic equipment placed in the market prior to 1st May, 2014 may be exempted from the provisions of sub-rule (1) of rule 16 provided Reduction of Hazardous Substances compliant parts and spares are not available.
- (3) The applications listed in Schedule II shall be exempted from provisions of sub-rule (1) of rule 16.
- (4) Every producer of applications listed in Schedule II shall ensure that the limits of hazardous substances as given in Schedule II are to be complied.
- (5) Every producer shall provide the detailed information on the constituents of the equipment and their components or consumables or parts or spares alongwith a declaration of conformance

- to the Reduction of Hazardous Substances provisions in the product user documentation.
- (6) Imports or placement in the market for new electrical and electronic equipment shall be permitted only for those which are compliant to provisions of sub-rule (1) and sub rule (4) of rule 16.
 - (7) Manufacture and supply of electrical and electronic equipment used for defence and other similar strategic applications shall be excluded from provisions of sub-rule (1) of rule 16.
 - (8) Every producer while seeking Extended Producer Responsibility - Authorisation will provide information on the compliance of the provisions of sub-rule (1) of rule 16. This information shall be in terms of self-declaration.
 - ¹[(9) The Central Pollution Control Board may conduct random sampling of electrical and electronic equipment placed in the market to monitor and verify the compliance of Reduction of Hazardous Substances provisions and the cost for sampling and testing shall be borne by the Government for conducting the Reduction of Hazardous Substances test and the procedure of random sampling and permissible error value of Reduction of Hazardous Substances test shall be as per the guidelines of the Central Pollution Control Board. If the product does not comply with Reduction of Hazardous Substances provisions, the Producers shall take corrective measures to bring the product into compliance and withdraw or recall the product from the market, within a reasonable period as per the guidelines of the Central Pollution Control Board.
 - (10) If the product does not comply with the Reduction of Hazardous Substances provisions, then the cost of the Reduction of Hazardous Substances test will be borne by the Producer and in addition, the Producer shall take corrective measures to bring the product into compliance and withdraw or recall the product from the market within a reasonable period as per the guidelines of the Central Pollution Control Board.]
 - (11) Central Pollution Control Board shall publish the methods for sampling and analysis of Hazardous Substances as listed in sub-rule (1) of rule 16 with respect to the items listed in Schedule I and II and also enlist the labs for this purpose

CHAPTER VI

MISCELLANEOUS

17. Duties of authorities. - Subject to other provisions of these rules, the authorities shall perform duties as specified in Schedule IV.

18. Annual Report. - (1) The concerned State Pollution Control Board shall prepare and submit to the Central Pollution Control Board an annual report with regard to the implementation of these rules by the 30th day of September every year in Form-5.

(2) The Central Pollution Control Board shall prepare the consolidated annual review report on management of e-waste and forward it to the Central Government along with its recommendations before the 30th day of December every year.

19. Transportation of e-waste. -The transportation of e-waste shall be carried out as per the manifest system whereby the transporter shall be required to carry a document (three copies) prepared by the sender, giving the details as per Form-6:

Provided that the transportation of waste generated from manufacturing or recycling destined for final disposal to a treatment, storage and disposal facility shall follow the provisions under Hazardous

¹ Substituted by G.S.R. 261(E) dated 22.3.2018.

Wastes (Management, Handling and Transboundary Movement) Rules, 2008.

20. Accident reporting. - Where an accident occurs at the facility processing e-waste or during transportation of e-waste, the producer, refurbisher, transporter, dismantler, or recycler, as the case may be, shall report immediately to the concerned State Pollution Control Board about the accident through telephone and e-mail.

21. Liability of manufacturer, producer, importer, transporter, refurbisher, dismantler and recycler. - (1) The manufacturer, producer, importer, transporter, refurbisher, dismantler and recycler shall be liable for all damages caused to the environment or third party due to improper handling and management of the e-waste;

¹[(2) The manufacturer, producer, importer, transporter, refurbisher, dismantler and recycler shall be liable to pay financial penalties as levied under the Provisions of the Environment (Protection) Act, 1986 and rules made thereunder for any violation of the provisions under these rules by the State Pollution Control Boards with the prior approval of the Central Pollution Control Board in accordance with the guidelines published by the Central Pollution Control Board.]

22. Appeal. -²[(1) (a) Any person aggrieved by an order of suspension or cancellation or refusal of authorisation 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 7 to the Appellate Authority i.e. the Secretary or nominee of Secretary, Ministry of Environment, Forest and Climate Change, Government of India, New Delhi against the order of the Central Pollution Control Board.

(b) Any person aggrieved by an order of suspension or cancellation or refusal of authorisation or its renewal passed by the State Pollution Control Boards or Committees may, within a period of thirty days from the date on which the order is communicated to him, prefer an appeal in Form 7 to the Appellate Authority i.e. the Secretary (Environment) of the State Government /Union Territory administration against the order of State Pollution Control Boards or Committees.]

(2) The Appellate Authority may entertain the appeal after 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.

(3) Every appeal filed under this rule shall be disposed of within a period of sixty days from the date of its filing.

³[23. The collection, storage, transportation, segregation, refurbishment, dismantling, recycling and disposal of e-waste shall be in accordance with the guidelines published by the Central Pollution Control Board.]

24. Urban Local Bodies (Municipal Committee or Council or Corporation) shall ensure that e-waste pertaining to orphan products is collected and channelised to authorised dismantler or recycler.

¹ Substituted by G.S.R. 261(E) dated 22.3.2018.

² Substituted by G.S.R. 261(E) dated 22.3.2018.

³ Substituted by *ibid.*

SCHEDULE I

[See rules 2, 3(j), 3(y), 3(aa) and 3(ff); 5; 9; 11(10); 13 (1) (i), 13 (1) (vii) and 16(1), 16(11)]
Categories of electrical and electronic equipment including their components, consumables, parts and spares covered under the rules.

Sr. No.	Categories of electrical and electronic equipment	Electrical and electronic equipment code
i.	Information technology and telecommunication equipment :	
	Centralised data processing: Mainframes, Minicomputers	ITEW1
	Personal Computing: Personal Computers (Central Processing Unit with input and output devices)	ITEW2
	Personal Computing: Laptop Computers(Central Processing Unit with input and output devices)	ITEW3
	Personal Computing: Notebook Computers	ITEW4
	Personal Computing: Notepad Computers	ITEW5
	Printers including cartridges	ITEW6
	Copying equipment	ITEW7
	Electrical and electronic typewriters	ITEW8
	User terminals and systems	ITEW9
	Facsimile	ITEW10
	Telex	ITEW11
	Telephones	ITEW12
	Pay telephones	ITEW13
	Cordless telephones	ITEW14
	Cellular telephones	ITEW15
Answering systems	ITEW16	
ii.	Consumer electrical and electronics:	
	Television sets (including sets based on (Liquid Crystal Display and Light Emitting Diode technology)	CEEW1
	Refrigerator	CEEW2
	Washing Machine	CEEW3
	Air-conditioners excluding centralised air conditioning plants	CEEW4
	Fluorescent and other Mercury containing lamps	CEEW5

SCHEDULE II

[See rules 16 (3), 16 (4) and 16 (11)]

Applications, which are exempted from the requirements of sub-rule (1) of rule 16	
	Substance
1	Mercury in single capped (compact) fluorescent lamps not exceeding (per burner):
1(a)	For general lighting purposes <30 W : 2.5 mg
1(b)	For general lighting purposes \geq 30 W and <50 W : 3.5mg
1(c)	For general lighting purposes \geq 50 W and <150 W : 5mg
1(d)	For general lighting purposes \geq 150 W : 15 mg
1(e)	For general lighting purposes with circular or square structural shape and tube diameter \leq 17 mm : 7mg
1(f)	For special purposes:5 mg
2(a)	Mercury in double-capped linear fluorescent lamps for general lighting purposes not exceeding (per lamp):
2(a)(1)	Tri-band phosphor with normal life time and a tube diameter < 9mm (e.g. T2): 4mg
2(a)(2)	Tri-band phosphor with normal life time and a tube diameter \geq 9 mm and \leq 17 mm (e.g. T5): 3 mg
2(a)(3)	Tri- band phosphor with normal life time and a tube diameter >17 mm and \leq 28 mm(e.g. T8): 3.5 mg
2(a)(4)	Tri-band phosphor with normal life time and a tube diameter >28 mm (e.g. T 12):3.5

	mg
2(a)(5)	Tri-band phosphor with long life time (≥ 25000 h):5mg
2(b)	Mercury in other fluorescent lamps not exceeding(per lamp):
2(b)(1)	Linear halophosphate lamps with tube >28 mm (e.g. T 10 and T12):10 mg
2(b)(2)	Non-linear halophosphate lamps(all diameters):15mg
2(b)(3)	Non-linear tri-band phosphor lamps with tube diameter >17 mm(e.g.T9): 15 mg
2(b)(4)	Lamps for other general lighting and special purposes (e.g. induction lamps):15mg
3	Mercury in cold cathode fluorescent lamps and external electrode fluorescent lamps (CCFL and EEFL)for special purposes not exceeding (per lamp):
3(a)	Short length(≤ 500 mm):3.5mg
3(b)	Medium length(>500 mm and ≤ 1500 mm): 5mg
3(c)	Long length(>1500 mm): 13mg
4(a)	Mercury in other low pressure discharge lamps (per lamp): 15mg
4(b)	Mercury in High Pressure Sodium(vapour) lamps for general lighting purposes not exceeding (per burner)in lamps with improved colour rendering index $R_a > 60$:
4(b)-I	$P \leq 155$ W : 30 mg
4(b)-II	155 W $< P \leq 405$ W : 40 mg
4(b)-III	$P > 405$ W: 40 mg
4(c)	Mercury in other High Pressure Sodium(vapour)lamps for general lighting purposes not exceeding (per burner):
4(c)-I	$P \leq 155$ W:25mg
4(c)-II	155 W $< P \leq 405$ W:30 mg
4(c)-III	$P > 405$ W:40 mg
4(d)	Mercury in High Pressure Mercury (vapour) lamps (HPMV)
4(e)	Mercury in metal halide lamps (MH)
4(f)	Mercury in other discharge lamps for special purposes not specifically mentioned in this Schedule
5(a)	Lead in glass of cathode ray tubes
5(b)	Lead in glass of fluorescent tubes not exceeding 0.2% by weight
6(a)	Lead as an alloying element in steel for machining purposes and in galvanized steel containing up to 0.35% lead by weight
6(b)	Lead as an alloying element in aluminium containing up to 0.4% lead by weight
6(c)	Copper alloy containing up to 4% lead by weight
7(a)	Lead in high melting temperature type solders (i.e. lead-based alloys containing 85% by weight or more lead)
7(b)	Lead in solders for servers, storage and storage array systems, network infrastructure equipment for switching, signalling, transmission, and network management for telecommunications
7(c)-I	Electrical and electronic components containing lead in a glass or ceramic other than dielectric ceramic in capacitors, e.g. piezoelectronic devices, or in a glass or ceramic matrix compound.
7(c)-II	Lead in dielectric ceramic in capacitors for a rated voltage of 125 V AC or 250 V DC or higher
7(c)-III	Lead in dielectric ceramic in capacitors for a rated voltage of less than 125 V AC or 250 V DC
8(a)	Cadmium and its compounds in one shot pellet type thermal cut-offs
8(b)	Cadmium and its compounds in electrical contracts
9	Hexavalent chromium as an anticorrosion agent of the carbon steel cooling system in absorption refrigerators up to 0.75% by weight in the cooling solution
9(b)	Lead in bearing shells and bushes for refrigerant-containing compressors for heating, ventilation, air conditioning and refrigeration (HVACR) application.
11(a)	Lead used in C-press compliant pin connector systems
11(b)	Lead used in other than C-press compliant pin connector systems
12	Lead as a coating material for the thermal conduction module C- ring
13(a)	Lead in white glasses used for optical applications
13(b)	Cadmium and lead in filter glasses and glasses used for reflectance standards.
14	Lead in solders consisting of more than two elements for the connection between the pins and the package of microprocessors with a lead content of more than 80% and

	less than 85% by weight
15	Lead in solders to complete a viable electrical connection between semiconductor die and carrier within integrated circuit flip chip packages.
16	Lead in linear incandescent lamps with silicate coated tubes
17	Lead halide as radiant agent in high intensity discharge (HID) lamps used for professional reprography applications.
18(a)	Lead as activator in the fluorescent powder (1% lead by weight or less) of discharge lamps when used as specialty lamps for diazoprinting reprography, lithography, insect traps, photochemical and curing processes containing phosphors such as SMS ((Sr, Ba) ₂ Mg Si ₂ O ₇ :Pb)
18(b)	Lead as activator in the fluorescent powder (1% lead by weight or less) of discharge lamps when used as sun tanning lamps containing phosphors such as BSP (Ba Si ₂ O ₅ :Pb)
19	Lead with PbBiSn-Hg and PblnSn-Hg in specific compositions as main amalgam and with PbSn-Hg as auxiliary amalgam in very compact energy saving lamps (ESL)
20	Lead oxide in glass used for bonding front and rear substrates of flat fluorescent lamps used for Liquid Crystal Displays (LCDs)
21	Lead and cadmium in printing inks for the application of enamels on glasses, such as borosilicate and soda lime glasses
23	Lead in finishes of fine pitch components other than connectors with a pitch of 0.65 mm and less
24	Lead in solders for the soldering to machined through hole discoidal and planar array ceramic multilayer capacitors
25	Lead oxide in surface conduction electron emitter displays (SED) used in structural elements, notably in the seal frit and frit ring.
26	Lead oxide in the glass envelope of black light blue lamps
27	Lead alloys as solder for transducers used in high-powered (designated to operate for several hours at acoustic power levels of 125 dB SPL and above) loudspeakers
29	Lead bound in crystal glass
30	Cadmium alloys as electrical/mechanical solder joints to electrical conductors located directly on the voice coil in transducers used in high-powered loudspeakers with sound pressure levels of 100 dB(A) and more
31	Lead in soldering materials in mercury free flat fluorescent lamps (which e.g. are used for liquid crystal displays, design or industrial lighting)
32	Lead oxide in seal frit used for making window assemblies for Argon and Krypton laser tubes
33	Lead in solders for the soldering of thin copper wires of 100 µm diameter and less in power transformers
34	Lead in cermet-based trimmer potentiometer elements
36	Mercury used as a cathode sputtering inhibitor in DC plasma displays with a content up to 30 mg per display
37	Lead in the plating layer of high voltage diodes on the basis of a zinc borate glass body
38	Cadmium and cadmium oxide in thick film pastes used on aluminium bonded beryllium oxide
39	Cadmium in colour converting II-VI LEDs (<10 µg Cd per mm ² of light-emitting area) for use in solid state illumination or display systems.

¹[SCHEDULE III*[See rules 5(1) (a) and 13(1) (ii), (xii), (xiii), (xiv), (xv)]*

Sl. No	Year	E-Waste Collection Target (Weight)
(i)	2017-2018	10% of the quantity of waste generation as indicated in Extended Producer Responsibility Plan.
(ii)	2018-2019	20% of the quantity of waste generation as indicated in Extended Producer Responsibility Plan.
(iii)	2019-2020	30% of the quantity of waste generation as indicated in Extended Producer Responsibility Plan.
(iv)	2020-2021	40% of the quantity of waste generation as indicated in Extended Producer Responsibility Plan.
(v)	2021-2022	50% of the quantity of waste generation as indicated in Extended Producer Responsibility Plan.
(vi)	2022-2023	60% of the quantity of waste generation as indicated in Extended Producer Responsibility Plan.
(vii)	2023 onwards	70% of the quantity of waste generation as indicated in Extended Producer Responsibility Plan.

Schedule III (A)*[See rules 13(1)(xii), (xiii), (xv)]*

Extended Producer Responsibility targets for producers, who have started sales operations recently, i.e. number of years of sales operations is less than average life of their products mentioned in the guidelines issued by Central Pollution Control Board from time to time.

Sl. No	Year	E-Waste Collection Target (Weight)
(i)	2018-2019	5% of the sales figure of financial year 2016-17.
(ii)	2019-2020	5% of the sales figure of financial year 2017-18.
(iii)	2020-2021	10% of the sales figure of financial year 2018-19.
(iv)	2021-2022	10% of the sales figure of financial year 2019-20.
(v)	2022-2023	15% of the sales figure of financial year 2020-21.
(vi)	2023-2024	15% of the sales figure of financial year 2021-22.
(vii)	2024-2025	20% of the sales figure of financial year 2022-23.
(viii)	2025 onwards	20% of the sales figure of the year preceding the previous year.]

¹ Substituted by G.S.R. 261 (E) dated 22.3.2018

SCHEDULE IV*[See rule (17)]***LIST OF AUTHORITIES AND CORRESPONDING DUTIES**

Sr. No	AUTHORITY	CORRESPONDING DUTIES
1.	Central Pollution Control Board, Delhi	<ul style="list-style-type: none"> (i) Grant and Renewal of Extended Producer Responsibility - Authorisation and monitoring of its compliance. (ii) Maintain information on Extended Producer Responsibility - Authorisation on its web site. (iii) Set and revise targets for collection of e-waste from time to time. (iv) Coordination with State Pollution Control Boards (v) Preparation of Guidelines for Environmentally Sound Management of e- waste. (vi) Conduct random check for ascertaining compliance of the e-waste rules and identification of such importers or producers who have not applied for Extended Producer Responsibility authorisation or are not complying with RoHS provision. Wherever necessary, Central Pollution Control Board will seek the help of customs department or any other agency of the Government of India. (vii) Conduct random inspection of dismantler or recycler or refurbisher. (viii) Documentation, compilation of data on e-waste and uploading on websites of Central Pollution Control Board (ix) Actions against violation of these rules. (x) Conducting training programmes. (xi) Submit Annual Report to the Ministry. (xii) Enforcement of provisions regarding reduction in use of hazardous substances in manufacture of electrical and electronic equipment. (xiii) Interaction with IT industry for reducing hazardous substances. (xiv) Set and revise targets for compliance to the reduction in use of hazardous substance in manufacture of electrical and electronic equipment from time to time. (xv) Any other function delegated by the Ministry under these rules from time to time.

2.	State Pollution Control Boards or Committees of Union territories	<ul style="list-style-type: none"> (i) Inventorisation of e-waste. (ii) Grant and renewal of authorisation to manufacturers, dismantlers, recyclers and refurbishers. (iii) Monitoring and compliance of Extended Producer Responsibility - Authorisation as directed by Central Pollution Control Board and that of dismantlers, recyclers and refurbishers authorisation. (iv) Conduct random inspection of dismantler or recycler or refurbisher. (v) Maintain online information regarding authorisation granted to manufacturers, dismantlers, recyclers and refurbishers. (vi) Implementation of programmes to encourage environmentally sound recycling. (vii) Action against violations of these rules. (viii) Any other function delegated by the Ministry under these rules.
3.	Urban Local Bodies (Municipal Committee or Council or Corporation)	<ul style="list-style-type: none"> (i) To ensure that e-waste if found to be mixed with Municipal Solid Waste is properly segregated, collected and is channelised to authorised dismantler or recycler. (ii) To ensure that e-waste pertaining to orphan products is collected and channelised to authorised dismantler or recycler.
4.	Port authority under Indian Ports Act, 1908 (15 of 1908) and Customs Authority under the Customs Act, 1962 (52 of 1962)	<ul style="list-style-type: none"> (i) Verify the Extended Producer Responsibility - Authorisation. (ii) Inform Central Pollution Control Board of any illegal traffic for necessary action. (iii) Take action against importer for violations under the Indian Ports Act, 1908/Customs Act, 1962.

FORM-1

[See Rules 5(1) (g), 13(1) (i), 13(1) (vi)]

Applicable to producers seeking Extended Producer Responsibility – Authorisation

The application form should contain the following information:

1.	Name and full address along with telephone numbers, e-mail and other contact details of Producer (It should be the place from where sale in entire country is being managed)	:	
2.	Name of the Authorised Person and full address with e-mail, telephone and fax number	:	
3.	Name, address and contact details of Producer Responsibility Organisation, if any with full address, e-mail, telephone and fax number, if engaged for implementing the Extended Producer Responsibility	:	
4.	¹ [Details of electrical and electronic equipment placed in market year-wise for the period equivalent to its average end-of-life as mentioned in the guidelines issued by the Central Pollution Control Board from time to time (as per the form of Table 1 given below).]	:	

Table 1: Details of Electrical and Electronic Equipment placed on the market in previous years - Code wise

Sr. No.	Electrical and Electronic Equipment Item	Electrical and Electronic Equipment Code	Quantity, number and weight placed on market (year-wise)									
A	Information technology and telecommunication equipment:											
1	Centralised data processing: Mainframes, Minicomputers	ITEW1										
2	Personal Computing: Personal Computers (Central Processing Unit with input and output devices)	ITEW2										
3	Personal Computing: Laptop Computers(Central Processing Unit with input and output devices)	ITEW3										

¹ Substituted by G.S.R. 261(E) dated 22.3.2018.

4	Personal Computing: Notebook Computers	ITEW4												
5	Personal Computing: Notepad Computers	ITEW5												
6	Printers including cartridges	ITEW6												
7	Copying equipment	ITEW7												
8	Electrical and electronic typewriters	ITEW8												
9	User terminals and systems	ITEW9												
10	Facsimile	ITEW10												
11	Telex	ITEW11												
12	Telephones	ITEW12												
13	Pay telephones	ITEW13												
14	Cordless telephones	ITEW14												
15	Cellular telephones	ITEW15												
16	Answering systems	ITEW16												
B	Consumer electrical and electronics:													
17	Television sets (including sets based on (Liquid Crystal Display and Light Emitting Diode technology)	CEEW1												
18	Refrigerator	CEEW2												
19	Washing Machine	CEEW3												
20	Air-conditioners excluding centralized air conditioning plants	CEEW4												
21	Fluorescent and other Mercury containing lamps	CEEW5												

5. Estimated generation of Electrical and Electronic Equipment waste item-wise and estimated collection target for the forthcoming year in the form of Table 2 including those being generated from their service centres, as given below:

Table 2: Estimated generation of Electrical and Electronic Equipment waste item-wise and estimated collection target for the forthcoming year

Sr. No.	Item	Estimated waste electrical and electronic equipment generation	Targeted collection
		Number and weight	Number and weight

6. Extended Producer Responsibility Plans:

(a) Please provide details of your overall scheme to fulfil Extended Producer

Responsibility obligations including targets. This should comprise of general scheme of collection of used/waste Electrical and Electronic Equipment from the Electrical and Electronic Equipment placed on the market earlier such as through dealers and collection centres, Producer Responsibility Organisation, through buy-back arrangement, exchange scheme, Deposit Refund Scheme, etc. whether directly or through any authorised agency and channelising the items so collected to authorised recyclers.

- (b) Provide the list with addresses along with agreement copies with dealers, collection centres, recyclers, Treatment, Storage and Disposal Facility, etc. under your scheme.
7. Estimated budget for Extended Producer Responsibility and allied initiatives to create consumer awareness.
8. Details of proposed awareness programmes.
9. Details for Reduction of Hazardous Substances compliance (to be filled if applicable):
- (a) Whether the Electrical and Electronic Equipment placed on market complies with the rule 16 (1) limits with respect to lead, mercury, cadmium, hexavalent chromium, polybrominated biphenyls and polybrominateddiphenyl ethers;
- ¹[(b) Provide the declaration with regard to technical documents maintained by them in support of Reduction of Hazardous Substances compliance as specified in the guidelines issued by the Central Pollution Control Board from time to time.]
- (c) Documents required:
- i. Extended Producer Responsibility plan;
 - ii. Copy of the permission from the relevant Ministry/Department for selling their product;
 - iii. Copies of agreement with dealers, collection centre, recyclers, Treatment, Storage and Disposal Facility, etc.;
 - iv. Copy of Directorate General of Foreign Trade license/permission as applicable;
 - v. Self-declaration regarding Reduction of Hazardous Substances provision;
 - vi. Any other document as required.

(Authorised signature)

Place: _____

Date: _____

¹ Substituted by G.S.R. 261(E) dated 22.3.2018.

FORM 1(a)

[See rules 4(2), 8 (2), 13(2) (ii), 13(2) (vi) and 13(4) (i)]

APPLICATION FOR OBTAINING AUTHORISATION FOR GENERATION OR STORAGE OR TREATMENT OR DISPOSAL OF E-WASTE BY MANUFACTURER OR REFURBISHER*

From:

To

The Member Secretary,
..... Pollution Control Board or Pollution Control Committee

Sir,

I / We hereby apply for authorisation/renewal of authorisation under rule 13(2) (i) to 13(2) (viii) and/or 13 (4) (i) of the E-Waste (Management) Rules, 2016 for collection/storage/ transportation/ treatment/ refurbishing/disposal of e- wastes.

For Office Use Only

Code No.:

Whether the unit is situated in a critically polluted area as identified by Ministry of Environment and Forests (yes/no);

To be filled in by Applicant

1. Name and full address:
2. Contact Person with designation and contact details such as telephone Nos, Fax. No. and E-mail:
3. Authorisation required for (Please tick mark appropriate activity/ies*)
 - (i) Generation during manufacturing or refurbishing*
 - (ii) Treatment, if any
 - (iii) Collection, Transportation, Storage
 - (iv) Refurbishing
4. E-waste details:
 - (a) Total quantity e-waste generated in MT/A
 - (b) Quantity refurbished (applicable to refurbisher)
 - (c) Quantity sent for recycling
 - (d) Quantity sent for disposal
5. Details of Facilities for storage/handling/treatment/refurbishing:
6. In case of renewal of authorisation previous authorisation no. and date and details of annual returns:

Place: _____

Signature _____

(Name _____)

Date: _____

Designation: _____

Note: -

- (1) * The authorisation for e-waste may be obtained along with authorisation for hazardous waste under the Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008, if applicable.
- (2) Wherever necessary, use additional sheets to give requisite and necessary details.

FORM 1 (aa)

[See rules 5 (6) and 13(1)(ii)]

FORMAT OF EXTENDED PRODUCER RESPONSIBILITY - AUTHORISATION

[Extended Producer Responsibility Authorisation for Producer of the Electrical & Electronic Equipment]

Ref: Your application for Grant of Extended Producer Responsibility - Authorisation for following Electrical & Electronic Equipment under E-Waste (Management) Rules, 2016

1. Number of Authorisation:

Date:

2. M/s.is hereby granted Extended Producer Responsibility - Authorisation based on:

- (a) overall Extended Producer Responsibility plan
- (b) proposed target for collection of e-waste

3. The Authorisation shall be valid for a period of..... years from date of issue with following conditions:

- (i) you shall strictly follow the approved Extended Producer Responsibility plan, a copy of which is enclosed herewith;
- (ii) you shall ensure that collection mechanism or centre are set up or designated as per the details given in the Extended Producer Responsibility plan. Information on collection mechanism/centre including the state-wise setup should be provided;
- (iii) you shall ensure that all the collected e-waste is channelised to authorised dismantler or recycler designated as per the details. Information on authorised dismantler or recycler designated state-wise should be provided;
- (iv) you shall maintain records, in Form-2 of these Rules, of e-waste and make such records available for scrutiny by Central Pollution Control Board;
- (v) you shall file annual returns in Form-3 to the Central Pollution Control Board on or before 30th day of June following the financial year to which that returns relates;
- (vi) General Terms & Conditions of the Authorisation:
 - a. The authorisation shall comply with provisions of the Environment (Protection) Act, 1986 and the Rules made there under;
 - b. The authorisation or its renewal shall be produced for inspection at the request of an officer authorised by the Central Pollution Control Board;
 - c. Any change in the approved Extended Producer Responsibility plan should be informed to Central Pollution Control Board on which decision shall be communicated by Central Pollution Control Board within sixty days;
 - d. It is the duty of the authorised person to take prior permission of the concerned State Pollution Control Boards and Central Pollution Control Board to close down the facility;

- e. An application for the renewal of authorisation shall be made as laid down in sub-rule (vi) of rule of 13(1) the E-Waste (Management) Rules, 2016;
- f. The Board reserves right to cancel/amend/revoke the authorisation at any time as per the Policy of the Board or Government.

**Authorized signatory
(with designation)**

**To,
Concerned Producer
Copy to:**

- 1. Member Secretary, Concerned State.
- 2. In-charge, concerned Zonal Office, Central Pollution Control Board.

FORM 1(bb)

[See rules 4(2), 8(2)(a), 13(2) (iii) and 13(4)(ii)]

FORMAT FOR GRANTING AUTHORISATION FOR GENERATION OR STORAGE OR TREATMENT OR REFURBISHING OR DISPOSAL OF E-WASTE BY MANUFACTURER OR REFURBISHER

Ref: Your application for Grant of Authorisation

- 1. (a) Authorisation no. and (b) date of issue
- 2.of.....is hereby granted an authorisation for generation, storage, treatment, disposal of e-waste on the premises situated at..... for the following:
 - a. quantity of e-waste;
 - b. nature of e-waste.
- 3. The authorisation shall be valid for a period from to
- 4. The e-waste mentioned above shall be treated/ disposed off in a manner at
- 5. The authorisation is subject to the conditions stated below and such conditions as may be specified in the rules for the time being in force under the Environment (Protection) Act, 1986.

Signature -----

Designation -----

Date: -----

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 authorisation or its renewal shall be produced for inspection at the request of an officer authorized by the concerned State Pollution Control Board.
- 3. Any unauthorised change in personnel, equipment as working conditions as mentioned in the application by the person authorized shall constitute a breach of his authorisation.
- 4. It is the duty of the authorised person to take prior permission of the concerned State Pollution Control Board to close down the operations.
- 5. An application for the renewal of an authorisation shall be made as laid down in sub-rule (vi) of rule 13(2).

FORM-2

[See rules 4(4), 5(4), 6(5), 8(7), 9(2), 10(7), 11(8), 13 (1) (xi), 13(2)(v), 13(3)(vii) and 13 (4)(v)]

FORM FOR MAINTAINING RECORDS OF E-WASTE HANDLED OR GENERATED**Generated Quantity in Metric Tonnes (MT) per year**

1.	Name & Address: Producer or Manufacturer or Refurbisher or Dismantler or Recycler or Bulk Consumer*		
2.	Date of Issue of Extended Producer Responsibility Authorisation*/ Authorisation*		
3.	Validity of Extended Producer Responsibility Authorisation*/ Authorisation*		
4.	Types & Quantity of e-waste handled or generated**	Category	Quantity
		Item Description	
5.	Types & Quantity of e-waste stored	Category	Quantity
		Item Description	
6.	Types & Quantity of e-waste sent to collection centre authorised by producer/ dismantler/recycler / refurbisher or authorised dismantler/recycler or refurbisher**	Category	Quantity
		Item Description	
7.	Types & Quantity of e-waste transported*	Category	Quantity
		Quantity	
	Name, address and contact details of the destination		
8.	Types & Quantity of e-waste refurbished*	Category	Quantity
		Item Description	
	Name, address and contact details of the destination of refurbished materials		
9.	Types & Quantity of e-waste dismantled*	Category	Quantity
		Item Description	
	Name, address and contact details of the destination		
10.	Types & Quantity of e-waste recycled*	Category	Quantity
		Item Description	
	Types & Quantity of materials recovered	Quantity	
	Name, address and contact details of the destination		
11.	Types & Quantity of e-waste sent to recyclers by dismantlers	Category	Quantity
		Item Description	
	Name, address and contact details of the destination		
12.	Types & Quantity of other waste sent to respective recyclers by dismantlers/recyclers of e-waste	Category	Quantity
		Item Description	
	Name, address and contact details		

	of the destination		
13.	Types & Quantity of e-waste treated & disposed	Category	Quantity
		Item Description	
	Name, address and contact details of the destination		

Note: -

- (1) * Strike off whichever is not applicable.
- (2) Provide any other information as stipulated in the conditions to the authorizer.
- (3) ** For producers this information has to be provided state-wise

FORM-3

[See rules 4(5), 5(5), 8(6), 9(4), 10(8), 11(9), 13 (1) (xi), 13(2)(v), 13(3)(vii) and 13(4)(v)]

FORM FOR FILING ANNUAL RETURNS

[To be submitted by producer or manufacturer or refurbisher or dismantler or recycler by 30th day of June following the financial year to which that return relates].

¹[Quantity in Metric Tonnes (MT)]

1	Name and address of the producer or manufacturer or refurbisher or dismantler or recycler			
2	Name of the authorised person and complete address with telephone and fax numbers and e-mail address			
3	Total quantity of e-waste collected or channelised to recyclers or dismantlers for processing during the year for each category of electrical and electronic equipment listed in the Schedule I (Attach list) by PRODUCERS			
	Details of the above	TYPE	QUANTITY	No.
3(A)*	BULK CONSUMERS: Quantity of e-waste			
3(B)*	REFURBISHERS: Quantity of e-waste:			
3(C)*	DISMANTLERS:			
	i. Quantity of e-waste processed (Code wise);			
	ii. Details of materials or components recovered and sold;			
	iii. Quantity of e-waste sent to recycler;			
	iv. Residual quantity of e-waste sent to Treatment, Storage and Disposal Facility.			
3(D)*	RECYCLERS:			
	i. Quantity of e-waste processed (Code wise);			
	ii. Details of materials recovered and sold in the market;			
	iii. Details of residue sent to Treatment, Storage and Disposal Facility.			
4	Name and full address of the destination			

¹ Substituted by G.S.R. 261(E) dated 22.3.2018.

	with respect to 3(A)-3(D) above		
5	Type and quantity of materials segregated or recovered from e-waste of different codes as applicable to 3(A)- 3(D)	Type	Quantity

✓ Enclose the list of recyclers to whom e-waste have been sent for recycling.

Place _____

Date _____

Signature of the authorised person

Note: -

- (1) * Strike off whichever is not applicable.
- (2) Provide any other information as stipulated in the conditions to the authorizer.
- (3) In case filing on behalf of multiple regional offices, Bulk Consumers and Producers need to add extra rows to 1 & 3(A) with respect to each office.

FORM-4

[See rules 13(3)(i) and 13(3)(vi)]

APPLICATION FORM FOR AUTHORISATION OF FACILITIES POSSESSING ENVIRONMENTALLY SOUND MANAGEMENT PRACTICE FOR DISMANTLING OR RECYCLING OF E-WASTE

(To be submitted in triplicate)

1.	Name and Address of the unit			
2.	Contact person with designation, Tel./Fax			
3.	Date of Commissioning			
4.	No.of workers (including contract labour)			
5.	Consents Validity	a. Water (Prevention and Control of Pollution) Act, 1974; Valid up to _____ b. Air (Prevention and Control of Pollution) Act, 1981; Valid up to _____		
6.	Validity of current authorization, if any	e-waste (Management & Handling) Rules, 2011; Valid up to _____		
7.	Dismantling or Recycling Process	Please attach complete details		
8.	Installed capacity in MT/year	Products	Installed capacity (MTA)	
9.	E-waste processed during last three years	Year	Product	Quantity
10.	Waste Management:			
	a. Waste generation in processing e-waste	Please provide details material wise		
	b. Provide details of disposal of residue.	Please provide details		
	c. Name of Treatment Storage and Disposal Facility utilized for			
11.	Details of e-waste proposed to be procured from re-processing	Please provide details		
12.	Occupational safety and health aspects	Please provide details		

13.	Details of Facilities for dismantling both manual as well as mechanised:	
14.	Copy of agreement with Collection Centre	
15.	Copy of agreement with Producer	
16.	Details of storage for dismantled e-waste	
17.	Copy of agreement with Recycler	
18.	Details of Facilities for Recycling	
19.	Copy of agreement with Collection Centre	
20.	Copy of agreement with Producer	
21.	Details of storage for raw materials and recovered materials	

II. In case of renewal of **authorisation, previous registration or authorisation no. and date**

I hereby declare that the above statements or information are true and correct to the best of my knowledge and belief.

Signature _____

Name: _____

Designation: _____

Place: _____

Date: _____

FORM-5*[See rule 18 (1)]***FORM FOR ANNUAL REPORT TO BE SUBMITTED BY THE STATE POLLUTION CONTROL BOARD TO THE CENTRAL POLLUTION CONTROL BOARD**

To,

The Chairman,
 Central Pollution Control Board, (Ministry of Environment and Forests)
 Government of India, 'Parivesh Bhawan', East Arjun Nagar, Delhi-110 032

1.	Number of authorised manufacturer, refurbisher, collection centre, dismantler and recycler for management of e-waste in the State or Union territory under these rules	:	
2.	Categories of waste collected along with their quantities on a monthly average basis:	:	Please attach as Annexure-I
3.	A Summary Statement code-wise of e-waste collected	:	Please attach as Annexure-II
4.	Details of material recovered from recycling of e-waste	:	
5.	Quantity of CFL received at Treatment, Storage and Disposal Facility	:	
6.	The above report is for the period fromto		

Place: _____

Date: _____

Chairman or the Member Secretary
 State Pollution Control Board

FORM-6

[See rule 19]

E-WASTE MANIFEST

1.	Sender's name and mailing address : (including Phone No.)	
2.	Sender's authorisation No, if applicable. :	
3.	Manifest Document No. :	
4.	Transporter's name and address : (including Phone No.)	
5.	Type of vehicle :	(Truck or Tanker or Special Vehicle)
6.	Transports registration's No. :	
7.	Vehicle registration No. :	
8.	Receiver's name & address :	
9.	Receiver's authorisation No, If applicable. :	
10.	Description of E-Waste (Item, Weight/ Numbers) :	
11.	Name and stamp of Sender* (Manufacturer or Producer or Bulk Consumer or Collection Centre or Refurbisher or Dismantler): Signature: Month Day Year	<input type="text"/>
12.	Transporter acknowledgement of receipt of E-Wastes	
	Name and stamp: Signature: Month Day Year	<input type="text"/>
13.	Receiver* (Collection Centre or Refurbisher or Dismantler or Recycler) certification of receipt of E-waste	
	Name and stamp: Signature: Month Day Year	<input type="text"/>

* As applicable

Note:-

Copy number with colour code (1)	Purpose (2)
Copy 1 (Yellow)	To be retained by the sender after taking signature on it from the transporter and other three copies will be carried by transporter.
Copy 2 (Pink)	To be retained by the receiver after signature of the transporter.
Copy 3 (Orange)	To be retained by the transporter after taking signature of the receiver.
Copy 4 (Green)	To be returned by the receiver with his/her signature to the sender

FORM 7*[See rule 22]*

**APPLICATION FOR FILING APPEAL
AGAINST THE ORDER PASSED BY CENTRAL POLLUTION CONTROL
BOARD/STATE POLLUTION CONTROL BOARD**

- 1 Name and address of the person making the appeal :
- 2 Number, date of order and address of the authority : (certified copy of the to which passed the order, against which appeal is 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 point 2 against which the appeal is being filed. :

Signature.....

Name and address.....

Place:

Date:

[F. No. 12-6/2013-HSMD]

BISHWANATH SINHA, Jt. Secy.

**THE PLASTIC WASTE
MANAGEMENT RULES,
2016**

(as amended to date)

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 18th March, 2016

***G.S.R 320(E).** — Whereas the Plastic Waste (Management and Handling) Rules, 2011 published vide notification number S.O 249 (E), dated 4th February, 2011 by the Government of India in the erstwhile Ministry of Environment and Forests, as amended from time to time, provided a regulatory frame work for management of plastic waste generated in the country;

And whereas, to implement these rules more effectively and to give thrust on plastic waste minimization, source segregation, recycling, involving waste pickers, recyclers and waste processors in collection of plastic waste fraction either from households or any other source of its generation or intermediate material recovery facility and adopt polluter's pay principle for the sustainability of the waste management system, the Central Government reviewed the existing rules;

And whereas, in exercise of the powers conferred by sections 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), the draft rules, namely, the Plastic Waste Management, Rules, 2015 were published by the Government of India in the Ministry of Environment, Forest and Climate Change vide number G.S.R. 423(E), dated the 25th May, 2015 in the Gazette of India, inviting objections and suggestions from all persons likely to be affected thereby, before the expiry of a period of sixty days from the date on which copies of the Gazette containing the said notification were made available to the public;

And Whereas copies of the said Gazette were made available to the public on the 25th May, 2015;

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 3, 6 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), and in supersession of the Plastic Waste (Management and Handling) Rules, 2011, except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following rules, namely: -

- 1. Short title and commencement.** – (1) These rules shall be called the Plastic Waste Management Rules, 2016.
- (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.** - (1) These rules shall apply to every waste generator, local body, Gram Panchayat, manufacturer, Importers and producer.
- (2) The rule 4 shall not apply to the export oriented units or units in special economic zones, notified by the Central Government, manufacturing their products against an order for export: Provide this exemption shall not apply to units engaged in packaging of gutkha, tobacco and pan masala and also to any surplus or rejects, left over products and the like.
- 3. Definitions.** - In these rules, unless the context otherwise requires. -
 - (a) “**Act**” means the Environment (Protection) Act, 1986 (29 of 1986);
 - ¹[(ab) “**alternate use**” means use of a material for a purpose other than for which it was conceived, which is beneficial because it promotes resource efficiency];

* As Published in the Gazette of India vide G.S.R 320(E) dated 18.3.2016.

¹ Inserted by G.S.R 285(E) dated 27.3.2018

- (b) **“brand owner”** means a person or company who sells any commodity under a registered brand label;
- (c) **“carry bags”** mean bags made from plastic material or compostable plastic material, used for the purpose of carrying or dispensing commodities which have a self carrying feature but do not include bags that constitute or form an integral part of the packaging in which goods are sealed prior to use;
- (d) **“commodity”** means tangible item that may be bought or sold and includes all marketable goods or wares;
- (e) **“compostable plastics”** mean plastic that undergoes degradation by biological processes during composting to yield CO₂, water, inorganic compounds and biomass at a rate consistent with other known compostable materials, excluding conventional petro-based plastics, and does not leave visible, distinguishable or toxic residue;
- (f) **“consent”** means the consent to establish and operate from the concerned State Pollution Control Board or Pollution Control Committee granted 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);
- (g) **“disintegration”** means the physical breakdown of a material into very small fragments;
- ¹**[(ga) “energy recovery”** means energy recovery from waste that is conversion of waste material into usable heat, electricity or fuel through a variety of processes including combustion, gasification, pyrolysis, anaerobic digestion & landfill gas recovery];
- (h) **“extended producer’s responsibility”** means the responsibility of a producer for the environmentally sound management of the product until the end of its life;
- (i) **“food-stuffs”** mean ready to eat food products, fast food, processed or cooked food in liquid, powder, solid or semi-solid form;
- (j) **“facility”** means the premises used for collection, Storage, recycling, processing and disposal of plastic waste;
- (k) **“importer”** means a person who imports or intends to import and holds an Importer - Exporter Code number, unless otherwise specifically exempted.
- (l) **“institutional waste generator”** means and includes occupier of the institutional buildings such as building occupied by Central Government Departments, State Government Departments, public or private sector companies, hospitals, schools, colleges, universities or other places of education, organisation, academy, hotels, restaurants, malls and shopping complexes;
- (m) **“manufacturer”** means and include a person or unit or agency engaged in production of plastic raw material to be used as raw material by the producer.
- (n) **“multi-layered packaging”** means any material used or to be used for packaging and having at least one layer of plastic as the main ingredients in combination with one or more layers of materials such as paper, paper board, polymeric materials, metalised layers or aluminium foil, either in the form of a laminate or co-extruded structure;
- (o) **“plastic”** means material which contains as an essential ingredient a high polymer such as polyethylene terephthalate, high density polyethylene, Vinyl, low density polyethylene, polypropylene, polystyrene resins, multi-materials like acrylonitrile butadiene styrene, polyphenylene oxide, polycarbonate, Polybutylene terephthalate;
- (p) **“plastic sheet”** means Plastic sheet is the sheet made of plastic;

¹ Inserted by G.S.R 285(E) dated 27.3.2018

- (q) **“plastic waste”** means any plastic discarded after use or after their intended use is over;
 - (r) **“prescribed authority”** means the authorities specified in rule 12;
 - (s) **“producer”** means persons engaged in manufacture or import of carry bags or multilayered packaging or plastic sheets or like, and includes industries or individuals using plastic sheets or like or covers made of plastic sheets or multilayered packaging for packaging or wrapping the commodity;
 - (t) **“recycling”** means the process of transforming segregated plastic waste into a new product or raw material for producing new products;
 - (u) **“registration”** means registration with the State Pollution Control Board or Pollution Control Committee concerned, as the case may be;
 - (v) **“street vendor”** shall have the same meaning as assigned to it in clause (l) of sub-section (1) of Section 2 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (7 of 2014);
 - (w) **“local body”** means urban local body with different nomenclature such as municipal corporation, municipality, nagar palika, nagar nigam, nagar panchayat, municipal council including notified area committee (NAC) and not limited to or any other local body constituted under the relevant statutes such as gram panchayat, where the management of plastic waste is entrusted to such agency;
 - (x) **“virgin plastic”** means plastic material which has not been subjected to use earlier and has also not been blended with scrap or waste;
 - (y) **“waste generator”** means and includes every person or group of persons or institution, residential and commercial establishments including Indian Railways, Airport, Port and Harbour and Defence establishments which generate plastic waste;
 - (z) **“waste management”** means the collection, storage, transportation reduction, re-use, recovery, recycling, composting or disposal of plastic waste in an environmentally safe manner;
 - (aa) **“waste pickers”** mean individuals or agencies, groups of individuals voluntarily engaged or authorised for picking of recyclable plastic waste.
- 4. Conditions. (1)-** The manufacture, importer stocking, distribution, sale and use of carry bags, plastic sheets or like, or cover made of plastic sheet and multi-layered packaging, shall be subject to the following conditions, namely: -
- a) Carry bags and plastic packaging shall either be in natural shade which is without any added pigments or made using only those pigments and colourants which are in conformity with Indian Standard: IS 9833:1981 titled as “List of pigments and colourants for use in plastics in contact with foodstuffs, pharmaceuticals and drinking water”, as amended from time to time;
 - b) Carry bags made of recycled plastic or products made of recycled plastic shall not be used for storing, carrying, dispensing or packaging ready to eat or drink food stuff;
 - c) Carry bag made of virgin or recycled plastic, shall not be less than fifty microns in thickness;
 - d) Plastic sheet or like, which is not an integral part of multilayered packaging and cover made of plastic sheet used for packaging, wrapping the commodity shall not be less than fifty microns in thickness except where the thickness of such plastic sheets impair the functionality of the product;
 - e) The manufacturer shall not sell or provide or arrange plastic to be used as raw material to a producer, not having valid registration from the concerned State Pollution Control Boards or Pollution Control Committee;

- f) Sachets using plastic material shall not be used for storing, packing or selling gutkha, tobacco and pan masala;
- g) Recycling of plastic waste shall conform to the Indian Standard: IS 14534:1998 titled as Guidelines for Recycling of Plastics, as amended from time to time;
- h) The provision of thickness shall not be applicable to carry bags made up of compostable plastic. Carry bags made from compostable plastics shall conform to the Indian Standard: IS 17088:2008 titled as Specifications for Compostable Plastics, as amended from time to time. The manufacturers or seller of compostable plastic carry bags shall obtain a certificate from the Central Pollution Control Board before marketing or selling; and
- i) Plastic material, in any form including Vinyl Acetate - Maleic Acid - Vinyl Chloride Copolymer, shall not be used in any package for packaging gutkha, pan masala and tobacco in all forms.

5. Plastic waste management: - (1) The plastic waste management by the urban local bodies in their respective jurisdiction shall be as under: -

- (a) Plastic waste, which can be recycled, shall be channelized to registered plastic waste recycler and recycling of plastic shall conform to the Indian Standard: IS 14534:1998 titled as Guidelines for Recycling of Plastics, as amended from time to time;
- (b) Local bodies shall encourage the use of plastic waste (preferably the plastic waste which cannot be further recycled) for road construction as per Indian Road Congress guidelines or energy recovery or waste to oil etc. The standards and pollution control norms specified by the prescribed authority for these technologies shall be complied with;
- (c) Thermo set plastic waste shall be processed and disposed off as per the guidelines issued from time to time by the Central Pollution Control Board.
- (d) The inert from recycling or processing facilities of plastic waste shall be disposed of in compliance with the Solid Waste Management Rules, 2000 or as amended from time to time.

6. Responsibility of local body. - (1) Every local body shall be responsible for development and setting up of infrastructure for segregation, collection, storage, transportation, processing and disposal of the plastic waste either on its own or by engaging agencies or producers.

(2) The local body shall be responsible for setting up, operationalisation and co-ordination of the waste management system and for performing the associated functions, namely: -

- (a) Ensuring segregation, collection, storage, transportation, processing and disposal of plastic waste;
- (b) ensuring that no damage is caused to the environment during this process;
- (c) ensuring channelization of recyclable plastic waste fraction to recyclers;
- (d) ensuring processing and disposal on non-recyclable fraction of plastic waste in accordance with the guidelines issued by the Central Pollution Control Board;
- (e) creating awareness among all stakeholders about their responsibilities;
- (f) engaging civil societies or groups working with waste pickers; and
- (g) ensuring that open burning of plastic waste does not take place.

(3) The local body for setting up of system for plastic waste management shall seek assistance of producers and such system shall be set up within one year from the date of final publication of these rules in the Official Gazette of India;

(4) The local body to frame bye-laws incorporating the provisions of these rules.

7. Responsibility of Gram Panchayat. – (1) Every gram panchayat either on its own or by engaging an agency shall set up, operationalise and co-ordinate for waste management in the rural area under their control and for performing the associated functions, namely, -

- (a) ensuring segregation, collection, storage, transportation, plastic waste and channelization of recyclable plastic waste fraction to recyclers having valid registration; ensuring that no damage is caused to the environment during this process;
- (b) creating awareness among all stakeholders about their responsibilities; and
- (c) ensuring that open burning of plastic waste does not take place

8. Responsibility of waste generator. - (1) The waste generator shall. -

(a) take steps to minimize generation of plastic waste and segregate plastic waste at source in accordance with the Solid Waste Management Rules, 2000 or as amended from time to time;

(b) not litter the plastic waste and ensure segregated storage of waste at source and handover segregated waste to urban local body or gram panchayat or agencies appointed by them or registered waste pickers', registered recyclers or waste collection agencies;

- (2) All institutional generators of plastic waste, shall segregate and store the waste generated by them in accordance with the Municipal Solid Waste (Management and Handling) Rules, 2000 notified vide S.O 908(E) dated the 25th September, 2000 under the Act or amendment from time to time and handover segregated wastes to authorized waste processing or disposal facilities or deposition centres either on its own or through the authorized waste collection agency;
- (3) All waste generators shall pay such user fee or charge as may be specified in the bye-laws of the local bodies for plastic waste management such as waste collection or operation of the facility thereof, etc.;
- (4) Every person responsible for organising an event in open space, which involves service of food stuff in plastic or multilayered packaging shall segregate and manage the waste generated during such events in accordance with the Municipal Solid Waste (Management and Handling) Rules, 2000 notified vide S.O 908(E) dated the 25th September, 2000 under the Act or amendment from time to time.

9. Responsibility of producers, Importers and Brand Owners. –

- 1) The producers, within a period of six months from the date of publication of these rules, shall work out modalities for waste collection system based on Extended Producers Responsibility and involving State Urban Development Departments, either individually or collectively, through their own distribution channel or through the local body concerned;
- 2) Primary responsibility for collection of used multi-layered plastic sachet or pouches or packaging is of Producers, Importers and Brand Owners who introduce the products in the market. They need to establish a system for collecting back the plastic waste generated due to their products. This plan of collection to be submitted to the State Pollution Control Boards while applying for Consent to Establish or Operate or Renewal. The Brand Owners whose consent has been renewed before the notification of these rules shall submit such plan within one year from the date of notification of these rules and implement with Two years thereafter;
- 3) manufacture and use of ¹[multi-layered plastic which is non-recyclable or non -energy recoverable or with no alternate use] should be phased out in Two years' time;
- 4) The producer, within a period of three months from the date of final publication of these rules in the Official Gazette shall apply to the Pollution Control Board or the Pollution Control

¹ Substituted vide G.S.R 285(E) dated 27.3.2018.

Committee, as the case may be, of the States or the Union Territories administration concerned, for grant of registration;

- 5) No producer shall on and after the expiry of a period of Six Months from the date of final publication of these rules in the Official Gazette manufacture or use any plastic or multilayered packaging for packaging of commodities without registration from the concerned State Pollution Control Board or the Pollution Control Committees.
- 6) Every producer shall maintain a record of details of the person engaged in supply of plastic used as raw material to manufacture carry bags or plastic sheet or like or cover made of plastic sheet or multilayered packaging.

10. Protocols for compostable plastic materials. -Determination of the degree of degradability and degree of disintegration of plastic material shall be as per the protocols of the Indian Standards listed in Schedule-I to these rules.

11. Marking or labelling. -(1) Each plastic carry bag and multi-layered packaging shall have the following information printed in English namely, -

- a. name, registration number of the manufacturer and thickness in case of carry bag;
- b. name and registration number of the manufacturer in case of multi-layered packaging; and
- c. name and certificate number [Rule 4(h)] in case of carry bags made from compostable plastic

(2) Each recycled carry bag shall bear a label or a mark “recycled” as shown below and shall conform to the Indian Standard: IS 14534: 1998 titled as “Guidelines for Recycling of Plastics”, as amended from time to time;



NOTE: PET-Polyethylene terephthalate, HDPE-High density polyethylene, V-Vinyl (PVC), LDPE-Low density polyethylene, PP-Polypropylene, PS-Polystyrene and Other means all other resins and multi-materials like ABS (Acrylonitrile butadiene styrene), PPO (Polyphenylene oxide), PC (Polycarbonate), PBT (Polybutylene terephthalate) etc.

Each carry bag made from compostable plastics shall bear a label “compostable” and shall conform to the Indian Standard: IS or ISO 17088:2008 titled as Specifications for “Compostable Plastics”.

12. Prescribed authority. –

- (1) The State Pollution Control Board and Pollution Control Committee in respect of a Union territory shall be the authority for enforcement of the provisions of these rules relating to registration, manufacture of plastic products and multilayered packaging, processing and disposal of plastic wastes;
- (2) The concerned Secretary-in-charge of Urban Development of the State or a Union Territory shall be the authority for enforcement of the provisions of these rules relating to waste

management by waste generator, use of plastic carry bags, plastic sheets or like, covers made of plastic sheets and multilayered packaging;

- (3) The concerned Gram Panchayat shall be the authority for enforcement of the provisions of these rules relating to waste management by the waste generator, use of plastic carry bags, plastic sheets or like, covers made of plastic sheets and multilayered packaging in the rural area of the State or a Union Territory; and
- (4) The authorities referred to in sub-rules (1) to (3) shall take the assistance of the District Magistrate or the Deputy Commissioner within the territorial limits of the jurisdiction of the concerned district in the enforcement of the provisions of these rules.

Registration of producer, recyclers and manufacturer, - (1) No person shall manufacture carry bags or recycle plastic bags or multi-layered packaging unless the person has obtained a registration from the State Pollution Control Board or the Pollution Control Committee of the Union Territory concerned, as the case may be, prior to the commencement of production;

(2) ¹[Every producer or brand-owner shall, for the purpose of registration or for renewal of registration, make an application in Form I to

(i) The concerned State Pollution Control Board or Pollution Control Committee of the Union territory, if operating one or two States or Union Territories; or

(ii) The Central Pollution Control Board, if operating in more than two States or Union Territories].

(3) Every person recycling or processing waste or proposing to recycle or process plastic waste shall make an application to the State Pollution Control Board or the Pollution Control Committee, for grant of registration or renewal of registration for the recycling unit, in Form II.

(4) Every manufacturer engaged in manufacturer of plastic to be used as raw material by the producer shall make an application to the State Pollution Control Board or the Pollution Control Committee of the Union territory concerned, for the grant of registration or for the renewal of registration, in Form III.

(5) The State Pollution Control Board or the Pollution Control Committee shall not issue or renew registration to plastic waste recycling or processing units unless the unit possesses 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) along with a certificate of registration issued by the District Industries Centre or any other Government agency authorised in this regard.

(6) The State Pollution Control Board or the Pollution Control Committee shall not renew registration of producer unless the producer possesses and action plan endorsed by the Secretary in charge of Urban Development of the concerned State or Union Territory for setting of plastic waste management system.

(7) On receipt of the application complete in all respects for the registration for recycling or processing of plastic waste under sub-rule (3), 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 plastic waste safely, may grant registration to the applicant on fulfilment of the conditions as may be laid down in terms of registration.

(8) Every State Pollution Control Board or Pollution Control Committee shall take a decision on the grant of registration within ninety days of receipt of an application which is complete in all respects.

¹ Substituted vide G.S.R 285(E) dated 27.3.2018.

(9) The registration granted under this rule shall initially be valid for a period of one year, unless revoked, suspended or cancelled and shall subsequently be granted for three years.

(10) State Pollution Control Board or the Pollution Control Committees shall not revoke, suspend or cancel registration without providing the opportunity of a hearing to the producer or person engaged in recycling or processing of plastic wastes.

(11) Every application for renewal of registration shall be made at least one hundred twenty days before the expiry of the validity of the registration certificate.

14. Responsibility of retailers and street vendors-

(1) Retailers or street vendors shall not sell or provide commodities to consumer in carry bags or plastic sheet or multilayered packaging, which are not manufactured and labelled or marked, as per prescribed under these rules.

(2) Every retailers or street vendors selling or providing commodities in, plastic carry bags or multilayered packaging or plastic sheets or like or covers made of plastic sheets which are not manufactured or labelled or marked in accordance with these rules shall be liable to pay such fines as specified under the bye-laws of the local bodies.

15. ¹[****]

16. State Level Monitoring Committee. - (1) The State government or the union Territory shall, for the purpose of effective monitoring of implementation of these rules, constitute a State Level Advisory Committee consisting of the following persons, namely; -

- | | |
|---|---------------|
| (a) The Secretary, Department of Urban Development | - Chairman, |
| (b) Director from State Department of Environment | - Member, |
| (c) Member Secretary from State Pollution Control Board or Pollution Control Committee | - Member, |
| (d) Municipal Commissioner | - Member, |
| (e) One expert from Local Body | - Member, |
| (f) One expert from Non-Governmental involved in Waste Management | - Member, |
| (g) Commissioner, Value Added Tax or his nominee, | - Member, |
| (h) Sales Tax Commissioner or Officer | - Member, |
| (i) Representative of Plastic Association, Drug Manufacturers Association, Chemical Manufacturers Association | - Member, |
| (j) One expert from the field of Industry | - Member, |
| (k) One expert from the field of academic institution | - Member; and |
| (l) Director, Municipal Administration | - Convener |

The State Level Advisory Body shall meet at least once in Six Month and may invite experts, if it considers necessary.

17. Annual reports. - (1) Every person engaged in recycling or processing of plastic waste shall prepare and submit an annual report in Form-IV to the local body concerned under intimation to the concerned State Pollution Control Board or Pollution Control Committee by the 30th April, of every year;

(2) Every local body shall prepare and submit an annual report in Form -V to the concerned Secretary-in-charge of the Urban Development Department under intimation to the concerned State Pollution Control Board or Pollution Control Committee by the 30th June, every year.

¹ Omitted by G.S.R. 285(E) dated 27.3.2018.

- (3) Each State Pollution Control Board or Pollution Control Committee shall prepare and submit an annual report in Form VI to the CPCB on the implementation of these rules by the 31st July, of every year.
- (4) The CPCB shall prepare a consolidated annual report on the use and management of plastic waste and forward it to the Central Government along with its recommendations before the 31st August of every year.

SCHEDULE-I

[See rule 10]

1.	IS/ISO 14851:1999 Determination of the ultimate aerobic biodegradability of plastic materials in an aqueous medium-Method by measuring the oxygen demand in a closed Respirometer
2.	IS/ISO 14852: 1999 Determination of the ultimate aerobic biodegradability of plastic materials in an aqueous medium-Method by analysis of evolved carbon dioxide
3.	IS / ISO 14853: 2005 Plastics- Determination of the ultimate anaerobic biodegradation of plastic materials in an aqueous system-Method by measurement of biogas production
4.	IS/ISO 14855-1: 2005 Determination of the ultimate aerobic biodegradability of plastic materials under controlled composting conditions-Method by analysis of evolved carbon dioxide (Part-1 General method)
5.	IS/ISO 14855-2: 2007 Determination of the ultimate aerobic biodegradability of plastic materials under controlled composting conditions-Method by analysis of evolved carbon dioxide (Part-2: Gravimetric measurement of carbon dioxide evolved in a laboratory-scale test)
6.	IS / ISO 15985: 2004 Plastics- Determination of the ultimate anaerobic biodegradation and disintegration under high-solids anaerobic digestion conditions-Methods by analysis of released biogas
7.	IS /ISO 16929: 2002 Plastics- Determination of degree of disintegration of plastic materials under defined composting conditions in a pilot - scale test
8.	IS/ ISO 17556: 2003 Plastics- Determination of ultimate aerobic biodegradability in soil by measuring the oxygen demand in a Respirometer or the amount of carbon dioxide evolved
9.	IS / ISO 20200:2004 Plastics- Determination of degree of disintegration of plastic materials under simulated composting conditions in a laboratory – scale Test.

FORM - I

[See rules 13 (2)]

APPLICATION FOR REGISTRATION FOR PRODUCERS or BRAND OWNERS

From:
 (Name and full address of the occupier)

To
 The Member Secretary,
 Pollution Control Board or Pollution Control Committee

Sir,

I /We hereby apply for registration under rule 9 of the Plastic Waste Management Rules, 2015

1. Producers

PART – A (GENERAL)		
1.(a)	Name and location of the unit	
(b)	Address of the unit	
(c)	Registration required for manufacturing of: (i) Carry bags; (a) petro- based, (b) Compostable (ii) Multi-layered plastics	
(d)	Manufacturing capacity	
(e)	In case of renewal, previous registration number and date of registration	
2.	Is the unit registered with the District Industries Centre of the State Government or Union territory? 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 water.	
6.	Status of compliance with these rules- Thickness – fifty micron (Yes/No)	
PART – B (PERTAINING TO LIQUID EFFLUENT AND GASEOUS EMISSIONS)		
7.	a. Does the unit have a valid consent under the Water (Prevention and control of Pollution) Act, 1974 (6 of 1974)? If yes, attach a copy.	
	b. Does the unit have a valid consent under the Air (Prevention and control of Pollution) Act, 1981 (14 of 1981)? If yes, attach a copy.	
PART – C		

(PERTAINING TO WASTE)		
8.	Solid Wastes or rejects: a) Total quantum of waste generated b) Mode of storage within the plant c) Provision made for disposal of wastes	
9.	Attach or Provide list of person supplying plastic to be used as raw material to manufacture carry bags or plastic sheet of like or multilayered packaging	
10.	Attach or provide list of personnel or Brand Owners to whom the products will be supplied	
11.	Action plan on collecting back the plastic wastes	
		Name and Signature Designation
Date:		
Place:		

II - Brand Owners

PART – A (GENERAL)		
1.	Name, Address and Contact Number	
2.	In case of renewal, previous registration number and date of registration	
3.	Is the unit registered with the District Industries Centre of the State Government or Union territory? If yes, attach a copy.	
4.(a)	Total capital invested on the project	
(b)	Year of commencement of production	
5.(a)	List and quantum of products and by-products	
(b)	List and quantum of raw materials used	
PART – B (PERTAINING TO LIQUID EFFLUENT AND GASEOUS EMISSIONS)		
5.	Does the unit have a valid consent under the Water (Prevention and control of Pollution) Act, 1974 (6 of 1974)? If yes, attach a copy.	
6.	Does the unit have a valid consent under the Air (Prevention and control of Pollution) Act, 1981 (14 of 1981)? If yes, attach a copy.	
PART – C (PERTAINING TO WASTE)		
8.	Solid Wastes or rejects: a) Total quantum of waste generated b) Mode of storage within the plant c) Provision made for disposal of wastes	
9.	Attach or Provide list of person supplying plastic material	
	Action plan on collecting back the plastic wastes	
		Name and Signature Designation
Date:		
Place:		

FORM – II
[See Rule 13 (3)]

**APPLICATION FORM FOR REGISTRATION OF UNITS ENGAGED IN PROCESSING OR
RECYCLING OF PLASTIC WASTE**

1	Name and Address of the unit				
2	Contact person with designation, Tel./Fax /email				
3	Date of commencement				
4	No. of workers (including contract labour)				
5	Consents Validity	a. Water (Prevention & Control of Pollution) Act, 1974; Valid up to _____ b. Air (Prevention & Control of Pollution) Act, 1981; Valid up to _____ c. Authorization; valid up to			
6	Manufacturing Process	Please attach a flow diagram of the manufacturing process flow diagram for each product.			
7	Products and installed capacity of production (MTA)	Products		Installed capacity	
8	Waste Management:	S. No.	Type	Category	Qty
	a. Waste generation in processing plastic-waste	(i)			
		(ii)			
		(iii)			
	b. Waste Collection and transportation (attach details)				
	c. Waste Disposal details	S. No.	Type	Category	Qty
		(i)			
		(ii)			
	d. Provide details of the disposal facility, whether the facility is authorized by SPCB or PCC				
	e. Please attach analysis report of characterization of waste generated (including leachate test if applicable)				
9	Details of plastic waste proposed to be acquired through sale, auction, contract or import, as the case may be, for use as raw material.	i. Name ii. Quantity required /year			
10	Occupational safety and health aspects	Please provide details of facilities			
11	Pollution Control Measures				
	Whether the unit has adequate pollution control systems or equipment to meet the standards of emission or effluents.	If Yes, please furnish details			
	Whether unit is in compliance with conditions laid down in the said rules.	Yes/No			
	Whether conditions exist or are likely to exist of the material being handled or processed posing adverse immediate or delayed impacts on the environment.	Yes/No			
	Whether conditions exist (or are likely to exist) of	Yes/No			

	the material being handled or processed by any means capable of yielding another material (e.g. Leachate) which may possess eco-toxicity.	
12	Any other relevant information including fire or accident mitigative measures	
13	List of enclosures as per rule	
Date: Place:		Name and Signature Designation

FORM - III
[See Rules 13(4)]

APPLICATION FOR REGISTRATION FOR MANUFACTURERS OF PLASTIC RAW MATERIALS

From:

 (Name and full address of the occupier)

To,
 The Member Secretary,
 Pollution Control Board or Pollution Control Committee

Sir,

I/We hereby apply for registration under the Plastic Waste Management Rules, 2011

PART – A GENERAL		
1.(a)	Name and location of the unit	
(b)	Address of the unit	
(c)	In case of renewal, previous registration number and date of registration	
2.	Is the unit registered with the DIC or DCSSI of the State Government or Union Territory? If yes, attach a copy.	
3.(a)	Total capital invested on the project	
(b)	Year of commencement of production	
(c)	List of producers and quantum of raw materials supplied to producers	
Date: Place:		Name and Signature Designation

FORM - IV

[See Rules 17 (1)]

FORMAT OF ANNUAL REPORT BY OPERATOR OF PLASTIC WASTE PROCESSING OR RECYCLING FACILITY TO THE LOCAL BODY**Period of Reporting:**

(1)	Name and Address of operator of the facility	
(2)	Name of officer in-charge of the facility (Telephone/Fax/Mobile/ E-mail)	
(3)	Capacity:	
(4)	Technologies used for management of plastic waste:	
(5)	Quantity of plastic waste received during the year being reported upon along with the source	
(6)	Quantity of plastic waste processed (in tons): - Plastic waste recycled (in tons) - Plastic waste processed (in tons) - Used (in tons)	
(7)	Quantity of inert or rejects sent for final disposal to landfill sites:	
(8)	Details of land fill facility to which inert or rejects were sent for final disposal: - Address - Telephone	
(9)	Attach status of compliance to environmental conditions, if any specified during grant of Consent or registration	

Signature of Operator

Dated:

Place:

FORM - V

[See Rules 17(2)]

FORMAT FOR ANNUAL REPORT ON PLASTIC WASTE MANAGEMENT TO BE SUBMITTED BY THE LOCAL BODY**Period of Reporting:**

(1)	Name of the City or Town and State:	
(2)	Population	
(3)	Area in sq. kilometers	
(4)	Name & Address of Local body: Telephone No. Fax No. E-mail:	
(5)	Total Numbers of the wards in the area under jurisdiction	
(6)	Total Numbers of Households in the area under jurisdiction	
(7)	Number of households covered by door to door collection	
(8)	Total number of commercial establishments and Institutions in the area under jurisdiction - Commercial establishments	

	- Institutions	
(9)	Number of commercial establishments and Institutions covered by door to door collection - Commercial establishments - Institutions	
(10)	Summary of the mechanisms put in place for management of plastic waste in the area under jurisdiction along with the details of agencies involved in door to door collection	
(11)	Attach details of infrastructure put in place for management of plastic waste generated in the area under jurisdiction	
(12)	Attach details of infrastructure required, if any along with justification	
(13)	Quantity of Plastic Waste generated during the year from area under jurisdiction (in tons)	
(14)	Quantity of Plastic Waste collected during the year from area under jurisdiction (in tons)	
(15)	Quantity of plastic waste channelized for recycling during the year (in tons)	
(16)	Quantity of plastic waste channelized for use during the year (in tons)	
(17)	Quantity of inert or rejects sent to landfill sites during the year (in tons)	
(18)	Details of each of facilities used for processing and disposal of plastic waste: Facility-I (i) Name of operator (ii) Address with Telephone Number or Mobile (iii) Capacity (iv) Technology Used (v) Registration Number (vi) Validity of Registration (up to) Facility-II (i) Name of operator (ii) Address with Telephone Number or Mobile (iii) Capacity (iv) Technology Used (v) Registration Number (vi) Validity of Registration (up to)	
(19)	Given details of: Local body's own manpower deployed for collection including street sweeping, secondary storage, transportation, processing and disposal of waste.	
(20)	Give details of: Contractor or concessionaire's manpower deployed for collection including street sweeping, secondary storage, transportation, processing and disposal of waste.	
(21)	Mention briefly, the difficulties being experienced by the local body in complying with provisions of these rules including the financial constraints, if any	
(22)	Whether an Action Plan has been prepared for improving solid waste management practices in the city? If yes (attach copy) Date of revision:	

Signature of CEO/Municipal Commissioner or
Executive Officer/Chief Officer

Date:
Place

FORM-VI

**STATE-WISE STATUS OF IMPLEMENTATION OF PLASTIC WASTE MANAGEMENT
RULES, 2016, AS AMENDED 2018, FOR THE YEAR...
ANNUAL REPORT FORMAT**

Name Of the SP CB or PCC	Estimated Plastic Waste generation Per Annum (TPA)	No. of registered Plastic Manufacturing or Recycling (including multilayer, compostable) units. (Rule 9)			No. of Unregistered plastic manufacturing Recycling units. (in residential or unapproved	Details of Plastic Waste Management (PWM) e.g. Collection, Segregation, Disposal (Co-processing Road construction etc.) (Rules 6) (Attach Separate sheet	Partial or complete ban on usages of Plastic Carry Bags (through Executive Order) (Attach copy of notification or executive order)	Status of Marking Labelling on carry bags (Rule 8) [Specify the number of units or not complied)	Explanatory Pricing of carry bags (Rule 10)	Details of the meeting of State Level Advisory Body (SLA) along with its recommendations on Implementation (Rule 11)	No. of violations and action taken on noncompliance of provisions of these	Number of Municipal Authority or Gram Panchayat under jurisdiction and Submission of Annual Report to CPCB (Rule 12)
		Plastic Units	Compostable Plastic Units	Multilayer Plastic Units								
(1)	(2)	(3)			(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)

[17-2/2001-HSMD]

BISHWANATH SINHA, Jt. Secy.

**THE CONSTRUCTION
AND DEMOLITION
WASTE MANAGEMENT
RULES, 2016**

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 29th March, 2016

G.S.R. 317(E).-Whereas the Municipal Solid Wastes (Management and Handling) Rules, 2000 published vide notification number S.O. 908(E), dated the 25th September, 2000 by the Government of India in the erstwhile Ministry of Environment and Forests, provided a regulatory frame work for management of Municipal Solid Waste generated in the urban area of the country;

And whereas, to make these rules more effective and to improve the collection, segregation, recycling, treatment and disposal of solid waste in an environmentally sound manner, the Central Government reviewed the existing rules and it was considered necessary to revise the existing rules with a emphasis on the roles and accountability of waste generators and various stakeholders, give thrust to segregation, recovery, reuse, recycle at source, address in detail the management of construction and demolition waste.

And whereas, the draft rules, namely, the Solid Waste Management Rules, 2015 with a separate chapter on construction and demolition waste were published by the Central Government in the Ministry of Environment, Forest and Climate Change vide G.S.R. 451 (E), dated the 3rd June, 2015 inviting objections or suggestions from the public within sixty days from the date of publication of the said notification;

And Whereas, the objections or suggestions received within the stipulated period were duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sections 6, 25 of the Environment (Protection) Act, 1986 (29 of 1986), and in supersession of the Municipal Solid Wastes (Management and Handling) Rules, 2000, except as respect things done or omitted to be done before such supersession, the Central Government hereby notifies the following rules for Management of Construction and Demolition Waste –

1. Short title and commencement. - (1) These rules shall be called the Construction and Demolition Waste Management Rules, 2016.

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

2. Application. -The rules shall apply to every waste resulting from construction, re-modeling, repair and demolition of any civil structure of individual or organisation or authority who generates construction and demolition waste such as building materials, debris, rubble.

3. Definitions – (1) In these rules, unless the context otherwise requires, -

(a) “**ACT**” means the Environment (Protection) Act, 1986 (29 of 1986);

(b) “**construction**” means the process of erecting of building or built facility or other structure, or building of infrastructure including alteration in these entities;

(c) “**construction and demolition waste**” means the waste comprising of building materials, debris and rubble resulting from construction, re-modeling, repair and demolition of any civil structure;

(d) “**de-construction**” means a planned selective demolition in which salvage, re-use and recycling of the demolished structure is maximized;

- (e) **“demolition”** means breaking down or tearing down buildings and other structures either manually or using mechanical force (by various equipment) or by implosion using explosives.
 - (f) **“form”** means a Form annexed to these rules;
 - (g) **“local authority”** means an urban local authority with different nomenclature such as municipal corporation, municipality, nagarpalika, nagarnigam, nagar panchayat, municipal council including notified area committee and not limited to or any other local authority constituted under the relevant statutes such as gram panchayat, where the management of construction and demolition waste is entrusted to such agency;
 - (h) **“schedule”** means a schedule annexed to these rules;
 - (i) **“service provider”** means authorities who provide services like water, sewerage, electricity, telephone, roads, drainage etc. often generate construction and demolition waste during their activities, which includes excavation, demolition and civil work;
 - (j) **“waste generator”** means any person or association of persons or institution, residential and commercial establishments including Indian Railways, Airport, Port and Harbour and Defence establishments who undertakes construction of or demolition of any civil structure which generate construction and demolition waste.
- (2) Words and expressions used but not defined herein shall have the same meaning defined in the ACT.

4. Duties of the waste generator –

- (1) Every waste generator shall prima-facie be responsible for collection, segregation of concrete, soil and others and storage of construction and demolition waste generated, as directed or notified by the concerned local authority in consonance with these rules.
- (2) The generator shall ensure that other waste (such as solid waste) does not get mixed with this waste and is stored and disposed separately.
- (3) Waste generators who generate more than 20 tons or more in one day or 300 tons per project in a month shall segregate the waste into four streams such as concrete, soil, steel, wood and plastics, bricks and mortar and shall submit waste management plan and get appropriate approvals from the local authority before starting construction or demolition or remodeling work and keep the concerned authorities informed regarding the relevant activities from the planning stage to the implementation stage and this should be on project to project basis.
- (4) Every waste generator shall keep the construction and demolition waste within the premise or get the waste deposited at collection centre so made by the local body or handover it to the authorised processing facilities of construction and demolition waste; and ensure that there is no littering or deposition of construction and demolition waste so as to prevent obstruction to the traffic or the public or drains.
- (5) Every waste generator shall pay relevant charges for collection, transportation, processing and disposal as notified by the concerned authorities; Waste generators who generate more than 20 tons or more in one day or 300 tons per project in a month shall have to pay for the processing and disposal of construction and demolition waste generated by them, apart from the payment for storage, collection and transportation. The rate shall be fixed by the concerned local authority or any other authority designated by the State Government.

5. Duties of service provider and their contractors –

- (1) The service providers shall prepare within six months from the date of notification of these rules, a comprehensive waste management plan covering segregation, storage, collection, reuse, recycling, transportation and disposal of construction and demolition waste generated within their jurisdiction.
- (2) The service providers shall remove all construction and demolition waste and clean the area every day, if possible, or depending upon the duration of the work, the quantity and type of waste generated, appropriate storage and collection, a reasonable timeframe shall be worked out in consultation with the concerned local authority.
- (3) In case of the service providers have no logistics support to carry out the work specified in sub- rules (1) and (2), they shall tie up with the authorised agencies for removal of construction and demolition waste and pay the relevant charges as notified by the local authority.

6. Duties of local authority-The local authority shall, -

- (1) issue detailed directions with regard to proper management of construction and demolition waste within its jurisdiction in accordance with the provisions of these rules and the local authority shall seek detailed plan or undertaking as applicable, from generator of construction and demolition waste;
- (2) chalk out stages, methodology and equipment, material involved in the overall activity and final clean up after completion of the construction and demolition;
- (3c) seek assistance from concerned authorities for safe disposal of construction and demolition waste contaminated with industrial hazardous or toxic material or nuclear waste if any;
- (4) shall make arrangements and place appropriate containers for collection of waste and shall remove at regular intervals or when they are filled, either through own resources or by appointing private operators;
- (5) shall get the collected waste transported to appropriate sites for processing and disposal either through own resources or by appointing private operators;
- (6) shall give appropriate incentives to generator for salvaging, processing and or recycling preferably in-situ;
- (7) shall examine and sanction the waste management plan of the generators within a period of one month or from the date of approval of building plan, whichever is earlier from the date of its submission;
- (8) shall keep track of the generation of construction and demolition waste within its jurisdiction and establish a data base and update once in a year;
- (9) shall device appropriate measures in consultation with expert institutions for management of construction and demolition waste generated including processing facility and for using the recycled products in the best possible manner;
- (10) shall create a sustained system of information, education and communication for construction

and demolition waste through collaboration with expert institutions and civil societies and also disseminate through their own website;

(11) shall make provision for giving incentives for use of material made out of construction and demolition waste in the construction activity including in non-structural concrete, paving blocks, lower layers of road pavements, colony and rural roads.

7. Criteria for storage, processing or recycling facilities for construction and demolition waste and application of construction and demolition waste and its products –

(1) The site for storage and processing or recycling facilities for construction and demolition waste shall be selected as per the criteria given in **Schedule I**;

(2) The operator of the facility as specified in sub- rules (1) shall apply in **Form-I** for authorization from State Pollution Control Board or Pollution Control Committee.

(3) The operator of the facility shall submit the annual report to the State Pollution Control Board in **Form II**.

(4) Application of materials made from construction and demolition waste in operation of sanitary landfill shall be as per the criteria given in **Schedule II**.

8. Duties of State Pollution Control Board or Pollution Control Committee –

(1) State Pollution Control Board or Pollution Control Committee shall monitor the implementation of these rules by the concerned local bodies and the competent authorities and the annual report shall be sent to the Central Pollution Control Board and the State Government or Union Territory or any other State level nodal agency identified by the State Government or Union Territory administration for generating State level comprehensive data. Such reports shall also contain the comments and suggestions of the State Pollution Control Board or Pollution Control Committee with respect to any comments or changes required;

(2) State Pollution Control Board or Pollution Control Committee shall grant authorization to construction and demolition waste processing facility in **Form-III** as specified under these rules after examining the application received in **Form I**;

(3) State Pollution Control Board or Pollution Control Committee shall prepare annual report in **Form IV** with special emphasis on the implementation status of compliance of these rules and forward report to Central Pollution Control Board before the 31st July for each financial year.

9. Duties of State Government or Union Territory Administration –

(1) The Secretary in-charge of development in the State Government or Union territory administration shall prepare their policy document with respect to management of construction and demolition of waste in accordance with the provisions of these rules within one year from date of final notification of these rules.

(2) The concerned department in the State Government dealing with land shall be responsible for providing suitable sites for setting up of the storage, processing and recycling facilities for construction and demolition waste.

(3) The Town and Country planning Department shall incorporate the site in the approved land

use plan so that there is no disturbance to the processing facility on a long term basis.

(4) Procurement of materials made from construction and demolition waste shall be made mandatory to a certain percentage (say 10-20%) in municipal and Government contracts subject to strict quality control.

10. Duties of the Central Pollution Control Board - (1) The Central Pollution Control Board shall,

-

(a) prepare operational guidelines related to environmental management of construction and demolition waste management;

(b) analyze and collate the data received from the State Pollution Control Boards or Pollution Control Committee to review these rules from time to time;

(c) coordinate with all the State Pollution Control Board and Pollution Control Committees for any matter related to development of environmental standards;

(d) forward annual compliance report to Central Government before the 30th August for each financial year based on reports given by State Pollution Control Boards or Pollution Control Committees.

11. Duties of Bureau of Indian Standards and Indian Roads Congress -The Bureau of Indian Standards and Indian Roads Congress shall be responsible for preparation of code of practices and standards for use of recycled materials and products of construction and demolition waste in respect of construction activities and the role of Indian Road Congress shall be specific to the standards and practices pertaining to construction of roads.

12. Duties of the Central Government –

(1) The Ministry of Urban Development, and the Ministry of Rural Development, Ministry of Panchayat Raj, shall be responsible for facilitating local bodies in compliance of these rules;

(2) The Ministry of Environment, Forest and Climate Change shall be responsible for reviewing implementation of these rules as and when required.

13. Timeframe for implementation of the provisions of these rules -The timeline for implementation of these rules shall be as specified in **Schedule III**:

14. Accident reporting by the construction and demolition waste processing facilities-In case of any accident during construction and demolition waste processing or treatment or disposal facility, the officer in charge of the facility in the local authority or the operator of the facility shall report of the accident in **Form-V** to the local authority. Local body shall review and issue instruction if any, to the in- charge of the facility.

Schedule I**Criteria for Site Selection for Storage and Processing or Recycling Facilities for construction and demolition Waste****[See Rule 7(1)]**

- (1) The concerned department in the State Government dealing with land shall be responsible for providing suitable sites for setting up of the storage, processing and recycling facilities for construction and demolition and hand over the sites to the concerned local authority for development, operation and maintenance, which shall ultimately be given to the operators by Competent Authority and wherever above Authority is not available, shall lie with the concerned local authority.
- (2) The Local authority shall co-ordinate (in consultation with Department of Urban Development of the State or the Union territory) with the concerned organizations for giving necessary approvals and clearances to the operators.
- (3) Construction and demolition waste shall be utilized in sanitary landfill for municipal solid waste of the city or region as mentioned at Schedule I of these rules. Residues from construction and demolition waste processing or recycling industries shall be land filled in the sanitary landfill for solid waste.
- (4) The processing or recycling shall be large enough to last for 20-25 years (project based on-site recycling facilities).
- (5) The processing or recycling site shall be away from habitation clusters, forest areas, water bodies, monuments, National Parks, Wetlands and places of important cultural, historical or religious interest.
- (6) A buffer zone of no development shall be maintained around solid waste processing and disposal facility, exceeding five Tonnes per day of installed capacity. This will be maintained within the total area of the solid waste processing and disposal facility. The buffer zone shall be prescribed on case to case basis by the local authority in consultation with concerned State Pollution Control Board.
- (7) Processing or recycling site shall be fenced or hedged and provided with proper gate to monitor incoming vehicles or other modes of transportation.
- (8) The approach and or internal roads shall be concreted or paved so as to avoid generation of dust particles due to vehicular movement and shall be so designed to ensure free movement of vehicles and other machinery.
- (9) Provisions of weigh bridge to measure quantity of waste brought at landfill site, fire protection equipment and other facilities as may be required shall be provided.
- (10) Utilities such as drinking water and sanitary facilities (preferably washing/bathing facilities for workers) and lighting arrangements for easy landfill operations during night hours shall be provided and Safety provisions including health inspections of workers at landfill sites shall be carried out made.
- (11) In order to prevent pollution from processing or recycling operations, the following provisions shall be made, namely:

- (a) Provision of storm water drains to prevent stagnation of surface water;
- (b) Provision of paved or concreted surface in selected areas in the processing or recycling facility for minimizing dust and damage to the site.
- (c) Prevention of noise pollution from processing and recycling plant:
- (d) Provision for treatment of effluent if any, to meet the discharge norms as per Environment (Protection) Rules, 1986.

(12) Work Zone air quality at the Processing or Recycling site and ambient air quality at the vicinity shall be monitored.

(13) The measurement of ambient noise shall be done at the interface of the facility with the surrounding area, i.e., at plant boundary.

(14) The following projects shall be exempted from the norms of pollution from dust and noise as mentioned above:

For construction work, where at least 80 percent construction and demolition waste is recycled or reused in-situ and sufficient buffer area is available to protect the surrounding habitation from any adverse impact.

(15) A vegetative boundary shall be made around Processing or Recycling plant or site to strengthen the buffer zone.

Schedule II

Application of materials made from construction and demolition waste and its products.

[See Rule 7(3)]

Sl. No.	Parameters	Compliance Criteria
1	Drainage layer in leachate collection system at bottom of Sanitary Landfill Gas Collection Layer above the waste at top of Sanitary Landfill and Drainage Layer in top Cover System above Gas Collection Layer of Sanitary Landfill For capping of sanitary landfill or dumpsite, drainage layer at the top	Only crushed and graded hard material (stone, concrete etc.) shall be used having coarse sand size graded material (2mm – 4.75mm standard sieve size). Since the coarse sand particles will be angular in shape (and not rounded as for riverbed sand), protection layers of non-woven geo-textiles may be provided, wherever required, to prevent puncturing of adjacent layers or components.
2	Daily cover	Fines from construction and demolition processed waste having size up to 2 mm shall be used for daily cover over the fresh waste. Use of construction and demolition fines as landfill cover shall be mandatory where such material is available. Fresh soil (sweet earth) shall not be used for such places and borrow-pits shall not be allowed. Exception – soil excavated during construction of the same landfill.

		During hot windy days in summer months, some fugitive dust problems may arise. These can be minimised by mixing with local soil wherever available for limited period.
3	Civil construction in a sanitary landfill	Non-structural applications, such as kerb stones, drain covers, paving blocks in pedestrian areas.

Schedule III

Timeframe for Planning and Implementation

[See Rule 13]

Sl. No.	Compliance Criteria	Cities with population of 01 million and above	Cities with population of 0.5-01 million	Cities with population of less than 0.5 million
1	Formulation of policy by State Government	12 months	12 months	12 months
2	Identification of sites for collection and processing facility	18 months	18 months	18 months
3	Commissioning and implementation of the facility	18 months	24 months	36 months
4	Monitoring by SPCBs	3 times a year – once in 4 months	2 times a year – once in 6 months	2 times a year – once in 6 months

**The time Schedule is effective from the date of notification of these rules.*

FORM – I

See [Rule 7 (2)]

Application for obtaining authorisation

To,
The Member Secretary

_____ Name of the local authority or Name of the agency :
appointed by the municipal authority

Correspondence address Telephone No. Fax No.	
Nodal Officer and designation (Officer authorized by the competent authority or agency responsible for operation of processing or recycling or disposal facility)	
Authorisation applied for (Please tick mark)	Setting up of processing or recycling facility of construction and demolition waste
Detailed proposal of construction and demolition waste processing or recycling facility to include the following Location of site approved and allotted by the Competent Authority. Average quantity (in tons per day) and composition of construction and demolition waste to be handled at the specific site. Details of construction and demolition waste processing or recycling technology to be used. Quantity of construction and demolition waste to be processed per day. Site clearance from Prescribed Authority. Salient points of agreement between competent authority or local authority and operating agency (attach relevant document). Plan for utilization of recycled product. Expected amount of process rejects and plan for its disposal (e.g., sanitary landfill for solid waste). Measures to be taken for prevention and control of environmental pollution. Investment on project and expected returns. Measures to be taken for safety of workers working in the processing or recycling plant. Any preventive plan for accident during the collection, transportation and treatment including processing and recycling should be informed to the Competent Authority (Local Authority) or Prescribed Authority	
Date:	Signature of Nodal Officer

Form-II

See [Rule (7) (3)]

Format for Issue of Authorisation to the Operator

File No.: _____

Date: _____

To,

_____**Ref: Your application number** _____ **Dt.**

The _____ State Pollution Control Board or Pollution Control Committee after examining

the proposal hereby authorizes _____ having their administrative office at

_____ to set up and operate construction and demolition waste processing facility at _____ on the terms and conditions (including the standards to comply) attached to this authorisation letter.

1. The validity of this authorisation is till _____. After expiry of the validity period, renewal of authorisation is to be sought.

2. The _____ State Pollution Control Board or Pollution Control Committee may, at any time, for justifiable reason, revoke any of the conditions applicable under the authorisation and shall communicate the same in writing.

1. Any violation of the provision of the construction and demolition Waste Management Rules, 2016 shall attract the penal provision of the Environment (Protection) Act, 1986 (29 of 1986).

(Member Secretary)**State Pollution Control Board/
Pollution Control Committee****Date:****Place:**

Form –III

See [Rule 8(2)]

Format of Annual Report to be submitted by Local Authority to the State Pollution Control Board

- (i) Name of the City or Town.....
- (ii) Population.....
- (iii) Name and address of local authority or competent authority

Telephone No:

Fax:

Email ID:

Website:

- (iv) Name of In-charge or Nodal Officer dealing with construction and demolition wastes management with designation

1. Quantity and composition of construction and demolition waste including any deconstruction waste

- (a) Total quantity of construction and demolition waste generated during the whole year in metric ton

Any figures for lean period and peak period generation per day.....

Average generation of construction and demolition waste (TPD)

Total quantity of construction and demolition waste collected per day

Any Processing / Recycling Facility set up in the city

Status of the facility

- (b) Total quantity of construction and demolition waste processed / recycled (in metric ton)

Non-structural concrete aggregate :

Manufactured sand :

Ready-mix concrete (RMC) :

Paving blocks :

GSB :

Others, if any, please specify :

- (c) Total quantity of Construction & Demolition waste disposed by land filling without processing (last option) or filling low lying areas

No of landfill sites used :

Area used :

Whether weigh-bridge facility used for quantity estimation? : Yes No

- (d) Whether construction and demolition waste used in sanitary landfill (for solid waste) as per Schedule III

: Yes No

2. Storage facilities

- (a) Area or location or plot or societies covered for collection of Construction and Demolition waste
- (b) No. of large Projects (including roadways project) covered
- (c) Whether Area or location or plot or societies by collection is Practiced (if yes, whether done Competent Authority or Local Authority or through Private Agency or Non-Governmental Organization) :
- (d) Storage Bins :
- | | Specifications
(Shape & Size) | Existing
Number | Proposed for
future |
|---|----------------------------------|--------------------|------------------------|
| (i) Containers or receptacle (Capacity) | : | | |
| (ii) Others, please specify | : | | |
- (e) Whether all storage bins/collection spots are attended for daily lifting : Yes No
- (f) Whether lifting of Construction & Demolition Waste from Storage bins is manual or mechanical
(please tick mark) please specify mode : Manual Mechanical Others, and equipment used (specify equipment)

3. Transportation

- | | Existing | Actually Required/Proposed number |
|-------------------------|----------|-----------------------------------|
| Truck | : | |
| Truck-Hydraulic | : | |
| Tractor-Trailer | : | |
| Dumper-placers | : | |
| Tricycle | : | |
| Refuse-collector | : | |
| Others (Please specify) | : | |

4. Whether any proposal has been made to improve Construction and Demolition waste management practices**5. Have any efforts been made to involve PPP for processing of Construction & Demolition waste: If yes, what is (are) the technologies being used, such as:**

Processing / recycling Technology	Steps taken (Quantity to be processed)
Dry Process	:
Wet Process	:
Others, if any, Please specify	:

6. What provisions are available to check unauthorized operations of:

- Encroachment on river bank or wet bodies :
- Unauthorized filling of low line areas :

Mixing with solid waste :
Encroachment in Parks, Footpaths etc. :

7. How many slums are provided with construction and demolition waste receptacles facilities:

8. Are municipal magistrates appointed for taking penal action for non-compliance with these rules: Yes No

[If yes, how many cases registered & settled during last three years (give year wise details)]

Dated:

Signature of Municipal Commissioner

Form –IV

See [Rule (8)(3)]

Format of Annual Report to be submitted by the State Pollution Control Board / Committees to the Central Pollution Control Board

To,

The Chairman,
Central Pollution Control Board,
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 III** : Please attach as Annexure-I
5. A Summary Statement on progress made by municipal authorities in respect of implementation of **Schedule IV** : Please attach as Annexure-II

**Chairman or the Member Secretary
State Pollution Control Board/ Pollution Control
Committee**

**Date:
Place:**

Form –V
See [Rule14]
Accident Reporting

1. Date and time of accident :
2. Sequence of events leading to accident :
3. The type of construction and demolition waste involved in accident :
4. Assessment of the effects of the accidents
 - a. on traffic, drainage system and the environment :
5. Emergency measures taken :
6. Steps taken to alleviate the effects
 - a. of accidents :
7. Steps taken to prevent the recurrence
 - a. of such an accident :
8. Regular monthly health checkup of workers at
 - a. Processing / recycling site shall be made
9. Any accident during the collection,
 - a. transportation and treatment including
 - b. processing and recycling should be informed
 - c. to the Competent Authority (Local Authority) or
 - d. Prescribed Authority

Authorized Signatory
Designation

Date:
Place:

[18-6/2014-HSMD]
BISHWANATH SINHA, Jt. Secy.

**THE NOISE POLLUTION
(REGULATION AND
CONTROL) RULES, 2000**

(as amended to date)

MINISTRY OF ENVIRONMENT AND 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 wellbeing 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 (Control and Regulation) 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 here by makes the following rules for the regulation and control of noise producing and generating sources, namely: -

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) “Act” means the Environment (Protection) Act, 1986 (29 of 1986);
- (b) “area/zone” means all areas which fall in either of the four categories given in the Schedule annexed to these rules;

³[(c) “authority” means and includes 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];

⁴[(d) “court” means a governmental body consisting of one or more judges who sit to adjudicate

¹ As published in the Gazette of India, Extraordinary, Part II-Section 3(ii), vide S.O. 123 (E), dated 14.2.2000.

² Ins.by S.O.50 (E), dated 11.01.2010

³ Subs. by S.O. 1046(E), dated 22.11.2000, w.e.f. 22.11.2000

⁴ Ins. by S.O. 1046(E), dated 22.11.2000, (w.e.f. 22.11.2000)

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;

- (e) “educational institution” means a school, seminary, college, 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) “hospital” means an institution for the reception and care of sick, wounded, infirm or aged persons, and includes government or private hospitals, nursing homes and clinics;]
- ¹[(g) “person” shall include any company or association or body of individuals, whether incorporated or not;]
- ²[(h) “State Government” in relation to a Union territory means the Administrator thereof appointed under article 239 of the Constitution;]
- ³[(i) “public place” means any place to which the public have access, 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) “night time” means the period between 10.00 p.m. and 6.00 a.m.]

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.
- (2) The State Government ⁴[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, ⁵[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 metres around hospitals, educational institutions and courts may be declared ⁶[by the State Government] as silence area/zone for the purpose of these rules.

¹ Re-numbered and subs. S.O.1046(E), dated 22.11.2000, (w.e.f. 22.11.2000)

² Re-numbered by Rule 2(ii), *ibid.*

³ Ins. By S.O. 50 (E), dated 11.01.2010 (w.e.f.11.01.2010)

⁴ Subs. by S.O.1046(E), dated 22.11.2000, (w.e.f. 22.11.2000)

⁵ Ins. by S.O. 50 (E), dated 11.01.2010

⁶ Ins. by S.O. 2555 (E), dated 10.08.2017 (w.e.f. 10.08.2017).

³[Provided that, an area shall not fall under silence area or zone category, unless notified by the State Government in accordance with sub-rule (2).]

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[(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 or public address systems and the like during night hours (between 10.00 p.m. to 12.00 midnight) on or during any cultural, religious or festive occasion of a limited duration not exceeding fifteen days in all during a calendar year and the concerned State Government or District Authority in respect of its jurisdiction as authorised by the concerned State Government shall generally specify in advance, the number and particulars of the days on which such exemption should be operative.

Explanation. - For the purposes of this sub-rule, the expressions

- (i) “festive occasion” shall include any National function or State function as notified by the Central Government or State Government; and
- (ii) “National function or State function “shall include”-
 - (A) Republic Day;
 - (B) Independence Day;
 - (C) State Day; or
 - (D) such other day as notified by the Central Government or the State Government.]

¹ Ins. by S.O.1569(E), dated 19.9.2006. (w.e.f. 19.09.2006)

² Ins. by S.O.50 (E), dated 11.01.2010 (w.e.f.11.01.2010).

³ Subs. by S.O.50 (E), dated 11.01.2010

⁴ Subs. by S.O. 2555 (E) dated 10.08.2017 (w.e.f. 10.08.2017).

- ¹[(4) The noise level at the boundary of the public place, where loud speaker 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,
- ³[(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 ⁴[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 in charge of a police station or other information received by him ⁵[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

¹ Ins. by S.O.50 (E), dated 11.01.2010

² Ins. by S.O. 50 (E), dated 11.01.2010 (w.e.f. 11.01.2010)

³ Ins.by S.O.50(E), dated 11.01.2010 (w.e.f. 11.01.2010)

⁴ Ins.by S.O.50(E), dated 11.01.2010 (w.e.f.11.01.2010)

⁵ Ins.by S.O.1569 (E), dated 19.9.2006 (w.e.f. 19.06.2010)

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 incidence or continuance 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, ¹[public address systems, horn, construction equipment, appliance or apparatus] or contrivance which is capable of producing or re-producing sound, or
 - ²[(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 ³[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.

¹ Subs. by S.O.50(E), dated 11.01.2010 (w.e.f. 11.01.2010)

² Ins.by S.O.50 (E), dated 11.01.2010. (w.e.f. 11.01.2010)

³ Ins.by S.O.1569 (E) dated 19.9.2006. (w.e.f.19.09.2006)

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.
3. ¹[***]
4. Mixed categories of areas may be declared as one of the four abovementioned categories by the competent authority.

*dB(A) Leq denotes the time weighted average of the level of sound in decibels on scale A which is relatable to human hearing.

A “decibel” is a unit in which noise is measured.

“A”, in dB(A) Leq, denotes 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.

[F. No Q-14012/1/96-CPA]

VIJAI SHARMA, Jt. Secy.

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, S.O.50(E), dated 11.01.2010 and were last amended vide S.O. 50 (E), dated the 11th January, 2011.

¹ Omitted by S.O. 2555 (E), dated 10.08.2017 (w.e.f. 10.08.2017).

**THE OZONE DEPLETING
SUBSTANCES
(REGULATION AND
CONTROL) RULES, 2000**

(as amended to date)

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 and 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.

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 columns (4) and (6) of Schedule V;
- (c) “base level” means 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) “consumption” with respect to any ozone depleting substance means the amount of that substance produced in India in addition to the amount imported, less the amount exported; ¹[and the amount used as feedstock substance which is used entirely in the manufacture of other chemicals, with negligible emissions, if any];
- (e) “calculated level of production, sale, import or export”, as the case may 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) “calculated level of consumption” shall be determined by adding together calculated levels of production and imports and subtracting calculated level of exports;

* As published in Govt. of India Gazette vide S.O. 670 (E), dated 19.07.2000.

¹ Inserted vide S.O. 1561 (E), dated 18-9-2007

- (g) “Group” means collection of one or more ozone depleting substances as specified in column (4) of Schedule I;
- (h) “manufacture” in relation to any ozone depleting substance includes-
- (i) any process or part of a process for making, altering, finishing, packing, labeling, blending or otherwise ¹[treating of 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) “ozone depleting substance” means the ozone depleting substances specified in column (2) of Schedule I, whether existing by itself or in a mixture, excluding any such substance or mixture (blend) which is in a manufactured product other than a container used for the transportation or storage of such substance;
- (j) “parties” means, unless the text otherwise indicates, parties to the protocol ²[and parties to the amendments thereof];
- (k) “pre-shipment applications” are those treatments applied directly preceding and in relation to export, to meet the phytosanitary or sanitary requirements of the importing country or existing phytosanitary or sanitary requirements of the exporting country;
- (l) “production” in relation to any ozone depleting substance means the manufacture of an ozone depleting substance from any raw material or feedstock chemicals, but does not include—
- (i) the manufacture of a substance that is used and entirely consumed (except for trace quantity) in the manufacture of other chemicals; or
 - (ii) quantities which are produced incidentally in the manufacture of other chemical substances; or
 - (iii) quantities which are recycled or reused; or
 - (iv) quantities which are destroyed by technologies to be specified by the Central Government;
- (m) ³[“protocol” means the Montreal Protocol on Substances that Deplete the Ozone Layer, adopted on 16th September 1987 as amended from time to time;]
- (n) “quarantine applications”, with respect to Group VIII of Schedule I ozone depleting substance, are treatments to prevent the introduction, establishment and or spread of quarantine pests (including diseases), or to ensure their control as specified by the Central Government;
- (o) “recovery” means collection and storage of ozone depleting substances from machinery,

¹ Substituted vide S.O. 996 (E), dated 27-8-2003

² Inserted vide S.O. 1561 (E), dated 18-9-2007

³ Substituted vide. S.O. 1033 (E), dated 13-3-2014

equipment, or containment vessel during servicing or prior to disposal;

- (p) “reclamation” means reprocessing and upgrading of a recovered ozone depleting substance through such methods as filtering, drying, distillation and, or chemical treatment in order to restore the substance to a specified standard of performance.
- (q) “Schedule” means a schedule annexed to these rules.

3. Regulation of production and consumption of ozone depleting substances. – (1) No person shall produce or cause to produce 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 for the twelve month period commencing on the date specified in column (6) of Schedule II, and in each twelve month period thereafter, no person shall produce or cause to be produced any group of ozone depleting substances in excess of the corresponding percentage of his calculated base level of production specified in column (4) of that Schedule ¹[excluding the substances which is for the use of as feedstock in the manufacture of other chemicals, with negligible emissions, if any];

Provided further that calculated level of consumption of such substances in India shall, as a percentage of calculated level of consumption in base years does not exceed the number specified in column (5) of Schedule II.

²[(2) Production and consumption of ozone depleting substances specified in column (4) of Schedule I except Group VI have been prohibited from the date of commencement of the Ozone Depleting Substances (Regulation and Control) Amendment Rules, 2014 for all applications excluding the substances which are for use as feedstock in the manufacture of other chemicals, with negligible emissions, if any;

(2A) Production and consumption of Group VIII substances specified in column (4) of Schedule I have been prohibited except for use in quarantine and pre-shipment applications from the date of commencement of the Ozone Depleting Substances (Regulation and Control) Amendment Rules, 2014;

(2B) No person shall produce or cause to produce ozone depleting substances specified as Group VI in column (4) of Schedule I during the period from the date of commencement of the Ozone Depleting Substances (Regulation and Control) Amendment Rules, 2014 to the 1st January, 2040 in excess of the corresponding percentages of the baseline specified in column (4) of Schedule II and the consumption of such substances in India as a percentage of calculated level of consumption in base year does not exceed the number specified in column (5) of that Schedule.

2C) The producers of Group VI substances shall not supply to the domestic market quantities in excess of the quota orders issued by the Ozone Cell, Ministry of Environment and Forests to cover the entire domestic requirement of HCFC-22 for non-feedstock application and in the event of shortfall in domestic production of HCFC-22, the Central Government shall allow import of HCFC-22 within the consumption control quantity as per the market requirements and subject to actual user conditions.].

(3) ³[A person having received financial assistance from the Multilateral Fund in accordance with articles

¹ Inserted vide S.O. 1561 (E), dated 18-9-2007

² Substituted vide S.O. 1033(E), dated 13-3-2014

³ Substituted vide S.O. 1561 (E), dated 18-9-2007

10 and 10 A of the Protocol to which the Central Government is a party for gradual reduction of production and consumption of ozone depleting substances-

- (i) specified as Group I and Group III in column (4) of Schedule I shall, limit the production of ozone depleting substances as specified in column (4) of Schedule III;
 - (ii) specified as Group IV in column (4) of Schedule I shall limit the production and consumption of ozone depleting substance specified in columns (4) and (5) of Schedule II;
 - (iii) ¹{specified as Group I and Group III} in column (4) of Schedule I shall limit the consumption of ozone depleting substance as specified in column (5) of Schedule III, in each year from 1st August, 2000 to 1st January, 2010 to quantities specified in column (4) for each year given in column (6) of Schedule III as per the agreement approved by the Executive Committee of the Multilateral Fund];
 - (iv) ²[specified as Group VI in column (4) of Schedule I shall limit the production and consumption of ozone depleting substances as specified in columns (4) and (5) respectively of Schedule II, from the date of commencement of the Ozone Depleting Substances (Regulating and Control) Amendment Rules, 2014 to 1st January, 2040 to the corresponding percentages of the baseline specified in column (4) for the years given in column (6) of Schedule II as per the agreement approved by the Executive Committee of the Multilateral Fund.]
- (4) ³[In order to comply with the phase out targets of production and consumption of ozone depleting substances as per the Montreal Protocol Schedule referred in sub-rules (2) and (3), the Central Government shall introduce implementation modalities, such as quota system for production and consumption of Group VI substances for non-feedstock applications and monitoring and reporting system for all feedstock applications including use of Carbon tetrachloride.]
- 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) ⁴[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 substances including blends or mixtures of ozone depleting substances unless he is registered with the authority specified in column (4) of Schedule V and obtains a licence issued by the authority.];
- (2) 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 that group of ozone depleting substances ⁵[***] 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 ⁶[and Schedule III. Issuance of licence for import and export is prohibited for Group I, Group

¹ Substituted vide S.O. 1033 (E), dated 13-3-2014.

² Inserted vide S.O. 1033 (E), dated 13-3-2014.

³ Substituted vide S.O. 1033 (E), dated 13-3-2014.

⁴ Substituted vide S.O. 1033 (E), dated 13-3-2014.

⁵ Certain words omitted by S.O. 1561 (E), dated 18-9-2007

⁶ Inserted vide S.O. 1033 (E), dated 13-3-2014

II, Group III, Group IV and blends containing ozone depleting substances including Group VI substances specified in column (4) of Schedule I from the date of commencement of the Ozone Depleting Substances (Regulation and Control) Amendment Rules, 2014 except recovered, recycled and reclaimed ozone depleting substances or for Essential Use Nominations (EUN) if any or ozone depleting substances for destruction or for feed tock applications. From the date of commencement of the Ozone Depleting Substances (Regulation and Control) Amendment Rules, 2014 until the 1st January, 2040, licence for export of HCFC-22 in Group VI shall be permitted to the extent of the difference between the production and domestic supply volumes.];

¹[(2A) Issuance of licence for import of pre-blended polyols containing Group VI substances specified in column (4) of Schedule I is prohibited from the date of commencement of the Ozone Depleting Substances (Regulation and Control) Amendment Rules, 2014.].

²[(2B) Issuance of license for import of HCFC-141b shall be prohibited from 1st January 2020.].

(3) ³[***]

(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 has 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).

¹ Inserted vide S.O. 1033 (E), dated 13-3-2014

² Inserted vide S.O. 4724(E), dated 31.12.2019

³ Sub-R. (3) Omitted by S.O. 1561 (E), dated 18-9-2007

- 7. Regulation on the purchase of ozone depleting substances:** – No person shall either 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 labelled to indicate the ozone depleting substance 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 ¹[and Schedule III] 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 V.
- (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 person shall establish or expand or cause to establish or expand any manufacturing facility for production of any ozone

¹ Inserted vide S.O. 1033 (E), dated 13-3-2014.

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.

¹[(2A) The provisions of sub-rules (1) and (2) of this rule shall not apply to any ozone depleting substance which is produced for the use of as feedstock in the manufacturing of other chemicals, with negligible emissions, if any.].

- (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 ²[and Schedule III] 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:

³[Provided that 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 as listed in Group I, Group II and Group III in Schedule I from the date of commencement of the Ozone Depleting Substances (Regulating and Control) Amendment Rules, 2007:

Provided further 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.

⁴[(1A) Import of air-conditioning and refrigeration equipments and other products containing Group VI substances is prohibited from the 1st July, 2015.].

- (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,

¹ Inserted vide S.O. 1561 (E), dated 18-9-2007.

² Inserted vide S.O. 1033 (E), dated 13-3-2014

³ Inserted vide S.O. 1561 (E), dated 18-9-2007

⁴ Inserted vide S.O. 1033 (E), dated 13-3-2014

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) ¹[***]

(7) ¹[***]

(8) ²[Every application for registration or renewal of registration under these rules shall be disposed of within sixty days from the date of receipt of such complete application by the authority specified in column (4) of Schedule V.

(9) The concerned registering authority specified in column (4) of Schedule V shall decide the issue of cancellation of any registration granted under these rules within sixty days from the date of service of the show cause notice given by him to the registration holder.]

- 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.

³[(1A) Every person who uses ozone depleting substances as feedstock in the manufacture of other

¹ Sub-Rs. (6) and (7) Omitted by S.O. 1561 (E), dated 18-9-2007

² Inserted vide S.O. 996 (E), dated 27-8-2003

³ Inserted vide S.O. 1033 (E), dated 13-3-2014

chemicals, with negligible emissions, if any shall maintain records and file reports in the manner specified in Part I of the Schedule X.].

(2) Every person stocking or purchasing any ozone depleting substance 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 an ozone depleting substance shall maintain records 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[(1) Nothing contained in these rules except reporting and monitoring shall apply to applications or circumstances specified in Schedule VIII.]

¹ Inserted vide S.O. 1033 (E), dated 13-3-2014

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	Dichlorodifluoromethane (CF ₂ Cl ₂)	I	1.0
3.	CFC-113	Trichlorotrifluoroethane (C ₂ F ₃ Cl ₃)	I	0.8
4.	CFC-114	Dichlorotetrafluoroethane (C ₂ F ₄ Cl ₂)	I	1.0
5.	CFC-115	Chloropentafluoroethane (C ₂ F ₅ Cl)	I	0.6
6.	Halon –1211	Bromochlorodifluoromethane (CF ₂ BrCl)	II	3.0
7.	Halon – 1301	Bromotrifluoromethane (CF ₃ Br)	II	10.0
8.	Halon – 2402	Dibromotetrafluoroethane (C ₂ F ₄ Br ₂)	II	6.0
9.	CFC-13	Chlorotrifluoromethane (CF ₃ Cl)	III	1.0
10.	CFC-111	Pentachlorofluoroethane (C ₂ FCl ₅)	III	1.0
11.	CFC -112	Tetrachlorodifluoroethane (C ₂ F ₂ Cl ₄)	III	1.0
12.	CFC-211	Heptachlorofluoropropane (C ₃ FCl ₇)	III	1.0
13.	CFC-212	Hexachlorodifluoropropane (C ₃ F ₂ Cl ₆)	III	1.0
14.	CFC-213	Pentachlorotrifluoropropane (C ₃ F ₃ Cl ₅)	III	1.0
15.	CFC-214	Tetrachlorotetrafluoropropane (C ₃ F ₄ Cl ₄)	III	1.0
16.	CFC-215	Trichloropentafluoropropane (C ₃ F ₅ Cl ₃)	III	1.0
17.	CFC-216	Dichlorohexafluoropropane (C ₃ F ₆ Cl ₂)	III	1.0
18.	CFC-217	Chloroheptafluoropropane (C ₃ F ₇ Cl)	III	1.0
19.	Carbon tetrachloride	Tetrachloromethane (CCl ₄)	IV	1.1
20.	Methyl chloroform	1,1,1-Trichloroethane (C ₂ H ₃ Cl ₃)	V	0.1
21.	HCFC-21	Dichlorofluoromethane (CHFC ₂)	VI	0.04
22.	HCFC-22	¹ [Chlorodifluoromethane (CHF ₂ Cl)]	VI	0.055
23.	HCFC-31	Chlorofluoromethane (CH ₂ FCl)	VI	0.02
24.	HCFC-121	Tetrachlorodifluoroethane (C ₂ HF ₂ Cl ₄)	VI	0.04
25.	HCFC-122	Trichlorodifluoroethane (C ₂ HF ₂ Cl ₃)	VI	0.08
26.	HCFC-123	2,2-dichloro-1,1,1-trifluoroethane (C ₂ HF ₃ Cl ₂)	VI	0.06
27.	HCFC-123a	1,2-dichloro-1,1,2-trifluoroethane (CHCl ₂ CF ₃)	VI	0.02
28.	HCFC-124	2-chloro-1,1,1,2-trifluoroethane (C ₂ HF ₄ Cl)	VI	0.04
29.	HCFC-124a	2-chloro-1,1,2-trifluoroethane (CHFC ₂ CF ₃)	VI	0.022
30.	HCFC-131	Trichlorofluoroethane (C ₂ H ₂ FC ₃)	VI	0.05
31.	HCFC-132	Dichlorodifluoroethane (C ₂ H ₂ F ₂ Cl ₂)	VI	0.05
32.	HCFC-133	Chlorotrifluoroethane (C ₂ H ₃ F ₃ Cl)	VI	0.06
33.	HCFC-141	Dichlorofluoroethane (C ₂ H ₃ FC ₂)	VI	0.07
34.	HCFC-141b	1,1-dichloro-1-fluoroethane (CH ₃ CFCl ₂)	VI	0.11
35.	HCFC-142	Chlorodifluoroethane (C ₂ H ₃ F ₂ Cl)	VI	0.07
36.	HCFC-142b	1-chloro-1,1-difluoroethane (CH ₃ CF ₂ Cl)	VI	0.065
37.	HCFC-151	Chlorofluoroethane (C ₂ H ₄ FC ₂)	VI	0.005

¹ Substituted vide S.O. 1561 (E), dated 18-9-2007

S. No	Name of Ozone Depleting Substances	Chemical Composition of Ozone Depleting Substances	Group	Ozone Depleting Potential
(1)	(2)	(3)	(4)	(5)
38.	HCFC-221	Hexachlorofluoropropane (C ₃ HFCl ₆)	VI	0.07
39.	HCFC-222	Pentachlorodifluoropropane (C ₃ HF ₂ Cl ₅)	VI	0.09
40.	HCFC-223	Tetrachlorotrifluoropropane (C ₃ HF ₃ Cl ₄)	VI	0.08
41.	HCFC-224	Trichlorotetrafluoropropane (C ₃ HF ₄ Cl ₃)	VI	0.09
42.	HCFC-225	Dichloropentafluoropropane (C ₃ HF ₅ Cl ₂)	VI	0.07
43.	HCFC-225ca	1,3-dichloro-1,2,2,3,3- pentafluoropropane (CF ₃ CF ₂ CHCl ₂)	VI	0.025
44.	HCFC-225cb	1,3-dichloro-1,2,2,3,3- pentafluoropropane (CF ₂ CICF ₂ CHClF)	VI	0.033
45.	HCFC-226	Chlorohexafluoropropane (C ₃ HF ₆ Cl)	VI	0.10
46.	HCFC-231	Pentachlorofluoropropane (C ₃ H ₂ FCl ₅)	VI	0.09
47.	HCFC-232	Tetrachlorodifluoropropane (C ₃ H ₂ F ₂ Cl ₄)	VI	0.10
48.	HCFC-233	Trichlorotrifluoropropane (C ₃ H ₂ F ₃ Cl ₃)	VI	0.23
49.	HCFC-234	Dichlorotetrafluoropropane (C ₃ H ₂ F ₄ Cl ₂)	VI	0.28
50.	HCFC-235	Chloropentafluoropropane (C ₃ H ₂ F ₅ Cl)	VI	0.52
51.	HCFC-241	Tetrachlorofluoropropane (C ₃ H ₃ FCl ₄)	VI	0.09
52.	HCFC-242	Trichlorodifluoropropane (C ₃ H ₃ F ₂ Cl ₃)	VI	0.13
53.	HCFC-243	Dichlorotrifluoropropane (C ₃ H ₃ F ₃ Cl ₂)	VI	0.12
54.	HCFC-244	Chlorotetrafluoropropane (C ₃ H ₃ F ₄ Cl)	VI	0.14
55.	HCFC-251	Trichlorofluoropropane (C ₃ H ₄ FCl ₃)	VI	0.01
56.	HCFC-252	Dichlorodifluoropropane (C ₃ H ₄ F ₂ Cl ₂)	VI	0.04
57.	HCFC-253	Chlorotrifluoropropane (C ₃ H ₄ F ₃ Cl)	VI	0.03
58.	HCFC-261	Dichlorofluoropropane (C ₃ H ₅ FCl ₂)	VI	0.02
59.	HCFC-262	Chlorodifluoropropane (C ₃ H ₅ F ₂ Cl)	VI	0.02
60.	HCFC-271	Chlorofluoropropane (C ₃ H ₆ FCl)	VI	0.03
61.	BFC-21B2	Dibromofluoromethane (CHFBr ₂)	VI	1.00
62.	HBFC-22B1	Bromodifluoromethane (CHF ₂ Br)	VII	0.74
63.		Bromofluoromethane (CH ₂ FBr)	VII	0.73
64.		Tetrabromofluoroethane (C ₂ HFBr ₄)	VII	0.8
65.		Tribromodifluoroethane (C ₂ HF ₂ Br ₃)	VII	1.8
66.	HBFC-123B2 HBFC123aB2	Dibromotrifluoroethane (C ₂ HF ₃ Br ₂)	VII	1.6
67.	HBFC-124B1	Bromotetrafluoroethane (C ₂ HF ₄ Br)	VII	1.2
68.		Tribromofluoroethane (C ₂ H ₂ FBr ₃)	VII	1.1
69.		Dibromodifluoroethane (C ₂ H ₂ F ₂ Br ₂)	VII	1.5
70.		Bromotrifluoroethane (C ₂ H ₂ F ₃ Br)	VII	1.6
71.		Dibromofluoroethane (C ₂ H ₃ FBr ₂)	VII	1.7
72.	HBFC-124B1	Bromodifluoroethane (C ₂ H ₃ F ₂ Br)	VII	1.1
73.	HBFC-124B1	Bromofluoroethane (C ₂ H ₄ FBr)	VII	0.1
74.		Haxabromofluoropropane (C ₃ HFB ₆)	VII	1.5
75.		Pentabromodifluoropropane (C ₃ HF ₂ Br ₅)	VII	1.9
76.		Tetrabromofluoropropane (C ₃ HF ₃ Br ₄)	VII	1.8
77.		Tribromotetrafluoropropane (C ₃ HF ₄ Br ₃)	VII	2.2
78.		Dibromopentafluoropropane (C ₃ HF ₅ Br ₂)	VII	2.0
79.		Bromohaxafluoropropane (C ₃ HF ₆ Br)	VII	3.3
80.		Pentabromofluoropropane (C ₃ H ₂ FBr ₅)	VII	1.9

S. No	Name of Ozone Depleting Substances	Chemical Composition of Ozone Depleting Substances	Group	Ozone Depleting Potential
(1)	(2)	(3)	(4)	(5)
81.		Tetrabromodifluoropropane (C ₃ H ₂ F ₂ Br ₄)	VII	2.1
82.		Tribromotrifluoropropane (C ₃ H ₂ F ₃ Br ₃)	VII	5.6
83.		Dibromotetrafluoropropane (C ₃ H ₂ F ₄ Br ₂)	VII	7.5
84.		Bromopentafluoropropane (C ₃ H ₂ F ₅ Br)	VII	1.4
85.		Tetrabromofluoropropane (C ₃ H ₃ FBr ₄)	VII	1.9
86.		Tribromodifluoropropane (C ₃ H ₃ F ₂ Br ₃)	VII	3.1
87.		Dibromotrifluoropropane (C ₃ H ₃ F ₃ Br ₂)	VII	2.5
88.		Bromotetrafluoropropane (C ₃ H ₃ F ₄ Br)	VII	4.4
89.		Tribromofluoropropane (C ₃ H ₄ FBr ₃)	VII	0.3
90.		Dibromodifluoropropane (C ₃ H ₄ F ₂ Br ₂)	VII	1.0
91.		Bromotrifluoropropane (C ₃ H ₄ F ₃ Br)	VII	0.8
92.		Dibromofluoropropane (C ₃ H ₅ FBr ₂)	VII	0.4
93.		Bromodifluoropropane (C ₃ H ₅ F ₂ Br)	VII	0.8
94.		Bromofluoropropane (C ₃ H ₆ FBr)	VII	0.7
95.	Methyl bromide	Bromomethane (CH ₃ Br)	VIII	0.6
¹ [96.	Bromochloro methane	CH ₂ BrCl	IX	0.12]

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 Production in a period of twelve months as percentage of calculated base level for Group as a whole	Maximum allowable consumption in a period of twelve month as percentage of calculated consumption of base years for Group as a whole	Date related to columns (4) and (5)	Ban on creating capacities for production of Ozone Depleting Substances	Ban of 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	² [100]	100	1-1-2002	Date on which these rules come into force	Date on which these rules come into force
(b)	II	1995-1997	¹ [50]	50	1-1-2005	--	--

¹ Inserted vide S.O. 1561 (E), dated 18-9-2007

² Substituted vide S.O. 1561 (E), dated 18-9-2007 (w.e.f. 18-9-2007).

(c)	II	1995-1997	0	0	1-1-2010 **	--	--
2(a)	IV	1998-2000	¹ [15]	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	¹ [100]	100	1-1-2003	Date on which these rules come into force	Date on which these rules come into force
(b)	V	1998-2000	¹ [70]	70	1-1-2005	--	--
(c)	V	1998-2000	¹ [30]	30	1-1-2010	--	--
(d)	V	1998-2000	0	0	1-1-2015	--	--
¹ 4(a)	VI	2009-2010	100	100	1-1-2013	19-07-2000	Date on which the Ozone Depleting Substances (Regulation and Control) Amendment Rules, 2014 come into force]
(b)	VI	2009-2010	90	90	1-1-2015	19-07-2000	
(c)	VI	2009-2010	65	65	1-1-2020	19-07-2000	
(d)	VI	2009-2010	32.5	32.5	1-1-2025	19-07-2000	
(e)	VI	2009-2010	2.5	2.5	1-1-2030	19-07-2000	
(f)	VI	2009-2010	0	0	1-1-2040	19-07-2000	
5.	VII	-	0	0		² [Date on which these rules come into force]	-
6(a)	VIII	1995-1998	¹ [100]	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
¹ 7.	IX	-	-	0**	-	Date on which the Ozone Depleting Substances (Regulation and Control) Amendment Rules, 2007 came into force.	Date on which the Ozone Depleting Substances (Regulation and Control) Amendment Rules, 2007 came into force]

* Freeze Year for production and consumption of Hydrochlorofluorocarbons (ozone depleting substances under Group VI) of Schedule I

¹ Substituted vide S.O. 1033 (E), dated 13-3-2014 (w.e.f. 4-4-2014).

² Inserted vide S.O. 1561 (E), dated 18-9-2007

** with possible essential use exemption.

SCHEDULE III

[See 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 months 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 manufacture 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
8.	I III	1995-97 1998-2000	3,389 -	15%	31.12.2007	Date on which these 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 these 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 these 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 these rules come into force	Date on which these rules come into force

* 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	¹ [Phase-out Date]
(1)	(2)	(3)	(4)
1.	Manufacture of Aerosol products or pressurized dispensers (excluding metered dose inhalers for 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 foam part of Domestic Refrigerator	Group I	1-1-2003
4.	Manufacture of Fire Extinguishers or Fire 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 fire extinguishing systems	Group II	1-1-2010**
9.	Manufacture of Metered Dose inhalers for medicinal purposes	Group I	1-1-2010
¹ [10.(a)	Manufacture of domestic refrigerators	Group VI	1-1-2015
(b)	Manufacture of continuous sandwich panels	Group VI	1-1-2015
² {(c)	Manufacture of pre-blended polyols	Group VI	1-1-2020}.
(d)	Manufacture of all other foam products including discontinuous sandwich panels	Group VI	1-1-2020
(e)	Manufacture of air-conditioners	Group VI	1-1-2025
(f)	Manufacture of other refrigeration and air-conditioning products (excluding compressors)	Group VI	1-1-2025
(g)	Manufacture of fire extinguisher or fire extinguishing systems	Group VI	1-1-2025
(h)	Manufacture of all other equipments or products	Group VI	1-1-2025
(i)	Servicing of refrigeration and air-conditioning equipments or products	Group VI	1-1-2040
(j)	Servicing of fire extinguisher and fire extinguishing systems	Group VI	1-1-2040]
11.	Use of methyl bromide except pre-shipment & quarantine	Group VII	1-1-2015

¹* [***]

** Except for essential use certified by the essential use panel.

¹ Substituted vide S.O. 1033 (E), dated 13-3-2014² Inserted vide S.O. 4724(E), dated 31.12.2019 (w.e.f. 1.1.2020)

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 registrationPart-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)	Registration of producers of Ozone Depleting Substances	An officer not below the rank of a Deputy Secretary in the Ministry of Environment & Forests	¹ [Two years after commencement of these rules] ² [except for the enterprises producing ozone depleting substances listed in Group IV of Schedule I for feedstock use: provided that the last date for registration of the enterprises producing ozone depleting substances listed in Group VI in column (4) of Schedule I shall be on or before the 31 st December, 2030.];	Secretary, Ministry of Environment & Forests
2.	3,4,5, 10 (1) ³ [***]	Licence to import / export of products made with or containing Ozone Depleting Substances	Director General of Foreign Trade	-	-
⁴ [3.	6(1)	Registration of traders/ dealers/wholesalers/ sellers of ozone depleting substances	An officer not below the rank of Deputy Secretary in the Ministry of Environment and Forests.	In case of substance listed under Group I, Group II, Group III and Group IV up to the 31 st December, 2009, in case of substances in Group VI up to 31 st December, 2039 and in case of substances in Group VIII up to 31 st Dec., 2014.	Secretary, Ministry of Environment & Forests.]
4.	8(1)	Registration of persons/ enterprises engaged in activities specified in column (2) of Schedule-IV (whose capital investment is less than Rs.1 crore).	Officer- in charge of the office Small Industries Services Institute in respective jurisdiction under Small	⁵ [In case of substance listed under Group I, Group II and Group III upto 31 st Dec, 2006, in case of substances in Group IV upto 31 st December, 2009 and Group VI up to 31 st December 2030];	An officer not below the rank of a Deputy Secretary in the Ministry of Environment and Forests

¹ Substituted vide S.O. 1283(E), dated 31-12-2001² Inserted by S.O. 1561(E), dated 18-9-2007³ Omitted by S.O. 1561(E), dated 18-9-2007⁴ Substituted vide S.O. 1033 (E), dated 13-3-2014⁵ Substituted vide S.O. 1561(E), dated 18-9-2007

S. No.	Rule No.	Function	Name of Authority	Last date for Registration	Name of Appellate Authority
(1)	(2)	(3)	(4)	(5)	(6)
		Registration of persons engaged in activities in column (2) of Schedule IV (whose capital investment is more than Rs.1 crore)	Industries Development Organization under the Ministry of Small Scale, Agro and Rural Industries An officer not below the rank of a Deputy Secretary in the Ministry of Environment & Forest		
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 Organization under the Ministry of Small Scale, Agro and Rural Industries.	¹ [***]	An officer not below the rank of a Deputy Secretary in the Ministry of Environment & Forests.
	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 Organization under the Ministry of Small Scale,	² [***]	An officer not below the rank of a Deputy Secretary in the Ministry of Environment & Forests.

¹ Omitted by S.O. 1561(E), dated 18.09.2007

² Omitted by S.O. 1561(E), dated 18.09.2007

S. No.	Rule No.	Function	Name of Authority	Last date for Registration	Name of Appellate Authority
(1)	(2)	(3)	(4)	(5)	(6)
			Agro and Rural Industries.		
6.	12	Registration of manufacturers, importers & exporters of compressors / (whose capital investment is less than Rs. 1 crore) Registration of manufacturers, importers & exporters of compressors (whose capital investment is more 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. An officer not below the rank of a Deputy Secretary in the Ministry of Environment and Forests.	Two years after commencement of these rules Two years after commencement of these rules	An officer not below the rank of Deputy Secretary in the Ministry of Environment and Forests. Secretary, Ministry of Environment and Forests.
¹ [7.	5(1)	Registration of importers or exporters of ozone depleting substances.	An officer not below the rank of Deputy Secretary in the Ministry of Environment and Forests.	31st December, 2029.	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)

¹ Added vide S.O. 1033 (E), dated 13-3-2014

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

Sl. No.	Name of Country
(1)	(2)
1.	Algeria
¹ [1A.	Afghanistan
1B	Albania
1C	Angola];
2.	Antigua and Barbuda
3.	Argentina
¹ [3A	Armenia];
4.	Bahamas
5.	Bahrain
6.	Bangladesh
7.	Barbados
8.	Belize
9.	Benin
¹ [9A	Bhutan];
² [10.	Plurinational State of Bolivia];
11.	Bosnia and Herzegovina
12.	Botswana
13.	Brazil
14.	Brunei Darussalam
15.	Burkina Faso
16.	Burundi
¹ [16A.	Cambodia];
17.	Cameroon
¹ [17A	Cape Verde];

¹ Inserted vide S.O. 1561 (E), dated 18-9-2007² Substituted vide S.O. 1033 (E), dated 13-3-2014

18.	Central African Republic
19.	Chad
20.	Chile
21.	China
¹ [21A	Cook Islands];
22.	Colombia
23.	Comoros
24.	Congo
¹ [25.	Democratic Republic of the Congo];
26.	Costa Rica
² [27.	Cote d'ivoire]
28.	Croatia
29.	Cuba
³ [30 ***]	
¹ [30A.	Djibouti];
31.	Dominica
32.	Dominican Republic
33.	Feudador
34.	Egypt
35.	El Salvador
⁴ [35A.	Eritrea];
⁵ [35B.	Equatorial Guinea];
36.	Ethiopia
37.	Fiji
38.	Gabon
39.	Gambia
40.	Georgia
41.	Ghana

¹ Substituted vide. S.O. 1033 (E), dated 13-3-2014

² Substituted vide. S.O. 1561 (E), dated 18-9-2007

³ Omitted by S.O. 1033(E), dated 13-3-2014

⁴ Inserted vide S.O. 1561 (E), dated 18-9-2007

⁵ Inserted vide S.O. 1033 (E), dated 13-3-2014

42.	Grenada
43.	Guatemala
44.	Guinea
¹ [44A.	Guinea Bissau];
45.	Guyana
¹ [45A.	Haiti];
46.	Honduras
47.	India
48.	Indonesia
49.	Iran, Islamic Republic of
² [49A.	Iraq]
50.	Jamaica
51.	Jordan
52.	Kenya
53.	Kiribati
¹ [53A	Kyrgyzstan];
² [54.	Democratic People's Republic of Korea];
² [55.	Republic of Korea];
56.	Kuwait
57.	Lao People's Democratic Republic of
58.	Lebanon
59.	Lesotho
¹ [59A.	Liberia];
¹ [60.	Libya];
61.	Madagascar
62.	Malawi
63.	Malaysia
64.	Maldives
65.	Mali
² [65A.	Marshall Islands];

¹ Substituted vide S.O. 1033 (E), dated 13-3-2014

² Inserted vide S.O. 1561 (E), dated 18-9-2007

¹ [66***]	
67.	Mauritania
68.	Mauritius
69.	Mexico
² [69A	Micronesia (Federated States of)];
¹ [70.	Republic of Moldova];
71.	Mongolia
¹ [71A.	Montenegro];
72.	Morocco
73.	Mozambique
74	Myanmar
75.	Namibia
² [75A.	Nauru];
76.	Nepal
77.	Nicaragua
78.	Niger
79.	Oman
80.	Nigeria
² [80A.	Niue];
81.	Pakistan
² [81A.	Palau];
82.	Panama
83.	Papua New Guinea
84.	Paraguay
85.	Peru
86.	Philippines
87.	Qatar
³ [88***]	

¹ Omitted by S.O. 1561 (E), dated 18-9-2007

² Inserted vide S.O. 1561 (E), dated 18-9-2007

³ Omitted by S.O. 1033(E), dated 13-3-2014

¹ [88A.	Rwanda];
89.	Saint Ktts & Nevis
90.	Saint Lucia
91.	Saint Vincent & the Grenadines
92.	Samoa
¹ [92A.	Sao Tome and Principe];
93.	Saudi Arabia
94.	Senegal
¹ [94A	Serbia];
95.	Seychelles
¹ [95A	Sierra Leone];
96.	Singapore
² [97***]	
98.	Solomon Islands
¹ [98A.	Somalia]
99.	South Africa
³ [99A.	South Sudan]
100.	Sri Lanka
101.	Sudan
⁴ [101A	Suriname];
102.	Swaziland
103.	Syrian Arab Republic
⁵ [104.	United Republic of Tanzania];
105.	Thailand
106.	The Former Yugoslav Republic of Macedonia
² [106A	Timor-Leste];
107.	Togo

¹ Substituted vide S.O. 1033 (E), dated 13-3-2014

² Omitted by S.O. 1561 (E), dated 18-9-2007

³ Inserted vide O. 1033 (E), dated 13-3-2014

⁴ Inserted vide S.O. 1561 (E), dated 18-9-2007

⁵ Substituted vide S.O. 1033 (E), dated 13-3-2014

¹ [107A.	Tongo];
108.	Trinidad and Tobago
109.	Tunisia
110.	Turkey
¹ [110A	Turkmenistan
110B	Tuvalu];
111.	Uganda
112.	United Arab Emirates
113.	Uruguay
¹ [113A	Vanuatu];
114.	¹ [Venezuela (Bolivarian Republic of)
115.	Yemen
116.	Viet Nam
² [117 ***]	
118.	Zambia
119.	Zimbabwe

Part-II ³[***]**Part-III**

List of Parties categorized as operating under Article 2 of the Montreal Protocol

(1)	(2)
1.	Australia
⁴ [1A	Andora];
2.	Austria
3.	Azerbaijan
4.	Belarus
5.	Belgium
⁵ [6 ***]	
7.	Bulgaria
8.	Canada
² [8A	Cyprus];
9.	Czech Republic
10.	Denmark
⁶ [11 ***]	

¹ Inserted vide S.O. 1561 (E), dated 18-9-2007² Omitted by S.O. 1561 (E), dated 18-9-2007³ Part II Omitted by S.O. 1561 (E), dated 18-9-2007⁴ Inserted vide S.O. 1033 (E), dated 13-3-2014⁵ Omitted by S.O. 1561 (E), dated 18-9-2007⁶ Omitted by S.O. 1033 (E), dated 13-3-2014

12.	Estonia
13.	Finland
14.	France
¹ [15 ***]	
16.	Germany
17.	Greece
² [17A.	Holy See];
18.	Hungary
19.	Iceland
20.	Ireland
21.	Israel
22.	Italy
23.	Japan
² [23A	Kazakhstan];
24.	Latvia
25.	Liechtenstein
26.	Lithuania
27.	Luxembourg
² [27A	Malta];
28.	Monaco
29.	Netherlands
30.	New Zealand
31.	Norway
32.	Poland
33.	Portugal
³ [33A	Romania]
34.	Russian Federation
⁴ [34A	San Marino];
35.	Slovakia
36.	Spain
⁵ [36C	Slovenia];
37.	Sweden
38.	Switzerland
39.	Tajikistan
⁶ [40 ***]	
41.	Ukraine
⁷ [42.	United Kingdom of Great Britain and Northern Ireland];
⁴ [43.	United States of America];
44.	Uzbekistan
⁴ [45.	European Union];

¹ Omitted by S.O. 1561 (E), dated 18-9-2007

² Inserted vide S.O. 1561 (E), dated 18-9-2007

³ Inserted vide S.O. 1033 (E), dated 13-3-2014

⁴ Inserted vide S.O. 1033 (E), dated 13-3-2014

⁵ Inserted vide S.O. 1561 (E), dated 18-9-2007

⁶ Omitted by S.O. 1033 (E), dated 13-3-2014

⁷ Substituted vide S.O. 1033 (E), dated 13-3-2014

SCHEDULE-VII**[See rule 10(1), (2)]****¹[Regulation on import and export of products containing ozone depleting substances]**

S. No.	Name of Product	Name of Group of Ozone Depleting Substances	Date Regulation on Import becomes effective	Date Regulation on Exports becomes effective
(1)	(2)	(3)	(4)	(5)
¹ [1]	Aircraft, mobile or Automobile boat, train and truck air conditioning units. (whether incorporated in vehicle or not)	Group VI	Six months after these rules come into force	Six months after these rules come into force
	Domestic and commercial refrigeration and air conditioning or heat pump equipment e.g. - Refrigerators - Freezers - Dehumidifiers - Water Coolers - Ice machines - Air conditioning and heat pump units - Compressors	Group I, Group VI	-do-	-do-
	Aerosol products, except medical aerosols	Group I, Group VI	-do-	-do-
	Portable fire extinguishers/system cylinder	Group II, Group VI	-do-	-do-
	Insulation boards, panels and pipe covers	Group I, Group VI	-do-	-do-
1.	Pre-polymers	Group I, Group VI	-do-	-do-]

Note:

- S. No. 2, column (2) products include insulating material of the product.
- All products mentioned above are excluded from the purview of this Schedule when transported in Consignments of personal or household effects or in similar non-commercial situations normally exempted from customs attention.
- ²[Pre-polymers include pre-blended polyols containing Group VI substance].

¹ Substituted vide S.O. 1033 (E), dated 13-3-2014

² Inserted vide S.O. 4724(E), dated 31.12.2019

SCHEDULE – VIII**[See rule 15]****Exemption**

- (i) Use of Methyl Bromide, 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.
- (v) Sub-rule (1) of rule 10 shall not apply to non-commercial sale of products which have been used for at least one year.
- (vi) 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.

- (viii)¹[Production of ozone depleting substances specified as Group VI in column (4) of Schedule I for the Protocol approved feedstock uses in manufacture of other chemicals, with negligible emissions, if any].

SCHEDULE-IX

[See rule 13(1), 13(6)]

Part-I

Procedure for Registration

1. Application for registration of producers 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.
- ²[(2A). Application for registration of persons under sub-rule (1) of rule 5 shall be made in Form 10A of Schedule XI.]
3. Application for registration of persons under sub-rule (1) of rule 8 shall be made 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.

¹ Item Para (viii) added vide S.O. 1033 (E), dated 13-3-2014

² Inserted vide S.O. 1033 (E), dated 13-3-2014

Part II
Conditions of Registration ¹[*]**

1. The "Certificate of Registration" shall be kept at the "Registered Office" and shall be produced 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. ²[***]
5. ²[***]

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

¹ Certain word omitted by S.O. 1561 (E), dated 18-9-2007

² Sub-Rs. (4) and (5) Omitted by S.O. 1561 (E), dated 18-9-2007

- (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 and 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

- (1) Report on reclamation of ozone depleting substances as per Form 7 of Schedule XI.
- (2) 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

- (1) Report on destruction of ozone depleting substances as per Form 8 of Schedule XI.
- (2) 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.

¹**[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, they shall make records available for 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 and Forest not below in rank to a Section Officer.].

¹ Substituted vide S.O. 1033 (E), dated 13-3-2014

SCHEDULE XI**Form 1 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 exempted uses within India *3		Quantity produced for supply to countries listed in parts I and II Schedule- VI
			Quantity produced for feedstock within India	Quantity produced for other exempted use within India	
Group I	CFCl ₃ (CFC-11) CFCl ₂ (CFC-12) C ₂ F ₄ Cl ₂ (CFC-114) C ₂ F ₅ Cl (CFC-115)				
	TOTAL				

Form 1 Page 2

Name of Group of Ozone Depleting Substances	Name of Ozone Depleting Substances *1	Total Quantity produced for All uses *2	Quantities produced for exempted uses within India *3		Quantity produced for supply to countries listed in parts I and II of Schedule- VI
			Quantity produced for feedstock within India	Quantity produced for other exempted use within India	
Group II	CF ₂ BrCl (Halon 1211) CF ₃ Br (Halon 1301) C ₂ F ₄ Br ₂ (Halon 2402)				
	TOTAL				
Group III	CF ₃ Cl (CFC-13)				
	Total				
Group IV	CCl ₄ (Carbon tetra-Chloride)				
Group V	C ₂ H ₃ Cl ₃ (Methyl 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 for exempted uses within India *3		Quantity produced for supply to countries listed in parts I and II of Schedule - VI
			Quantity produced for feedstock within India	Quantity produced for other exempted use within India	
1	2	3	4	5	6
¹ [Group VI]	CHFCl (HCFC-21)				
	CHF ₂ Cl (HCFC-22)				
	CH ₂ FCl (HCFC-31)				
	C ₂ HF ₃ Cl ₂ (HCFC-123)				
	C ₄ HF ₄ Cl (HCFC-124)				
	C ₂ H ₂ F ₃ Cl (HCFC-133)				
	CH ₃ CF ₁₂ (HCFC-141b)				
	CH ₃ CF ₂ Cl (HCFC-142b)				
	C ₃ HF ₅ C ₂ - (HCFC-225)				
	CF ₃ CF ₂ CHCl ₂ (HCFC-225ca)				
	CF ₂ ClCF ₂ CHClF(HCFC-225cb)				
TOTAL					

Form 1 Page 4

Name of Group of Ozone Depleting Substances?	Name of Ozone Depleting Substances *1	Total Quantity produced for All uses *2	Quantities produced for exempted uses within India *3		Quantity produced for supply to countries listed in parts I and II of Schedule-VI
			Quantity produced for feedstock within India	Quantity produced for other exempted use within India	
1	2	3	4	5	6
Group VII	HBFCs				
Group VIII	(Methyl Bromide (CH ₃ Br))		Total quantity of New Methyl- Bromide produced for Quarantine and Preshipment applications within India and for exports		

Signature *4 with seal

¹ Substituted vide S.O. 1033 (E), dated 13-3-2014

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 in my capacity as and that I am competent to do so.

Place.....

Signature*4.....

Date.....

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 order No. & date		Bill of Lading no. & date	Total Quantity imported all uses		Quantity of new ozone depleting substance imported to use as	
			*2	*3			
		New	Recovered	Reclaimed	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 2 Page 2

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 making this application in my capacity as and that I am competent to make this application and verify it by virtue of A photo/attested copy of which is enclosed herewith.

Place.....

Date.....

Signature*4.....

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.
- *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. It 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 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.	Invoice No. & date	Bill of Lading No. & date	Quantity exported for all uses		Quantity of new ozone depleting substance imported to use as		
			2 Recovered & Reclaimed		Quarantine & Pre-shipment application *3	Feedstock	Exempted uses
1	2	3	4	5	6	7	8
		New*					
TOTAL							

Free on Board (FOB) value \$	Free on Board (FOB) Value Rs.	Export licence No. & date	Country to which exported	Name & address of buyer	Port of shipment	Port of delivery
9	10	11	12	13	14	15
TOTAL						

Signature*4.....

With seal

Form 3 - Page 2

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 in my capacity as and that I am competent to do so.

Place.....
Date.....

Signature*4.....
With seal

Notes: -

- *1. One Form should be used for only one ozone depleting substances. Use separate form for each ozone depleting substances. Please see Schedule I for complete list of all ozone depleting substances
- *2. "Recovery". - The collection and storage of ozone depleting substances from machinery, equipment vessels etc. during servicing or prior to disposal.
- "Reclamation". - The reprocessing and upgrading of a recovered ozone depleting substances through such mechanism as filtering, drying, 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 of 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 sold to the buyer	Quantity of Ozone Depleting Substance sold to the buyer	Name & address of buyer
TOTAL				

Signature*5.....
With seal

Form 4 – Page 3

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 in my capacity as and that I am competent to do so.

Place.....
Date.....

Signature *5.....
with seal

Notes:

*1 Full report to be submitted as per Form 2

*2 -do- Form 7.

*3 -do- Form 3.

*4 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 conditioners
- (v) Manufacture of other Refrigerations & 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 medicinal purpose.
- (xi) Manufacture of Compressors.
- (xii) Others – specify.

Form 4 –Page 4

- *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.
- *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 - December.....

Part A

(In metric tonnes)

Sr. No.	Name of 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
		*1 Imported	*2 Reclaimed		
Total					

Form 5 - Page 2

Part B

(in metric tonnes)

S. No.	Name of Ozone Depleting Substances	Name & address of enterprise/firm Ozone Depleting Substances was used	*3* Purpose for which Ozone Depleting Substance was used	Quantity of Ozone Depleting Substance used
TOTAL				

Signature *4
With seal

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 in my capacity as and that I am competent to do so.

Place.....
Date.....

Signature*4.....
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 - Dec.....

(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

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 in my capacity as and that I am competent to do so.

Place.....
Date.....

Signature*3.....
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: 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 was 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

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 in my capacity as and that I am competent to do so.

Place.....
Date.....

Signature*3.....
with seal

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' There processing and upgrading of are covered ozone depleting substance through such mechanism as filtering, drying, 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 end of calendar year

Period of report: January - December

Name of Company.....

(in metric tonnes)

Name of Group of Ozone Depleting Substances	Name of Ozone Depleting Substances	Quantities Destroyed *1

Signature *2
with seal

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 in my capacity as and that I am competent to do so.

Place.....
Date.....

Signature*2.....
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 registration 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

S. 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 commencement 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.

Signature of the applicant *2
with Seal

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 in my capacity as and that I am competent to do so.

Place.....
Date.....

Signature*2.....
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 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 of producer/ importer of Ozone Depleting Substance from whom Ozone Depleting Substance was purchased during the past twelve 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.

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 in my capacity as and that I am competent to do so.

Place.....
Date.....

Signature *2.....
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.

¹[From 10A – Page 1

FORM FOR REGISTRATION OF ENTERPRISES IMPORTING/ EXPORTING OZONE DEPLETING SUBSTANCES [SUB-RULE (1) OF RUE 5]

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. Particular of importers or exports:

S. No.	Name*1 of Ozone Depleting Substances.	Address of importers or exporters.	Date of start of import or export or ozone depleting substances.	Name and address from or to whom ozone depleting substance was imported or exported during the past twelve months.

Form 10A - 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 5 of the Ozone Depleting Substances (Regulation and Control) Rules, 2000 with any other registering authority.

I S/odo 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 in my capacity as and that I am competent to do so.

Place.....
Date.....

Signature*2.....

With seal

¹ Inserted vide S.O. 1033 (E), dated 13-3-2014 (w.e.f.4-4-2014).

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 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 using Ozone Depleting Substances are produced (including Tehsil, District, State)	Name of products being manufactured *1	Date of incorporation registration	Date of commencement of commercial production
1.				
2.				
3.				
4.				

4. Name of business house/group to which the enterprise belongs: Scheduled..... XI
Form11
5. Please give name of Managing or chief Executive Page..... 2
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.

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 in my capacity as and that I am competent to do so.

Place.....
Date.....

Signature*2.....
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 in-charge 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.....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 in my capacity as and that I am competent to do so.

Place.....
Date.....

Signature*2.....
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 of address 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.....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 in my capacity as and that I am competent to do so.

Place.....

Signature*2.....

Date.....

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.

Form 13 - Page 1**Form for registration of enterprises manufacturing, importing or exporting compressors**

(See 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 Ozone Depleting Substances is produced (including Tehsil, District, State)	Date of incorporation or 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 whom importing	Date of start of imports
1	2	3
1.		
2.		

Form 13 – Page 2

5. Particular of sales outlet
(for exporters and/or traders)

Sr. No.	Address of sales outlets	Date of start of sales	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.....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 in my capacity as and that I am competent to do so.

Place.....
Date.....

Signature*1.....
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 being 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:

**Schedule - XI
Form 14 – Page 2**

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.

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 in my capacity as and that I am competent to do so.

Place.....
Date.....

Signature*1.....
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.
- *2 Please use separate form for reclamation and destruction.
- *3 Please see Schedule I for list of all ozone depleting substances.

SCHEDULE - XII

[See rule 6(1), 7]

Part - I

End-use declaration

1. Information regarding seller of ozone depleting substances:

Name of supplier:.....
Address:.....
.....

2. Information regarding purchaser of ozone depleting substances

Name of recipient:
Address:
Fax:
Telephone No.:

3. Registration No.:

4. Name and address of Registering Authority:

5.	Name of Ozone Depleting Substance	Purpose* 1 for which Ozone Depleting Substance is purchased	Quantity of Ozone Depleting Substance purchased
			Kg.
			Kg.
			Kg.
			Kg.
			Kg.
			Kg.

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.....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 in my capacity as and that I am competent to do so.

Place.....

Signature*3.....

Date.....

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 verify 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. 16/1/96-OC]
A.K. KUNDRA, Spl. Secy.

**THE CHEMICAL
ACCIDENTS (EMERGENCY
PLANNING,
PREPAREDNESS AND
RESPONSE) RULES, 1996**

(as amended to date)

MINISTRY OF ENVIRONMENT & FORESTS NOTIFICATION

New Delhi, the 1st August, 1996

¹**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) "chemical accident" means an accident involving a fortuitous, or sudden or 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) "hazardous chemical" means, -
- (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;
 - (ii) any chemical listed in Column 2 of **Schedule 2**;
 - (iii) any chemical listed in Column 2 of **Schedule 3**;
- (c) "industrial activity" includes an operation or process, -
- (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 maybe;
 - (iii) isolated storage; (iv) pipeline;
- (d) "industrial pocket" means any industrial zone ear-marked by the Industrial Development Corporation of the State Government or by the State Government;
- (e) "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 at least the quantities of that chemical set out in **Schedule-2**;
- (f) "major chemical accident" means, - an occurrence including 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

¹ As published in Gazette of India, Part II Section 3 (i) Extraordinary S. No. 241, dt. 2.8.1996.

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) “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;
- (h) “Manufacture, Storage and Import of Hazardous Chemical, Rules” means, – the 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) “off-site emergency plan” means, - the off-site emergency plan prepared under rule 14 of the Manufacture, Storage and Import of Hazardous Chemicals Rules;
- (j) “pipeline” means, - a pipe (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) “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;
- (l) “transport” means. - 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 networking 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.

¹[Explanation. - For the purpose of these rules, "States Government" in relation to Union territory means the Administrator thereof appointed under article 239 of the Constitution.]

(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.

¹ Ins. by G.S. R.578 (E), dated 09-09-1998 (w.e.f.14-9-1998).

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 sub-section (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 LD50 (mg/kg)	Dermal Toxicity (Dermal LD50) (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°C or below;

(ii) Highly Flammable liquids: Chemicals which have a flash point lower than 23 °C and the boiling point of which a normal pressure is above 20°C;

(iii) Flammable liquids: chemicals which have a flash point lower than 65°C and which remain 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 photochemical conditions or which are more sensitive to shocks or friction than dinitrobenzene.

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 Pentoxide, (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
- ³[45. Bis (chloromethyl) ketone]
46. Bis (tert-Butylperoxy) butane, - 2, 2

³ Subs. by MSIHC (Amendment) Rules, 1994 (w.e.f. 22-10-1994).

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. ⁴[***]
57. Butanone-2
58. Butoxy ethanol
59. Butyl glycidal ether
60. Butyl peroxyacetate, tert
61. Butyl peroxyisobutyrate, tert
62. Butyl peroxy isopropyl carbonate, tert
63. Butyl peroxy maleate, tert
64. Butyl peroxy pivalate, tert
65. Butyl vinyl Ether
66. Butyl-n-Mercaptan
67. Butylamine
68. C9 Aromatic Hydrocarbon Fraction
69. Cadmium and Compounds
70. Cadmium oxide (fumes)
71. Calcium Cyanide
72. Captan
73. Captofol
74. Carbaryl (Sevin)
75. Carbofuran
76. Carbon Disulphide
77. Carbon Monoxide
78. Carbon Tetrachloride
79. Carbonphenothion
80. Cellulose Nitrate
81. Chlorates (used in explosives)
82. Chlordane
83. Chlorfenvinphos
84. Chlorinated Benzenes

⁴ Omitted by MSIHC (Amendment) Rules, 1994 (w.e.f. 22-10-1994).

85. Chlorine
86. Chlorine Dioxides
87. Chlorine Oxide
88. Chlorine Trifluoride
89. Chloromequate Chloride
90. Chloroacetal Chloride
91. Chloroacetaldehyde
92. Chloroaniline, -2
93. Chloroaniline, - 4
94. Chlorobenzene
95. Chlorodiphenyl
96. Chloroepoxypropane
97. Chloroethanol
98. Chloroethyl Chloroformate
99. Chlorofluorocarbons
100. Chloroform
101. Chloroformyl, - 4, Morpholine
102. Chloromethane
103. Chloromethyl Ether
104. Chloromethyl Methyl Ether
105. Chloronitrobenzene
106. Chloroprene
107. Chlorosulphonic Acid
108. Chlorotrinitrobenzene
109. Chloroxuron
110. Chromium and Compounds
111. Cobalt and Compounds
112. Copper and Compounds
113. Coumafuryl
114. Comaphos
115. Coumatetrayl
116. Cresols
117. Crimidine
118. Cumene
119. Cyanophos
120. Cyanothoate
121. Cyanuric Fluoride
122. Cyclohexane
123. Cyclohexanol
124. Cyclohexanone

125. Cycloheximide
126. Cyclopentadiene
127. Cyclopentane
128. Cyclotetamethylenete-tranitramine
129. Cyclotrimethylene Trinitramine
130. DDT
131. Decabromodiphenyl Oxide
132. Demeton
133. Di-Isobutyl Peroxide
134. Di-n-propyl peroxydicarbonate
135. Di-sec-Butyl Peroxydicarbonate
136. Dialifos
137. Diazodinitrophenol
138. Diazomethane
139. Dibenzyl Peroxydi carbonate
140. Dichloroacetylene
141. Dichlorobenzene-o
142. Dichlorobenzene-p
143. Dichloroethane
144. Dichloroethyl Ether
145. Dichlorophenol 2-4
146. Dichlorophenol -2, 6
147. Dichlorophenboxy Acetic Acid, - 2, 4 (2, 4-D)
148. Dichloropropane, - 1, 2
149. Dichlorosalicylic Acid, - 3,5
150. Dichlorvos (DDVP)
151. Dicrotophos
152. Dieldrin
153. Diepoxybutane
154. Diethyl Peroxydi carbonate
155. Diethylene Glycol dinitrate
156. Diethylene Triamine
157. Diethyleneglycol Butyl Ether/Diethyleneglycol Butyl Acetate
158. Diethylenetriamine (DETA)
159. Diglycidyl Ether
160. Dithydroperoxypropane,- 2, 2
161. Di-isobutyryl peroxide
162. Dimefox
163. Dimethoate
164. Dimethyl Phosphoramidocyanidic Acid

165. Dimthyl Phthalate
166. Dimethylcarbomyl
167. Dimethylnitrosamine
168. Dinitrophenol, Salts
169. Dinitrotoluene
170. Dintro-o-Cresol
171. Dioxane
172. Dioxathion
173. Dioxolane
174. Diphacinone
175. Diphosphoramide octamethyl
176. Dipropylene Glycolmethylether
177. Disulfoton
178. Endosulfan
179. Endrin
180. Epichlorohydrine
181. EPN
182. Epoxypropane, 1-2
183. Ethion
184. Ethyl carbamate
185. Ethyl Ether
186. Ethyl Hexanol, - 2
187. Ethyl Mercaptan
188. Ethyl Methacrylate
189. Ethyl Nitrate
190. Ethylamine
191. Ethylene
192. Ethylene Chlorohydrine
193. Ethylene Diamine
194. Ethylene Dibromide
195. Ethylene Dichloride
196. Ethylene Glycol Dinitrate
197. Ethylene Oxide
198. Ethyleneimine
199. Ethylthiocyanate
200. Fensulphothion
201. Fluenetil
202. Fluoro, -4, -2-Hydroxybutyric Acid and Salts Esters, Amides
203. Fluoracetic Acid and salts, Esters, Amides
204. Fluorobutyric Acid, - 4, and Salts, Esters, Amides

205. Fluorocortonic Acid, - 4, Salts, Esters, Amides
206. Formaldehyde
207. Glyconitrile (Hydroxyacetonitrile)
208. Guanyl, -1, - 4 Nitrosaminogunyl-1 Tetrazene
209. Heptachlor
210. Hexachloro Cyclopentadiene
211. Hexachlorocyclohexane
212. Hexachlorocyclomethane
213. Hexachlorodibenzo-p-Dioxin. 1, 2, 3, 7, 8, 9
214. Hexafluoropropene
215. Hexamethylphosphoramidate
216. Hexamethyl, - 3, 3, 6, 9, 9 - 1, 2, 4, 5 - Tetraoxacyclononane
217. Hexamethylenediamine
218. Hexane
219. Hexanitrostilbene, - 2, 2, 4, 4, 6, 6
220. Hexavalent Chromium
221. Hydrazine
222. Hydrazine Nitrate
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 - Trinitroresorcinoxide (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. Methanesulphonyl 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 Cyclohexene
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 Phosphonic 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 - Tetranitroaniline
282. Naptha (Coal Tar)
283. Naphthylamine, 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-Ethylsulphonylmethyl
305. OO- Diethyl S-Ethylsulphonylmethyl 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. Parathion methyl
318. Paris green (bis aceto hexametaarsenito tetracopper)
319. Pentaborane
320. Pentabromodiphenyl Oxide
321. Pentabromophenol
322. Pentachloro Napthalene
323. Pentachloroethane
324. Pentachlorophenol

325. Pentaerythritol Tetranitrate
326. Pentane
327. Peracetic acid
328. Perchloroethylene
329. Perchloromethyl mercaptan
330. Pentanone, 2, 4- Methyl
331. Phenol
332. Phenyl glycidal ether
333. Phenylene p-diamine
334. Phenylmercury acetate
335. Phorate
336. Phosacetim
337. Phosalone
338. Phoston
339. Phosgene (carbonyl chloride)
340. Phosmet
341. Phosphamidon
342. Phosphine (hydrogen phosphide)
343. Phosphoric acid and esters
344. Phosphoric Acid, bromoethyl bromo (2,2-dimethylpropyl) bromomethyl ester
345. Phosphoric acid, bromoethyl bromo (2, 2-dimethylpropyl) chloroethyl ester
346. Phosphoric Acid, Chloroethyl Bromo (2, 2-Dimethylpropyl Chloroethyl ester)
347. Phosphorous & Compounds
348. Phostalan
349. Picric Acid, (2, 4, 6-trinitrophenol)
350. Polybrominated biphenyls
351. Potassium Arsenite
352. Potassium Chlorate
353. Promurit (1- (3, 4 Dichlorophenyl)-3-Triazenethiocarboxamide)
354. Propanesultone-1, 3
355. Propen-1, -2-Chloro-1, 3-Diol-Diacetate
356. Propylene dichloride
357. Propylene Oxide
358. Propyleneimine
359. Pyrazoxon
360. Selenium Hexafluoride
361. Semicarbazide Hydrochloride
362. Sodium Arsenite
363. Sodium Azide
364. Sodium Chlorate

365. Sodium Cyanide
366. Sodium Picramate
367. Sodium Selenite
368. Styrene, 1, 1, 3, 2-Tetrachloroethane
369. Sulfotep
370. Sulphur dichloride
371. Sulphur Dioxide
372. Sulphur Trioxide
373. Sulphuric Acid
374. Sulphoxide, 3-chloropropyl
375. Tellurium
376. Tellurium Hexafluoride
377. Tepp
378. Terbufos
379. Tetrabromobisphenol-A
380. Tetrachloro, 2, 2, 5, 6, 2, 5 - Cyclohexadiene-1, 4-Dione
381. Tetrachlorodibenzo-p Dioxin, 2, 3, 7, 8 (TCDD)
382. Tetraethyl Lead
383. Tetrafluoroethane
384. Tetramethylenedisulphotetramine
385. Tetramethyl Lead
386. Tetranitromethane
387. Thallium & Compounds
388. Thionazin
389. Thionyl Chloride
390. Tirpate
391. Toluene
392. Toluene-2,4-Diisocyanate
393. Toluidine-o
394. Toluene 2, 6-Diisocyanate
395. Trans-1, 4-chlorobutene
396. Tri-(cyclohexyl) Stannyl-1-H-1, 2, 3-Triazole
397. Triamino, -1, 3, 5, 2, 4, 6-Trinitrobenzene
398. Tribromo phenol, 2, 4, 6
399. Trichloro Acetyl Chloride
400. Trichloro Ethane
401. Trichloro Naphthalene
402. Trichloro (Chloromethyl) Silane
403. Trichlorodichlorophenylsilane
404. Trichloroethane, 1, 1 -1

- 405. Trichloroethyl Silane
- 406. Trichloroethylene
- 407. Trichloromethanesulphenyl chloride
- 408. Trichlorophenol, 2, 2, 6
- 409. Trichlorophenol, 2, 4, 5
- 410. Triethylamine
- 411. Triethylenemelamine
- 412. Trimethyl Chlorosilane
- 413. Triethylpropane Phosphite
- 414. Trinitroaniline
- 415. Trinitroanisole, 2, 2, 4, 6
- 416. Trinitrobenzene
- 417. Trinitrobenzoic Acid
- 418. Trinitrocresol
- 419. Trinitrophenetole, 2, 5, 6
- 420. Trinitroresorcinol, 2, 4, 6 (Styphnic Acid)
- 421. Trinitrotoluene
- 422. Triorthocresyl Phosphate
- 423. Triphenyl Tin Chloride
- 424. Turpentine
- 425. Uranium & Compounds
- 426. Vanadium & Compounds
- 427. Vinyl Chloride
- 428. Vinyl Fluoride
- 429. Vinyl Toluene
- 430. Warfarin
- 431. Xylene
- 432. Xylidine
- 433. Zinc & Compounds
- 434. 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 1, paragraph (b) (i)	50
7.	Highly flammable liquids as defined in schedule 1, paragraph (b) (ii)	10,000
8.	Liquid oxygen	200
9.	Sodium chlorate	25
10.	Sulphur dioxide	20
11.	Sulphur trioxide	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 Dibromoethane (Ethylene dibromide)	5
25.	Hydrogen chloride (liquified gas)	25
26.	Diphenyl methane di-isocyanate (MDI)	20
27.	Toluene di-isocyanate (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 distance between the installations is less than 500 meters.

(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.	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.	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	15159-40-7
19.	Chloromethyl methyl ether	1 kg	107-30-2
20.	Cobalt (metal, oxides, carbonates, sulphides, as 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-ethylsophinylmethyl phosphorothioate	100 kg	2588-06-8

S. No.	Chemical	Threshold quantity	CAS number
1	2	3	4
27.	OO-Diethyl S-ethylsophonylmethyl 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	
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	37759-72-1
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-hydroxybutyric acid, amides	1 kg	

S. No.	Chemical	Threshold quantity	CAS number
1	2	3	4
57.	Glyconitrile (Hydroxyacetonitrile)	100 kg	107-16-4
58.	1, 2, 3, 7, 8, 9,-Hexachlorodibenzo-p-dioxine	100 kg	19408-74-3
59.	Hexamethylphosphoramide	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	-
69.	Nickel tetracarbonyl	10 kg	13463-39-3
70.	Oxydisulfoton	100 kg	2497-07-6
71.	Oxygendifluoride	10 kg	7783-41-7
72.	Paraoxan (Deithyl 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.	Phosazetim	100 kg	4104-14-7
78.	Phosgene (carbonul chloride)	750 kg	75-55-5
79.	Phoshamidon	100 kg	13171-21-6
80.	Phosphine (Hydrogen phosphide)	100 kg	5836-73-7
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.	Pyrazoxom	100 kg	108-34-9
85.	Selenium hexafluoride	10 kg	7783-79-1
86.	Sodium selenite	100 kg	10102-18-8

S. No.	Chemical	Threshold quantity	CAS number
1	2	3	4
87.	Stibine (Antimony hydride)	100 kg	7803-52-3
88.	Sulfotep	100 kg	3689-24-5
89.	Sulphur dichloride	1000 kg	10545-99-0
90.	Tellurium hexafluoride	100 kg	7783-80-4
91.	TEPP (Tetraethyl pyrophosphate)	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.	Thionazine	100 kg	297-97-2
95.	Tirpate (2, 4-Dimethyl-1, 3-dithiolane-2carboxaldehyde O-methylcarbonyloxime)	100 kg	26419-73-8
96.	Trichloromethanesulphenyl chloride	100 kg	594-42-3
97.	1-Tri (cyclohexyl) vs stannyl IIIH-1, 2, 3-triazole	100 kg	40183-11-8
98.	Triethylenemelamine	10 kg	51-18-3
99.	Warfarin	100 kg	81-81-2
GROUP 2- TOXIC CHEMICALS			
100.	Acetone cyanohydrin (2-Cyanopropan2-1)	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-1-01)	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
107.	Carbon disulphide	20 t	75-15-0
108.	Chlorine	10 t	7782-50-5
109.	Diphenyl methane di-isocyanate (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.	Hydrogencyanide	5 t	74-90-8
115.	Hydrogenfluoride	5 t	7664-39-3

S. No.	Chemical	Threshold quantity	CAS number
1	2	3	4
116.	Hydrogen sulphide	5 t	7783-06-4
117.	Methyl bromide (bromomethane)	20 t	74-83-9
118.	Nitrogen oxides	50 t	11104-93-1
119.	Propyleneimine	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
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.	(a) Ammonium nitrate (1) (b) Ammonium nitrate in the form of fertilisers (2)	350 t 250 t	6484-52-2
127.	2,2-Bis (tert-butylperoxy) butane (concentration $\geq 70\%$)	5 t	2167-23-9
128.	1,1-Bis (tert-butylperoxy) cyclohexane (concentration $\geq 80\%$)	5 t	3006-86-8
129.	tert-Butyl peroxyacetate (concentration $\geq 70\%$)	5 t	107-71-1
130.	tert-Butyl peroxyisobutyrate (concentration $\geq 80\%$)	5 t	109-13-7
131.	tert-Butyl peroxy isopropyl carbonate (concentration $\geq 80\%$)	5 t	2372-21-6
132.	Terty-Butyl peroxy maleate (concentration $\geq 80\%$)	5 t	1931-62-0
133.	Tert-Butyl peroxy pivalate (concentration $\geq 77\%$)	50 t	927-07-1
134.	Dibenzyl peroxydicarbonate (concentration $\geq 90\%$)	5 t	2144-45-8
135.	Di-sec. butyl peroxydicarbonate (concentration $\geq 80\%$)	5 t	19910-65-7
136.	Diethyl peroxydicarbonate (concentration $\geq 30\%$)	50 t	1466-78-5
137.	2,2-Dihydroperoxypropane (concentration $\geq 30\%$)	5 t	2614-76-8
138.	Di-isobutryl peroxide (concentration $\geq 50\%$)	5 t	3437-84-1
139.	Di-n-propyl peroxydicarbonate (concentration $\geq 80\%$)	5 t	16066-38-9

S. No.	Chemical	Threshold quantity	CAS number
1	2	3	4
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-tetraoxacyclononane (concentration $\geq 75\%$)	5 t	22397-33-7
143.	Hydrogen	2 t	1333-74-0
144.	Liquid oxygen	200 t	7782-44-7
144.	Methyl ethyl ketone peroxide (concentration $\geq 60\%$)	5 t	1339-23-4
145.	Methyl isobutyl ketone peroxide (concentration – 60%)	5 t	37206-2-5
146.	Oxygen Liquid	200 t	7782-44-7
147.	Peracetic acid (concentration $\geq 60\%$)	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	50 t	121-82-4
156.	Diazodinitrophenol	10 t	87-31-4
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-Guanyl-4-nitrosaminoguanyl-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	15424-40-9
165.	Mercury fulminate	50 t	628-86-4
166.	N-Methyl-N,2, 4, 6-tetranitroaniline	50 t	479-45-8
167.	Nitroglycerine	510 t	55-63-0

S. No.	Chemical	Threshold quantity	CAS number
1	2	3	4
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- Trinitroresorcinol)	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.	Trinitrobenzoic 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)
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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).
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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 or 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.

¹ [SCHEDULE 5

[See rule 3(2)]

COMPOSITION OF CENTRAL CRISIS GROUP

(i)	Secretary, Govt. of India, Ministry of Environment and Forests	Chairperson
1[(ii)	Additional Secretary, Government of India, Ministry of Environment and Forests	Member]
(iii)	Joint Secretary (labour)	“
(iv)	Joint Secretary Adviser (Chemical and Petrochemicals)	“
(v)	Director General, Civil Defence	“
(vi)	Fire Advisor, Directorate General Civil Defence	“
(vii)	Chief Controller of Explosives	“
(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 and 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 Manufacturer Association to be nominated by the Central Govt.	“ “
¹ [(xxii)	Joint Secretary, Ministry of Oil and Natural Gas]	“
(xxiii)	Director General, Factory Advice Service & Labour Institute	“
(xxiv)	Director General, Nation, Safety Council, Mumbai	“
(xxv)	Joint Secretary/Adviser, Environment and Forests	-Member Secretary]

¹ Subs. by G.S.R. 578 (E), dated 09.09.1998 (w.e.f. 14.09.1998)

SCHEDULE-6

[See rule 6(2)]

COMPOSITION OF THE STATE CRISIS GROUP

(i)	Chief Secretary	Chairperson
(ii)	Secretary (Labour)	Member Secretary
(iii)	Secretary (Environment)	Member
(iv)	Secretary (Health)	”
(v)	Secretary (Industries)	”
(vi)	Secretary (Public Health Engg.)	”
(vii)	¹ [Chairman, State Pollution Control Board/Pollution Control Committee in case of Union Territories	Member]
(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 Govt.	” ”

¹ Subs. by G.S.R. 578 (E), dated 09.09.1998 (w.e.f. 14.09.1998).

SCHEDULE-7

[See rule 8]

COMPOSITION OF THE DISTRICT CRISIS GROUP

(i)	District Collector	Chairperson
(ii)	Inspector of Factories	Member Secretary
(iii)	District ¹ [Emergency] 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	”

¹ Subs. by G.S.R. 578 (E), dated 09.09.1998 (w.e.f. 14.09.1998).

SCHEDULE-8

[See rule 8]

COMPOSITION OF THE LOCAL CRISIS GROUPS

(i)	Sub-divisional Magistrate / District Emergency Authority	Chairperson
(ii)	Inspector of Factories	Member Secretary
(iii)	Industries in the District/Industrial area / industrial pocket	Member
(iv)	Transporters of Hazardous Chemicals (2 Numbers)	Member
(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 Newspaper	”
(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	”

**SCHEME ON LABELLING
OF ENVIRONMENT
FRIENDLY PRODUCTS
(ECO MARK)**

MINISTRY OF ENVIRONMENT AND FORESTS

(Department of Environment, Forests & Wildlife)

RESOLUTION

New Delhi, the 20th February, 1991

G.S.R. 85(E). — (1) The Government have decided to institute a Scheme on Labelling of Environment Friendly Products. The scheme will operate on a national basis and provide accreditation 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 product 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.
- (e) 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, Deptt. 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. | |
| (xiii) | Officer in charge, "ECOMARK" in the Ministry of Environment & Forests. | Member-Secy. |

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, New 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 time.
- (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 Research 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) | Office in charge, (Eco-Mark Scheme) Central Pollution Control Board | Member-Secy. |

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 the 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:

3.1 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 the licences including fees shall be as per the Bureau of Indian Standards Act and the regulations framed there under.

3.2 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 licensed to carry the ECOMARK for a prescribed time period.

3.3 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 into account: —

- (a) Production process including source of raw materials;
- (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. 23/1/91-PL]
MUKUL SANWAL, Jt. Secy.

15th February, 1991

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, Subsection(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.	Skin powder for infants	IS:6356:1978
5.	Tooth Powder	IS:6608:1976
6.	Skin Creams	IS:7123:1984
7.	Hair Cils	IS:7669:1975
8.	Shampoo Soap 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:9245:1977
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 IS4011:1982.
- (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 the 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 Secy.

**THE REGULATION OF
LEAD CONTENTS IN
HOUSEHOLD AND
DECORATIVE PAINTS
RULES, 2016**

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 1st November, 2016

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

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

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

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

1. Short title and commencement. — (1) These rules may be called the Regulation of Lead Contents in Household and Decorative Paints Rules, 2016.

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

2. Definition. — In these rule, unless context otherwise requires, “Household and Decorative Paints” means paints used as surface coating materials in interior and exterior of buildings, walls, civil structures, any consumer products meant for household purposes and shall include enamel, primer, interior, undercoating and finishing colouring materials as prescribed in the Indian Standards for Household and Decorative Paints published by the Bureau of Indian Standards.

3. Prohibition of use of lead or lead compounds in certain cases. — Any manufacture, trade, import and export of Household and Decorative Paints (hereinafter referred to as product) containing lead or lead compounds (calculated as lead metal) in excess of 90 parts per million (0.009 per cent.) of the weight of the total non-volatile content of the weight of the dried paints film is hereby prohibited.

4. Self-certification. — Household and Decorative Paints manufactured or imported on or from the date these rules come into force shall be labeled stating that the lead contents does not exceed 90 parts per million, such labelling shall be durable and legible and –

(i) the label shall contain the name and address of the manufacturer or importer, as the case may be;

(ii) the label shall contain the date of manufacture or import into the country, as the case may be.

5. Nodal agency. — (1) The Central Pollution Control Board shall be the nodal agency for implementation of the provisions of these rules.

(2) In case of any dispute or difficulty in implementation of these rules, the matter shall be referred to the nodal agency.

(3) The nodal agency may constitute a Committee to advise it on all matters including the disputed matters, related to the implementation of these rules.

6. Authorised agencies for testing of products. — The Central Power Research Institute, Bengaluru and its regional centers at Bhopal, Guwahati, Hyderabad, Kolkata, Nagpur, Nashik and Noida and any other agency notified by the Ministry of Environment, Forest and Climate Change from time to time shall be authorised to carry out such tests as they deem necessary for determining whether a product contains lead not exceeding 90 parts per million as specified in rule 3.

7. Compliance and testing procedures. — The compliance and testing procedure shall be prepared and published by the Central Pollution Control Board, with the help of certification agencies within six months from the date of commencement of these rules.

8. Transitory provision. — Household and Decorative Paints manufactured or imported before the date of commencement of these rules shall be permitted for sale for the next two years from the date of such commencement.

9. General Conditions. — The following conditions shall be applicable, namely; —

(i) the stipulations relating to contents of lead in the Household and Decorative Paints as specified in rule 3 shall apply to products manufactured or imported on and from the date of coming into force of these rules;

(ii) every manufacturer or importer shall subject its product every year for testing of lead content as specified in rule 3 before bringing out its product in the market, from any one of the authorised agency mentioned in rule 6;

(iii) the testing agencies shall submit the test reports to the nodal agency for verification and action as may be required;

(iv) the nodal agency shall furnish a copy of the test reports to the concerned manufacturer or importer and the Ministry of Environment, Forest and Climate Change.

[F. No. 7-21/2010-HSMD]
BISHWANATH SINHA, Jt. Secy.

**THE REGULATION OF
POLYCHLORINATED
BIPHENYLS ORDER, 2016**

MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 6th April, 2016

S.O. 1327(E).—Whereas, the Central Government had, in exercise of 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 sub-rule (2) of rule 13 of the Environment (Protection) Rules, 1986, published the draft order on Regulation of Use, Handling and Disposal of Polychlorinated Biphenyls in the Gazette of India, Extraordinary, *vide* number S.O.219(E), dated the 12th August, 2015 for information of all persons and organisations likely to be affected thereby; and notice was given that the said draft notification would be taken into consideration by the Central Government on or after the expiry of a period of sixty days from the date on which copies of the Gazette containing this notification are made available to the public;

And whereas, the copies of the said notification were made available to the public on the 17th September, 2015;

And whereas, the suggestions or objections 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 under section 3 and section 6 of the Environment (Protection) Act, 1986 (29 of 1986), read with rule 13 of the Environment (Protection) Rules, 1986, the Central Government hereby issue the following Order, namely: -

ORDER

1. (1) Short title and commencement. – This Order may be called, the Regulation of Polychlorinated Biphenyls Order, 2016.

(2) It shall come into force on the date of its final publication in the Official Gazette.

2. Manufacture, Import and ban of Polychlorinated Biphenyls. - The manufacture and import of the Polychlorinated Biphenyls in India shall be banned from the date of final publication of this Order.

3. Ban on Import of Polychlorinated Biphenyls containing equipment. - The import of Polychlorinated Biphenyls containing equipment shall be banned from the date of final publication of this Order.

4. Import, export or trade of Polychlorinated Biphenyls contaminated equipment. - The import, export or trade of Polychlorinated Biphenyls contaminated equipment shall be regulated as per the provisions of the Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008.

5. Prohibition of Polychlorinated Biphenyls. - The use of Polychlorinated Biphenyls in any form shall be completely prohibited by 31st December, 2025.

6. Safety measures. - The use of Polychlorinated Biphenyls containing equipment shall be permitted for their certified life time or 31st December 2025, whichever is earlier, provided that they are maintained properly without possibility of leakage or release of Polychlorinated Biphenyls to environment.

7. The number, quantity and equipment, etc.- The occupier shall declare the total quantity of Polychlorinated Biphenyls, the number of Polychlorinated Biphenyls containing equipment and Polychlorinated Biphenyls contaminated equipment which are in use and their stockpiles, as per Polychlorinated Biphenyls inventory form as per Form 'A', to the Ministry of Environment, Forest and Climate Change, Government of India, within one year from the date of final publication of this Order.

8. Precaution. - The occupier shall not drain or discharge Polychlorinated Biphenyls directly or indirectly on land, in surface water or effluent treatment plant from defective, out of use Polychlorinated Biphenyls containing or contaminated equipment or in use Polychlorinated Biphenyls containing equipment.

9. Disposal of Polychlorinated Biphenyls. - The waste Polychlorinated Biphenyls or Polychlorinated Biphenyls contaminated equipment shall be disposed of as per the provisions of the Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008 by 31st December, 2028. Stockpiles of Polychlorinated Biphenyls if any shall be destroyed in environment beneficial manner by 31st December, 2028.

10. Use of Polychlorinated Biphenyls for scientific purpose. - Notwithstanding anything contained in the foregoing paragraphs, Polychlorinated Biphenyls may be used, sold and imported in quantities as required for research and development activities in Central Universities, Council of Scientific and Industrial Research Laboratories, Government Institutions or Central Power Research Institute after the concurrence of **the Ministry** of Environment, Forest and Climate Change, Government of India.

Explanation. - For the purpose of this notification. -

(a) Polychlorinated Biphenyls containing equipment shall mean any equipment that contains 0.05 per cent or more Polychlorinated Biphenyls by weight (i.e. Polychlorinated Biphenyls \geq 500 mg/kg).

(b) Polychlorinated Biphenyls contaminated equipment shall mean any equipment that contains 0.005 per cent Polychlorinated Biphenyls by weight or more but less than 0.05 per cent. Polychlorinated Biphenyls by weight (i.e. $50 \text{ mg/kg} \leq \text{Polychlorinated Biphenyls} < 500 \text{ mg/kg}$).

(c) Polychlorinated Biphenyls contamination free equipment shall mean any equipment that contains Polychlorinated Biphenyls less than 0.005 per cent by weight (i.e. Polychlorinated Biphenyls $< 50 \text{ mg/kg}$).

(d) A dielectric fluid or, mineral oil used in the power equipments (transformer, capacitor, etc.) shall continue to be used till 31st December, 2025 if, it contains Polychlorinated Biphenyls less than 0.005 per cent by weight (i.e. Polychlorinated Biphenyls $< 50 \text{ mg/kg}$).

(e) If dielectric fluid or mineral oil used in power equipments contain Polychlorinated Biphenyls less than 2 mg/kg, it could be reprocessed, recycled or reused till 31st December, 2025.

(f) Polychlorinated Biphenyls waste means discarded materials or packaging that contains Polychlorinated Biphenyls or has been contaminated with Polychlorinated Biphenyls that are without any safe commercial, industrial, agricultural or economic usage.

[F. No. 22-3/2010 –HSMD]
BISHWANATH SINHA, Jt. Secy.

Form-A

**DECLARATION FORM FOR POLYCHLORINATED BIPHENYLS
(See paragraph 7)**

[Application by an occupier as per paragraph 7 of the Regulation of Polychlorinated Biphenyls Order, 2016.]

Date

From

To

HSM Division
The Ministry of Environment, Forest and Climate Change
Indira Paryavaran Bhawan
Jal Wing, Jor Bagh Road, New Delhi-110003

Sir,

I/We hereby disclose under paragraph 7 of the Regulation of Polychlorinated Biphenyls (PCBs) Order, 2016, the total quantity of PCBs, the number of PCBs containing equipment and PCBs contaminated equipment, which are in use, not in use or in my/our possession and their stockpiles as an occupier(s).

PART I

General

S. No.	Item details	Description
1(a)	Name of Occupier	
(b)	Name and complete address, location, contact details of the unit (Telephone Nos., fax and e-mail).	
2.		

PART II**Information related to Polychlorinated Biphenyls, Polychlorinated Biphenyls containing equipment and Polychlorinated Biphenyls contaminated equipment in use and their stockpiles**

S. No.	Item details	Description
1.	Name of manufacturer(s) of PCBs and PCBs containing equipment : (in use)	
2.	Type (transformer, capacitor, etc.)	
3.	Year of manufacturing :	
4(a)	Total quantity of Pure PCBs	
4(b)	Number of PCBs containing equipment	
4(c)	Number of PCBs contaminated equipment	
4(d)	Total quantity of stockpiles of PCBs	
5.	Containers for PCBs	
(i)	Are containers leak –proof	Yes No
(ii)	Is the place of storage of PCBs, PCBs contaminated equipments and PCBs contained equipments clearly marked	Yes No
6	PCBS analysis performed.	Yes No
6(a)	If yes, method followed and when?	
7.	Address of factory (ies), premise(s) where PCBs, PCBs containing equipment and PCBs contaminated equipment is installed/stored (Survey No., Khasra No., location as per revenue records of village/Town Tehsil, District Police Station, State, jurisdiction of the First-Class Magistrate).	

PART-III**Information on waste likely to contain Polychlorinated Biphenyls**

S. No.	Item details	Description
8(a)	Nature of wastes (e.g. transformer oil in drums, tankers or, reservoirs)	
(b)	Estimated quantity (in tonnes)	
(c)	Brief on how storage of PCBs waste is done	
(d)	Is the place of PCBs waste storage clearly marked	Yes No

PART-IV**Polychlorinated Biphenyls elimination Action Plan**

S. No.	Item details	Description
9(a)	Action Plan for PCBs elimination prepared	Yes No
	If yes, provide a copy along with time frame for elimination	
(b)	Brief history of any previous remediation efforts, e.g removal of PCBs containing equipment, PCBs contaminated equipment and PCBs waste for disposal (when, by whom, where to, etc.)	

PART-V**Other relevant information**

Place,
Date

Name and signature of applicant

Note: 1. Strike out which is not applicable / relevant.

**WETLANDS
(CONSERVATION AND
MANAGEMENT) RULES,
2017**

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, 26th September, 2017

G.S.R. 1203(E).—Whereas the wetlands, vital parts of the hydrological cycle, are highly productive ecosystems which support rich biodiversity and provide a wide range of ecosystem services such as water storage, water purification, flood mitigation, erosion control, aquifer recharge, microclimate regulation, aesthetic enhancement of landscapes while simultaneously supporting many significant recreational, social and cultural activities, being part of our rich cultural heritage;

And whereas many wetlands are threatened by reclamation and degradation through drainage and landfill, pollution (discharge of domestic and industrial effluents, disposal of solid wastes), hydrological alteration (water withdrawal and changes in flow and outflow), over-exploitation of their natural resources resulting in loss of biodiversity and disruption in ecosystem services provided by wetlands.

And whereas clause (g) of article 51A of the Constitution stipulates that it shall be the duty of every citizen of India to protect and improve the natural environment including forests, lakes, rivers and wildlife and to have compassion for living creatures;

And whereas the Environment (Protection) Act, 1986 is a comprehensive legislation to provide protection and improvement of the environment, including inter-alia, wetlands, and for matters connected therewith;

And whereas the National Environment Policy, 2006 recognizes the ecosystem services provided by wetlands and emphasizes the need to set up a regulatory mechanism for all wetlands so as to maintain their ecological character, and ultimately support their integrated management;

And whereas India is a signatory to the Ramsar Convention on Wetlands and is committed to conservation and wise use of all wetlands within its territory;

And whereas the Central Government has published the Wetlands (Conservation and Management) Rules, 2010, vide number G.S.R. 951(E), dated the 4th December, 2010;

And whereas conservation and wise use of wetlands can provide substantial direct and indirect economic benefits to state and national economy, and thereby the Central Government stands committed to mainstreaming full range of wetland biodiversity and ecosystem services in development planning and decision making for various sectors;

And whereas the State Governments and Union Territory Administrations need to take into account wetland ecosystem services and biodiversity values likewise within their developmental programming and economic well-being, also taking into cognizance that land and water, two major ecological constituents of wetland ecosystems, are enlisted as State subjects as per the Constitution;

And whereas the Central Government considered it necessary to supersede the Wetlands (Conservation and Management) Rules, 2010 for effective conservation and management of wetlands in the country;

And whereas the Central Government had, in exercise of the powers conferred by section 25, read with subsection (1) and clause (v) of sub-section (2) and sub-section (3) of section 3 of the Environment (Protection) Act, 1986, published the draft Wetlands (Conservation and Management) Rules, 2016, vide number G.S.R. 385 (E) dated 31st March, 2016 for information of the public likely to

be affected thereby; and notice was given that the said draft rules would be taken into consideration by the Central Government after expiry of a period of sixty days from the date on which copies of the Gazette notification is made available to the public;

And whereas the Central Government has received the suggestions and objections from the State Governments, Union Territories and its organizations, individuals and civil society organizations on the draft Wetlands (Conservation and Management) Rules, 2016;

And whereas the suggestions and objections received in response to the above mentioned draft rules have been duly considered by the Central Government in consultation with State Governments and Union Territory Administrations.

Now, therefore, in exercise of the powers conferred by section 25, read with sub-section (1) and clause (v) of sub-section (2) and sub-section (3) of section 3 and section 23 of the Environment (Protection) Act, 1986 and in supersession of the Wetlands (Conservation and Management) Rules, 2010, except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following rules for conservation and management of wetlands, namely:—

1. Short title and commencement.—

- (1) These rules may be called the Wetlands (Conservation and Management) Rules, 2017.
- (2) These shall come into force from the date of their publication in the Official Gazette.

2. Definitions. —

- (1) In these rules, unless the context otherwise requires,-
 - (a) "Act" means the Environment (Protection) Act, 1986;
 - (b) "Authority" means the State Wetlands Authority or Union Territory Wetlands Authority, as the case maybe;
 - (c) "Committee" means the National Wetlands Committee referred to in rule 6;
 - (d) "ecological character" means the sum of ecosystem components, processes and services that characterise the wetlands;
 - (e) "integrated management plan" means a document which describes strategies and actions for achieving wise use of the wetland and the plan shall include objectives of site management; management actions required to achieve the objectives; factors that affect, or may affect, the various site features; monitoring requirements for detecting changes in ecological character and for measuring the effectiveness of management; and resources for management implementation;
 - (f) "Ramsar Convention" means the Convention on Wetlands signed at Ramsar, Iran in 1971;
 - (g) "wetland" means an area of marsh, fen, peatland or water; whether natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish or salt, including areas of marine water the depth of which at low tide does not exceed six meters, but does not include river channels, paddy fields, human-made water bodies/tanks specifically constructed for drinking water purposes and structures

specifically constructed for aquaculture, salt production, recreation and irrigation purposes;

- (h) “wetlands complexes” means two or more ecologically and hydrologically contiguous wetlands and may include their connecting channels/ducts;
 - (i) “wise use of wetlands” means maintenance of their ecological character, achieved through implementation of ecosystem approach within the context of sustainable development;
 - (j) “zone of influence” means that part of the catchment area of the wetland or wetland complex, developmental activities in which induce adverse changes in ecosystem structure, and ecosystem services.
- (2) The words and expressions used in these rules and not defined, but defined in the Act, shall have the meanings assigned to them in the Act.

3. Applicability of rules. — These rules shall apply to the following wetlands or wetlands complexes, namely: —

- (a) wetlands categorized as 'wetlands of international importance' under the Ramsar Convention;
- (b) wetlands as notified by the Central Government, State Government and Union Territory Administration:

Provided that these rules shall not apply to the wetlands falling in areas covered under the Indian Forest Act, 1927, the Wild Life (Protection) Act, 1972, the Forest (Conservation) Act, 1980, the State Forest Acts, and the Coastal Regulation Zone Notification, 2011 as amended from time to time.

4. Restrictions of activities in wetlands. — (1) the wetlands shall be conserved and managed in accordance with the principle of 'wise use' as determined by the Wetlands Authority.

(2) The following activities shall be prohibited within the wetlands, namely,-

- (i) conversion for non-wetland uses including encroachment of any kind;
- (ii) setting up of any industry and expansion of existing industries;
- (iii) manufacture or handling or storage or disposal of construction and demolition waste covered under the Construction and Demolition Waste Management Rules, 2016; hazardous substances covered under the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 or the Rules for Manufacture, Use, Import, Export and Storage of Hazardous Micro-organisms Genetically engineered organisms or cells, 1989 or the Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008; electronic waste covered under the E-Waste (Management) Rules, 2016;
- (iv) solid waste dumping;
- (v) discharge of untreated wastes and effluents from industries, cities, towns, villages and other human settlements;
- (vi) any construction of a permanent nature except for boat jetties within fifty metres from the mean high flood level observed in the past ten years calculated from the date of

commencement of these rules; and,

- (vii) poaching.

Provided that the Central Government may consider proposals from the State Government or Union Territory Administration for omitting any of the activities on the recommendation of the Authority.

5. Wetlands Authorities. —(1) The Central Government hereby constitutes the State Wetlands Authority in each State with the following members, namely:—

- | | | |
|---------|--|----------------------------|
| (i) | Minister In-charge of the Department of Environment/Forests of the State Government or Minister In-charge of the Department handling wetlands | Chairperson; |
| (ii) | Chief Secretary of the State or Additional Chief Secretary equivalent | Vice Chairperson; |
| (iii) | Secretary in-charge of the Department of Environment | Member <i>ex-officio</i> ; |
| (iv) | Secretary in-charge of the Department of Forests | Member <i>ex-officio</i> ; |
| (v) | Secretary in-charge of the Department of Urban Development | Member <i>ex-officio</i> ; |
| (vi) | Secretary in-charge of the Department of Rural Development | Member <i>ex-officio</i> ; |
| (vii) | Secretary in-charge of the Department of Water Resources | Member <i>ex-officio</i> ; |
| (viii) | Secretary in-charge of the Department of Fisheries | Member <i>ex-officio</i> ; |
| (ix) | Secretary in-charge of the Department of Irrigation and Flood Control | Member <i>ex-officio</i> ; |
| (x) | Secretary in-charge of the Department of Tourism | Member <i>ex-officio</i> ; |
| (xi) | Secretary in-charge of the Department of Revenue | Member <i>ex-officio</i> ; |
| (xii) | Director, State Remote Sensing Centre | Member <i>ex-officio</i> ; |
| (xiii) | Chief Wildlife Warden | Member <i>ex-officio</i> ; |
| (xiv) | Member Secretary, State Biodiversity Board | Member <i>ex-officio</i> ; |
| (xv) | Member Secretary, State Pollution Control Board | Member <i>ex-officio</i> ; |
| (xvi) | Additional Principal Chief Conservator of Forests of the Regional Office of Ministry of Environment, Forest and Climate Change | Member <i>ex-officio</i> ; |
| (xvii) | One expert each in the fields of wetland ecology, hydrology, fisheries, landscape planning and socioeconomics to be nominated by the State Government; and | Member <i>ex-officio</i> ; |
| (xviii) | Additional Secretary/Joint Secretary/Director in the Department of Environment/Forests or Department handling wetlands | Member Secretary |

(2) The Central Government hereby constitutes the Union Territory Wetlands Authority for each Union Territory with the following members, namely: —

- | | | |
|-------|--|----------------------------|
| (i) | Administrator or Chief Secretary of the Union Territory | Chairperson; |
| (ii) | Secretary in-charge of the Department of Environment | Vice Chairperson; |
| (iii) | Secretary in-charge of the Department of Forests | Member <i>ex-officio</i> ; |
| (iv) | Secretary in-charge of the Department of Urban Development | Member <i>ex-officio</i> ; |

(v)	Secretary in-charge of the Department of Rural Development	Member <i>ex-officio</i> ;
(vi)	Secretary in-charge of the Department of Water Resources	Member <i>ex-officio</i> ;
(vii)	Secretary in-charge of the Department of fisheries	Member <i>ex-officio</i> ;
(viii)	Secretary in-charge of the Department of Irrigation and Flood Control	Member <i>ex-officio</i> ;
(ix)	Secretary in-charge of the Department of Tourism	Member <i>ex-officio</i> ;
(x)	Secretary in-charge of the Departments of Revenue	Member <i>ex-officio</i> ;
(xi)	Director, Remote Sensing Centre	Member <i>ex-officio</i> ;
(xii)	Member Secretary, Union Territory Pollution Control Committee	Member <i>ex-officio</i> ;
(xiii)	Member Secretary, Biodiversity Board of the UT	Member <i>ex-officio</i> ;
(xiv)	Chief Wildlife Warden	Member <i>ex-officio</i> ;
(xv)	Additional Principal Chief Conservator of Forests of the Regional Office of Ministry of Environment, Forest and Climate Change	Member <i>ex-officio</i> ;
(xvi)	One expert each in the fields of wetland ecology, hydrology, fisheries, landscape planning and socio-economics to be nominated by the Union Territory Administration; and	Member <i>ex-officio</i> ;
(xvii)	Additional Secretary/Joint Secretary/ Director in the Department of Environment/Forests or Department handling wetlands	Member Secretary

(3) The State Wetlands Authority or Union Territory Wetlands Authority may co-opt other members, not exceeding three in number, if required.

(4) The State Wetlands Authority or Union Territory Wetlands Authority shall exercise the following powers and perform the following functions, namely:-

(a) prepare a list of all wetlands of the State or Union Territory within three months from the date of publication of these rules;

(b) prepare a list of wetlands to be notified, within six months from the date of publication of these rules; taking into cognizance any existing list of wetlands prepared/notified under other relevant State Acts;

(c) recommend identified wetlands, based on their Brief Documents, for regulation under these rules;

(d) prepare a comprehensive digital inventory of all wetlands within a period of one year from the date of publication of these rules and upload the same on a dedicated web portal to be developed by the Central Government for the said purpose; the inventory to be updated every ten years;

(e) develop a comprehensive list of activities to be regulated and permitted within the notified wetlands and their zone of influence;

(f) recommend additions, if any, to the list of prohibited activities for specific wetlands;

(g) define strategies for conservation and wise use of wetlands within their jurisdiction; wise use being a principle managing these ecosystems which incorporates sustainable uses (such as

capture fisheries at subsistence level or harvest of aquatic plants) as being compatible with conservation, if ecosystem functions (such as water storage, groundwater recharge, flood buffering) and values (such as recreation and cultural) are maintained or enhanced;

- (h) review integrated management plan for each of the notified wetlands (including trans-boundary wetlands in coordination with Central Government), and within these plans consider continuation and support to traditional uses of wetlands which are harmonized with ecological character;
 - (i) in cases wherein lands within boundary of notified wetlands or wetlands complex have private tenancy rights, recommend mechanisms for maintenance of ecological character through promotional activities;
 - (j) identify mechanisms for convergence of implementation of the management plan with the existing State/Union Territory level development plans and programmes;
 - (k) ensure enforcement of these rules and other relevant Acts, rules and regulations and on half-yearly basis (June and December of each calendar year) inform the concerned State Government or Union Territory Administration or Central Government on the status of such notified wetlands through a reporting mechanism;
 - (l) coordinate implementation of integrated management plans based on wise use principle through various line departments and other concerned agencies;
 - (m) function as nodal authority for all wetland specific authorities within the State or Union Territory Administration;
 - (n) issue necessary directions for conservation and sustainable management of wetlands to the respective implementing agencies;
 - (o) undertake measures for enhancing awareness within stakeholders and local communities on values and functions of wetlands; and
 - (p) Advise on any other matter *suo-motu*, or as referred by the State Government/Union Territory Administration.
- (5) The concerned Department of the State Government or Union Territory shall provide all necessary support and act as nodal Department and Secretariat to the Authority.
- (6) The Authority shall, within ninety days of publication of these rules, shall constitute, —
- (a) a technical committee to review brief documents, management plans and advise on any technical matter referred by the Wetland Authority; and
 - (b) a grievance committee consisting of four members to provide a mechanism for hearing and forwarding the grievances raised by public to the Authority;
- (7) The Committees referred to in sub-rule (6) shall meet at least once in every quarter to perform their functions.
- (8) The Authority shall meet at least thrice in a year.
- (9) The term of non-official members of the Authority nominated by State Government or Union Territory Administration, shall be for a period not exceeding three years.

6. Constitution of National Wetlands Committee. — (1) The Central Government, hereby

constitutes the National Wetlands Committee with the following members, namely: —

- (i) Secretary, Ministry of Environment, Forest and Climate Change, Government of India - Chairperson;
 - (ii) Special Secretary or Additional Secretary dealing with wetlands, Ministry of Environment, Forest and Climate Change, Government of India-Vice Chairperson;
 - (iii) Additional Director General, Wildlife, Ministry of Environment, Forest and Climate Change, Government of India – Member *ex-officio*;
 - (iv) Adviser or Joint Secretary dealing with wetlands, Ministry of Environment, Forest and Climate Change – Member *ex-officio*;
 - (v) Joint Secretary, Ministry of Tourism, Government of India- Member *ex-officio*;
 - (vi) Joint Secretary, Ministry of Water Resources, River Development and Ganga Rejuvenation, Government of India- Member *ex-officio*;
 - (vii) Joint Secretary, Ministry of Agriculture and Farmers Welfare, Government of India- Member *ex-officio*;
 - (viii) Joint Secretary, Ministry of Social Justice and Empowerment, Government of India- Member *ex-officio*;
 - (ix) Joint Secretary, Ministry of Urban Development, Government of India- Member *ex-officio*;
 - (x) Joint Secretary, Ministry of Rural Development, Government of India- Member *ex-officio*;
 - (xi) The Chairman, Central Pollution Control Board - Member *ex-officio*;
 - (xii) Director, Zoological Survey of India or Scientist F-Member *ex-officio*;
 - (xiii) Director, Botanical Survey of India or Scientist F-Member *ex-officio*;
 - (xiv) Director, Space Application Centre, Ahmedabad or Scientist F- Member *ex-officio*;
 - (xv) Member, Central Water Commission – Member *ex-officio*;
 - (xvi) Adviser, Niti Aayog – Member *ex-officio*;
 - (xvii) Three representatives of State Government or Union Territory Administration on a rotational basis for a tenure of two years each;
 - (xviii) One expert each in the fields of wetland ecology, hydrology, fisheries, landscape planning & socio economics; and
 - (xix) Director/Additional Director/Joint Director dealing with wetlands, Ministry of Environment, Forest and Climate Change – Member Secretary.
- (2) The National Wetlands Committee may co-opt other members, not exceeding three in number, if required.
 - (3) The National Wetlands Committee shall perform the following functions, namely:-
 - (a) advise the Central Government on appropriate policies and action programmes for conservation and wise use of wetlands;
 - (b) evolve norms and guidelines for integrated management of wetlands based on wise use

- principle;
 - (c) monitor implementation of these rules by the Authority;
 - (d) advise the Central Government on proposals received from State Governments or Union Territory Administrations for omission of the prohibited activities as referred in sub-rule (2) of rule 4;
 - (e) recommend designation of wetlands of international importance under Ramsar Convention;
 - (f) recommend trans-boundary wetlands for notification;
 - (g) review progress of integrated management of Ramsar sites and transboundary wetlands;
 - (h) advise on collaboration with international agencies on issues related to wetlands; and
 - (i) advise on any other matter *suo-moto*, or as referred by the Central Government.
- (4) The tenure of non-official members of the Committee shall not exceed three years.
- (5) The Committee shall meet at least once in every six months

7. Delegation of powers and functions to the State Governments and Union Territory Administrations. —

- (1) The concerned Department of the State Government or Union Territory Administration shall, within a period of one year from the date of publication of these rules, prepare a Brief Document for each of the wetland identified for notification, providing: —
- (a) demarcation of wetland boundary supported by accurate digital maps with coordinates and validated by ground truthing;
 - (b) demarcation of its zone of influence and land use and land cover thereof indicated in a digital map;
 - (c) ecological character description;
 - (d) account of pre-existing rights and privileges;
 - (e) list of site-specific activities to be permitted within the wetland and its zone of influence;
 - (f) list of site specific activities to be regulated within the wetland and its zone of influence; and
 - (g) modalities for enforcement of regulation;
- (2) Based on the Brief Document, the Authority shall make recommendations to the State Government or Union Territory Administration for notifying the wetlands.
- (3) The State Government or Union Territory Administration shall, after considering the objections, if any, from the concerned and affected persons, notify the wetlands in the Official Gazette, within a period not exceeding 240 days from the date of recommendation by the Authority.
- (4) (a) In case of trans-boundary wetlands, the Central Government shall coordinate with concerned State Governments and Union Territory Administrations to prepare the Brief Document containing information as listed in sub-rule (1).
- (b) Based on the Brief Document, the National Wetlands Committee shall make recommendations to the Central Government for notification of the wetland.

- (c) The Central Government shall, after considering the objections, if any, from the concerned and affected persons, notify the wetlands in the Official Gazette, within a period not exceeding 240 days from the date of recommendation by the Committee.
- (5) (a) The Central Government shall create a dedicated web portal for information relating to wetlands.
- (b) The Central Government, State Government and Union Territory Administration shall upload all relevant information and documents pertaining to wetlands in their jurisdiction.

[F. No. J-22012/78/2003-CS (W) Pt. V]
Dr. A. DURAISAMY, Scientist 'G'

**THE REGULATION OF
PERSISTENT ORGANIC
POLLUTANTS RULES,
2018**

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 5th March, 2018

G.S.R. 207 (E). — Whereas, the Stockholm Convention on Persistent Organic Pollutant (hereinafter referred to as the said Convention) came into force on the 17th May, 2004 and India ratified the said Convention on the 13th January, 2006;

And whereas, the said Convention can list chemicals in three annexes: Annex A- chemicals to be eliminated with specific exemptions; Annex B - chemicals to be restricted; and Annex C - minimisation of unintentional releases of listed chemicals;

And whereas, seven chemicals, namely, (i) Chlordecone, (ii) Hexabromobiphenyl, (iii) Hexabromodiphenyl ether and heptabromodiphenyl ether (commercial octa-BDE), (iv) Tetrabromodiphenyl ether and pentabromodiphenyl ether (commercial penta-BDE), (v) Pentachlorobenzene, (vi) Hexabromocyclododecane and (vii) Hexachlorobutadine, have been listed as Persistent Organic Pollutants (POPs) in the Annex 'A' of the Stockholm Convention;

And whereas, the Central Government had, in exercise of powers conferred under clause (d) of sub-section (2) of section 6 read with sub-section (1) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), read with sub-rule (2) of rule 13 of the Environment (Protection) Rules, 1986, published the draft rules in the Gazette of India, Extraordinary, vide number G.S.R 1120(E) dated, the 29th August, 2017 for information of all persons likely to be affected thereby; and notice was given that said draft rules will be taken into consideration by the Central Government on or after the expiry of a period of thirty days from the date on which copies of the Gazette containing the said rules are made available to the public;

And whereas, the copies of the Gazette containing the said notification were made available to the public on the 5th September, 2017;

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

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

1. Short title and commencement. - (1) These rules may be called the Regulation of Persistent Organic Pollutants Rules, 2018.

(2) Save as otherwise provided in these rules, they shall come into force one year after the date of their publication in the Official Gazette.

2. Prohibition on manufacture, etc. of chemicals. - The manufacture, trade, use, import and export of the following seven chemicals shall be prohibited, namely: -

- i. Chlordecone;
- ii. Hexabromobiphenyl;
- iii. Hexabromodiphenyl ether and heptabromodiphenyl ether (commercial octa-BDE);
- iv. Tetrabromodiphenyl ether and pentabromodiphenyl ether (commercial penta-BDE);
- v. Pentachlorobenzene;
- vi. Hexabromocyclododecane; and
- vii. Hexachlorobutadine.

3. Declaration by Occupier. - The Occupier shall declare, the total quantity of the chemicals mentioned in rule 2, which are in use and their stockpiles, as per Form-I annexed to these rules to the Ministry of Environment, Forest and Climate Change, Government of India, within a period of six months from the date of publication of these rules in the Official Gazette.

Explanation. - For the purposes of these rules, "Occupier" means a person who has control over the affairs of the industrial unit or the premises where the chemicals mentioned in rule 2 are handled, and the person in possession of the said chemicals

4. Occupier not to drain or discharge chemicals. - The Occupier shall not drain or discharge or dispose the chemicals mentioned in rule 2 directly or indirectly in effluent treatment plant, sewage treatment plant, onto any land, in public sewers, in inland surface water or in marine coastal areas.

5. Disposal of waste. - The waste containing chemicals mentioned in rule 2 shall be disposed of as per the provisions of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016.

6. Use of chemicals for scientific purpose.- Notwithstanding anything contained in these rules, the chemicals mentioned in rule 2 may be used, sold or imported in quantities as required for research and development activities in Central Universities, Council of Scientific and Industrial Research Laboratories, Government Institutions or other Research Institutions or accredited laboratories in the Government or private sector after the approval of the Ministry of Environment, Forest and Climate Change, Government of India.

[F. No.22-19/2016 -HSMD]
RITESH KUMAR SINGH, Jt. Secy.

FORM-I
DECLARATION FORM FOR PERSISTENT ORGANIC POLLUTANTS (POPs)

(See rule 3)

[Application by an occupier as per rule 3 of the Regulation of Persistent Organic Pollutants Rules, 2018]

Date

From

To

Hazardous Substance Management Division,
Ministry of Environment, Forest and Climate Change,
Indira Paryavaran Bhawan,
Jal Wing, 2nd Floor, Jor Bagh Road,
New Delhi-110003

Sir,

I/We hereby disclose the information under the provisions of rule 3 of the Regulation of Persistent Organic Pollutants Rules, 2018 with respect to the total quantity of chemicals mentioned in rule 2 of the said rules, which are in use, not in use or in my/our possession and their stockpiles as an occupier(s).

Sl. No.	Item details	Description
1.	Name of Occupier.	
2.	Complete address, location, contact details of the unit (Telephone Nos., fax and e-mail).	
3.	Source of chemical (trade information-brand name, supplier, manufacturer). (For each chemical, separate information is to be provided)	
4.	Total quantity of chemicals (Tonnes/Kilograms/ Litres) listed in rule 2 of the aforesaid rules. (For each chemical, separate information is to be provided).	
5.	Applications where chemical/s is being used/was used (For each chemical, separate information is to be provided).	
6.	Any other information.	

PART-II**Information on waste likely to contain chemicals listed in rule 2 of the aforesaid rules**

1.	Nature of waste/s (viz. Expired chemical, chemical in products, etc.).	
2.	Estimated quantity (in Tonnes/Kilograms/Litres).	
3.	Quantity of stockpiles (in Tonnes/Kilograms/ Litres).	
4.	Brief on how storage of such POPs waste is done.	
5.	Is the place of POPs waste storage clearly marked?	Yes /No
6.	Any other information.	

Place:

Date:

Name and signature of applicant

**THE PUBLIC LIABILITY
INSURANCE ACT, 1991
NO. 6 OF 1991**

(as amended to date)

THE PUBLIC LIABILITY INSURANCE ACT, 1991

ARRANGEMENT OF SECTIONS

SECTIONS

1. Short title and commencement.
2. Definitions.
3. Liability to give relief in certain cases on principle of no fault.
4. Duty of owner to take out insurance policies.
5. Verification and publication of accident by Collector.
6. Application for claim for relief.
7. Award of relief.
- 7A. Establishment of Environmental Relief Fund.
8. Provisions as to other right to claim compensation for death, etc.
9. Power to call for information.
10. Power of entry and inspection.
11. Power of search and seizure.
12. Power to give directions.
13. Power to make application to Courts for restraining owner from handling hazardous substances.
14. Penalty for contravention of sub-section (1) or sub-section (2) of section 4 or failure to comply with directions under section 12.
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.
16. Offences by companies.
17. Offences by Government Departments.
18. Cognizance of offences.
19. Power to delegate.
20. Protection of action taken in good faith.
21. Advisory Committee.
22. Effect of other laws.
23. Power to make rules.

THE SCHEDULE.

THE PUBLIC LIABILITY INSURANCE ACT, 1991
No. 6 of 1991

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 23rd January, 1991

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 ¹date 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, or sudden or unintended 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;

(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;

²[(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;

¹ Substituted by the Public Liability Insurance (Amendment) Act, 1992 dt. 31.3.92.

² Subs. by s. 2, *ibid.*, for clause (g) (w.e.f. 31-1-1992).

(ii) in the case of an association, any of its 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;]

(i) "prescribed" means prescribed by rules made under this Act;

¹[(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.

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 the Schedule for such death, injury or damage.

(2) In any claim for relief under sub-section (1) (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. Duty 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 whereby 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 sub-section (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.

²[(2A) No insurance policy taken out or renewed by an owner shall be for an 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 Ins. by s. 2, *ibid.* (w.e.f. 31-1-1992).

² Inserted by Act 11 of 1992, s. 3 (w.e.f. 31.3.1992).

Explanation. – For the purposes of this sub-section, “paid-up capital” 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 contract of insurance.

(2B) The liability of the insurer under one assurance 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 sum equivalent to the amount of premium, as may be prescribed.

(2D) The insurer shall remit to the authority specified in sub-section (3) of section 7A the amount received from the owner under sub-section (2C) for being credited to the Relief Fund in such manner and within such period as may be prescribed and where the insurer fails to so remit the amount, it 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 for 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 (1) 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 the 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, -

(a) the insurer, who is required to pay any amount in terms of such award and to the extent 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 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 subsection (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.

²[(8) Where an owner is likely to remove or dispose of his property with the object of evading payment by him of any amount of award, the Collector may, in accordance with the provisions of 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 Subs. by Act 11 of 1992, s. 4, for sub-section (3) (w.e.f. 31-1-1992).

² Ins. by Act 11 of 1992, s. 4 (w.e.f. 31-1-1992).

¹7A. 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 made under sub-section (3), relief under the award made by the Collector under section 7.

(3) The Central Government may, by notification, make a scheme specifying the authority in which the Relief Fund shall vest, the manner in which the Relief 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 complied with, require any owner to submit to that person such information as that person may reasonably think necessary.

10. Power of 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 complied with and such owner is bound to render all assistance to such person.

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.

¹ Ins. by s. 5, *ibid.* (w.e.f. 31-1-1992).

(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) authorise 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 ¹[sub-section (1), or sub-section (2), or sub-section (2A) or sub-section (2C)] of section 4 or fails to comply with any direction issued under section 12, he shall 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, or with fine which shall not be less than one lakh rupees, or with both.

¹ Subs. by Act 11 of 1992, s. 6, for "sub-section (1) or sub-section (2)" (w.e.f. 31-1-1992).

(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.

(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 anybody 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. —

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 laws. —

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;

¹ Ins. by Act 11 of 1992, s. 7 (w.e.f. 31-1-1992).

(ab) the manner in which and the period within which the amount received from the owner is required to be remitted by the insurer under sub-section (2D) of section 4];

¹[(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;

(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.

[(3) Every ²[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 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 ¹[rule or scheme] or both Houses agree that the ¹[rule or scheme] should not be made, the ¹[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 ¹[rule or scheme.]

¹ Clause (a) shall be re-lettered as clause (ac) by s. 7, *ibid.* (w.e.f. 31-1-1992).

² Subs. by s. 7, *ibid.*, for "rule" (w.e.f. 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

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 I 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, Secy.

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. 282** - In 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 Officers	Jurisdiction
(1)	(2)	(3)
	Any Director, Joint Director, Adviser or Additional Secretary to the Government of India in the Department of Environment, Forests and Wildlife	Whole of India
	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
	The Government of the State (Represented by the Secretary to the State Government in-charge of Environment)	Whole of State
	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
	The Chairman or 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
	District Collector	Whole of Revenue District
	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

	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
	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
	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.
	Joint Director (Legal) in the Department of Environment, Forests and wildlife, Ministry of Environment and Forests, Government of India.	Whole of India

Note: 1. As published in Gazette of India, Extraordinary Part II 3(ii) dated 19.03.1993

**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.

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.

MINISTRY OF ENVIRONMENT AND FORESTS

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 2 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 substances	Quantity	CAS Chemical Abstract Service Number
1	2	3	4
PART - 1			
GROUP 1 - TOXIC SUBSTANCES			
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 & salts	100 kg	
6	Arsenic trioxide, Arsenic (III) acid & salts	100 kg	
7	Arsine (Arsenic hydride)	10 kg	7784-42- 1
8	Azinphos-ethyl	100 kg	2642-71-9
9	Azinphos-methyl	100 kg	86-50-0
10	Benzidine	1 kg	92-87-5
11	Benzidine 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	15159-40
19	Chloromethyl methyl ether	1 kg	107-30-2
20	Cobalt (metal, oxides, carbonates, 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	806548-3
25	Dialifos	100 kg	10311-84-9
26	OO-Diethyl S-ethylsulphinylmethyl phosphorothiate	100 kg	2588-05-8
27	OO-Diethyl S-ethylsulphonylmethyl 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	Dirnefox	100kg	115-264
32	Dimethylcarbamoyl chloride	1 kg	79-44-7
33	Dimelhylnitrosamine	1 kg	62-75-9
34	Dimethyl phosphoramidocynicidic acid	1 t	6391741-9
35	Diphacinone	100kg	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	Fluroacetic acid	1 kg	14449-0
42	Fluroacetic acid, salts	1 kg	
43	Ruoroacetic acid, esters	1 kg	
44	Fluroacetic acid, amides	1 kg	
45	4-Fluorobutyric acid	1 kg	62-23-7
46	4-Fluorobutyric acid, salts	1 kg	
47	4-Fluorobutyric acid, esters	1 kg	
48	4-Fluorobutyric acid, amides	1 kg	
49	4-Florocrotonic acid	1 kg	37759-72- 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, 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 (Hydroxyacetoni trile)	100kg	107-164
58	1, 2, 3, 7, 8, 9-Hexachlorodibenzo-p-dioxin	100g	194-8-74-3
59	Hexamethyl phosphoramide	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 (S-Hydroxynaphthalene 1,4 dione)	100 kg	481-39-0
64	4, 4-Methylenebis (2-chloroniline)	10 kg	101-14-4
65	Mthyl isocynate	150 kg	624-83-9
66	Mevinphos	100 kg	7786 34-7
67	2-Naphthylamine	1 kg	91-59-8
68	2-Nickel (metal, oxides, carbonates,	1 t	
69	Nickel tetracarbonyl	10kg	13463-39-3
70	Oxygendisulfoton	100 kg	2497-07-6
71	Oxygen difuoride	10kg	7783-41-7
72	Paraxon (Diethyl 4-n;trophenyl phosphate)	100 kg	31145-5
73	Parathionf	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	7544-5
79	Phospharnidon	100 kg	13171-21-6
80	Posphine (Hydrogen phosphide)	100 kg	7803-51 -2
81	Promurit (1-(3, 4-dichlorophenyl) 3-triazenelhiocarboxamide)	100kg	5836-73-7
82	1, 3-Propanesullone	1 kg	1120-714
83	1-Propcn-2-chloro-1, 3-diol diacetate	10 kg	10118-72-6
84	Pyrazoxon	100 kg	108-34-9
85	Selenium hexalluoride	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
90	Tellurium hexafluoride	100 kg	7783-80-4
91	TEPP	100 kg	107-49-3
92	2, 3, 7, 8-Tetrachlorodibenzo-p-dioxin (TCDD)	1 kg	1746-01 -6
93	Telramethylenedisulphototramine	1 kg	80-12-6
94	Thionazin	100 kg	297-97-2
95	Tirpate (2, 4-Dimethyl-1, 3-di thiolane-2-calboxaldehyde O-methylcarbamoxyloxime)	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-Cyanopropan-2-01)	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-1-01)	200 t	107-18-6
104	Alylamine	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
109	Dipneyl ethane di-isocynate (MDI)	20 t	101-68-8
110	Ethylene dibromide (1, 2-Dibromocthanc)	5 t	106-93-4
111	Ethylonimine	50 t	151-56-4
112	Formaldehyde (concentration <90%)	5 t	50-00-0
113	Hydrogen cynide	5 t	74-90-8
114	Hydrogen chloride (liquified gas)	25	7647-01-0
115	Hydrogen fluoride	5 t	7664-39-3
116	Hydrogen sulphide	5 t	7783-064
117	Methyl bromide (Bromomethane)	20 t	74-83-9
118	Nitrogen oxides	50t	11104-93-1
119	Propyleneimine	50t	75-55-8
120	Sulphur dioxide	20t	7446-09-5
121	Sulphur trioxide	15t	7446-11-9
122	Tetraethyl lead	5 t	78-00-2
123	Tetramethyl lead	5 t	75-74- 1
124	Toluene di-isocynate (TDI)	10 t	584-84-9
			75-01 -4
GROUP 3-HIGHLY REACTIVE SUBSTANCES			
125	Acetylene (ethyne)	5 t	74-86-2
126	a. Ammonium nitrate (1)	350 t	6484-52-2
	b. Ammonium nitrate in form of fertiliser (2)	1250 t	
127	2, 2-Bis (tert-butylperoxy) butane (concentration $\geq 70\%$)	5 t	2167-23-9
128	1, 1-Bis (tert-butylperoxy) cyclohexane (concentration $\geq 80\%$)	5 t	3006-86-8
129	tert-Butyl proxycetate (concentration $\geq 70\%$)	5 t	107-71-1
130	tert-Butyl peroxyisobutyrate (concentration $\geq 80\%$)	5 t	109-13-7
131	tert-Butyl peroxy isopropyl carbonate (concentration - $\geq 80\%$)	5 t	2372-21-6
132	tert-Butyl peroxy malcate (concentration- $\geq 80\%$)	5 t	1931 -62-0

133	tert-Butyl peroxyvalate (concentration $\geq 77\%$)	50 t	927-07-1
134	dibenzyl peroxydicarbonate (concentration $\geq 90\%$)	5 t	2144-45-8
135	Di-sec-butyl peroxydicarbonate (concentration $\geq 80\%$)	5 t	19910-65-7
136	Diethyl peroxydicarbonate (concentration $\geq 30\%$)	50 t	14666-78-5
137	2, 2-dihydroperoxypropane (concentration $\geq 30\%$)	5 t	2614-76-08
138	di-isobutyryl peroxide concentration $\geq 50\%$)	50 t	3437-84- 1
139	Di-n-propyl peroxydicarbonate (concentration $\geq 80\%$)	5 t	16066-38-9
140	Ethylene oxide	5 t	75-21 -8
141	Elyl nilrat	50 t	625-58-1
142	3, 3, 6, 6, 9, 9Hexamethyl-1, 2, 4, 5-tertoxacyclononane (concentration $\geq 75\%$)	50 t	22397-33-7
143	Hydrogen	2 t	1333-74-0
144	Liquid Oxygen	200 t	7782-41 -7
145	Methyl ethyl ketone peroxide (concentration 260%)	5 t	1338-93-4
146	Methyl isobutyl ketone peroxide (concentration 260%)	50 t	37206-20-5
147	Peracetic acid (concentration 260%)	50 t	79-21-0
148	Propylene oxide	5 t	75-56-9
149	Sodium chlorate	25 t	7775-09-9
GROUP 4 EXPLOSIVE SUBSTANCES			
150	Barium azide	50 t	18810-58-7
151	Bis (2,4, 6-trinitrophenyl) amine	50 t	131 -073-7
152	Chlorotrinitro benzene	50 t	28260-61 -9
153	Cellulose nitrate (containing 12.6% Nitrogen)	50 t	9004-70-0
154	Cyclotetramethylenctranitramine	50 t	2691-41 -0
155	Cyclotrimethylenetiranitramine	50 t	121-82-1
156	Diazodinitisphenol	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	l-Gyanyl4-nitrosaminoguanyl- 1 -tetrazene	10 t	109-27-3
161	2, 2', 4, 4,' 6, 6'-Hexanirostilbene	50 t	20062-22-0
162	Hydrazine nitrate	50 t	13464-9 / -6
163	Lead azide	50 t	13424-46-9

164	Lead styphnate (Lead 2, 4, 6-trinitroresorcinoxide)	50 t	15245-44-0
165	Mercury fulminate	10 t	20820-45-5
			628-86-4
166	N-Methyl-N,2, 4, 6-tetranitroaniline	50 t	479t45-8
167	Nitroglycerine	10 t	55-63-0
168	Pentacylhrilol 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-TriniLroresorcinol	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	605-35 9
175	Trinitrobenzene	50 t	25377-32-6
176	Trinitrobenzoic acid	50 t	35860-50-5
			129-66-8
177	Trinitroresol	50 t	28905-71 -7
178	2,4, 6-Trinitrophenitole	50 t	4732-4-3
179	2,4, 6-Trinitrotulene	50 t	118-96-7

PART-II

Classes of hazardous Substances not specifically named in Part-I

1	2	3	4
GROUP 5-FLAMMABLE SUBSTANCES			
1	Flammable gases:	15 t	--
	Substances which in the gaseous state normal pressure and mixed with air become flammable and the boiling point of which at normal pressure is 20 °C or below;		
2	Highly flammable liquids:	1000 t	--
	Substances which have a flash point lower than 23 °C and the boiling point of which at normal pressure is above 20 °C,		
3	Flammable liquids:	25 t	--
	Substances which have a flash point lower than 55 °C and which remain liquid- under pressure, where particular processing conditions, such as high pressure and high temperature, may create major accident hazards.		

[F. No. 18(13)/91-PL-HSMD]
K.M. CHADHA, Jt. Secy.

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 an accident covered by the scheme;
- (c) “Claimant” means persons, owners or agents as specified in sub-section (1) of section 6 of the Act;
- (d) “Form” means a form appended to this scheme;
- (e) “Fund Manager” means an organisation selected to manage the Environment Relief Fund as indicated in paragraph 4;
- (f) “Rules” means the Public Liability Insurance Rules, 1992;
- (g) words and expressions used in this scheme but not defined and defined in the Act and the rules made there under 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 subsection (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 administering the Relief Fund in the name and style of —United Insurance Company Limited-Environment Relief Fund A/C.
- (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. —

- (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. —

(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. —

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 representatives(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 use by way of am/are awarded any other compensation in respect of death or grievous hurt to.....under *other provisions*.

Signature of the legal representatives of the deceased/injured person.

FORM-II

SERIAL NO:

Collector:

Date:

ORDER

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 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

FORM-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.

FORM-III

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)

NOTIFICATION¹

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 of 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) “Fund” means a 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.

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 a fatal accident;

¹ Extract from the Gazette of India: Part II, Sec 3, Sub-sec. (ii) dated 15-5-1991.

- (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-parte;
 - (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) An owner of the category specified in section 4 (3) of the Act shall, with the prior approval of the Central Government, create and establish a fund by depositing with the State Bank of India or any of its subsidiaries or any nationalised bank, a public liability Insurance fund of that owner.
- (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 AM to 1 PM and 2 PM to 5 PM 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.

(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.

¹8. 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 of 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 is addressed in name of the company, at its registered office or at its principal office or place or 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;

(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, of the document is addressed to the person to be served, and—

(i) is or tendered to him; or

(ii) in 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 of the land or building, if any, to which it relates, or

¹ Inserted by G.S.R. 596 (E) dt. 20-9-1991

(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.

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 send 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 Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981); and

(b) Ministry of Environment and 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 Government of the State (represented by the Secretary to the State Government incharge of Environment); and

(c) the Ministry of Environment and 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 acknowledgment due; and

(b) The period of sixty days mentioned in clause (b) of section 18 of the Act, (6 of 1991) shall be reckoned from the date it is first received by one of the authorities mentioned above.]

10. Extent 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).

(3) Any award for relief which exceeds the amount payable under the insurance Policy shall be met from the Relief Fund and in case the award exceeds the total of the amount of insurance and the Relief Fund, the amount which falls short of such sum payable shall be by the owner.

11. Contribution of owner to the Environmental Relief Fund:

- (1) An owner 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 (I) 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.]

FORM 1**FORM OF APPLICATION FOR COMPENSATION**

Shri/Shrimati/Kumari* _____ Son of/daughter
of/Widow* of Shri _____ died/had sustained- injuries in an
accident on _____ 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: who particulars in respect of
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 whichever 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) for violation of section of the Public Liability Insurance Act, 1991.

I/We, in support of this notice, hereby enclose the following documents*** as evidence of proof of violation of the Public Liability Insurance Act, 1991: -

Place _____
Date _____

Signature(s)

* 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 a handling/manufacturing/processing/operating unit indicate the name of the unit/location /and nature of activity.

*** Documentary evidence includes photographs/technical reports/health reports of the area; etc., relating to the alleged violation/offence.] -----

¹ Inserted by G.S.R. 596(E) dt. 20-9-1991.

**THE BIOLOGICAL
DIVERSITY ACT, 2002**

(as amended to date)

THE BIOLOGICAL DIVERSITY ACT, 2002

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THE BIOLOGICAL DIVERSITY ACT, 2002

(Act No. 18 of 2003)

[5th February, 2003.]

An Act to provide for conservation of biological diversity, sustainable use of its components and fair and equitable sharing of the benefits arising out of the use of biological resources, knowledge and for matters connected therewith or incidental thereto.

WHEREAS India is rich in biological diversity and associated traditional and contemporary knowledge system relating thereto;

AND WHEREAS India is a party to the United Nations Convention on Biological Diversity signed at Rio de Janeiro on the 5th day of June, 1992;

AND WHEREAS the said Convention came into force on the 29th December, 1993;

AND WHEREAS the said Convention reaffirms the sovereign rights of the States over their biological resources;

AND WHEREAS the said Convention has the main objective of conservation of biological diversity, sustainable use of its components and fair and equitable sharing of the benefits arising out of utilisation of genetic resources;

AND WHEREAS it is considered necessary to provide for conservation, sustainable utilisation and equitable sharing of the benefits arising out of utilisation of genetic resources and also to give effect to the said Convention.

BE it enacted by Parliament in the Fifty-third Year of the Republic of India as follows: —

**CHAPTER I
PRELIMINARY****1. ¹Short title, extent and commencement. —**

(1) This Act may be called the Biological Diversity Act, 2002.

(2) It extends to the whole of India.

(3) It shall come into force on such date² as the Central Government may, by notification in the Official Gazette, appoint:

Provided that different dates may be appointed for different provisions of this Act and any reference in any such provision to the commencement of this Act shall be construed as a reference to the coming into force of that provision.

2. Definitions. —In this Act, unless the context otherwise requires, —

(a) “*benefit claimers*” means the conservers of biological resources, their by-products, creators and holders of knowledge and information relating to the use of such biological resources, innovations and practices associated with such use and application;

(b) “*biological diversity*” means the variability among living organisms from all sources and the *ecological* complexes of which they are part and includes diversity within species or between species and of eco-systems;

¹ 1st October, 2003 (ss. 1, 2, 8 to 17, 48, 54, 59, 62, 63, 64 and 65), vide notification No. S.O. 1146(E), dated 1st October, 2003.

² 1st July, 2004 (ss. 3 to 7, 18 to 47, 49 to 53, 55 to 58, 60 and 61), vide notification No. S.O. 753(E), dated 1st July, 2004

(c) “*biological resources*” means plants, animals and micro-organisms or parts thereof, their genetic material and by-products (excluding value added products) with actual or potential use or value, but does not include human genetic material;

(d) “*bio-survey and bio-utilisation*” means survey or collection of species, subspecies, genes, components and extracts of biological resource for any purpose and includes characterisation, inventorisation and bioassay;

(e) “*Chairperson*” means the Chairperson of the National Biodiversity Authority or, as the case may be, of the State Biodiversity Board;

(f) “*commercial utilisation*” means end uses of biological resources for commercial utilisation such as drugs, industrial enzymes, food flavours, fragrance, cosmetics, emulsifiers, oleoresins, colours, extracts and genes used for improving crops and livestock through genetic intervention, but does not include conventional breeding or traditional practices in use in any agriculture, horticulture, poultry, dairy farming, animal husbandry or bee keeping;

(g) “*fair and equitable benefit sharing*” means sharing of benefits as determined by the National Biodiversity Authority under section 21;

(h) “*local bodies*” means Panchayats and Municipalities, by whatever name called, within the meaning of clause (1) of article 243B and clause (1) of article 243Q of the Constitution and in the absence of any Panchayats or Municipalities, institutions of self-government constituted under any other provision of the Constitution or any Central Act or State Act;

(i) “*member*” means a member of the National Biodiversity Authority or a State Biodiversity Board and includes the Chairperson;

(j) “*National Biodiversity Authority*” means the National Biodiversity Authority established under section 8;

(k) “*prescribed*” means prescribed by rules made under this Act;

(l) “*regulations*” means regulations made under this Act;

(m) “*research*” means study or systematic investigation of any biological resource or technological application, that uses biological systems, living organisms or derivatives thereof to make or modify products or processes for any use;

(n) “*State Biodiversity Board*” means the State Biodiversity Board established under section 22;

(o) “*sustainable use*” means the use of components of biological diversity in such manner and at such rate that does not lead to the long-term decline of the biological diversity thereby maintaining its potential to meet the needs and aspirations of present and future generations;

(p) “*value added products*” means products which may contain portions or extracts of plants and animals in unrecognizable and physically inseparable form.

CHAPTER II

REGULATION OF ACCESS TO BIOLOGICAL DIVERSITY

3. Certain persons not to undertake Biodiversity related activities without approval of National Biodiversity Authority. —

(1) No person referred to in sub-section (2) shall, without previous approval of the National Biodiversity Authority, obtain any biological resource occurring in India or knowledge associated thereto for research or for commercial utilisation or for bio-survey and bio-utilisation.

(2) The persons who shall be required to take the approval of the National Biodiversity Authority under sub-section (1) are the following, namely: —

(a) a person who is not a citizen of India;

(b) a citizen of India, who is a non-resident as defined in clause (30) of section 2 of the Income-tax Act, 1961 (43 of 1961);

(c) a body corporate, association or organisation—

(i) not incorporated or registered in India; or

(ii) incorporated or registered in India under any law for the time being in force which has any non-Indian participation in its share capital or management.

4. Results of research not to be transferred to certain persons without approval of National Biodiversity Authority. —

No person shall, without the previous approval of the National Biodiversity Authority, transfer the results of any research relating to any biological resources occurring in, or obtained from, India for monetary consideration or otherwise to any person who is not a citizen of India or citizen of India who is non-resident as defined in clause (30) of section 2 of the Income-tax Act, 1961 (43 of 1961) or a body corporate or organisation which is not registered or incorporated in India or which has any non-Indian participation in its share capital or management.

Explanation. —For the purposes of this section, “transfer” does not include publication of research papers or dissemination of knowledge in any seminar or workshop, if such publication is as per the guidelines issued by the Central Government.

5. Sections 3 and 4 not to apply to certain collaborative research projects. —

(1) The provisions of sections 3 and 4 shall not apply to collaborative research projects involving transfer or exchange of biological resources or information relating thereto between institutions, including Government sponsored institutions of India, and such institutions in other countries, if such collaborative research projects satisfy the conditions specified in sub-section (3).

(2) All collaborative research projects, other than those referred to in sub-section (1) which are based on agreements concluded before the commencement of this Act and in force shall, to the extent the provisions of agreement are inconsistent with the provisions of this Act or any guidelines issued under clause (a) of sub-section (3), be void.

(3) For the purposes of sub-section (1), collaborative research projects shall—

(a) conform to the policy guidelines issued by the Central Government in this behalf;

(b) be approved by the Central Government.

6. Application for intellectual property rights not to be made without approval of National Biodiversity Authority. —

(1) No person shall apply for any intellectual property right, by whatever name called, in or outside India for any invention based on any research or information on a biological resource obtained from India without obtaining the previous approval of the National Biodiversity Authority before making such application:

Provided that if a person applies for a patent, permission of the National Biodiversity Authority may be obtained after the acceptance of the patent but before the sealing of the patent by the patent authority concerned:

Provided further that the National Biodiversity Authority shall dispose of the application for permission made to it within a period of ninety days from the date of receipt thereof.

(2) The National Biodiversity Authority may, while granting the approval under this section, impose benefit sharing fee or royalty or both or impose conditions including the sharing of financial benefits arising out of the commercial utilisation of such rights.

(3) The provisions of this section shall not apply to any person making an application for any right under any law relating to protection of plant varieties enacted by Parliament.

(4) Where any right is granted under law referred to in sub-section (3), the concerned authority granting such right shall endorse a copy of such document granting the right to the National Biodiversity Authority.

7. Prior intimation to State Biodiversity Board for obtaining biological resource for certain purposes. —

No person, who is a citizen of India or a body corporate, association or organisation which is registered in India, shall obtain any biological resource for commercial utilisation, or bio-survey and bio-utilisation for commercial utilisation except after giving prior intimation to the State Biodiversity Board concerned:

Provided that the provisions of this section shall not apply to the local people and communities of the area, including growers and cultivators of biodiversity, and *vaid*s and *hakim*s, who have been practicing indigenous medicine.

CHAPTER-III

NATIONAL BIODIVERSITY AUTHORITY

8. Establishment of National Biodiversity Authority. —

(1) With effect from such date as the Central Government may, by notification in the Official Gazette, appoint, there shall be established by the Central Government for the purposes of this Act, a body to be called the National Biodiversity Authority.

(2) The National Biodiversity Authority shall be a body corporate by the name aforesaid, having perpetual succession and a common seal, with power to acquire, hold and dispose of property, both movable and immovable, and to contract, and shall by the said name sue and be sued.

(3) The head office of the National Biodiversity Authority shall be at Chennai and the National Biodiversity Authority may, with the previous approval of the Central Government, establish offices at other places in India.

(4) The National Biodiversity Authority shall consist of the following members, namely: —

(a) a Chairperson, who shall be an eminent person having adequate knowledge and experience in the conservation and sustainable use of biological diversity and in matters relating to equitable sharing of benefits, to be appointed by the Central Government;

(b) three *ex officio* members to be appointed by the Central Government, one representing the Ministry dealing with Tribal Affairs and two representing the Ministry dealing with Environment and Forests of whom one shall be the Additional Director General of Forests or the Director General of Forests;

(c) seven *ex officio* members to be appointed by the Central Government to represent respectively the Ministries of the Central Government dealing with—

- (i) Agricultural Research and Education;
- (ii) Biotechnology;
- (iii) Ocean Development;

- (iv) Agriculture and Cooperation;
- (v) Indian Systems of Medicine and Homoeopathy;
- (vi) Science and Technology;
- (vii) Scientific and Industrial Research;

(d) five non-official members to be appointed from amongst specialists and scientists having special knowledge of, or experience in, matters relating to conservation of biological diversity, sustainable use of biological resources and equitable sharing of benefits arising out of the use of biological resources, representatives of industry, conservers, creators and knowledge-holders of biological resources.

9. Conditions of service of Chairperson and members. —

The term of office and conditions of service of the Chairperson and the other members other than *ex officio* members of the National Biodiversity Authority shall be such as may be prescribed by the Central Government.

10. Chairperson to be Chief Executive of National Biodiversity Authority. —

The Chairperson shall be the Chief Executive of the National Biodiversity Authority and shall exercise such powers and perform such duties, as may be prescribed.

11. Removal of members. —

The Central Government may remove from the National Biodiversity Authority any member who, in its opinion, has—

- (a) been adjudged as an insolvent; or
- (b) been convicted of an offence which involves moral turpitude; or
- (c) become physically or mentally incapable of acting as a member; or
- (d) so abused his position as to render his continuance in office detrimental to the public interest; or
- (e) acquired such financial or other interest as is likely to affect prejudicially his functions as a member.

12. Meetings of National Biodiversity Authority. —

(1) The National Biodiversity Authority shall meet at such time and place and shall observe such rules of procedure in regard to the transaction of business at its meetings (including the quorum at its meetings) as may be prescribed.

(2) The Chairperson of the National Biodiversity Authority shall preside at the meetings of the National Biodiversity Authority.

(3) If for any reason the Chairperson is unable to attend any meeting of the National Biodiversity Authority, any member of the National Biodiversity Authority chosen by the members present at the meeting shall preside at the meeting.

(4) All questions which come before any meeting of the National Biodiversity Authority shall be decided by a majority of votes of the members present and voting and in the event of equality of votes, the Chairperson or, in his absence, the person presiding, shall have and exercise a second or casting vote.

(5) Every member who is in any way, whether directly, indirectly or personally, concerned or interested in a matter to be decided at the meeting shall disclose the nature of his concern or interest and after such disclosure, the member concerned or interested shall not attend that meeting.

(6) No act or proceeding of the National Biodiversity Authority shall be invalidated merely by reason of—

- (a) any vacancy in, or any defect in the constitution of, the National Biodiversity Authority; or
- (b) any defect in the appointment of a person acting as a member; or
- (c) any irregularity in the procedure of the National Biodiversity Authority not affecting the merits of the case.

13. Committees of National Biodiversity Authority. —

(1) The National Biodiversity Authority may constitute a committee to deal with agro-biodiversity.

Explanation. —For the purposes of this sub-section, “agro-biodiversity” means biological diversity of agriculture related species and their wild relatives.

(2) Without prejudice to the provisions of sub-section (1), the National Biodiversity Authority may constitute such number of committees as it deems fit for the efficient discharge of its duties and performance of its functions under this Act.

(3) A committee constituted under this section shall co-opt such number of persons, who are not the members of the National Biodiversity Authority, as it may think fit and the persons so co-opted shall have the right to attend the meetings of the committee and take part in its proceedings but shall not have the right to vote.

(4) The persons appointed as members of the committee under sub-section (2) shall be entitled to receive such allowances or fees for attending the meetings of the committee as may be fixed by the Central Government.

14. Officers and employees of National Biodiversity Authority. —

(1) The National Biodiversity Authority may appoint such officers and other employees as it considers necessary for the efficient discharge of its functions under this Act.

(2) The terms and conditions of service of such officers and other employees of the National Biodiversity Authority shall be such as may be specified by regulations.

15. Authentication of orders and decisions of National Biodiversity Authority. —

All orders and decisions of the National Biodiversity Authority shall be authenticated by the signature of the Chairperson or any other member authorised by the National Biodiversity Authority in this behalf and all other instruments executed by the National Biodiversity Authority shall be authenticated by the signature of an officer of the National Biodiversity Authority authorised by it in this behalf.

16. Delegation of powers. —

The National Biodiversity Authority may, by general or special order in writing, delegate to any member, officer of the National Biodiversity Authority or any other person subject to such conditions, if any, as may be specified in the order, such of the powers and functions under this Act (except the power to prefer an appeal under section 50 and the power to make regulations under section 64) as it may deem necessary.

17. Expenses of National Biodiversity Authority to be defrayed out of the Consolidated Fund of India. —

The salaries and allowances payable to the members and the administrative expenses of the National Biodiversity Authority including salaries, allowances and pension payable to, or in respect of, the officers

and other employees of the National Biodiversity Authority shall be defrayed out of the Consolidated Fund of India.

CHAPTER-IV

FUNCTIONS AND POWERS OF THE NATIONAL BIODIVERSITY AUTHORITY

18. Functions and powers of National Biodiversity Authority—

(1) It shall be the duty of the National Biodiversity Authority to regulate activities referred to in sections 3, 4 and 6 and by regulations issue guidelines for access to biological resources and for fair and equitable benefit sharing.

(2) The National Biodiversity Authority may grant approval for undertaking any activity referred to in sections 3, 4 and 6.

(3) The National Biodiversity Authority may—

(a) advise the Central Government on matters relating to the conservation of biodiversity, sustainable use of its components and equitable sharing of benefits arising out of the utilisation of biological resources;

(b) advise the State Governments in the selection of areas of biodiversity importance to be notified under sub-section (1) of section 37 as heritage sites and measures for the management of such heritage sites;

(c) perform such other functions as may be necessary to carry out the provisions of this Act.

(4) The National Biodiversity Authority may, on behalf of the Central Government, take any measures necessary to oppose the grant of intellectual property rights in any country outside India on any biological resource obtained from India or knowledge associated with such biological resource which is derived from India.

CHAPTER-V

APPROVAL BY THE NATIONAL BIODIVERSITY AUTHORITY

19. Approval by National Biodiversity Authority for undertaking certain activities. —

(1) Any person referred to in sub-section (2) of section 3 who intends to obtain any biological resource occurring in India or knowledge associated thereto for research or for commercial utilisation or for bio-survey and bio-utilisation or transfer the results of any research relating to biological resources occurring in, or obtained from, India, shall make application in such form and payment of such fees as may be prescribed, to the National Biodiversity Authority.

(2) Any person who intends to apply for a patent or any other form of intellectual property protection whether in India or outside India referred to in sub-section (1) of section 6, may make an application in such form and in such manner as may be prescribed to the National Biodiversity Authority.

(3) On receipt of an application under sub-section (1) or sub-section (2), the National Biodiversity Authority may, after making such enquiries as it may deem fit and if necessary after consulting an expert committee constituted for this purpose, by order, grant approval subject to any regulations made in this behalf and subject to such terms and conditions as it may deem fit, including the imposition of charges by way of royalty or for reasons to be recorded in writing, reject the application:

Provided that no such order for rejection shall be made without giving an opportunity of being heard to the person affected.

(4) The National Biodiversity Authority shall give public notice of every approval granted by it under this section.

20. Transfer of biological resource or knowledge. —

(1) No person who has been granted approval under section 19 shall transfer any biological resource or knowledge associated thereto which is the subject matter of the said approval except with the permission of the National Biodiversity Authority.

(2) Any person who intends to transfer any biological resource or knowledge associated thereto referred to in sub-section (1) shall make an application in such form and in such manner as may be prescribed to the National Biodiversity Authority.

(3) On receipt of an application under sub-section (2), the National Biodiversity Authority may, after making such enquiries as it may deem fit and if necessary after consulting an expert committee constituted for this purpose,

by order, grant approval subject to such terms and conditions as it may deem fit, including the imposition of charges by way of royalty or for reasons to be recorded in writing, reject the application:

Provided that no such order for rejection shall be made without giving an opportunity of being heard to the person affected.

(4) The National Biodiversity Authority shall give public notice of every approval granted by it under this section.

21. Determination of equitable benefit sharing by National Biodiversity Authority. —

(1) The National Biodiversity Authority shall while granting approvals under section 19 or section 20 ensure that the terms and conditions subject to which approval is granted secures equitable sharing of benefits arising out of the use of accessed biological resources, their by-products, innovations and practices associated with their use and applications and knowledge relating thereto in accordance with mutually agreed terms and conditions between the person applying for such approval, local bodies concerned and the benefit claimers.

(2) The National Biodiversity Authority shall, subject to any regulations made in this behalf, determine the benefit sharing which shall be given effect in all or any of the following manner, namely:

(a) grant of joint ownership of intellectual property rights to the National Biodiversity Authority, or where benefit claimers are identified, to such benefit claimers;

(b) transfer of technology;

(c) location of production, research and development units in such areas which will facilitate better living standards to the benefit claimers;

(d) association of Indian scientists, benefit claimers and the local people with research and development in biological resources and bio-survey and bio-utilisation;

(e) setting up of venture capital fund for aiding the cause of benefit claimers;

(f) payment of monetary compensation and other non-monetary benefits to the benefit claimers as the National Biodiversity Authority may deem fit.

(3) Where any amount of money is ordered by way of benefit sharing, the National Biodiversity Authority may direct the amount to be deposited in the National Biodiversity Fund:

Provided that where biological resource or knowledge was a result of access from specific individual or group of individuals or organisations, the National Biodiversity Authority may direct that the amount shall be paid directly to such individual or group of individuals or organisations in accordance with the terms of any agreement and in such manner as it deems fit.

(4) For the purposes of this section, the National Biodiversity Authority shall, in consultation with the Central Government, by regulations, frame guidelines.

CHAPTER-VI

STATE BIODIVERSITY BOARD

22. Establishment of State Biodiversity Board. —

(1) With effect from such date as the State Government may, by notification in the Official Gazette, appoint in this behalf, there shall be established by that Government for the purposes of this Act, a Board for the State to be known as the _____ (name of the State) Biodiversity Board.

(2) Notwithstanding anything contained in this section, no State Biodiversity Board shall be constituted for a Union territory and in relation to a Union Territory; the National Biodiversity Authority shall exercise the powers and perform the functions of a State Biodiversity Board for that Union territory:

Provided that in relation to any Union territory, the National Biodiversity Authority may delegate all or any of its powers or functions under this sub-section to such person or group of persons as the Central Government may specify.

(3) The Board shall be a body corporate by the name aforesaid, having perpetual succession and a common seal, with power to acquire, hold and dispose of property, both movable and immovable, and to contract, and shall by the said name sue and be sued.

(4) The Board shall consist of the following members, namely: —

(a) a Chairperson who shall be an eminent person having adequate knowledge and experience in the conservation and sustainable use of biological diversity and in matters relating to equitable sharing of benefits, to be appointed by the State Government;

(b) not more than five *ex officio* members to be appointed by the State Government to represent the concerned Departments of the State Government;

(c) not more than five members to be appointed from amongst experts in matters relating to conservation of biological diversity, sustainable use of biological resources and equitable sharing of benefits arising out of the use of biological resources.

(5) The head office of the State Biodiversity Board shall be at such place as the State Government may, by notification in the Official Gazette, specify.

23. Functions of State Biodiversity Board. —

The functions of the State Biodiversity Board shall be to—

(a) advise the State Government, subject to any guidelines issued by the Central Government, on matters relating to the conservation of biodiversity, sustainable use of its components and equitable sharing of the benefits arising out of the utilisation of biological resources;

(b) regulate by granting of approvals or otherwise requests for commercial utilisation or bio-survey and bio-utilisation of any biological resource by Indians;

(c) perform such other functions as may be necessary to carry out the provisions of this Act or as may be prescribed by the State Government.

24. Power of State Biodiversity Board to restrict certain activities violating the objectives of conservation, etc.—

(1) Any citizen of India or a body corporate, organisation or association registered in India intending to undertake any activity referred to in section 7 shall give prior intimation in such form as may be prescribed by the State Government to the State Biodiversity Board.

(2) On receipt of an intimation under sub-section (1), the State Biodiversity Board may, in consultation with the local bodies concerned and after making such enquires as it conservation, may deem fit, by order, prohibit or restrict any such activity if it is of opinion that such activity is detrimental or contrary to the objectives of conservation and sustainable use of biodiversity or equitable sharing of benefits arising out of such activity:

Provided that no such order shall be made without giving an opportunity of being heard to the person affected.

(3) Any information given in the form referred to in sub-section (1) for prior intimation shall be kept confidential and shall not be disclosed, either intentionally or unintentionally, to any person not concerned thereto.

25. Provisions of Sections 9 to 17 to apply with modifications to State Biodiversity Board. —

The provisions of sections 9 to 17 shall apply to a State Biodiversity Board and shall have effect subject to the following modifications, namely: —

(a) references to the Central Government shall be construed as references to the State Government;

(b) references to the National Biodiversity Authority shall be construed as references to the State Biodiversity Board;

(c) reference to the Consolidated Fund of India shall be construed as reference to the Consolidated Fund of the State.

CHAPTER VII

FINANCE, ACCOUNTS AND AUDIT OF NATIONAL BIODIVERSITY AUTHORITY

26. Grants or loans by the Central Government. —

The Central Government may, after due appropriation made by Parliament by law in this behalf, pay to the National Biodiversity Authority by way of grants or loans such sums of money as the Central Government may think fit for being utilised for the purposes of this Act.

27. Constitution of National Biodiversity Fund—

(1) There shall be constituted a Fund to be called the National Biodiversity Fund and there shall be credited thereto—

(a) any grants and loans made to the National Biodiversity Authority under section 26;

(b) all charges and royalties received by the National Biodiversity Authority under this Act; and

(c) all sums received by the National Biodiversity Authority from such other sources as may be decided upon by the Central Government.

(2) The Fund shall be applied for—

- (a) channelling benefits to the benefit claimers;
- (b) conservation and promotion of biological resources and development of areas from where such biological resources or knowledge associated thereto has been accessed;
- (c) socio-economic development of areas referred to in clause (b) in consultation with the local bodies concerned.

28. Annual report of National Biodiversity Authority. —

The National Biodiversity Authority shall prepare, in such form and at such time each financial year as may be prescribed, its annual report, giving a full account of its activities during the previous financial year and furnish, to the Central Government, before such date as may be prescribed, its audited copy of accounts together with auditors report thereon.

29. Budget, accounts and audit. —

(1) The National Biodiversity Authority shall prepare a budget, maintain proper accounts and other relevant records (including the accounts and other relevant records of the National Biodiversity Fund) and prepare an annual statement of account in such form as may be prescribed by the Central Government in consultation with the Comptroller and Auditor-General of India.

(2) The accounts of the National Biodiversity Authority shall be audited by the Comptroller and Auditor-General of India at such intervals as may be specified by him and any expenditure incurred in connection with such audit shall be payable by the National Biodiversity Authority to the Comptroller and Auditor-General of India.

(3) The Comptroller and Auditor-General of India and any other person appointed by him in connection with the audit of the accounts of the National Biodiversity Authority shall have the same rights and privileges and authority in connection with such audit as the Comptroller and Auditor-General generally has in connection with the audit of the Government accounts and, in particular, 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 National Biodiversity Authority.

(4) The accounts of the National Biodiversity Authority as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf together with the audit report there on shall be forwarded annually to the Central Government.

30. Annual report to be laid before Parliament. —

The Central Government shall cause the annual report and auditor's report to be laid, as soon as may be after they are received, before each House of Parliament.

CHAPTER VIII

FINANCE, ACCOUNTS AND AUDIT OF STATE BIODIVERSITY BOARD

31. Grants of money by State Government to State Biodiversity Board. —

The State Government may, after due appropriation made by the State Legislature by law in this behalf, pay to the State Biodiversity Board by way of grants or loans such sums of money as the State Government may think fit for being utilised for the purposes of this Act.

32. Constitution of State Biodiversity Fund. —

(1) There shall be constituted a Fund to be called the State Biodiversity Fund and there shall be credited thereto—

- (a) any grants and loans made to the State Biodiversity Board under section 31;
 - (b) any grants or loans made by the National Biodiversity Authority;
 - (c) all sums received by the State Biodiversity Board from such other sources as may be decided upon by the State Government.
- (2) The State Biodiversity Fund shall be applied for—
- (a) the management and conservation of heritage sites;
 - (b) compensating or rehabilitating any section of the people economically affected by notification under sub-section (1) of section 37;
 - (c) conservation and promotion of biological resources;
 - (d) socio-economic development of areas from where such biological resources or knowledge associated thereto has been accessed subject to any order made under section 24, in consultation with the local bodies concerned;
 - (e) meeting the expenses incurred for the purposes authorised by this Act.

33. Annual report of State Biodiversity Board. —

The State Biodiversity Board shall prepare, in such form and at such time in each financial year as may be prescribed, its annual report, giving a full account of its activities during the previous financial year, and submit a copy thereof to the State Government.

34. Audit of accounts of State Biodiversity Board. —

The accounts of the State Biodiversity Board shall be maintained and audited in such manner as may, in consultation with the Accountant-General of the State, be prescribed and the State Biodiversity Board shall furnish, to the State Government, before such date as may be prescribed, its audited copy of accounts together with auditor's report thereon.

35. Annual report of State Biodiversity Board to be laid before State Legislature. —

The State Government shall cause the annual report and auditor's report to be laid, as soon as may be after they are received, before the House of State Legislature.

CHAPTER-IX

DUTIES OF THE CENTRAL AND THE STATE GOVERNMENTS

36. Central Government to develop National strategies plans, etc., for conservation, etc., of biological diversity. —

(1) The Central Government shall develop national strategies, plans, programmes for the conservation and promotion and sustainable use of biological diversity including measures for identification and monitoring of areas rich in biological resources, promotion of *in situ*, and *ex situ*, conservation of biological resources, incentives for research, training and public education to increase awareness with respect to biodiversity.

(2) Where the Central Government has reason to believe that any area rich in biological diversity, biological resources and their habitats is being threatened by overuse, abuse or neglect, it shall issue directives to the concerned State Government to take immediate ameliorative measures, offering such State Government any technical and other assistance that is possible to be provided or needed.

(3) The Central Government shall, as far as practicable wherever it deems appropriate, integrate the conservation, promotion and sustainable use of biological diversity into relevant sectoral or cross-sectoral plans, programmes and policies.

(4) The Central Government shall undertake measures, —

(i) wherever necessary, for assessment of environmental impact of that project which is likely to have adverse effect on biological diversity, with a view to avoid or minimise such effects and where appropriate provide for public participation in such assessment;

(ii) to regulate, manage or control the risks associated with the use and release of living modified organisms resulting from biotechnology likely to have adverse impact on the conservation and sustainable use of biological diversity and human health.

(5) The Central Government shall endeavour to respect and protect the knowledge of local people relating to biological diversity, as recommended by the National Biodiversity Authority through such measures, which may include registration of such knowledge at the local, State or national levels, and other measures for protection, including *sui generis* system.

Explanation. —For the purposes of this section, —

(a) “*ex situ* conservation” means the conservation of components of biological diversity outside their natural habitats;

(b) “*in situ* conservation” means the conservation of ecosystems and natural habitats and the maintenance and recovery of viable populations of species in their natural surroundings and, in the case of domesticated or cultivated species, in the surroundings where they have developed their distinctive properties.

37. Biodiversity heritage sites. —

(1) Without prejudice to any other law for the time being in force, the State Government may, from time to time in consultation with the local bodies, notify in the Official Gazette, areas of biodiversity importance as biodiversity heritage sites under this Act.

(2) The State Government, in consultation with the Central Government, may frame rules for the management and conservation of all the heritage sites.

(3) The State Government shall frame schemes for compensating or rehabilitating any person or section of people economically affected by such notification.

38. Power of Central Government to notify threatened species. —

Without prejudice to the provisions of any other law for the time being in force, the Central Government, in consultation with the concerned State Government, may from time to time notify any species which is on the verge of extinction or likely to become extinct in the near future as a threatened species and prohibit or regulate collection thereof for any purpose and take appropriate steps to rehabilitate and preserve those species.

39. Power of Central Government to designate repositories. —

(1) The Central Government may, in consultation with the National Biodiversity Authority, designate institutions as repositories under this Act for different categories of biological resources.

(2) The repositories shall keep in safe custody the biological material including voucher specimens deposited with them.

(3) Any new tax on discovered by any person shall be notified to the repositories or any institution designated for this purpose and he shall deposit the voucher specimens with such repository or institution.

40. Power of Central Government to exempt certain biological resources. —

Notwithstanding anything contained in this Act, the Central Government may, in consultation with the National Biodiversity Authority, by notification in the Official Gazette, declare that the provisions of this Act shall not apply to any items, including biological resources normally traded as commodities.

CHAPTER-X**BIODIVERSITY MANAGEMENT COMMITTEES****41. Constitution of Biodiversity Management Committee. —**

(1) Every local body shall constitute a Biodiversity Management Committee within its area for the purpose of promoting conservation, sustainable use and documentation of biological diversity including preservation of habitats, conservation of land races, folk varieties and cultivars, domesticated stocks and breeds of animals and microorganisms and chronicling of knowledge relating to biological diversity.

Explanation. —For the purposes of this sub-section, —

(a) “*cultivar*” means a variety of plant that has originated and persisted under cultivation or was specifically bred for the purpose of cultivation;

(b) “*folk variety*” means a cultivated variety of plant that was developed, grown and exchanged informally among farmers;

(c) “*landrace*” means primitive cultivar that was grown by ancient farmers and their successors.

(2) The National Biodiversity Authority and the State Biodiversity Boards shall consult the Biodiversity Management Committees while taking any decision relating to the use of biological resources and knowledge associated with such resources occurring within the territorial jurisdiction of the Biodiversity Management Committee.

(3) The Biodiversity Management Committees may levy charges by way of collection fees from any person for accessing or collecting any biological resource for commercial purposes from areas falling within its territorial jurisdiction.

CHAPTER-XI**LOCAL BIODIVERSITY FUND****42. Grants to Local Biodiversity Fund. —**

The State Government may, after due appropriation made by State Legislature by law in this behalf, pay to the Local Biodiversity Funds by way of grants or loans such sums of money as the State Government may think fit for being utilised for the purposes of this Act.

43. Constitution of Local Biodiversity Fund. —

(1) There shall be constituted a Fund to be called the Local Biodiversity Fund at every area notified by the State Government where any institution of self-government is functioning and there shall be credited thereto—

(a) any grants and loans made under section 42;

(b) any grants or loans made by the National Biodiversity Authority;

(c) any grants or loans made by the State Biodiversity Boards;

(d) fees referred to in sub-section (3) of section 41 received by the Biodiversity Management Committees;

(e) all sums received by the Local Biodiversity Fund from such other sources as may be decided upon by the State Government.

44. Application of Local Biodiversity Fund. —

(1) Subject to the provisions of sub-section (2), the management and the custody of the Local Biodiversity Fund and the purposes for which such Fund shall be applied, be in the manner as may be prescribed by the State Government.

(2) The Fund shall be used for conservation and promotion of biodiversity in the areas falling within the jurisdiction of the concerned local body and for the benefit of the community in so far such use is consistent with conservation of biodiversity.

45. Annual report of Biodiversity Management Committees. —

The person holding the custody of the Local Biodiversity Fund shall prepare, in such form and during each financial year at such time as may be prescribed, its annual report, giving a full account of its activities during the previous financial year, and submit a copy thereof to the concerned local body.

46. Audit of accounts of Biodiversity Management Committees. —

The accounts of the Local Biodiversity Fund shall be maintained and audited in such manner as may, in consultation with the Accountant-General of the State, be prescribed and the person holding the custody of the Local Biodiversity Fund shall furnish, to the concerned local body, before such date as may be prescribed, its audited copy of accounts together with auditor's report thereon.

47. Annual report, etc., of the Biodiversity Management Committee to be submitted to District Magistrate. —

Every local body constituting a Biodiversity Management Committee under sub-section (1) of section 41, shall cause, the annual report and audited copy of accounts together with auditor's report thereon referred to in sections 45 and 46, respectively and relating to such Committee to be submitted to the District Magistrate having jurisdiction over the area of the local body.

CHAPTER-XII

MISCELLANEOUS

48. National Biodiversity Authority to be bound by the directions given by Central Government. —

(1) Without prejudice to the foregoing provisions of this Act, the National Biodiversity Authority shall, in the discharge of its functions and duties under this Act, be bound by such directions on questions of policy as the Central Government may give in writing to it from time to time:

Provided that the National Biodiversity Authority shall, as far as practicable, be given opportunity to express its views before any direction is given under this sub-section.

(2) The decision of the Central Government whether a question is one of policy or not shall be final.

49. Power of State Government to give directions. —

(1) Without prejudice to the foregoing provisions of this Act, the State Biodiversity Board shall, in the discharge of its functions and duties under this Act, be bound by such directions on questions of policy as the State Government may give in writing to it from time to time:

Provided that the State Biodiversity Board shall, as far as practicable, be given an opportunity to express its views before any direction is given under this sub-section.

(2) The decision of the State Government whether a question is one of policy or not shall be final.

50. Settlement of disputes between State Biodiversity Boards. —

(1) If a dispute arises between the National Biodiversity Authority and a State Biodiversity Board, the said Authority or the Board, as the case may be, may prefer an appeal to the Central Government within such time as may be prescribed.

(2) Every appeal made under sub-section (1) shall be in such form as may be prescribed by the Central Government.

(3) The procedure for disposing of an appeal shall be such as may be prescribed by the Central Government:

Provided that before disposing of an appeal, the parties shall be given a reasonable opportunity of being heard.

(4) If a dispute arises between the State Biodiversity Boards, the Central Government shall refer the same to the National Biodiversity Authority.

(5) While adjudicating any dispute under sub-section (4), the National Biodiversity Authority shall be guided by the principles of natural justice and shall follow such procedure as may be prescribed by the Central Government.

(6) The National Biodiversity Authority shall have, for the purposes of discharging its functions under this section, the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 (5 of 1908) 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;
- (c) issuing commissions for the examination of witnesses or documents;
- (d) reviewing its decisions;
- (e) dismissing an application for default or deciding it *ex parte*;
- (f) setting aside any order of dismissal of any application for default or any order passed by it *ex parte*;
- (g) any other matter which may be prescribed.

(7) Every proceeding before the National Biodiversity Authority shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228, and for the purpose of section 196, of the Indian Penal Code (45 of 1860) and the National Biodiversity Authority 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).

51. Members, officers, etc., of National Biodiversity Authority and State Biodiversity Board deemed to be public servants. —

All members, officers and other employees of the National Biodiversity Authority or the State Biodiversity Board shall be deemed, when acting or purporting to act in pursuance of any of the provisions of this Act, to be public servants within the meaning of section 21 of the Indian Penal Code (45 of 1860).

52. Appeal. —

Any person, aggrieved by any determination of benefit sharing or order of the National Biodiversity Authority or a State Biodiversity Board under this Act, may file an appeal to the High Court within thirty days from the date of communication to him, of the determination or order of the National Biodiversity Authority or the State Biodiversity Board, as the case may be:

Provided that the High Court may, if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal within the said period, allow it to be filed within a further period not exceeding sixty days.

¹[Provided further that nothing contained in this section shall apply on and from the commencement of the National Green Tribunal Act, 2010 (19 of 2010):

Provided also that any appeal pending before the High Court, before the commencement of the National Green Tribunal Act, 2010 (19 of 2010), shall continue to be heard and disposed of by the High Court as if the National Green Tribunal had not been established under section 3 of the National Green Tribunal Act, 2010.]

¹**[52A. Appeal to National Green Tribunal. —**

Any person aggrieved by any determination of benefit sharing or order of the National Biodiversity Authority or a State Biodiversity Board under this Act, on or after the commencement of the National Green Tribunal Act, 2010 (19 of 2010), may file an appeal to the National Green Tribunal establishment under section 3 of the National Green Tribunal Act, 2010, in accordance with the provisions of that Act.]

53. Execution of determination or order. —

Every determination of benefit sharing or order made by the National Biodiversity Authority or a State Biodiversity Board under this Act or the order made by the High Court in any appeal against any determination or order of the National Biodiversity Authority or a State Biodiversity Board shall, on a certificate issued by any officer of the National Biodiversity Authority or a State Biodiversity Board or the Registrar of the High Court, as the case may be, be deemed to be decree of the civil court and shall be executable in the same manner as a decree of that court.

Explanation. —For the purposes of this section and section 52, the expression “State Biodiversity Board” includes the person or group of persons to whom the powers or functions under sub-section (2) of section 22 have been delegated under the proviso to that sub-section and the certificate relating to such person or group of persons under this section shall be issued by such person or group of persons, as the case may be.

54. Protection of action taken in good faith. —

No suit, prosecution or other legal proceedings shall lie against the Central Government or the State Government or any officer of the Central Government or State Government or any member, officer or employee of the National Biodiversity Authority or the State Biodiversity Board for anything which is in good faith done or intended to be done under this Act or the rules or regulations made thereunder.

55. Penalties. —

(1) Whoever contravenes or attempts to contravene or abets the contravention of the provisions of section 3 or section 4 or section 6 shall be punishable with imprisonment for a term which may extend to five years, or with fine which may extend to ten lakh rupees and where the damage caused exceeds ten lakh rupees such fine may commensurate with the damage caused, or with both.

¹ Ins. by Act of 19 of 2010, s. 36 and Schedule III (w. e. f. 18-10-2010).

(2) Whoever contravenes or attempts to contravene or abets the contravention of the provisions of section 7 or any order made under sub-section (2) of section 24 shall be punishable with imprisonment for a term which may extend to three years, or with fine which may extend to five lakh rupees, or with both.

56. Penalty for contravention of directions or order of Central Government, State Government, National Biodiversity Authority and State Biodiversity Boards. —

If any person contravenes any direction given or order made by the Central Government, the State Government, the National Biodiversity Authority or the State Biodiversity Board for which no punishment has been separately provided under this Act, he shall be punished with a fine which may extend to one lakh rupees and in case of a second or subsequent offence, with fine which may extend to two lakh rupees and in the case of continuous contravention with additional fine which may extend to two lakh rupees every day during which the default continues.

57. Offences by companies—

(1) Where an offence or contravention under this Act has been committed by a company, every person who at the time the offence or contravention 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 or contravention 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 or contravention was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence or contravention.

(2) Notwithstanding anything contained in sub-section (1), where an offence or contravention under this Act has been committed by a company and it is proved that the offence or contravention 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 the offence or contravention and shall be liable to be proceeded against and punished accordingly.

Explanation. —For the purposes of this section, —

(a) “company” means anybody corporate and includes a firm or other association of individuals; and

(b) “director”, in relation to a firm, means a partner in the firm.

58. Offences to be cognizable and non-bailable. — The offences under this Act shall be cognizable and Non-Bailable.

59. Act to have effect in addition to other Acts. —

The provisions of this Act shall be in addition to, and not in derogation of, the provisions in any other law, for the time being in force, relating to forests or wildlife.

60. Power of Central Government to give directions to State Government. —

The Central Government may give directions to any State Government as to the carrying into execution in the State of any of the provisions of this Act or of any rule or regulation or order made thereunder.

61. 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 benefit claimer who has given notice of not less than thirty days in the prescribed manner, of such offence and of his intention to make a complaint, to the Central Government or the authority or officer authorised as aforesaid.

62. Power of Central Government 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) terms and conditions of service of the Chairperson and members under section 9;
- (b) powers and duties of the Chairperson under section 10;
- (c) procedure under sub-section (1) of section 12 in regard to transaction of business at meetings;
- (d) form of application and payment of fees for undertaking certain activities under sub-section (1) of section 19;
- (e) the form and manner of making an application under sub-section (2) of section 19;
- (f) form of application and the manner for transfer of biological resource or knowledge under sub-section (2) of section 20;
- (g) form in which, and the time of each financial year at which, the annual report of the National Biodiversity Authority shall be prepared and the date before which its audited copy of accounts together with auditor's report thereon shall be furnished under section 28;
- (h) form in which the annual statement of account shall be prepared under sub-section (1) of section 29;
- (i) the time within which and the form in which, an appeal may be preferred, the procedure for disposing of an appeal and the procedure for adjudication, under section 50;
- (j) the additional matter in which the National Biodiversity Authority may exercise powers of the civil court under clause (h) of sub-section (6) of section 50;
- (k) the manner of giving notice under clause (b) of section 61;
- (l) any other matter which is to be, or may be, prescribed, or in respect of which provision is to be made, by rules.

(3) Every rule made under this section and every regulation 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 regulation or both Houses agree that the rule or regulation should not be made, the rule or regulation 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 regulation.

63. Power of State Government to make rules. —

(1) The State 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 other functions to be performed by the State Biodiversity Board under clause (c) of Section 23;

(b) the form in which the prior intimation shall be given under sub-section (1) of section 24;

(c) the form in which, and the time of each financial year at which, the annual report shall be prepared under section 33;

(d) the manner of maintaining and auditing the accounts of the State Biodiversity Board and the date before which its audited copy of the accounts together with auditor's report thereon shall be furnished under section 34;

(e) management and conservation of national heritage sites under section 37;

(f) the manner of management and custody of the Local Biodiversity Fund and the purposes for which such Fund shall be applied under sub-section (1) of section 44;

(g) the form of annual report and the time at which such report shall be prepared during each financial year under section 45;

(h) the manner of maintaining and auditing the accounts of the Local Biodiversity Fund and the date before which its audited copy of the accounts together with auditor's report thereon shall be furnished under section 46;

(i) any other matter which is to be, or may be, specified.

(3) Every rule made by the State Government under this section shall be laid, as soon as may be after it is made, before each House of the State Legislature where it consists of two Houses, or where such Legislature consists of one House, before that House.

64. Power to make regulations. —

The National Biodiversity Authority shall, with the previous approval of the Central Government, by notification in the Official Gazette, make regulations for carrying out the purposes of this Act.

65. Power to remove difficulties. —

(1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, not inconsistent with the provisions of this Act, remove the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be, after it is made, before each House of Parliament.

SUBHASH C. JAIN
Secy. to the Govt. of India

**THE BIOLOGICAL
DIVERSITY RULES, 2004**

(as amended to date)

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 15th April, 2004

G.S.R. 261 (E) - In exercise of the powers conferred by section 62 of the Biological Diversity Act, 2002, and in supersession of the National Biodiversity Authority (Salary, Allowances and conditions of service of Chairperson and other Members) Rules, 2003 except as respect to things done or omitted to be done before such supersession, the Central Government hereby makes the following rules namely: -

1. Short title and commencement. —

(1) These rules may be called the Biological Diversity Rules, 2004.

(2) Thus shall come into force on 15th April, 2004.

2. Definitions. —In these rules, unless the context otherwise requires, —

(a) “Act” means the Biological Diversity Act 2002 (18 of 2003);

(b) “Authority” means the National Biodiversity Authority established under sub-section (1) of Section 8;

(c) “Biodiversity Management Committee” means a Biodiversity Management Committee established by a local body under sub-section (1) of Section 41;

(d) “Chairperson” means the chairperson of the National Biodiversity Authority or as the case may be, of the State Biodiversity Board;

(e) “fee” means any fee stipulated in the Schedule;

(f) “Form” means form annexed to these rules;

(g) “Member” means a member of the National Biodiversity Authority or a State Biodiversity Board and includes the chairperson as the case may be;

(h) “section” means a section of the Act;

(i) “Secretary” means the full time Secretary of the Authority;

(j) 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.

3. Manner of selection and appointment of the Chairperson. —

(1) The Chairperson of the Authority shall be appointed by the Central Government.

(2) Every appointment of Chairperson under sub-section (1) shall be made either on deputation basis or by selection from outside the Central Government. In case the appointment is through deputation, the applicant should not be below the rank of Additional Secretary to the Government of India.

4. Term of office of the Chairperson. —

(1) The Chairperson of the Authority shall hold the office for a term of three years’ and shall be eligible for re-appointment,

(2) Provided that no Chairperson shall hold office as such after he attains the age of sixty five years or his term of office expires which is earlier.

(3) The Chairperson may resign from his office by giving at least one month notice in writing to the Central Government.

5. Pay and allowances of Chairperson. —

(1) A Chairperson shall be entitled to a fixed pay of Rs. 26,000/- per month. In case of retired person is appointed as Chairperson, his pay shall be fixed in accordance with the orders of the Central Government as applicable to such persons.

(2) A Chairperson shall be entitled to such allowances, leave, pension, provident fund, house and other perquisites etc. to be decided by the Central Government from time to time.

6. Term of office and allowances of non-official Members. —

(1) Every non-official member of the Authority shall hold his office for a term not exceeding three years at a time from the date of publication of his appointment in the official Gazette.

(2) Every non-official member attending the meeting of the Authority shall be entitled to sitting allowance, travelling expenses, daily allowance and such other allowances as are applicable to non-official member of commissions and committees of the Central Government attending the meeting (s) of such Commissions or Committees.

7. Filling up of vacancies of non-official Members. —

(1) A non-official member of the Authority may resign his office at any time by giving in writing under his hand addressed to the Central Government and the seat of that member in the Authority shall become vacant.

(2) A casual vacancy of a non-official member in the Authority shall be filled up by a fresh nomination and the person nominated to fill the vacancy shall hold office only for the remainder of the term of the member in whose place he was nominated.

8. Removal of the members of the Authority. —

No member of the Authority shall be removed from his office on any ground specified in section 11, without a due and proper enquiry by an officer not below the rank of a Secretary to the Government of India appointed by the Central Government and without giving such member a reasonable opportunity of being heard.

9. Secretary of the Authority. —

(1) The Authority shall appoint a Secretary to it.

(2) The terms and conditions of the appointment of the Secretary shall be determined by the Authority by regulation.

(3) The Secretary shall be responsible for co-coordinating and convening the meetings of the Authority, maintenance of the records of the proceedings of the Authority and such other matters as may be assigned to him by the Authority.

10. Meetings of the Authority. —

(1) The Authority shall meet at least four times in a year normally after a period of three months at the Headquarters of the Authority or at such place as may be decided by the Chairperson.

- (2) The Chairperson shall, upon a written request from not less than five Members of the Authority or upon a direction of the Central Government, call a special meeting of the Authority.
- (3) The members shall be given at least fifteen days' notice for holding an ordinary meeting and atleast three days' notice for holding a special meeting specifying the purpose, the time and the place at which such meeting is to be held.
- (4) Every meeting shall be presided over by the Chairperson and in his absence, by a presiding officer to be elected by the members present from amongst themselves.
- (5) The decision of the Authority at a meeting shall, if necessary, be taken by a simple majority of the Members present and voting and the Chairperson or in his absence, the Member presiding shall have a second or casting vote.
- (6) Each member shall have one vote.
- (7) The quorum at every meeting of the Authority shall be five.
- (8) No Member shall be entitled to bring forward for the consideration of a meeting any matter of which he has not given ten days' notice unless the Chairperson in his discretion permits him to do so.
- (9) 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 Secretary of the Authority may, in the circumstances of the case, think fit.

11. Appointment of Expert Committee by the Authority and their entitlements. —

- (1) The Authority may constitute any number of Committees for such purposes as it may deem fit consisting wholly of members or wholly of other persons or partly of members or partly of other persons.
- (2) The members of the Committee other than the members of the Authority shall be paid such fees and allowances for attending the meetings as the Authority may deem fit.

12. General functions of the Authority. —The Authority may perform the following functions; namely: —

- (i) lay down the procedure and guidelines to govern the activities provided under sections 3, 4 and 6;
- (ii) advise the Central Government on any matter concerning conservation of bio-diversity, sustainable use of its components and fair and equitable sharing of benefits arising out of the use of biological resource and knowledge;
- (iii) coordinate the activities of the State Bio-diversity Boards;
- (iv) provide technical assistance and guidance to the State Bio-diversity Boards;
- (v) commission studies and sponsor investigations and research;
- (vi) engage consultants, for a specific period, not exceeding three years, for providing technical assistance to the Authority in the effective discharge of its functions:

Provided that if it is necessary and expedient to engage any consultant beyond the period of three years, the Authority shall seek prior approval of the Central Government for such an engagement.

- (vii) collect, compile and publish technical and statistical data, manuals, codes or guides relating to conservation of bio-diversity, sustainable use of its components and fair and equitable sharing of benefits arising out of the use of biological resource and knowledge;
- (viii) organise through mass media a comprehensive programme regarding conservation of bio-diversity, sustainable use of its components and fair and equitable sharing of benefits arising out of the use of biological resource and knowledge.
- (ix) plan and organise training of personnel engaged or likely to be engaged in programmes for the conservation of bio-diversity and sustainable use of its components;
- (x) prepare the annual Budget of the Authority incorporating its own receipts as also the devaluation from the Central Government provided that the allocation by the Central Government shall be operated in accordance with the budget provisions approved by the Central Government;
- (xi) recommend creation of posts to the Central Government, for effective discharge of the functions by the Authority and to create such posts, provided that no such post whether permanent/temporary or of any nature, would be created without prior approval of the Central Government;
- (xii) approve the method of recruitment to the officers and servants of the Authority;
- (xiii) take steps to build up data base and to create information and documentation system for biological resources and associated traditional knowledge through bio-diversity registers and electronics data bases, to ensure effective management, promotion and sustainable uses;
- (xiv) give directions to State Bio-diversity Boards and the Bio-diversity Management Committees in writing for effective implementation of the Act;
- (xv) report to the Central Government about the functioning of the Authority and implementation of the Act;
- (xvi) recommend, modify, collection of benefit sharing fee under sub section (1) of Section 6 or Changes of royalties under sub-section (2) of section 19 in respect of biological resources from time to time;
- (xvii) sanction grants-in-aid and grants to the State Bio-diversity Board and Bio-diversity Management Committees for specific purposes;
- (xviii) undertake physical inspection of any area in connection with the implementation of the Act;
- (xix) take necessary measures including appointment of legal experts to oppose grant of intellectual property right in any country outside India on any biological resource and associated knowledge obtained from India in an illegal manner;
- (xx) do such other functions as may be assigned or directed by the Central Government from time to time.

13. Powers and duties of Chairperson. —

- (1) The Chairperson shall have the overall control of the day-to-day activities of the Authority.
- (2) Subject to the provisions of Section 10, the Chairperson shall have the powers of general superintendence over the officers and staff of the Authority and he may issue necessary directions for the conduct and management of the affairs of the Authority.

- (3) The Chairperson shall be In charge of all the confidential papers and records of the Authority and shall be responsible for their safe custody.
- (4) All orders and instructions to be issued by the Authority shall be under the signature of the Chairperson or of any other officer authorized by the Chairperson in this behalf.
- (5) The Chairperson, either himself or through an officer of the authority authorized for the purpose, may sanction and disburse all payments against the approved budget.
- (6) The Chairperson shall have full powers for granting administrative and technical sanction to all estimates.
- (7) The Chairperson shall convene and preside over all the meetings of the Authority and shall ensure that all decisions taken by the Authority are implemented in proper manner.
- (8) The Chairperson shall exercise such other powers and perform such other functions as may be delegated to him from time to time by the Authority or the Central Government.

14. Procedure for access to biological resources and associated traditional knowledge. —

- (1) Any person seeking approval of the Authority for access to biological resources and associated knowledge for research or for commercial utilization shall make an application in Form I.
- (2) Every application under sub-rule (1) shall be accompanied by a fee of ten thousand rupees in the form of a cheque or demand draft drawn in favour of the Authority.
- (3) The Authority shall after consultation with the concerned local bodies and collecting such additional information from the applicant and other sources, as it may deem necessary, dispose of the application, as far as possible, within a period of six months from the date of its receipts.
- (4) On being satisfied with the merit of the application, the Authority may grant the approval for access to biological resources and associated knowledge subject to such term and conditions as it may deem fit to impose.
- (5) The approval to access shall be in the form of a written agreement duly signed by an authorized officer of the Authority and the applicant.
- (6) The form of the agreement referred to in sub-rule (5) shall be laid down by the Authority and shall include the following; namely: -
 - (i) general objectives and purpose of the application for seeking approval;
 - (ii) description of the biological resources and traditional knowledge including accompanying information;
 - (iii) intended uses of the biological resources (research, breeding, commercial utilization etc.)
 - (iv) conditions under which the applicant may seek intellectual property rights;
 - (v) quantum of monetary and other incidental benefits. If need be, a commitment to enter into a fresh agreement particularly in case if the biological material is taken for research purposes and later on sought to be used for commercial purposes, and also in case of any other change in use thereof subsequently.

- (vi) restriction to transfer the accessed biological resources and the traditional knowledge to any third party without prior approval of Authority;
 - (vii) to adhere to a limit set by the Authority on the quantity and specification of the quality of the biological resources for which the applicant is seeking access;
 - (viii) guarantee to deposit a reference sample of the biological material sought to be accessed with the repositories identified in Section 39;
 - (ix) submitting to the Authority a regular status report of research and other developments;
 - (x) commitment to abide with the provisions of Act and rules and other related legislations in force in the country;
 - (xi) commitment to facilitate measures for conservation and sustainable use of biological resources accessed;
 - (xii) commitment to minimize environmental impacts of collecting activities;
 - (xiii) legal provisions such as duration of the agreement, notice to terminate the agreement, independent enforceability of individual clauses, provision to the extent that obligations in benefit sharing clauses survive the termination of the agreement, events limiting liability (natural calamities), arbitration, any confidentiality clause.
- (7) The conditions for access may specifically provide measures for conservation and protection of biological resources to which the access is being granted.
- (8) The Authority may for reasons to be recorded in writing reject an application if it considers that the request cannot be acceded to.
- (9) No application shall be rejected unless the applicant is given a reasonable opportunity of being heard.
- (10) The Authority shall take steps to widely publicize the approvals granted, through print or electronic media and shall periodically monitor compliance of conditions on which the approval was accorded.

15. Revocation of access or approval. —

- (1) The Authority may either on the basis of any complaint or *suo moto* withdraw the approval granted for access under rule 15 and revoke the written agreement under the following conditions; namely: -
- (i) on the basis of reasonable belief that the person to whom the approval was granted has violated any of the provisions of the Act or the condition on which the approval was granted;
 - (ii) when the person who has been granted approval has failed to comply with the terms of the agreement;
 - (iii) on failure to comply with any of the conditions of access granted;
 - (iv) on account of overriding public interest or for protection of environment and conservation of biological diversity;

(2) The Authority shall send a copy of every order of revocation issued by it to the concerned State Biodiversity Board and the Biodiversity Management Committees for prohibiting the access and also to assess the damage, if any, caused and take steps to recover the damage.

16. Restriction on activities related to access to biological resources. —

(1) The Authority if it deems necessary and appropriate shall take the steps to restrict or prohibit the request for access to biological resources for the following reasons; namely: -

- (i) the request for access is for any endangered taxa;
- (ii) the request for access is for any endemic and rare species;
- (iii) the request for access may likely to result in adverse effect on the livelihoods of the local people;
- (iv) the request to access may result in adverse environmental impact which may be difficult to control and mitigate;
- (v) the request for access may cause genetic erosion or affecting the ecosystem function;
- (vi) use of resources for purposes contrary to national interest and other related international agreements entered into by India.

17. Procedure for seeking approval for transferring results of research. —

(1) Any person desirous of transferring results of research relating to biological resources obtained from India for monetary consideration to foreign nationals, companies and Non Resident Indians (NRIs), shall make an application to the Authority in the Form II.

(2) Every application under sub-rule (i) shall be accompanied by a fee of five thousand rupees in the form of a Bank draft or Cheque drawn in favour of the Authority.

(3) Every application under sub-rule (i) shall be decided upon by the Authority, as far as possible within a period of three months from the receipt of the same.

(4) On being satisfied that the applicant has fulfilled all the requirements, the Authority may grant the approval for transferring the results of research subject to such terms and conditions as it may deem fit to impose in each case.

(5) The approval for transfer shall be granted in the form of a written agreement duly signed by an authorized officer of the Authority and the applicant. The form of the agreement shall be such as may be decided by the Authority.

(6) The Authority may for reasons to be recorded in writing reject an application if it considers that the application cannot be allowed; Provided that the application shall be rejected unless the applicant has been given a reasonable opportunity of being heard.

18. Procedure for seeking prior approval before applying for intellectual property protection. —

(1) Any person desirous of applying for a patent or any other intellectual property based on research on biological material and knowledge obtained from India shall make an application in Form III.

(2) Every application under sub-rule (1) shall be accompanied by paying a fee of five hundred rupees.

(3) The Authority after due appraisal of the application and after collecting any additional information, on the basis of merit shall decide on the application, as far as possible within a period of three months of receipt of the same.

(4) On being satisfied that the applicant has fulfilled all the necessary requirements, the Authority may grant approval for applying for a patent or any other IPR subject to such terms and conditions as it may deem fit to impose in each case.

(5) The approval shall be granted in the form of a written agreement duly signed by an authorized officer of the Authority and the applicant. The form of the agreement may be decided by the Authority.

(6) The Authority may reject the application if it considers that the request cannot be acceded to after recording the reasons. Before passing order of rejection, the applicant shall be given an opportunity of hearing.

19. Procedure for third party transfer under sub-section (2) of section 20. —

(1) The persons who have been granted approval for access to biological resources and associated knowledge, intend to transfer the accessed biological resource or knowledge to any other person or organization shall make an application to the Authority in Form IV.

(2) Every application under sub-rule (1) shall be accompanied by a fee of ten thousand rupees in the form of Bank draft or cheque drawn in favour of the Authority.

(3) The Authority shall after collecting any additional information, decide upon the application as far as possible within a period of six months of receipt of the same.

(4) On being satisfied that the applicant has fulfilled all the necessary requirements, the Authority may grant approval for third party transfer subject to such terms and conditions it may deem fit to impose in each case.

(5) The approval as may be granted under sub-rule (4) in the form of a written agreement duly signed by an authorized officer of the Authority and the applicant. The form of the agreement shall be such as may be decided by the Authority.

(6) The Authority may for reasons to be recorded in writing reject the application if it considers that the request cannot be acceded to provided that no application shall be rejected unless the applicant has been given an opportunity of being heard.

20. Criteria for equitable benefit sharing (Section 21). —

(1) The Authority shall by notification in the Official Gazette formulate the guidelines and describe the benefit sharing formula.

(2) The guidelines shall provide for monetary and other benefits such as royalty; joint ventures; technology transfer; product development; education and awareness raising activities; institutional capacity building and venture capital fund.

(3) The formula for benefit sharing shall be determined on a case-by case basis.

(4) The Authority while granting approval to any person for access or for transfer of results of research or applying for patent and IPR or for third party transfer of the accessed biological resource and associated knowledge may impose terms and conditions for ensuring equitable sharing of the benefits arising out of the use of accessed biological material and associated knowledge.

(5) The quantum of benefits shall be mutually agreed upon between the persons applying for such approval and the Authority in consultation with the local bodies and benefit claimers and may be decided in due regard to the defined parameters of access, the extent of use, the sustainability aspect, impact and expected outcome levels, including measures ensuring conservation and sustainable use of biological diversity.

(6) Depending upon each case, the Authority shall stipulate the time frame for assessing benefit sharing on short, medium, and long term benefits.

(7) The Authority shall stipulate that benefits shall ensure conservation and sustainable use of biological diversity.

(8) Where biological resources or knowledge is accessed from a specific individual or a group of individuals or organizations, the Authority may take steps to ensure that the agreed amount is paid directly to them through the district administration. Where such individuals or group of individuals or organizations cannot be identified, the monetary benefits shall be deposited in the National Biodiversity Fund.

(9) Five percent of the assessed benefits shall be earmarked for the Authority or Board as the case may be, towards administrative and service charges.

(10) The Authority shall monitor the flow of benefits as determined under sub rule (4) in a manner determined by it.

21. Application of National Biodiversity Fund. —

(1) The National Biodiversity Fund shall be operated by the Chairperson or by such other officer of the Authority as may be authorized in this regard

(2) The National Biodiversity Fund shall have two separate heads of accounts, one relating to the receipts from the Central Government and the other concerning the fee, licence fee, royalty and other receipts of the Authority.

22. Constitution of Biodiversity Management Committees. —

(1) Every local body shall constitute a Biodiversity Management Committee (BMCs) within its area of jurisdiction.

(2) The Biodiversity Management Committee as constituted under sub-rule (1) shall consist of a Chairperson and not more than six persons nominated by the local body, of whom not less than one third should be women and not less than 18% should belong to the Scheduled Castes/Scheduled Tribes.

(3) The Chairperson of the Biodiversity Management Committee shall be elected from amongst the members of the committee in a meeting to be chaired by the Chairperson of the local body. The Chairperson of the local body shall have the casting votes in case of a tie.

(4) The Chairperson of the Biodiversity Management Committee shall have tenure of three years.

(5) The local Member of Legislative Assembly/ Member of Legislative Council and Member of Parliament would be special invitees to the meetings of the Committee.

(6) The main function of the BMC is to prepare People's Biodiversity Register in consultation with local people. The Register shall contain comprehensive information on availability and knowledge of local biological resources, their medicinal or any other use or any other traditional knowledge associated with them.

(7) The other functions of the BMC are to advise on any matter referred to it by the State Biodiversity Board or Authority for granting approval, to maintain data about the local vairs and practitioners using the biological resources.

(8) The Authority shall take steps to specify the form of the People's Biodiversity Registers, and the particulars it shall contain and the format for electronic database.

(9) The Authority and the State Biodiversity Boards shall provide guidance and technical support to the Biodiversity Management Committees for preparing People's Biodiversity Registers.

(10) The People's Biodiversity Registers shall be maintained and validated by the Biodiversity Management Committees.

(11) The Committee shall also maintain a Register giving information about the details of the access to biological resources and traditional knowledge granted, details of the collection fee imposed and details of the benefits derived and the mode of their sharing.

23. Appeal for settlement of disputes under Section 50. —

(1) If a dispute arises between the Authority or a State Biodiversity Board or between one Board and other Board(s) on account of implementation of any order or direction or on any issue of policy decision, either of the aggrieved parties i.e., Authority or the Board, as the case may be, prefer an appeal to the Central Government under section 50, in Form V to the Secretary, Ministry of Environment and Forests, Government of India

(2) In case the dispute arises between a State Biodiversity Board and another state Biodiversity Board or Boards, the aggrieved Board or Boards, shall prefer the point or points of dispute to the Central Government which shall refer the same to the Authority.

(3) The memorandum of appeal shall state the facts of the case, the grounds relied upon by the appellant, for preferring the appeal and the relief sought for.

(4) The memorandum of appeal shall be accompanied by an authenticated copy of the order, direction or policy decision, as the case may be, by which the appellant is aggrieved and shall be duly signed by the authorised representative of the appellant.

(5) The memorandum of appeal shall be submitted in quadruplicate, either in person or through a registered post with Acknowledgement due, within 30 days from the date of the orders, direction or policy decision, impugned provided that if the Central Government is satisfied that there was good and sufficient reason for the delay in preferring the appeal, it may, for reason to be recorded in writing, allow the appeal to be preferred after the expiry of the aforesaid period of 30 days but before the expiry of 45 days from the date of the orders impugned, direction or policy decision, as the case may be.

(6) The notice for hearing of the appeal shall be given in Form VI by a registered post with an acknowledgement due.

(7) The Central Government shall, after hearing the appellant and the other parties, dispose of the appeal.

(8) In disposing of an appeal it may vary or modify or cancel impugned order, direction or policy, as the case may be.

(9) In adjudicating a dispute, the Authority shall be guided by the principles of natural justice and as far as practicable, follow the same procedure which the Central Government is required to follow under this rule.

24. Manner of giving notice under Section Section 61. —

- (1) The manner of giving notice, under clause (b) of section 61, shall be as follows namely. —
 - (i) The notice shall be in writing in Form VII.
 - (ii) The person giving the notice may send it to. —
 - (a) If the alleged offence has taken place in a Union territory, to the Chairperson of the National Bio-diversity Authority; and
 - (b) If the alleged offence has taken place in a State, to the Chairperson of the State Bio-diversity Board
- (2) The notice referred to in sub-rule (1) shall be sent by registered post acknowledgement due; and
- (3) The period of thirty days mentioned in clause (b) of section 61 shall be reckoned from the date, the notice is received by the Authorities mentioned in sub-rule (1).

FORM I
(see rule 14)

Application form for access to Biological resources and associated traditional knowledge

Part-A

1. Full particulars of the applicant:
 - (i) Name:
 - (iii) Permanent address:
 - (iv) Address of the contact person / agent, if any, in India:
 - (v) Profile of the organization (personal profile in case the applicant is an individual). Please attach relevant documents of authentication):
 - (vi) Nature of business:
 - (vii) Turnover of the organization in US\$:

2. Details and specific information about nature of access sought and biological material and associated knowledge to be accessed
 - a. Identification (scientific name) of biological resources and its traditional use:
 - b. Geographical location of proposed collection:
 - c. Description / nature of traditional knowledge (oral / documented):
 - d. Any identified individual/community holding the traditional knowledge:
 - e. Quantity of biological resources to be collected (give the schedule):
 - f. Time span in which the biological resources is proposed to be collected:
 - g. Name and number of person authorized by the company for making the selection:
 - h) The purpose for which the access is requested including the type and extent of research, commercial use being derived and expected to be derived from it:
 - i) Whether any collection of the resource endangers any component of biological diversity and the risks which may arise from the access:

3. Details of any national institution which will participate in the Research and Development activities.

4. Primary destination of accessed resource and identity of the location where the R&D will be carried out.

5. The economic and other benefits including those arriving out of any IPR, patent obtained out of accessed biological resources and knowledge that are intended, or may accrue to the applicant or to the country that he/she belongs

6. The biotechnological, scientific, social or any other benefits obtained out of accessed biological resources and knowledge that are intended, or may accrue to the applicant or to the country that he/she belongs

7. Estimation of benefits, that would flow to India/ communities arising out of the use of accessed bio-resources and traditional knowledge

8. Proposed mechanism and arrangements for benefit sharing.

9. Any other information considered relevant.

**PART B
DECLARATION**

I/ we declare that:

- Collection of proposed biological resources shall not adversely affect the sustainability of the resources;
- Collection of proposed biological resources shall not entail any environmental impact;
- Collection of proposed biological resources shall not pose any risk to ecosystems;
- Collection of proposed biological resources shall not adversely affect the local communities;

I/we further declare the Information provided in the application form is true and correct and I/We shall be responsible for any incorrect / wrong information.

Signed
Name
Title

Place
Date

FORM II
(see Rule 17)

Application for seeking prior approval of National Biodiversity Authority for transferring the results of research to foreign nationals, companies, NRI's, for commercial purposes.

1. Full particulars of the applicant
 - i) Name:
 - ii) Address:
 - iii) Professional profile:
 - iv) Organizational affiliation (Please attach relevant documents of authentication):
2. Details of the results of research conducted
3. Details of the Biological resources and /or associated knowledge used in the research.
4. Geo-graphical location from where the biological resources used in the research are collected
5. Details of any traditional knowledge used in the research and any identified individual /community holding the traditional knowledge
6. Details of institution where R&D activities carried out.
7. Details of the individual / organization to whom the research results are intend to transfer.
8. Details of economic, biotechnological, scientific or any other benefits that are intended, or may accrue to the individual /organization due to commercialization of transferred research results.
9. Details of economic, biotechnological, scientific or any other benefits that are intended, or may accrue to the applicant seeking approval for transfer of results of research.
10. Details of any agreement or MOU between by the proposed recipient and applicant seeking approval for transfer of results of research.

Declaration

I/we declare the Information provided in the application form is true and correct and I /We shall be responsible for any incorrect / wrong information.

Signed
Name
Title

Place
Date

FORM III
(See rule 18)

Application for seeking prior approval of National Biodiversity Authority for applying for Intellectual Property Right

1. Full particulars of the applicant
 - i) Name
 - ii) Address:
 - iii) Professional profile
 - iv) Organizational affiliation (Please attach relevant documents of authentication):
2. Details of the invention on which IPRs sought
3. Details of the Biological resources and /or associated knowledge used in the invention.
4. Geo-graphical location from where the biological resources used in the invention are collected
5. Details of any traditional knowledge used in the in the invention and any identified individual /community holding the traditional knowledge
6. Details of institution where Research and Development activities carried out.
7. Details of economic, biotechnological, scientific or any other benefits that are intended, or may accrue to the applicant due commercialization of the invention.

Declaration

I/we declare the Information provided in the application form is true and correct and I /We shall be responsible for any incorrect / wrong information.

Signed
Name
Title

Place
Date

FORM IV
(See rule 19)

Application form for seeking approval of National Biodiversity Authority for third party transfer of the accessed Biological resources and associated traditional knowledge.

1. Full particulars of the applicant
 - (i) Name
 - (ii) Address:
 - (iii) Professional profile
 - (iv) Organizational affiliation (Please attach relevant documents of authentication):
2. Details of the biological material and traditional knowledge accessed.
3. Details of the access contract entered (Copy to be enclosed)
4. Details of the benefits and mechanism / arrangements for benefit sharing already implemented.
5. Full particulars of the third part to whom the accessed material / knowledge is intended to transfer.
6. The purpose of the intended third party transfer.
7. Details of economic, social, biotechnological, scientific or any other benefits that are intended, or may accrue to the third party due to transfer of accessed biological material and knowledge.
8. Details of any agreement to be entered between the applicant and the third party.
9. Estimation of benefits that would flow to India/ communities arising out of the third party transfer of accessed biological resources and traditional knowledge
10. Proposed mechanism and arrangements for benefit sharing arising out of the proposed third party transfer.
11. Any other relevant information

Declaration

I/we declare the Information provided in the application form is true and correct and I /We shall be responsible for any incorrect / wrong information.

Signed
Name
Title

Place
Date

FORM V
(See rule-23(1))

Form of Memorandum of Appeal

**BEFORE THE _____ MINISTRY OF ENVIRONMENT AND FORESTS, NEW DELHI
OR**

**NATIONAL BIODIVERSITY AUTHORITY
(as the case may be)**

(Memorandum of appeal under Section 50 of the Biological Diversity Act, 2002.)

Appeal No. _____ of 200

.....Appellant (s)

Vs.

.....Respondent(s)

(here mention the designation of the Authority/
Board, as the case may be)

The appellant begs to prefer this Memorandum of Appeal against the order dated _____
passed by the Respondent on the following facts and grounds.

1. **FACTS:**

(Here briefly mention the facts of the case):

2. **GROUND:**

(Here mention the grounds on which the appeal is made):

- i.)
- ii.)
- iii.)

3. **RELIEF SOUGHT:**

- i)
- ii)
- iii)

4. **PRAYER:**

a. In the light of what is stated above, the appellant respectfully prays that the order/decision
of the respondent be quashed/set-aside.

b. The policy/guidelines/regulation framed by the Respondent be quashed/modified/annulled
the extent _____

c. _____

Signature of the appellant with Seal

Address:

Place: _____

Dated: _____

VERIFICATION

I, the appellant do hereby declare that what is stated above is true to the best of my information and belief.

Verified on ____ day of _____.

Signature of the appellant with Seal
Address

Signature of the Authorised representative of the appellant

Enclosures: 1. Authenticated copy of the order/direction/policy decision, against which the appeal has been preferred.

FORM VI
(See rule 28)

BEFORE THE _____ MINISTRY OF ENVIRONMENT AND FORESTS, NEW DELHI

OR

NATIONAL BIODIVERSITY AUTHORITY
(as the case may be)

Appeal No. _____ of 200

Between:

... Appellant(s)

Vs.

... Respondents(s)

NOTICE

Please take notice that the above appeal filed by the appellant, against the order/direction/policy decision (give details) is fixed for hearing on _____ at _____.

The copies of the appeal memorandum and other annexure filed along with the appeal are sent herewith for your reference.

Please note that if you fails to appear on the said date or other subsequent date of hearing of the appeal, the appeal would be disposed of finally by placing you ex-parte.

Authorised signatory on behalf of the Appellate Authority (Seal)

Date: _____

Place: _____

FORM VII
FORM OF NOTICE
(See rule 24 (1))

By Registered Post/Acknowledgement due

From

Shri _____

To,

Sub: NOTICE UNDER SECTION 61(b) OF THE BIOLOGICAL DIVERSITY ACT, 2002.

Whereas an offence under the Biological Diversity Act, 2002 has been committed/is being committed by _____

2. I/we hereby give notice of 30 days under Section 61(b) of the Biological Diversity Act, 2002 of my /our intention to file a complaint in the Court against _____ for violation of the provisions of the Biological Diversity Act, 2002.

3. In support of my/our notice, I am/we are enclosing herewith the following documents as evidence of proof.

Place: _____

Dated: _____

Signature

EXPLANATION:

- (1) In case the notice to be 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 the notice.
- (2) Give the name and address of the alleged offender. In case of using biological resource/ knowledge/research/bio-survey and bio utilisation /the intellectual property right /patent, without the approval of the Authority, the details thereof and the commercial utilisation if any, may be furnished.
- (3) Documentary evidence shall include photograph, technical report etc. for enabling enquiry into the alleged violation/offence.

[No. J 22018/57/2002 CSC (BC)]
(DESH DEEPAK VERMA), Jt. Secy.

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 2nd August, 2018

S.O. 3845(E).—In exercise of the powers conferred by section 38 of the Biological Diversity Act, 2002 (18 of 2003), the Central Government, in consultation with the Government of Jammu and Kashmir, hereby notifies the species of plants and animals which are on the verge of extinction, as listed in column (2) of the Table given below, and prohibit or regulate the collection thereof subject to the conditions specified in the Annexure to this notification, for the State of Jammu and Kashmir, namely:—

Sl. No.	Name of the species
(1)	(2)
	Plants
1.	Aconitum chasmanthum Stapf (Ranunculaceae)
2.	Aconitum deinorrhizum Stapf (Ranunculaceae)
3.	Aconitum heterophyllum Wall. Ex. Royle (Ranunculaceae)
4.	Aconitum kasmiricum Stapf Ex. Coventry (Ranunculaceae)
5.	Aconitum violaceum Jacq. Ex. Stapf ((Ranunculaceae)
6.	Eremostachys superba Royle Ex. Benth (Lamiaceae)
7.	Gentiana ornata Wall. Ex. Griseb (Gentianaceae)
8.	Gentiana kurro Royle, (Gentianaceae)
9.	Lagotis cashmeriana (Royle) Rupr. (Plantaginaceae)
10.	Meconopsis latifolia (Prain) Prain (Papaveraceae)
11.	Meconopsis aculeata Royle (Papaveraceae)
12.	Saussurea costus (Falc.) Lipsch. (Asteraceae)
13.	Saussurea medusa Maxim. (Asteraceae)
14.	Saussurea simpsoniana (Fielding & Gardner) Lipsch. (Asteraceae)
15.	Sophora moorcroftiana Benth. Ex. Baker (Leguminosae)
16.	Podophyllum hexandrum Royle (Berberidaceae)
17.	Dactylorhiza hatagirea (D. Don) Soo (Orchidaceae)
18.	Picrorrhiza kurroa Royle Ex. Benth (Plantagiaceae)
19.	Betula utilis D. Don (Betulaceae)
20.	Taxus wallichiana Zucc. (Taxaceae)

Sl. No.	Name of the species
(1)	(2)
	Animals
1.	Gervus hanglu Wagner, 1844
2.	Capra falconeri (Wagner, 1839)
3.	Cuon alpines laniger Pocock, 1936
4.	Moschus cupreus Grubb, 1982
5.	Pantholops hodgsonii (Abel, 1826)

6.	Procapra picticaudata Hodgson, 1846
7.	Panthera uncia (Schreber, 1775)
8.	Hemitragus jemlahicus (Smitth, 1823)
9.	Gyps bengalensis (Gmelin, 1788)
10.	Tragopan melanocephalus (grey, 1829)

2. The collection of the species of plants and animals listed in column (2) of the table shall be prohibited, except with the approval of the Jammu and Kashmir State Biodiversity Board only for the purposes mentioned below, namely: -

- (a) Scientific research;
- (b) Herbarium and museum of scientific and academic institutions;
- (c) Propagation; and
- (d) Any other scientific investigation.

3. The Jammu and Kashmir State Biodiversity Board shall undertake: -

- (i) studies on all aspects of the notified species for holistic understanding;
- (ii) propagation of the notified species for the purpose of in situ and ex situ conservation and rehabilitation; and
- (iii) awareness programmes and provide educational materials on notified species for forest department personnel, Biodiversity Management Committees, ecotourism programmes, and forest dwellers and tribals.

[F. No. 28-12/2008-CS-III]

Dr. SUJATA ARORA, Adviser/Scientist 'G'

**THE NATIONAL GREEN
TRIBUNAL ACT, 2010**

THE NATIONAL GREEN TRIBUNAL ACT, 2010

ARRANGEMENT OF SECTIONS

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SECTIONS

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4. Composition of Tribunal.
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THE NATIONAL GREEN TRIBUNAL ACT, 2010**(NO. 19 OF 2010)**

[2nd June, 2010.]

An Act to provide for the establishment of a National Green Tribunal for the effective and expeditious disposal of cases relating to environmental protection and conservation of forests and other natural resources including enforcement of any legal right relating to environment and giving relief and compensation for damages to persons and property and for matters connected therewith or incidental thereto.

AND WHEREAS India is a party to the decisions taken at the United Nations Conference on the Human Environment held at Stockholm in June, 1972, in which India participated, calling upon the States to take appropriate steps for the protection and improvement of the human environment;

AND 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 the States to provide effective access to judicial and administrative proceedings, including redress and remedy and to develop national laws regarding liability and compensation for the victims of pollution and other environmental damage;

AND WHEREAS in the judicial pronouncement in India, the right to healthy environment has been construed as a part of the right to life under article 21 of the Constitution;

AND WHEREAS it is considered expedient to implement the decisions taken at the aforesaid conferences and to have a National Green Tribunal in view of the involvement of multi-disciplinary issues relating to the environment.

BE it enacted by Parliament in the Sixty-first Year of the Republic of India as follows: —

CHAPTER I**PRELIMINARY**

1. Short title and commencement. —(1) This Act may be called the National Green Tribunal Act, 2010.

(2) It shall come into force on such date¹ as the Central Government may, by notification in the Official Gazette, appoint.

2. Definitions. — (1) In this Act, unless the context otherwise requires, —

(a) “accident” means an accident involving a fortuitous or sudden or unintended occurrence while handling any hazardous substance or equipment, or plant, or vehicle 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 civil disturbance;

(b) “Chairperson” means the Chairperson of the National Green Tribunal;

(c) “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;

(d) “Expert Member” means a member of the Tribunal who, is appointed as such, and holds qualifications specified in sub-section (2) of section 5, and, is not a Judicial Member;

¹ Enforceable w.e.f 18-10-2010 vide SO 2569 (E), dt, 18-10-2010

(e) “handling”, in relation to any hazardous substance, means the manufacture, processing, treatment, package, storage, transportation, use, collection, destruction, conversion, offering for sale, transfer or the like of such hazardous substance;

(f) “hazardous substance” means any substance or preparation which is defined as hazardous substance in the Environment (Protection) Act, 1986 (29 of 1986), and exceeding such quantity as specified or may be specified by the Central Government under the Public Liability Insurance Act, 1991 (6 of 1991);

(g) “injury” includes permanent, partial or total disablement or sickness resulting out of an accident;

(h) “Judicial Member” means a member of the Tribunal who is qualified to be appointed as such under sub-section (1) of section 5 and includes the Chairperson;

(i) “notification” means a notification published in the Official Gazette;

(j) “person” includes—

(i) an individual,

(ii) a Hindu undivided family,

(iii) a company,

(iv) a firm,

(v) an association of persons or a body of individuals, whether incorporated or not,

(vi) trustee of a trust,

(vii) a local authority, and

(viii) every artificial juridical person, not falling within any of the preceding sub-clauses;

(k) “prescribed” means prescribed by rules made under this Act;

(l) “Schedule” means Schedules I, II and III appended to this Act;

(m) “substantial question relating to environment” shall include an instance where, —

(i) there is a direct violation of a specific statutory environmental obligation by a person by which, —

(A) the community at large other than an individual or group of individuals is affected or likely to be affected by the environmental consequences; or

(B) the gravity of damage to the environment or property is substantial; or

(C) the damage to public health is broadly measurable;

(ii) the environmental consequences relate to a specific activity or a point source of pollution;

(n) “Tribunal” means the National Green Tribunal established under section 3;

(o) “workman” has the meaning assigned to it in the Workmen's Compensation Act, 1923 (8 of 1923).

(2) The words and expressions used in this Act but not defined herein and defined in the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974), the Water (Prevention and Control of Pollution) Cess Act, 1977 (36 of 1977), the Forest (Conservation) Act, 1980 (69 of 1980), the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981), the Environment (Protection) Act, 1986 (29

of 1986), the Public Liability Insurance Act, 1991 (6 of 1991) and the Biological Diversity Act, 2002 (18 of 2003) and other Acts relating to environment shall have the meaning, respectively, assigned to them in those Acts.

CHAPTER II

ESTABLISHMENT OF THE TRIBUNAL

3. Establishment of Tribunal. — The Central Government shall, by notification, establish, with effect from such date¹ as may be specified therein, a Tribunal to be known as the National Green Tribunal to exercise the jurisdiction, powers and authority conferred on such Tribunal by or under this Act.

4. Composition of Tribunal. — (1) The Tribunal shall consist of —

(a) a full time Chairperson;

(b) not less than ten but subject to maximum of twenty full time Judicial Members as the Central Government may, from time to time, notify;

(c) not less than ten but subject to maximum of twenty full time Expert Members, as the Central Government may, from time to time, notify.

(2) The Chairperson of the Tribunal may, if considered necessary, invite any one or more person having specialised knowledge and experience in a particular case before the Tribunal to assist the Tribunal in that case.

(3) The Central Government may, by notification, specify the ordinary place or places of sitting of the Tribunal, and the territorial jurisdiction falling under each such place of sitting.

(4) The Central Government may, in consultation with the Chairperson of the Tribunal, make rules regulating generally the practices and procedure of the Tribunal including —

(a) the rules as to the persons who shall be entitled to appear before the Tribunal;

(b) the rules as to the procedure for hearing applications and appeals and other matters [including the circuit procedure for hearing at a place other than the ordinary place of its sitting falling within the jurisdiction referred to in sub-section (3)], pertaining to the applications and appeals;

(c) the minimum number of Members who shall hear the applications and appeals in respect of any class or classes of applications and appeals:

(d) Provided that the number of Expert Members shall, in hearing an application or appeal, be equal to the number of Judicial Members hearing such application or appeal;

(e) rules relating to transfer of cases by the Chairperson from one place of sitting (including the ordinary place of sitting) to other place of sitting.

5. Qualifications for appointment of Chairperson, Judicial Member and Expert Member. — (1) A person shall not be qualified for appointment as the Chairperson or Judicial Member of the Tribunal unless he is, or has been, a Judge of the Supreme Court of India or Chief Justice of a High Court:

Provided that a person who is or has been a Judge of the High Court shall also be qualified to be appointed as a Judicial Member.

(1) A person shall not be qualified for appointment as an Expert Member, unless he, —

¹ The National Green Tribunal established by Notification. No. F No.17/2/2010 vide SO 2570

(a) has a degree in Master of Science (in physical sciences or life sciences) with a Doctorate degree or Master of Engineering or Master of Technology and has an experience of fifteen years in the relevant field including five years practical experience in the field of environment and forests (including pollution control, hazardous substance management, environment impact assessment, climate change management, biological diversity management and forest conservation) in a reputed National level institution; or

(b) has administrative experience of fifteen years including experience of five years in dealing with environmental matters in the Central or a State Government or in a reputed National or State level institution.

(2) The Chairperson, Judicial Member and Expert Member of the Tribunal shall not hold any other office during their tenure as such.

(3) The Chairperson and other Judicial and Expert Members shall not, for a period of two years from the date on which they cease to hold office, accept any employment in, or connected with the management or administration of, any person who has been a party to a proceeding before the Tribunal under this Act:

Provided that nothing contained in this section shall apply to any employment under the Central Government or a State Government or local authority or in any statutory authority or any corporation established by or under any Central, State or Provincial Act or a Government company as defined in section 617 of the Companies Act, 1956 (1 of 1956).

6. Appointment of Chairperson, Judicial Member and Expert Member. — (1) Subject to the provisions of section 5, the Chairperson, Judicial Members and Expert Members of the Tribunal shall be appointed by the Central Government.

(2) The Chairperson shall be appointed by the Central Government in consultation with the Chief Justice of India.

(3) The Judicial Members and Expert Members of the Tribunal shall be appointed on the recommendations of such Selection Committee and in such manner as may be prescribed.

7. Term of office and other conditions of service of Chairperson, Judicial Member and Expert Member. — The Chairperson, Judicial Member and Expert Member of the Tribunal shall hold office as such for a term of five years from the date on which they enter upon their office, but shall not be eligible for re-appointment:

Provided that in case a person, who is or has been a Judge of the Supreme Court, has been appointed as Chairperson or Judicial Member of the Tribunal, he shall not hold office after he has attained the age of seventy years:

Provided further that in case a person, who is or has been the Chief Justice of a High Court, has been appointed as Chairperson or Judicial Member of the Tribunal, he shall not hold office after he has attained the age of sixty-seven years:

Provided also that in case a person, who is or has been a Judge of a High Court, has been appointed as Judicial Member of the Tribunal, he shall not hold office after he has attained the age of sixty-seven years:

Provided also that no Expert Member shall hold office after he has attained the age of sixty-five years.

8. Resignation. — The Chairperson, Judicial Member and Expert Member of the Tribunal may, by notice in writing under their hand addressed to the Central Government, resign their office.

9. Salaries, allowances and other terms and conditions of service. — The salaries and allowances payable to, and the other terms and conditions of service (including pension, gratuity and other retirement

benefits) of, the Chairperson, Judicial Member and Expert Member of the Tribunal 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, Judicial Member and Expert Member shall be varied to their disadvantage after their appointment.

10. Removal and suspension of Chairperson, Judicial Member and Expert Member. — (1) The Central Government may, in consultation with the Chief Justice of India, remove from office of the Chairperson or Judicial Member of the Tribunal, who, —

- (a) has been adjudged an insolvent; or
- (b) has been convicted of an offence which, in the opinion of the Central Government, involves moral turpitude; or
- (c) has become physically or mentally incapable; or
- (d) has acquired such financial or other interest as is likely to affect prejudicially his functions; or
- (e) has so abused his position as to render his continuance in office prejudicial to the public interest.

(2) The Chairperson or Judicial Member shall not be removed from his office except by an order made by the Central Government after an inquiry made by a Judge of the Supreme Court in which such Chairperson or Judicial Member has 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 suspend from office the Chairperson or Judicial Member in respect of whom a reference of conducting an inquiry has been made to the Judge of the Supreme Court under sub-section (2), until the Central Government passes an order on receipt of the report of inquiry made by the Judge of the Supreme Court on such reference.

(4) The Central Government may, by rules, regulate the procedure for inquiry referred to in sub-section (2).

(5) The Expert Member may be removed from his office by an order of the Central Government on the grounds specified in sub-section (1) and in accordance with the procedure as may be notified by the Central Government:

Provided that the Expert Member shall not be removed unless he has been given an opportunity of being heard in the matter.

¹[10A. Qualifications, terms and conditions of service of Chairperson, Judicial Member and Expert Member. — Notwithstanding anything contained in this Act, the qualifications, appointment, term of office, salaries and allowances, resignation, removal and other terms and conditions of service of the Chairperson, Judicial Member and Expert Member of the Tribunal appointed after the commencement of Part XIV of Chapter VI of the Finance Act, 2017 (7 of 2017), shall be governed by the provisions of section 184 of that Act:

Provided that the Chairperson, Judicial Member and Expert Member appointed before the commencement of Part XIV of Chapter VI of the Finance Act, 2017, shall continue to be governed by the provisions of this Act, and the rules made thereunder as if the provisions of section 184 of the Finance Act, 2017 had not come into force.]

¹ Ins. by Act 7 of 2017, Sec.182. (w.e.f. 26-5-2017)

11. To act as Chairperson of Tribunal or to discharge his functions in certain circumstances. — In the event of the occurrence of any vacancy in the office of the Chairperson of the Tribunal, by reason of his death, resignation or otherwise, such Judicial Member of the Tribunal as the Central Government may, by notification, authorise in this behalf, shall act as the Chairperson until the date on which a new Chairperson is appointed in accordance with the provisions of this Act.

12. Staff of 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.

(1) The recruitment of the officers and other employees of the Tribunal shall be made by the Chairperson in such manner as may be prescribed.

(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 employees of the Tribunal shall be such as may be prescribed.

13. Financial and administrative powers of Chairperson. — The Chairperson of the Tribunal shall exercise such financial and administrative powers as may be vested in him under the rules made by the Central Government:

Provided that the Chairperson may delegate such of his financial and administrative powers, as he may think fit, to any Judicial Member or Expert Member or officer of the Tribunal subject to the condition that the Member or such officer, while exercising such delegated power, continues to act under the direction, control and supervision of the Chairperson.

CHAPTER III

JURISDICTION, POWERS AND PROCEEDINGS OF THE TRIBUNAL

14. Tribunal to settle disputes. — (1) The Tribunal shall have the jurisdiction over all civil cases where a substantial question relating to environment (including enforcement of any legal right relating to environment), is involved and such question arises out of the implementation of the enactments specified in Schedule I.

(2) The Tribunal shall hear the disputes arising from the questions referred to in sub-section (1) and settle such disputes and pass order thereon.

(3) No application for adjudication of dispute under this section shall be entertained by the Tribunal unless it is made within a period of six months from the date on which the cause of action for such dispute first arose:

Provided that the Tribunal may, if it is satisfied that the applicant was prevented by sufficient cause from filing the application within the said period, allow it to be filed within a further period not exceeding sixty days.

15. Relief, compensation and restitution. — (1) The Tribunal may, by an order, provide, —

(a) relief and compensation to the victims of pollution and other environmental damage arising under the enactments specified in the Schedule I (including accident occurring while handling any hazardous substance);

(b) for restitution of property damaged;

(c) for restitution of the environment for such area or areas,

as the Tribunal may think fit.

(2) The relief and compensation and restitution of property and environment referred to in clauses (a), (b) and (c) of sub-section (1) shall be in addition to the relief paid or payable under the Public Liability Insurance Act, 1991 (6 of 1991).

(3) No application for grant of any compensation or relief or restitution of property or environment under this section shall be entertained by the Tribunal unless it is made within a period of five years from the date on which the cause for such compensation or relief first arose:

Provided that the Tribunal may, if it is satisfied that the applicant was prevented by sufficient cause from filing the application within the said period, allow it to be filed within a further period not exceeding sixty days.

(4) The Tribunal may, having regard to the damage to public health, property and environment, divide the compensation or relief payable under separate heads specified in Schedule II so as to provide compensation or relief to the claimants and for restitution of the damaged property or environment, as it may think fit.

(5) Every claimant of the compensation or relief under this Act shall intimate to the Tribunal about the application filed to, or, as the case may be, compensation or relief received from, any other court or authority.

16. Tribunal to have appellate jurisdiction. — Any person aggrieved by, —

(a) an order or decision, made, on or after the commencement of the National Green Tribunal Act, 2010, by the appellate authority under section 28 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);

(b) an order passed, on or after the commencement of the National Green Tribunal Act, 2010, by the State Government under section 29 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);

(c) directions issued, on or after the commencement of the National Green Tribunal Act, 2010, by a Board, under section 33A of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);

(d) an order or decision made, on or after the commencement of the National Green Tribunal Act, 2010, by the appellate authority under section 13 of the Water (Prevention and Control of Pollution) Cess Act, 1977 (36 of 1977);

(e) an order or decision made, on or after the commencement of the National Green Tribunal Act, 2010, by the State Government or other authority under section 2 of the Forest (Conservation) Act, 1980 (69 of 1980);

(f) an order or decision, made, on or after the commencement of the National Green Tribunal Act, 2010, by the Appellate Authority under section 31 of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981);

(g) any direction issued, on or after the commencement of the National Green Tribunal Act, 2010, under section 5 of the Environment (Protection) Act, 1986 (29 of 1986);

(h) an order made, on or after the commencement of the National Green Tribunal Act, 2010, granting environmental clearance in the area in which any industries, operations or processes or class of industries, operations and processes shall not be carried out or shall be carried out subject to certain safeguards under the Environment (Protection) Act, 1986 (29 of 1986);

(i) an order made, on or after the commencement of the National Green Tribunal Act, 2010, refusing to grant environmental clearance for carrying out any activity or operation or process under the Environment (Protection) Act, 1986;

(j) any determination of benefit sharing or order made, on or after the commencement of the National Green Tribunal Act, 2010, by the National Biodiversity Authority or a State Biodiversity Board under the provisions of the Biological Diversity Act, 2002, may within a period of thirty days from the date on which the order or decision or direction or determination is communicated to him, prefer an appeal to the Tribunal:

Provided that the Tribunal may, if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal within the said period, allow it to be filed under this section within a further period not exceeding sixty days.

17. Liability to pay relief or compensation in certain cases. — (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 or the adverse impact of an activity or operation or process, under any enactment specified in Schedule I, the person responsible shall be liable to pay such relief or compensation for such death, injury or damage, under all or any of the heads specified in Schedule II, as may be determined by the Tribunal.

(2) If the death, injury or damage caused by an accident or the adverse impact of an activity or operation or process under any enactment specified in Schedule I cannot be attributed to any single activity or operation or process but is the combined or resultant effect of several such activities, operations and processes, the Tribunal may, apportion the liability for relief or compensation amongst those responsible for such activities, operations and processes on an equitable basis.

(3) The Tribunal shall, in case of an accident, apply the principle of no fault.

18. Application or Appeal to Tribunal. — (1) Each application under sections 14 and 15 or an appeal under section 16 shall, be made to the Tribunal in such form, contain such particulars, and, be accompanied by such documents and such fees as may be prescribed.

(2) Without prejudice to the provisions contained in section 16, an application for grant of relief or compensation or settlement of dispute may be made to the Tribunal by—

(a) the person, who has sustained the injury; or

(b) the owner of the property to which the damage has been caused; or

(c) where death has resulted from the environmental damage, by all or any of the legal representatives of the deceased; or

(d) 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; or

(e) any person aggrieved, including any representative body or organisation; or

(f) the Central Government or a State Government or a Union territory Administration or the Central Pollution Control Board or a State Pollution Control Board or a Pollution Control Committee or a local authority, or any environmental authority constituted or established under the Environment (Protection) Act, 1986 (29 of 1986) or any other law for the time being in force:

Provided that where all the legal representatives of the deceased have not joined in any such application for compensation or relief or settlement of dispute, 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:

Provided further that the person, the owner, the legal representative, agent, representative body or organisation shall not be entitled to make an application for grant of relief or compensation or settlement of dispute if such person, the owner, the legal representative, agent, representative body or organisation have preferred an appeal under section 16.

(3) The application, or as the case may be, the appeal filed before the Tribunal under this Act shall be dealt with by it as expeditiously as possible and endeavour shall be made by it to dispose of the

application, or, as the case may be, the appeal, finally within six months from the date of filing of the application, or as the case may be, the appeal, after providing the parties concerned an opportunity to be heard.

19. Procedure and powers of Tribunal. — (1) 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.

(2) Subject to the provisions of this Act, the Tribunal shall have power to regulate its own procedure.

(3) The Tribunal shall also not be bound by the rules of evidence contained in the Indian Evidence Act, 1872 (1 of 1872).

(4) The Tribunal shall have, for the purposes 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 decision;
- (g) dismissing an application for 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*;
- (i) pass an interim order (including granting an injunction or stay) after providing the parties concerned an opportunity to be heard, on any application made or appeal filed under this Act;
- (j) pass an order requiring any person to cease and desist from committing or causing any violation of any enactment specified in Schedule I;
- (k) any other matter which may be prescribed.

(5) All proceedings before the Tribunal shall be deemed to be the judicial proceedings within the meaning of sections 193, 219 and 228 for the purposes of section 196 of the Indian Penal Code (45 of 1860) and the Tribunal shall be deemed to be a civil court for the purposes of section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973 (2 of 1974).

20. Tribunal to apply certain principles. — The Tribunal shall, while passing any order or decision or award, apply the principles of sustainable development, the precautionary principle and the polluter pays principle.

21. Decision to be taken by majority. — The decision of the Tribunal by majority of Members shall be binding:

Provided that if there is a difference of opinion among the Members hearing an application or appeal, and the opinion is equally divided, the Chairperson shall hear (if he has not heard earlier such application or appeal) such application or appeal and decide:

Provided further that where the Chairperson himself has heard such application or appeal along with other Members of the Tribunal, and if there is a difference of opinion among the Members in such cases and the opinion is equally divided, he shall refer the matter to other Members of the Tribunal who shall hear such application or appeal and decide.

22. Appeal to Supreme Court. — Any person aggrieved by any award, decision or order of the Tribunal, may, file an appeal to the Supreme Court, within ninety days from the date of communication of the award, decision or order of the Tribunal, to him, on any one or more of the grounds specified in section 100 of the Code of Civil Procedure, 1908 (5 of 1908):

Provided that the Supreme Court may entertain any appeal after the expiry of ninety days, if it is satisfied that the appellants were prevented by sufficient cause from preferring the appeal.

23. Cost. — (1) While disposing of an application or an appeal under this Act, the Tribunal shall have power to make such order as to costs, as it may consider necessary.

(2) Where the Tribunal holds that a claim is not maintainable, or is false or vexatious, and such claim is disallowed, in whole or in part, the Tribunal may, if it so thinks fit, after recording its reasons for holding such claim to be false or vexatious, make an order to award costs, including lost benefits due to any interim injunction.

24. Deposit of amount payable for damage to environment. — (1) Where any amount by way of compensation or relief is ordered to be paid under any award or order made 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 or relief credited to the Environmental Relief Fund under sub-section (1), may, notwithstanding anything contained in the Public Liability Insurance Act, 1991 (6 of 1991), be utilised by such persons or authority, in such manner and for such purposes relating to environment, as may be prescribed.

25. Execution of award or order or decision of Tribunal. — (1) An award or order or decision of the Tribunal under this Act shall be executable by the Tribunal as a decree of a 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 any order or award made by it to a civil court having local jurisdiction and such civil court shall execute the order or award as if it were a decree made by that court.

(3) Where the person responsible, for death of, or injury to any person or damage to any property and environment, 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 so specified in the award or order, such amount, without prejudice to the filing of complaint for prosecution for an offence under this Act or any other law for the time being in force, shall be recoverable from the aforesaid person as arrears of land revenue or of public demand.

CHAPTER IV

PENALTY

26. Penalty for failure to comply with orders of Tribunal. — (1) Whoever, fails to comply with any order or award or decision of the Tribunal under this Act, he shall be punishable with imprisonment for a term which may extend to three years, or with fine which may extend to ten crore rupees, or with both and

in case the failure or contravention continues, with additional fine which may extend to twenty-five thousand rupees for every day during which such failure or contravention continues after conviction for the first such failure or contravention;

Provided that in case a company fails to comply with any order or award or a decision of the Tribunal under this Act, such company shall be punishable with fine which may extend to twenty-five crore rupees, and in case the failure or contravention continues, with additional fine which may extend to one lakh rupees for every day during which such failure or contravention continues after conviction for the first such failure or contravention.

(2) Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974), every offence under this Act shall be deemed to be non-cognizable within the meaning of the said Code.

27. 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 had 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 the 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 anybody corporate and includes a firm or other association of individuals; and

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

28. Offences by Government Department. — (1) Where any Department of the Government fails to comply with any order or award or decision of the Tribunal under this Act, the Head of the Department shall be deemed to be guilty of such failure and shall be liable to be proceeded against for having committed an offence under this Act 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 the 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 V

MISCELLANEOUS

29. Bar of jurisdiction. — (1) With effect from the date of establishment of the Tribunal under this Act, no civil court shall have jurisdiction to entertain any appeal in respect of any matter, which the Tribunal is empowered to determine under its appellate jurisdiction.

(2) No civil court shall have jurisdiction to settle dispute or entertain any question relating to any claim for granting any relief or compensation or restitution of property damaged or environment damaged which may be adjudicated upon by the Tribunal, and no injunction in respect of any action taken or to be taken by or before the Tribunal in respect of the settlement of such dispute or any such claim for granting any relief or compensation or restitution of property damaged or environment damaged shall be granted by the civil court.

30. Cognizance of offences. — (1) 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 such manner as may be 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.

(2) 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.

31. Members and staff of Tribunal to be public servants. — The Chairperson, the Judicial and Expert Members, 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 1860).

32. Protection of action taken in good faith. — (1) No suit or other legal proceeding shall lie against the employees of the Central Government or a State Government or any statutory authority, 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.

(2) No suit, prosecution or other legal proceeding shall lie against the Chairperson or, Judicial Member or Expert Member of the Tribunal or any other person authorised by the Chairperson or Judicial Member or the Expert 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.

33. Act to have overriding effect. — The provisions of this Act, shall have effect notwithstanding anything inconsistent 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.

34. Power to amend Schedule I.— (1) The Central Government may, by notification, amend the Schedule I by including therein any other Act, enacted by Parliament having regard to the objective of environmental protection and conservation of natural resources, or omitting therefrom any Act already specified therein and on the date of publication of such notification, such Act shall be deemed to be included in or, as the case may be, omitted from the Schedule I.

(2) A copy of every notification proposed to be issued under sub-section (1), shall be laid in draft 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 disapproving the issue of the notification or both Houses agree in making any modification in the notification, the notification shall not be issued or, as the case may be, shall be issued only in such modified form as may be agreed upon by both the Houses.

35. Power to make rules. — (1) The Central Government may, by notification in the Official Gazette, 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) rules as to the persons who shall be entitled to appear before the Tribunal under clause (a) of sub-section (4) of section 4;

(b) the procedure for hearing applications and appeals and other matters pertaining to the applications and appeals under clause (b) of sub-section (4) of section 4;

(c) the minimum number of members who shall hear the applications and appeals in respect of any class or classes of applications and appeals under clause (c) of sub-section (4) of section 4;

(d) the transfer of cases by the Chairperson from one place of sitting (including the ordinary place of sitting) to other place of sitting;

(e) the selection committee and the manner of appointment of the Judicial Member and Expert Member of the Tribunal under sub-section (3) of section 6;

(f) the salaries and allowances payable to, and other terms and conditions of service (including pension, gratuity and other retirement benefits) of, the Chairperson, Judicial Member and Expert Member of the Tribunal under section 9;

(g) the procedure for inquiry of the charges against the Chairperson or Judicial Member of the Tribunal under sub-section (4) of section 10;

(h) the recruitment of officers and other employees of the Tribunal under sub-section (2) of section 12; and the salaries and allowances and other conditions of service of the officers and other employees of the Tribunal under sub-section (4) of that section;

(i) the financial and administrative powers to be exercised by the Chairperson of the Tribunal under section 13;

(j) the form of application or appeal, the particulars which it shall contain and the documents to be accompanied by and the fees payable under sub-section (1) of section 18;

(k) any such matter in respect of which the Tribunal shall have powers of a civil court under clause (k) of sub-section (4) of section 19;

(l) the manner and the purposes for which the amount of compensation or relief credited to the Environment Relief Fund shall be utilised under sub-section (2) of section 24;

(m) the manner of giving notice to make a complaint under clause (b) of sub-section (1) of section 30;

(n) any other matter which is required to be, or may be, specified by rules or in respect of which provision is to be made by rules.

(3) Every rule made under this Act by the Central Government 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.

36. Amendment of certain enactments. — The enactments specified in the Schedule III to this Act shall be amended in the manner specified therein and such amendments shall take effect on the date of establishment of the Tribunal.

37. 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 may appear to it to be necessary for removing the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

38. Repeal and savings. — (1) The National Environment Tribunal Act, 1995 (27 of 1995) and the National Environment Appellate Authority Act, 1997 (22 of 1997) are hereby repealed (hereinafter referred to as the repealed Act).

(2) Notwithstanding such repeal, anything done or any action taken under the said Acts shall be deemed to have been done or taken under the corresponding provisions of this Act.

(3) The National Environment Appellate Authority established under sub-section (1) of section 3 of the National Environment Appellate Authority Act, 1997 (22 of 1997), shall, on the establishment of the National Green Tribunal under the National Green Tribunal Act, 2010, stand dissolved.

(4) On the dissolution of the National Environment Appellate Authority established under sub-section (1) of section 3 of the National Environment Appellate Authority Act, 1997 (22 of 1997), the persons appointed as the Chairperson, Vice-chairperson and every other person appointed as Member of the said National Environment Appellate Authority and holding office as such immediately before the establishment of the National Green Tribunal under the National Green Tribunal Act, 2010, shall vacate their respective offices and no such Chairperson, Vice-chairperson and every other person appointed as Member shall be entitled to claim any compensation for the premature termination of the term of his office or of any contract of service.

(5) All cases pending before the National Environment Appellate Authority established under sub-section (1) of section 3 of the National Environment Appellate Authority Act, 1997 (22 of 1997), on or before the establishment of the National Green Tribunal under the National Green Tribunal Act, 2010, shall, on such establishment, stand transferred to the said National Green Tribunal and the National Green Tribunal shall dispose of such cases as if they were cases filed under that Act.

(6) The officers or other employees who have been, immediately before the dissolution of the National Environment Appellate Authority appointed on deputation basis to the National Environment Appellate Authority, shall, on such dissolution, stand reverted to their parent cadre, Ministry or Department, as the case may be.

(7) On the dissolution of the National Environment Appellate Authority, the officers and other employees appointed on contract basis under the National Environment Appellate Authority and holding office as such immediately before such dissolution, shall vacate their respective offices and such officers and other employees shall be entitled to claim compensation for three months' pay and allowances or pay and allowances for the remaining period of service, whichever is less, for the premature termination of term of their office under their contract of service.

(8) The mention of the particular matters referred to in sub-sections (2) to (7) shall not be held to prejudice or affect the general application of section 6 of the General Clauses Act, 1897 (10 of 1897), with regard to the effect of repeal.

SCHEDULE I

[See sections 14(1), 15(1), 17(1)(a), 17(2), 19(4) (j) and 34(1)]

1. The Water (Prevention and Control of Pollution) Act, 1974;
2. The Water (Prevention and Control of Pollution) Cess Act, 1977;
3. The Forest (Conservation) Act, 1980;
4. The Air (Prevention and Control of Pollution) Act, 1981;
5. The Environment (Protection) Act, 1986;
6. The Public Liability Insurance Act, 1991;
7. The Biological Diversity Act, 2002.

SCHEDULE II**[See sections 15(4) and 17(1)]****HEADS UNDER WHICH COMPENSATION OR RELIEF FOR DAMAGE 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 the 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 the Government or 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 milch 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.

SCHEDULE III

(See section 36)

AMENDMENT TO CERTAIN ENACTMENTS

PART I

**AMENDMENT TO THE WATER (PREVENTION AND CONTROL OF POLLUTION) ACT,
1974
(6 OF 1974)**

Insertion of new section 33B.—After section 33A, the following section shall be inserted, namely: —

“33B Appeal to National Green Tribunal. — Any person aggrieved by, —

(a) an order or decision of the appellate authority under section 28, made on or after the commencement of the National Green Tribunal Act, 2010; or

(b) an order passed by the State Government under section 29, on or after the commencement of the National Green Tribunal Act, 2010; or

(c) directions issued under section 33A by a Board, on or after the commencement of the National Green Tribunal Act, 2010,

may file an appeal to the National Green Tribunal established under section 3 of the National Green Tribunal Act, 2010, in accordance with the provisions of that Act.”.

PART II

**AMENDMENTS TO THE WATER (PREVENTION AND CONTROL OF POLLUTION) CESS
ACT, 1977**

(36 OF 1977)

1. Amendment of section 13. —In section 13, in sub-section (4), for the words "shall be final", the words, figures and letters "shall, if no appeal has been filed under section 13A, be final" shall be substituted.

2. Insertion of new section 13A.—After section 13, the following section shall be inserted, namely: —

"13A. Appeal to National Green Tribunal. —Any person aggrieved, by an order or decision of the appellate authority made under section 13, on or after the commencement of the National Green Tribunal Act, 2010, may file an appeal to the National Green Tribunal established under section 3 of the National Green Tribunal Act, 2010, in accordance with the provisions of that Act.”.

PART III

AMENDMENT TO THE FOREST (CONSERVATION) ACT, 1980.

(69 OF 1980)

Insertion of new section 2A.—After section 2, the following section shall be inserted, namely: —

"2A. Appeal to National Green Tribunal. —Any person aggrieved, by an order or decision of the State Government or other authority made under section 2, on or after the commencement of the National Green Tribunal Act, 2010, may file an appeal to the National Green Tribunal established under section 3 of the National Green Tribunal Act, 2010, in accordance with the provisions of that Act."

PART IV

AMENDMENT TO THE AIR (PREVENTION AND CONTROL OF POLLUTION) ACT, 1981 (14 OF 1981)

Insertion of new section 31B.—After section 31A, the following section shall be inserted, namely:

—

"31B. Appeal to National Green Tribunal. —Any person aggrieved by an order or decision of the Appellate Authority under section 31, made on or after the commencement of the National Green Tribunal Act, 2010, may file an appeal to the National Green Tribunal established under section 3 of the National Green Tribunal Act, 2010, in accordance with the provisions of that Act."

PART V

AMENDMENT TO THE ENVIRONMENT (PROTECTION) ACT, 1986 (29 OF 1986)

Insertion of new section 5A.—After section 5, the following section shall be inserted, namely: —

"5A. Appeal to National Green Tribunal. —Any person aggrieved by any directions issued under section 5, on or after the commencement of the National Green Tribunal Act, 2010, may file an appeal to the National Green Tribunal established under section 3 of the National Green Tribunal Act, 2010, in accordance with the provisions of that Act."

PART VI

AMENDMENTS TO THE BIOLOGICAL DIVERSITY ACT, 2002 (18 OF 2003)

1. Amendment of section 52. —In section 52, after the proviso, the following provisos shall be inserted, namely: —

"Provided further that nothing contained in this section shall apply on and from the commencement of the National Green Tribunal Act, 2010:

Provided also that any appeal pending before the High Court, before the commencement of the National Green Tribunal Act, 2010, shall continue to be heard and disposed of by the High Court as if the National Green Tribunal had not been established under section 3 of the National Green Tribunal Act, 2010."

2. Insertion of new section 52A.—After section 52, the following section shall be inserted, namely: —

"52A. Appeal to National Green Tribunal. —Any person aggrieved by any determination of benefit sharing or order of the National Biodiversity Authority or a State Biodiversity Board under this Act, on or after the commencement of the National Green Tribunal Act, 2010, may file an appeal to the National Green Tribunal established under section 3 of the National Green Tribunal Act, 2010, in accordance with the provisions of that Act."

**THE NATIONAL GREEN
TRIBUNAL (PRACTICES
AND PROCEDURE) RULES,
2011**

(as amended to date)

THE NATIONAL GREEN TRIBUNAL (PRACTICES AND PROCEDURE) RULES, 2011¹

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 4th April, 2011

G.S.R. 296 (E). - In exercise of the powers conferred by sub-section (4) of section 4 read with section 35 of the National Green Tribunal Act, 2010 (19 of 2010), the Central Government hereby makes the following rules, namely. —

1. Short Title and Commencement. — (1) These rules may be called the National Green Tribunal (Practices and Procedure) Rules, 2011.

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

2. Definitions. — (1) In these rules, unless the context otherwise requires, —

(a) “Act” means the National Green Tribunal Act, 2010 (19 of 2010);

(b) “agent” means a person duly authorised by a party to present an application, appeal, written reply, rejoinder or any other document on behalf of such party before the Tribunal;

(c) “applicant” means person making an application or appeal to the Tribunal under Section 18;

(d) “appellant” means person making an appeal to the Tribunal under section 16 read with section 18;

(e) “Environmental Relief Fund” means the Fund established under section 7A of the Public Liability Insurance Act, 1991 (6 of 1991);

(f) “Form” means a form appended to these rules;

(g) “legal practitioner” shall have the same meaning as is assigned to it in the Advocates Act, 1961 (25 of 1961);

(h) “legal representative” means a person who in law represents the estate of the deceased person and includes the person or persons in whom the right to receive compensatory benefits vests;

(i) “Registrar” means an officer of the Tribunal appointed under the Act and designated as the Registrar and includes the Deputy Registrar;

(j) “Registry” means the Registry of the Tribunal;

(k) “section” means a section of the Act;

(l) “transferred case” means the application or appeal or other proceedings which has been transferred to the Tribunal under sub-section (5) of section 38;

¹ Vide G.S.R. 296 (E), dated 4-4-2011 and published in the Gazette of India, Ext., Pt. II, S.3. (ii), dated 04.04.2011.

(m) “Tribunal” means the National Green Tribunal established under Section 3.

(2) The words and expression used in these rules by not defined herein and defined in the Act shall have the same meanings, respectively, assigned to them in the Act.

3. Distribution of business amongst the different ordinary place or places of sittings of Tribunal. — (1) The Chairperson may constitute a bench of two or more members consisting of at least one Judicial Member and one Expert Member.

¹[Provided that in exceptional circumstances the Chairperson may constitute a single Member Bench]

(2) The Chairperson shall have the power to decide the distribution of the business of the Tribunal amongst the members of the Tribunal sitting at different places by order and specify the matters which may be dealt with by each such sitting in accordance with the provisions of clause (d) of sub-section (4) of section 4 of the Act.

(3) If any question arises as to whether any matter falls within the purview of the business allocated to a place of sitting, the decision of the Chairperson shall be final.

Explanation. —The expression “matter” includes application for interim relief.

4. Circuit Procedure. —The Chairperson may, by general or special order, decide the cases or class of cases for which circuit procedure may be adopted by the Tribunal under clause (b) of sub-section (4) of section 4 of the Act and may delegate such powers to a Judicial Member as he may deem fit.

5. Minimum Number of members who shall hear application or appeal. — (1) The Tribunal shall hear an application or appeal, as the case may be, consisting of at least by a Judicial and an Expert Member.

(2) Where the Chairperson considers it necessary that a particular case or cases be heard and decided by the Tribunal consisting of more than two members he may by order in writing direct that such case or cases, be heard by such members of the Tribunal as may be specified in that order.

6. Sitting at place other than the place where it shall ordinarily sit. —If at any time the Judicial Member of Tribunal is satisfied that circumstances exist which render it necessary to have its sitting at any place, other than the place at which it ordinarily sits, falling within its territorial jurisdiction, he may with the previous approval of the Chairperson direct that the sitting shall be held at any such appropriate place.

7. Functions of Registrar. — (1) The Chairperson may by general or special order, entrust the following functions to the Registrar, namely: —

(a) to receive all applications, appeals and other documents including transferred applications or appeals;

(b) to decide all questions arising out of the scrutiny of the applications and appeals before they are registered;

¹ Inserted by G.S.R. 1473(E), dated 01-12-2017.

- (c) to require any application or appeal presented to the Tribunal to be amended for compliance with the provision of the Act or the rules made thereunder;
- (d) subject to the directions of the Tribunal to fix the date of hearings and to issue notices therefore;
- (e) to direct any formal amendment of records;
- (f) to order grant of copies of documents to parties to the proceedings;
- (g) to grant leave to inspect the records of the Tribunal;
- (h) to dispose of all matters relating to the service of notices or other processes, application or appeals for the issue of fresh notices and for extending the time for filing such application or appeals, to grant time not exceeding thirty days for filing a reply or rejoinder, if any, and to place the matter before the Tribunal for appropriate orders after the expiry of the aforesaid period;
- (i) to requisition or transfer of any records of such suit, claim or other legal proceedings as are transferred to the Tribunal from any court or other authority;
- (j) to receive and dispose of application for substitution, except where the substitution would involve setting aside an order of abetment;
- (k) to receive and dispose of application by parties for return of documents; and
- (l) to call for information and records and to inspect or cause to be inspected the registry of the other place of sittings under general or special orders as may be issued by the Chairperson from time to time.

(2) The official records shall be kept in the custody of the Registrar

8. Procedure for filing application or appeal. — (1) An application or appeal to the Tribunal under section 18 shall be presented in Form I by the applicant or appellant, as the case may be, in person or by an agent or by a duly authorised legal practitioner, to the Registrar or any other officer authorised in writing by the Registrar to receive the same or be sent by registered post with acknowledgement duly addressed to the Registrar of the Tribunal at and sent to concerned place of sitting:

Provided that where the application is for relief and compensation, it shall be made in Form II.

(2) The application or appeal, as the case may be, under sub-rule (1) shall be presented in triplicate in the following two compilations-

- (i) Compilation No. 1 - application or appeal, as the case may be, along with the impugned order, if any;
- (ii) Compilation No. 2 - all other documents and annexures referred to in the application or appeal, in a paper book form.

(3) Where the number of respondents is more than one, as many extra copies of the application or appeal, in paper-book form as there are respondents together with unused file size envelope bearing the full address of each respondent shall be furnished by the applicant or appellant, as the case may be:

Provided that where the number of respondents is more than five, the Registrar may permit the applicant or appellant, as the case may be, to file the extra copies of the application or appeal, as the case may be, at the time of issue of notice to the respondents.

(4) The applicant or appellant, as the case may be, may attach to, and present with, his application or appeal, as the case may be, a receipt slip in Form III which shall be signed by the Registrar

or the officer receiving the application or appeal on behalf of the Registrar in acknowledgement of the receipt of the application or appeal.

(5) Notwithstanding anything contained in sub-rules (1) to (3), the Tribunal may permit more than one person to join together and file a single application or appeal, as the case may be, if it is satisfied, having regard to the cause and the nature of relief prayed for that they have a common interest in the matter:

Provided that such permission may also be granted to an agent representing the person desirous of joining in a single application or appeal provided, however, that the application or appeal shall disclose the class, grade, categories or persons on whose behalf it has been filed:

Provided further that at least one affected person joins such an application or appeal.

9. Presentation and scrutiny of application or appeal. — (1) The Registrar, or the officer authorised by him under rule 8, shall endorse on every application or appeal, as the case may be, the date on which it is presented or deemed to have been presented under that rule and shall sign the endorsement.

(2) If, on scrutiny, the application or appeal, as the case may be, is found to be in order, it shall be duly registered in a register in Form IV and assigned a serial number.

10. Rectification of defects. — (1) If on scrutiny, any application or pleadings filed in the Tribunal is found to be defective, the Registrar or the authorised officer of the Registry shall notify in Form V on the Notice Board of the Tribunal fixing the time for rectifying the same.

(2) The papers shall be returned to the party or his legal practitioner only after obtaining acknowledgment thereof in the Inward Register.

(3) The Registrar may, for good and sufficient reasons extend the time for rectifying the defects, provided the total period for rectification including the extended period does not exceed thirty days.

(4) If the party or his legal practitioner contests the office objection and the Registrar is not satisfied, the matter shall be placed before the Tribunal for appropriate orders.

(5) If the party or his legal practitioner rectifies the defects and represents the application or appeal or pleading within the time granted, the Registrar on being satisfied may order for its registration and acceptance and numbering as specified in rule 9.

11. Place of filing application or appeal: —An application or appeal as the case may be, shall ordinarily be filed by an applicant or appellant, as the case may be with the Registrar of the Tribunal at its ordinary place of sitting falling within the Jurisdiction, the cause of action, wholly or in part, has arisen.

12. Fee. — (1) An application or appeal where compensation has been claimed, shall be accompanied by a fee of equivalent to one per cent of the amount of compensation claimed, subject to a minimum of one thousand rupees:

Provided that where the Tribunal permits a single application or appeal to be filed either by more than one person or by an association of persons, the fee payable shall be equivalent to one per cent of the total amount of compensation claimed;

Provided further that, there shall be no fee for filing of application or appeal for claiming compensation by any person who is below the poverty line determined in accordance with the guidelines or instructions issued by the Central Government or the State Government from time to time in this regard

or indigent person determined in accordance with the provisions of the Code of Civil Procedure, 1908 (5 of 1908).

(2) An application or appeal where no compensation has been claimed shall be accompanied by a fee of one thousand rupees.

¹[(2A) Every miscellaneous application shall be accompanied by a fee of five hundred rupees.]

(3) The fee under this rule shall be remitted either in form of a crossed demand draft drawn on a nationalised bank in favour of the Registrar payable at the main branch of that bank at the station where the place of sitting of the Tribunal is situated or remitted through a crossed Indian Postal Order drawn in favour of the Registrar and payable at the Post Office of the station where the sitting of the Tribunal is situated.

13. Contents of application or appeal. — (1) Every application or appeal filed under rule 8 shall be forth concisely under distinct heads the grounds for such application or appeal and such grounds shall be numbered consecutively.

(2) Every application or appeal including any miscellaneous application shall be typed in double space on one side on thick paper of good quality.

(3) It shall not be necessary to present a separate application or appeal to seek an interim order or direction if in original application or appeal the same relief is prayed for.

(4) An applicant or appellant may, subsequent to the filing of an application or appeal under section 18 of the Act, apply for an interim order or direction by way of an application in Form I or Form II, as the case may be.

(5) Every application or appeal, as the case may be shall be accompanied by the following documents, namely: - (a) attested true copy of the order against which the application or appeal, as the case may be, is filed;

(b) copies of the documents relied upon by the applicant or appellant, as the case may be, and referred to in the application or appeal;

(c) an index or the documents.

(6) The documents referred to in sub-rule (5) may be attested by a legal practitioner or by a gazetted officer and each document shall be marked serially as Annexures - A1, A2, A3 and so on.

(7) Where an applications or appeal, as the case may be, is filed by any agent, the documents authorising him to act as such agent shall also be appended to the application or appeal:

Provided that where an application or appeal, as the case may be, is filed by a legal practitioner, it shall be accompanied by a duly executed 'Vakalatnama'.

14. Plural remedies. —An application or appeal, as the case may be, shall be based upon a single cause of action and may seek one or more relief provided that they are consequential to one another.

15. Service of notice and processes. — (1) Notices to be issued by the Tribunal may be served by any of the following modes-

¹ Inserted by S.O. 1478(E), dated 22-4-2016 (w.e.f. 22-4-2016).

(i) by hand delivery (dasti) to the party itself or to the authorised agent, as the case may be, through process server;

(ii) by registered post with acknowledgement due;

(iii) through the concerned head of Office of the same Department involved in the proceedings.

(2) Where notice issued by the Tribunal is served by the party himself by hand delivery' (dasti), he shall file in the Registry of the Tribunal, the acknowledgement together with an affidavit of service.

(3) Notwithstanding anything contained in sub-rule (1), the Tribunal may, taking into account the number of respondents and their places of residence or work and other circumstances, direct the notice of the application or appeal, as the case may be, shall be served upon the respondents in any other manner, including any manner of substituted service, as it appears to the Tribunal just and convenient.

(4) Notwithstanding anything contained in sub-rule (1), the Tribunal, may in its discretion, having regard to the nature of the case, direct the service of the notice on the Standing Counsel, authorised to accept the service, for any Department or Organisation of the Central Government or the State Government or Union territory, or an authority, a corporation or a body owned or controlled by the Central Government or the State Government or Union territory, as the case may be.

(5) Every notice issued by the Tribunal shall unless otherwise ordered, be accompanied by a copy of the application or appeal, as the case may be, and a copy of the impugned order.

(6) Notwithstanding anything contained in sub-rules (1) to (4), if the Tribunal is satisfied that it is not reasonably practicable to serve notice of application or appeal, as the case may be, upon all the respondents, it may, for reasons to be recorded in writing, direct that the application or appeal, as the case may be, shall be heard notwithstanding that some of the respondents have not been served with notice of the application or appeal:

Provided that no application or appeal, as the case may be, shall be heard unless —

(i) the notice of the application or appeal, as the case may be, has been served on the Central Government or the State Government or Union territory, as the case may be, if such Government is a respondent;

(ii) the notice of the application or appeal, as the case may be, has been served on the authority which passed the order against which the application or appeal has been filed; and

(iii) the Tribunal is satisfied that the interests of the respondents on whom notice of the application or appeal, as the case may be, has not been served are adequately and sufficiently represented by the respondents on whom notice of the application or appeal, as the case may be, has been served.

(7) Every applicant or appellant, as the case may be, shall pay for the service or execution of processes, in respect of an application or appeal where the number of respondents exceeds five, as under

—
(a) a sum of five rupees for each respondent in excess of five respondents;

(b) where the service is in such manner as the Tribunal may direct under sub-rule (3) such a sum not exceeding the actual charges incurred in effecting the service as may be determined by the Tribunal.

(8) The fees for the service or execution of process under sub-rule (7) shall be remitted in the manner specified under rule (12) within one week of the date of order determined the fees or within such extended time as the Registrar may permit.

16. Filing of reply and other documents by respondents. — (1) Each respondent intending to contest the application or appeal, as the case may be, shall file in triplicate the reply to the application or appeal, as the case may be, and the document relied upon in paper book form with the Registry within one month of the service of notice of the application or appeal on him.

(2) In the reply filed under sub-rule (1), the respondent shall specifically admit, deny or explain the facts stated by the applicant or appellant, as the case may be, in his application or appeal, as the case may be, and may also state such additional facts as may be found necessary for the just decision of the case.

(3) The reply shall be signed and verified as a written statement by the respondent or any other person duly authorised by him in writing in the same manner as provided for in Order VI, rule 15 of the Code of Civil Procedure, 1908 (5 of 1908).

(4) The documents accompanying reply shall also be filed along with the reply and the same shall be marked as R1, R2, R3 and so on.

(5) The respondent shall also serve a copy of the reply along with documents as mentioned in sub-rule (1) on the applicant or appellant, as the case may be, or his legal practitioner, if any, and file proof of such service in the Registry.

(6) The Tribunal may allow filing of the reply after the expiry of the specified period with or without cost.

(7) The Tribunal may permit the parties to amend the pleadings in the same manner as provided under Order 6, Rule 17 of the Code of Civil Procedure, 1908 (5 of 1908).

17. Date and place of hearing. — The Tribunal shall notify to the parties the date and the place of hearing of the application or appeal in such manner as the Chairperson may by general or special order direct.

18. Calendar of cases. - (1) The Tribunal shall draw up a calendar for the hearing of transferred cases and, as far as possible, hear and decide the cases according to the calendar.

(2) The Tribunal shall have the power to decline an adjournment and also to limit the time for oral arguments.

(3) Every application or appeal shall be heard and decided finally, as far as possible within six months from the date of filing an application or appeal, as the case may be.

19. Maintenance of diary. — (1) The concerned officer of the Tribunal shall maintain legibly a case diary, wherein he shall record the proceedings for each case listed in the daily cause list.

(2) The matters to be recorded in the diary shall include details as to whether the case is adjourned, or part-heard or heard and disposed of or heard and orders reserved, as the case may be.

20. Action on application for applicant's or appellant's default. — (1) Where on the date fixed for hearing of the application or appeal, as the case may be, or on any other date to which such hearing may be adjourned the applicant or appellant, as the case may be, does not appear when the application or appeal, as the case may be, is called for hearing, the Tribunal may in its discretion, either dismiss such application or appeal for default or hear and decide it on merit.

(2) Where an application or appeal, as the case may be, has been dismissed for default and the applicant or appellant, as the case may be, files an application within thirty days from the date of dismissal and satisfies the Tribunal that there was sufficient cause for his non-appearance when the application or appeal was called for hearing, the Tribunal shall make an order setting aside the order dismissing the application or appeal, as the case may be, and restore the same:

Provided that where the case was disposed of on merits the decision shall not be reopened except by way of review.

21. Ex-parte hearing and disposal of cases. — (1) Where on the date fixed for hearing the application or appeal, as the case may be, or on any other date to which such hearing may be adjourned, the applicant or appellant, as the case may be, appears and the respondent does not appear when the application or appeal is called for hearing, the Tribunal may, in its discretion adjourn the hearing, or hear and decide such application or appeal ex-parte.

(2) Where an application or appeal, as the case may be, has been heard ex-parte against a respondent or respondents such respondent or respondents may apply within thirty days from the date of the order to the Tribunal for an order to set it aside and if such respondent or respondents satisfy the Tribunal that the notice was not duly served, or that he or they were prevented by any sufficient cause from appearing when application or appeal was called for hearing, the Tribunal may make an order setting aside the ex-parte order as against him or them upon such terms as it thinks fit, and shall appoint a day for proceeding with such application or appeal:

Provided that where the ex-parte order of the application or appeal is of such nature that it cannot be set aside as against one respondent only, it may be set aside as against all or any of the other respondents also:

Provided further that the Tribunal shall not set aside ex-parte order of an application or appeal, as the case may be, merely on the ground that it was not served upon a respondent or respondents.

22. Application for review. — (1) No application for review shall be entertained unless it is filed within thirty days from the date of receipt of copy of the order sought to be reviewed.

(2) A review application shall ordinarily be heard by the Tribunal at the same place of sitting which has passed the order, unless the Chairperson may, for reasons to be recorded in writing, direct it to be heard by Tribunal sitting at any other place.

(3) Unless otherwise ordered by the Tribunal sitting at the concerned place, a review application shall be disposed of by circulation and the Tribunal may either dismiss the application or direct notice to the opposite party.

(4) When an application for review of any judgment or order has been made and disposed of, no further application for review shall be entertained.

(5) No application for review shall be entertained unless it is supported by a duly sworn affidavit indicating therein the source of knowledge, personal or otherwise, and also those which are sworn on the basis of the legal advice.

(6) The counter affidavit in review application shall also be on a duly sworn affidavit wherever any averment of fact is disputed.

23. Order to be signed and dated. — (1) Every order of the Tribunal shall be signed and dated by the Members constituting the sitting of the Tribunal, which pronounced the order.

(2) The order shall be pronounced in open court.

24. Order and directions in certain cases. —The Tribunal may make such orders or give such directions as may be necessary or expedient to give effect to its order or to prevent abuse of its process or to secure the ends of justice.

25. Publication of orders. —The Tribunal shall get its decisions or orders reported, to be fit for publication in any authorised legal report or Journal or such of the order of the Tribunal as are deemed fit for publication in any authoritative report or Journal or the press may be released for such publication on such terms and conditions as the Chairperson may specify by general or special order.

26. Dress of the Members and staff of the Tribunal. —The dress for the Members of the Tribunal (including Chairperson) and members of the staff shall be such as the Chairperson may specify.

27. Dress of the parties. —A legal practitioner or, as the case may be, the presenting officer shall appear before the Tribunal in his professional dress as prescribed for appearance before the courts and if there is no such dress, then-

(a) in the case of a male, a suit with a tie or close coat or any other customary dress of sober colour;

(b) in case of female, in a saree or any other customary dress of sober colour.

28. Communication of order to parties. — (1) Every interim order, granting or refusing or modifying interim relief or final order shall be communicated to the applicant or appellant, as the case may be, and to the concerned respondent either by hand delivery or by Registered Post, free of costs:

Provided that unless ordered otherwise by the Tribunal, a copy of the final order need not be sent to any respondent who has not entered appearance:

(2) The applicant or, as the case may be, the appellant or the respondent who is duly represented by an Advocate, or other authorised agent requires a copy of any document, proceeding or order, the same shall be supplied to him on such terms and conditions on payment of such fees or cost as may be fixed by the Chairperson by general or special order.

29. Inspection of records. - (1) The parties to any case or their counsel may be allowed to inspect the record of the case on making an application in Form VI to the Registrar.

(2) Subject to such terms and conditions as may be specified by the Chairperson by a general or special order, a person who is not a party to the proceeding, may also be allowed to inspect the proceeding after obtaining the permission of the Registrar in writing.

(3) The applicant or his Counsel or other authorised representative shall pay such fees or charges as may be specified by the Chairperson by general or special order for the inspection of the records of a case.

30. Working hours of Tribunal. —Except on second Saturday of month, Sundays, and other public holidays, the office of the Tribunal shall, subject to any order made by the Chairperson remain open from 9:30 hours to 17:30 hours of a day.

31. Sitting hours of Tribunal. —The sitting hours of the Tribunal shall ordinarily be from 10:30 hours to 13:30 hours and 14:30 hours to 16:30 hours subject to any general or special order made by the Chairperson.

32. Seal and emblem. — (1) The official seal and emblem of the Tribunal shall be such as the Central Government may, in consultation with the Chairperson, specify and the same shall be kept in the custody of the Registrar.

(2) The seal of the Tribunal shall not be affixed to any order, summons or other process save under the authority in writing given by the Tribunal to the Registrar.

(3) The seal of the Tribunal shall not be affixed to any certified copy issued by the Tribunal save under the authority in writing given by the Tribunal to the Registrar.

33. Language of Tribunal. — (1) The language of the Tribunal shall be English:

Provided that the parties to a proceeding before the Tribunal may file documents drawn up in Hindi, if they so desire:

Provided further that—

(a) the Tribunal may, in its discretion permit the use of Hindi in the proceedings;

(b) the Tribunal, hearing the matter may in its discretion direct English translation of pleadings and documents to be filed;

(c) the Tribunal may, in their discretion, make final orders either in Hindi or in English.

(2) Notwithstanding anything contained in sub-rule (1), where a final order is made in Hindi, and authenticated English translation thereof shall simultaneously be prepared and kept on record.

34. Manner of giving notice. —The manner of giving notice under clause (b) of sub-section (1) of section 30 of the Act shall be as follows: -

(a) the notice shall be in writing in Form V; and

(b) the person giving notice shall send a copy of the same —

(i) to the person concerned against whom the order or award has been passed by the Tribunal or the Central Government or the State Government or Union territory or the Board or Authority or Committee dealing with the matters relating to environment or forests constituted under the Act specified under Schedule I to the Act;

(ii) to the District Collector of the concerned District where the cause of action has arisen or the property damaged is situated or environmental damage has arisen;

(iii) to the authority specified under sub-section (3) of section 7A of the Public Liability Insurance Act, 1991 (6 of 1991).

35. Manner and the purposes for which amount of compensation or relief or restitution credited to Environment Relief Fund shall be utilised. — (1) The amount by way of compensation or relief to the victim or restitution of property and the environment, ordered by the Tribunal to be paid shall be remitted to the authority, specified under sub-section (3) of section 7A of the Public Liability Insurance Act, 1991 (6 of 1991), within a period of thirty days from the date of order or award or as otherwise ordered by the Tribunal.

(2) In the case of failure to remit the amount by the concerned person, under sub-rule (1), within the time so specified, the District Collector of the concerned district shall file a complaint, before the Court having jurisdiction, under clause (a) of sub-section (1) of section 30 of the Act.

(3) The amount referred to in sub-rule (1), shall be credited to the Environment Relief Fund under section 24 of the Act for utilisation under any heads specified in Schedule II to the Act.

(4) A separate account shall be created and maintained by the authority referred to in sub-rule (1) for the purpose of receiving and disbursement of the amount pursuant to the order or award of the Tribunal.

36. Procedure for disbursement of relief or compensation or restitution of property damaged.

— (1) A copy of the award or order or decision of the Tribunal passed under clause (a) or clause (b) of sub-section (1) of section 15 of the Act shall be transmitted to the authority referred to in sub-rule (1) of rule 35 and the District Collector having local jurisdiction for disbursement.

(2) The authority referred to in sub-rule (1) of rule 35 shall transfer the amount so deposited in the Environment Relief Fund to the concerned District Collector within a period of thirty days from the date of deposit.

(3) The District Collector shall arrange to disburse the amount of compensation or relief and restitution of property damaged within a period of thirty days of the receipt of the amount under sub-rule (2), to the affected persons or victims of pollution or other environmental damages arising under the enactments specified in Schedule-I, under the heads specified in Schedule II, to the Act.

37. Procedure for disbursement of amount for restitution of environment. — (1) For the purpose of restitution of environment of such area or areas, affected by pollution and other environmental damages arising under the enactments specified in the Schedule-I to the Act, the concerned Department of the State Government dealing with environment and forests shall be the Nodal Agency for execution of projects or scheme or schemes for restoration and remediation of environment in accordance with the direction or award of the Tribunal.

(2) A copy of the award or order or decision of the Tribunal passed under clause (c) of sub-section (1) of section 15 of the Act shall be transmitted to the authority referred to in sub-rule (1) of rule 35 and the Nodal Agency for disbursement.

(3) The authority referred to in sub-rule (1) of rule 35 shall transfer the amount so deposited in the Environment Relief Fund to the concerned Nodal Agency within a period of thirty days from the date of receipt of the order of the Tribunal.

(4) The Nodal Agency shall execute such projects or scheme or schemes by itself or through other Department or authority or agency of the State Government or in such manner as may be directed by the Tribunal.

(5) The projects or scheme or schemes referred to in sub-rule (4) prepared by the Nodal Agency shall commence within a period of one hundred eighty days from the date of the order or award of the Tribunal.

(6) The Nodal Agency or other Department or authority or agency referred to in sub-rule (4) may associate expert agencies, like, the State Pollution Control Board or other technical institutions having expertise in the formulation and execution of project or schemes for restitution of environment, in accordance with the directions of the Tribunal.

FORM I
[See rule 8(1)]

Before The National Green Tribunal sitting at

MEMORANDUM OF APPLICATION/ APPEAL

(Under Section 18(1) read with Sections 14, 15, 16 & 17 of National Green Tribunal Act, 2010)

Application/Appeal No of

Between:

- 1.
- 2.

.... Applicant(s)/Appellant (s)

And

- 1.
- 2.

.... Respondent/s

1) The addresses of the Applicant/ Appellant/s is/ are as given above for the service of notices of this application/ appeal and that of their representative(s)

2) The addresses of the Respondent/s is/ are as given above for service of notices of the application/ appeal

3) The Applicant(s)/ Appellant(s) above-named begs to present the Memorandum of Application/ Appeal against the order dated of Respondent/s on the grounds set-out hereunder:

Facts in brief:

- 1.
- 2.
- 3.

Grounds:

- 1.
- 2.
- 3.

Limitation:

- 1.
- 2.

Prayer:

.....

Signature of
Applicant(s)/Appellant(s)

.....

Signature of authorised representative of applicant(s)/appellant(s)

VERIFICATION

I (Name of the applicant/ appellant) S/o, W/o, D/o, age resident of, do hereby verify that the contents of paras to are true to my personal knowledge and paras to believed to be true on legal advice and that I have not suppressed any material fact.

Date

Place

Signature of the applicant/appellant

FORM II

[See rule 8(1)]

FORM OF APPLICATION FOR RELIEF AND COMPENSATION

(Under section 15, read with section 18(1), of National Green Tribunal Act, 2010)

Before The National Green Tribunal sitting at

Application No of

Shri/Srimati/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 of 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 the 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(s) and addresses of the claimant/ claimants:
11. Relationship with the deceased:
12. Facts of the case:

(Give here a concise statement of facts in a chronological order, each paragraph containing as nearly as possible a separate issue or fact).

13. Grounds for relief with legal provisions:
14. Details of the remedies exhausted:

The applicant(s) declares that he/they has/have availed of all the remedies available to him/them under the relevant rules etc.

(Give here chronologically the details of representations made and the outcome to such representations with reference to the number of Annexure to be given in support thereof).

15. Matters not previously filed or pending with any other court:

The applicant further declares that he/they had not previously filed any application/appeal, writ petition or suit regarding the matter in respect of which this application has been made, before any court or any other authority or any other place of sitting of the Tribunal nor any such application/appeal, writ petition or suit is pending before any of them.

In case the applicants had previously filed any such application/appeal, writ petition or suit, the stage at which it is pending, and if decided, the list of the decisions should be given with reference to the number of Annexure to be given in support thereof.

16. Relief sought:

In view of the facts mentioned above the applicant(s) prays for the following relief(s):-
(Specify below the relief(s) sought explaining the grounds for such relief(s) and the legal provisions, if any, relied upon).

17. Interim order, if any, prayed for:

Pending final decision on the application/appeal, the applicant seeks the following interim relief:

(Give here the nature of the interim relief prayed for).

18. In the event of application/appeal being sent registered post, it may be stated whether the applicant desires to have oral hearing at the admission stage and if so, he/she shall attach a self-addressed Post Card or Inland Letter, at which intimation regarding the date of hearing could be sent to him.

19. The applicant/appellant who is below the poverty line or indigent in terms of the provisions contain in the order of Code of Civil Procedure, 1908, shall attach an attested copy of proof of below the poverty line or indigent to claim waiver of fee.

20. Particulars of Banks Draft/Postal Order filed in respect of the application fee.

21. List of enclosures:

- 1.
- 2.

Signature of the applicant(s)

Signature of authorised representative of applicant(s)

Date:

Place:

FORM III

[see rule 8 (4)]

RECEIPT SLIP

Receipt of the application/ appeal filed in the National Green Tribunal Sitting at by Shri/ Kum/ Smt..... Residing at is hereby acknowledged.

Dated:

For Registrar
The National Green Tribunal
Seal: Place of Sitting

FORM IV

[See rule 10]

BEFORE THE NATIONAL GREEN TRIBUNAL SITTING AT

Application / Appeal No of

Applicant(s)/ Appellant(s)

Versus

.....

Respondent(s)

The papers filed in the following cases have been found on Scrutiny to be defective. Hence, it is hereby notified that the applicant(s) / appellant(s) /Respondent(s) or his/their Legal practitioner is/are required to rectify the defects in the Registry itself if they are formal in nature or to take back the papers for rectification of the defects and representation if they are not formal in nature, within the time shown against each case.

Sl. No.	Diary No. Application/Appeal No.	Papers/ documents in which defects are notified	By whom Defects are to be rectified	Defects for rectification	Time allowed for rectification/ representation
1	2	3	4	5	6
1					
2					
3					

Dated this day of 20.....

Signature of the Registrar or
Authorised officer

FORM V
[See rule 34]

FORM OF NOTICE

By registered post
Acknowledgement due

From (1)
Shri
.....
.....

To
.....
.....
.....

Notice under Section 30 (1) of the National Green Tribunal Act, 2010

Whereas an offence under the National Green Tribunal Act, 2010 has been committed/is being committed by (2) I/we hereby give notice of 60 days under section 30(1) of the National Green Tribunal Act, 2010 of my/our intention to file a complaint in the court against (2) for violation of section of the National Green Tribunal Act, 2010.

In support of my/our notice, I am/we enclosed the following documents (3) as evidence of proof of the National Green Tribunal Act, 2010.

Signature(s)

Place

Dated

Explanation:

- 1) In case the notice is given in the name of a Company, documentary evidence authorising the persons 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 27 (1) of the Act.
- 2) Here give the name and address of the alleged offender. In case of a manufacturing/ processing/ operation unit, indicate the name/ location/ nature of activity etc.
- 3) Documentary evidence shall include photograph/ technical reports/ health report of the area, etc. for enabling enquiry into the alleged violation/ offence.

FORM VI
[See rule 29]

Before The National Green Tribunal sitting at

Application / Appeal No of.....

..... Applicant(s)/ Appellant(s)
Versus
..... Respondent(s)

APPLICATION FOR INSPECTION OF DOCUMENTS/RECORDS

I hereby apply for grant of permission to inspect the documents / records in the above case.
The details are as follows: -

1.	Name and address of the person seeking inspection :	
2.	Whether he is a party to the case his legal practitioner :	
3.	Details of the papers/documents sought to be inspected :	
4.	Reasons for seeking the inspection :	
5.	The date and duration of the inspection sought :	
6.	Whether any fee is payable and if So, the mode of payments :	

Place:

Date:

APPLICANT

Office use:

Granted/Rejected inspection for _____ hours on _____

Registrar

[F. No. 17(19)2010-PL (NGT)]
Dr. RAJNEESH DUBE, Jt. Secy.

