

The Air (Prevention and Control of Pollution) Assam Rules, 1991

ASSAM

India

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Rule

THE-AIR-PREVENTION-AND-CONTROL-OF-POLLUTION-ASSAM-RULES of 1991

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The Air (Prevention and Control of Pollution) Assam Rules, 1991Published vide Notification No. STE 49/83/116, dated 1st August, 1992, published in the Assam Gazette, Part 2-A, dated 16-12-1992Last Updated 10th February, 2020Notification No. STE 49/83/116, dated 1st August, 1992. - In exercise of the powers conferred by Section 54 of the Air (Prevention and Control of Pollution) Act, 1981 (Central Act 14 of 1981), hereinafter referred to as the Act, the Governor of Assam is hereby pleased to make the following rules, namely:

Chapter I

1. Short title and commencement.

(1)These rules may be called the Air (Prevention and Control of Pollution) Assam Rules, 1991.(2)They shall come into force on the date of their publication in the official Gazette.

2. Definitions.

- In these rules unless there is Anything Repugnant To The Subject Or Context-(a)"Act" means the Air Prevention and Control of Pollution) Act 1981 (Central Act 14 of 1981);(b)"Appellate Authority" means the authority constituted by the State Government under sub-section (1) of Section 31 of the Act;(c)"Board" means the Board for Prevention and Control of Water and Air Pollution, constituted under sub-section (1) of Section 4 of the Water (Prevention and Control of Pollution) Act, 1974. As the Water Act, 1974 and the Air Act, 1981 will be operated by the existing Board, the name of the combined Board will be styled as Pollution Control Board, Assam;(d)"Chairman" means the

Chairman of the Board;(e)"Consent" means the sanction of the authority of the Board for the purpose of prevention and regulation and control for air pollution;(f)"Consent fees" means the fees charged by the Board for the grant of consent by the board;(g)"Form" means a form as set out in the rules;(h)"Furnace" means any structure or installation where any fuel is burnt or otherwise a high temperature is maintained;(i)"Government" or "State Government" means the State Government of Assam;(j)"Investment" means and includes the amount of capital invested in the industry on capital works including land, building, machinery, equipment;(k)"Member" means a member of the Board and includes the Chairman thereof;(l)"Member-Secretary" means Member-Secretary of the Board;(m)"Premises" means any building, structure or property used for industrial process or operation or treatment etc. where any pollution occurs;(n)"President" means prescribed by the rules made under the Act;(o)"State Air Laboratory" means a laboratory established or specified as such under sub-section (1) of Section 28 of the Act;(p)"State Water Laboratory" means a laboratory established or recognised as such under sub-section (2) of Section 17 of the act;(q)"Water Rules" means the Water (Prevention and Control of Pollution) Assam Rules, 1977;(r)"Year" means the calendar year;

Chapter II

3.

(1)The Chairman and the Member-Secretary shall be appointed by the State Government on such pay as may be fixed by the Government.(2)The Chairman shall be given the scale of pay or a fixed pay per month and other terms and conditions of service including allowance payable to him shall be such as may be specified in his order of appointment.(3)The post of Member-Secretary shall not be below the rank of Superintending Engineer in the Government. The terms and conditions of service of the Member-Secretary including the scales of pay and allowances payable to him shall be such as may be specified in his order of appointment and in absence of being so specified such terms and conditions shall be as far as may be, the same as are applicable to Grade I Officer of corresponding status of the State Government:Provided that the Chairman and/or Member-Secretary is Government Officer deputed on foreign service, the terms and conditions of pay, special pay, deputation allowance, conveyance allowance etc. may be fixed by the Government separately by the rules.(4)The Chairman and Member-Secretary shall be entitled to all the facilities at par with Senior Grade Officer of the Government including telephone facilities at their office and their residences. In the matters relating to daily and travelling allowance, travel facilities and use of Board's vehicle, medical facilities and other conditions of service, they shall be on an identical basis with the Head of Secretariat Department of the State Government.

4.

The Chairman and the Member-Secretary shall be entitled to occupy Government accommodation of the appropriate standard if available on payment of rents on the same scales as the equivalent grade in Government. In case the Government accommodation of the appropriate standard is not available, if deemed necessary the Board may provide the same by making suitable arrangements by

hiring the same. They shall, however, be liable to pay the rent for the accommodation so provided as payable by the Government Officers of the equivalent grade for government accommodation.

5. Leave.

- The Chairman and Member-Secretary shall be entitled to such leave as is permissible to Class I Officer of the Government: Provided that the Chairman shall be the authority to grant casual leave to the Member-Secretary,

6.

All official or non-official members of the Board when they undertake journey in connection with the meetings of the Board or committees and sub-committees shall be entitled to travelling allowance and rate of the travelling allowance shall be as follows: (a) For a member of the Board who is a salaried officer of the state Government, Central Government, a local authority or a public sector undertaking, at the rates admissible to him under the travelling allowances rules governing his employment. (b) For non-official members of the Board, at the rates as admissible to Senior Grade Officers of the State Government; (i) Provided that if a member of the Board is member of the Parliament or a member of the State Legislature his travelling allowances, shall be governed by the rules regulating their respective T.A. and D.A. (ii) In case of official members they shall not draw any travelling allowance from the Board if they draw the same for the same journeys from the Government. (iii) The Board may at the request of a member grant him as- (a) advance against travelling allowances not exceeding the estimated amount of the expenses for journey to be undertaken by him; (b) the amount so granted as advance shall be recoverable in full from the amount of travelling allowance payable to him; (iv) A bill for travelling allowance, daily allowance or, as the case may be, conveyance allowance claimed under these rules shall be countersigned when such allowance is claimed- (a) by Member Secretary and non-official members, by Member-Secretary; (b) by the Chairman, by the Chairman himself; (c) by official members, by the official members themselves, before such bill is submitted for audit and payments.

7. Compensatory allowance to members.

(1) In attending a meeting of the Board members shall be entitled to compensatory allowance which will consist of the following: (a) if the meeting is a committee or sub-committee, Rs. 50 per day on which he attends such meetings; provided that he shall not draw additional compensatory allowance for attending a meeting of the committee if on the same day he attends the meeting of the Board or any other committee; (b) if the meeting be a meeting of the Board Rs. 100 for each day on which he attends such meeting. (2) The members of a committee or a sub-committee (other than the members of the Board) shall be entitled to such fees and allowances as are admissible to the members of the Board or for attending to any other work assigned to them by the Board. The Board may associate with itself any person possessing special technical knowledge or experience for advising it or attending to any work on its behalf for the purpose of efficient performance of any of its functions under the Act. Any person so associated, who is required to attend a meeting of the Board may be paid such fees and allowances as admissible to the members of the Board under these rules.

8. Appointment of Consulting Engineer.

(1)For the purpose of assisting of the Board in the performance of its functions the Board may appoint Consulting Engineer to the Board for a specified period not exceeding six months with terms and conditions as may be laid down by the Board:Provided that the Board may extend the period of appointment for a further period of three months;Provided further that if the services of the Consulting Engineer considered necessary for a period of more than the period mentioned above the Board shall seek the concurrence of the State Government for such appointment.(2)Emoluments of the Consulting Engineer. - The 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 Board shall not appoint any person as Consulting Engineer without the prior approval of the State Government if the emoluments or fees payable to him exceeds rupees two thousand per month.(3)Tours by Consulting Engineer. - The Consulting Engineer may undertake tours for the performance of the duties entrusted to him by the Board with the approval of the Member-Secretary and such tours would be governed by the rules of the Board.(4)Consulting Engineer not to disclose information. - The Consulting Engineer shall not disclose any information either given by the Board or obtained during the performance of the duties assigned to him either from the Board or otherwise, to any person other than the Board without written permission of the Board.(5)Duties and functions of the Consulting Engineer. - The Consulting Engineer shall discharge such duties and perform such functions as may be assigned to him by the Board.

Chapter III

Procedure for Transaction of Business of the Meetings of the Board

9. Meeting.

(1)The place, date and time of meeting shall be fixed by Member-Secretary with the approval of the Chairman.(2)A notice of each meeting indicating place, date and time of the meeting shall be sent by the Member-Secretary to each member at least ten days before the date of the meeting; provided that the Chairman may at any time call a meeting at short notice to transact any business which in his opinion is of an urgent nature.(3)A copy of the agenda of the meeting and where necessary a copy of explanatory note on the items of discussion shall be sent to each member before the date fixed for meeting;Provided that in case of a meeting for consideration of the Budget estimate for the ensuing financial year and the revised estimate for the current financial year the notice shall be accompanied by a copy of the draft estimate and by a notice sufficient to explain the estimates.(4)No resolution of the Board shall be invalid only on the ground of any defect in the service of notice or agenda of any meeting.

10. Quorum.

- Five members shall form a quorum for any meeting.

11. President of the meeting.

- The Chairman shall preside over every meeting of the Board and in his absence the member present shall elect any one from among themselves to preside over the meeting.

12. Adjourned meeting.

- If at any meeting no quorum is present, the Chairman or the Member who presides over the meeting shall, subject to the provision of sub-rule (2) of Rule 14 adjourn the meeting to such date and time as he thinks fit. At such adjourned meeting no quorum shall be necessary to transact the business of the meeting.

13. Business to be transacted at an adjourned meeting.

- (1)At an adjourned meeting no business shall be transacted other than that which was fixed for the meeting originally convened.(2)Not less than seven days' notice of the adjourned meeting shall be given to all members of the Board including those who were absent from the preceding meeting.

14. Casting vote.

- In the event of an equality of votes the Chairman or the member presiding over the meeting shall have a casting vote.

15. Consideration of additional subject.

- Nothing in these rules shall prevent any subject from being considered at the meeting although no notice of such subject has been circulated; provided the members present unanimously agree to consider that subject.

16. Decisions to be taken by majority of votes.

- All questions which come up before the members at a meeting shall be decided by the majority of votes of the members present and each member shall have one vote. Voting by proxy shall not be permitted.

17. Minutes of meeting.

- (1)The minute of every meeting and the resolution passed there shall be recorded and record shall be kept in a minute book to be maintained for that purpose by the Member-Secretary.(2)Copies of

the minutes shall be circulated to all members before the next meeting.

18. Confirmation of minutes of the meeting.

(1)The minutes of every meeting shall be laid before the next meeting for confirmation.(2)If any objection is raised by a member to the confirmation of the minutes of any points thereof on any ground the Chairman of the meeting shall in case of any doubt put the matter to vote.(3)On confirmation the minutes of the meeting shall be sent to the Government.

19. Maintaining order at meeting.

- The Chairman of the meeting shall maintain order at the meeting for the purpose of endorsing his decision.

20.

(1)The Board shall form such committee or committees consisting of its members and also non-official experts or persons as may be necessary to help its efficient working or for specific purposes and periods as may be felt necessary.(2)The Chairman of such committee or committees shall be a person nominated by the Board.(3)The purpose and nature of works to be entrusted to the committee shall be prescribed by the Board.(4)The Committee shall meet frequently as the business demands and at places and time as may be fixed by the Chairman of the committee.(5)For the purpose of a meeting of the committees minimum of 3 members including the Chairman and the Member-Secretary of the committee shall form the quorum.(6)In absence of quorum in the earlier meeting the next meeting convened shall function even without the quorum; provided the Chairman and the Member-Secretary remain present and the decisions taken there shall be treated as duly taken by the committee.(7)The meeting of the committee shall be conducted by its Chairman or in his absence as per Rule 12 and the decisions taken thereat shall be incorporated in the agenda for the next meeting of the Board.(8)The committee shall neither pass any resolution nor draw any minutes, but shall submit to the Board its recommendations or report pertaining to the subject for which the committee is appointed by the Board.

Chapter IV

Powers and Duties of the Chairman and Member-Secretary and Appointment of Officers and Employees of the Board

21. Powers and duties of the Chairman.

(1)The Chairman shall have overall control over the functions and activities of the Board.(2)The Chairman may undertake tours within India for carrying out the functions of the Board.The Chairman may, with the prior approval of the State Government visit any country outside India.(3)Subject to rules, if any made under sub-sections (3) and (5) of Section 14, the Chairman

shall have full power in matters of appointment, promotion, confirmation, transfer, disciplinary proceedings and termination of services of the officers and employees of the Board.(4)The Chairman shall exercise all such powers as are delegated to Head of the major State Government Department in the Public Works Department. In other cases where powers are specifically delegated the sanction of Government shall be necessary.(5)Subject to overall sanctioned budget provision, the Chairman shall have full powers to approve and sanction all estimates.(6)Creation and abolition of posts. - The Board may create such posts as it considers necessary for the efficient performance of its functions and may abolish any post so created:Provided that for the creation of and appointment to posts in the pay scale maximum of which is above Rs. 4750 p.m. or as revised by the Government from time to time above the corresponding post of the rank of Executive Engineer, the Board shall obtain prior sanction and approval of the State Government.

22. 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 may 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 presenting them.(2)The Member-Secretary shall produce such powers whenever so directed by the Chairman or by the Board.(3)The Member-Secretary shall make available to any member of the Board for his perusal, any record of the Board.(4)The Member-Secretary shall be entitled to call for the service of any officer or employees of the 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 stores pertaining to the Board of Regional Officers thereunder.(5)The Member-Secretary shall make all arrangements for holding meetings of the Board and meetings of the committees constituted by the Board.(6)All orders or instructions to be issued by the Board shall be under the signature of the Member-Secretary or any other officer authorised in this behalf by the Chairman.(7)The Member-Secretary shall authorise, sanction or pass all payments against allotments made or estimates sanctioned, subject to formal delegation of drawal and disbursing power by Chairman or by the Board and any limitations provided therein.(8)The Member-Secretary shall write, and maintain confidential reports of all Class I and Class II Officers of the Board and shall get them reviewed and accepted by the Chairman.(9)The Member-Secretary shall review the confidential report of Class III employees of the Board.(10)The Member-Secretary shall sanction the annual increment of Class I and II Officers of the Board:(1)Provided that the increments of Class I and II Officers shall be withheld only with the approval of the Chairman if the conduct and work of the officer concerned is found to be unsatisfactory;(2)Provided further that the annual increments of other employees of the Board not referred to in Proviso (1) shall be sanctioned by officers authorised in this behalf by the Member-Secretary.(11)The Member-Secretary shall exercise such other powers as per delegation to the Superintending Engineers of the State Government in Public Works Department.(12)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 Chairman or by the Board.

23. Recruitment of staff.

(1) Retirement to all posts under the Board shall be made-(a) by direct recruitment; (b) by promotion; (c) by re-employment of retired Government servants whenever found necessary. (2) Recruitment to all posts under the Board shall ordinarily be made subject to fulfilment of such standards as may be laid down from time to time for posts by the Board or as per standards for post of corresponding status under the State Government. (3) Scale of pay, allowances, travelling allowances and dearness allowances, leave etc. of staff, subject to rules, if any. (a) Scales of pay for posts shall be such as may be specified at the time of creation of the posts. (b) The employees of the Board shall be entitled to dearness allowances, compensatory allowance, house rent allowance, conveyance allowance, travelling allowance, daily allowance, and others at the rate as per applicable to Government employees in the post carrying corresponding scales of pay. (c) The employees of the Board shall be governed by the leave rules applicable to Government employees. (d) For the purpose of reimbursement of medical expenses and grant of loans and advances etc. employees of the Board shall be governed by the rules as are applicable to Government employees. (e) Employees of the Board shall be governed by the same rules in respect of scales of pay etc. as are prescribed by the State Government for its employees of corresponding status unless otherwise specified by the Board at the time of creation. (f) The Board may introduce the schemes of Contributory Provident Fund and other schemes for the benefit of its employees with the approval of the Government.

Chapter V

24. Qualification of Member-Secretary.

- Degree in Bachelor or Engineering and a minimum experience of 10 years in pollution control activities.

Chapter VI

25.

(1) The Air Pollution Control Area of areas means the area or areas as are declared by notification by the Government under Section 19 (1) of the Act, after consultation with the Board. (2) The area or areas will be bounded by the respective boundaries of the industries. (3) The Government may declare in addition to the above, any specified area or areas as Air Pollution Control Area or Areas on the recommendation of the Board after it is satisfied for the need of such action to control air pollution.

Chapter VII

26. The form of application for the consent of the Board, the fees payable and period within which application is to be made.

(1)An application for obtaining the consent of the Board in terms of Section 21 of the Act shall be made in Form 1; provided that in case of improvement to the existing facilities the person shall be required to file a fresh application.(2)The application form may be obtained from the Officer of the Board on payment of rupees one hundred as application fee.(3)The application form should be duly accompanied by the prescribed consent fee as per schedule below:Industries having an investment of-

(a) More than Rs. 5 crores	Rs. 15,000
(b) More than Rs. 1 crore but less than Rs. 5 crores and Rs. 5crores	Rs. 7,500
(c) More than Rs. 50 lakhs but less than Rs. 1 crore and Rs. 50lakhs	Rs. 3,500
(d) More than Rs. 10 lakhs but less than Rs. 50 lakhs and Rs. 1lakh	Rs. 1,000
(e) More than Rs. 1 lakh but less than Rs.10 lakhs and Rs. 1 lakh	Rs. 500
(f) Minimum fee	Rs. 500

Provided that the Board may from time to time by resolution alter/modify or amend the schedule of fees above mentioned.(4)On receipt of the application Form the Board may examine the proposed site or existing site and ask for any such details which may not have been elaborated in the application Form.(5)The date on which complete information connected with the application Form has been received by the Board shall be the date of receipt of application for calculating the said period of four months tor the purpose of sub-section (4) of Section 21 of the Act.(6)The Board shall after having satisfied on examination of the application, grant the consent to the applicant with or without any condition in Form II.(7)The applicant shall submit periodical information and other reports as may be asked for by the Board in connection with the consent given by the Board.

27. Annual consent.

(1)The Board shall have the right to alter, modify or review its decision regarding the consent on such alteration, modification or review the same and shall constitute a condition in the consent.(2)The Board may alter, modify or include any particular condition in the consent which is required to be implemented by the applicant.(3)In order to maintain a clean condition of the natural environment, the Board shall have a right to inspect any premise or premises.(4)The Board may make surprise checks of premise or premises and the applicant shall render all assistance to such officers in make such checks authorised by the Board in the matter.(5)The applicant shall pay an annual consent fee to the Board as per following schedule:Industries having an investment of-

(a) More than Rs. 5 crores	Rs. 5,000
(b) More than Rs. 1 crore but less than Rs. 5 crores and Rs. 5crores	Rs. 2,500
(c) More than Rs. 50 lakhs but less than Rs. 1 crore and Rs. 50lakhs	Rs. 1,000
(d) More than Rs. 10 lakhs but less than Rs. 50 lakhs and Rs. 1lakh	Rs. 500
(e) More than Rs. 1 lakh but less than Rs.10 lakhs and Rs. 1 lakh	Rs. 250

(f) Minimum fee

Rs. 250

(6) Inspection. - With a view to keeping a constant check on quality of emission discharged into natural environment, the Board will do continuous monitoring of samples at fixed points in the chimneys/stack as may be deemed necessary. They may also make surprise checks and inspection and the applicant shall render all assistance in case of such inspection. (7) Emergency. - In case of emergency when air quality of the environment suddenly deteriorates, the applicant shall co-operate with the Board, and if necessary close down certain operations to prevent and control pollution in the environment as a temporary measure under orders of the Board.

28. Procedure to be followed in respect of enquiry on application for consent.

(1) On receipt of an application for consent under sub-section (3) of Section 21, in the proper form accompanied by the required consent fees and containing the required particulars, the Member-Secretary shall forward the application to an officer of the Board empowered in this behalf (hereinafter referred to as the Inquiry Officer.) (2) The Inquiry Officer shall, accompanied by as many assistants as may be necessary, inspect or cause to be inspected the premise or premises to which such application related for the purpose of verifying the correctness or otherwise of the particulars furnished in the application and for obtaining such further particulars or information as he may consider necessary. The officer conducting the inspection may, for that purpose inspect any part of the industrial plant and premises and may require the occupier to furnish him any information or records pertaining to the industrial establishment. (3) The Inquiry Officer shall before carrying out or causing to be carried out the inspection under sub-rule (2) give notice to the occupier of the intention to do so in Form III. (4) The Inquiry Officer may after carrying out or causing to be carried out an inspection under sub-rule (2) give notice to the occupier to furnish to him. additional information or clarification on the application for consent of any plant, drawings or reports pertaining to the industry establishment or to produce before him such documents, licences, certificates, etc. as he may consider necessary for the purpose of investigation of the application and may for that purpose, summon the occupier or his agent to the office of the Board. The Inquiry Officer may, if necessary, again call for further information or clarification, following the same procedure mentioned above.

29. The authorities or agencies to whom information under sub-section (1) of Section 23 is to be furnished.

- Any officer or person in charge of any industrial plant or occupier of the premises from where due to an accidental breakdown of some processes, installations or otherwise, an emission occurs or is apprehended to occur in excess of the standard laid down by the Board, shall forthwith intimate in writing the fact of such occurrences or of the apprehension of such occurrences to the Board or the District Magistrate or the Sub-Divisional Magistrate, as the case may be, having jurisdiction over the area, nearest police station or Deptt. of Industry of the Government or Chief Executive of the local Municipal Body or Secretary of the Local Gaon Panchayat or Director of Health Services of the Government or Chief Medical and Health Officer or Sub-Divisional Medical and Health Officer having jurisdiction over the area and Medical Officer of the nearest Primary Health Officer or State

Dispensary.

30. The manner in which samples of air or emission may be taken-power to take sample.

(1)The Board or any officer empowered by it in this behalf shall have the power to take for the purpose of analysis, samples of air or emission from any chimney, flue or duct plant or vessel or any other sources and outlets, exhaust pipe, stationary or mobile under sub-section (1) of Section 26. The occupier of the premises shall provide all necessary facilities for sampling of air or emission from any chimney, flue, or duct plant or vessel or any other sources and outlets, exhaust pipe, stationary or mobile, as may be specified by the Board or any officer empowered by it in its behalf.(2)The procedure used for sampling air or emission from any chimney, due or duct plant or vessel or any other sources and outlets, exhaust pipes, stationary or mobile, the instructions used for sampling and the method of measuring air pollutants shall be such as may be specified by the Board to suit the situation.

31. Form of notice.

- A notice under sub-section (3) of Section 26 shall be in Form IV.

32. The Form of Report of Board/Laboratory.

- The Form for the purpose of sub-section (1) of Section 27 of the Act is set out in Form No. V.

33.

(1)The functions of the State Air Laboratory. - (i) The functions of the State Air Laboratory is to analyse or test samples of air or emission sent by any officer empowered by the Board in this behalf and to communicate to the Member-Secretary or such officer, as the case may be, the result of such analysis or test.(ii)Any addition or change in the function of the State Air Laboratory shall be as notified by the Government after consulting the Board from time to time.(2)Procedure for submission of samples for report of State Air Laboratory. - The procedure for submission of samples of air or emission for analysis or test to the State Air Laboratory shall be specified by the Government in consultation with the Board and the State Air Laboratory.(3)Form of report of State Air Laboratory and fees. - When a sample has been sent for analysis to a State Air Laboratory, the Government Analyst appointed under sub-section (1) of Section 29, shall analyse or cause to be analysed the sample and submit a report of the results in Form VI in triplicate to the Member-Secretary.The fees for each such report shall be such as may be notified by the Government from time to time in consultation with the Board.(4)Qualification of Analysts. - The qualification of analysts to be appointed for the purpose of analysis of samples of air etc. are as follows:At least 2nd Class Degree in Civil or Chemical Engineering having post graduate degree in Public Health Engineering/Environment Engineering with minimum 10 years' experience out of which 3 years should be in Water Air Pollution and Control or related activity along with experience in laboratory

analysis relating to Water and Air Pollution Control and related matters. Or M. Sc. in Chemistry or Biological Science preferably having Doctorate Degree in Chemistry or Biological Science with 10 years' experience, out of which 5 years' experience should be in laboratory analysis relating to Water/Air Pollution and related matters.

Chapter VII

35. Directions.

(1) Any direction issued under Section 31-A shall be in writing. (2) The direction shall specify the nature of action to be taken and the time within 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) When the proposed direction is for the stoppage or regulation of electricity or water or any other services 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 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 now in this behalf shall be dealt with in accordance with the procedure under sub-rules (3) and (5) of this rule. (5) The 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 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 as opportunity. (a) Every direction under Section 31-A shall be served in the following manner: Where the person to be served is a company, the document is to be 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 the principal office or at the 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 to be endorsed to his Head of Department and also Secretary to the Government, as the case may be, in charge of the department in which for the time being the matter relating to the Department which the officer is transacted and is either-(i) sent by registered post, or (ii) is given to him by hand. (c) In any other case, if the document is addressed to the person to be served and-(i) is given to him by hand, 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 whom 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.

Chapter VIII

36. The form and the manner in which appeal may be preferred, the fees payable and the procedure to be followed by the Appellate Authority.

(1)(a)The Memorandum of Appeal in accordance with sub-section (3) of Section 31 shall be in the Form No. VII.(b)The memorandum of appeal shall be accompanied by a certified copy of the order appealed against.(2)Procedure to be followed by Appellate Authority. - (a) The Appellate Authority shall, as soon as may be, after the memorandum of appeal is filed before it, fix a date of hearing of appeal and give intimation of the same to the appellant and the Member-Secretary in Form No. VIII while giving such intimation to the Member-Secretary a copy of the memorandum of appeal together with its enclosures shall also be sent to the Member-Secretary and shall also be called upon to send to the Appellate Authority all the relevant records connected with the matter relating to the appeal.(b)Where the material on record is insufficient to enable the Appellate Authority to come to a definite decision, it may take additional evidence and all for such further material from the appellant or the Member-Secretary, as it deems fit, such material shall form part of the record.(c)Where on the date fixed for hearing or on 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.(d)Where an appeal is dismissed under Clause (c) the appellant may, within thirty days from the date of dismissal of the appeal, apply to the Appellate Authority for the restoration of the appeal and if it is shown to the satisfaction of the Appellate Authority that appellant had not received intimation of the date of : earing of the appeal or was prevented by any cause, sufficient in the opinion of I he Appellate Authority, from appearing when the appeal was called for hearing, he Appellate Authority may restore the appeal on such terms as it may think fit.(3)Order to be in writing. - The order passed by the Appellate Authority on the appeal shall be in writing and state clearly the points before it for determination, the decision thereon, and the reasons for the decision.(4)Supply of copy of order to the Appellant and Board. - 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 be sent to the Member-Secretary.

Chapter IX

37. Fund of the Board.

(1)The Board shall have a fund to be called "Pollution Control Board, Assam Fund" to which all money received by the Board shall be credited.(2)The fund of the Board shall be operated by Member-Secretary of the Board or in his absence by any officer of the Board who may be so empowered by the Board or its Chairman.

38. Opening of account with the State Bank/otherwise as directed by the State Government.

(1) Account shall be opened with the State Bank of India or otherwise as directed by the State Government in the name of the Board and such account shall be operated by cheque or payment orders signed by the Member-Secretary. (2) Cheques drawn in favour of the Board shall be endorsed by Member-Secretary. (3) The Member-Secretary shall receive all money paid to the Board. He may at any time retain in his hand a sum not exceeding one thousand rupees to meet the current expenditure or urgent nature.

39. Saving.

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

40. Maintenance of Cash Book.

(1) A cash book shall be maintained by the Member-Secretary in Form No. F-C. (2) The Member-Secretary shall immediately bring into account in the cash book all money received or spent by the Board.

41. Revised and Budget estimates.

(1) In the month of August each year and not later than the fifteenth of the month an estimate of the receipt and of the expenditure of the Board for the ensuing year commencing on the 1st April next and the revised estimates of receipt and expenditure of the Board for the current year shall be prepared by the Member-Secretary in Form No. F. (XI, XII, XIII, XIV) and laid before the Board. (2) Such estimate shall make provision for the fulfilment of the liabilities of the Board and for effectually carrying out its objects. It shall include on its receipts side, besides all receipts ordinarily anticipated, grant likely to be made by the State Government. (3) The Board shall consider the estimate so submitted to it and shall forward the same to the Government with such modifications as the Board may deem fit by the first of October every year.

42. Annual account. - The annual accounts of the Board shall be prepared by the Member-Secretary in Form No. F (XV, XVI, XVII, XVIII, XIX) immediately after the close of the year.

42. Annual audit of the accounts.

(1) The accounts of the Board shall be audited annually as soon as possible at the close of the financial year by any auditor duly qualified to act as an auditor of companies under Section 226 of the Companies Act, 1956 to be appointed by the State Government of the advice of the Comptroller and Auditor General of India. (2) The Member-Secretary, shall, at the time of audit, cause to be produced all accounts, registers, documents and subsidiary papers which may be required by the auditor for the purpose and shall also provide facilities to the auditor for inspection of office or offices of the Board if the auditor considers such inspection necessary. (3) The audit or shall send a

copy of his report with an audited copy of the accounts to the State Government.(4)The State Government may, if it so thinks fit, make its comments on the audited accounts and sent it to the Chairman.(5)On receipt of such comments the Chairman shall place the audited accounts with the comments of the State Government before the Board for consideration and shall inform the State Government the action taken by the Board in the matter.

Chapter X

44. Annual Report.

- The Annual Report of the Board under Section 35 of the Act shall be prepared in Form No. XX and shall be submitted to the State Government before 30th June every year.

45. Manner of giving notice.

- The manner of giving notice under Section 43 (1) (b) shall be as follows, namely:(1)The notice shall be in writing in Form X.(2)The person giving notice may send notice to the Member-Secretary. Pollution Control Board, Assam.(3)The notice may be sent by registered post.(4)The period of sixty days mentioned in Clause (b) of sub-section (1) of Section 43 of the Air (Prevention and Control of Pollution) Act, 1981 shall be recorded from the date of receipt of the notice, by the Member-Secretary of the Board.

46. Maintenance of register.

- A register under Section 51 of the Act shall be maintained by the Board in Form No. IX in respect of consents issued by the Board under Section 21 of the Act.

Chapter XI

47.

In addition to the functions of the Board mentioned under Section 17 of the Act and without prejudice to the performance of its functions, the Board is-(1)to advise the Industrial licensing authorities concerned including the Central Government and local bodies about the suitability of the proposals including selection of site and process for setting up new industries or expanding existing industries within the State (and near the State boundaries that are likely to pollute to air or water within the State) and such advice shall be with respect to abatement to air and water pollution;(2)to issue or deny "Consent" to establish for the purpose of setting up new industries and expansion of existing industries within the State considering the applications made in forms specified by the Board in this behalf and the Member-Secretary of the Board shall issue or deny such "No Objection Certificate" within 3 (three) months from the date of making an application and the procedure specified by the Board shall be followed in respect of such application:(3)to asses the nature and

extent of pollution from any source;(4)to set up research and development service in the filed of pollution control;(5)to carry out Environment Impact Assessment studies, and Air Quality Surveys as directed by the Government or the Central Board from time to time in collaboration with other agencies wherever necessary;(6)to institute fellowship for carrying out fundamental or applied research in the filed of Environment Engineering or Science; Provident that the findings of such research will be useful to the Board for carrying out its functions, the terms and conditions of such fellowship being as specified by the Board.

Form No. 1[See Rule 26(i)](To be submitted in triplicate)

Application for consent for emission/continuation of emission under Section 21 of Air (Prevention and Control of Pollution) Act, 1981

From.....Dated.....ToThe Member-Secretary,Pollution Control Board, Assam

Sir,I/We hereby apply for Consent under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981) to make emission from Industrial Plant owned by (1).....for a period up to (2).....

2. The Annexure, appendices or other particulars and plants are attached herewith in triplicate.

3. I/We further declare that the information furnished in the Annexure/Appendices and plan is correct to the best of my/our knowledge.

4. I/we hereby submit that in case of a changes either of the point or the quantity of emission or its quality a fresh application for Consent shall be made and until such Consent is granted no change shall be made.

5. I/We hereby agree to submit to the Board application for renewal of Consent one month in advance of the date of expiry of the consented period for emission, if to be continued thereafter.

6. I/We undertake to furnish any other information within one month of its being called for by the Board.

Yours faithfully Signature.....Name of Applicant.....Address of applicant.....Accompaniments:(i)Index/site plan.(ii)Topographical map.(iii)Detailed layout plan of different processes and point sources of emission and position of stacks and chimneys.(iv)Process flow sheet.(v)Latest Analysis Report of emission.(vi)Details of Air Pollution Control devices provided or proposed to be provided.(vii)Ambient Air Quality report, if available(viii)Draft No.....Dated.....for Rs.(Rupees.....drawn on.....as consent fee.

Annexure To Form I

Chimney Existing
New/Altered

Note : Any applicant knowingly giving incorrect information or suppressing any information

pertaining thereto shall be liable to any actions under the provisions. While filling annexure the applicant shall for such of the items not pertaining to his activity shall state "Not applicable" against the relevant one and not leave any column blank.

1. (a) Full name of the applicant with address..... (Tel. No.....)
 (b) Is the firm registered?.....
 (c) If yes, give the No. and date of registration and the authority with whom registered.....
 (d) Full address of the registered office.....
 (e) Names, designation and full addresses of persons like Partners/ Managing Director/Director/Manager etc.
 (1).....(2).....(3).....(4).....(5).....
 (f) Under which category does the industry fall Major/Medium/Small Scale.....
2. Full name of the land/Premises/Institute/Factory/Industry/Local body with address.
 (Tel. No.....)
 Telegraphic Address.....
3. Given Revenue/City Survey No. of the land/premises for which the application is made
 District.....
 No.....Revenue.....
4. State month and year in which the plant was actually put into commission or is proposed to be put into commission.

5. State the Civil/Military Defence/Industrial Estate etc. under whose administrative jurisdiction the occupiers' industrial plant is situated .
 District.....
 Port Authority.....
6. (a) State whether Plant site has been declared as protected areas
 Yes/No.....
 (b) If yes, state the name of the Authority and furnish a certified copy of the order under which the area has been declared as protected

7. State working season per year of the plant
 Full year
 From.....To.....
 From.....To.....
 From.....To.....
 Every year
8. (a) Number of persons attending the factory per day

- (b) Number of persons residing in the premises.

9. Indicate the present use of land in the vicinity (5 km. radius) of the industrial plant
 (i) Human settlement (the plant's site).....
 Industrial.....
 Parks/Hills/Mountain.....
10. Climatological and Meteorological details: (if available)
 (a) Indicate the climate conditions at the site:

(e.g. arid, semi-arid etc.)

(b) Rainfall, yearly average range

(c) Temperature, seasonal range

(d) Information on speed and direction of wind

(e) Humidity, solar radiation

11. Given list of all materials used in the process in metric tonnes/day.

{|

List of

Raw Principal use

Materials

Amount in Tonne/day

|-|| A process flow diagram must be included with this statementshowing entry and exist points of all raw materials intermediateproducts, by-products and finished products,|-| 12.| Fuel consumption in tonne/day.|-||

Coal Oil Wood Natural (gas) Others specify

1. Daily consumption in tonnes

2. Calorific value

3. Ash content %

4. Sulphur content %

5. Other specify

|-| 13.| Atmospheric emission from each slack||-|| (i) Stack No.||-|| (ii) Material of construction of stack||-|| (iii) Stack attached to||-|| (iv) Stack height||-|| (a) above the roof (in meters)||-|| (b) above the ground level (inmetres)||-|| (v) Stack top:||-|| (a) Round or circular||-|| (b) Inside dimensions of the stackat top||-|| (vi) Gas Quantity-m³/hr.||-|| (vii) Fuel gas temperature °C||-|| (viii) Exit velocity of the gas, meter/sec.||-|| (a) Flue gas Emission:||-|| Analysis of flue gas in mg/m³|-||

Stack No. Type of fuel Qty of fuel/hr. Type of Firing SO₂ HC CO Particulars NOX Other (specify)

1	2	3	4	5	6	7	8	9	10
---	---	---	---	---	---	---	---	---	----

|-||-|| (b) Process Emissions:||-|| Analysis of Vent Gas in mg/m³|-||

Quantity of gas m³/hr. SO₂ CO₃ CO NOX HC Particulars Other (specify)

1	2	3	4	5	6	7	8
---	---	---	---	---	---	---	---

|-||-|| (c) (i) Particulars and analysis (if available) sizedistribution||-||| Stack No.|-| 50 micron.....%10micron.....%5 micron.....%3 micron.....%1micron.....%|

|-|| (ii) Chemical composition (if available)...|-| 14.| Give details of flue gas sampling arrangements.|-| 15.| Give details of laboratory facilities available for analysisof emission. ..|-| 16.| Is there sufficient space available for installing airpollution control equipment ?.-| 17.| Details of Air Pollution Control System (a) Existing (b)Proposed Give detailed specifications (collectors,

precipitatorsscrubbers etc.)...|-| 18.| State the total quantity of Air handled by ventilationequipment Specify size & No. of equipments, installed or to be installed.....|-| 19.| Give the following details:|-|| (a) Total investment in the factory and the year of installation..|-|| (b) The estimated expenditure for implementation of the scheme to control air pollution..|-|| (c) Expenditure incurred to date and progress achieved(Physical)for air pollution control, if any, and the year-wise of investments along with physical progress achieved. The firm should give details of action taken to date and the expenditure incurred and the time required for the scheme/completion of scheme.|-|| (d) Annual operation and maintenance cost of Air Pollution Control Plant, if any...|-|| (e) Further action that is being taken by the firm to control air pollution...|-|| (f) Other relevant information if any.}|Signature...Name & Address....Name & Address of the applicant on behalf of.....Name and Address of the Firm[The applicant is hereby instructed to make himself familiarised with the Air (Prevention and Control of Pollution) Act, 1981 before attempting to filling up the Form].Explanatory note for filling in the Form and the annexureThe notes are given only for those items for which explanation is considered desirable.(1)Here mention the name if the owner of the land/premises if other than the applicant industry or factory in continuation of legal business as per Air (Prevention and Control of Pollution) Act, 1981. If land/premises belong to the factory/industry say self, the industries are based on the capital investment as follows:Major Industry - More than Rs. 2 crores of capital investment.Medium Industry - More than Rs. 10 lakhs to Rs. 2 crores of capital investmentSmall Sale Industry - Less than Rs. 10 lakhs of capital investment.(2)Here mention the date up to which the consent is sought for.Annexure to Form. 'Existing' means that which is in operation at the time of applying for the consent."New" means that which will be brought into operation in future."Altered" means that which has been modified due to change in quantity and/or quality of emission, arrangement and or point of emission etc.Item No. 1. Here mention name of the owner of the land/premises of other than the applicant industry or factory in continuation of legal business as per Air (Prevention and Control of Pollution) Act, 1981. If land/premises belong to the factory/industry write self.Item No. 2. Here give the registered name of the industry/institution factory local bodies etc. under which the business is carried out.Item No. 6. Applicable to only those areas which are prohibited areas such as the Ordinance Factories, Mint, etc.Item No. 10 (c). Here state temperature in °C in summer, winter monsoon and post-monsoon seasons.(d)Here state the seasonal average wind direction and speed in and around the site of the plant. The information can be had from Representative Meteorological Centre.Item No. 13. Analysis of the flue gas emission, process emission and particulars. Analysis should be done for each stack emission. Wherever stacks are not provided the top floor specific pollutants concentration should be reported.Chemical analysis of the particulate matter in the emission should be furnished giving details such as organic matter, metals, non-metals, radioactive substances, asbestos, silicates etc.Item No. 17. Here state detailed specifications of control system used or proposed to be used with efficiency. Also furnish the lay out of the control system with dimensions.Item No. 19. Here state the total quantity of ventilation air handled by equipments such as roof extractors, evaporative coolers etc.Pollution Control Board AssamForm II[See Rule 26(6)](By Registered post with Acknowledgement due)(This document contains.....Pages)Consent OrderPollution Control Board Assam Consent for operation of the Plant under Section 21 of the ActConsent No.....Consent is hereby granted under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 (hereinafter referred to as "the Act" and the rules and orders made thereunder) to Shri/Messrs..... (Give full address) (hereinafter referred to as the Applicant) authorising

him to operate their industrial plants, in the Air Pollution Control areas as notified from the following chimneys:

Chimney No. Description of Chimney

1.2.3.4.5.

This is subject to the provisions of the Act and the Rules and orders made thereunder and further subject to the term and conditions incorporated in the schedule annexed hereto. The Consent shall be valid for a period ending with.....day of.....Dated this.....day of.....For and on behalf of the Assam Pollution Control Board, Assam Member secretary

Schedule

(to accompany Consent No.....Dated.....)Terms and Conditions

- 1. The applicant shall make an application for grant of fresh Consent at least 30 days before the date of expiry of this Consent.**
- 2. Necessary fee, as prescribed for obtaining consent, shall be paid (or by the applicant along with the consent application.**
- 3. The industry would immediately submit the revised application for Consent to this Board in the event of any change in the raw material, process, air pollution equipment, rate of emission etc.**
- 4. The applicant shall not change or alter either the quality or the quantity or the rate of emission without previous written permission of the Board.**
- 5. The existing control equipment, if any, shall be altered or replaced in accordance with the directions of the Board.**
- 6. The applicant shall either-**

(a)Not later than 30 days from the date of issue of this Consent order, certify in writing to the Member-Secretary that the applicant has installed or provided for an alternate electric power source sufficient to operate all facilities installed by the applicant to maintain compliance with the terms and conditions of the Consent.(b)Not later than 30 days from the date of this Consent certify in writing to the Member-Secretary that upon the reduction less of failure of one or more of the primary sources of electric power to any facilities installed by the applicant to maintain compliance with the terms and conditions of this Consent, the applicant shall half, reduce or otherwise control production and/or all emissions in order to maintain compliance with the terms and conditions of this Consent.

7. The daily quantity of the emissions discharged shall not exceed the figures as mentioned below:

Chimney No. Rate of emissions from chimneys

1.2.3.4.5.

8. The emission shall not contain constituents in excess of the tolerance limits as laid down hereunder:

Sl. No.	Parameter	Limiting Standard-mg/cum,
1.	Sulphur	
2.	Hydro Carbon	
3.	Carbon Monoxide	
4.	Total Particulate matter	
5.	Others	

9. (a) The applicant shall take immediate action to install or modify the equipment for the control of emission quality to the satisfaction of the Board within the following time limits so as to conform to tolerance limits as per item No. 8 above for the different chimneys by the date noted against them:

Sl. No. Chimney No. By date

- (i) I
- (ii) II
- (iii) III
- (iv) IV
- (v) V

(Any other conditions stipulating the phased programme for reduction of polluting parameters or time bound programme for installation of control equipment may be put in by the Board.)(b)(i).....(ii).....(iii).....

10. The applicant shall at his own cost get the samples of emission collected and analysed from an approval laboratory every month for the parameters indicated in condition No. 8 and shall submit in duplicate the report thereof to the Board.

11. No control equipment or chimney shall be altered or replaced, or as the case may be, erected or re-erected except with the previous approval of this Board.

- 12. A quarterly progress report shall be submitted to the Board stating therein the progress made in respect of execution of emission control works stated under this Consent. These reports shall be submitted by the 10th of January, April, July and October.**
- 13. The applicant shall submit process flow sheet and particulars of proposed control equipments and a time schedule for completing the installation of the same so as to reach the Board by (date).....**
- 14. The factory authorities shall provide facilities for monitoring of all the stacks for air pollutants mentioned in item 8 above.**
- 15. The stack monitoring system employed by the applicant shall be open for inspection by this Board at any time.**
- 16. Solid wash. - The solid waste arising in the factory premises as wastage, packaging, empty containers, residues, sludges, including those from control equipments etc. shall be disposed of carefully by land filling, sales etc. so as not to cause fugitive emissions of any kind.**
- 17. Where in any air pollution control area the emission of any air pollutant into the atmosphere in excess of the standards laid down by the 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 such emission occurs or is apprehended to occur shall forthwith intimate the fact of such occurrence or the apprehension of such occurrence to this Board, telegraphically under intimation to the District Health Officer.**
- 18. In case of such episodal discharges/emissions mentioned in item 17 above the industry should take immediate action to bring down the emission below the limits prescribed in the Consent item. 7.**
- 19. A good housekeeping shall be maintained both within the factory and in the premises. All hoods, pipes, valves shall be leak-proof.**
- 20. The applicant shall comply with and carry out directives/orders issued by the Board in this Consent order and at all subsequent times without any negligence on his part. The appellant shall be liable for such legal action**

against him as per provisions of the law/Act in case of non-compliance of any order/directive issued at any time and/or violation of the terms and conditions of this Consent order.

21. An inspection book shall be opened and made available to the Board's Officers during their visit to the factory.

22. The applicant shall furnish to the visiting officer and/or the Board any information regarding the constructions, installation or operation of the Air Pollution Control equipment system and such other particulars as may be pertinent to prevention and control of pollution of air.

23. The applicant shall provide facility for collection of samples to the Board's staff and also provide sampling parts in the stacks.

24. If due to any technological improvement or otherwise this Board is of opinion that all or any of the conditions referred to above requires variation (including the change of any control equipment either in whole or in part), this Board shall after giving the applicant an opportunity of being heard, vary all or any or such conditions and thereupon the applicant shall be bound to comply with the conditions so varied.

25. Any other conditions.

Form III[See Rule 28(3)]Board for Prevention and Control of Water and Air Pollution, AssamNotice of InspectionChairman Shri..... Member-Secretary Shri.....No.....Date.....Take notice that for the purpose of enquiry under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 the following officers of the State 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 part thereof pertaining thereto under management/control of date.....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 State Board shall amount to obstruction punishable under Section 37 (1) of the Act.By order of the BoardMember-SecretaryCopy to

1.

2.

3.

Form IV[See Rule 31]Pollution Control Board, AssamNotice of intention to have samples analysedTo,.....Take notice that it is intended to have analysed the samples of Air emission from your premises which is being taken today the.....19.....from [.....] [Here specify the stack, chimney or any other emission outlets.]Name and designation of the person who take the sampleTo,.....Form V[See Rule 32]Report of the Board AnalystReport No.....Dated the.....I hereby certify that I, [.....] [Here write the full name of the State Board Analyst.] State Board Analyst duly appointed under sub-section (2) of Section 29 of the Air (Prevention and Control of Pollution) Act, 1981, received on the [.....] [Here write the date of receipt of the sample.] day of.....19.....from [.....] [Here write the name of the Board or person or body of persons or officers from whom the sample was received.] a sample of.....for analysis.The sample was in a condition fit for analysis reported below:I further certify that I have analysed/caused to have analysed the aforementioned sample on [.....] [Here write the date of analysis.] and declare the result of the analysis to be as follows:[.....] [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.]The condition of the seals, fastening and container on receipt was as follows:Signed this.....day of.....19.....Address.....(Signature)State Board AnalystForm VI[See Rule 33(3)]Report by the Government AnalystReport No.....Dated the.....I hereby certify that I, [.....] [Here write the full name of the Government Analyst.] Government Analyst duly appointed under sub-section (1) of Section 29 of the Air (Prevention and Control and Pollution) Act, 1981 received on the [.....] [Here write the date of receipt of the sample.] day of.....19.....from [.....] [Here write the name of the Board or person or body or persons or officer from whom the sample was received.] a sample of.....for analysis reported below:I further that I have analysed the aforementioned sample, on [.....] [Here write the date of 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.] and declare the result of the analysis to be as follows:.....Signed this.....day of.....Address.....(Signature)(Government Analyst)Form VII[See Rule 36(1) (a)]Form of appeal under Section 31 of the Air (Prevention and Control of Pollution) Act, 1981 (No. 14 of 1981)Before [.....] [Here mention the name and designation of the authority.] Appellate Authority constituted under Section 31 of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981).Memorandum of Appeal of Shri..... (Appellant).V/s.The Pollution Control Board, Assam..... (Respondent).The appeal of Shri.....resident of.....District.....against the order.....dated.....passed by the Pollution Control Board, Assam under Section 21/22 of the Air (Prevention and Control of Pollution) Act, 1981 sheweth as follows:

1. Under Section 21/22 of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981) the appellant has been granted Consent subject to the condition mentioned in the Consent Order in respect of the [.....] [Name of plant/company/Corporation/Municipality/Notified Area Committee.]

Company/Corporation/Municipality/Notified Area Committee etc. noted below:

(b)Place(c)Ward No.(d)Name of the Street; and(e)DistrictA copy of the Consent Order in question is attached hereto.

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 for the purpose of this appeal are as below:

(here mention the grounds as which appeal is made)

1.

2.

3.

4. In the light of what is stated above, the appellant respectfully prayeth that-

(a)the unreasonable condition(s) imposed should be treated as annulled or it/they should be substituted for such other condition(s) are 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 should be revised).An amount of Rs.....as fee for this appeal has been paid vide receipt No.....dated....., an authenticated copy of which is attached in proof of payment.Signature of the Appellant(Name in Block letters)Occupation.....AddressDate.....VerificationI.....(appellant's name) is the above. Memorandum of Appeal/or duly authorised agent do/does hereby declare that what is 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.....Date.....Strike out what is not applicable.Form VIII[See Rule 36(2) (a)]Form of NoticeBefore.....Appellate Authority as constituted under Section 31 (1) of the Air (Prevention and Control and Pollution) Act, 1981 (14 of 1981).In the matter of Appeal No.....filed under Section 31 of the Air (Prevention and Control and Pollution) Act, 1981 (14 of 1981) by Shri [.....] [Here mention the name and address of the appellant.]Vs.The Pollution Control Board, Assam.....Respondent.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 Pollution Control Board, Assam under Section 20/21/92 of the Act:And whereas under sub-section (4) of 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 the date of hearing of the aforesaid appeal, the hearing shall take place at.....a.m./p.m. On that date in the office of the Board at Guwahati, 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, to explain your case. Please take notice that failure on your part to appear on that day of hearing either in person or through a duly authorised agent, without showing sufficient cause to the satisfaction of this Authority will make your appeal liable to be dismissed or declared ex parte. Given under the hand and seal of the Appellate Authority [.....] [Here mention the name and designation of the authority.] this.....day of.....19.....Form IX[See Rule 46]Following shall be the form of the register to be maintained in respect of Consents to be issued under Section 21 of the Act: 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) if 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 (c) Modification of existing (d) Emission source (e) Location change (f) Ownership change (g) Present Consent Order V. Implementation dates: (a) In the case of proposed industries operation expected to be on..... (Day) (Month) (Year) (b) Air Pollution Control equipment and emission to be installed..... (Day) (Month) (Year) VI. Emission Standards:

Emission Source Number (From Plot/Plant)	Air Pollutant emitted	Emission rate kg/hour or standard as prescribed
(1)	(2)	(3)

VII. Consent conditions, if any: (Deputy Secretary to the Government of Assam, Science Technology and Environment Department) Copy forwarded to:

1.

.....(Deputy Secretary to the Government of Assam, Science Technology and Environment Department) Pollution Control Board, Assam Form X [See Rule 43 (1)] Form of Notice (By registered post) From Shri..... To..... Notice under Section 43 Cl (b) of Air (Prevention and Control of Pollution) Act, 1981 Whereas an offence under the Air (Prevention and Control of Pollution) Act, 1981 as amended, in 1987 has been committed by *....., I/we hereby give notice of 60 days under Section 43 (1) (b) of Air (Prevention and Control of Pollution) Act, 1981 as amended in 1987 of my/our intention to file a complaint in the Court against [.....] [Here give the name and address of the alleged offender. In case of a manufacturing/Processing/Operating Unit, indicate the name, location, nature of activities, etc.] for violation of..... Air (Prevention and Control of Pollution) Act, 1981. In support of my our notice, I am/we are enclosing the following

documents [.....] [Documentary evidence shall include photographs/Technical reports/health reports of the area, etc. for enabling enquiry into the alleged violation/offence.] as evidence of proof of violation of the Air (Prevention and Control of Pollution) Act, 1981 as amended in

1987. Signature Place..... Date..... Explanation - *In case the notice is given in the name of company, documentary evidence authorising the person to sign the notice on behalf of the company shall be enclosed to this notice. "Company" for this purpose means a company defined in Explanation to Section 42 of the Air (Prevention and Control of Pollution) Act, 1981. Form F C [See Rule 40 (i)] Cash Book of the Pollution Control Board, Assam

Date of receipt	Voucher No. of receipt	From whom received and on what account	Cheque and Bank Draft No.	Amount	Classification of receipt	Date of payment	Voucher No.	To whom paid	Cheque and Draft No.	Amount	Classification
Cash	Bank	Cash	Bank								
1	2	3	4	5	6	7	8	9	10	11	12

Total Receipt Total Payment
 Opening Balance Balance in Hand
 Grand Total Grand Total

Form F XI [See Rule 41] Pollution Control Board, Assam Detailed Budget Estimates for the Year.... Administration (Expenditure) { | | - | Head of Account | Actuals for the past three years | Sanctioned estimate for the current year | Actuals for five months of the current year | Actuals for seven months of the previous year | Revised estimates for the current year | Budget estimates for the next year | Variations between columns 5 and 8 | Variations between columns 8 and 9 | Explanation for columns 10 and 11 | - | 19... | 19... | 19... | 19... | - | (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) | (9) | (10) | (11) | (12) | - | | | | | | | | | } Form F XII [See Rule 41] Pollution Control Board, Assam Detailed Budget Estimates for the Year.... (Establishment) Statement of details of provision for pay of Officers/Establishment for the year 19..... 19.....

Name and designation	Reference to page of estimate from	Sanctioned pay of the post	Amount of provision for the year at the rate in column (c)	Increment falling due within the year	Total provision for the year i.e. Total column 4 & 5 (e)	Remarks
Mini.	Maxi.	Actual	Date of increment (a)	Rate of increment (b)	Amount of increment for the year (c)	
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Form F XIII Pollution Control Board, Assam [See Rule 41]

Name and Designation	Pay	Dearness Allowance	City Compensatory Allowance	House Rent Allowance	Other allowance	Total
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(1)	(2)	(3)	(4)	(5)	(6)	(7)
Total						
Form F XIV	Pollution Control Board, Assam	Abstract of Nominal Rolls	[See Rule 41]			
					Explanation for the difference between sanctioned Budget Grant, Revised Budget Grant, Revised Estimates and Budget	
Actual sanction	Particulars of post	Sanctioned Budget Grant	Revised Estimates	Budget Estimates		
19... No. of posts included	19... Pay and allowance	19... No. of posts included	19... Pay and allowance	19... No. of posts included	19... Pay and allowance	
(1)	(2)	(3)	(4)	(5)	(6)	(7) (8) (9)
I. Officers:	(a) Postfilled	(b)				
Postvacant	Total-I-Officers	II.				
Establishment:	(a)					
Postfilled	(b)					
Postvacant	Total-II-Establishment	III.				
Cash IV:	(a) Postfilled	(b)				
Postvacant	Total-III-ClassIV	Grant				
Total-I, H and III						
Form F XV	Pollution Control Board, Assam	Receipts and payment for the year ended.	[See Rule 42]			
Previous year	Receipts	Previous year				Payment
(1)	(2)	(3)				(4)
Opening Balance		I. Capital Expenditure-				
I. Grant received:		(i) Works				
(a) from Government		(ii) Fixed Assets				
(b) from other Agencies		(iii) Other Assets.				
II. Fees		(a) Laboratory Equipment.				
III. Fines and fixtures		(b) Vehicles.				
IV. Interest on Investments		(c) Furniture and Fixture.				
V. Miscellaneous receipts		(d) Scientific Instruments and (e) Tools and plant.				

VI. Miscellaneous
advances

VII. Deposits

II. Revenue Expenditure-

A. Administrative

(i) Pay of Officers.

(ii) Pay of Establishment and contingent staff.

(iii) Allowance and Honoraria.

(iv) Leave salary and pension, contributions.

(v) Board's contribution to Staff Provident Fund, Pension and Gratuity.

(vi) Contingent Expenditure.

B. Deduct Recoveries-

(i) Board Laboratory.

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

C. Running and maintenance of vehicles.

D. Maintenance and Repairs-

(i) Buildings and drainage.

(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 members, consultants and specialists.

F. Legal Charges.

G. Miscellaneous.

H. Fees for audit.

III. Purchase.

IV. Miscellaneous.

V. Advances.

VI. Deposits

Closing Balance

Accounts Officer Member-Secretary Total.....

Chairman

Form F XVI [See Rule 42] Pollution Control Board, Assam Annual Statement of Account Income and Expenditure Account for the year ended 31st March, 19...

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.	Rs.	Rs.
	Revenue				(I) Grants Received(a)		
	Expenditure(A)				from Government(b)		
	Administration:(i)				From		
	Pay of Officers(ii)				other Agencies Total.....Less:		
	Pay				Amount utilised for		
	of Establishment(iii) Allowance				capital expenditure Net		
	and Honoraria(iv)				grant available for		
	Leaves salary and				revenue expenditure (II)		
	pension				Fees (III) Service/Rental		
	contribution (v)				charges (IV) Fines and		
	Board's contribution				forfeitures (V) Interest on		
	to the staff				investment (VI)		
	Provident Fund,				Miscellaneous		
	Pension/gratuity (vi) Contingent				Receipt (VII) Excess of		
	expenditure				Expenditure		
	Deduct				over Income Total.....		
	recoveries (B)						
	Running expenses						
	of laboratories: (i)						
	Board's laboratory (ii)						
	Payment to be						
	made to Central						
	Water						
	Laboratory/other						
	Laboratories (C)						
	Running and						
	maintenance						
	of vehicles (D)						
	Maintenance and						
	repairs: (i)						
	Building and land						
	drainage (ii)						
	Works (iii) Furniture						
	and						
	fixtures (iv) Scientific						
	instrument and						
	office						
	appliances (v)						
	Tools						

and plants(vi)
 Temporary works
 (including
 maintenance and
 repairs)(E) Fees
 to Consultant
 and Specialists(F)
 Legal charges(G)
 Miscellaneous(H)
 Fees for audit(I)
 Depreciation:(i)
 Building(ii) Laboratory
 equipment(iii)
 Vehicles(iv)
 Furniture and
 fixtures(v)
 Scientific instruments
 and office
 appliances(vi)
 Tolls and plants(J)
 Miscellaneous:(i)
 Write off of losses
 (as per details in
 the statement
 attached)(ii)
 Other miscellaneous
 expenditure(iii)
 Excess of income
 over expenditures

Accounts Officer Member-Secretary Total.....

Chairman

Form F XVII[See Rule 42]Pollution Control Board, AssamAnnual Statement of AccountBalance
 sheet as at 31st March, 19...

Capital

and Property and assets
 liabilities

Previous year	Details	Total of sub-head	Total of sub-head	Previous year	Details	Total of sub-head	Total of sub-head
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	(A) Capital Fund:(i) Grant received from the Government for capital expenditure-(a)				1. works:(As per form F XVIII)2. Fixed Assets:(As per		

Amount utilised up to 31st March(b)	Form FXIX)(a)
Unutilised balance on 31st March(ii) Grant from other agencies for capital expenditure-(a)	Value of land provided by Government at cost(b)
Amount utilised up to 31st March(b) Utilised balance on 31st March(iii) Value of land provided by Government (per contra)(B) Capital Receipts(C)(i) Deposits received for works from outside bodies Deposits less expenditure(ii)	Buildings Balance as per last balance-sheet Additions during the year Total..... Less: Depreciation during the year Total..... 3.
Other deposits(D) Amount due:(i) Purchase(ii) Others(E) Excess of income over expenditure(i) Up to 31st March, 19(ii) Add for the year(iii) Deduct-Excess of expenditure over income(a)	Other Assets:(a) Laboratory equipment as per last year balance sheet Additions during the year..... Total..... Less: Depreciation during the year..... Total..... (b)
Laboratory equipment as per last balance sheet Additions during the year..... Total..... Less: Depreciation during the year..... Total.....	Vehicle as per last balance sheet Addition during the year..... Total..... Less: Depreciation during the year..... Total..... (c)
	Furniture and fixtures as per last balance sheet Addition 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.....Less:Deprecia
 during the
 year.....Total.....(e)
 Tools
 andplants as
 per last
 balance
 sheetAdditionsduring
 the
 year.....Total.....Less:Deprecia
 during the
 year.....Total.....4.
 Sundry
 Debtors:(i)
 Amount
 duefrom
 outside bodies
 for expenditure
 incurredExpenditure:Less:
 amountreceived(ii)
 Othersundry
 debtors5.
 Advances:(a)Miscellaneous(b)
 Otheramounts
 recoverable-(i)Notice/Short
 Term
 Deposits(ii)
 Cash
 atBank(iii)
 Cash
 athand(iv)
 Cash in transit

Total.....AccountsOfficer Total.....Member-Secretary Total.....Chairman
 Form F XVIII[See Rule 42]Pollution Control Board, AssamAnnual Statement of
 AccountExpenditure on Works as on 31st March, 19.....(Item-1 Assets of the Balance sheet)

Sl. No.	Name of work	Up to 31st March, 19...	During the year 19...	Up to 31st March, 19...				
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)

Accounts Officer Member-Secretary Chairman

Form F XIX[See Rule 42]Pollution Control Board, AssamAnnual Statement of AccountFixed Assets as on 31st March, 19...(Item 2 Assets of the Balance Sheet)(Item 3 Assets of the Balance Sheet)

Serial No.	Particulars of assets on	Balance as on 31st March, 19...	Additions during the year	Total	Depreciation during the year	Sales or write off during the year	Balance as on 31st March, 19...	Cumulative depreciation as on 31st March, 19...
1	2	3	4	5	6	7	8	9

Accounts Officer Member-Secretary Chairman

Form XX[See Rule 46]Annual Report of the BoardForm of Annual Report. - The Annual Report of the year last ended giving the true and full account of the activities of the Board during the previous financial year shall contain the particulars specified below and shall be submitted to the State Government by the 30th June each year. Annual Report for Financial Year April 19.... to March 19...

1. Introductory.

2. Constitution of the Board including changes therein.

3. Constitution of the committees by the Board and meetings of the committees convened by them.

4. Meeting of the Board.

5. Activities of the Board including various functions performed under Section.....of the Act.

6. Prosecution launched and convictions secured.

7. Finance and accounts of the Board.

8. Any other important matter dealt with by the Board.