

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

- This Act extends to the whole of India including Jammu & Kashmir [Sec 1(2)]. Air Pollution means any solid, liquid or gaseous substances including noise present in the atmosphere in such concentration as may be tend to be injurious to human beings or other living creatures or plants or property or environment. Many other terms and conditions are defined in the Act (Sec. 2).
- Central Pollution Control Board has been constituted to exercise the powers as provided by the Air (Prevention and Control of Pollution) Act 1981 and the Water (Prevention & Control of Pollution) Act 1974 (Sec. 3). The Act provides the power to constitute State Boards (Sec. 4). The Central Board functions as an advisor and planners to the central government regarding improvement of the quality of air. It engages or delegates function to people or institution for implementation of prevention and control programme. It lay down the standard of air pollution, collecting and publishing data and disseminating nationwide. The State boards functions at the state level and supply information to the state government. The Central or State Governments are empower to declare any fuel or any material unfit to use if they have sufficient evidence against that fuel/material. The Boards have power to restrict industrial plants in the safeguard of preventing air pollution. The Board can empower any person or institution to examine, and testing any control equipment, industrial plant, record, register, document or any other material that he beliefs, cause air pollution. Such person or institution can take air samples for analysis and report generated can be taken as an evidence in the court.
- Whoever fails to comply with the provision of this Act is punishable with imprisonment for a term which is not be less than one year and six months but which can extend to six years or fine or both.