

Air (Prevention and Control of Pollution) Act of 1981

Definition, Function and Penalties

The Air (Prevention and Control of Pollution) Act of 1981, or the Air Act, in short, was a law passed by the Parliament of India to prevent and control the harmful effects of air pollution in India. This act is seen as the first concrete step taken by the government of India to combat air pollution.

About the Air Act 1981

- A study has been released in the Lancet Journal in January 2021 about air pollution and its effects on pregnancy. According to the report, air pollution in India increases the risk of pregnancy losses in India and a few other nations in South Asia.
- India cities of Delhi, Kolkata and Mumbai make in the list of top 10 world's most polluted cities. It has been reported in the recent IQAir's World Air Quality Report.
- The issue of stubble burning is a recurrent topic in the news.

Why was the Air (Prevention and Control of Pollution) Act of 1981 passed?

The effects of climate change caused by all forms of pollution became all too apparent in the early 1970s. To mitigate their harmful effects it was believed that nations would need to pass their own laws. Thus during the United Nations General Assembly on Human Environment held in Stockholm in June 1972, a resolution was passed which implored the nations of the world to preserve natural resources such as air.

India itself had issues regarding air pollution due to a wide variety of factors such as stubble burning, improper industrial practices, environmental factors etc. To combat these factors a special law was enacted under the Constitution of India, which was the Air (Prevention and Control of Pollution) Act of 1981.

What are the definitions under the Air Act?

The following are the definitions under the Air (Prevention and Control of Pollution) Act.

- Section 2(a) defines an 'air pollutants' as any solid liquid or gaseous substance which may cause harm or damage the environment, humans, plants, animals or even damage property. A 1987 amendment to the act also added 'noise' in the list of harmful substances.
- The air act defines 'air pollution' as the presence of any dangerous pollutant that makes the air unbreathable

Section 2 (g) of the Act also set up the Central Pollution Control Board (CPCB) whose powers extended to the whole of India. To carry out the directives of the CPCB the act also called for the setting up of the State Pollution Control Board (SPCB) for the individual states of India

Penalties and Procedure under the Air Act

The failure to comply with the Central Pollution Control Board directives would result in imprisonment of 1 year. It can be extended to 6 years with a fine with the additional fine of 5000Rs per day added provided the directives are still not met.

Any environmental complaint will only be taken into consideration by a court if it is made by the following:

- An officer authorised by the CPCB
- A person who has made a complaint to the board or an officer authorised by it. The complaint must be made within sixty days of the offence committed

Q 1. What are the key features of the Air (Prevention and Control of Pollution) Act, 1981?

Q 2. How can air pollution harm the environment?