

The Air (Prevention And Control Of Pollution) Rules, 1982

UNION OF INDIA

India

The Air (Prevention And Control Of Pollution) Rules, 1982

Rule

THE-AIR-PREVENTION-AND-CONTROL-OF-POLLUTION-RULES-1982 of 1982

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The Air (Prevention And Control Of Pollution) Rules, 1982Published vide G.S.R. 712(E), dated 18.11.1982, published in the Gazette of India, Extraordinary, Pt. II, Section 3(i) dated 18.11.1982.

248.

In exercise of the powers conferred by section 53 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 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 II

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 alongwith 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)Provisions of Chapter 2 of these rules shall, as far as practicable, apply to the meetings of the committees constituted under section 11.

Chapter III

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 IV

Temporary Association Of Persons With The Central Board

13. Manner and purpose of association of persons with the Central Board under sub-section (1) of section 12.-The Central Board may invite any person whose assistance or advise is considered useful in performing any of its functions, to participate in the deliberations of any of its meetings or the meetings of a committee formed by it.

14. Fees and allowances to be paid to such temporary association of persons under sub-section (3) of section 12.-(1) If the 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 V

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 VI

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 VII

Accounts 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.

I

FORM ICENTRAL POLLUTION CONTROL BOARDDetailed Budget Estimates for the Year 20.....(See rule 15)ADMINISTRATION(Expenditure){||-| Heads of Accounts| Actualsof the past three years| Sanctioned estimate for the current year 20.....| Actualsof last six months i.e., 20.... 20....| Actualsof six months current year 20.....|-| 20| 20| 20|-| 1| 2| 3| 4| 5| 6| 7|-||}

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
8	9	10	11	12

FORM II(See rule 15)CENTRAL POLLUTION CONTROL BOARD [substituted by Act 47 of 1987, Section 2, for Central Board for the Prevention and Control of Water Pollution.]ESTABLISHMENTStatement details of provision for pay of officers/Establishment for the year 20...20...

Name and designation	Reference to page of estimate form	Sanctioned pay of the PostMinimum/Maximum Actual pay of the person concerned due on 1st April next year	Amount of provisions for the year at the rate in column 3(c)
(a)	(b)	(c)	
1	2	3	4
Increment falling due within the year	Total provision for the year i.e. total columns 4 & 5		Remarks
Date of increment	Rate of increment		Amount of increment for the year
(a)	(b)		(c)
5	6		7

FORM III(See rule 15)CENTRAL POLLUTION CONTROL BOARD [substituted by Act 47 of 1987, Section 2, for Central Board for the Prevention and Control of Water Pollution.]Nominal Rolls

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(See rule 15)CENTRAL POLLUTION CONTROL BOARD [Substituted by Act 47 of 1987, Section 2, for Central Board for the Prevention and Control of Water Pollution.](Abstract of Nominal Rolls)

Actual sanctioned strength as on 1st March, 20...	Particulars of posts	Sanctioned 20...No.of posts included	Budget grant 20...Pay and allowances
1	2	3	4
I. Officers(a) Posts filled(b) Posts vacantTotal			
I-OfficersII. Establishment(a) Posts filled(b) Posts vacantTotal II-Establishment			
III. Class IX(a) Posts filled(b) Posts vacantTotal III-Class IV			
GRAND TOTAL - I, II and III			
Revised 20... Estimates20... Budget 20... estimates20...	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	
5	6	7	8	9

II

BUDGET AND ACCOUNT HEADS[See rule 15(3)]ADMINISTRATIONHeads 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.

[SCHEDULE III] [Substituted by G.S.R. 108(E), dated 18-2-1992 (w.e.f. 18-2-1992).](See Rule 16)Central Pollution Control Board Annual Report for the Financial Year April 1, 20... to March 31, 20...CHAPTER-1 : IntroductionCHAPTER-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 enforcementCHAPTER-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.

FORM V(See rule 17)CENTRAL POLLUTION CONTROL BOARD [Substituted by Act 47 of 1987, Section 2, for Central Board for the Prevention and Control of Water Pollution.]Receipts and payments for the year ended 31st March, 20.....

Previous year	Receipts
1	2
Opening Balance..... 1.	1. Grants received..... (i)
Capital	Works.....
Expenditure..... -	(ii) Fixed
(a) from Government.....	Assets.....
(b) from other agencies.....	(iii) Other
II. Fees..... (a)	Assets.....
Laboratory Equipment.....	
(b)	
Vehicles.....	
(c) Furniture's and	
Fixtures.....	
(d) Scientific Instruments and office	
appliances.....	
(e) Tools and	
Plant.....	
III. Fines and Forfeitures. 2. Revenue	IV. Interest of investments. (A)
Expenditure..... -	Administrative.....
V. Miscellaneous Receipts. (i) Pay of	
Officers.....	
VI. Miscellaneous Advances. (ii) Pay of	
Establishment.....	
VII. Deposits (iii) Allowances and	
Honorarium.....	
(iv) Leave Salary and Pension	
Contributions.....	
_____ (v) Contingent	
Expenditure.....	

TOTAL _____ | (B) Deduct

Recoveries.....

| (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.....|-

FORM VI(See rule 17)CENTRAL POLLUTION CONTROL BOARD [Substituted by Act 47 of 1987,
Section 2, for Central Board for the Prevention and Control of Water Pollution.]Annual Statement of
AccountsIncome and Expenditure Account for the year ended 31st March, 20.....

Expenditure Income

Previous year	Details	Total of sub-head	Total of major head	Previous year	Details	Total of sub-head
1	2	3	4	5	6	7

Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
	REVENUE	(A)				
To By -	EXPENDITURE	Administrative:				
	(I) GRANTS	(a) From				
	RECEIVED -	Government				
(i) Pay of Officers	(b) From other agencies.					
(ii) Pay of establishment	Total :					
(iii) Allowances & Honoraria	Less: -	(iv) Leave salary and Pension Contributions	Amount utilized for capital expenditure -	(v) Board's Contributions to the staff Provident Fund	Net grant available for Revenue expenditure -	(vi) Contingent expenditure Deduct Recoveries

FORM VII(See rule 17)CENTRAL POLLUTION CONTROL BOARD [Substituted by Act 47 of 1987, Section 2, for Central Board for the Prevention and Control of Water Pollution.]Annual Statement of AccountsBalance Sheet as at 31st March, 20....

Capital and Liabilities		Property and Assets		
Previous year		Details sub-head	Total of major-head	Total of
1		2	3	4
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 - -
(iii) Value of land provided by Govt. (per contra)		Additions during the year		
B. Capital Receipts -				
C. (i) Deposits received for works from Outside bodies -				
Total				

(ii) Deposits-	Less : -	Less Expenditure- Depreciation during the year -	(iii) Other deposits-
D. Amounts due-			
Total_____			
(i) Purchases	3. Other Assets -	(ii) Others-	(As per Form IX)
E. Excess of income over expenditure- (a)			
Laboratory equipment as per last balance sheet-additions during the year -	(i) upto 31st March 20...	_____	
(ii) Add for the year	Total_____		
(iii) Deduct-Excess of Expenditure over income.	Less: -	Depreciation during the year -	_____
Total_____			
(b) Vehicles as per last balance sheet. -	Additions during the year.		
(c) Furniture and Fixtures. -	As per last Balance Sheet.		
Additions during the year.			

Total_____			
(d) Scientific Instruments and Office Appliances- -	As per last Balance Sheet.		
Additions during the year			

Total_____			
(e) Tools and Plants- -	As per last Balance-Sheet		
Additions during the year			

Total_____			
Less: -	Depreciation during the year.		

Total_____			

| 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) Cash at Bank
| (c) Cash in hand
| (d) Cash in transit

_____ |

Total_____ |

Total_____

FORM VIII(See Rule 17)CENTRAL POLLUTION CONTROL BOARD [Substituted by Act 47 of 1987,
Section 2, for Central Board for the Prevention and Control of Water Pollution.]Annual Statement of
AccountExpenditure on works as on 31st March, 20...(Item 1-Asset of the Balance Sheet)

Sl. No.	Name of work	Upto31st March 20	During the year 20	Upto31st March 20				
Direct Expenditure	Overhead Charges	Total Expenditure	Direct Expenditure	Overhead Charges	Total Expenditure	Direct Expenditure	Overhead expendit	
1	2	3	4	5	6	7	8	

Total

Accounts
Officer

Member-Secretary Chairman

FORM IX(See rule 17)CENTRAL POLLUTION CONTROL BOARD [Substituted by Act 47 of 1987,
Section 2, for Central Board for the Prevention and Control of Water Pollution.]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)

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

Accounts
Officer

Member-Secretary Chairman