| Serial No. | Law/Regulation | Compliance obligation imposed |
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| 1. | Water (Prevention and Control of Pollution) Act 1974 | 1. Consent to Establish is required, prior to establishing a new industry, operation, process, or treatment or disposal system which is likely to discharge trade effluents; or prior to bringing new outlets for discharge of sewage; or any new discharge of sewage. This is mandated under Section 25 of the Water Act.   Notice similarity in S. 25 (1) (b) and 25 (1) (c).   1. Similarly, Consent to Operate is given after establishment. This consent is given for a particular period, which needs to be renewed regularly. This is mandated under Section 26 of the Water Act. |
| 2. | Air (Prevention and Control of Pollution) Act 1981 (Air Act). | 1. Section 21 of the Air Act provides for previous consent of the State Board to “establish or operate any industrial plant in an air pollution control area”. Hence, this is to provide an equivalent, concurrent regime to the Water Act for Air Pollution as well. 2. Section 21 (5) also provides for compliance with further conditions, mandatorily by the person to whom consent is granted: such as the installation and operation of control equipment, and a chimney, wherever necessary. There may also be other conditions specified by the SPCB. 3. To a large extent, there are integrated permits for CTE and CTO for both the Water and Air Acts formulated by the SPCBs.[[1]](#footnote-2) |
| 3. | Environment (Protection) Act 1986 (EP Act) | 1. Section 7 disallows persons carrying out industry, operations or processes from emission or discharge of environmental pollutants in excess of standards prescribed. 2. Section 8 mandates persons handling hazardous substances to comply with prescribed procedural safeguards. |
| a. Batteries (Management And Handling) Rules, 2001 | 1. Rule 7 imposes certain responsibilities on dealers, regulating areas such as return of used batteries, filing of returns, safe transportation of used batteries for recycling, ensure no damage caused to the environment while transporting and storage of batteries.  Notably, sub-rule (vii) (a) provides for registration with SPCB and cancellation in case of breach of conditions, including failure in collection of required number of batteries. 2. Rule 8 imposes certain responsibilities on recyclers such as registration with MoEFCC, submission of annual returns, making available records to SPCB, marking ‘recycled’ on lead recovered by reprocessing, and creating public awareness about hazards of lead, and obligations of consumers to return used batteries only to the registered dealers. 3. Rule 10 imposes a responsbility upon consumer or bulk consumer to ensure that used batteries are not disposed off any manner “*other than depositing with the dealer, manufacturer, importer, assembler, registered recycler, reconditioner or at the designated collection centres*”. Bulk consumers have the additional duty of filing returns to the SPCB. 4. Rule 11 imposes responsibilities on auctioneer to ensure that used batteries are auctioned to registered recyclers only, in addition to filing returns with SPCB and making records available for inspection. 5. **Rule 13 imposes a duty on the CPCB to compile and publish the data received every year from the State Boards, and review the compliance of rules periodically to improve the collection and recycling of used lead batteries.** |
| b. Bio-Medical Waste Management Rules, 2016 | 1. Rule 4 elaborates the duties of the occupier (i.e the person who has administrative control over the institutions and premises generating bio-medical waste). The duties include taking all necessary steps to ensure that the BMW is handled without any adverse effect to human health and environment; make a provision within the premises for a safe, ventilated and secured location for storage of segregated BMW in coloured bags or containers; pre-treatment of BMW; **phase out use of chlorinated plastic bags;** segregation of BMW from MSW; provision of training and immunisation to all healthcare workers and others involved in handling of waste; **maintenance of records and displaying on website (monthly records of BMW, and Annual Reports are mandated separately);** following standards for existing incinerators. 2. Rule 5 lays down the duties of the operator of a common bio-medical waste treatment and disposal facility, which includes similar provisions as Rule 4 with respect to ensuring no adverse effect to human health or environment as the occupiers; bar-coding of BMW; providing training for workers; reporting Annual Reports on website; and upgrading incinerators. Additionally, operators also have the duty to ensure timely collection of BMW from occupiers; inform authorities regarding non-compliance by occupiers of segregation norms; report major accidents; maintain a log book for each of its treatment equipment; supply non-chlorinated bags to occupier if required, on chargeable basis; collection at common BMW facility on holidays also; maintenance of record of incineration, hydo or autoclaving for a period of five years. 3. Schedule III places duties on authorities such as MoEFCC, Central or State Ministries of Health and Family Welfare, Central Ministries/State Department of Animal Husbandry and Veterinary; MoD; CPCB; SPCBs;Stae Governments, Union Territory Adminstrations; Municipalities or Local Government Bodies.    * Most notably, the MoEFCC is tasked with the constitution of a Monitoring Committee for implementation of the rules; developing standard manual for Trainers and Training.    * The Central or State Ministries of Health and Family Welfare, Central Ministries/State Department of Animal Husbandry and Veterinary is tasked with publication of list of registered health care facilities with regard to bio-medical waste generation, treatment and disposal; and Constitution of Expert Committees at National or State level for overall review and promotion of clean or new technologies for bio-medical waste management.    * The CPCB must lay down standards for new technologies for treatment and disposal of bio-medical waste (Rule 7) and prescribe specifications for treatment and disposal of bio-medical wastes (Rule 7). Lay down Criteria for establishing common bio-medical waste treatment facilities in the Country.    * The SPCBs must undertake “Monitoring of compliance of various provisions and conditions of authorisation”; and (x) Publish the list of Registered or Authorised (or give consent) Recyclers. 4. Rule 12 places the onus of reviewing implementation of rules on the MoEFCC; the Armed Forces establishments under the CPCB; and the formation of District Level Monitoring Committees to ensure occupiers who generate BMW, and operators of common BMW facilities are compliant. 5. Rule 13 prescribes that both occupiers who generate BMW and operators of common BMW facilities must submit an annual report to the prescribed authority, who shall then submit it to the CPCB, who shall further review it and send it to the the MoEFCC. Sub-rule 4 provides that “*The Annual Reports shall also be available online on the websites of Occupiers, State Pollution Control Boards and Central Pollution Control Board.*” |
| c. Chemical Accidents (Emergency Planning, Preparedness and Response) Rules, 1996 | 1. The Central Crisis Group formed by the Central Government has the duty under Rule 5 (2) (f) to publish a Statewise list of experts and officials who are concerned with the handling of chemical accidents. 2. The State Crisis Group also has the same duty (publishing of list of experts) under Rule 7 (2) (g). |
| d. Construction and Demolition Waste Management Rules, 2016 | 1. Rule 4 lays down the duties of the waste-generator, primarily relating to collection and segregation of concrete, soil and others and storage. 2. Rule 5 requires service providers to prepare a comprehensive waste management plan, and are compulsorily required to remove all construction and demolition waste everyday. 3. Rule 6 lays down 11 duties of the local authorities primarily from a facilitatory point of view. 4. Rule 8 lays down the responsibilities of the SPCB/PCCs toward monitoring the implementation of rules, authorising processing facilities, and **preparation of annual report and forward the report to CPCB.** 5. Rule 9 mandates the Secretary in-charge of development in the State Government or Union territory administration to prepare their policy document with respect to management of construction and demolition of waste in accordance with the provisions of these rules within one year from date of final notification of these rules. 6. Rule 11 lays down that The Bureau of Indian Standards and Indian Roads Congress shall be responsible for preparation of code of practices and standards for use of recycled materials and products of construction and demolition waste in respect of construction activities and the role of Indian Road Congress shall be specific to the standards and practices pertaining to construction of roads. 7. Rule 12 lays down that the Ministry of Urban Development, and the Ministry of Rural Development, Ministry of Panchayat Raj to facilitate local bodies; and the MoEFCC to **review implementation of these rules.** |
| e. Dangerous Goods (Classification, Packaging and Labelling) Rules, 2013 | 1. Rule 4 lays down the following responsibilities on persons dealing with dangerous goods:- Assigning hazard class(es), precedence, a shipping name and UN number; selecting a suitable packaging which is compliant and compatible with performance packaging test; using the requisite label, placard and marking on the packaging; providing an updated Safety Data Sheet (SDS) to Consignee and Transport Emergency Card (TREM) for the transporter. 2. Rules 7 and 8 contain provisions for packaging and labelling, respectively. 3. Rule 9 contains a list of documents to accompany a consignment containing dangerous goods. 4. Schedule IX lists the Enforcement Authorities with 10 duties allotted to Central Government minstries/officers, and the rest 4 being allotted to State Government. |
| f. E-Waste (Management & Handling) Rules, 2011 | 1. Rule 4 contains the responsibilties of the producer, which includes collection of easte generated during production, and at the ‘end of life’ (in line with the principle of “Extended Producer Responsibility”) and forwarding it for recycling; setting up of collection centers/take back systems; financing and organising a system to meet the costs; providing contact details to consumers/bulk consumers; creating awareness; obtaining authorisation from SPCB; maintaining and filing records with the SPCB or PCC. 2. Rule 5 contains the responsibilities of collection centers, which is to obtain an authorisation; ensure storage is done securely; ensure no damage to environment; filing of records and returns with the SPCB or the PCC. 3. Rule 6 lays down the responsibilities of consumers of electrical and electronic equipment to ensure that e-waste generated by them is channelised to authorised collection centers/dismantlers/recyclers. Bulk consumers shall make records and make them available for scrutiny by SPCB/PCC. 4. Rule 7 lays down that every dismantler shall obtain authorisation and registration from SPCB; ensure that no damage is caused; ensure that facility is in accordance with standards/guidelines published by CPCB; ensure segregation; file a return in Form 3; not process any e-waste for recovery or refining unless registered with SPCB. 5. Rule 8 mandates the recycler to obtain authorisation and registration from SPCB; ensure that the facility and recycling processes are in accordance with the standards laid down; make available all records to the CPCB or SPCB; ensure that residue generated thereof is disposed off in a hazardous waste treatment storage disposal facility; file annual returns to the CPCB. 6. Rule 13 lays down certain requirements expected to be followed by producers for reduction in the use of certain hazardous materials. 7. **The duties of authorities are listed in Schedule III, to the CPCB, SPCB and the Urban Local Bodies.** |
| g. Environment Protection Rules, 1986 | 1. Rule 3 states that the standards for emissions or discharge of environmental pollutants shall be as specified in Schedules I to IV. 2. Rule 12 states that furnishing of certain information if the discharge of environmental pollutant is apprehended to be in excess of the prescribed standards, shall be made to the authorities specified therein. 3. Each person carrying on an industry, operation or process which requires consent under the Water Act, or the Air Act; or authorisation under the Hazardous Wastes (Management and Handling) Rules, shall submit an environmental statement annually, to the concerned SPCB. |
| h. Hazardous Wastes (Management and Handling) Rules, 1989 | 1. Rule 4 makes the occupier and operator of each facility responsible for proper collection, reception, treatment, storage and disposal of hazardous wastes listed in Schedules 1, 2 and 3; and the occupier is mandated to provide the operator information in specified format if he intends to get his hazardous waste treated; and imposes a responsibility upon the occupier and operator of a facility to ensure no adverse effect to the environment. 2. Rule 7 imposes the duty of ensuring the packaging and labelling shall be suitable, easily visible and sturdy. 3. Rules 10 to 14 permit import and export of hazardous waste only for recycle and reuse (not dumping or disposal) and under the auspices of the MoEFCC. 4. Rule 20 specifies the responsibilities of the waste generator, viz, sale or auction of specified waste only to a registered recycler or re-refiner; disposal of waste oil which does not meet specifications in hazardous waste incinerators; maintenance of records and filing annual returns with SPCB or PCC. |
| i. Municipal Solid Wastes (Management and Handling) Rule, 2016 | 1. Rule 4 lays down the responsibilities of the municipal authorities to, implement the rules and develop the infrastructure. It is also obligated to furnish an annual report to the specified authorities. 2. Rule 5 lays down the responsibilities of the State Government to enforce the provisions of the rules in their respective jurisdictions. The authorities named are the Secretary-in-charge of the Department of Urban Development, and the DM or the Deputy Commissioner. 3. **Rule 6 lays down that SPCBs shall monitor the compliance of groundwater – this conflicts with GWA’s mandate**, ambient air, leachate quality and composte quality. The CPCB has the duty to co-ordinate with SPCBs “with particular reference to implementation and review of standards and guidelines and compilation of monitoring data.” |
| j. Noise Pollution (Regulation and Control) Rules, 2000 | 1. State Government has responsibility of categorisation of areas, and taking measures for abatement of noise under rule 3. 2. Rule 2 defines authority for the purposes of this rule (it includes those notified by Central or State Government, and DM, Police Commissioner or any other officer not below rank of Deputy Superintendent of Police designated as such). Rule 4 lays down that this authority shall be responsible for enforcement and due compliance of the relevant measures and standards. 3. Rule 5 lays down time-based and noise-level based restrictions on the use of loudspeakers. 4. Rule 5A lays down further restrictions to be observed in silence zones and residential areas. |
| k. Ozone Depleting substances (Regulation and Control) Rules, 2000 | 1. Rule 3 lays down a prohibition on production and consumption of ozone depleting substances with some exceptions for registered users, feedstock producers with negligible emissions. 2. Rule 4 prohibits the import and export of substances other than those specified in Schedule VI. 3. Rule 5 provides for licensing of persons who wish to import/export or cause to do the same for substances in Schedule VI by the authority. 4. Rule 6 provides for registration with the authority for sale of substances which are exempt (under Schedule IV). Rule 7 places similar requirements for purchase of substances exempt (under Schedule IV) 5. Rule 8 provides for observance of registration and labelling requirements under Schedule IV within the date specified. It also provides for exemptions for use for persons who obtain financial assistance. 6. Rule 9 places prohibitions on new investments with ozone depleting substances. 7. Rule 10 provides for regulation of import, export and sale of products made with or containing ozone depleting substances. 8. Rule 11 provides for regulation on reclamation and destruction of ozone depleting substances. 9. Rule 12 prohibits manufacture, import or export by unregistered persons. 10. Rule 14 requires maintenance of records and filing of reports by the various kinds of persons on whom obligations have been placed. |
|  | l. Plastics (Manufacture, Sale and Usage) Rules, 1999 | 1. Rule 4 prevents the manufacture of virgin and recycled plastic bags which are less than the specified size and thickness, and also prevents the use **by vendors** of recycled bags in packaging foodstuffs. 2. Rule 5 states the colours which should be adopted by plastic bags manufacturers for plastic bags. 3. Rule 6 states the BIS specification to be followed while recycling. 4. Rule 7 states that manufacturers shall mark them either as “recycled plastic” or as “virgin plastic” as may be the case, for plastic bags. 5. Rule 8 lays down the minimum thickness for carry bags. 6. Rule 9 lays down that Plastics Industry Association shall self-regulate through its member units. 7. Rule 10 lays down that the SPCB shall register manufacturers of plastic bags, which registration shall be necessary to obtain. |
| m. Plastic Waste (Management and Handling) Rules, 2011 | 1. Rule 4 lays down that the SPCB/PCC shall be authority for enforcement of provisions relating to registration and manufacture. For enforcement of the provisions relating to the use, collection, segregation, transportation and disposal of waste, the municipal authorities shall be the authority. 2. Rule 5 lays down the conditions for manufacture, stocking, distribution, sale and use of carry bags and sachets. 3. Rule 6 lays down that the plastic waste management shall be carried out as per rules and regulations of the Central Government, and recycling shall be in accordance with the stated BIS specification. Rule 6 also lays down that the municipal authority shall be responsible for setting up, operationalisation and co-ordination of the waste management system and for performing the associated functions. The adoption of MSW rules in Urban Local Bodies is also mentioned. 4. The manufacturers and recycles of plastic carry bags, multilayered plastic pouch or sachet shall also apply for registration with SPCB/PCC. |
| l. Plastic Waste Management Rules, 2016 | 1. Rule 4 says that certain conditions relating to pigmentation, use, thickness, sale, conformity to BIS, and restriction on use of materials for use of certain items, shall be applicable whiel manufacturing, importing, distribution, sale and use of plastic products. 2. Rule 5 lays down that Urban Local Bodies shall undertake plastic waste management, which shall be as: channelising of plastic waste for recycling; encouraging use of waste for road construction, energy recovery, or waste to oil etc.; thermo set plastic waste shall be processed and disposed off as per the guidelines issued from time to time by the CPCB; processing and disposal of thermo set plastic waste and inert from recycling and processing facilities. 3. Under Rule 6, ocal bodies shall be responsible for development and setting up of infrastructure for segregation, collection, storage, transportation, processing and disposal of the plastic waste. The local body shall be responsible for setting up, operationalising and coordination of the waste management and performing associated functions such as channelisation, no damage to environment, processing and disposal, creating awareness, engaging civil society groups, ensuring that open burning of plastic waste does not take place. 4. Rule 7 lays down responsibility on Gram Panchayat or by an appointed agency to set up, operationalise and co-ordinate for waste management and perform associated functions of segregation, etc. with no damage to environment, creation of awarenees, ensuring that open burning does not take place. 5. Rule 8 lays down responsibilities on waste generators to minimise the generation of waste and segregate at source, and handover waste to urban local body or gram panchayats. They shall also pay user fee to local bodies. Also, every person responsible for organising an event in open space which involves service of food in plastic packaging, shall segregate and manage the waste generated. 6. Rule 9 says that producers shall work out modalities based on Extended Producers’ Responsibility, and that the producers and importers who introduce such products in the market, shall have the **primary responsibility to collect such used multi-layered pouches, and make a plan for system for collecting back the plastic waste generated which shall be submitted to SPCB during obtaining CTE/CTO.** Manufacture and use of multi-layered plastic which is non-recyclable or non-energy recoverable or with no alternate use was to be phased out. 7. Rule 11 provides requirements for marking and labelling of plastic bags, with specific requirements for including “recyclable” or “compostable” as the case may be. 8. Rule 12 lays down that the SPCB/PCC, shall be the authority for enforcement of rules relating to registration, manufacture of plastic products and multilayered packaging, processing and disposal of plastic wastes.  The concerned secretary-in-charge of the Urban Development of State or UT shall be the authority for enforcement of provisions relating to waste management and use of plastic products. The Gram Panchayat shall fulfill the same role (as the secrety-in-charge of Urban Development), for rural areas. The authorities shall also take assistance of DM or Deputy Commissioner 9. Rule 13 contains rules for registration of producer, recycler and manufacturer with SPCB/PCCs. 10. Rule 14 lays down the obligation on retailers and street vendors to use plastic packaging only when marked or labelled as prescribed, or else pay fine. 11. Rule 16 provides for the constitution of a State Level Advisory Committee for the purpose of monitoring and implementation of the rules. 12. Rule 17 provides for annual reports by recyclers and processors of plastic waste, and local bodies to the SPCB/PCC, and from the SPCB to the PCC, and from the CPCB to the Central Government, along with the CPCB’s recommendations. |
| m. Regulation of Persistent Organic Pollutants Rules, 2018 | 1. The manufacture, trade, use, import and export of seven chemicals shall be prohibited under Rule 2. 2. Rule 3 says that occupier shall make a declaration of the total quantity of the chemicals mentioned in Rule 2. Occupier is a person who has control over the affairs of the industrial unit where such chemicals are handled, and person in possession of such chemicals. 3. Rule 4 prohibits occupier from draining or discharging the said chemicals. 4. Rule 5 says that Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 shall be applicable for disposal of waste containing such chemicals. |
| n. Regulation of Lead Contents in Household And Decorative Paints Rules, 2016 | 1. Rule 3 prohibits manufacture, trade, import and export of Household and Decorative Paints containing more than 0.009% lead compounds. 2. Rule 4 provides for self-certification in the form of labelling of products. 3. Rule 5 prescribes the CPCB as the nodal agency for the implementation of these rules. 4. Rule 7 says that the compliance and testing procedures shall be prepared and published by the CPCB. |
|  | o. Solid Waste Management Rules, 2016 | 1. Rule 4 lays down the duties of waste generators to: segregate the waste, and store separately construction and demolition and garden and horticulture waste; pay user fees; not dispose off the waste generated in open public spaces or in the drain or water bodies; not organising an event of more than 1 hundred persons without intimating the local body, and shall ensure segregation and handing over of waste; resident welfare associations, market associations, gated communities and hotels and restaurants to act in partnership with local body. 2. Rule 5 lays down the duty of the MoEFCC to constitute a Central Monitoring Committee to monitor and implement rules in the country. 3. Rule 6 lays down the duty of the Ministry of Housing and Urban Affairs to coordinate with State Governments regarding: taking periodic review of measures taken by states and local bodies, and give advice on corrective measures; **formulating national policy and strategy within six months** after consultation with stakeholders; facilitate formation of states’ policy; promote research and development in solid waste management and disseminate information; undertake training and capacity building; provide technical guidelines and project finance to states, Union territories and local bodies; ensure implementation by States. 4. Rule 7 lays down the duty of Dept. Of fertilisers in Ministry of Chemicals and Fertilisers to provide market development assistance on city compost; ensure promotion of co-marketing of compost. 5. Rule 8 lays down that it is the duty of the Ministry of Agriculture to provide flexibility in Fertiliser Control Order; propagate utilisation of compost; set up laboratories to test quality of compost; issue suitable guidelines for maintaining the quality of compost and ratio of compost. 6. Rule 9 says it is the duty of the Ministry of Power to decide tariff or charges for power generated from waste; compulsory purchase power generated from waste to energy plants 7. Rule 10 lays down the duties of the Ministry of New and Renewable Energy Sources to facilitate infrastructure creation, and provide appropriate subsidy or incentives for such waste to power plants. 8. Rule 11 lays down the duty of Secretary-in-charge, Urban Development in the States and UT’s which shall be to prepare a state policy with emphasis on waste reduction, reuse, recycling, recovery and optimum utilisation to ensure minimisation of waste going to the landfill and minimisation of health and environmental impacts of solid waste. Additionally a supervisory and facilitatory role with respect to other municipal authorities and private parties is envisaged. Rule 13 places the same duty on Secretary–in-charge of Village Panchayats or Rural Development Department in the State and Union territory. 9. Rule 12 states that the DM or District Collector or Deputy Commissioner shall facilitate identification or allocation of suitable land, and review performance of local bodies. 10. Rule 14 places the duty of CPCB to: co-ordinate with SPCBs, formulate standards, review environmental standards and implementation thereof, along with proposals for use of new technology by SPCB/PCC. Also, it shall monitor through SPCB/PCC the implementation of these rules by local bodies. Additionally, p**reparation of an annual report on implementation of these rules and publish it on the public domain too. And lastly, publishing of guidelines on maintaining buffer zone, processing and disposal of solid waste, guidance to States and UT’s.** 11. Rule 15 lays down the duties of local authorities and Panchayats: to prepare a solid waste management plan, collection of segregated waste, establishment of system to recognise organisations of waste pickers, facilitate formation of Self-Help groups, frame bye-laws, prescribe user fee for waste generators, direct waste generators not to litter, setup material recovery facilities or secondary storage facilities, establish waste deposition centres, ensure safe storage and transportation of the domestic hazardous waste, direct street sweepers not to burn tree leaves, provide training on solid waste management; collect waste from vegetable, fruit, flower, meat, poultry and fish market on day to day basis; collect separately waste from sweeping; secondary storage facility for temporary storage of street sweepings and silt and disposal of such waste regularly; collect horticulture, parks and garden waste separately; transport segregated bio-degradable waste to the processing facilities like compost plant, bio-methanation plant or any such facility; and a host of other facilitatory, community level and waste management responsibilities. 12. Rule 16 lays down the responsibilities of the SPCB which are mainly to enforce, monitor and give directions, or allow for authorisation to local bodies to set up a new facility for waste processing, treatment or disposal. 13. Rule 17 states that manufacturers of disposable items shall have the extended responsibility of providing financial assistance, and systemising the collecting back the items produced by them, and educate through public awareness about disposal of their products. 14. Rule 18 places a duty on industries located within the specified limits of refused derived fuel generating plants to procure at least 5% of their fuel needs from such generating plants. 15. Rule 23 places a duty on departments in charge of local bodies of concerned State Government to constitute a State Level Advisory Body. 16. Rule 24 puts in place a mechanism for annual reports from local bodies to SPCB/PCC and bureaucratic officers, from the SPCB to the CPCB, and from the CPCB to the MoEFCC along with the CPCB’s recommendations which shall be reviewed by the MoEFCC during the meeting of the Central Monitoring Committee. |
| p. Wetlands (Conservation and Management) Rules, 2010 | 1. Rule 4 prohibits reclamation of wetlands, industrialisation within them; manufacture, handling storage and disposal of hazardous waste; solid waste dumping; discharge of untreated waste; permanent constructions; any other activity that may be specified by the authority. It also specifies a list other activities that may be undertaken only with the prior approval of the State Government within the wetlands. 2. Further, the State Government shall ensure, under Rule 4, that a detailed EIA is carried out. 3. Rule 5 states that a Central Wetland Regulatory Authority shall be constitued to exercise the powers and functions relating to identification of wetlands; enforce the theprovisions; grant clearances; and specify threshold levels. |
| 4. | Wild life (Protection) Act, 1972 | 1. Section 5A provides for the appointment of a National Board. It’s functions are to promote the conservation and development of wild life, with the preparing and publishing of a report at least once in two years being specifically provided for under Section 5C. 2. Section 6 provides for the constitution of State Board for Wild Life whose duties are provided for in Section 8, to advise the State Government in selection and management of areas to be declared as protected areas, in formulation of the policy for protection and conservation, and in any other matter connected with the protection of wild life. 3. Sections 17A – 17H provide for protection of specified plants with respect to prohibition of uprooting, plucking; grant of permit for special purposes (education, scientific research, etc.); licence requirement for cultivation and dealing of/in specified plants; declaration of stock for such plants; without the aforementioned requirements, no possession of specified plants; no purchase except from licensed dealers; specified plants to be property of State Government, and if in a National Park, then the Central Government. 4. Section 27 provides for restriction on entry in sanctuary. Section 29 prohibits any person from destruction, exploitation or removal of wild life within sanctuary, unless a permit is obtained by the Chief Wild Life Warden, and only if doing so necessary for the improvement and better management of wild life therein. Sections 30 – 32 prohibit the causing of fire in the sanctuary; entry into sanctuary with weapon; and ban on use of injurious weapons. 5. Section 33 designates the Chief Wild Life Warden as the authority to control, manage and maintain all sanctuaries. 6. Chapter IVA deals with the constitution of the Central Zoo Authority and Chapter IVB with the Constitution of the National Tiger Conservation Authority. Both of these authorities’ annual reports shall be laid before the Houses of Parliament. 7. Section 38Y constitutes the Wildlife Crime Control Bureau, whose functions are delimited under Section 38Z. They are related to intelligence and enforcement; coordination of actions by various officers; implementation of international obligations; assistance and advice; and development of infrastructure and capacity building. 8. Section 43 imposes a prohibition on commercial dealing of animal, animal article, trophy or uncured trophy. Transfer can only be done with the reporting to Chief Wild Life Warden accompanying it. 9. Section 47 imposes obligation on licensee to maintain records and make them available for inspection on demand. 10. Section 48A imposes a restriction on transportation of Wild Life, that is, it cannot be done until permission is obtained from Chief Wild Life Warden or other designated officer. 11. Section 49B prohibits any person from dealings in trophies, animal articles, etc., derived from scheduled animals. 12. Sections 50-58 deal with categorisation of offences in law, the different kinds of penalties and other provisions relating to compounding, presumptions in law, etc. 13. Section 58D allows the State Government to designate one of its officers as competent authority to perform the requisite functions under Chapter 6A, Forfeiture of Property Derived From Illegal Hunting and Trade 14. Section 58C prohibits the holding of “illegally acquired property”, which in turn is defined in Section 58B to primarily include that which is attributable to illegal hunting. 15. An officer not below the rank of Deputy Inspector General of Police is given the duty of tracing and identifying any such property under Section 58E. 16. Section 58G allows the State Government to designate its officers for management of seized properties. 17. Section 58N envisages the constitution of Appellate Tribunal for Forfeited Property which shall hear appeals from decisions of Competent Authority formed under Section 58D. 18. Section 58T provides for certain officers to assist Administrator, competent authority and Appellate Tribunal from Police; State Forest Departments; Central Economic Intelligence Bureau; Directorate of Revenue Intelligence and such other officers as specified by State Government in this behalf. |

1. Add hyperlinks to various SPCB websites? [↑](#footnote-ref-2)