THE AIR (PREVENTION AND CONTROL OF POLLUTION) RULES, 1982

(As amended to date)

THE AIR (PREVENTION AND CONTROL OF POLLUTION) RULES, 1982

DEPARTMENT OF ENVIRONMENT

NOTIFICATION

New Delhi, the 18th November, 1982

G.S.R. 712(E):-In exercise of the powers conferred by section 53 of 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 1

PRELIMINARY

1. SHORT TITLE AND COMMENCEMENT.

(1) These rules may be called the Air (Prevention and Control of Pollution) Rules, 1982.

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 Se 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 2

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 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-day's 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 of 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 member shall adjoin 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 along with 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 once 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 meting of a committee constituted by the Central Board under sub-section (I) of section 11 shall be as specified by the Chairman of the committee.

(2) Provision of Chapter-2 of these rules shall as far as practicable, apply to the meeting of the committee constituted under section 11.

CHAPTER 3

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 4

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 persons 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 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 for 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 5

BUDGET OF THE CENTRAL BOARD

15. FORM OF BUDGET ESTIMATES UNDER SECTION 34.

(1) The form in which and time within the budget may be prepared and provided and forwarded to the government be as provided in form 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 6

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 ad 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 7

ACCOUNT 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.

[Q-16013/2/81/FPC]

N.D.JAYAL, Join Secretary
Department of Environment

SCHEDULES

SCHEDULE I

FORM I

CENTRAL POLLUTION CONTROL BOARD

Detailed Budget Estimates for the Year 19

(See rule 15)

ADMINISTRATION

(Expenditure)

Heads of Accounts	Actuals of the past three years			Sanctioned estimate for the current year 19.....	Actuals of last six months i.e., 19.... 19….	Actuals of six months current year 19…..	Revised estimate for the current year 19.....	Budget Estimate for the next year 19….	Variations between columns 5&8	Variations between columns 8&9	Explanation for columns 10&11
	19	19	19								
1	2	3	4	5	6	7	8	9	10	11	12

FORM II

CENTRAL POLLUTION CONTROL BOARD

ESTABLISHMENT

Statement details of provision for pay of officers/Establishment for the year 19...-19….

(See rule 15)

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

FORM III

CENTRAL POLLUTION CONTROL BOARD

NOMINAL ROLLS

(See rule 15)

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

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FORM IV

CENTRAL POLLUTION CONTROL BOARD

(Abstract of Nominal Rolls)

(See rule 15)

Actual sanctioned strength as on 1st March, 19…	Particulars of posts	Sanctioned budget grant 19... - 19...		Revised Estimates 19... - 19...		Budget estimates 19… - 19…		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	No. of posts included	Pay and allowances	
1	2	3	4	5	6	7	8	9
	I. Officers							
	(a) Posts filled							
	(b) Posts vacant							
	Total I Officers							
	II. Establishment							
	(a) Posts filled							
	(b) Posts vacant							
	Total II Establishment							
	III. Class IX							
	(a) Posts filled							
	(b) Posts vacant							
	Total III-Class IV							
	GRAND TOTAL - I, II and III							

SCHEDULE II

BUDGET AND ACCOUNT HEADS

[See rule 15(3)]

ADMINISTRATION Heads 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.

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[1][SCHEDULE III]

(See Rule 16)

CENTRAL POLLUTION CONTROL BOARD
ANNUAL REPORT FOR THE FINANCIAL YEAR APRIL 1, 19... TO MARCH 31, 19...

CHAPTER-l	Introduction
CHAPTER-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 enforcement
CHAPTER-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.

[F.No. Z-20013/4/91-CPW]
MUKUL SANWAL, Jt. Secy.

1Substituted by Rule 2 of the Air (Prevention and Control of Pollution) Amendment Rules, 1992 vide G.S.R.108(E), dated 18.2.1992.

FORM V

CENTRAL POLLUTION CONTROL BOARD

Receipts and payments for the year ended

(See rule 17)

Previous year	Receipts	Previous year	Payments
1	2	3	4

Opening Balance _____

I. Grants received _____

(a) from Government

(b)from other agencies _____

II. Fees _____

III. Fines and Forfeitures.

IV. Interest of investments.

V. Miscellaneous Receipts.

VI. Miscellaneous Advances.

VII. Deposits

TOTAL _____

1. Capital Expenditure

(i) Works

(ii) Fixed Assets

(iii) Other Assets

(a) Laboratory Equipment

(b) Vehicles

(c) Furnitures and Fixtures

(d) Scientific Instruments and office appliances

(e) Tools and Plant

2. Revenue Expenditure

(A) Administrative

(i) Pay of Officers

(ii) Pay of Establishment

(iii) Allowances and Honoraria

(iv)Leave Salary and Pension Contributions

(v) Contingent Expenditure

Deduct Recoveries

(B) (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 _____
5. Advances _____
6. Deposits _____

Closing Balance _____

Total _____

Accounts Officer Member Secretary Chairman

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FORM VI

CENTRAL POLLUTION CONTROL BOARD

ANNUAL STATEMENT OF ACCOUNTS

Income and Expenditure Account for the year ended 31st March, 19__

(See rule 17)

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.
To				By			
REVENUE EXPENDITURE				(I) GRANTS RECEIVED			
(A) Administrative:				(a) From 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 utilised for capital expenditure			
(v) Board's Contributions to the staff Provident Fund				net grant available for Revenue expenditure			
(vi) Contigent expenditure Deduct Recoveries				(II) Fees:-			
(B) Running Expenses of Laboratories:				(III) Service Rental Charges.			
(i) Main Laboratory				(IV) Fines and Forfeitures.			
(ii) Payments to be made to Central Water Laboratory				(V) Interest on investments.			
(C) Running Water and Maintenance of Vehicles				(VI) Miscellaneous Receipts.			
(D) Maintenance and Repairs:				(VII) Excess of expenditure over income.			
(i) Building and Land Drainage				Total :			
(ii) Works							
(iii) Furniture & Fixtures							
(iv) Scientific instruments and office appliances.							
(v) Tools and Plants							

FORM VII

CENTRAL POLLUTION CONTROL BOARD

ANNUAL STATEMENT OF ACCOUNTS

Balance Sheet as at 31st March, 19….

(See rule 17)

Capital and Liabilities				Property and Assets		
Previous year	Details	Total of sub-head	Total of major head	Previous year	Details	Total
1	2	3	4	5	6	
A. Capital Fund					1. Works-	
(i) Grants received from Govt. for Capital expenditure.					(As per Form VIII)	
	(a) Amount utilised upto 31st March 19__ (b) Unutilised balance on 31st March 19__				2. Fixed Assets	
(ii) Grant from other agencies for Capital expenditure					(As per Form IX)	
	(a) Amount utilised upto 31st March 19__ (b) Unutilised balance on 31st March 19__				(a) Value of land provided (at cost).	
(iii) Value of land provided by Govt. (per contra)					(b) Buildings-	
B. Capital Receipts-					Balance as per last Balance sheet	
C. (i) Deposits received for works from Outside bodies-					Additions during the	
(ii) Deposits-					Total	
Less Expenditure-					Less :	
(iii) Other deposits-					Depreciation during the year	
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	
(i) upto 31st March 19.. .					additions during the year	
(ii) Add for the year					Total:	
					Less:	
					Depreciation during	
					Total:	
					(b) Vehicles as per last balan	
					Additions during the year.	
				_____	Total :	
				_____		
(iii) Deduct-Excess of Expenditure over income				Less :		

4. Sundry Debtors-

Total _____

_____

Depreciation during the year _____ Total: _____

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: _____

(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

_____

Accounts Officer

Member-Secretary

Chairman

FORM VIII
CENTRAL POLLUTION CONTROL
BOARI)
ANNUAL STATEMENT OF ACCOUNT
Expenditure on works as on 31st March, 19
(Item l-Assets of the Balance Sheet)
(See Rule 17)

Sl. No.	Name of work	Upto 3lst March 19			During the year 19			Upto 31st March 19		
		Direct Expenditure	Overhead Charges	Total Expenditure	Direct Expenditure	Overhead Charges	Total Expenditure	Direct Expenditure	Overhead Charges	Total Expenditure
TOTAL										

Accounts Officer Member-Secretary Chairman

FORM IX

CENTRAL POLLUTION CONTROL BOARD

ANNUAL STATEMENT OF ACCOUNTS

Fixed Assets as on 31st March, 19

Other Assets as on 31st March, 19

(Item 2 Assets to the Balance Sheet).

(Item 3 Assets to the Balance Sheet).

(See Rule 17)

Sl. No.	Particulars of Assets.	Balance as on 31st March 19	Additions during the years	Total	Depreciation during the year	Sales of write off during the year	Balance as on 31st March 19	Cumulative Depreciation as on 31st March 19

Accounts Officer Member-Secretary Chairman