

## **AIR (PREVENTION AND CONTROL OF POLLUTION) RULES, 1982**

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

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) They shall come into force on the date of their publication in the Official Gazette. <sup>1</sup>

1. 18-11-1982.

**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 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 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 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 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 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

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(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 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 2 :-**

(1) The time and place of the meeting of a committee constituted by the Central Board under sub-section (1) of section 2 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 2 .

CHAPTER 3

3

**12. 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 advice 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 5

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 1.

(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 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 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.

#### SCHEDULE 1

#### SCHEDULE

#### SCHEDULE 2

#### BUDGET AND ACCOUNT HEADS

[See rule 15(3)] Administration Heads of Accounts (Expenditure) 1. Salaries. 2. Wages. 3. Travel expensed. 4. Office expenses: (a) Furniture (b) Postage. (c) Office machines/equipment. (d) Liveries. (e) Hot and cold weather charges. (/) 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. Writeoff/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 Accounts (Receipts) 1. Payments by Central Government. 2. Fees. 3. Fines and other receipts.

#### SCHEDULE 3

#### CENTRALPOLLUTION CONTROL BOARD ANNUAL REPORT FOR THE FINANCIAL YEAR

April 1, 19... to March 31, 19.... Chapter I 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 I I.I 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.