THE WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974
(Act No. 6 OF 1974)
(As amended to date)

THE WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974

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LIST OF ABBREVIATIONS USED

Cl.	…	*for* clause
Ins.	…	” Inserted
P.	…	” Page
S.	…	” Section
Sec.		
Ss.	…	” Sections
Subs.	…	” Substituted
w.e.f.	…	” Witheffect from

THE WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974

[NO. 6 OF 1974]
[23rd March, 1974.]

An Act to provide for the prevention and control of water pollution and the maintaining or restoring of wholesomeness of water, for the establishment, with a view to carrying out the purposes aforesaid, of Boards for the prevention and control of water pollution, for conferring on and assigning to such Boards powers and functions relating thereto and for matters connected therewith.

WHEREAS it is expedient to provide for the prevention and control of water pollution and the maintaining or restoring of wholesomeness of water, for the establishment, with a view to carrying out the purposes aforesaid, of Boards for the prevention and control of water pollution and for conferring on and assigning to such Boards powers and functions relating thereto;

AND WHEREAS Parliament has no power to make laws for the States with respect to any of the matters aforesaid except as provided in articles 249 and 250 of the Constitution;

AND WHEREAS in pursuance of clause (1) of article 252 of the Constitution resolutions have been passed by all the Houses of the Legislatures of the States of Assam, Bihar, Gujarat, Haryana, Himachal Pradesh, Jammu and Kashmir, Karnataka, Kerala, Madhya Pradesh, Rajasthan, Tripura and West Bengal to the effect that the matters aforesaid should be regulated in those States by Parliament by law;

BE it enacted by Parliament in the Twenty-fifth year of Republic of India as follows:-

CHAPTER I

PRELIMINARY

1. SHORT TITLE, APPLICATION AND COMMENCEMENT.

(1) This Act may be called the Water (Prevention and Control of Pollution) Act, 1974.

(2) It applies in the first instance to the whole of the States of Assam, Bihar, Gujarat, Haryana, Himachal Pradesh, Jammu and Kashmir, Karnataka, Kerala, Madhya Pradesh, Rajasthan, Tripura and West Bengal and the Union Territories; and it shall apply to such other State which adopts this Act by resolution passed in that behalf under clause (1) of article 252 of the Constitution.

(3) It shall come into force, at once in the States of Assam, Bihar, Gujarat, Haryana, Himachal Pradesh, Jammu and Kashmir, Karnataka, Kerala, Madhya Pradesh, Rajasthan, Tripura and West Bengal and in the Union territories, and in any other State which adopts this Act under clause (1) of article 252 of the Constitution on the date of such adoption and any reference in this Act to the commencement of this Act shall, in relation to any State or Union territory, mean the date on which this Act comes into force in such State or Union territory.

2. DEFINITIONS.

In this Act, unless the context otherwise requires,-

(a) "Board" means the Central Board or a State Board;

1[(b) "Central Board" means the Central Pollution Control Board Constituted under section 3;]

(c) "member" means a member of a Board and includes the chairman thereof;

2[(d) "occupier", in relation to any factory or premises, means the person who has control over the affairs of the factory or the premises, and includes, in relation to any substance, the person in possession of the substance;]

3[(dd) "outlet" includes any conduit pipe or channel, open or closed carrying sewage or trade effluent or any other holding arrangement which causes or is likely to cause, pollution;]

(e) "pollution" means such contamination of water or such alteration of the physical, chemical or biological properties of water or such discharge of any sewage or trade effluent or of any other liquid, gaseous or solid substance into water (whether directly or indirectly) as may, or is likely to, create a nuisance or render such water harmful or injurious to

public health or safety, or to domestic, commercial, industrial, agricultural or other legitimate uses, or to the life and health of animals or plants or of aquatic organisms;

(f) "prescribed" means prescribed by rules made under this Act by the Central Government or, as the case may be, the State Government;

(g) "sewage effluent" means affluent from any sewerage system or sewage disposal works and includes sullage from open drains;

1Subs. by Act 53 of 1988, s. 2 for cls. (b), (d) and (h).
2Ins. by Act 44 of 1978, s. 2.

3Subs by Act 53 of 1988, s. 2, for "trade or industry".

1[(gg) "sewer" means any conduit pipe or channel, open or closed, carrying sewage or trade effluent;]
2[(h) "State Board" means a State Pollution Control Board constituted under section 4]; (i) "State Government" in relation to a Union territory means the Administrator thereof appointed under article 239 of the Constitution;
(j)"stream" includes-
(i) river;
(ii) water course (whether flowing or for the time being dry);
(iii) inland water (whether natural or artificial);
(iv) sub-terranean waters;
(v) sea or tidal waters to such extent or, as the case may be, to such point as the State Government may, by notification in the Official Gazette, specify in this behalf;
(k) "trade effluent" includes any liquid, gaseous or solid substance which is discharged from any premises used for carrying on any 3[Industry, operation or process, or treatment and disposal system], other than domestic sewage.

CHAPTER II
THE CENTRAL AND STATE BOARDS FOR PREVENTION AND CONTROL OF WATER POLLUTION

3. CONSTITUTION OF CENTRAL BOARD.

(1) The Central Government shall, with effect from such date (being a date not later than six months of the commencement of this Act in the States of Assam, Bihar, Gujarat, Haryana, Himachal Pradesh, Jammu and Kashmir, Karnataka, Kerala, Madhya Pradesh, Rajasthan, Tripura and West Bengal and in the Union territories) as it may, by notification in the Official Gazette, appoint, constitute a Central Board to be called the 4[Central Pollution Control Board] to exercise the powers conferred on and perform the functions assigned to that Board under this Act.

1Ins. by Act 44 of 1978 s. 2.

2Subs. by Act 53 of 1988, s. 2 for cls. (b), (d) and (h).
3Subs. by Act 53 of 1988, s. 2 or ―trade or industry‖.
4Subs. by Act 53 of 1988, s. 3 for certain words.

(2) The Central Board shall consist of the following members, namely:-

(a) a full-time chairman, being a person having special knowledge or practical experience in respect of 1[matters relating to environmental protection] or a person having knowledge and experience in administering institutions dealing

with the matters aforesaid, to be nominated by the Central Government;

(b) 2[such number of officials, not exceeding five] to be nominated by the Central Government to represent that Government;

(c) such number of persons, not exceeding five to be nominated by the Central Government, from amongst the members of the State Boards, of whom not exceeding two shall be from those referred to in clause (c) of sub-section (2) of section 4;

(d) 3[such number of non-officials, not exceeding three,] to be nominated by the Central Government, to represent the interests of agriculture, fishery or industry or trade or any other interest which, in the opinion of the Central Government, ought to be represented;

(e) two persons to represent the companies or corporations owned, controlled or managed by the Central Government, to be nominated by that Government;

4[(f) a full-time member-secretary, possessing qualifications, knowledge and experience of scientific, engineering or management aspects of pollution control, to be appointed by the Central Government.]

(3) The Central Board shall be a body corporate with the name aforesaid having perpetual succession and a common seal with power, subject to the provisions of this Act, to acquire, hold and dispose of property and to contract, and may, by the aforesaid name, sue or be sued.

4. CONSTITUTION OF STATE BOARDS.

(1) The State Government shall, with effect from such date 5*** as it may, by notification in the Official Gazette, appoint, constitute a 6[State Pollution Control Board], Board], under such name as may be specified in the notification, to exercise the powers conferred on and perform the functions assigned to that Board under this Act.

1 Subs by Act 44 of 1978, s. 3 for Certain words.
2Subs. by s. 3, ibid., for "five officials".

3Subs by s. 3, ibid., for "three non-officials".

4Subs. by Act 53 of 1988, s. 3, for cl. (f).

5Certain words omitted by Act 44 of 1978, s. 4
6Subs. by Act 53 of 1988, s. 4, for "State Board".

(2) A State Board shall consist of the following members, namely:-

(a) a 1[*** chairman, being a person having special knowledge or practical experience in respect of 2[matters relating to environmental protection] or a person having knowledge and experience in administering institutions dealing with the matters aforesaid, to be nominated by the State Government:

3[Provided that the chairman may be either whole-time or part-time as the State Government may think fit;]

(b) 4[such number of officials, not exceeding five,] to be nominated by the State Government to represent that Government;

(c) 5[such number of persons, not exceeding five,] to be nominated by the the State Government from amongst the members of the local authorities functioning within the State;

(d) 6[such number of non-officials, not exceeding three] to be nominated by the State Government to represent the interest of agriculture, fishery or industry or trade or any other interest which, in the opinion of the State Government, ought to be represented;

(e) two persons to represent the companies or corporations owned, controlled or managed by the State Government, to be nominated by that Government;

7[(f) a full-time member-secretary, possessing qualifications, knowledge and experience of scientific, engineering or management aspects of pollution control, to be appointed by the State Government.]

(3) Every State Board shall be a body corporate with the name specified by the State Government in the notification under sub-section (1), having perpetual succession and a common seal with power, subject to the provisions of this Act, to acquire, hold and dispose of property and to contract, and may, by the said name, sue or be sued.

(4) Notwithstanding anything contained in this section, no State Board shall be constituted for a Union territory and in relation to a Union Territory; the Central

1The word "full-time" omitted by Act 44 of 1978, s. 4.
2Subs. by s. 4, ibid., for Certain words.

3Ins. by s. 4, ibid.

4Subs. by s. 4 ibid., for "five officials"
5Subs. by s. 4, ibid., for "five persons".

6Subs. by Act 44 of 1978, s. 4, for "three non-officials".
7Subs. by Act 53 of 1988, s. 4, for cl. (f).

Board shall exercise the powers and perform the functions of a State Board for that Union Territory:

Provided that in relation to an Union Territory the Central Board may delegate all or any of its powers and functions under this sub-section to such person or body of persons as the Central Government may specify.

5. TERMS AND CONDITIONS OF SERVICE OF MEMBERS.

(1) Save as otherwise provided by or under this Act, a member of a Board, other than, a member-secretary, shall hold office for a term of three years from the date of his nomination:

Provided that a member shall, notwithstanding the expiration of his term, continue to hold office until his successor enters upon his office.

1[(2) The term of office of a member of a Board nominated under clause (b) or clause (e) of sub-section (2) of Section 3 or clause (b) or clause (e) of sub-section (2) of section 4 shall come to an end as soon as he ceases to hold the office under the Central Government or the State Government or, as the case may be, the company or corporation owned, controlled or managed by the Central Government or the State Government, by virtue of which he was nominated.]

(3) The Central Government or, as the case may be, the State Government may, if it thinks fit, remove any member of a Board before the expiry of his term of office, after giving him a reasonable opportunity of showing cause against the same.

(4) A member of a Board, other than the member-secretary, may at any time resign his office by writing under his hand addressed—

(a) in the case of chairman, to the Central Government or, as the case may be, the State Government; and

(b) in any other case, to the chairman of the Board; and the seat of the chairman or such member shall thereupon become vacant.

(5) A member of a Board, other than the member-secretary, shall be deemed to have vacated his seat if he is absent without reason, sufficient in the opinion of the Board, from three consecutive meetings of the Board, 2[or where he is nominated under clause (c) or clause (e) of sub-section (2) of section (3) or under clause (c) or clause (e) of sub-section (2) of section 4, if he ceases to be a member of the State Board or of the local authority or, as the case may be, of the company or corporation owned,

1Subs. by Act 44 of 1978, s. 5, for sub-section (2).
2Subs. by s. 5, ibid, for certain words.

controlled or managed by the Central Government or the State Government and such vacation of seat shall, in either case, take effect from such date as the Central Government or, as the case may be, the State Government may, by notification in the Official Gazette, specify.]

(6) A casual vacancy in a Board shall be filled by a fresh nomination and the person nominated to fill the vacancy shall hold office only for the remainder of the term for which the member in a whose place he was nominated.

(7) A member of a Board 1[shall be eligible for renomination].

(8) The other terms and conditions of service of a member of a Board, other than the chairman and member-secretary, shall be such as may be prescribed.

(9) The other terms and conditions of service of the chairman shall be such as may be prescribed.

6. DISQUALIFICATIONS.

(1) No person shall be a member of a Board, who-

(a) is, or at any time has been adjudged insolvent or has suspended payment of his debts or has compounded with his creditors, or

(b) is of unsound mind and stands so declared by a competent court, or

(c) is, or has been, convicted of an offence which, in the opinion of the Central Government or, as the case may be, of the State Government, involves moral turpitude, or

(d) is, or at any time has been, convicted of an offence under this Act, or

(e) has directly or indirectly by himself or by any partner, any share or interest in any firm or company carrying on the business of manufacture, sale or hire of machinery, plant, equipment, apparatus or fittings for the treatment of sewage or trade effluents, or

(f) is a director or a secretary, manager or other salaried officer or employee of any company or firm having any contract with the Board, or with the Government constituting the Board, or with a local authority in the State, or with a company or corporation owned, controlled or managed by the Government, for the carrying out of sewerage schemes or for the installation of plants for the treatment of sewage or trade effluents, or

1Subs by Act 53 of 1988, s. 5, for "shall not be eligible for renomination for more than two terms".

(g) has so abused, in the opinion of the Central Government or as the case may be, of the State Government, his position as a member, as to render his continuance on the Board detrimental to the interest of the general public.

(2) No order of removal shall be made by the Central Government or the State Government, as the case may be, under this section unless the member concerned has been given a reasonable opportunity of showing cause against the same.

(3) Notwithstanding anything contained in sub-section (1) and (7) of section 5, a member who has been removed under this section shall not be eligible for renomination as a member.

7. VACATION OF SEAT BY MEMBERS.

If a member of a Board becomes subject to any of the disqualifications specified in section 6, his seat shall become vacant.

8. MEETINGS OF BOARDS.

A Board shall meet at least once in every three months and shall observe such rules of procedure in regard to the transaction of business at its meetings as may be prescribed:

Provided that if, in the opinion of the chairman, any business of an urgent nature is to be transacted, he may convene a meeting of the Board at such time as he thinks fit for the aforesaid purpose.

9. CONSTITUTION OF COMMITTEES.

(1) A Board may constitute as many committees consisting wholly of members or wholly of other persons or partly of members and partly of other persons, and for such purpose or purposes as it may think fit.

(2) A committee constituted under this section shall meet at such time and at such place, and shall observe such rules of procedure in regard to the transaction of business at its meetings, as may be prescribed.

(3) The members of a committee (other than the members of Board) shall be paid such fees and allowances, for attending its meetings and for attending to any other work of the Board as may be prescribed.

10. TEMPORARY ASSOCIATION OF PERSONS WITH BOARD FOR PARTICULAR PURPOSES.

(1) A Board may associate with itself in such manner, and for such purposes, as may be prescribed any person whose assistance or advice it may desire to obtain in performing any of its functions under this Act.

(2) A person associated with the Board under sub-section (1) for any purpose shall have a right to take part in the discussions of the Board relevant to that purpose, but shall not have a right to vote at a meeting of the Board, and shall not be a member for any other purpose.

1[(3) A person associated with the Board under sub-section (1) for any purpose shall be paid such fees and allowances, for attending its meetings and for attending to any other work of the Board, as may be prescribed.]

11. VACANCY IN BOARD NOT TO INVALIDATE ACTS OR PROCEEDINGS.

No act or proceeding of a Board or any committee thereof shall be called in question on the ground merely of the existence of any vacancy in, or any defect in the constitution of, the Board or such committee, as the case may be.

2[11A.DELEGATION OF POWERS TO CHAIRMAN.

The chairman of a Board shall exercise such powers and perform such duties as may be prescribed or as may, from time to time, be delegated to him by the Board.]

12. MEMBER-SECRETARY AND OFFICERS AND OTHER EMPLOYEES OF BOARD.

(1)Terms and conditions of service of the member-secretary shall be such as may be prescribed.

(2) The member-secretary shall exercise such powers and perform such duties as may be prescribed or as may, from time to time, be delegated to him by the Board or its chairman.

(3) Subject to such rules as may be made by the Central Government or, as the case may be, the State Government in this behalf, a Board may appoint such officers and employees as it considers necessary for the efficient performance of its functions.

3[* * *

1Ins. by Act 44 of 1978. s. 6.

2Ins. by Act 44 of 1978, s. 7.

3Certain words omitted by s. 8, ibid

1[(3A) The method of recruitment and the terms and conditions of service (including the scales of pay) of the officers (other than the member-secretary) and other employees of the Central Board or a State Board shall be such as may be determined by regulations made by the Central Board or, as the case may be, by the State Board:

Provided that no regulation made under this sub-section shall take effect unless, –

(a) in the case of a regulation made by the Central Board, it is approved by the Central Government; and

(b) in the case of a regulation made by a State Board, it is approved by the State Government.]

2[(3B) The Board may, by general or special order, and subject to such conditions and limitations, if any, as may be specified in the order, delegate to any officer of the Board such of its powers and functions under this Act as it may deem necessary.]

(4) Subject to such conditions as may be prescribed, a Board may from time to time appoint any qualified person to be a consulting engineer to the Board and pay him such salaries and allowances and subject him to such other terms and conditions of service as it thinks fit.

CHAPTER III

JOINT BOARDS

13. CONSTITUTION OF JOINT BOARD.

(1) Notwithstanding anything contained in this Act, an agreement may be entered into-

(a) by two or more Governments of contiguous States, or

(b) by the Central Government (in respect of one or more Union territories) and one or more Government of State Government contiguous to such Union territory or Union territories, to be in force for such period and to be subject to renewal for such further period if any, as may be specified in the agreement to provide for the constitution of a Joint Board, –

(i) in a case referred to in clause (a), for all the participating States, and

(ii) in a case referred to in clause (b), for the participating Union territory or Union territories and the State or States.

1Ins. by Act 44 of 1978, s. 8.
2Ins. by Act 53 of 1988; s. 6.

(2) An agreement under this section may --

(a) provide, in a case referred to in clause (a) of sub-section (1), for the apportionment between the participating States and in a case referred to in clause (b) of that sub-section, for the apportionments between the Central Government and the participating State Government or State Governments, of the expenditure in connection with the Joint Board;

(b) determine, in a case referred to in clause (a) of sub-section (1), which of the participating State Governments and in a case referred to in clause (b) of that sub-section, whether the Central Government or the participating State Government (if there are more than one participating State, also which of the participating State Governments) shall exercise and perform the several powers and functions of the State Government under this Act and the references in this Act to the State Government shall be construed accordingly;

(c) provide for consultation, in a case referred to in clause (a) of sub-section (1), between the participating State Governments and in a case referred to in clause (b) of that sub-section, between the Central Government and the participating State Government or State Governments either generally or with reference to particular matters arising under this Act;-

(d) make such incidental and ancillary provisions, not inconsistent with this Act, as may be deemed necessary or expedient for giving effect to the agreement.

(3) An agreement under this section shall be published, in a case referred to in clause (a) of sub-section (1), in the Official Gazette of the participating States and in a case referred to in clause (b) of that sub-section, in the Official Gazette of participating Union territory or Union territories and participating State or States.

14. COMPOSITION OF JOINT BOARDS.

(1) A Joint Board constituted in pursuance of an agreement entered into under clause (a) of sub-section (1) of section 13 shall consist of the following members, namely:-

(a) a full-time chairman, being a person having special knowledge or practical experience in respect of 1[matters relating to environmental protection] or a person having knowledge and experience in administering institutions dealing with the matters aforesaid, to be nominated by the Central Government;

1Subs. by Act 44 of 1978, s. 9, for certain words.

(b) two officials from each of the participating States to be nominated by the concerned participating State Government to represent that Government;

(c) one person to be nominated by each of the participating State Governments from amongst the members of the local authorities functioning within the State concerned;

(d) one non-official to be nominated by each of the participating State Governments to represent the interests of agriculture, fishery or industry or trade in the State concerned or any other interest which, in the opinion of the participating State Government, is to be represented;

(e) two persons to be nominated by the Central Government to represent the companies or corporations owned, controlled or managed by the participating State Government;

1[(f) a full-time member-secretary, possessing qualifications, knowledge and experience of scientific, engineering or management aspects of pollution control, to be appointed by the Central Government.]

(2) A Joint Board constituted in pursuance of an agreement entered into under clause (b) of sub-section (1) of section 13 shall consist of the following members, namely:-

(a) a full-time chairman, being a person having special knowledge or practical experience in respect of 2[matters relating to environmental protection] or a person having knowledge and experience in administering institutions dealing with the matters aforesaid, to be nominated by the Central Government;

(b) two officials to be nominated by the Central Government from the participating Union territory or each of the participating union territories, as the case may be, and two officials to be nominated, from the participating State or each of the participating States, as the case may be by the concerned participating State Government;

(c) one person to be nominated by the Central Government from amongst the members of the local authorities functioning within the participating Union territory or each of the participating Union territories, as the case may be and one person to be nominated, from amongst the members of the local authorities functioning within the participating State or each of the participating States, as the case may be, by the concerned participating State Government;

1Subs. by Act 53 of 1988, s. 7 for cl. (f).

2Subs. by Act 44 of 1978, s. 9, for certain words.

(d) one non-official to be nominated by the Central Government and one person to be nominated by the participating State Government or State Governments to represent the interests of agriculture, fishery or industry or trade in the Union territory or in each of the Union territories or the State or in each of the States, as the case may be, or any other interest which in the opinion of the Central Government or, as the case may be, of the State Government is to be represented.

(e) two persons to be nominated by the Central Government to represent the companies or corporations owned, controlled or managed by the Central Government and situate in the participating Union territory or territories and two persons to be nominated by Central Government to represent the companies or corporations owned, controlled or managed by the participating State Governments;

1[(f) a full-time member-secretary, possessing qualifications, knowledge and experience of scientific, engineering or management aspects of pollution control, to be appointed by the Central Government.]

(3) When a Joint Board is constituted in pursuance of an agreement under clause (b) of sub-section (1) of section 13, the provisions of sub-section (4) of section 4 shall cease to apply in relation to the Union territory for which the Joint Board is constituted.

(4) Subject to the provisions of sub-section (3), the provisions of sub-section (3) of section 4 and sections 5 to 12 (inclusive) shall apply in relation to the Joint Board and its member-secretary as they apply in relation to a State Board and its member-secretary.

(5) Any reference in this Act to the State Board shall, unless the context otherwise requires, be construed as including a Joint Board.

15. SPECIAL PROVISION RELATING TO GIVING OF DIRECTIONS.

Notwithstanding anything contained in this Act where any Joint Board is constituted under section 13, -

(a) the Government of the State for which the Joint Board is constituted shall be competent to give any direction under this Act only in cases where such direction relates to a matter within the exclusive territorial jurisdiction of the State;

(b) the Central Government alone shall be competent to give any direction under this Act where such direction relates to a matter within the territorial jurisdiction of two or more States or pertaining to a Union Territory.

1Subs. by Act 53 of 1988, s. 7, for cl. (f).

CHAPTER IV

POWERS AND FUNCTIONS OF BOARDS

16. FUNCTIONS OF CENTRAL BOARD.

(1) Subject to the provisions of this Act, the main function of the Central Board shall be to promote cleanliness of streams and wells in different areas of the States.

(2) In particular and without prejudice to the generality of the foregoing function, the Central Board may perform all or any of the following functions, namely:--

(a) advise the Central Government on any matter concerning the prevention and control of water pollution;

(b) co-ordinate the activities of the State Boards and resolve disputes among them;

(c) provide technical assistance and guidance to the State Boards, carry out and sponsor investigations and research relating to problems of water pollution and prevention, control or abatement of water pollution;

(d) plan and organise the training of persons engaged or to be engaged in programmes for the prevention, control or abatement of water pollution on such terms and conditions as the Central Board may specify;

(e) organise through mass media a comprehensive programme regarding the prevention and control of water pollution;

1[(ee) perform such of the functions of any State Board as may be specified in an order made under sub-section (2) of section 18];

(f) collect, compile and publish technical and statistical data relating to water pollution and the measures devised for its effective prevention and control and prepare manuals, codes or guides relating to treatment and disposal of sewage and trade effluents and disseminate information connected therewith;

(g) lay down, modify or annul, in consultation with the State Government concerned, the standards for a stream or well:

Provided that different standards may be laid down for the same stream or well or for different streams or wells, having regard to the quality of water, flow characteristics of the stream or well and the nature of the use of the water in such stream or well or streams or wells;

1 Ins. by Act 53 of 1988, s. 8.

(h) plan and cause to be executed a nation-wide programme for the prevention, control or abatement of water pollution;

(i) perform such other functions as may be prescribed.

(3) The Board may establish or recognise a laboratory or laboratories to enable the Board to perform its functions under this section efficiently, including the analysis of samples of water from any stream or well or of samples of any sewage or trade effluents.

17. FUNCTIONS OF STATE BOARD.

(1) Subject to the provisions of this Act, the functions of a State Board shall be --

(a) to plan a comprehensive programme for the prevention, control or abatement of pollution of streams and wells in the State and to secure the execution thereof;

(b) to advise the State Government on any matter concerning the prevention, control or abatement of water pollution;

(c) to collect and disseminate information relating to water pollution and the prevention, control or abatement thereof;

(d) to encourage, conduct and participate in investigations and research relating to problems of water pollution and prevention, control or abatement of water pollution;

(e) to collaborate with the Central Board in organising the training of persons engaged or to be engaged in programmes relating to prevention, control or abatement of water pollution and to organise mass education programmes relating thereto;

(f) to inspect sewage or trade effluents, works and plants for the treatment of sewage and trade effluents and to review plans, specifications or other data relating to plants set up for the treatment of water, works for the purification thereof and the system for the disposal of sewage or trade effluents or in connection with the grant of any consent as required by this Act;

(g) lay down, modify or annul effluent standards for the sewage and trade effluents and for the quality of receiving waters (not being water in an inter-State stream) resulting from the discharge of effluents and to classify waters of the State;

(h) to evolve economical and reliable methods of treatment of sewage and trade effluents, having regard to the peculiar conditions of soils, climate and water resources of different regions and more especially the prevailing flow

characteristics of water in streams and wells which render it impossible to attain even the minimum degree of dilution;

(i) to evolve methods of utilisation of sewage and suitable trade effluents in agriculture;

(j) to evolve efficient methods of disposal of sewage and trade effluents on land, as are necessary on account of the predominant conditions of scant stream flows that do not provide for major part of the year the minimum degree of dilution;

(k) to lay down standards of treatment of sewage and trade effluents to be discharged into any particular stream taking into account the minimum fair weather dilution available in that stream and the tolerance limits of pollution permissible in the water of the stream, after the discharge of such effluents;

(l) to make, vary or revoke any order --

(i) for the prevention, control or abatement of discharge of waste into streams or wells;

(ii) requiring any person concerned to construct new systems for the disposal of sewage and trade effluents or to modify, alter or extend any such existing system or to adopt such remedial measures as are necessary to prevent control or abate water pollution;

(m) to lay down effluent standards to be complied with by persons while causing discharge of sewage or sullage or both and to lay down, modify or annul effluent standards for the sewage and trade effluents;

(n) to advice the State Government with respect to the location of any industry the carrying on of which is likely to pollute a stream or well;

(o) to perform such other functions as may be prescribed or as may, from time to time be entrusted to it by the Central Board or the State Government.

(2) The Board may establish or recognise a laboratory or laboratories to enable the Board to perform its functions under this section efficiently, including the analysis of samples of water from any stream or well or of samples of any sewage or trade effluents.

18. POWERS TO GIVE DIRECTIONS.

1[1)] In the performance of its functions under this Act --

(a) the Central Board shall be bound by such directions in writing as the Central Government may give to it; and

1S. 18 renumbered as sub-section (1) thereof by Act 53 of 1988, s. 9.

(b) every State Board shall be bound by such directions in writing as the Central Board or the State Government may give to it:

Provided that where a direction given by the State Government is inconsistent with the direction given by the Central Board, the matter shall be referred to the Central Government for its decision.

1[(2) Where the Central Government is of the opinion that the State Board has defaulted in complying with any directions given by the Central Board under sub-section (1) and as a result of such default a grave emergency has arisen and it is necessary or expedient so to do in the public interest, it may, by order, direct the Central Board to perform any of the functions of the State Board in relation to such area for such period and for such purposes, as may be specified in the order.

(3) Where the Central Board performs any of the functions of the State Board in pursuance of a direction under sub-section (2), the expenses, if any, incurred by the Central Board with respect to performance of such functions may, if the State Board is empowered to recover such expenses, be recovered by the Central Board with interest (at such reasonable rate as the Central Government may, by order, fix) from the date when a demand for such expenses is made until it is paid from the person or persons concerned as arrears of land revenue or of public demand.

(4) For the removal of doubts, it is hereby declared that any directions to perform the functions of any State Board given under sub-section (2) in respect of any area would not preclude the State Board from performing such functions in any other area in the State or any of its other functions in that area].

CHAPTER V

PREVENTION AND CONTROL OF WATER POLLUTION

19. POWER OF STATE GOVERNMENT TO RESTRICT THE APPLICATION OF THE ACT TO CERTAIN AREAS.

(1) Notwithstanding contained in this Act, if the State Government, after consultation with, or on the recommendation of, the State Board, is of opinion that the provisions of this Act need not apply to the entire State, it may, by notification in the Official Gazette, restrict the application of this Act to such area or areas as may be declared therein as water

pollution, prevention and control area or areas and thereupon the provisions of this Act shall apply only to such area or areas.

(2) Each water pollution, prevention and control area may be declared either by reference to a map or by reference to the line of any watershed or the boundary of any district or partly by one method and partly by another.

1 Ins. by Act 53 of 1988, s. 9,

(a) alter any water pollution prevention and control area whether by way of extension or reduction; or

(b) define a new water pollution, prevention and control area in which may be merged one or more water pollution, prevention and control areas, or any part or parts thereof.

20. POWER TO OBTAIN INFORMATION.

(1) For the purpose of enabling a State Board to perform the function conferred on it by or under this Act, the State Board or any officer empowered by it in that behalf, may make surveys of any area and gauge and keep records of the flow or volume and other characteristics of an stream or well in such area, and may take steps for the measurement and recording of the rainfall in such area or any part thereof and for the installation and maintenance for those purposes of gauges or other apparatus and works connected therewith, and carry out stream surveys and may take such other steps as may be necessary in order to obtain any information required for the purposes aforesaid.

(2) A State Board may give directions requiring any person who in its opinion is abstracting water from any such stream or well in the area in quantities which are substantial in relation to the flow or volume of that stream or well or is discharging sewage or trade effluent into any such stream or well, to give such information as to the abstraction or the discharge at such times and in such form as may be specified in the directions.

(3) Without prejudice to the provisions of sub-section (2), a State Board may, with a view to preventing or controlling pollution of water, give directions requiring any person in charge of any establishment where any 1[industry, operation or process, or treatment and disposal system] is carried on, to furnish to it information regarding the construction, installation or operation of such establishment or of any disposal system] or of any extension or addition thereto in such establishment and such other particulars as may be prescribed.

21. POWER TO TAKE SAMPLES OF EFFLUENTS AND PROCEDURE TO BE FOLLOWED IN CONNECTION THEREWITH.

(1) A State Board or any officer empowered by it in this behalf shall have power to take for the purpose of analysis samples of water from any stream or well or samples of any sewage or trade effluent which is passing from any plant or vessel or from or over any place into any such stream or well.

1Subs. by Act 53 of 1988 s. 10 for "industry or trade"

(2) The result of any analysis of a sample of any sewage or trade effluent taken under sub-section (1) shall not be admissible in evidence in a legal proceeding unless the provisions of sub-sections (3), (4) and (5) are complied with.

(3) Subject to the provisions of sub-sections (4) and (5), when a sample (composite or otherwise as may be warranted by the process used) of any sewage or trade effluent is taken for analysis under sub-section (1), the person taking the sample shall --

(a) serve on the person in charge of, or having control over, the plant or vessel or in occupation of the place (which person is hereinafter referred to as the occupier) or any agent of such occupier, a notice, then and there in such form as may be prescribed of his intention to have it so analysed;

(b) in the presence of the occupier or his agent, divide the sample into two parts;

(c) cause each part to be placed in a container which shall be marked and sealed and shall also be signed both by the person taking the sample and the occupier or his agent;

(d) send one container forthwith,--

(i) in a case where such sample is taken from any area situated in a Union territory, to the laboratory established or recognised by the Central Board under section 16; and

(ii) in any other case, to the laboratory established or recognised by the State Board under section 17;

(e) on the request of the occupier or his agent, send the second container.-

(i) in a case where such sample is taken from any area situated in a Union territory, to the laboratory established or specified under sub-section (1) of section 51; and

(ii) in an other case, to the laboratory established or specified under sub-section (1) of section 52.

1[(4) When a sample of any sewage or trade effluent is taken for analysis under sub-section (1) and the person taking the sample serves on the occupier or his agent, a notice under clause (a) of sub-section (3) and the occupier or his agent wilfully absents himself, then, -

1Subs. by Act 44 of 1978, s. 10, for sub-section (4).

(a) the sample so taken shall be placed in a container which shall be marked and sealed and shall also be signed by the person taking the sample and the same shall be sent forthwith by such person for analysis to the laboratory referred to in sub-clause (i) or sub-clause (ii), as the case may be, of clause (e) of sub-section (3) and such person shall inform the Government analyst appointed under sub-section (1) or sub-section (2), as the case may be, of section 53, in writing about the wilful absence of the occupier or his agent; and

(b) the cost incurred in getting such sample analysed shall be payable by the occupier or his agent and in case of default of such payment, the same shall be recoverable from the occupier or his agent, as the case may be, as an arrear of land revenue or of public demand:

Provided that no such recovery shall be made unless the occupier or, as the case may be, his agent has been given a reasonable opportunity of being heard in the matter.]

(5) When a sample of any sewage or trade effluent is taken for analysis under sub-section (1) and the person taking the sample serves on the occupier or his agent a notice under clause (a) of sub-section (3) and the occupier or his agent who is present at the time of taking the sample does not make a request for dividing the sample into two parts as provided in clause (b) of sub-section (3), then, the sample so taken shall be placed in a container which shall be marked and sealed and shall also be signed by the person taking the sample and the same shall be sent forthwith by such person for analysis to the laboratory referred to in sub-clause (i) or sub-clause (ii), as the case may be, of clause (d) of sub-section (3).

22. REPORTS OF THE RESULTS OF ANALYSIS ON SAMPLES TAKEN UNDER SECTION 21.

(1) Where a sample of any sewage or trade effluent has been sent for analysis to the laboratory established or recognised by the Central Board or, as the case may be, the State Board, the concerned Board analyst appointed under sub-section

(3) of section 53 shall analyse the sample and submit a report in the prescribed form of the result of such analysis in triplicate to the Central Board or the State Board, as the case may be.

(2) On receipt of the report under sub-section (1), one copy of the report shall be sent by the Central Board or the State Board, as the case may be, to the occupier or his agent referred to in section 21, another copy shall be preserved for production before the court in case any legal proceedings are taken against him and the other copy shall be kept by the concerned Board.

(3) Where a sample has been sent for analysis under clause (e) of sub-section (3) or sub-section (4) of section 21 to any laboratory mentioned therein, the Government analyst referred to in that sub-section shall analyse the sample and submit a report in the prescribed form of the result of the analysis in triplicate to the Central Board or, as the case may be, the State Board which shall comply with the provisions of sub-section (2).

(4) If there is any inconsistency or discrepancy between, or variation in the results of, the analysis carried out by the laboratory established or recognised by the Central Board or the State Board, as the case may be, and that of the laboratory established or specified under section 51 or section 52, as the case may be, the report of the latter shall prevail.

(5) Any cost incurred in getting any sample analysed at the request of the occupier or his agent shall be payable by such occupier or his agent and in case of default the same shall be recoverable from him as arrears of land revenue or of public demand.

23. POWER OF ENTRY AND INSPECTION.

(1) Subject to the provisions of this section, any person empowered by a State Board in this behalf shall have a right at any time to enter, with such assistance as he considers necessary, any place--

(a) for the purpose of performing any of the functions of the Board entrusted to him;

(b) for the purpose of determining whether and if so in what manner, any such functions are to be performed or whether any provisions of this Act or the rules made thereunder of an notice, order, direction or authorisation served, made, given, or granted under this Act is being or has been complied with;

(c) for the purpose of examining any plant, record, register, document or any other material object or for conducting a search of any place in which he has reason to believe that an offence under this Act or the rules made thereunder has been or is being or is about to be committed and for seizing any such plant, record, register, document or other material object, if he has reason to believe that it may furnish evidence of the commission of an offence punishable under this Act or the rules made thereunder:

Provided that the right to enter under this sub-section for the inspection of a well shall be exercised only at reasonable hours in a case where such well is situated in any premises used for residential purposes and the water thereof is used exclusively for domestic purposes.

(2) The provisions of 1[the Code of Criminal Procedure, 1973] (2 of 1974), or, in relation to the State of Jammu and Kashmir, the provisions of any corresponding law in force in that State, shall, so far as may be, apply to any search or seizure under this section as they apply to any search or seizure made under the authority of a warrant issued under 2[section 94] of the said Code, or, as the case may be, under the corresponding provisions of the said law.

Explanation.- For the purposes of this section, "place" includes vessel.

1Subs. by Act 44 of 1978, s. 11, for "Code of Criminal Procedure, 1898 (5 of 1898) ." 2Subs. by s. 11, ibid, for "section 98".

24. PROHIBITION ON USE OF STREAM OR WELL FOR DISPOSAL OF POLLUTING MATTER, ETC.

(1) Subject to the provisions of this section, -

(a) no person shall knowingly cause or permit any poisonous, noxious or polluting matter determined in accordance with such standards as may be laid down by the State Board to enter (whether directly or indirectly) into any 1[stream or well or sewer or on land]; or

(b) no person shall knowingly cause or permit to enter into any stream any other matter which may tend, either directly or in combination with similar matters, to impede the proper flow of the water of the stream in a manner leading or likely to lead to a substantial aggravation of pollution due to other causes or of its consequences.

(2) A person shall not be guilty of an offence under sub-section (1), by reason only of having done or caused to be done any of the following acts, namely;-

(a) constructing, improving or maintaining in or across or on the bank or bed of any stream any building, bridge, weir, dam, sluice, dock, pier, drain or sewer or other permanent works which he has a right to construct, improve or maintain;

(b) depositing any materials on the bank or in the bed of any stream for the purpose of reclaiming land or for supporting, repairing or protecting the bank or bed of such stream provided such materials are not capable of polluting such stream;

(c) putting into an stream any sand or gravel or other natural deposit which has flowed from or been deposited by the current of such stream;

(d) causing or permitting, with the consent of the State Board, the deposit accumulated in a well, pond or reservoir to enter into any stream.

(3) The State Government may, after consultation with, or on the recommendation of, the State Board, exempt, by notification in the Official Gazette, any person from the operation of sub-section (1) subject to such conditions, if any, as may be specified in the notification and any condition so specified may by a like notification and be altered, varied or amended.

1Subs. by Act 53 of 1988, s.11, for "stream or well".

25. RESTRICTIONS ON NEW OUTLETS AND NEW DISCHARGES.

1[(1) Subject to the provisions of this section, no person shall, without the previous consent of the State Board,--

(a) establish or take any steps to establish any industry, operation or process, or any treatment and disposal system or an extension or addition thereto, which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land (such discharge being hereafter in this section referred to as discharge of sewage); or

(b)bringinto useany new oraltered outletsfor thedischargeofsewage; or

(c) begin to make any new discharge of sewage;

Provided that a person in the process of taking any steps to establish any industry, operation or process immediately before the commencement of the Water (Prevention and Control of Pollution) Amendment Act, 1988, for which no consent was necessary prior to such commencement, may continue to do so for a period of there months from such commencement or, if he has made an application for such consent, within the said period of three months, till the disposal of such application.

(2) An applications for consent of the State Board under sub-section (1) shall be made in such form, contain such particulars and shall be accompanied by such fees as may be prescribed.]

(3) The State Board may make such inquiry as it may deem fit in respect of the application for consent referred to in sub-section (1) and in making any such inquiry shall follow such procedure as may be prescribed.

2[(4) The State Board may --

(a) grant its consent referred to in sub-section (1), subject to such conditions as it may impose, being--

(i) in cases referred to in clauses (a) and (b) of sub-section (1) of section 25, conditions as to the point of discharge of sewage or as to the use of that outlet or any other outlet for discharge of sewage;

(ii) in the case of a new discharge, conditions as to the nature and composition, temperature, volume or rate of discharge of the effluent from the land or premises from which the discharge or new discharge is to be made; and

1Subs. by s. 12, Act 53 of 1988, for sub-sections (1) and (2).
2Subs. by s. 12, Act 53 of 1988,for sub-sections (4), (5) and (6).

(iii) that the consent will be valid only for such period as may be specified in the order, and any such conditions imposed shall be binding on any person establishing or taking any steps to establish any industry, operation or process, or treatment and disposal system or extension or addition thereto, or using the new or altered outlet, or discharging the effluent from the land or premises aforesaid; or

(b) refuse such consent for reasons to be recorded in writing.

(5) Where, without the consent of the State Board, any industry operation or process, or any treatment and disposal system or any extension or addition thereto, is established, or any steps for such establishment have been taken or a new or altered outlet is brought into use for the discharge of sewage or a new discharge of sewage is made, the State Board may serve on the person who has established or taken steps to establish any industry, operation or process, or any treatment and disposal system or any extension or addition thereto, or using the outlet, or making the discharge, as the case may be, a notice imposing any such conditions as it might have imposed on an application for its consent in respect of such establishment, such outlet or discharge.

(6) Every State Board shall maintain a register containing particulars or conditions imposed under this section and so much of the register as relates to any outlet, or to any effluent, from any land or premises shall be open to inspection at all reasonable hours by any person interested in, or affected by such outlet, land or premises, as the case may be, or by any person authorised by him in this behalf and the conditions so contained in such register shall be conclusive proof that the consent was granted subject to such conditions.]

(7) The consent referred to in sub-section (1) shall, unless given or refused earlier, be deemed to have been given unconditionally on the expiry of a period of four months of the making of an application in this behalf complete in all respects to the State Board.

(8) For the purposes of this section and sections 27 and 30,-

(a) the expression "new or altered outlet" means any outlet which is wholly or partly constructed on or after the commencement of this Act or which (whether so constructed or not) is substantially altered after such commencement;

(b) the expression "new discharge" means a discharge which is not, as respects the nature and composition, temperature, volume, and rate of discharge of the effluent substantially a continuation of a discharge made within the preceding twelve months (whether by the same or different outlet), so however that a discharge which is in other respects a continuation of previous discharge made as aforesaid shall not be deemed to be a new discharge by reason of any reduction of the temperature or volume or rate of discharge of the effluent as compared with the previous discharge.

26. PROVISION REGARDING EXISTING DISCHARGE OF SEWAGE OR TRADE EFFLUENT.

Where immediately before the commencement of this Act any person was discharging any sewage or trade effluent into a 1[stream or well or sewer or on land], the provisions of section 25 shall, so far as may be, apply in relation to such person as they apply in relation to the person referred to in that section subject to the modification that the application for consent to be made under sub-section (2) of that section 2[shall be made on or before such date as may be specified by the State Government by notification in this behalf in the Official Gazette.]

27. REFUSAL OR WITHDRAWAL OF CONSENT BY STATE BOARD.

3[(1) A State Board shall not grant its consent under sub-section (4) of section 25 for the establishment of any industry, operation or process, or treatment and disposal system or extension or addition thereto, or to the bringing into use of a new or altered outlet unless the industry, operation or process, or treatment and disposal system or extension or addition thereto, or the outlet is so established as to comply with an conditions imposed by the Board to enable it to exercise its right to take samples of the effluent.

4[(2) A State Board may from time to time review --

5[(a) any condition imposed under section 25 or section 26 and may serve on the person to whom a consent under section 25 or section 26 is granted a notice making any reasonable variation of or revoking any such condition.

(b) the refusal of any consent referred to in sub-section (1) of section 25 or section 26 or the grant of such consent without any condition, and may make such orders as it deemed fit.]

(3) Any conditions imposed under section 25 or section 26 shall be subject to any variation made under sub-section (2) and shall continue in force until revoked under that sub-section.

1Subs. by Act 44 of 1978, s. 13, for "stream or well"
2Subs. by s. 13, ibid., for certain words.

3Subs. by Act 53 of 1988, s 13, for sub-section (1).
4Subs. by Act 44 of 1978, s. 14 for sub-section (2).
5Subs. by Act 53 of 1988, s. 13, for cl. (a).

28. APPEALS.

(1) Any person aggrieved by an order made by the State Board under Section 25, section 26 or section 27 may within thirty days from the date on which the order is communicated to him, prefer an appeal to such authority (hereinafter referred to as the appellate authority) as the State Government may think fit to constitute:

Provided that the appellate authority may entertain the appeal after the expiry of the said period of thirty days if such authority is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

1[(2) An appellate authority shall consist of a single person or three persons as the State Government may think fit, to be appointed by that Government.]

(3) The form and manner in which an appeal may be preferred under sub-section (1), the fees payable for such appeal and the procedure to be followed by the appellate authority shall be such as may be prescribed.

(4) On receipt of an appeal preferred under sub-section (1), the appellate authority shall, after giving the appellants and the State Board an opportunity of being heard, dispose of the appeal as expeditiously as possible.

(5) If the appellate authority determines that any condition imposed, or the variation of any condition, as the case may be, was unreasonable, then,--

(a) where the appeal is in respect of the unreasonableness of any condition imposed, such authority may direct either that the condition shall be treated as annulled or that there shall be substituted for it such condition as appears to it to be reasonable;

(b) where the appeal is in respect of the unreasonableness of any variation of a condition, such authority may direct either that the condition shall be treated as continuing in force unvaried or that it shall be varied in such manner as appears to it to be reasonable.

29. REVISION.

(1) The State Government may at any time either of its own motion or on an application made to it in this behalf, call for the records of any case where an order has been made by the State Board under section 25, section 26 or section 27 for the purpose of satisfying itself as to the legality or propriety of any such order and may pass such order in relation thereto as it may think fit :

1Subs. by Act 44 of 1978, s 15. for sub-section (2).

Provided that the State Government shall not pass any order under this sub-section without affording the State Board and the person who may be affected by such order a reasonable opportunity of being heard in the matter.

(2) The State Government shall not revise any order made under section 25, section 26 or section 27 where an appeal against that order lies to the appellate authority, but has not been preferred or where an appeal has been preferred such appeal is pending before the appellate authority.

30. POWER OF STATE BOARD TO CARRY OUT CERTAIN WORKS.

1[(1) Where under this Act, any conditions have been imposed on any person while granting consent under section 25 or section 26 and such conditions require such person to execute any work in connection therewith and such work has not been executed within such time as may be specified in this behalf, the State Board may serve on the person concerned a notice requiring him within such time (not being less than thirty days) as may be specified in the notice to execute the work specified therein.]

(2) If the person concerned fails to execute the work as required in the notice referred to in sub-section (1), then, after the expiration of the time specified in the said notice, the State Board may itself execute or cause to be executed such work.

(3) All expenses incurred by the State Board for the execution of the aforesaid work, together with interest, at such rate as the State Government may, by order, fix, from the date when a demand for the expenses is made until it is paid, may be recovered by that Board from the person concerned, as arrears of land revenue, or of public demand.

31. FURNISHING OF INFORMATION TO STATE BOARD AND OTHER AGENCIES IN CERTAIN CASES.

2[(1) If at any place where any industry, operation or process, or any treatment and disposal system or any extension or addition thereto is being carried on, due to accident or other unforeseen act or event, any poisonous, noxious or polluting matter is being discharged, or is likely to be discharged into a stream or well or sewer or on land and, as a result of such discharge, the water in any stream or well is being polluted, or is likely to be polluted, then the person incharge of such place shall forthwith intimate the occurrence of such accident, act or event to the State Board and such other authorities or agencies as may be prescribed.]

(2) Where any local authority operates any sewerage system or sewage works the provisions of sub-section (1) shall apply to such local authority as they apply in relation to the person in charge of the place where an industry or trade is being carried on.

1 Subs. by Act 53 of 1988, s. 14, for sub-section (1).
2 Subs. by s. 15, ibid., for sub-section (1).

32. EMERGENCY MEASURES IN CASE OF POLLUTION OF STREAM OR WELL.

(1) Where it appears to the State Board that any poisonous, noxious or polluting matter is present in 1[any stream or well or on land by reason of the discharge of such matter in such stream or well or on such land] or has entered into that stream or well due to any accident or other unforeseen act or event, and if the Board is of opinion that it is necessary or expedient to take immediate action, it may for reasons to be recorded in writing, carry out such operations as it may consider necessary for all or any of the following purposes, that is to say --

(a) removing that matter from the 2[stream or well or on land] and disposing it of in such manner as the Board considers appropriate;

(b) remedying or mitigating any pollution caused by its presence in the stream or well;

(c) issuing orders immediately restraining or prohibiting the persons concerned from discharging any poisonous, noxious or polluting matter 3[into the steam or well or on land] or from making in sanitary use of the stream or well.

(2) The power conferred by sub-section (I) does not include the power to construct any works other than works of a temporary character which are removed on or before the completion of the operations.

33. POWER OF BOARD TO MAKE APPLIATION TO COURTS FOR RESTRAINING APPREHENDED POLLUTION OF WATER IN STREAMS OR WELLS.

4[(1) Where it is apprehended by a Board that the water in any stream or well is likely to be polluted by reason of the disposal or likely disposal of any matter in such stream or well or in any sewer, or on any land, or otherwise, the Board may make an application to a court, not inferior to that of a Metropolitan Magistrate or a Judicial Magistrate of the first class, for restraining the persons who is likely to cause such pollution from so causing.]

(2) On receipt of an application under sub-section (I) the court make such order as it deems fit.

(3) Where under sub-section (2) the court makes an order restraining any person from polluting the water in any stream or well, it may in that order-

1 Subs. by Act 53 of 1988, s. 16, for "any stream or well"
2 Subs. by s, 16, ibid., for "stream or well".

3Subs. by s. 16, ibid., for "into the stream or well".
4Subs. by s. 17, ibid., for sub-section (1).

(i) direct the person who is likely to cause or has caused the pollution of the water in the stream or well, to desist from taking such action as is likely to cause pollution or, as the case may be, to remove such stream or well, such matter, and

(ii) authorise the Board, if the direction under clause (i) (being a direction for the removal of any matter from such stream or well) is not complied with by the person to whom such direction is issued, to undertake the removal and disposal of the matter in such manner as may be specified by the court.

(4) All expenses incurred by the Board in removing any matter in pursuance of the authorisation under clause (ii) of sub-section (3) or in the disposal of any such matter may be defrayed out of any money obtained by the Board from such disposal and any balance outstanding shall be recoverable from the person concerned as arrears of land revenue or of public demand.

1[33A. POWER TO GIVE DIRECTIONS.

Notwithstanding anything contained in any other law, but subject to the provisions of this Act, and to any directions that the Central Government may give in this behalf, a Board may, in the exercise of its powers and performance of its functions under this Act, issue any directions in writing to any person, officer or authority, and such person, officer or authority shall be bound to comply with such directions.

***Explanation*.-**For the avoidance of doubts, it is hereby declared that the power to issue directions under this section includes the power to direct-

(a) the closure, prohibition or regulation of any industry, operation or process; or

(b) the stoppage or regulation of supply of electricity, water or any other service.]

CHAPTER VI

FUNDS, ACCOUNTS AND AUDIT

34. CONTRIBUTIONS BY CENTRAL GOVERNMENT.

The Central Government may, after due appropriation made by Parliament by law in this behalf, make in each financial year such contributions to the Central Board as it may think necessary to enable the Board to perform its functions under this Act.

1 Ins. by Act 53 of 1988, s. 18.

35. CONTRIBUTIONS BY STATE GOVERNMENT.

The State Government may, after due appropriation made by the Legislature of the State by law in this behalf, make in each financial year such contributions to the State Board as it may think necessary to enable that Board to perform its functions under this Act.

36. FUND OF CENTRAL BOARD.

(1) The Central Board shall have its own fund, and all sums which may, from time to time, be paid to it by the Central Government and all other receipts (by way of gifts, grants, donations, benefactions 1[fees] or otherwise) of that Board shall be carried to the fund of the Board and all payments by the Board shall be made therefrom.

(2) The Central Board may expend such sums as it thinks fit for performing its functions under this Act, 2[and, where any law for the time being in force relating to the prevention, control of abatement or air pollution provides for the performance of any function under such law by the Central Board, also for performing its functions under such law] and such sums shall be treated as expenditure payable out of the funds of that Board.

37. FUND OF STATE BOARD.

(1) The State Board shall have its own fund, and the sums which may, from time to time, be paid to it by the State Government and all other receipts (by way of gifts, grants, donations, benefactions 1[fees] or otherwise) of that Board shall be carried to the fund of the Board and all payments by the Board shall be made therefrom.

(2) The State Board may expend such sums as it thinks fit for performing its functions under this Act,2[and, where any law for the time being in force relating to the prevention, control or abatement of air pollution provides for the performance of any function under such law by the State Board, also for performing its functions under such law] and such sums shall be treated as expenditure payable out of the fund of that Board.

3[**37A. BORROWING POWERS OF BOARD.**

A Board may, with the consent of, or in accordance with, the terms of any general or special authority given to it by the Central Government or, as the case may be, the State Government, borrow money from any source by way of loans or issue of bonds, debentures or such other instruments, as it may deem fit, for the performance of all or any of its functions under this Act.]

1 Ins. by Act 44 of 1978, s. 16
2Ins. by s. 17, ibid.

3Ins. by Act 53 of l988, s 19.

38. BUDGET.

The Central Board or, as the case may be, the State Board shall, during each financial year, prepare, in such form and at such time as may be prescribed, a budget in respect of the financial year next ensuing showing the estimated receipt and expenditure, and copies thereof shall be forwarded to the Central Government, or as the case may be, the State Government.

39. ANNUAL REPORT.

1[(1) The Central Board shall, during each financial year, prepare, in such form as may be prescribed, an annual report giving full account of its activities under this Act during the previous financial year and copies thereof shall be forwarded to the Central Government within four months from the last date of the previous financial year and that Government shall cause every such report to be laid before both Houses of Parliament within nine months from the last date of the previous financial year.

(2) Every State Board shall, during each financial year, prepare, in such form as may be prescribed, an annual report giving full account of its activities under this Act during the previous financial year and copies thereof shall be forwarded to the State Government within four months from the last date of the previous financial year and that

Government shall cause every such report to be laid before the State legislature within a period of nine months from the last date of the previous financial year.]

40. ACCOUNT AND AUDIT.

(1) Every Board shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed by the Central Government or, as the case may be, the State Government.

(2) The accounts of the Board shall be audited by an auditor duly qualified to act as an auditor of companies under section 226 of the Companies Act, 1956 (1 of 1956).

(3) The said auditor shall be appointed by the Central Government or, as the case may be, the State Government on the advice of the Comptroller and Auditor-General of India.

(4) Every auditor appointed to audit the accounts of the Board under this Act shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect any of the offices of the Board.

1Subs. by Act 53 of 1988, s. 20, for s. 39.

(5) Every such auditor shall send a copy of his report together with an audited copy of the accounts to the Central Government or, as the case may be, the State Government.

(6) The Central Government shall, as soon as may be after the receipt of the audit report under sub-section (5), cause the same to be laid before both Houses of Parliament.

(7) The State Government shall, as soon as may be after the receipt of the audit report under sub-section (5), cause the same to be laid before the State Legislature.

CHAPTER VII

PENALTIES AND PROCEDURE

1[41. FAILURE TO COMPLY WITH DIRECTIONS UNDER SUB-SECTION (2) OR SUB-SECTION (3) OF SECTION 20, OR ORDERS ISSUED UNDER CLAUSE (c) OF SUB-SECTION (1) OF 32 OR DIRECTIONS ISSUED UNDER SUB-SECTION (2) OF SECTION 33 OR SECTION 33A.

(1) Whoever fails to comply with any direction given under sub-section (2) or sub-section (3) of section 20 within such time as may be specified in the direction shall, or conviction, be punishable with imprisonment for a term which may extend to three months or with fine which may extend to ten thousand rupees or with both and in case the failure continues, with an additional fine which may extend to five thousand rupees for every day during which such failure continues after the conviction for the first such failure.

(2) Whoever fails to comply with any order issued under clause (c) of sub-section (1) of section 32 or any direction issued by a court under sub-section (2) of section 33 or any direction issued under section 33A shall, in respect of each such failure and on conviction, be punishable with imprisonment for a term which shall not be less than one year and six months but which may extend to six years and with fine, and case the failure continues, with an additional fine which may extend to five thousand rupees for every day during which such failure continues after the conviction for the first such failure.

(3) If the failure referred to in sub-section (2) continues beyond a period of one year after the date of conviction, the offender shall, on conviction, be punishable with imprisonment for a term which shall not be less than two years but

which may extend to seven years and with fine.]

1Subs. by Act 53 of 1988, s. 21, for s. 41.

42. PENALTY FOR CERTAIN ACTS.

(1) Whoever --

(a) destroys, pulls down, removes, injures or defaces any pillar, post or stake fixed in the ground or any notice or other matter put up, inscribed or placed, by or under the authority of the Board, or

(b) obstructs any person acting under the orders or directions of the Board from exercising his powers and performing his functions under this Act, or

(c) damages any works or property belonging to the Board, or

(d) fails to furnish to any officer or other employee of the Board any information required by him for the purpose of this Act, or

(e) fails to intimate the occurrence of an accident or other unforeseen act or even under section 31 to the Board and other authorities or agencies as required by that section, or

(f) in giving any information which he is required to give under this Act, knowingly or willfully makes a statement which is false in any material particular, or

(g) for the purpose of obtaining any consent under section 25 or section 26, knowingly or willfully makes a statement which is false in any material particular, shall be punishable with imprisonment for a term which may extend to three months or with fine which may extend to 1[ten thousand rupees] or with both.

(2) Where for the grant of a consent in pursuance of the provisions of section 25 or section 26 the use of a meter or gauge or other measure or monitoring device is required and such device is used for the purposes of those provision, any person who knowingly or willfully alters or interferes with that device so as to prevent it from monitoring or measuring correctly shall be punishable with imprisonment for a term which may extend to three months or with fine which may extend to 1[ten thousand rupees] or with both.

1Subs. by Act 53 of 1988, s. 22, for "one thousand rupees"

43. PENALTY FOR CONTRAVENTION OF PROVISIONS OF SECTION 24.

Whoever contravenes the provisions of section 24 shall be punishable with imprisonment for a term which shall not be less than 1[one year and six months] but which may extend to six years and with fine.

44. PENALTY FOR CONTRAVENTION OF SECTION 25 OR SECTION 26.

Whoever contravenes the provision of section 25 or section 26 shall be punishable with imprisonment for a term which shall not be less than 1[one year and six months] but which may extend to six years and with fine.

45. ENHANCED PENALTY AFTER PREVIOUS CONVICTION.

If any person who has been convicted of any offence under section 24 or 25 or section 26 is again found guilty of an offence involving a contravention of the same provision, he shall, on the second and on every subsequent conviction, be

punishable with imprisonment for a term which shall not be less than 2[two years] but which may extend to seven years and with fine:

Provided that for the purpose of this section no cognizance shall be taken of any conviction made more than two years before the commission of the offence which is being punished.

45A. PENALTY FOR CONTRAVENTION OF CERTAIN PROVISIONS OF THE ACT.

3[Whoever contravenes any of the provisions of this Act or fails to comply with any order or direction given under this Act, for which no penalty has been elsewhere provided in this Act, shall be punishable with imprisonment which may extend to three months or with fine which may extend to ten thousand rupees or with both and in the case of a continuing contravention or failure, with an additional fine which may extend to five thousand rupees for every day during which such contravention or failure continues after conviction for the first such contravention or failure.]

1Sub. by Act 53 of 1988, s.23, for ―six months‖.
2Subs. by s. 24, ibid., for "one year".

3Ins. by s. 25, ibid.,

46. PUBLICATION OF NAMES OF OFFENDERS.

If any person convicted of an offence under this Act commits a like offence afterwards it shall be lawful for the court before which the second or subsequent conviction takes place to cause the offender's name and place of residences, the offence and the penalty imposed to be published at the offender's expense in such newspapers or in such other manner as the court may direct and the expenses of such publication shall be deemed to be part of the cost attending the conviction and shall be recoverable in the same manner as a fine.

47. OFFENCES BY COMPANIES.

(1) Where an offence under this Act has been committed by a company, every person who at the time the offence was committed was in charge of, and was responsible to the company for the conduct of, the business of the company, as well as the company, shall be deemed to the guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act if he proves that the offence was committed without his knowledge for that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation--For the purpose of this section,--

(a) "company" means any body corporate, and includes a firm or other association of individuals; and

(b) "director" in relation to a firm means a partner in the firm.

48. OFFENCES BY GOVERNMENT DEPARTMENTS.

Where an offence under this Act has been committed by any Department of Government, the Head of the Department shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this section shall render such Head of the Department liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

49. COGNIZANCE OF OFFENCES.

1[(1) No court shall take cognizance of any offence under this Act except on a complaint made by--

(a) a Board or any officer authorised in this behalf by it; or

(b) any person who has given notice of not less than sixty days, in the manner prescribed, of the alleged offence and of his intention to make a complaint, to the Board or officer authorised as aforesaid,

and no court inferior to that of a Metropolitan Magistrate or a Judicial Magistrate of the first class shall try any offence punishable under this Act.]

2[(2) Where a complaint has been made under clause (b) of sub-section (1), the Board shall, on demand by such person, make available the relevant reports in its possession to that person:

Provided that the Board may refuse to make any such report available to such person if the same is, in its opinion, against the public interest.]

3[(3) Notwithstanding anything contained in section 29 of the Code of Criminal Procedure, 1973], (2 of 1974) it shall be lawful for any 4[Judicial Magistrate of the first class or for any Metropolitan Magistrate] to pass a sentence of imprisonment for a term exceeding two years or of fine exceeding two thousand rupees on any person convicted of an offence punishable under this Act.

1Subs. by Act 53 of 1988, s. 26 for sub-section (1).

2Ins by s. 26, ibid.

3Sub-section (2) renumbered as sub-section (3) by s. 26, ibid.
4Subs. by Act 44 of 1978, s. 19, for certain words.

50. MEMBERS, OFFICERS AND SERVANTS OF BOARD TO BE PUBLIC SERVANTS.

All members, officers and servants of a Board when acting or purporting to act in pursuance of any of the provisions of this Act (45 of 1860) and the rules made thereunder shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

CHAPTER VIII

MISCELLANEOUS

51. CENTRAL WATER LABORATORY.

(a) establish a Central Water Laboratory; or

(b) specify any laboratory or institute as a Central Water Laboratory, to carry out the functions entrusted to the Central Water Laboratory under this Act.

(2) The Central Government may, after consultation with the Central Board, make rules prescribing--

(a) the functions of the Central Water Laboratory;

(b) the procedure for the submission to the said laboratory of samples of water or of sewage or trade effluent for analysis or tests, the form of the laboratory's report thereunder and the fees payable in respect of such report;

(c) such other matters as may be necessary or expedient to enable that laboratory to carry out its functions.

52. STATE WATER LABORATORY.

(a) establish a State Water Laboratory; or

(b) specify any State laboratory or institute as a State Water Laboratory, to carry out the functions entrusted to the State Water Laboratory under this Act.

(2) The State Government may, after consultation with the State Board, make rules prescribing --

(a) the functions of the State Water Laboratory;

(b) the procedure for the submission to the said laboratory of samples of water or of sewage or trade effluent for analysis or rests, the form of the laboratory's report thereon and the fees payable in respect of such report;

(c) such other matters as may be necessary or expedient to enable that laboratory to carry out its functions.

53. ANALYSTS.

(1) The Central Government may, by notification in the Official Gazette appoint such persons as it thinks fit and having the prescribed qualifications to be Government analysts for the purpose of analysis of samples of water or of sewage or trade effluent sent for analysis to any laboratory established or specified under sub-section (1) of section 51.

(2) The State Government may, by notification in the Official Gazette, appoint such persons as it thinks fit and having the prescribed qualifications to be Government analysts for the purpose of analysis of water or of sewage or trade effluent sent for analysis to any laboratory established or specified under sub-section (1) of section 52.

(3) Without prejudice to the provisions of sub-section (3) of section 12, the Central Board or, as the case may be, the State Board may, by notification in the Official Gazette, and with the approval of the Central Government or the State Government, as the case may be, appoint such persons as it thinks fit and having the prescribed qualifications to be Board analysts for the purpose of analysis of samples of water or of sewage or trade effluent sent for analysis to any laboratory established or recognised under section 16, as the case may be, under section 17.

54. REPORTS OF ANALYSTS.

Any document purporting to be report signed by a Government analyst or, as the case may be, a Board analyst may be used as evidence of the facts stated therein in any proceeding under this Act.

55. LOCAL AUTHORITIES TO ASSIST.

All local authorities shall render such help and assistance and furnish such information to the Board as it may require for the discharge of its functions, and shall make available to the Board for inspection and examination such records, maps, plans and other documents as may be necessary for the discharge of its functions.

56. COMPULSORY ACQUISITION OF LAND FOR THE STATE BOARD.

Any land required by a State Board for the efficient performance of its function under this Act shall be deemed to be needed for a public purpose and such land shall be acquired for the State Board under the provisions of the Land Acquisition Act, 1894 (1 of 1894), or under any other corresponding law for the time being in force.

57. RETURNS AND REPORTS.

The Central Board shall furnish to the Central Government, and a State Board shall furnish to the State Government and to the Central Board such reports, returns, statistics, accounts and other information with respect to its fund or activities as that government, or, as the case may be, the Central Board may, from time to time, require.

58. BAR OF JURISDICTION.

No civil court shall have jurisdiction to entertain any suit or proceeding in respect of any matter which an appellate authority constituted under this Act is empowered by or under this Act to determine, and no injunction shall be granted by any court or other authority in respect of any action taken or to be taken in pursuance of any power conferred by or under this Act.

59. PROTECTION OF ACTION TAKEN IN GOOD FAITH.

No suit or other legal proceedings shall lie against the Government or any officer of Government or any member or officer of a Board in respect of anything which is in good faith done or intended to be done in pursuance of this Act or the rules made thereunder.

60. OVERRIDING EFFECT.

The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than this Act.

61. POWER OF CENTRAL GOVERNMENT TO SUPERSEDE THE CENTRAL BOARD AND JOINT BOARDS.

(1) If at any time the Central Government is of opinion --

(a) that the Central Board or any Joint Board has persistently made default in the performance of the functions imposed on it by or under this Act; or

(b) that circumstances exist which render it necessary in the public interest so to do,

the Central Government may, by notification in the Official Gazette, supersede the Central Board or such Joint Board, as the case may be, for such period not exceeding one year, as may be specified in the notification:

Provided that before issuing a notification under this sub-section for the reasons mentioned in clause (a), the Central Government shall give a reasonable opportunity to the Central Board or such Joint Board, as the case may be, to show cause why it should not be superseded and shall consider the explanations and objections if any, of the Central Board or such Joint Board, as the case may be.

(2) Upon the publication of notification under sub-section (1) superseding the Central Board or any Joint Board.

(a) all the members shall, as from the date of supersession vacate their offices as such;

(b) all the powers, functions and duties which may, by or under this Act, be exercised, performed or discharged by the Central Board or such Joint Board, shall until the Central Board or the Joint Board, as the case may be, is reconstituted

under sub-section (3) be exercised performed or discharged by such person or persons as the Central Government may direct;

(c) all property owned or controlled by the Central Board or such Joint Board shall until the Central Board or the Joint Board, as the case may be, is reconstituted under sub-section (3) vest in the Central Government.

(3) On the expiration of the period of supersession specified in the notification issued under sub-section (1), the Central Government may -

(a) extend the period of supersession for such further term, not exceeding six months, as it may consider necessary; or

(b) reconstitute the Central Board or the Joint Board as the case may be, by fresh nomination or appointment, as the case may be, and in such case any person who vacated his office under clause (a) of sub-section (2) shall not be deemed disqualified for nomination or appointment:

Provided that the Central Government may at any time before the expiration of the period of supersession, whether originally specified under sub-section (1) or as extended under this sub-section, take action under clause (b) of this sub-section.

62. POWER OF STATE GOVERNMENT TO SUPERSEDE STATE BOARD.

(1) If at any time the State Government is of opinion -

(a) that the State Board has persistently made default in the performance of the functions imposed on it by or under this Act; or

(b) that circumstances exist which render it necessary in the public interest so to do, the State Government may, by notification in the Official Gazette, supersede the State Board for such period, not exceeding one year, as may be specified in the notification.

Provided that before issuing a notification under this sub-section for the reasons mentioned in clause (a), the State Government shall give a reasonable opportunity to the State Board to show cause why it should not be superseded and shall consider the explanation and objections, if any, of the State Board.

(2) Upon the publication of a notification under sub-section (1) superseding the State Board, the provisions of sub-section (2) and (3) of section 61 shall apply in relation to the supersession of the State Board as they apply in relation to the supersession of the Central Board or a Joint Board by the Central Government.

63. POWER OF CENTRAL GOVERNMENT TO MAKE RULES.

(1) The Central Government may, simultaneously with the constitution of the Central Board, make rules in respect of the matters specified in sub-section (2);

Provided that when the Central Board has been constituted, no such rule shall be made, varied, amended or repealed without consulting the Board.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely : -

(a) the terms and conditions of service of the members (other than the chairman and member –secretary) of the Central Board under sub-section (8) of section 5;

(b) the intervals and the time and place at which meetings of the Central Board or of any committee thereof consitituted under this Act, shall be held and the procedure to be followed at such meetings, including the quorum necessary for the

transaction of business under section 8, and under sub-section (2) of section 9;

(c) the fees and allowances to be paid to such members of a committee of the Central Board as are not members of the Board under sub-section (3) of section 9;

1[(d) the manner in which and the purposes for which persons may be associated with the Central Board under sub-section (1) of section 10 and the fees and allowances payable to such persons;]

(e) the terms and conditions of service of the chairman and the member secretary of the Central Board under sub-section (9) of section 5 and under sub-section (1) of section 12;

(f) conditions subject to which a person may be appointed as a consulting engineer to the Central Board under sub-section (4) of section 12;

(g) the powers and duties to be exercised and performed by the chairman and member secretary of the Central Board;

2 * * *

(j) the form of the report of the Central Board analyst under sub-section (1) of section 22;

(k) the form of the report of the Government analyst under sub-section (1) of section 22;

3[(l) the form in which the time within which the budget of the Central Board may be prepared and forwarded to the Central Government under section 38;

(ll) the form in which the annual report of the Central Board may be prepared under Section 39;]

(m) the form in which the accounts of the Central Board may be maintained under section 40;

4[(mm) the manner in which notice of intention to make a compliant shall be given to the Central Board or officer authorized by it under Section 49;]

(n) any other matter relating to the Central Board, including the powers and functions of that Board in relation to Union Territories;

(o) any other matter which has to be, or may be prescribed.

1Subs. by Act 44 of 1978, s.20, for cl .(d).
2Cls (h) and (i) omitted by s. 20, ibid
3Subs. by Act 53 of 1988, s.27
4Ins. by s.27, ibid.

(3) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, 1[before the expiry of the session immediately following the session or the successive session aforesaid], both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be ; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

64. POWER OF STATE GOVERNMENT TO MAKE RULES.

(1) The State Government may, simultaneously with the constitution or the State Board, make rules to carry out the pruposes of this Act in respect of matters not falling within the purview of section 63;

Provided that when the State Board has been constituted, no such rule shall be made, varied amended or repealed without consulting that Board.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely : -

(a) the terms and conditions of service of the members (other than the chairman and the member–secretary) of the State Board under sub-section (8) of section 5;

(b) the time and place of meetings of the State Board or of any committee of that Board constituted under this Act and the procedure to be followed at such meeting, including in quorum necessary for the transaction of business under section 8 and under sub-section (2) of Section 9;

(c) the fees and allowances to be paid to such members of a committee of the State Board as are not members of the Board under sub-section (3) of section 9;

(d) the manner in which and the purposes for which persons may be associated with the State Board under sub-section (1) of section 10 2[and the fees and allowances payable to such persons];

(e) the terms and conditions of service of the Chairman and member secretary of the State Board under sub-section (9) of section 5 and under sub-section (1) of section 12;

1Subs. by Act 44 of 1978, s.20, for certain words
2Ins. by Act 44 of 1978, s. 21

(f) the conditions subject to which a person may be appointed as a consulting engineer to the State Board under sub-section (4) of section 12;

(g) the powers and duties to be exercised and discharged by the chairman and member secretary of the State Board;

(h) the form of the notice referred to in section 21;

(i) the form of the report of the State Board analyst under sub-section (3) of section 22;

(j) the form of the report of the Government analyst under sub-section (3) of section 22;

(k) the form of application for the consent of the State Board under sub-section (2) of section 25 and the particular it may contain;

(l) the manner in which inquiry under sub-section (3) of section 25may be made in respect of an application for obtaining consent of the State Board and the matters to be taken in to account in granting or refusing such consent;

(m) the form and manner in which appeals may be filed, the fees payable in respect of such appeals and the procedure to be allowed by the appellate authority in disposing of the appeals under sub-section (3) of section 28;

1[(n) the form in which and the time within which the budget of the State Board may be prepared and forwarded to the State Government under section 38;

(nn) the form in which the annual report of the State Board may be prepared under section 39;]

(o) the form in which the accounts of the State Board may be maintained under sub-section (1) of section 40;

2[(oo) the manner in which notice of intention to make a complaint shall be given to the State Board or officer authorised by it under section 49;]

(p) any other matter which has to be, or may be, prescribed.

1Sub. by Act 53 of 1988, s.28 for cl. (n)
2Ins. by s. 28, ibid.

THE WATER (PREVENTION AND CONTROL OF

POLLUTION) RULES, 1975

[Dated the 27th February, 1975]

1[G.S.R. 58(E).-In exercise of the powers conferred by section 63 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) the Central Government after consultations with 2[Central Pollution Control Board], hereby makes the following rules, namely:-

CHAPTER1

PRELIMINARY

1. SHORT TITLE AND COMMENCEMENT.

(1) These rules may be called the Water (Prevention and Control of Pollution) Rules, 1975.

2. DEFINITIONS.

In these rules unless the context otherwise requires:

(a) "Act" means the Water (Prevention and Control of Pollution) Act, 1974

(b) "Chairman" means the Chairman of the Central Board;

(c) "Central Board Laboratory" means a laboratory established or recognised as such under sub-section (3) of section 16;

(d) "Central Water Laboratory" means a laboratory established or specified as such under sub-section (I) of section 51;

(e) "Form" means a form set out in Schedule I;

1**Source**: Gazette of India, Extraordinary, 1975, Pt. II-Section 3, sub-section (i) Page 293. 2Substituted by Act 53 of the 1988, Section 2.

(f) "Member" means a member of the Central Board and includes the Chairman thereof;

(g) "Member-Secretary" means the Member-Secretary of the Central Board;

(h) "Section" means a section of the Act;

(i) "Schedule" means a schedule appended to these rules;

(j) "Year" means the financial year commencing on the first day of April.

CHAPTER 2

TERMS AND CONDITIONS OF SERVICE OF THE MEMBERS OF THE

CENTRAL BOARD AND OF COMMITTEES OF CENTRAL BOARD

3. SALARIES, ALLOWANCES AND OTHER CONDITIONS OF SERVICE OF THE CHAIRMAN.

(1) The Chairman shall be paid a fixed monthly salary of Rs. 3000.

1[(2) (a) in addition to the salary specified in sub-rule (1), the chairman shall be entitled to city compensatory allowance and house rent allowance as admissible to a Central Government servant in terms of Ministry of Finance (Department of Expenditure) O.M. No. 2(3)-E. II(B)/64, dated the 27th November, 1965.

Provided that where the Chairman is allotted an accommodation by the Central Government, he shall not be entitled to house rent allowance and shall be required to pay ten per cent of the emoluments drawn by him as house rent or license fee.

(b) in respect of journeys undertaken by the Chairman in connection with his duties as Chairman, he shall be entitled to travelling allowance and daily allowance at the rates permissible in the case of a government officer of equivalent rank under the Supplementary Rules of the Central Government:

(c) the Central Board shall provide to the Chairman, medical facilities as admissible to an office of the Central Government drawing salary of Rs. 3000/- per mensem.]

(3) Notwithstanding anything contained in sub-rules (1) and (2), where a Government servant is appointed as Chairman, the terms and conditions of his service shall be such as may be specified by the Central Government from time to time.

1Substituted by G.S.R. 515 (E), dated 30.10.1978.

4. SALARIES, ALLOWANCES AND OTHER CONDITIONS OF SERVICE OF MEMBER-SECRETARY.

(l) The Member-Secretary shall be paid a monthly pay in the scale of Rs. 2250-125-2500.

(2) (a) In addition to the salary specified in sub-rule (1) the Member-Secretary shall be entitled to city compensatory allowance and house rent allowance as admissible to a Central Government servant in terms of Ministry of Finance (Department of Expenditure) O.M. No. 2(3)-E. II(b)/64, dated the 27th November, 1965:

Provided that where the Member-Secretary is allotted an accommodation by the Central Government he shall not be entitled to house rent allowance and shall be required to pay ten per cent-of the emolument drawn by him as house rent or license fee.

(b) in respect of journeys undertaken by the Member-Secretary in connection with his duties as Member-Secretary he shall be entitled to travelling allowance and daily allowance at the rates permissible in the case of a Government Officer of equivalent rank under the Supplementary Rules of the Central Government;

(c) the Central Board shall provide to the Member-Secretary, medical facilities as admissible to an officer of the Central Government drawing salary in the scale of Rs. 2250-2500 per mensem.

(d) the other terms and conditions of service of the Member-Secretary including allowances payable to him, shall be, as far as may be, the same as are applicable to a Grade I Officer of corresponding status of the Central Government.

(3) Notwithstanding anything contained in sub-rules (I) and (2) where a Government servant is appointed as Member-Secretary, the terms and conditions of his service shall be such as may be specified by the Central Government from time to time.

5. TERMS AND CONDITIONS OF SERVICE OF MEMBERS OF THE CENTRAL BOARD.

(1) Non-official members of the Central Board resident in Delhi shall be paid an allowance of rupees seventy five per day for each day of the actual meetings of the Central Board.

(2) Non-official members of the Central Board, not resident in Delhi shall be paid an allowances of rupees 1[seventy five] per day (inclusive of daily allowance) for each

1Substituted by G.S.R. 352, dated 21.2.1976.

day of the actual meetings of the Central Board and also travelling allowance at such rate as is admissible to a Grade I officer of the Central Government.

Provided that in case of a member of Parliament who is also a member of the Central Board, the said daily and travelling allowance 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.

6. FEES AND ALLOWANCES TO BE PAID TO SUCH MEMBERS OF A COMMITTEE OF THE CENTRAL BOARD AS ARE NOT MEMBERS OF THE BOARD UNDER SUB-SECTION (3) OF SECTION 9.

A member of a committee of the Central Board shall be paid in respect of meetings of the committee travelling and daily allowances, if he is a non-official, at the rates specified in rule 5, as if he were a member of the Central Board and, if he is a Government servant, at the rates, admissible under the relevant rules of the respective government under whom he is serving.

CHAPTER3

POWERS AND DUTIES OF THE CHAIRMAN AND MEMBER SECRETARY AND APPOINTMENTS OF OFFICERS AND EMPLOYEES

7. POWERS AND DUTIES OF THE CHAIRMAN.

(1) The Chairman shall have overall control over the day-to-day activities of the Central Board.

(2) (i) The Chairman may undertake tours within India for carrying out the functions of the Central Board:

Provided that he shall keep the Central Government (Secretary to the Ministry of Works and Housing) and the Central Board, informed of his tours.

(ii) The Chairman may, with the prior approval of the Central Government, visit any country outside India.

(3) * * * * 1

(4) In the matter of acceptance to tenders, the Chairman shall have full powers subject to the concurrence of the Central Board:

1Omitted by G.SR. 36 (E) dt. 29-1-81.

Provided that no such occurrence is required for acceptance of tenders upto an amount of rupees one thousand in each case.

(5) Subject to overall sanctioned budget provision, the Chairman shall have full powers to administratively approve and sanction all estimates.

8. CREATION AND ABOLITION OF POSTS.

The Central Board may create such posts as it considers necessary for the efficient performance of its functions and may abolish any post, so created:

Provided that for the creation of, and appointment to, posts, the maximum of the scale of which is above Rs. 1,600 per month, the Central Board shall obtain prior sanction of the Central Government.

9. POWERS AND DUTIES OF THE MEMBER-SECRETARY.

The Member-Secretary shall be subordinate to the Chairman and shall, subject to the control of the Chairman, exercise the following powers, namely:-

(1) The Member-Secretary shall be in charge of all the confidential papers of the Board and shall be responsible for preserving them.

(2) The Member-Secretary shall produce such papers whenever so directed by the Chairman or by the Central Board.

(3) The Member-Secretary shall make available to any member of the Central Board, for his perusal, any record of the Board.

(4) The Member-Secretary shall be entitled to call for the services of any officer or employee of the Central Board, and files, papers and documents for study from any department of the Board, as also to carry out inspection of any department at any time including checking of accounts, vouchers, bills and others records and stores pertaining to the Board or regional offices thereunder.

(5) The Member-Secretary may withhold any payment:

Provided that as soon as may be 1[and in any case not later than three months] after such withholding of payment the matter shall be placed before the Central Board for its approval:

(6) The Member-Secretary shall make all arrangements for holding meetings of the Central Board and meetings of the Committees constituted by the Central Board.

1Subs. by G.S.R. 352 dated 21-2-1976.

(7) All orders or instructions to be issued by the Central Board shall be over the signature of the Member-Secretary or of any other officer authorised in this behalf by the Chairman.

(8) The Member-Secretary shall authorise, sanction or pass all payments against allotments made or estimates sanctioned.

(9) The Member-Secretary shall write and maintain confidential reports of all Class I and Class II officers of the Central Board and shall get them countersigned by the Chairman.

(10) The Member-Secretary shall countersign the confidential reports of all the Class III employees of the Central Board.

(11) (i) The Member-Secretary shall sanction the annual increments of the Class I and Class II officers of the Central Board:

Provided that the increment of Class I and Class II officers shall be withheld only with the approval of the Chairman.

(ii) The annual increment of other employees of the Central Board not referred to in clause (i) shall be sanctioned by officers authorised in this behalf by the Member-Secretary.

(12) The Member-Secretary shall have full powers for according technical sanction to all estimates.

(13) The Member-Secretary shall exercise such other powers and perform such other functions as may be delegated to him from time to time either by the Board or by the Chairman.

CHAPTER 4

TEMPORARY ASSOCIATION OF PERSONS WITH CENTRAL BOARD

10. MANNER AND PURPOSE OF ASSOCIATION OF PERSONS WITH CENTRAL BOARD.

(1) The Central Board may invite any persons, whose assistance or advice it considers useful to obtain in performing any of its functions, to participate in the deliberations of any of its meetings.

(2) If the person associated with the Board under sub-rule (1) happens to be a non-official, resident in Delhi, he shall be entitled to get an allowance of 1[rupees seventy five] per day for each day of actual meeting of the Central Board in which he is so associated.

1Sub. by G.S.R. 352, dated 21-2-1976.

(3) If such person is non-resident in 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 in which he is so associated and also to travelling allowance at such rates as admissible to a Grade I Officer of the Central Government.

(4) Notwithstanding anything in sub-rule (2) and (3), if such person is 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.

CHAPTER 5

CONSULTING ENGINEER

11. APPOINTMENT OF CONSULTING ENGINEER.

For the purpose of assisting the Central Board in the performance of its functions, the Board may appoint a consulting engineer to the Board for a specified period not exceeding four months:

Provided that the Board may, with the prior approval of the Central Government extend the period of the appointment from time to time:

Provided further that if at the time of the initial appointment the Central Board had reason to believe that the services of the consulting engineer would be required for a period of more than four months, the Central Board shall not make the appointment without the prior approval of the Central Government.

12. POWER TO TERMINATE APPOINTMENT.

Notwithstanding the appointment of a consulting engineer for a specified period under rule 11, the Central Board shall have the right to terminate the services of the-consulting engineer before the expiry of the specified period, if, in the opinion of the Board, the consulting engineer is not discharging his duties properly or to the satisfaction of the Board or such a course of action is necessary in the public interest.

1[Provided that the services of a consulting engineer shall not be terminated under this rule by the Central Board except after giving him a reasonable opportunity of showing cause against the proposed action.]

1Sub. by G.S.R. 352, dated 21-2-1976.

13. EMOLUMENTS OF THE CONSULTING ENGINEER.

The Central Board may pay the consulting engineer suitable emoluments or fees depending on the nature of work, and the qualifications and experience of the consulting engineer.

Provided that the Central Board shall not appoint any person as consulting engineer without the prior approval of the Central Government if the emoluments or fees payable to him exceeds rupees two thousand per month.

14. TOURS BY CONSULTING ENGINEER.

The consulting engineer may undertake tours within the country for the performance of the duties entrusted to him by the Central Board and in respect of such tours he shall be entitled to travelling and daily allowances as admissible to a Grade I officer of the Central Government. He shall, however, get the prior approval of the Member-Secretary to his tour programme.

15. CONSULTING ENGINEER NOT TO DISCLOSE INFORMATION.

The consulting engineer shall not disclose any information either given by the Central Board or obtained during the performance of the duties assigned to him either from the Central Board or otherwise, to any person other than the Central Board without the written permission of the Board.

16. DUTIES AND FUNCTIONS OF THE CONSULTING ENGINEER.

The consulting engineer shall discharge such duties and perform such functions as are assigned to him, by the Central Board and it will be his duty to advice the Board on all technical matters referred to him by the Board.

CHAPTER 6

BUDGET OF THE CENTRAL BOARD

17. FORM OF BUDGET ESTIMATES.

(1) The budget in respect of the year next ensuing showing the estimates receipts and expenditure of the Central Board shall be prepared in Forms I, II, III and IV and submitted to the Central Government.

(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.

18. SUBMISSION OF BUDGET ESTIMATES TO THE CENTRAL BOARD.

(1) The budget estimates as compiled in accordance with rule 17 shall be placed by the Member-Secretary before the Central Board by the 5th October each year for approval.

(2) After approval of the budget estimates by the Central Board, four copies of the final budget proposals incorporating therein such modifications as have been decided upon by the Central Board shall be submitted to the Central Government by the l5th October each year.

19. ESTIMATES OF ESTABLISHMENT EXPENDITURE AND FIXED RECURRING CHARGES.

(1) The estimates of expenditure on fixed establishment as well as fixed monthly recurring charges on account of rent, allowances, etc., shall provide for the gross sanctioned pay without deductions of any kind.

(2) To the estimates referred to in sub-rule (1) shall be added a suitable provision for leave salary based on past experience with due regard to the intention of the members of the staff in regard to leave as far as the same can be ascertained.

(3) If experience indicates that the total estimate for fixed charges referred to in sub-rules (l) and (2) is not likely to be fully utilised, a suitable lump deduction shall be made from the total amount estimated.

20. RE-APPROPRIATIONS AND EMERGENT EXPENDITURE.

No expenditure which is not covered by a provision in the sanctioned budget estimates, or which is likely to be in excess over the amount provide under any head, shall be incurred by the Central Board without provision being made by re-appropriation from some other head under which saving are firmly established and available.

21. POWER TO INCUR EXPENDITURE.

The Central Board shall incur expenditure out of the funds received by it in accordance with the instructions laid down under the General Financial Rules of the Central Government and other instructions issued by that Government from time to time.

22. OPERATION OF FUND OF THE CENTRAL BOARD.

The fund of the Central Board shall be operated by the Member-Secretary of the Central Board or in his absence by any officer of the Central Board who may, subject to the approval of the Central Government, be so empowered by the Central Board.

23. SAVING.

Nothing in this Chapter shall apply to a budget already finalised before the commencement of these rules.

CHAPTER 7

ANNUAL REPORT OF THE CENTRAL BOARD

24. FORM OF THE ANNUAL REPORT.

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 the 1[Schedule III].

CHAPTER8

ACCOUNT OF THE CENTRAL BOARD

25. FORM OF ANNUAL STATEMENT OF ACCOUNTS OF THE CENTRAL BOARD.

Theannualstatement of accounts of the Central Board shall, be in Forms V to IX.

CHAPTER 9

REPORT OF CENTRAL BOARD ANALYST 2[AND THE

QUALIFICATIONS OF ANALYSTS]

26. FORM OF REPORT OF CENTRAL BOARD ANALYST.

When a sample or any water, sewage or trade effluent has been sent for analysis to a laboratory established or recognised by the Central Board, the Central Board analyst appointed under sub-section (3) of section 53 shall analyse the sample and submit to the Central Board a report in triplicate in

Form X of the result of such analysis.

1Omitted by G.S.R. 717(E) dt. 27-7-89.
2Subs. by G.S.R. 377(E) dt 20-7-78.

1[26A. QUALIFICATIONS OF ANALYSTS.

Persons possessing the following qualifications are eligible for appointment as Government analysts or as Board analysts under sub-section (I) or sub-section (3), as the case may be, of section 53, namely:

Essential:- (i) M.Sc. Degree in Chemistry or equivalent or Bachelor Degree in Chemical Engineering or Bio-chemical Engineering; and

(ii) 10 years' experience in analysis of water, sewage or industrial wastes in teaching, research or Government Laboratory.

Desirable.- (i) Doctorate Degree in Chemistry or Bio-chemistry or Master's Degree in Chemical Engineering or Bio-chemical Engineering;

(ii) Evidence of published papers in the field.]

CHAPTER 10

CENTRAL WATER LABORATORY

27. FUNCTIONS OF THE CENTRAL WATER LABORATORY.

The Central Water Laboratory shall cause to be analysed any samples of water, sewage or trade effluent received by it from any officer authorised by the Central Board for the purpose, and the findings shall be recorded in triplicate in

Form XI.

2[28. FEE FOR REPORT.

The fees payable in respect of each report of the Central Water Laboratory on any analysis or test mentioned in column (2) of Schedule IV shall be at the rates specified in the corresponding entry in column (3) thereof.]

CHAPTER 11

POWERS AND FUNCTIONS OF THE CENTRAL BOARD IN RELATION TO UNION TERRITORIES

29. CENTRAL BOARD TO ACT AS STATE BOARD FOR UNION TERRITORIE5S.

The Central Board shall act as State as State Board for Union territories under sub-section (4) of section 4.

1Instituted by G.S.R. 1260 dt. 17-8-76.
2Sub. by G.S.R. 377(E) dt. 20-7-78.

30. POWER TO TAKE SAMPLES.

The Central Board or any officer empowered by it in this behalf. Shall have power to take for the purpose of analysis samples of water from any stream or well or samples of sewage or trade effluent which is passing from any plant or vessel or from or over any place into any such stream or well in any Union territory.

31. FORM OF NOTICE.

A notice under clause (a) of sub-section (3) of section 21 shall, in the case of a Union territory, be in

Form XII.

1[32. APPLICATION OF CONSENT.

An application for obtaining the consent of the Central Board for establishing or taking any steps to establish any industry, operation or process or any treatment and disposal system or any extension or addition thereto, which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land (such discharge being hereinafter in this Rule referred to as discharge of sewage); or for bringing into use any new or altered outlet for the discharge of sewage or beginning to make any new discharge of sewage under section 25 or for continuing an existing discharge of sewage under section 26 shall be made to the Central Board in

Form XIII.]

33. PROCEDURE FOR MAKING INQUIRY INTO APPLICATION FOR CONSENT.

(1) On receipt of an application for consent under section 25 or section 26, the Central Board may depute any of its Officers, accompanied by as many assistants as may be necessary, to visit to the premises of the applicant, to which such application relates, for the purpose of verifying the correctness or otherwise of the particulars furnished in the application or for obtaining such further particulars or information as such officer may consider necessary. Such officer may for that purpose inspect any place where water or sewage or trade effluent is discharged by the applicant, or treatment plants, purification works or disposal systems of the applicant and may require the applicant to furnish to him any plans, specifications and other data relating to such treatment plants, purification works or disposal systems or any part thereof, that he considers necessary.

(2) Such officer shall before visiting any premises of the applicant for the purpose of inspection under sub-rule (1) above, give notice to the applicant of his intention to do so in

Form XIV. The applicant shall furnish to such officer all facilities that such officer may legitimately require for the purpose.

1Subs. by G.S.R. 717(E} dt. 27-7-89.

(3) An officer of the Central Board may, before or officer carrying out an inspection under sub-rule (1) above, require the applicant to furnish to him, orally or in writing such additional information or clarification, or to produce before him such documents, as he may consider necessary for the purpose of investigation of the application and may, for that purpose, summon the applicant or his authorised agent to the office of the Central Board.

1[34. DIRECTIONS.

(1) any direction issued under section 33A shall be in writing.

(2) The direction shall specify the nature of action to be taken and the time within which it shall be complied with by the person, officer or the authority to whom such direction is given.

(3) The person, officer or authority to whom any direction is sought to be issued shall be served with a copy of the proposed-direction and shall be given an opportunity of not less than fifteen days from the date of service of a notice to file with an officer designated in this behalf the objections, if any, to the issue of the proposed direction.

(4) Where the proposed direction is for the stoppage or regulation of electricity or water or any other services affecting the carrying on an industry, operation or process and is sought to be issue to an officer or an authority, a copy of the proposed direction shall also be endorsed to the occupier of the industry, operation or process, as the case may be, and objections, if any, filed by the occupier with an officer designed in this behalf shall be dealt with in accordance with the procedures under sub-rules (3) and (5) of this rule:

Provided that no opportunity of being heard shall be given to the occupier, if he had already been heard earlier and the proposed direction referred to in sub-rule (3) above for the stoppage or regulation of electricity or water or any other service was the resultant decision of the Central Board after such earlier hearing.

(5) The Central Board shall within a period of 45 days from the date of receipt of objections, if any, or from the date upto which an opportunity is given to the person, officer or authority to file objections whichever is earlier, after considering the objections, if any, sought to be directed and for reasons to be recorded in writing, confirm, modify or decide not to issue the proposed direction.

(6) In a case where the Central Board is of the opinion that in view of the likelihood of the grave injury to the environment it is not expedient to provide an opportunity to file objections against the proposed direction, it may, for reasons to be recorded in writing, issue directions without providing such an opportunity.

1Ins. by G.S.R. 717(E) 27-7-89.

(7) Every notice or direction required to be issued under this rule shall be deemed to be duly served:-

(a) Where the person to be served is a company, if the document is addressed in the name of the company and its registered office or at its principal office or place of business and is either-

(i) sent by registered post; or

(ii) delivered at its registered office or at the principal office or place or business;

(b) Where the person to be served is an officer serving Government, if the document is addressed to the person and a copy thereof is endorsed to his Head of the Department and also to the Secretary to the Government as the case may be, in charge of the Department in which for the time being the business relating to the Department in which the officer is employed is transacted and is either-:

(i) sent by registered post, or

(ii) is given or tendered to him;

(c) in any other case, if the document is addressed to the person to be served and-

(i) is given or tendered to him, or

(ii) if such persons cannot be found, is affixed on some conspicuous part of his last known place of residence or business or is given or tendered to some adult members of his family or is affixed on some conspicuous part or the land or building, if any, to which it relates, or

(iii) is sent by registered post to that person.

Explanation:- For the purpose of this sub-rule:-

(a) "company" means by body corporate and includes a firm or other association of individuals;

(b) "a servant" is not a member of the family.]

1[35. MANNER OF GIVING NOTICE.

The manner of giving notice under clause (b) of sub-section (1) of section 49 shall be as follows, namely:-
(1) The notice shall be in writing in

Form XV;
(2) If the alleged offence has taken place in a Union Territory, the person giving notice may sent notice to:-
(i) the Central Board, and
(ii) the Ministry of Environmental and Forests (represented by the Secretary to the Government of India);
(iii) the Administrator of the Union Territory (represented by the Secretary Head in charge of Environment).

(3) The notice shall be sent by registered post acknowledgement due; and (4) The period of sixty days mentioned in clause (b) of sub-section (l) of section 49 of the Act, shall be reckoned from the date it is first received by one of the authorities mentioned in sub-rule (2).]

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1Ins. by G.S.R. 717(E) dL 27-7-89.

SCHEDULE I

FORM I
CENTRAL POLLUTION CONTROL BOARD
DETAILED BUDGET ESTIMATES FOR THE YEAR 19__
(See rule 17)
ADMINISTRATION
(Expenditure)

Head of Account	Actuals for the past three years			Sanctioned estimate for the current year 19_	Actuals of last six months i.e., year 19__ -19__	Actuals of last six months of the current year 19	Revised estimate for the current year 19	Budget estimate for the next year	Variations between columns 5 and 8	Variations between columns 8 and 9	Explanation for columns 10 and 11
	19	19	19								
1	2	3	4	5	6	7	8	9	10	11	12

FORM II
CENTRAL POLLUTION CONTROL BOARD
ESTABLISHMENT
Statement of details of provisions proposed for pay of officers/Establishment for the year 19-19 (See rule 17)

1	2	3	4	5	6	7
Name and designation	Reference to page of	Sanctioned Pay of the Post	Amount of	Increment falling due within the year	Total provision for the year,	Remarks

	estimate form			provision for the year at the rate in column 3(c)				i.e., total of columns 4&5 (c)	
		Min. Max-Actual pay of the person concerned due on Ist April Next year				Date of increment (a)	Rate of increment (b)	Amount of increment for the year (c)	
		(a)	(b)	(c)					

64	*The Water (Prevention and Control of Pollution) Rules, 1975*

FORM III

CENTRAL POLLUTION CONTROL BOARD

NOMINAL ROLLS

(See rule 17)

R.E. 19	__19	/B.E.	19__	__19

Name and designation	Pay	Dearness allowance	City Compensatory	House rent Allowance	Over-time Allowance	Children Educational	Leave travel concession	Other Allowance	Total
1	2	3	4	5	6	7	8	9	10
TOTAL									

The Water (Prevention and Control of Pollution) Rules, 1975	65

FORM IV

CENTRAL POLLUTION CONTROL BOAKD

ABSTRACT NOMINAL ROLLS

(See rule 17)

Actual	Particulars of posts	Sanctioned Budget	Revised Estimates	Budget Estimates	Explanation for the

sanctioned		Grant 19	-19	19	-19	19	-19	difference between
strength as								sanctioned Budget
on 1st		No. of posts	Pay and	No. of	Pay and	No. of	Pay and	Grant Revised
March, 19		included	allowances	posts	allowances	posts	allowances	Estimates and
				included		included		Budget Estimates
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 IV
(a) Posts filled
(b) Posts vacant
Total III Class IV

GRAND TOTAL -- I, II and III.

FORM V
CENTRAL POLLUTION CONTROL BOARD
Receipts and Payments for the year ended
(See rule 25)

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

1. Capital Expenditure___
(i) Works _____
(ii) Fixed Assets _____
(iii) Other Assets_____
(a) Laboratory Equipment
(b) Vehicles
(c) Furniture and Fixtures
(d) Scientific Instruments and
(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 _____

Total Deduct Recoveries_____

The Water (Prevention and Control of Pollution) Rules, 1975 67

(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
Appliance and repairs)
(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

FORM VI

CENTRAL POLLUTION CONTROL BOARD

ANNUAL STATEMENT OF ACCOUNT

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

(See rule 25)

Previous year	Expenditure Details	Total of sub-head	Total of major head	Previous year	Income Details	Total of sub-head	Total of major head
1	2	3	4	5	6	7	8
Rs.		Rs.	Rs.	Rs.		Rs.	Rs.
To REVENUE EXPENDITURE (A) Administrative: (i) Pay of Officers (ii) Pay of establishment (iii) Allowances & Honoraria (iv) Leave salary and Pension Contributions (v) Board's Contributions to the staff Provident Fund (vi) Contingent expenditure Deduct Recoveries (B) Running expenses of Laboratories: (i) Main Laboratory (ii) Payments to be made to Central Water Laboratory (C) Running and Maintenance of Vehicle (D) Maintenance and Repairs:					By (1) GRANTS RECEIVED (a)From Govt. (b)From other agencies. Total : Less: Amount utilized for Capital expenditure net grant available for Revenue expenditure (II) Fees:- (III) Service Rental charges. (IV) Fines and Forfeitures (V) Interest on investments (VI) Miscellaneous Receipts (VII) Excess of expenditure over income		

(i) Building and Land Drainage (ii) Works (iii) Furniture and Fixtures (iv) Scientific instruments and office appliances. (v) Tools and plant. (E) Temporary works (including Maintenance and Repairs) (F) Fees to Consultants and Specialists (G) Law Charges. (H) Depreciation: (i) Buildings. (ii) Laboratory Equipment. (iii) Vehicles. (iv) Furniture and Fixtures. (v) Scientific instruments and office appliances. (vi) Tools and plants. (I) Miscellaneous: (i) Write off of losses (as per details in the statement attached). (ii) Other miscellaneous expenditure. (J) Fees for Audit. (K) Excess of Income over expenditure. Total:	Total:

Accounts Officer	Member-Secretary	Chairman

70	*The Water (Prevention and Control of Pollution) Rules, 1975*

FORM VII
CENTRAL POLLUTION CONTROL BOARD
ANNUAL STATEMENT OF ACCOUNTS
Balance Sheet as at 31st March, 19. ..

(See rule 25)

Capital and Liabilities					Property and Assets		
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
(A) Capital Fund (i) Grants received from Govt. for					1. Works- (As per Form VIII)		

Capital expenditure. (a) Amount utilised upto 31st March 19_. (b) Unutilised balance on 31st March 19 (ii) Grant from other agencies for Capital expenditure (a) Amount utilised upto 31st March 19_ (b) Unutilised balance on 31st March 19_ (iii) Value of land provided by Govt. (per contra) (B) Capital Receipts- (C) (i) Deposits received for works from outside bodies- Expenditure-	2. Fixed Assets (As per Form IX) (a) Value of land provided by Govt. (at cost). (b) Buildings- Balance as per last Balance sheet Additions during the year Total _____ Less: _____ Depreciation during the year Total : _____ _____ 3. Other Assets (As per Form IX) (a) Laboratory Equipment as per last

(iii) Other deposits- (D) Amounts due- (i) Purchases (ii) Others (E) Excess of income over expenditure ___ (i) upto 31st March 19. . . (ii) Add for the year (iii) Deduct-Excess of Expenditure over income.	Balance sheet--additions during the year Total: _____ Less: _____ Depreciation during the year _____ Total _____ (b) Vehicles as per last balance sheet Additions during the year. Total: _____ Less: _____ Depreciation during the year Total _____ _____ c) Furniture and Fixture as per last balance sheet. Additions during the year Total: _____ Less: _____ Depreciation 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) Other amount recoverable. Cash- (a)Notice/Short Term Deposits (b)Cash at Bank (c)Cash in hand (d)Cash in transit Total: _____ _____
Total _____ _____	

Accounts Officer	Member Secretary	Chairman

FORM VIII

CENTRAL POLLUTION CON'TROL BOARD

ANNUAL STATEMENT OF ACCOUNT

Expenditure on works as on 31st March, 19

(Item l-Assets of the Balance Sheet)

(See Rule 25)

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

TOTAL

Accounts Officer	Member-Secretary	Chairman

FORM IX

CENTRAL POLLUTION CONTROL BOARD

Annual Statement of Accounts

Fixed Assets as on 31st March, 19__ (Item 2 Assets of the Balance Sheet)

Other Assets as on 31st March, 19__ (Item 3 Assets of the Balance Sheet)

(See Rule 25)

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

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FORM X

REPORT BY THE CENTRAL BOARD ANALYST

(See Rule 26)

Report No. _____
Dated the _____ 19_____

I hereby certify that I, (I)_____Central Board analyst duly appointed under sub-section (3) of section 53 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) received on the (II) _____ day of _____ 19__ from (III) _____ a sample of _____ for analysis. The sample was in a condition fit for analysis reported below;

I further certify that I have analysed the aforementioned sample on (IV) _____ and declare the result of the analysis reported below;

I further certify that I have analysed the aforementioned sample on (IV) _____ and declare the result of the analysis to be as follows :

(V)_____

_____

The condition of the seals, fastening and container on receipt was as follows:-

_____

_____

signed this _____ day of _____ 19__.

(*Signature*)
Central Board analyst.

Address_____

_____

To

_____

_____

_____

(I) Here write the full name of the Central Board-analyst.

(II) Here write the date of receipt of the sample.

(III) Here write the name of the Board or person or body of persons or officer from whom the sample was received.

(IV) Here write the date of analysis.

(V) Here write the details of the analysis and refer to the method of analysis. If the space is not adequate the details may be given on a separate sheet of paper.

FORM XI

REPORT BY THE GOVERNMENT ANALYST

(See rule 27)

Report No _____

Dated the _____19

I hereby certify that 1, (I) _____ Government analyst duly appointed under sub-section (I) of section 53 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) received on the (II) _____ day of _____ 19_____ from (III) a sample of _____ for analysis. The sample was in a condition for analysis reported below:

I further certify that I have analysed the aforementioned sample, on (IV) _____ and declare the result of the analysis to be as follows:-

(V)_____

_____

The condition of the seals, fastening and container on receipt was as follows:- _____

_____ signed this _____ day of _____ 19

(Signature)
(Government analyst)

Address _____ _____

To

_____ _____

_____ (I) Here write the full name of the Government analyst.

(II) Here write the date of receipt of the sample.

(III) Here write the name of the Board or person or body of persons or officer from whom the sample was received.

(IV) Here write the date of analysis.

(V) Here write the details of the analysis and refer to the method of analysis. If the space is not adequate and details may be given on a separate sheet of paper.

FORM XII

CENTRAL POLLUTION CONTROL BOARD

Notice of intention to have sample analysed

(See Rule 31)

To

_____

_____

_____

Take notice that it is intended to have analysed the sample of water/sewage effluent/trade effluent which is being taken today the _____ day of _____ 19__ from (1)

_____

_____

_____

Name and designation of the
person who takes the sample

(I) Here specify the stream, well, plant, vessel or place from where the sample is taken.

To

_____ _____

_____

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1[**FORM XIII**

Application for consent for establishing or taking any steps for establishment of Industry operation process or any treatment disposal system for discharge, continuation of discharge under section 25 or section 26 of the Water (Prevention and Control of Pollution) Act, 1974.

(See Rule 32)

Date _____

From

_____

_____

_____

To

The Member Secretary,
Central Pollution Control Board.

Sir,

I/We hereby apply for Consent/Renewal of Consent under section 25 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) for establishing or

taking	any	steps	for	establishment	of	Industry/operation	process	or	any

treatment/disposal system to bring into use any new/altered outlet for discharge of *sewage/trade effluent* to continue to discharge* sewage/trade effluent* from land/premises owned by_____.

The other relevant details are below:-

1. Full Name of the applicant _____ 2 Nationality of the applicant _____ 3. (a) Individual

(b) Proprietary concern

(c) Partnership firm

(whether registered or unregistered)

(d) Joint family concern

(e) Private Limited Company

(f) Public Limited Company

(g) Government Company

(1) State Government

(2) Central Government

(3) Union Territory

(h) Foreign Company

(if a foreign company, the details of registration, incorporation, etc.).

(i) Any other Association or Body

1Substituted by G.S.R.717(E), dated 27.7.1989

4. Name, Address and Telephone Nos. of Applicant.

(the full list of individuals partners persons Chairman (full-time or part-time Managing Directors, Managing Partners Directors (Full time or part-time) other kinds of office bearers are to be furnished with their period of tenure in the respective office with telephone Nos. and address).

5. Address of the Industry:

(Survey No. Khasra No. location as per the revenue records Village Firka Tehsil District. Police Station or SHO jurisdiction of the First-Class Magistrate).

6. Details of commissioning etc.:-

(a) Approximate date of proposed commissioning of work.

(b) Expected date of production:

7. Total number of employee expected to employed.

8. Details of licence, if any obtained under the provisions of Industrial Development Regulations Act, 1951.

9. Name of the person authorised to sign this form (the original authorisation except in the case of individual proprietary concern is to be enclosed).

10. (a) attach the list of raw materials and chemicals used per month.

(b) Licence Annual Capacity of the Factory/Industry.

11. State daily quantity of water in kilolitres utilised and its source (domestic/industrial process boiler Cooling others).

12. (a) State the daily maximum quantity of effluents quantity and mode of disposal (sewer or drains or river). Also attach analysis report of the effluents. Type of effluent quantity in kilolitres Mode of disposal.

(i) Domestic
(ii) Industrial.

(b) Quality of effluent currently being the discharged or expected to be discharged. (c) What monitoring arrangement is currently there or proposed.

13. State whether you have any treatment plant for industrial, domestic or combined effluents.

Yes/No

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If yes attach the description of the process of treatment in brief. Attach information on the quality of treated effluent vis-a-vis the standards.

14. State details of sold wastes generated in the process or during waste treatment. Description ..... Quantity ..... Method ..... Method of disposal

15. I/We further declare that the information furnished above is correct to the best of my/our knowledge.

16. I/We hereby submit that in case of change either of the point of discharge or the quantity of discharge or its quality a fresh application for CONSENT shall be made and until such CONSENT is granted no change shall be made.

17. I/We hereby agree to submit to the Central Board an application for renewal of consent one month in advance of the date of expiry of the consented period for outlet/discharge if to be continued thereafter.

18. I/We, undertake to furnish any other information within one month or its being called by the Central Board.

I9. I/We, enclose herewith cash receipt No./bank draft No. _____ dated _____ for Rs._____(Rupees_____) in favour of the Central Pollution Control Board, New Delhi, as fees payable under section 25 of the Act.

Yours faithfully,
signature of the applicant

Note: * Strike out which is not relevant.

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FORM XIV

CENTRAL POLLUTION CONTROL BOARD

NOTICE OF INSPECTION

[See Rule 33(2)]

Chairman
Shri Member-Secretary

Shri _____ _____ _____ No. _____ Dated _____ To

_____

_____

_____

TAKE NOTICE that for the purpose of enquiry under sections 25/26 the following officers Or the Central Board namely:-

(i) Shri _____ (ii) Shri_____ (iii) Shri_____ and the persons authorised by the Board to assist them shall inspect the

(a) Water works

(b) Sewage Works

(c) Waste treatment Plant

(d) Factory

(e) Disposal system

(f) Any other parts thereof or pertaining thereto under management/control on date(s) _____ between _____ hours when all facilities requested by them for such inspection should be made available to them on the site. Take Notice that refusal or denial to above stated demand made under the functions of the Central Board shall amount to obstruction punishable under section 42 of the Act.

By order of the Board.

Member-Secretary.

Copy to:

1. _____
2. _____
3. _____

SCHEDULE II

BUDGET AND ACCOUNT HEADS [(See Rule 17(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/Gratituties.

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.

1**[SCHEDULE III]**

(See Rule 24)

CENTRAL POLLUTION CONTROL BOARD

ANNUAL REPORT FOR THE FINANCIAL YEAR

APRIL 19... TO MARCH 31, 19...

CHAPTER-I Introduction

CHAPTER-2 Constitution of the Board including changes therein.

CHAPTER-3 Meetings 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.

[No. 2-20013/4/91-C.P.W.]

MUKUL SANWAL, Jt. Secy.

1 Substituted by Rule 2 of the Water (Prevention and Control of Pollution) Amendment Rules, 1992 notified vide G.S.R.

107(E) dated 18-2-1992.

1SCHEDULE IV

(See rule 28)

Rates of fees payable in respect of a report of the Central Water Laboratory

S .No.	**Nature of analysis**	**Rates of fees**
1	2	3
I	Chemical Analysis of Water	
	(a)	Rs. 56/- (for all the tests)
	Dissolved solids (at 103°-105°C)	
	P-alkalinity, as $CaCO_3$	
	M-alkalinity, as $CaCO_3$	
	Total hardness, as $CaCO_3$	
	Alkaline hardness, as $CaCO_3$	

	Non-alkaline hardness, as CaCO3	
	Calcium, as Ca	
	Magnesium, as Mg	
	Chlorides, as Cl	
	Sulphates, as SO4	
	Turbidity Units	
	pH	
	Appearance and colour in units (visual)	
	(b)	Rs. 100/- (for all the tests)
	Dissolved solids (at 103°-105°C)	
	asP-alkalinity, as CaCO3	
	M-alkalinity, as CaCO3	
	Total hardness, as CaCO3	
	Alkaline hardness, as CaCO3	
	Non-alkaline hardness, as CaCO3	
	Calcium, as Ca	
	Magnesium, as Mg	
	Sodium as Na	
	Potassium, as K	
	Iron as Fe	

1 Inserted by G.S.R.377(E), dated 20.7.1978

Manganese, as Mn
Chlorides, as Cl
Sulphates, as SO4
Fluorides as F
Nitrates, as N

Phosphates, as PO4
Turbidity, units
pH
Appearance and colour units (visual)
(c) Rs. 174/- (for all the tests) Dissolved solids
P-alkalinity, as CaCO3
M-alkalinity, as CaCO3
Free CO2 as CaCO3
Total hardness, as CaCO3
Alkaline hardness, as CaCO3
Non-alkaline hardness, as CaCO3
Calcium, as Ca
Magnesium, as Mg
Sodium as Na
Potassium, as K
Iron as Fe
Manganese, as Mn
Chlorides, as Cl
Sulphates, as SO4
Fluorides as F
Nitrates, as N
Phosphates, as PO4
Silica as SiO2
Turbidity, units
pH
Langelier Index
Conductivity micromhos/cm

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Appearance and colour (visual)
Probable composition of residue

II	CaCO3	CaSO4	CaCl	SiO2	Rs. 72/- (for all the tests)
	MgCO3	MgSO4	MgC12	Fe2O3	
	Na2CO3	Na2SO4	NaCl	Mn2O2	
	K2CO3	K2SO4	KCl	A12O3	
	Chemical Analysis of Irrigation Waters				

Dissolved solids
PH
Boron, as B
Calcium, as Ca

Chloride, as Cl
Conductivity, micromohs/cm
Magnesium, as Mg
Potassium, as K
Sodium, as Na
Sulphates as SO4
Oil and Grease

III	Bacteriological Analysis of Potable Waters Rs. 50/- (for all the	Rs. 50/- (for all the tests)

tests).

Standard Plate Count
Coliform
EE Coli.

Fecal streptococci

IV	Distilled Water (as IS: 1070-1960)	Rs. 120/- (for each tests)
V	Sewage and Trade effluent	Rs. 60/- (for all the tests)

BOD 20°C 5 day pH
COD suspended solids (103°-105°C)
Colour (visual) units.

VI	Tests of water, sewage or trade effluent	Rs. 6/- (for each tests)

(a) Albuminoid nitrogen, as N
Ammoniacal nitrogen, as N
Carbon dioxide. as CO2

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Conductivity, micromhos/cm
Chlorides, as Cl
Chlorine demand
Dissolved Oxygen
Fluolide, as F
Langelier Index
Nitrate, N
Nitrate, as N
Permanganate value
Residual chlorine
Sodium, as Na
Sulphate (as SO4)
Dissolved solids (at 103°-105°C)
Tolal solids

Turbidity, as units
Volatile solids
pH
(b) Rs. 12/- (for each tests) Coliform MPN presumptive for waste effluents only.

Acids solubility test for sand and gravel
Available chlorinc in bleaching powder
Boron, as B
Calcium (titrimetric), as Ca
Iron, as Fe
Kjeldahl notrogen, as N
Loss on ignition
Magnesium (Titrimetric), as Mg
Manganese, as Mn
Silica, as SiO4
Potassium in sludge and waste water, as K
Sodium in sludge and waste waters, as Na
Soluble phosphate, as PO4
Sulphides, as S

Suspended solids
Total phosphorous
Volatile acids
Alkalinity (P&M)
Specific gravity

(c) heavy Metals (qualitative test) Aluminium (gravimetric)
Arsenic
Barium
Calcium
COD
Chromium
Copper
Cynide
Insecticides
Lead
Magnesium (gravimetric)
Mercury
Nickel
Selenium
Silver
Sulphate (gravimetric)
Zinc
Percent Sodium
Oil and Grease
Phenolic Substances.

Rs. 24/- (for each tests)

(d) Rs. 36/- (for each tests) BOD
Air Samples - analysis for:-
(i) Carbon dioxide
(ii) Carbon monoxide
(iii) Methane and
(iv) Oxygen

Total fluorides by distillation
(e) Rs. 40/- (for each tests) Sieve analysis
Conventional Marble Test
The Enslow Stability Indicator Test.

(f) Rs. 60/- (for each tests) Alum dose determination by jar test in water treatment
Alumino non-ferric (as per IS: 260- 1960)
Bioassay tests without chemical analysis (Tim value)
Plain settlement test of solution containing fines
Filter sand and gravel
Including sieve analysis, solubility in dilute HCL, loss on
ignition, and specific gravity.

(g) Rs. 96/- (for each tests) Alum
Jar test to evaluate optimum coagulant and coagulant aid doses
in water treatment
Alumino ferric (as per IS: 299-1962)
Lime
Detailed analysis
(h) Rs. 180/- (for each tests) Lead extraction test on UPVC pipe as per IS: 4985- 1963
(i) Rs. 240/- (for each tests) Scale deposits (detailed analysis)
(j) Rs. 40/- (for each tests) Attrition Test
(k) Rs. 60/- (for each tests) To find out correlation between Jackson Candle
Turbidity and Gravimetric Units.

FORM XV
(See Rule 35)
FORM OF NOTICE
(1)
By registered post Acknowledgement due From

_____

_____

_____

To

_____

_____

_____

Notice under section 49 of the Water (Prevention and Control of Pollution) Act, 1974.

Whereas an offence under the Water (Prevention and Control of Pollution) Act, 1974, has been committed/ is being committed by _____

(2) I/We hereby give notice of 60 days under section 49 of the Water (prevention and Control of Pollution) Act, 1974 of my/our intention to file a complaint in the court against _____

(2) for violation of section _____ of the Water (Prevention and Control of Pollution) Act, 1974.

In support of my/our notice, I am/we are enclosing the following documents (3) as evidence of proof of violation of the Water (Prevention and Control of pollution) Act, 1974.

Signature(s) Place_____
Date _____

Explanation:-

(1) In case the notice is given in the name of a company, documentary evidence authorising the person to sign the notice on behalf of the company shall be enclosed to this notice.

Company for this purpose means a company defined in Explanation to section 47 of the Act.

(2) Here give the name and address of the alleged offender. In case of manufacturing processing operating unit, indicate the name/location/nature of activity, etc.

(3) Documentary evidence shall include photographs/technical reports/health reports of the area etc. for enabling enquiry into the alleged violation/offence.

[No. Q-15011/3/88-CPW]
G. SUNDARAM, Jt. Secy.

THE CENRAL BOARD FOR THE
PREVENTION AND CONTROL OF WATER POLLUTION (PROCEDURE FOR TRANSACTION OF BUSINESS) RULES, 1975

CENTRAL POLLUTION CONTROL BOARD
(PROCEDURE FOR TRANSACTION OF BUSINESS) RULES, 19751 [Dated : 10th January, 1975]

G.S.R.3(E). - In exercise of the power conferred by section 63 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974), the Central Government after consultation with the 2[Central Pollution Control Board], hereby makes the following rules, namely :--

1. SHORT TITLE AND COMMENCEMENT.

(1) These rules may be called the Central Board for the Prevention and Control of Pollution (Procedure for Transaction of Business) Rules, 1975.

2. DEFINITIONS.

In these rules, unless the context otherwise requires --
(a) "Act" means the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);
(b) "Government" means the Central Government;
(c) "Chairman" means the Chairman of the Central Board;
(d) "Member" means a member of the Central Board and includes the Chairman thereof;
(e) "Member Secretary" means the Member Secretary of Central Board;
(f) "Meeting" means a meeting of the Central Board;
(g) "Section" means a section of the Act;

3. NOTICE OF MEETINGS.

(1) Meetings of the Central Board shall ordinarily be held at Delhi on such dates as may be fixed by the Chairman.

1Source: The Gazette of India. Extraordinary Part II, Section 3 Sub-Section (1) notified on 10.1.1975 2Substituted by Act 53 of 1988, Section 2.

(2) The Chairman shall, upon the 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 clear days' notice of a special meeting specifying the time and the place at which such meeting is to be held and the business to be transacted thereat, shall be given by the Member-secretary to the members.

(4) Notice of a 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, thinks fit.

(5) No member shall be entitled to bring forward for the consideration of the meeting any matter of which he has not given ten clear days' notice to the Member-secretary, unless the chairman, in his direction, permits him to do so.

1[(6) (a) The Central Board may adjourn its meetings from day to day or to any particular date.

(b) Where a meeting of the Central Board is adjourned from day to day, notice of such adjourned meeting shall be given to the Members available in the city, town or other place where the meeting which is adjourned if held, either by telephone or by special messenger and it shall not be necessary to give notice of the adjourned meeting to other Members.

(c) Where a meeting of the Central Board is adjourned not from day to day but from the day on which the meeting is held to another date, notice of such meeting shall be given to all the Members as provided in sub-rules (3) and (4).]

2[(7)] * * *

4. PRESIDING OFFICER.

Every meeting shall be presided over by the Chairman and, in his absence, by a Chairman for the meeting 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 presiding officer shall have a second or casting vote.

1Substituted by G.S.R. 1489, dated 11-10-1976.
2Omitted, ibid.

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 presiding officer shall adjourn the meeting and if a quorum is not present on the expiration of fifteen minutes from such adjournment the presiding officer shall adjourn the meeting to such hours on the following or on some other future date as he may fix.

(3) No quorum shall be necessary for the adjourned meeting.

(4) No matter which had not been on the agenda of the original meeting shall be discussed at such adjourned meeting.

1(5) (a) Where a meeting the Central Board is adjourned under sub- rule (2) for want of quorum to the following day, notice of such adjourned meeting shall be given to the Members available in the city, town or other place where the meeting which is adjourned is held, either by telephone or by special messenger and it shall not be necessary to give notice of the adjourned meeting to other Members.

(b) Where a meeting of the Central Board is adjourned under sub-rule (2) for want of quorum not to the following day but to another date, notice of such adjourned meeting shall be given to all the Members as provided in sub-rule (3) and (4).

7. MINUTES.

(1) Record shall be kept of the names of members who attend the meeting and of the proceedings at the meeting in a book to be maintained for that purpose by the Member-secretary.

(2) The minutes of the previous meeting shall be read at the beginning of the every succeeding meeting, shall be confirmed and signed by the presiding officer at such meeting.

(3) The proceedings shall be open to inspection by any member at the office of Central Board during office hours.

8. MAINTAINING ORDER AT MEETING.

The presiding officer shall preserve order at a meeting.

1Substituted by G.S.R.1489, dated 11-10-1976.

9. BUSINESS TO BE TRANSACTED AT MEETING.

Except with the permission of the 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.

(2) Either at the beginning of the meeting or after the conclusion of the debate on a motion during the meeting the presiding officer or a member may suggest a change in the order of business as entered in the agenda and if the meeting agrees, such a change shall take place.

11. PROCEDURE FOR TRANSACTION OF BUSINESS OF COMMITTEES CONSTITUTED BY THE BOARD.

(1) The time and place of the meetings of the committees constituted by the Central Board under sub-section (1) of Section 9 shall be as specified by the Chairman.

(2) The quorum for a meeting of a committee constituted under sub-section (1) of section 9 shall be one-half of the total number of members of the committee.

(3) Subject to sub-rule (1) and sub-rule (2) the meetings of any of the committees constituted under sub-section (1) of the section 9 shall, as far as may be governed by the rules applicable to the meetings of the Central Board.

[NO. Q.1505/16/74/EFQ]
S.CHAUDHURI, Jt. Secy.

NOTIFICATIONS
UNDER
THE WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974

CENTRAL POLLUTION CONTROL BOARD'S LABORATORIES

MINISTRY OF ENVIRONMENT & FORESTS

CENTRAL POLLUTION CONTROL BOARD

PART-III, SUB-SECTION 4

NOTIFICATION

New Delhi, 15TH JUNE, 2008

Legal/42(3)/87.- In exercise of the powers conferred under Sub-section 3 of Section 16 and Sub-section 2 of Section 17 read with Sub-section 4 of Section 4 of the Water (Prevention and Control of Pollution) Act, 1974 (Act 6 of 1974 alongwith Rule 28 of the Water (Prevention and Control of Pollution) Rules, 1975, and under Sub-section 3 of Section 16 of Air (Prevention and Control of Pollution) Act, 1981, (Act 14 of 1981), the Central Pollution Control Board has established the Board's Laboratories at the places mentioned in Schedule I.

2. The fee payable to the Central Pollution Control Board Laboratories in respect of each report of analysis for various analytical parameters and sampling charges for the water, wastewater, soil, hazardous waste, air/fugitive emissions, source emission, noise monitoring, auto exhaust monitoring and ambient air quality monitoring shall be as per Schedule II : Schedule of sampling and analysis charges for Environmental Samples.

3. The fee prescribed under Schedule II will be subject to revision.

4. This notification shall come into force w.e.f. 1.4.2008

SCHEDULE – I

SCHEDULE OF BOARD'S LABORATORIES

S. No.	Place	Address
1.	Delhi	Parivesh Bhawan, East Arjun Nagar, Shahadra, Delhi – 110032
2.	Kolkata	Zonal Office – Kolkata 247, Deshpran Sheshmal Road CIT Building, 1st Floor Kolkata – 700033

3.	Vododara	Zonal Office – Vadodara Synergy House – II Gorwa Subhanpura Road Vadodara – 390023
4.	Lucknow	Zonal Office – Lucknow Ground Floor, PICUP Bhawan Vibhuti Khand, Gomti Nagar Lucknow – 228010
5.	Bangalore	Zonal Office – Bangalore NISARGA Bhawan, A Block 1 & 2 Floor, Thimmaiah Main Road 7th D Cross, Shivanagar Bangalore – 560086
6.	Bhopal	Zonal Office – Bhopal 3rd Floor, Sahkar Bhawan North TT Nagar Bhopal – 462003
7.	Shillong	Zonal Office – Shillong Tumsir, Lumdiengob Lower Motinagar, Near Fire Brigade H. Q, Lumpyngngad Shillong – 793014

SCHEDULE OF SAMPLING AND ANALYSIS CHARGES FOR ENVIRONMENTAL SAMPLES

SCHEDULE -II

(Applicable w. e. f. April 01, 2008)

Note:(i) This schedule supersedes all schedules of sampling and analysis charges notified earlier as such earlier schedules stand cancelled & withdraw.

(ii) 50% discount on analytical charges shall be applicable for the samples forwarded from North-Eastern States.

A. SAMPLING CHARGES

(I)	Sampling charges for Ambient Air/Fugitive emission samples

S. No.	Type of sampling	Charges in Rs.
1.	**Air Monitoring**	
	(a) Sampling (upto each 8 hrs) for suspended particulate matter and gaseous pollutants	2000.00
	(b) Sampling (24 hrs) for suspended particulate matter and gaseous pollutants	6000.00
	(c) Sampling of Volatile Organic Compounds (VOCs)/ Benzene Toluene Xylene (BTX)	2000.00
	(d) Sampling of Poly Aromatic Hydrocarbons (PAHs)	2500.00

(II)	**Note:**	(i)	Transportation charges will be separate as per actual basis.
	(ii)		Sample analysis charges of respective parameters are separate as per list.
	Source Emission Monitoring/Sampling charges		

	Type of Sampling	Charges in Rs.
(a)	Sampling/measurement of Velocity, Flow rate, temperature and molecular weight of Flue Gas (each specific location/each sample in duplicate for the mentioned parameter)	5500.00
(b)	Sampling of SO2/NO2	2000.00
(c)	Sampling of PAHs	3000.00
(d)	Sampling of VOCs/BTX	3500.00

Note :	(i)	Transportation charges will be separate as per actual basis.
	(ii)	Sample analysis charges of respective parameters are separate as per list.

102 (III)	*Notifications under the Water (Prevention and Control of Pollution) Act, 1974* Noise Monitoring

Type of Sampling	Charges in Rs.
First Monitoring	4000.00
Each Subsequent Monitoring within same premises	2000.00
For 08 hours Continuous Monitoring or more	10,000.00

(IV)	**Note :**	(i)	Transportation charges will be separate as per actual basis.
	Sampling charges for water & wastewater samples		

S. No.	Type of sampling	Charges in Rs.
1.	**GRAB SAMPLING:** 1) Grab sampling/sample/place 2) For every additional Grab sampling/same place	550.00 250.00
2.	**COMPOSITE SAMPLING:** 1) Composite sampling/source/place upto 8 hrs. - do - upto 16 hrs. - do - upto 24 hrs. 2) For every additional composite sampling/same place but different source upto 8 hrs. - do - upto 16 hrs. - do - upto 24 hrs.	1000.00 2000.00 3000.00 550.00 1100.00 1650.00
3.	Flow Rate measurement/source - do - - once - every additional	400.00 150.00

(V)	**Note :**	(i)	Transportation charges will be separate as per actual basis.
	(ii)		Sample analysis charges of respective parameters are separate as per list.
	Sampling charges for Soil samples		

Type of Sampling	Charges in Rs.

Grab sampling/sample/place	600.00
For additional Grab sampling/same place	300.00

Note :	(i)	Transportation charges will be separate as per actual basis.
	(ii)	Sample analysis charges of respective parameters are separate as per list.

(VI) Hazardous Waste Sample collection charges at the premises of Industry/Import site/Disposal site

Type	**Charges in Rs.**
Integrated sample collection charges	1000.00

Note : (i) Transportation charges will be separate as per actual basis.

(ii) Sample analysis charges of respective parameters are separate as per list.

B. ANALYSIS CHARGES

1. Analysis charges of Ambient Air/ Fugitive Emission Samples

S. No.	**Parameters**	**Analysis charges per sample in Rs.**
1.	Ammonia	600.00
2.	Analysis using dragger (per tube)	400.00
3.	Benzene Toluene Xylene (BTX)	1000.00
4.	Carbon Monoxide	600.00
5.	Chlorine	600.00
6.	Fluoride (gaseous)	600.00
7.	Fluoride (particulate)	600.00
8.	Hydrogen Chloride	600.00
9.	Hydrogen Sulphide	600.00
10.	10. Lead & Other metals (per metal)	As mentioned in respective group at Clause 5.0

11.	NO2	600.00
12.	Ozone	1000.00
13.	13. Poly Aromatic Hydrocarbons (PAHs)	As mentioned in respective group at Clause 5.0
14.	14. Suspended Particulate Matter (SPM)	600.00
15.	15. Particulate Matter (PM2.5)	1000.00
16.	16. Respirable Suspended Particulate Matter (PM10)	600.00
17.	17. Sulphur Dioxide	600.00
18.	18. Volatile Organics Carbon	2000.00

104	*Notifications under the Water (Prevention and Control of Pollution) Act, 1974*

S. No.	**Parameters**	**Analysis charges per sample in Rs.**
19.	19. Trace Metals on air filter paper using EDXRF Aluminium, Antimony, Arsenic, Barium, Bromine, Cadmium, Calcium, Cesium, Chlorine, Chromium, Cobalt, Copper, Gallium, Germanium, Gold, Iodine, Iron, Lanthanum, Lead, Magnesium, Manganese, Molybdenum, Nickel, Palladium, Phosphorous, Potassium, Rubidium, Rutherfordium, Selenium, Silicon, Silver, Sodium, Strontium, Sulphur, Tellurium, Tin, Titanium, Tungsten, Vanadium, Ytterbium, and Zinc.	3000.00 Per filter paper
20.	Water Extractable ions in Air Particulate Matter using Ion Chromatograph (IC) (i). Processing / Pretreatment Charge per Sample (Filter Paper) (ii). Cations (Na+, NH4 +, K+, Ca++ & Mg++) and Anions (F-, Br-, Cl-, NO3-, NO2-, SO4- - & PO4- - -)	300.00 1200.00 (for 12 ions)
21.	21. Organic and Elemental Carbon (OC/EC) on quartz filter paper	2000.00

2. Analysis Charges for Source Emission Parameters

S. No.	**Parameters**	**Analysis Charges per test in Rs.**
1.	Acid Mist	600.00

2.	Ammonia	600.00
3.	Carbon Monoxide	600.00
4.	Chlorine	600.00
5.	Fluoride (Gaseous)	600.00
6.	Fluorides (Particulate)	600.00
7.	Hydrogen Chloride	600.00
8.	Hydrogen Sulphide	600.00
9.	Oxides of Nitrogen	600.00
10.	Oxygen	500.00
11.	Polycyclic Aromatic Hydrocarbons (Particulate)	As mentioned in respective group at Clause 5.0
12.	Suspended Particulate Matter	600.00
13.	Sulphur Dioxide	600.00
14.	Benzene Toluene Xylene (BTX)	1500.00
15.	Volatile Organic Compounds (VOCs)	3000.00

3. Ambient Air Quality Monitoring using on-line monitoring instruments by Mobile Van

Parameters	**Charges in Rs.**
PM 10, PM 2.5 , SO2, NOx, SPM, CO along with Meteorological data viz. temperature, Humidity, Wind speed, Wind direction	Rs.3,500/hour (minimum charges Rs.15,000/-) + Rs.50.00/km run of the van for 24 hours monitoring.

4.	**Auto Exhaust Monitoring -** One time checking of vehicular exhaust

Parameters	**Charges in Rs.**
Carbon Monoxide %	As per rate notified by Transport Department NCT Delhi
Hydrocarbon, PPM	

Smoke Density, HSU	

5. Analysis charges of Water & Wastewater samples

S. No.	Parameters	Analysis charges per test in Rs.
PHYSICAL PARAMETERS		
1.	Conductivity	60.00
2.	Odour	60.00
3.	Sludge Volume Index (S.V.I.)	200.00
4.	Solids (dissolved)	100.00
5.	Solids (fixed)	150.00
6.	Solids (volatile)	150.00
7.	Suspended Solids	100.00
8.	Temperature	60.00
9.	Total Solids	100.00
10.	Turbidity	60.00
11.	Velocity of Flow (Current Meter)	200.00
12.	Velocity of Flow (other)	550.00
1.	Acidity	100.00
2.	Alkalinity	100.00
3.	Ammonical Nitrogen	200.00
4.	Bicarbonates	100.00

S. No.	Parameters	Analysis charges per test in Rs.
5.	Biochemical Oxygen Demand (BOD)	600.00
6.	Bromide	100.00

7.	Calcium (titrimetric)	100.00
8.	Carbon Dioxide	100.00
9.	Carbonate	100.00
10.	Chloride	100.00
11.	Chlorine Demand	200.00
12.	Chlorine Residual	100.00
13.	Chemical Oxygen Demand (COD)	350.00
14.	Cyanide	350.00
15.	Detergent	200.00
16.	Dissolved Oxygen	100.00
17.	Fluoride	200.00
18.	H. Acid	350.00
19.	Hardness (calcium)	100.00
20.	Hardness (total)	100.00
21.	Iodide	100.00
22.	Nitrate Nitrogen	200.00
23.	Nitrite Nitrogen	200.00
24.	Percent Sodium	600.00
25.	Permanganate Value	200.00
26.	pH	60.00
27.	Phosphate (ortho)	200.00
28.	Phosphate (total)	350.00
29.	Salinity	100.00
30.	Sodium Absorption Ratio (SAR)	600.00

31.	Settleable Solids	100.00
32.	Silica	200.00
33.	Sulphate	150.00
34.	Sulphide	200.00
35.	Total Kjeldahl Nitrogen (TKN)	350.00
36.	Urea Nitrogen	350.00
37.	Cations (Na+, NH4 +, K+, Ca++ & Mg++) and Anions (F-, Br- Cl-, NO3-, NO2-, SO4- - & PO4- - -) in surface & ground water sample using Ion Chromatograph	1200.00 (for 12 ions)
	Processing / pretreatment Charge per Sample	500.00

S. No.	**Parameters**	**Analysis charges per test in Rs.**
1.	Aluminium	300.00
2.	Antimony	300.00
3.	Arsenic	300.00
4.	Barium	300.00
5.	Beryllium	300.00
6.	Boron	300.00
7.	Cadmium	300.00
8.	Chromium Hexavalent	200.00
9.	Chromium Total	300.00
10.	Cobalt	300.00
11.	Copper	300.00
12.	Iron	300.00
13.	Lead	300.00

14.	Magnesium	200.00
15.	Manganese	300.00
16.	Mercury (Processing & Analysis)	800.00
17.	Molybdenum	300.00
18.	Nickel	300.00
19.	Potassium	200.00
20.	Tin	300.00
21.	Selenium	300.00
22.	Silver	300.00
23.	Sodium	200.00
24.	Strontium	300.00
25.	Vanadium	300.00
26.	Zinc	300.00
	Organo Chlorine Pesticides (OCPs)	
	Processing / pretreatment Charge per Sample	1000.00
1.	Aldrin	400.00
2.	Dicofol	400.00
3.	Dieldrin	400.00
4.	Endosulfan-I	400.00
5.	Endosulfan-II	400.00
6.	Endosulfan sulfate	400.00
7.	Heptachlor	400.00

S. No.	**Parameters**	**Analysis charges per test in Rs.**

8.	Hexachlorobenzene (HCB)	400.00
9.	Methoxy Chlor	400.00
10.	o,p DDT	400.00
11.	*p,p'*-DDD	400.00
12.	*p,p'*-DDE	400.00
13.	*p,p'*-DDT	400.00
14.	α-HCH	400.00
15.	β-HCH	400.00
17.	γ-HCH	400.00
18.	δ-HCH	400.00
	Organo Phosphorous Pesticides (OPPs)	
	Processing / pretreatment Charge per Sample	1000.00
19.	Chlorpyriphos	400.00
20.	Dimethoate	400.00
21.	Ethion	400.00
22.	Malathion	400.00
23.	Monocrotophos	400.00
24.	Parathion-methyl	400.00
25.	Phorate	400.00
26.	Phosphamidon	400.00
27.	Profenophos	400.00
28.	Quinalphos	400.00
	Synthetic Pyrethroids (SPs)	
	Processing / pretreatment Charge per Sample	1000.00

29.	Deltamethrin	400.00
30.	Fenpropethrin	400.00
31.	Fenvalerate	400.00
32.	α-Cypermethrin	400.00
33.	β-Cyfluthrin	400.00
34.	λ-Cyhalothrin	400.00
	Herbicides	
	Processing / pretreatment Charge per Sample	1000.00
35.	Alachlor	400.00
36.	Butachlor	400.00
37.	Fluchloralin	400.00
38.	Pendimethalin	400.00

S. No.	**Parameters**	**Analysis charges per test in Rs.**
	Polycyclic Aromatic Hydrocarbons (PAHs)	750.00
	Processing / pretreatment Charge per Sample	1000.00
39.	Acenaphthene	400.00
40.	Acenaphthylene	400.00
41.	Anthracene	400.00
42.	Benz(a)anthracene	400.00
43.	Benzo(a)pyrene	400.00
44.	Benzo(b)fluoranthene	400.00
45.	Benzo(e)pyrene	400.00
46.	Benzo(g,h,i)perylene	400.00

47.	Benzo(k)fluoranthene	400.00
78.	Chrysene	400.00
49.	Dibenzo(a,h)anthracene	400.00
50.	Fluoranthene	400.00
51.	Fluorene	400.00
52.	Indeno(1,2,3-cd)pyrene	400.00
53.	Naphthalene	400.00
54.	Perylene	400.00
55.	Phenanthrene	400.00
56.	Pyrene	400.00
	Polychlorinated Biphenyls (PCBs)	
	Processing / pretreatment Charge per Sample	1000.00
57.	Aroclor 1232	400.00
58.	Aroclor 1242	400.00
59.	Aroclor 1248	400.00
60.	Aroclor 1254	400.00
61.	Aroclor 1260	400.00
62.	Aroclor 1262	400.00
	Tri Halo Methane (THM)	
	Processing / pretreatment Charge per Sample	800.00
63.	Bromo dichloromethane	400.00
64.	Bromoform	400.00
65.	Chloroform	400.00
66.	Dibromo chloromethane	400.00

S. No.	Parameters	Analysis charges per test in Rs.
	Other Organic Parameter	
67.	Adsorbable Organic Halogen (AOX)	2000.00
68.	Tannin / Lignin	350.00
69.	Oil & Grease	200.00
70.	Phenol	200.00
71.	Total Organic Carbon (TOC)	500.00
72.	Volatile Organic Acids	350.00
1.	Bacteriological Sample Collection	200.00
2.	Benthics Organism Identification & Count (each sample)	600.00
3.	Benthics Organism Sample collection	1000.00
4.	Chlorophyll Estimation	600.00
5.	E. Coli (MFT technique)	400.00
6.	E. Coli (MPN technique)	350.00
7.	Faecal Coliform (MFT technique)	400.00
8.	Faecal Coliform (MPN technique)	350.00
9.	Faecal Streptococci (MFT technique)	450.00
10.	Faecal Streptococci (MPN technique)	400.00
11.	Plankton Sample collection	250.00
12.	Plankton (Phytoplankton) count	600.00
13.	Plankton (Zooplankton) count	600.00
14.	Standard Plate Count	200.00
15.	Total Coliform (MFT technique)	400.00

16.	Total Coliform (MPN technique)	350.00
17.	Total Plate Count	350.00
18.	Toxicological - Bio-assay (LC50)	2800.00
19.	Toxicological - Dimensionless toxicity Test	1600.00

Note : (i) *Sampling charges for water and waste water samples are separate as specified in clause A (IV), but subject to minimum of Rs.700/- irrespective of number of samples.*

(ii) *Transportation charges are separate on actual basis.*

6. Analysis charges of Soil/Sludge/Sediment/Solid waste samples

S. No.	**Soil Parameters**	**Analysis charges per test in Rs.**
1.	Ammonia	300.00
2.	Bicarbonates	200.00
3.	Boron	400.00
4.	Calcium	150.00
5.	Calcium Carbonate	350.00
6.	Cation Exchange Capacity (CEC)	400.00
7.	Chloride	150.00
8.	Colour	100.00
9.	Electrical Conductivity (EC)	100.00
10.	Exchangeable Sodium Percentage (ESP)	550.00
11.	Gypsum Requirement	350.00
12.	H. Acid	400.00
13.	Heavy Metal	As mentioned in respective group at Clause 5.0

14.	Trace Metals using ED-XRF Aluminium, Antimony, Arsenic, Barium, Bromine, Cadmium, Calcium, Cesium, Chlorine, Chromium, Cobalt, Copper, Gallium, Germanium, Gold, Iodine, Iron, Lanthanum, Lead, Magnesium, Manganese, Molybdenum, Nickel, Palladium, Phosphorous, Potassium, Rubidium, Rutherfordium, Selenium, Silicon, Silver, Sodium, Strontium, Sulphur, Tellurium, Tin, Titanium, Tungsten, Vanadium, Ytterbium and Zinc, per sample.	4000.00
15.	Magnesium	300.00
16.	Mechanical soil analysis (soil texture)	150.00
17.	Nitrate	300.00
18.	Nitrite	300.00
19.	Nitrogen available	350.00
20.	Organic Carbon/Matter (chemical method)	350.00
21.	Polycyclic Aromatic Hydrocarbons (PAHs)	As mentioned in respective group at Clause 5.0
22.	Polychlorinated Biphenyls (PCBs)	As mentioned in respective group at Clause 5.0

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S. No.	**Soil Parameters**	**Analysis charges per test in Rs.**
23.	Pesticides	As mentioned in respective group at Clause 5.0
24.	pH	100.00
25.	Phosphorous (available)	400.00
26.	Phosphate (ortho)	300.00
27.	Phosphate (total)	400.00
28.	Potash (Available)	200.00
29.	Potassium	300.00

30.	Sodium Absorption Ratio (SAR) in Soil extract	650.00
31.	Sodium	300.00
32.	Soil Moisture	100.00
33.	Sulphate	200.00
34.	Sulphur	350.00
35.	Total Kjehldhal Nitrogen (TKN)	400.00
36.	TOC	550.00
37.	Total water soluble salts	200.00
38.	Water Holding capacity	100.00

Note : (i) *Sampling charges for soil samples as specified in clause A(V).*

(ii) *Transportation charges are separate on actual basis.*

7. Analysis charges for Hazardous Waste samples

S. No.	**Parameters**	**Analysis Charges per test in Rs.**
1.	Preparation of Leachate (TCLP extract/Water Extract)	1000.00
2.	Determination of various parameters in Leachate	As mentioned in respective group at Clause 5.0
3.	Flash point/Ignitibility	550.00
4.	Reactivity	550.00
5.	Corrosivity	550.00
6.	Measurement of Toxicity	

S. No.	**Parameters**	**Analysis Charges per test in Rs.**
	- LC50	2800.00

	- Dimensionless Toxicity	1600.00
7.	Total Organic Carbon	500.00
8.	Adsorbable Organic Halogen (AOX)	2000.00

8.	**AQC Participation Fees: -**	to be charged by CPCB from respective SPCB's/PCC's or

Recognized laboratory for Analytical Quality Control

exercise (AQC) samples.

1.	Laboratories of Govt./Semi Govt./ Public Sector Undertaken/ Autonomous bodies.	10000.00
2,	Private Sector Laboratories.	15000.00

J.M.MAUSKAR, CHAIRMAN

[ADVT-III/4/Exty./184/08]

Note :

dated 31.3.1994, and thereafter amended vide S.O.No.389(E), dated 23.9.1994,

S.O.No.390(E), dated 23.9.1994 and S.O.No.1218(E), dated 1.9.2001.

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APPELLATE AUTHORITIES UNDER

THE WATER(PREVENTIONANDCONTROLOFPOLLUTION)ACT,1974

CHANDIGARH ADMINISTRATION

FINANCE DEPARTMENT

NOTIFICATION CHANDIGARH `

No. 8/1/-UTF I(4)-88/4953
The 11th April, 1988

CHANDIGARH `

In supersession of Chandigarh Administration, Finance Department Notification No. 6031-UTF I(4)-81/13969, dated the 24th September, 1981, and in exercise of the powers conferred by sub-section (2) of Section 28 of the Water (Prevention and Control of Pollution) Act, 1974, the Administrator, Union Territory, Chandigarh, is pleased to appoint the following three officers as the Appellate Authority, namely :--

i) Mrs. Anjuly Duggal,
Deputy Secretary Finance,
Chandigarh Administration.

ii) Shri B. M. Bajaj,
Legal Remembrancer,

Chandigarh Administration,
Chandigarh

iii) Shri G.S. Oberoi,
Superintending Engineer,
Public Health Circle, U.T
Chandigarh.

Satwant Reddy,

Finance Secretary,

Chandigarh Administration

APPELLATE AUTHORITY OF U.T. OF PONDICHERRY

NOTIFICATION

GOVERNMENT OF PONDICHERRY

ABSTRACT

Finance Department (Housing)-Constitution of Appellate Authority under Section 28 of Water (Prevention and Control of Pollution) Act, 1974 - Notification-Issued.

FINANCE DEPARTMENT (HOUSING)

G.O. Ms. No. 48/88/F6 Dated 5/4/1988

PONDICHERRY

Order:

In exercise of the powers conferred by section 28 of the Water (Prevention and Control of Pollution), Act, 1974 (Act No. 6 of 1974) read with clause (1) of section 2 thereof, the Lieutenant Governor, Pondicherry, is pleased to constituted a single person Appellate Authority and appoint the Chief Secretary of the Pondicherry Administration to act as such authority under the said Act for the entire Union territory of Pondicherry, with immediate effect.

BY ORDER OF THE LIEUTENANT-GOVERNOR

Pradeep Mehra
Secretary to Government (Housing)

OFFICE OF THE DELHI POLLUTION CONTROL COMMITTEE

DEPARTMENT ENVIRONMENT, DELHI ADMINISTRATION

5/9, UNDER HILL ROAD, DELHI-110054

No. F. 23(14)/85/Env./Dev./3545-3646 Dated : 18-2-92

NOTIFICATION

DELHI

In exercise of the powers conferred by sub-section (2) of section 28 read with section 2(1) of the Water (Prevention and Control of Pollution) Act, 1974, the Administration of the Union Territory of Delhi is pleased to constitute a single

person Appellate Authority and appoint the Financial Commissioner, Delhi Administration, Delhi as the said Authority to entertain the appeal(s) under Section 25, Section 26 or Section 27 of the above said Act and to dispose of the Appeal(s) as it may deem fit. Notification No. F. 23(14)/85/Env./Dev./269-400 dated 23.12.1988 is hereby superseded.

By order and in the name
of the Administrator of the
Union Territory of Delhi.

(G.C. JOSHI)
DEPUTY SECRETARY (ENVIRONMENT)

DELEGATION OF POWERS AND FUNCTIONS BY THE CENTRAL BOARD TO CERTAIN COMMITTEES IN UNION TERRITORIES CENTRAL POLLUTION CONTROL BOARD
(Ministry of Environment and Forests)
NOTIFICTION
New Delhi, the 14th June, 2002

DELHI POLLUTION CONTROL COMMITTEE
S.O. 640(E).- In exercise of the powers conferred by Section 4, Clause(4) of the Water (Prevention and Control of Pollution) Act, 1974 (Act No. 6 of 1974) and Section 6 of the Air (Prevention and Control of Pollution) Act, 1981(Act No. 14 of 1981), as specified by the Central Government, the Central Pollution Control Board hereby re-constitutes the Committee whose constitution was notified by a notification published in the Gazette of India vide S.O. No. 198(E), dated 15-3-1991 in respect of the Union Territory of Delhi (known as National Capital Territory of Delhi). The reconstituted Committee is as follows:
1. Secretary (Environment) Chairman
Govt. of National Capital Territory of Delhi
2. Secretary, Urban Development Member
Govt. of National Capital Territory of Delhi
3. Commissioner, Transport
Member Govt. of National Capital Territory of Delhi
4. Commissioner, Industries Member
Govt. of National Capital Territory of Delhi
5. Secretary, Health Member
Govt. of National Capital Territory of Delhi
6. Member Secretary Member
Central Pollution Control Board, Delhi
7. Dr.G.K. Pandey, Adviser Member
Ministry of Environment and Forests, New Delhi

1[8. Prof. Subir Saha, Director Member School of Planning and Architecture, New Delhi

9. Medical Superintendent and Professor and Head Member of Hospital Administration,
All India Institute of Medical Sciences, New Delhi

10. Prof. P.B. Sharma, Member] Principal
Delhi College of Engineering, Delhi

11.Shri. S.P. Singhal, Retd. Scientist Member National Physical Laboratory, 7-A, DDA Flats, Saket, New Delhi.

12. Director, Environment Member Secretary Govt. of National Capital Territory of Delhi

And,
(i)This Committee may be called as the Delhi Pollution Control Committee.

(ii)This notification shall come into force with immediate effect.

[F No : B-12015/7/92-AS]
DILIP BISWAS, Chairman

1Substituted serial numbers 8, 9 and 10 and the entries relating thereto by Notification F.No.B-12015/7/04AS, dated 17.12.2004

Notifications under the Water (Prevention and Control of Pollution) Act, 1974 119

CENTRAL POLLUTION CONTROL BOARD

(Ministry of Environment & Forests)

NOTIFICATION

New Delhi, the 23rd March, 2006

LAKSHADWEEP POLLUTION CONTROL COMMITTEE

F.No.Legal/156(4)1990.- In exercise of the powers conferred by Section 4, Clause (4) of the Water (Prevention and Control of Pollution) Act, 1974 (Act No.6 of 1974) and Section 6 of the Air (Prevention and Control of Pollution) Act, 1981 (Act No.14 of 1981), as specified by the Central Government, the Central Pollution Control Board hereby reconstitute the Committee whose constitution was notified by a Notification published in the Gazette of India vide No.842(E), dated 31.8.1988, in respect of the Union Territory of Lakshadweep. The reconstituted Committee is as follows:

1.	Secretary, (Science and Technology)	- Chairman
2.	Superintending Engineer, LPWD	- Member
3.	Director, Medical & Health	- Member
4.	Director of Industries	- Member
5.	Deputy Conservator of Forests	- Member
6.	Assistant Public Prosecutor	- Member
7.	Shri V.M.Shamsudheen	- Member

Director of Agriculture (Retired)
Sailaniyoda, Agathi Island

8.	Shri K.Ali Manikfan,	- Member

Astt. Engineer Shipping (Retd.)
Kankafulege, Minicoy, Lakshadweep

9.	A representative from CPCB	- Member
10.	Deputy Director	- Member Secretary

(Science & Technology) Department of

Lakshadweep,	Lakshadweep	Pollution

Control Committee

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120 *Notifications under the Water (Prevention and Control of Pollution) Act, 1974*

And,
(i) This Committee may be called as Lakshadweep Pollution Control Committee. (ii) This Notification shall come into force with immediate effect.

V.RAJAGOPALAN, Chairman
[ADVT.III/04/Exty.184/2006]

CENTRAL POLLUTION CONTROL BOARD (Ministry of Environment & Forests)
NOTIFICATION
New Delhi, the 10th March, 1992

PONDICHERRY POLLUTION CONTROL COMMITTEE
S.O. 787(E).--In exercise of the powers conferred by section 4, Clause (4) of the Water (Prevention and Control of Pollution) Act, 1974 and Section 6 of the Air (Prevention and Control of Pollution) Act, 1981, the Central Pollution Control Board delegates all its powers and functions vested in the said Board under the Water (Prevention and Control of Pollution) Act, 1974, and the Air (Prevention and Control of Pollution) Act, 1981 in respect of the Union Territory of Pondicherry to the under mentioned Committee specified by the Central Govt. w.e.f. 1-4-1992 :--
1. Secretary of Government
(Environment & Forests),

2.	Union Territory (UT) of Pondicherry	Chairman
	Senior Town Planner,	

Town and Country Planning Department,

3.	UT of Pondicherry	Member Secretary
	Principal Engineer,	

Public Works Department,

4.	UT of Pondicherry	Member
	Director of Health and Family Welfare Services,	Member
	UT of Pondicherry	

5.	*Notifications under the Water (Prevention and Control of Pollution) Act, 1974*		
	Director of Local Admn. Deptt.,		
6.	UT of Pondicherry	Member	
	Commissioner of respective		
7.	commune panchayats	Member	
	Director of Agriculture,		121
8.	UT of Pondicherry	Member	
	Director of Industries,		
9.	UT of Pondicherry	Member	
	President of the Chamber of		
	Commerce and other non-officials	Member	

[No. Legal/158(4)/90]

K.R. RANGANATHAN, Member Secy.

CENTRAL POLLUTION CONTROL BOARD

(Ministry of Environment & Forests)

NOTIFICATION

New Delhi, the 19th July,1995

S.O.777(E)—Central Pollution Control Board with the concurrence of the Central Government in the Ministry of Environment & Forests makes the following amendments, with effect from the date of publication in the Official Gazette, in the notification S.O.787(E), dated 10.03.1992 constituting the Pollution Control Committee in the Union Territory of Pondicherry, pursuant to Sub-section (4) of Section 4 of the Water (Prevention and Control of Pollution) Act, 1974 and Section 6 of the Air (Prevention and Control of Pollution) Act, 1981 :

(1) At serial No.2, Senior Town Planner, Town and Country Planning Department, Union Territory of Pondicherry—be read as 'MEMBER' in place of Member Secretary.

(2) Inserted serial No.10, Director (Environment), Pondicherry Administration— Member Secretary.

[Legal/26(16)/84]
S.P.CHAKRABARTI, Member Secy.

Foot Note—Principal notification was published vide notification S.O.787(E), dated 10.03.1992.

CENTRAL POLLUTION CONTROL BOARD

NOTIFICATION

New Delhi, 1st January, 2008

No. Legal 158(4)/90/ The Govt. of India in the Ministry of Home Affairs Notification No.U-13034/35/96-GP(UTL), dated 28.9.2006 has brought into force the Pondicherry (Alternation of Name) Act, 2006 (No.44 of 2006) w.e.f.1.10.2006 and the same has also been republished in the official gazette of Pondicherry vide G.O.Ms.No.68, dated 30.9.2006 of the Confidential and Cabinet Department, Pondicherry.

And whereas in exercise of powers conferred by Section 4, Clause 4 of the Water (Prevention and Control of Pollution) Act, 1974 and Section 6 of the Air (Prevention & Control of Pollution) Act, 1981, the Central Pollution Control Board had delegated all its powers and functions vested in the said Board under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 in respect of Union Territory of Pondicherry with prior consent of Union Government, vide Notification No.S.O.787(E), dated 10.3.1992.

And in compliance of the concurrence No.G.27017/5/2007-CPW, dated 10.11.2007 of the Ministry of Environment & Forests, the Central Pollution Control Board has notified the Pondicherry Pollution Control Committee as Puducherry Pollution Control Committee.

J.M.MAUSKAR, Chairman

[ADVT.III/4/184/2007-Exty.]

Note: Principal Notification was published vide S.O.No.787(E), dated 10.3.1992 and S.O. No.777(E), dated 19.7.1995.

CENTRAL POLLUTION CONTROL BOARD

(MINISTRY OF ENVIRONMENT AND FORESTS)

NOTIFICATION

New Delhi, the 17th December, 2004

DAMAN, DIU, DADRA AND NAGAR HAVELI

1[F.No.B-12015/7/04AS.- In exercise of the powers conferred by Section 4, Clause(4) of the Water (Prevention and Control of Pollution) Act, 1974 (Act No. 6 of 1974) and Section 6 of the Air (Prevention and Control of Pollution) Act, 1981 (Act No. 14 of 1981), as specified by the Central Government, the Central Pollution Control Board

1Reconstituted by the Notification No.F.No.B-12015/7/04/AS, dated 17.12.2004

hereby re-constitutes the Committee whose constitution was notified by a notification in

Territory of Daman, Diu, Dadra and Nagar Haveli. The reconstituted Committee is as

follows:

1. Secretary (Environment and Forests) Chairman

Administration of Union Territories of Daman, Diu,

Dadra and Nagar Haveli

2. Secretary (Industries/PWD) Member

Union Territories of Daman, Diu, Dadra and

Nagar Haveli

3. Secretary (Labour) Member

Union Territories of Daman, Diu, Dadra and

Nagar Haveli

4. Collector, Daman Member

5. Collector, Dadra and Nagar Haveli Member

6. Assistant Inspector General of Police Member

Union Territories of Daman, Diu, Dadra and Nagar Haveli

7. Nominee of the Central Pollution Control Board, Delhi Member

8. Nominee of National Institute of Oceanography, Mumbai Member

9. Nominee of National Productivity Council Member

10.Nominee of National Safety Council Member

11.Conservator of Forests, Daman, Diu, Dadra & Nagar

Haveli Member Secretary

And,

(i) This Committee may be called as the Pollution Control Committee for Union

Territories of Daman, Diu, Dadra and Nagar Haveli.

(ii) This notification shall come into force with immediate effect.

dated 14.06.2002 stands rescinded.

Dr.V.Rajagopalan, Chairman

ADVT III/IV/184/2004-Exty.

Note : The Principal Notification was notified vide S.O.862(E), dated 26.11.1992, subsequently amended

vide notification S.O. 384(E), dated 19.2.1996 and S.O. 698(E), dated 3.7.1998

CENTRAL POLLUTION CONTROL BOARD (Ministry of Environment & Forests)
NOTIFICATION

New Delhi – 3rd June, 2004

ANDAMAN AND NICOBAR POLLUTION CONTROL COMMITTEE

F.No. Legal/156(4)/1990.- In exercise of the powers conferred by Section 4, Clause (4) of the Water (Prevention and Control of Pollution Act) Act, 1974 (Act No. 6 of 1974) and Section 6 of the Air (Prevention and Control of Pollution)

Act, 1981 (Act No.14 of 1981), as specified by the Central Government, the Central Pollution Control Board hereby re-constitute the Committee whose constitution was notified by a notification published in the Gazette of India vide S.O.No.39(E), dated 16.01.1992 in respect of the Union Territory of Andaman and Nicobar Administration. The re-constituted Committee is as follows:

1.	Secretary (Science and Technology)	Chairman

Andaman and Nicobar Administration

2.	Principal Chief Conservator of Forests/ Chief Wild Life Warden, Andaman and Nicobar Administration	Member
3.	Inspector General of Police	Member

Andaman and Nicobar Islands

4.	The Chief Engineer, APWD	Member

Andaman and Nicobar Administration

5.	Director of Health Services	Member

Andaman and Nicobar Administration

6.	Director of Education	Member

Andaman and Nicobar Administration

7.	Director of Industries	Member

Andaman and Nicobar Administration

8.	Director (Tribal Welfare) Andaman and Nicobar Administration	Member
9.	Director Fisheries	Member

Andaman and Nicobar Administration

10.	*Notifications under the Water (Prevention and Control of Pollution) Act, 1974*		125
	Chief Port Administrator, Port Management Board	Member	

Andaman and Nicobar Islands

11.	Director of Agriculture Andaman and Nicobar Administration	Member
12.	Director (Science and Technology)	Member Secretary

Andaman and Nicobar Administration

And,

(i) This Committee may be called as the Andaman & Nicobar Administration Pollution Control Committee

(ii) This notification shall come into force with immediate effect.

V.RAJAGOPALAN, Chairman
[ADVT.III/IV/Exty.184/2004]

CENTRAL POLLUTION CONTROL BOARD

(Ministry of Environment & Forests)

NOTIFICATION

New Delhi, the 23rd October, 2002

CHANDIGARH POLLUTION CONTROL COMMITTEE

1[S.O.1131(E). - In exercise of the powers conferred by Section 4, Clause (4) of the Water (Prevention and Control of Pollution) Act, 1974 (Act No.6 of 1974) and Section 6 of the Air (Prevention and Control of Pollution) Act, 1981 (Act No. 14 of 1981), the Central Pollution Control Board hereby reconstitutes the Committee as specified by the Central Government, whose constitution was notified by a Notification published in the Gazette of India vide S.O.199(E), dated 15.3.1991 in respect of the Union Territory of Chandigarh. The reconstituted Committee is as follows:

1.Advisor to Administrator
Union Territory, Chandigarh Chairperson

2.Secretary, (Environment)

Chandigarh Administration	Vice Chairman

1Reconstituted by the Notification S.O.1131(E), dated 23.10.2002.

3.Director (Environment)
Chandigarh Administration Member

4.Deputy Conservator of Forests
Forest Department,
Chandigarh Administration Member

5.Additional Director (PCP)
Central Pollution Control Board
Delhi Member

6.Prof. S.C.Jain
Chemical Engineering Department
Punjab University, Chandigarh Member

7.Secretary
Indian Medical Association
Chandigarh Chapter Member

8.Scientist 'SE'
Department of Environment
Chandigarh Administration Member Secretary

And. (i) This Committee shall be called as the Chandigarh Pollution Control Committee for the Union Territory of Chandigarh.

(ii) This notification shall come into force with immediate effect.

[F.No.B-12015/5/7/92-AS]
DILIP BISWAS, Chairman

CENTRAL WATER LABORATORY

Ministry of Environment & Forests

(Department of Environment, Forests & Wildlife)

NOTIFICATION

New Delhi, 8th March, 1988

S.O. 247(E).--In exercise of the powers conferred by clause (b) of sub-section (1) of Section 51 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974), and in supersession of the notification of the Government of India in the Ministry of Works and Housing No. S.O. 2974 dated the 25th August, 1975 published in the Gazette of

India, Part II, Section 3, sub-section (ii) dated the 6th September, 1975, the Central Government hereby specifies the Delhi Zonal Laboratory at Chandrawal Water Works-II, Sham Nath Marg, Delhi of National Environmental Engineering Research Institute, Nehru Marg, Nagpur-440020 as a Central Water Laboratory to carry out the functions entrusted to the Central Water laboratory under the said Act.

[No. Q-15018/2/88/CPW]
A.C. Ray, Addl. Secy.

MINISTRY OF ENVIRONMENT & FORESTS

NOTIFICATION

New Delhi, 19th November, 1991

S.O. 787(E).--In exercise of the powers conferred by clause (b) of sub-section (1) of section 51 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) and in supersession of the notification of the Government of India in the Ministry of Environment and Forests, Department of Environment, Forests and Wildlife No. S.O. 247(E), dated the 8th March, 1988, except as respect things done or omitted to be done before such supersession, the Central Government hereby specifies the Water Laboratory of the Central Pollution Control Board, Parivesh Bhawan, C.B.D. cum-Office complex, East Arjun Nagar, Delhi as a Central Water laboratory to carry out the functions entrusted to the Central Water Laboratory under the said Act.

[F. No. Q-15018(7)/82-CPW]

MUKUL SANWAL, Jt., Secy.

STANDARDS FOR SMALL SCALE INDUSTRIES

LOCATED IN THE UNION TERRITORIES

CENTRAL POLLUTION CONTROL BOARD

NOTIFICATION	New Delhi, the 7th April, 1988

No. 1/2(71)/87 Plg.--In exercise of the powers conferred under Section 4(4) of the Water (Prevention and Control of Pollution) Act, 1974, the Central Board for the Prevention and Control Water Pollution pursuant to Section 17(1) (m) of the said Act lays down the following standards for compliance by small-scale industries located in the Union Territories, in respect of which Minimal National Standards have not been yet evolved:

Sl.No. Parameters Concentration not to exceed

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1. Total Concentration of Mercury (Hg.) in the final (Combined) effluent 0.01 mg/l

2. pH 5.5--9.0

3. Suspended Solids 250 mg/l

4. Biochemical Oxygen Demand 150 mg/l

5. Temperature Shall not exceed 5 degree C above the ambient Temp. of the receiving body

6.	Free available chlorine	0.5 mg/l
7.	Oil & Grease	10 mg/l
8.	Cu (Total)	3.0 mg/l
9.	Iron (Total)	3.0 mg/l

10.	Zinc	5.0 mg/l
11.	Cr (Total)	2.0 mg/l
12.	Phosphate (as P)	5.0 mg/l

13.	*Notifications under the Water (Prevention and Control of Pollution) Act, 1974*		129
	Bio-assay test	90% of test	

animals after
96 hours with 1:8
dilution

14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24.	Sulphide (as S)	2 mg/l
	Phenolic compounds (as C6H5OH) 5 mg/l Hexavalent Chromium (as Cr) 0.1 mg/l	
	Nickel (as Ni)	3.0 mg/l
	Cadmium (Cd)	2.0 mg/l
	Chloride (as Cl)	9000 mg/l
	Sulphate (as SO4)	1000 mg/l
	Cynides (as CN)	0.2 mg/l
	Ammomtacal Nitrogen (as N) 50 mg/l	
	Lead (as Pb)	0.01 mg/l
	Total Metal	10.0 mg/l

The standards may be relaxed in cases where the water from small-scale industrial units are collected and treated in a Terminal Treatment Plant. These standards are laid down without prejudice to the Board varying or modifying them, while issuing consents pursuant to Section 25 and 26 of the Water (Prevention and Control of Pollution) Act, 1974.

PARITOSH C. TYAGI,
Chairman

CONSTITUTION OF CENTRAL POLLUTION CONTROL BOARD

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 27th September, 2006

S.O.1621 (E).—In exercise of the powers conferred by section 3 and sub-section (6) of section 5 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974), the Central Government hereby reconstitutes the Central Pollution Control Board and nominates the following persons as its Members, with effect from the date of publication of this notification in the Official Gazette, namely:-

Sl. No.	Name and Address	Remarks
1[1.	Dr. Sant Prasad Gautam Chairman, Central Pollution Control Board Parivesh Bhavan, Delhi	Chairman]
Members nominated under clause (b) of sub-section (2) of section 3		
2[2.	Joint Secretary Ministry of Petroleum and Natural Gas New Delhi	Member
3.	Adviser, (Handling Water Quality, Monitoring Work) Ministry of Environment and Forests, New Delhi	Member
4.	Joint Secretary, (PA-I) Ministry of Environment and Forests, New Delhi.	Member
5.	Joint Secretary Ministry of Coal and Mines New Delhi	Member]
6.	Additional Secretary/Joint Secretary and Financial Adviser or his nominee Ministry of Environment and Forests New Delhi	Member

1Substituted by para 1 of Notification S.O.651(E), dated 9.3.2009.
2Substituted by para (i) of Notification S.O.859(E), dated 1.6.2007.

Members nominated under clause (c) of sub-section (2) of section 3		
1[7.	Chairman Tripura Pollution Control Board Agartala	Member
8.	Chairman Orissa State Pollution Control Board, Bhubaneswar	Member
9.	Chairman Gujarat State Pollution Control Board Ahmedabad	Member
10.	Mayor, Municipal Corporation of Hyderabad Hyderabad.	Member

11.	Chairman Kerala State Pollution Control Board Thiruvanathapuram	Member]
Members nominated under clause (d) of sub-section (2) of section 3		
2[12.	Shri Dipesh Sampat Mehta Advocate Joanna Villa Co-op. Housing Society Ltd. Road No.28, Bandra (West), Mumbai 400050	Member]
13.	Shri K. Ahmed Khan No.PH 1, Majestic Garden Apartment, Behind Delhi Public School, Kanakpura Road Cross, Bangalore – 560 062	Member
3[14	Mrs. Deepa Gupta Charted Accountant C-6/77, East of Kailash New Delhi 110065	Member]

1Substituted by para (ii) of Notification S.O.859(E), dated 1.6.2007. 2Substituted by para (i) of the Notification S.O.3942(E), dated 13.11.2009. 3Substituted by para (ii) of the Notification S.O.3942(E), dated 13.11.2009

132	*Notifications under the Water (Prevention and Control of Pollution) Act, 1974*

Members nominated under clause (e) of sub-section (2) of section 3		
15.	Shri Velumani Chairman and Managing Director Ennore Port Ltd. 15, Kasturi Rangan Road, Alwarpet Chennai-6000018	Member
16.	R.K.Jain Director(Tech) National Thermal Power Corporation New Delhi	Member
Members nominated under clause (f) of sub-section (2) of section 3		
1[17.	Sh.J.S.Kamyotra Additional Director Central Pollution Control Board Parivesh Bhavan, Delhi	Member Secretary]

(R.K.Vaish)
Joint Secretary

(No.Q.15014/2/2003-CPW

Note: The Principal notification constituting the Central Pollution Control Board was published in the Gazette of India vide number G.S.R.998, (E), dated 21.09.1974 and subsequently reconsitituted vide notification number S.O.814(E) dated 2nd Decmber,1991 and S.O.75(E), dated 1st February,1995 S.O.431(E), dated 2nd May, 2000, subsequently amended vide No. S.O.897(E), dated 14th August,2002, and S.O.251(E), dated 25the February.2003.

1Substituted by para (iii) of Notification S.O.651 (E), dated 9.3.2009.