

**THE ENVIRONMENT
(PROTECTION) ACT, 1986
(No. 29 OF 1986)**

THE ENVIRONMENT (PROTECTION) ACT, 1986 No. 29 of 1986

[23rd May, J986.]

An Act to provide for the protection and improvement of environment and for matters connected there with:

WHEREAS the decisions were taken at the United Nations Conference on the Human Environment held at Stockholm in June 1972. In which India participated. To take appropriate steps for the protection and improvement of human environment;

AND WHEREAS it is considered necessary further to implement the decisions aforesaid in so far as they relate to the protection and improvement of environment and the prevention of hazards to human beings, Loch living creatures, plants and property;

BE it enacted by Parliament in the Thirty-seventh Year of the Republic of India as follows: -

CHAPTER 1 PRELIMINARY

1.(1) This Act may be called the Environment (Protection) Act. 1986.

(2) it extends to the whole of India.

(3) It shall come into force on such date as the Central government may. by notification in the Official Gazette, appoint and different dates may be appointed for different provisions of this Act and for different areas.¹

2. In this Act. Unless the context otherwise requires.-

(a) "Environment" includes water, air and land and the inter-relationship, which exists among and between water, air and land, and human beings, other living creatures, plans, microorganism and property:

(b) "Environmental pollutant" means any solid, liquid or gaseous substance present in such concentration as may be: or lend to be, injurious to environment;

(c) "environmental pollution" means the presence in the environment of any environmental pollutant;

(d) "handling", in relation to any substance, means the manufacture, processing, treatment, package, storage, transportation, use, collection, destruction, conversion, offering for sale, transfer or the like of such substance;

1.It came into force in the whole of India on 19th November 1986 vide Notification No. G.S.R 1198(E)dated 12-11-86 published in the Gazette of India No.525 dated 12-11-86

(e) "hazardous substance" means any substance or preparation which, by reason of its chemical or physico-chemical properties or handling, is liable to cause harm to human beings, other living creatures, plant, micro-organism, property or the environment:

(f) "occupier", in relation to any factory or premises, means a 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;

(g) "prescribed" means prescribed by rules made under this Act.

CHAPTER 2

GENERAL POWERS OF THE CENTRAL GOVERNMENT

3. (1) Subject to the provisions of this Act, the Central Government, shall have the power to take all such measures as it deems necessary or expedient for the purpose of protecting and improving the quality of the environment and preventing controlling and abating environmental pollution.

(2) In particular, and without prejudice to the generality of the provisions of sub-section (1), such measures may include measures with respects to all or any of the following manners, namely :-

(i) co-ordination of actions by the State Governments, officers and other authorities-

(a) under this Act, or the rules made hereunder; or

(b) under any other law for the time being in force which is relatable to the objects of this. Act;

(ii) planning and execution of a nation-wide programme for the prevent control and abatement of environmental pollution;

(iii) laying down standards *for* the quality *of* environment in its various aspects:

(iv) laying down standards for emission or discharge of environmental pollutant from various sources whatsoever:

Provided that different standards for emission or discharge may be laid down under this clause from different sources having regard to the quality or composition of the emission or discharge of environmental pollutants from such sources:

(v) restriction of areas in which any industries, operations or processes or class of industries, operations or processes shall not be carried out or shall not be carried out subject to certain safeguards;

- (vi) laying down procedures and safeguards for the prevention of accidents which may cause environmental pollution and remedial measures for such accidents;
- (vii) laying down procedures and safeguards for the handling of hazardous substances;
- (viii) examination of such manufacturing processes, materials and substances as are likely to cause environmental pollution;
- (ix) carrying out and sponsoring investigations and research relating to problems of environmental pollution;
- (x) inspection of any premises, plant, equipment, machinery, manufacturing or other processes, materials or substances and giving, by order, of such directions to such authorities, officers or persons as it may consider necessary to take steps for the prevention, control and abatement of environmental pollution;
- (xi) establishment or recognition of environmental laboratories and institutes to carry out the functions entrusted to such environmental laboratories and institutes under this Act;
- (xii) collection and dissemination of information in respect of matters relating to environmental pollution;
- (xiii) preparation of manuals, codes or guides relating to the prevention, control and abatement of environmental pollution;
- (xiv) such other matters as the Central Government deems necessary or expedient for the purpose of securing the effective implementation of the provisions of this Act.

(3) The Central Government may, if it considers it necessary or expedient so to do for the purpose of this Act, by order, published in the Official Gazette, constitute an authority or authorities by such name or names as may be specified in the order for the purpose of exercising and performing such of the powers and functions (including the power to issue directions under section 5) of the Central Government under this Act and for taking measures with respect to such of the matters referred to in sub-section (2) as may be mentioned in the order and subject to the supervision and control of the Central Government and the provisions of such order, such authority or authorities may exercise the powers or perform the functions or take the measures so mentioned in the order as if such authority or authorities had been empowered by this Act to exercise those powers or perform those functions or take such measures.

4. (1) Without prejudice to the provisions of sub-sections (3) of section 3, the Central Government may appoint officers with such designation as it thinks fit for the purposes of this Act and may entrust to them such of the powers and functions under this Act as it may deem fit.

(2) The officers appointed under sub-section (1) shall be subject to the general control and direction of the Central Government or, if so directed by that Government, also of the authority or authorities-if any, constituted under sub-section (3) of section 3 or of any other authority or officer.

5. Notwithstanding anything contained in any other law but subject to the provisions of this Act, the Central Govt. may, in the exercise of its powers and performance of its functions under this Act, issue directions in writing to any person, officer or any authority and such person, officer or authority shall be bound to comply with such directions. 2

1. The Central Govt. has delegated the powers vested in it under section 5 of the Act to the State Govt. of Andhra Pradesh, Assam, Bihar, Gujrat, Haryana, Himachal Pradesh, Karnataka, Kerala, Madhya Pradesh, Mizoram, Orissa, Rajasthan, Sikkim, and Tamil Nadu subject to the condition that the Central Govt. may revoke such delegation of powers in respect of all or any one or more of the State Govt. or may itself invoke the provisions of section 5 of the Act, if in the opinion of the Central Govt. such a course of action is necessary in public interest, (Notification No. S.O 152(E) dated 10-2-88 published in Gazette No. 54 of the same date)

These Powers have been delegated to the following State Govt. also on the same terms.

Meghalaya, Punjab and Uttar Pradesh vide Notification No. S.O 389(E) dated 14-4-88 published in the Gazette No. 205 dated 14-4-88

Maharashtra vide Notification No. S.O 488(E) dated 17-5-88 published in the Gazette No. 255 dated 17-5-88

Goa and Jammu & Kashmir vide Notification No. S.O 881(E) dated 22-9-88 published in the Gazette No. 749 dated 22-9-88

West Bengal Manipur vide Notification No. S.O 408(E) dated 6-6-89 published in the Gazette No. 319 dated 6-6-89

Tripura vide Notification No. S.O 479(E) dated 25-7-91 published in the Gazette No. 414 dated 25-7-91

2. For issuing directions see 54 of Environment (Protection) Rules, 1986

*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) stoppage or regulation of the supply of electricity or water or any other service.

6. (1) The Central Government may, by notification in the Official Gazette, make rules in respect of all or any of the matters referred to in section 3.

(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 standards of quality of air, water or soil for various areas and purposes; 1

(b) the maximum allowable limits of concentration of various environmental pollutants (including noise) for different areas ;

(c) the procedures and safeguards for the handling of hazardous substances ; 2

(d) the prohibition and restrictions on the handling of hazardous- substances in different areas; 3

(e) the prohibition and restriction on the location of industries and the carrying on process and operations in different areas; 4

(f) the procedures and safeguards for the prevention of accidents which may cause environmental pollution and for providing for remedial measures for such accident.

1. See r.3 of Environment (Protection) Rules, 1986 and Schedule thereto.

i. Schedule I lists the standards for emission or discharge of environmental pollutants from the industries processes or operations and their maximum allowable limits of concentration.

ii. Schedule II lists general standards for discharge of effluents and their maximum limits of concentration allowable;

iii. Schedule III lists ambient air quality standards in respect of noise and its maximum allowable limits and

iv. Schedule IV lists standards for emission of smoke vapour etc. from motor vehicles and maximum allowable limits of their emission

2. See r.13 of Environment (Protection) Rules 1986 and

i. Hazardous Wastes (Management and Handling)Rules 1989

ii. Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989 and

iii. Rules for the Manufacture ,Use, Import, Export and Storage of Hazardous Micro-organism, Genetically engineered organisms or cells.

3. Rule 13 SUPRA

4. See 5.5 of Environment (Protection) Rules, 1986

f)the procedures and safeguards for the prevention of accidents which may cause environmental pollution and for providing for remedial measures for such accidents¹

CHAPTER III

PREVENTION, CONTROL, AND ABATEMENT OF ENVIRONMENTAL POLLUTION

7.No persons carrying on any industry, operation or process shall discharge or emit or permit to be discharged or emitted any environmental pollutants in excess of such standards as may be prescribed.²

8. No person shall handle or cause to be handled any hazardous substance except in accordance with such procedure and after complying with such safeguards as may be prescribed. ³

9.(1)Where the discharge of any environmental pollutant in excess of the prescribed standards occurs or is apprehended to occur due to any accident or other unforeseen act or event, the person responsible for such discharge and the person in charge of the place at which such discharge occurs or is apprehended to occur in charge of the place at which such discharge occurs or is apprehended to occur shall be bound to prevent or mitigate the environmental pollution caused as a result of such discharge and shall also forthwith

1. See r.12 of Environment (Protection)Rules and Schedule II and relevant provisions of Hazardous Wastes(Management and Handling)Rules,Manufacture,Storage and Import of Hazardous Chemicals Rules and Rules for the Manufacture,Use Import Export and Storage of Hazardous Micro-organism,Genetically Engineered Organisms or Cells.
2. See r.13 of Environment (Protection)Rules 1986 and Schedule 1
3. See r.13 of Env.(Protection) Rules,1989 and
 - i. Hazardous wastes (Management and handling)Rules,1989;
 - ii. Manufacture,Stirage and Import of Hazardous Chemicals Rules,1989 and

iii. Rules for the manufacture, Use Import Export and Storage of Hazardous Microorganism Genetically Engineered organisms or cells.

(a) intimate the fact of such occurrence or apprehension of such occurrence; and

(b) be bound, if called upon, to render all assistance, to such authorities or agencies as may be prescribed, 1

(2) On receipt of information with respect to the fact or apprehension of any occurrence of the nature referred to in sub-section (1), whether through intimation under that sub-section or otherwise. the authorities or agencies referred to in sub- section (1) shall, as early as practicable, cause such remedial measures to be taken as are necessary to prevent or mitigate the environmental pollution.

(3) The expenses, if any, incurred by any authority or agency with respect to the remedial measures referred to in sub-section (2), together with interest (at such reasonable rate as the Government may by order, fix from the date when a demand for the expenses is made until it is paid, may be recovered by such authority or agency from the person concerned as arrears of land-revenue or of public demand.

10. (1) Subject to the provisions of this section, any person empowered by the Central Government in this behalf 2 shall have a right to enter, at all reasonable times with such assistance as he considers necessary, any place-

(a) for the purpose of performing any of the functions of the Central Government 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 or any 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 and testing any equipment, industrial plant, record, register, document or any other material object or for conducting a search of any building in which he has reason to believe that an offence under this Act or the rules made there under has been or is being or is about to be committed and for seizing any

1.For authorities or agencies see r.12 of Environment(Protection)Rules 1986 and Schedule II

2. The Central Govt. has empowered 60 persons listed in the Table (p.251)vide S.O.83(E)published in the gazette of India No. 66 dated 16-2-87 and S.O 63(E)published in the Gazette of India No. 42 dated 18-1-88

such equipment, industrial 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 there under or that such seizure is necessary to prevent or mitigate environmental pollution.

(2) Every person carrying on any industry, operation or process of handling any hazardous substance shall be bound to render all assistance to the person empowered by the Central Government under sub-section (1) *for* carrying out the functions under that sub-section and if he fails to do so without any reasonable cause or excuse, he shall be guilty of an offence under this Act.

(3) If any person willfully delays or obstructs any persons empowered by the Central Government under sub-section (1) in the performance of his functions, he shall be guilty of an offence under this Act.

(4) The provisions of the Code of Criminal Procedure, 1973, or, in relation to the State of *Jammu* and Kashmir, or an area in which that Code is not in *force*, the provisions of any corresponding law in *force* in that State or area shall, so far as may be, apply to any search or seizures under this section as they apply to any search or seizure made under the authority of a warrant issued under section 94 of the said Code or as the case may be, under the corresponding provision of the said law.

11. (1) The Central Government or any officer empowered by it in this behalf,¹ shall have power to take, *for* the purpose of analysis, samples of air, water, soil or other substance *from* any *factory*, premises or other substance from any factory, premises or other place in such manner as may be prescribed. ²

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

(3) Subject to the provisions of sub-section (4), the person taking 'the sample under sub-section (1) shall-

(a) serve on the occupier or his agent or person in charge of the place, 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 or person, collect a sample for analysis;

1. In exercise of powers conferred under sub-section (i) of section 11 the General Govt. has empowered 60 officers listed in the Table (p 254) vide S.O 84(E) published in the Gazette No. 66 dated 16-2-87 and S.O 62(E) published in the gazette No. 42 dated 18-1-88

2. For procedure for taking samples see r.6 of Environment (Protection)Rules 1986 also

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

(d) send without delay, the container or the containers to the laboratory established or recognized by the Central Government under section 12.

(4) When a sample is taken for analysis under sub-section (1) and the person taking the sample serves on the the occupier or his agent or person, a notice under clause (a) of sub-section (3), then,-

(a) in a case where the occupier, his agent or person willfully absents himself, the person taking the sample shall collect the sample for analysis to be placed in a container or containers which shall be marked and sealed and shall. also be signed, by the person taking the sample, and

(b) in a case where the occupier or his agent or person present at the time of taking the sample refuses to sign the marked and sealed container or containers of the sample as required under clause (c) of sub-section (3), the marked and sealed container or containers shall. be signed by the person taking the samples, and the container or containers shall be sent without delay by the person taking the sample for analysis to the laboratory established or recognized under section 12 and such person shall inform the Government Analyst appointed or recognized under section 13 in writing, about the willful absence of the occupier or his agent or person, or, as the case may be, his refusal to sign the container or containers.

12. (1) The Central Government ¹ may, by notification in the Official Gazette-

(a) establish one or more environmental laboratories;

(b) recognise one or more laboratories or institutes as environmental laboratories to carry out the functions entrusted to an environmental laboratory under this Act.²

(2) The Central Government may, by notification in the Official Gazette, make rules specifying-

1. The Central Govt. has delegated its powers under clause (b)of sub-section (i)of section 12 and section 13 of the act to the Central Pollution Control Board vide Notification No. S.O 145(E)dated 21-2-91 published in the Gazette No.128 dated 27-2-91
2. The list of laboratories/institutes recognized as environmental laboratories and the persons recognized as Govt. Analysts is given in the Table (p223)

- (a) the functions of the environmental laboratory.¹
- (b) the procedure for the submission to the said laboratory of samples of air, water, soil or other substance for analysis or tests, the form of the laboratory report thereon and the fees payable for such report; ²
- (c) such other matters as may be necessary or expedient to enable that laboratory to carry out its functions.

13. The Central Government may by notification in the Official Gazette, Analysts. appoint or recognise such persons as it thinks fit and having the prescribed qualifications ³ to be Government Analysts for the purpose of analysis of samples of air, water, soil or other substance sent for analysis to any environmental laboratory established or recognised under sub-section (1) of section 12.

14. Any document purporting to be a report signed by a Government analyst may be used as evidence of the facts stated therein in any proceeding under this act.

15. (1) Whoever fails to comply with or contravenes any of the provisions of this Act, or the rules made or orders or directions issued thereunder, shall, in provisions of respect of each such failure or contravention, be punishable with imprisonment for a term which may extend to five years with fine which may extend to one lakh rupees, or with both, and in case the failure or contravention continues, with additional fine which may extend to five thousand rupees for every day during which such failure or contravention continues after the conviction for the first such failure or contravention.

(2) If the failure or contravention referred to in sub-section (1) continues beyond a period of one year after the date of conviction, the offender shall be punishable with imprisonment for a term which may extend to seven years.

16. (1) Where any offence under this Act has been committed by a company, companies. every person who, at the time the offence was committed, was directly 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 be 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 or that he exercised all due diligence to prevent the commission of such offence.

- 1. [See r.9 of Environment \(Protection\)Rules 1986](#)
- 2. [See r.8 of Environment \(Protection\)Rules 1986](#)

3. For qualifications of Govt. Analyst see r.10 of Environment (Protection)Rules 1986

(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 purposes of this section,-

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

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

17. (1) Where an offence under this Act has been committed by any Offences by 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 exercise 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 Department of Government 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 officer, other than the Head of the Department, such officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

CHAPTER IV MISCELLANEOUS

18. No suit, prosecution or other legal proceeding shall lie against the Protection of, Government or any officer or other employee of the Government or any authority constituted under this Act or any member, officer or other employee of such authority in respect of anything which is done or intended to be done in good faith in pursuance of this Act or the rules made or orders or directions issued thereunder.

19. No court shall take cognizance of any offence under this Act except on a complaint made by-

(a) the Central Government or any authority or officer authorised in this behalf by that Government,¹ 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 Central Government or the authority or officer authorised as aforesaid.

20. The Central Government may, in relation to its function under this Act, from time to time, require any person, officer, State Government or other return authority to furnish to it or any prescribed authority or officer any reports, returns, statistics, accounts and other information and such person, officer, State Government or other authority shall be bound to do so.

21. All the members of the authority, constitute if any, under section 3 and all officers and other employees of such authority when acting or purporting to act in pursuance of any provisions of this act or the rules made or orders or directions issued there under shall be deemed to be public servants within the meaning of section 21 of the Indian Code (45 of 1860)

22. No civil court shall have jurisdiction to entertain any suit or proceeding Jurisdiction. in respect of anything done, action taken or order or direction issued by the Central Government or any other authority or officer in pursuance of any power conferred by or in relation to its or his functions under this Act.

23. Without prejudice to the provisions of sub-section (3) of section 3, the delegate. Central Government may, by notification in the Official Gazette, delegate, subject / to such conditions and limitations as may be specified in the notifications, such of its powers and functions under this Act [except the powers to constitute an authority under sub-section (3) of section 3 and to make rules under section 25] as it may deem necessary or expedient, to any officer, State Government or other authority.

1. In exercise of powers conferred under clause (a) of section 19 the Central Govt. has authorized the officers and authorities listed in the table (p 238) vide S.O 394(E) published in the gazette No. 185 dated 16-4-87 S.O 237(E) published in the gazette No. 171 dated 29-3-89 and S.O 656(E) dated 21-8-89 published in the Gazette No. 19 dated 21-8-89

24. (1) Subject to the provisions of sub-section (2), the provisions of this Act of other Act and the rules or orders made therein shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than this Act.

(2) Where any act or omission constitutes an offence punishable under this Act and also under any other Act then the offender found guilty of such offence shall be liable to be punished under the other Act and not under this Act.

25. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(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 standards in excess of which environmental pollutants shall not be discharged or emitted under section 7; [1](#)

(b) the procedure in accordance with and the safeguards in compliance with which hazardous substances shall be handled or caused to be handled under section 8; [2](#)

(c) the authorities or agencies to which intimation of the fact of occurrence or apprehension of occurrence of the discharge of any environmental pollutant in excess of the prescribed standards shall be given and to whom all assistance shall be bound to be rendered under sub-section (1) of section 9; [3](#)

(d) the manner in which samples of air, water, soil or other substance for the purpose of analysis shall be taken under sub-section (1) of section 11; [4](#)

(e) the form in which notice of intention to have a sample analysed shall be served under clause (a) of sub section (3) of section 11;

(f) the functions of the environmental laboratories, the procedure for the submission to such laboratories of samples of air, water, soil and other substances for analysis or test; the form of laboratory report; the fees payable for such report and other matters to enable such laboratories to carry out their functions under sub-section (2) of section 12;

[1. See footnote 2 on Page 213](#)

[2. See footnote 3 on Page 213](#)

[3. See footnote 1 on Page 214](#)

[4. See r.6 of Environment\(Protection\)Rules,1986](#)

[5. See r.7 of Environment\(Protection\)Rules,1986](#)

[6. See r.9 of Environment\(Protection\)Rules,1986](#)

[7. For the procedure for submission of samples to laboratories and the form of laboratory report see r.8 of Environment\(Protection\)Rules,1986.](#)

(g)the qualifications of Govt. Analyst appointed or recognized for the purpose of analysis of samples of air, water, soil or other substances under section 13;¹

(h)the manner in which notice of the offence and of the intention to make a complaint to the Central Govt. shall be given under clause(b)of section 19;²

(i)the authority or officer to whom any reports, returns, statistics, accounts and other information shall be furnished under section20;

(j)any other matter which is required to be prescribed.

26. Every rule made 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 ,or in two or more successive sessions, and if, before the expiry of the session for a total period of thirty days which may be comprised in one session immediately following the session or the successive sessions 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.

[1. See r.10 of Environment\(Protection\)Rules,1986](#)

[2. See r.11 of Environment\(Protection\)Rules,1986](#)

MINISTRY OF ENVIRONMENT AND FORESTS
(Department of Environment, Forest and Wildlife)

NOTIFICATION

New Delhi, the 21st February, 1991

S.O. 145 (E).- In exercise of the powers, conferred under section 23 of the Environment (protection) Act, 1986 (29 of 1986), the Central Government hereby issue the following orders, namely :-

1. The Central Government hereby delegates the powers with respect to grant of recognition to laboratories or institutes as environmental laboratories and to appoint or recognize Analysis as Government Analysts, as conferred by clause (b) of sub-section (i) of section 12 and section 13 respectively Other Environment (Protection) Act, 1986 to the Central Pollution Control Board.

Recognition of private laboratories under clause (h) of sub-section (i) of section 12 of the Environment (Protection) act, 1986 as well as recognition of their Analysis as Government Analysts under section 13 of the Environment (Protection) Act. 1986, will continue to be done by the Central Government.

3. The laboratories recognized under clause (h) of sub-section (i) of section 12 of the Environment (Protection) Act. 1986 shall be specified as Government /Autonomous, Public Sector Undertaking/Educational Institution/State or Central Pollution Control Board Laboratories.

4. The work done by each Laboratory recognised under the Environment (Protection) Act, 1986. shall re included in the Annual Report of the Centra1 Pollution Control Board.

5. This notification shall come into force on me date of it publication in the Official Gazette.

[No. Q-15013/1/89-CPW]

MUKUL SANWAL, Jt. Secy.

Published in the Gazette No 128 dated 27-2-91

OFFICERS AUTHORISED FOR TAKING COGNIZANCE OF OFFENCES

S.O. 39.4(E).-In exercise of the powers conferred under clause (a) of section 19 of the Environment (Protection)Act, 1986 (29 of 1986), the Central Government hereby authorize the officers and authorities listed in column (2) of the Table hereto for the purpose of the said section with the jurisdiction mentioned against each of them in column (3) of that Table:

TABLE

| Serial No. | Officer | Jurisdiction |
|-------------------|--|----------------------------------|
| (1) | (2) | (3) |
| | 1.Any Director, Joint Secretary, Adviser or Additional Secretary to the Government of India in the Department of Environment, Forests and Wildlife, | <i>Whole of India</i> |
| | 2.The Chairman or Member-Secretary of the Central Pollution Control Board constituted under section 3 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974). | <i>Whole of India</i> |
| | 3. .The Government of the State (represented by the Secretary to the State Government in charge) of environment. | <i>Whole of the State</i> |
| | 4. The Chairman or Member-Secretary of the Slate Pollution Control Board constituted under section 4 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 197,4) or a State Pollution Control Board constituted under section 5 of the Air (Prevention | <i>Whole of the State</i> |

| | |
|--|---|
| and Control of Pollution) Act, 1981(14 of 1981). | |
| 5. Collector | Whole of Revenue District |
| 6. Zonal Officers of the Central Pollution Control Board who have been delegated powers under sections 20, 21, 23 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) and section 24 of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981). | Area as laid down by the Central Board |
| 7. Regional Officers of the State Pollution Control Board who have been delegated powers under section 20, 21 and 23 of the Water (Prevention and Control of Pollution) Act, 1974 | Area as laid down by the State Board |
| 8. Regional Officers of the State Pollution Control Area as laid down by the Board who have been delegated powers under State Board section 24 of the Air (Prevention and Control of Pollution) Act, 1981. | Area as laid down by the State Board |
| 1[9. Any Regional/Zonal Officers or a Director in charge of a Region/Zone of the Ganga Project Directorate | Zonal/Regional area as laid down by the Ganga Project Directorates. |
| 10. Any Deputy Secretary, Director, Joint Secretary or Additional Secretary to the Government of India in Project Directorate Ganga | Whole of the State in which the Action Plan is under implementation] |
| 2[11. Joint Secretary (Legal) in the Department of Environment, Forests and Wildlife, Ministry of Environment & Forests, New Delhi - 1 10003 | Whole of India] |

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| <p>3[12 Chairman or Member Secretary of the Committee notified under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 in respect of Union Territories.</p> | <p>Whole of Union Territory]</p> |
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Note- Principal Notification No. S.O 394(E) published in Gazette No. 185.dated 16.04.1987 Nos 9 and 10 and entries relating thereto inserted vide S.O 237(E)dated 29.3.89 published in the Gazette No.171,dated 29-3-89 S.N 11 and entries relating thereto inserted vide S.O 656(E)dated 24-8-1989 published in the Gazette No. 519 dated 21-08-1989

- 1.Inserted by S.O 237(E) dated 29-3-1989
- 2.Inserted by S.O 656(E) dated 21-8-1989
- 3.Inserted by Notification S.O 624(E) dated 3-9-1996