

## 14. POLLUTION CONTROL BOARDS

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### 14.1 PREAMBLE

The Water (Prevention and Control of Pollution) Act, 1974, vide Sec. 3, empowers the Central Government to constitute a Central Board for the prevention and control of water pollution in the Union Territories of India. Under the same Act, vide Sec. 4, the State Governments have also been empowered to constitute State Boards for the prevention and control of air pollution in the respective States. Accordingly, the Central Pollution Control Board and the State Pollution Control Boards have been constituted for the prevention and control of water and air pollution. Central Pollution Control Board acts under the directions of the Central Government. For a Union Territory, the Central Pollution Control Board exercises the powers and performs the functions of State Pollution Control. Every State Pollution Control Board shall be bound by the directions as the Central Board or the State Government may give to it. Members of Central/State Pollution Control Boards are nominated by Central/State Governments. The addresses of the State Pollution Control Boards and the Central Pollution Control Board are given at Annexure-15. The main functions of the Central Board and the State Boards are given below :

### 14.2 CONSTITUTION OF THE CENTRAL POLLUTION CONTROL BOARD

- (a) A full-time Chairman, being a person having special knowledge or practical experience in respect of 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) 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 CL (c) of sub-section (2) of Sec. 4.
- (d) Such number of officials, not exceeding five 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.
- (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.

### 14.3 FUNCTIONS OF CENTRAL POLLUTION CONTROL BOARD

- (i) To advise the Central Government on any matter concerning the improvement of the quality of air and water and the prevention and control or abatement of air/water pollution.
- (ii) Plan and cause to be executed a nation-wide programme for the prevention, control or abatement of air and water pollution.

- (iii) Co-ordinate the activities of the State Boards and resolve disputes among them.
- (iv) Provide technical assistance and guidance to the State Boards, carry out and sponsor investigations and research relating to problems of air pollution and prevention, control or abatement of air and water pollution.
- (v) Plan and organise the training of persons engaged or to be engaged in programmes for prevention, control or abatement of air and water pollution on such terms and conditions as the Central Pollution Board may specify.
- (vi) Organise through mass media a comprehensive programme regarding prevention, control or abatement of air and water pollution.
- (vii) Collect, compile and publish technical and statistical data relating to air/water pollution and the measures devised for its effective prevention and control or abatement and prepare manuals, codes or guides relating to prevention, control or abatement of air and water pollution.
- (viii) Lay down standards for the quality of air and water.
- (ix) Collect and disseminate information in respect of matters relating to air and water pollution.

#### **14.4 CONSTITUTION OF STATE POLLUTION BOARDS**

A State Board shall consist of the following members, namely:

- (a) Chairman being a person having special knowledge or practical experience in respect of 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 provided, that the Chairman may be either whole-time or part-time as the State Government may think fit.
- (b) Such number of officials, not exceeding five, to be nominated by the State Government to represent that Government.
- (c) Such number of persons, not exceeding five, to be nominated by the State Government from amongst the members of the local authorities functioning within the State.
- (d) Such number of non-officials not exceeding three, to be nominated by the State Government to represent the interests of agriculture, fishery or industry or trade or any other 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.

- (f) A full time Member Secretary having such qualifications, knowledge and experience of scientific, engineering or management aspects of pollution control as may be fixed by the State Government.

#### **14.5 FUNCTIONS OF THE STATE POLLUTION CONTROL BOARDS**

A State Board is the statutory authority for planning, monitoring, surveillance, cement, research and development, education and training in pollution control. The functions of the State Board, as envisaged in the Water (Prevention and Control of Pollution) Act, 1974, Water (Prevention & Control of Pollution) Cess Act, 1979 and the Air (Prevention and Control of Pollution) Act, 1981 are summarised below:

- (i) To plan a comprehensive programme for the prevention, control or abatement of air and water pollution and to secure the execution thereof.
- (ii) To advise the State Government on any matter concerning the prevention, control or abatement of air and water pollution.
- (iii) To collect and disseminate information relating to air and water pollution.
- (iv) To collaborate with the Central Board in organising the training of persons engaged or to be engaged in programmes relating to prevention, control of abatement or air and water pollution.
- (v) Provide technical assistance and guidance to carry out sponsor investigations and research relating to problems of water, air pollution and prevention, control or abatement of water and air pollution.
- (vi) Lay down, modify or annual in consultation with the State Government, the standards for a stream or well and for the quality of air.
- (vii) Advise the State Government with respect to the location or suitability of any premises for carrying on any industry which is likely to pollute a stream or well or cause air and water pollution.
- (viii) Lay down standards for treatment of sewage and trade effluents and for exhaust and stack gas clearing systems for industrial plants.
- (ix) Identify area or areas within the State as Water Pollution Prevention and Control Area or Areas. The State Government may declare any area or areas within the State as Water Pollution Prevention and Control Area or Areas.
- (x) Identify area or areas within State as Air Pollution Control Area or Areas for the purpose of the Air (Prevention and Control of Pollution) Act, 1981. The State Government may declare area or areas within the State as Air Pollution Control Area.

The Environment (Protection) Act, 1986 has significantly augmented the powers and duties of the State Boards.