

**Air (Prevention and Control of Pollution)  
Madhya Pradesh Rules, 1983.<sup>1</sup>**

Bhopal, the 24th September 1983

No. 3368-xxxii.- In exercise of the powers conferred by Section 54 of the Air(Prevention and Control of Pollution) Act, 1981(14 of 1981). the State Government in consultation with the Madhya Pradesh Pradushan Nivarn Mandal. hereby makes the following rules, namely:-

1. Short title and commencement.- (1) These rules may be called the Air (Prevention and Control of Pollution) Madhya Pradesh Rules, 1983

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

2. Definitions.- In these rules unless the context otherwise requires:-

- (a) "Act" means the Air (Prevention and Control of Pollution) Act 1981 (No.14 of 1981).
- (b) "Appellant" means any person aggrieved by and appealing against an order made by the State Board under Section 30 Section 21, or Section 22 of the Act.
- (c) "Appellate Authority" means the appellate Authority constituted by the Government of Madhya Pradesh under sub-section (I) of Section 31 of the Act.
- (d) "Consultant" means and includes any person whose services, technical or otherwise, may be obtained by the Chairman to conduct the affairs of the Board.
- (e) "Form" means a form appended to these rules,
- (f) "Furnace" means any structure or installation where any form or type of fuel is burnt on otherwise a high temperature higher than ambient is maintained.
- (g) "Premises" means any building structure or property used for industrial or trade purposes where pollution occurs.
- (h) "State Air Laboratory" means a Laboratory established or specified as such under Section (1) of Section 28.
- (i) "Section" means a section of the Act.
- (j) "State Board Laboratory" means a Laboratory established or recognised as such under sub-section(2) of Section 17.
- (k) Words any expressions used but not defined in these rules shall have the meaning as defined in the Air (Prevention and Control of Pollution) Act, 1981 (No 14 of 1981).

3. Salaries, allowances and other conditions of service of the Chairman and members of the Board under sub-section(7) of Section 7. Salaries, allowances and other conditions of the service of the Chairman and other members shall be the same as provided in rules 3 and 5 of the Water (Prevention and Control of Pollution) Madhya Pradesh Rules, 1975. In addition, the Chairman of the Board shall be paid Rs. 500 per month as special pay for the additional responsibility imposed on him .

4. Procedure for Transaction of Business.- Procedure for transaction of business of the Board and its committees shall be the same as provided in the Madhya Pradesh State Prevention and Control of Water Pollution Board and it's Committees (Meeting) Rules, 1975.

5. Fees and allowances to be paid to such members of the Committee of the Board who are not members of the board under sub-Section (3) of Section 11-(1) A member of the Committee constituted under subsection 3 of Section 11 who is not a member of the Board shall be entitled to such fees and allowances as provided in rules 5 and 6 of the Water [Prevention and Control of Pollution] Madhya

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1. These rules were published in the Madhya Pradesh Raja patra dt. 24th September 1983.

Pradesh Rules, 1975.

(2) Notwithstanding anything in sub-rule (1) if such person is a Government servant or employee in a Government undertaking, he shall be entitled to travelling and daily allowances, only at the rates provided under the relevant rules applicable to him.

6. Fees and allowances to be paid for temporary association of persons under sub-Section (3) of Section 11.- (1) If the person associated with the Boards, under sub-section (1) of Section 12 happens to be nonofficial, he shall be entitled to get fees and allowances at the rates mentioned in rule 6 of the Water (Prevention and Control of Pollution) Madhya Pradesh Rules, 1975.

2. Notwithstanding in Sub-rule (1) if such person is a Government servant or employee in a Government undertaking he shall be entitled to travelling and daily allowances only at the rates provided under the relevant rules applicable to him.

7. Terms and conditions of service of the Member Secretary of the State Board.- The salaries, allowances and other conditions of service of the Member Secretary shall be the same as provided under rule 4 of the Water (Prevention and Control of Pollution) Madhya Pradesh Rules, 1975.

In addition, the Member Secretary of the Board shall be paid Rs. 300 per month as special pay for the additional responsibility imposed on him.

8. Powers and Duties of the Member Secretary.- Powers and duties of the Member-Secretary shall be the same as provided under rule 9 of the Water (Prevention and Control of Pollution) Madhya Pradesh Rules, 1975.

9. Appointment of Consultant under sub-Section (5) of Section 14.- For the purposes of assisting the Board in the performance of its functions, the Board may appoint a Consultant for a period not exceeding 6 months:

Provided that the Board may extend the period of appointment from time to time up to one year:

10. Power to terminate appointment.- Notwithstanding the appointment of the consultant for a period, under rule 9, Board shall have the right to terminate appointment of the consultant before the expiry of the period of appointment if in the opinion of the Board this becomes desirable subject to the payment of salary and allowance for the unexpired term of this appointment.

11. Consultant not to disclose information.- The consultant shall not disclose any information either given by the Board or obtained during the performance of the duties assigned to him, either by the Board or otherwise to any person other than the Board without written permission of the Board.

12. Duties and functions of the consultant.- The consultant shall discharge such duties and perform such functions as are assigned to him by the Board/Chairman.

13. Application for consent under sub-section (2) of the Section 21.- (1) An application for obtaining the consent of the Board for bringing into use any new or altered chimney for emission into atmosphere or for continuing an existing emission from chimney into atmosphere shall be made to the Board in Form 1.

(2) Application as provided in the proviso to sub-section (2) of Section 21 shall be made within a period of four months from the date of publication of these rules in the "Madhya Pradesh Gazette".

(3) Such application should be accompanied by a fee as provided for industries in rule 4 of the Water (Prevention and Control of Pollution) (Consent) Madhya Pradesh Rules, 1975.

(4) Any application not accompanied by the prescribed fees shall not be entertained by the Board.

(5) The prescribed fees shall be paid through Bank Draft in favour of the Board as may be prescribed

(6) Renewal of consent- For renewal of consent the same rule will apply as are prescribed vide rule 5 of Water (Prevention and Control of Pollution) Consent (M.P) Rule 1975.<sup>1</sup>

14. Procedure for making enquiry into application for consent under subsection (3) of Section 21.

(1) On receipt of an application for consent under Section 21 of the Board may depute any of its officers accompanied by as many assistants as may be necessary to visit and inspect any place or premises under the control of the applicant or the occupier, 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 or premises, where emission from the Chimney or fugitive emission from any location from the premises of the industry as also any control devices installed in said premises. Such officers may, for that purpose, inspect any place or premises under the control of the applicant or occupier, and may require the applicant to furnish to him any plans, specifications or other data relating to control equipment or systems of 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) give notice to the applicant of his intention to do so in Form II. The applicant shall furnish to such officer all information and provide all facilities to conduct the inspection.

(3) An officer of the Board may, before or after carrying out an inspection under sub rule (1) 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 Board.

15. Submission of information by the occupier under sub-section(1) of Section 23.- An officer incharge of industrial plant or occupier of the premises from where due to an accidental breakdown of some processes or installations or otherwise, an emission occurs or is apprehended to occur in excess of the standard laid down by the Board shall forthwith intimate the fact of such occurrence to all or any one of the Board, District Collector, Sub-Divisional Magistrate, nearest Police Authority and the nearest Officer of the Local Authority including Panchayat, Public Health Department and department of Industry.

16. Manner of taking samples under sub-Section(1) of Section 26.- (1) The Board or any officer empowered by it in this behalf shall have the power to take for the purpose of analysis samples of air or emission from any chimney flue or duct, plant or vessel or any other sources and outlets, stationary or mobile under sub-section (1) of Section 26. The occupier of the premises shall provide all necessary facilities for sampling of air or emission from any chimney, flue or dust, plant or vessel or any other sources and outlets, stationary or mobile as may be specified by the Board or any Officer empowered by it in this behalf. The occupier of the premises shall provide all necessary facilities for access to the sampling place as may be specified by the Board or any officer empowered by it in this behalf.

(2) The procedure used for sampling air or emission from any chimney, flue or duct, plant or vessel or any other sources and outlet, Stationary or mobile, the instruments used for sampling and the methods of measuring air pollutants shall be such as may be specified by the Board to suit the situation.

17. Form of notice under sub-section(3) of Section 26.- A notice under sub-section(3) of section 26 shall be in form III.

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1. As inserted vide notification No 4029/284/32/85 dated 6-8-85 of the State Govt.

18. Form of report of Board analyst under sub-section(1) of Section 27.- The Board analyst shall submit to the Board a report of the result of analysis in triplicate in form IV.

19. Function of the State Board Laboratory under Sub-section (3) of section 27 and under sub-section 2.(b) of Section 28.- The State Air Laboratory shall cause to be analysed any samples of air or emission received by it from any officer authorised by the Board for the purpose and the findings shall be recorded in triplicate in Form V.

20. Qualifications of Government/State Board Analyst under Section 29.- The qualification for the Government /State Board analyst shall be atleast II class M.Sc. in Basic Sciences/Life Sciences/ Earth Sciences with three years experience in Environmental Quality Management.

21. Memorandum of appeal under sub-section (3) of Section 31.- (1) Every appeal against an order passed by the State Board under Section 20, Section 21 or Section 22 shall be filed by the aggrieved party in Form VI.

(2) Every aggrieved person preferring an appeal shall do so separately in his own name and no joint appeal made on behalf of more than one person shall be entertained by the appellate authority,

(3) (a) Every appeal shall:-

- (i) be in writing,
  - (ii) Specify the name and address of the applicant and the date of the order appealed against.
  - (iii) Specify the date on which the order appealed against was communicated to the appellant,
  - (iv) Contain a clear statement of facts of the case and grounds relied upon by the aggrieved person in support of the appeal,
  - (v) State precisely the relief prayed for, and
  - (vi) be signed and verified by the appellant or an agent duly authorised by the appellant in writing in this behalf.
- (b) Every appeal shall be accompanied by:-
- (i) An authenticated copy of the order against which appeal is made,
  - (ii) A copy of the application made under section 20,21 or under section 22 as the case may be,
  - (iii) any document related to the appeal, and
  - (iv) a satisfactory proof of the payment of the fee prescribed.
- (c) A fee of Rupees, one thousand<sup>1</sup> shall be deposited by every appellant in the office of the appellate authority and an authenticated copy of the receipt obtained therefor shall be annexed to every appeal. No appeal, which is not accompanied with the aforesaid copy of the receipt shall be entertained by the appellate authority.
- (d) Every memorandum of Appeal shall be submitted in quadruplicate and shall either be presented to the appellate Authority by the appellant or his authorised agent in person or sent to such authority by registered post. When the Memorandum of Appeal is presented by an agent duly authorised by the appellant, it shall be accompanied by a letter of authority written on a stamped paper or the value as required by law, appointing him as such an agent.
- (e) On receipt of the Memorandum of Appeal, the appellate authority shall endorse thereon the date of its presentation or receipt by post and the name of the appellant or his duly authorised agent presenting it, as the case may be.

22. Procedure to be followed by the appellate authority in dealing with and disposal of the Appeal

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1. As amended vide Notification No F-11-12-87/32 dt 30-6-89

under sub-section (3) of Section 31.- (1) The Appellate authority shall, as soon as may be after the Memorandum of appeal is filed before it, fix a date for hearing of the Appeal and give intimation of the same to the appellant and the Member Secretary in Form VII. While giving such intimation to the Member-Secretary, a copy of the Memorandum of Appeal together with its enclosures shall also be sent to the Member Secretary and he shall be called upon to send to the Appellate Authority all the relevant records connected with the matter relating to the appeal;

(2) Where the material on record is insufficient to enable the appellate Authority to come to a definite decision it may take additional evidence and call for such further material from the appellant or the Member Secretary as it deems fit. Such material shall form part of the record, but not before the party other than that from whom such record has been given an opportunity to peruse such record, itself against anything contained there in which is detrimental to the interests of that party.

3. Where on the date fixed for hearing or any date to which the hearing of the appeal may be adjourned, the appellant or his duly authorised agent does not appear when the appeal is called for hearing, the appeal shall be liable to be dismissed.

(4) Where an appeal is dismissed under sub-rule (3) the appellant may, within 30 days from the dismissal of the appeal, apply to the appellate authority for the restoration of the appeal and if it is shown to the satisfaction of the appellate authority that the appellant had not received intimation of the date of hearing of the appeal or was prevented by any cause, sufficient in the opinion of the appellate authority, from appearing when the appeal was called for hearing, the appellate authority may restore the appeal on such terms as it thinks fit.

(5) The order passed by the appellate authority on the appeal be in writing and shall state clearly the points before it for determination of the decision thereon and the reasons for the decision.

(6) A copy of the order passed in appeal shall be supplied by the appellate authority free of cost to the appellant and a copy thereof shall also be sent to the Member-Secretary.

23. Form of Budget estimates under Sections 34 and 36:- The form in which and time within which the budget and accounts may be prepared and forwarded to the Government shall be the same as specified in rule 20 and 21 of the Water (Prevention and Control of Pollution) Madhya Pradesh Rules, 1975.

24. Form of annual report under Section 35.-The report in respect of the year last ended giving a true and full account of the activities of the Board during the previous financial year will be as provided in Rule 29 of the Water(Prevention and Control of Pollution) Madhya Pradesh Rules, 1975.

25. Consent Register:- The Board will maintain a register containing particulars of Industrial Plant to which consent has been granted under section 21 in Form VIII.

26. It is hereby declared that for any item not specifically dealt with in these rules, the corresponding provisions of the Water (Prevention and Control of Pollution) Madhya Pradesh Rules, 1975, shall apply.

27. Directions:<sup>1</sup>

- (1) Any direction issued under Section 31-A shall be in writing.
- (2) The direction shall specify the nature of action to be taken and time within which it shall be complied with by the person, officer of the authority to whom such direction is given.
- (3) The person officer or an 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 15 days from the date of service of notice to file with an officer designated in this

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1. As inserted vide Notification No F-11-8-86 - XXXII dt 29-7-91 of the State Govt.

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 service affecting the carrying on of any industry, operation or process and is sought to be issued 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 designated in this behalf shall be dealt with in accordance with the procedure under sub-rule (3) and (5) of this rule.
  - (5) The State Board shall within a period of 45 days from the date of receipt of the objections if any, or from the date up to which an opportunity is given to the person officer or authority to file objections, whichever is earliest consider the objections, and for reasons to be recorded in writing, confirm, modify or decide not to issue the proposed direction.
  - (6) In case where the State Board is of the opinion that there is likelihood of a grave injury to the environment and 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 direction without providing such an opportunity.
  - (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 the document is addressed in the name of the Company at 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 of business;
    - (b) Where the person to be served is an officer serving Government, if the document is addressed to the person and a copy there of is endorsed to his Head of the Department and also to the Secretary to the Government, incharge 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 person 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 member of his family or is affixed on some conspicuous part of the land, or building, if any to which it relates; or (iii) is sent by registered post to that person.
- Explanation.- For the purposes of this sub-rule-
- (a) "Company" means any body corporate and includes a firm or other association of individuals;
  - (b) "a servant" is not a member of the family.

28. Manner of giving notice:

The manner of giving notice under clause (b) of sub-section (1) of Section 43 shall be as follows namely:-

- (i) The notice shall be in writing in Form IX.
- (ii) The person giving notice may send it to- (a) Board; and (b) Ministry of Environment and Forests (represented by the Secretary, Government of Madhya Pradesh)
- (iii) Notice shall be sent by registered post with acknowledgement due; and
- (iv) Period of sixty days mentioned in clause (b) of sub-section 43 shall be reckoned from the date of its first receipt by one of the authorities mentioned above"

FORM-1<sup>1</sup>

(seerule 13)

Application for consent for emission/ continuation of emission under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981.

Dated.....

From.....

.....

.....

To

The Member Secretary,  
Madhya Pradesh Pollution Control Board

.....

.....

Sir,

I/ We hereby apply for CONSENT/RENEWAL OF CONSENT under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 to bring into use a new /altered "stack for the discharge of emission/to begin to make new discharge of emission / to continue to discharge emission" from stack in industry owned by.....

The relevant details are as below:-

- (1) Full name of applicant, designation with address and telephone No.
- (2) Names of full-time Directors with addresses and telephone No.
- (3) Full factory address (with name of plot/premises) and telephone No.
- (4) Date of commissioning of factory or proposed date of commissioning of factory.
- (5) Capital investment made( Rs.in lakhs).
- (6) Total No. of employees.
- (7) (a) Licensed Annual Capacity of the factory.  
(b) Attach a brief description of the manufacturing process along with a flow diagram and the position of corresponding stack on the plot plan.
- (8) State the number of boilers, heaters, furnaces installed in the factory along with their capacity, type/quantity of fuel used, and the emissions from the stacks.
- (9) Stack details:-
  - (a) Number of stacks
  - (b) \*Natural draft/ ID Fan/FD Fan.
  - (c) Material of construction of stack
  - (d) Stack height:
    - (i) Above Ground level (Meters)
    - (ii) Above factory Room (Meters)
- (10) Attach information on air pollution control equipment in respect of each of the stacks listed in item 9 above.
  - (a) Name of equipment

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1. As substituted by Notification No, F-1-8-86-XXXII dt. 29.7.91 of the State Govt.

- (b) Existing or proposed and for which pollutant and date of installation
  - (c) Reduction efficiency guaranteed by the manufacturer.
  - (d) Quantity and Quality of current / expected emission.
  - (e) Whether the industry works in general shift or shifts or round the clock.
  - (f) What monitoring is being done or proposed.
- (11) Attach information on compliance of emissions with respect to the standard.
- (12) I / we declare that the information furnished above is correct to the best of my / our knowledge.
- (13) I / we, hereby submit that in case of change either of the point of the emission or its quality, a fresh application for consent shall be made and until such consent is granted, no emissions shall be made.
- (14) I / we hereby agree to submit to the State Board an application for renewal of consent one month in advance of the date of expiry of the consented period for stack emission, if to be continued there after.
- (15) I / we undertake to furnish any information within one month of its being called by the State Board.
- I / we enclose herewith Cash Receipt No. .... Bank Draft No. .... dated .....  
for Rs. .... (Rupees.....) in favour of the Madhya Pradesh Pollution  
Control Board as has been payable under Section 21 of the Act.

Yours Faithfully

.....  
Signature of Applicant

- Note 1. Any applicant knowingly giving incorrect information on suppressing any information Pertaining there to shall be liable to be punished under the Act.
2. \* Strike out which is not relevant.
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## FORM II

[see sub-Rule (2) of Rule 14]

## MADHYA PRADESH PRADUSHAN NIWARAN MANDAL

## Notice of Inspection

Chairman

Member Secretary.....

Shri.....

No.....

Dated.....

To

.....  
.....

Take notice that for the purpose of enquiry under section 21, of the Air (Prevention and Control of Pollution), Act, 1981, the following officers of the State Board namely:-

(i) Shri.....

(ii) Shri.....

(iii) Shri.....

and the persons authorised by the Board to assist them shall inspect any systems of your Industrial Plant.

Any other parts there of or pertaining thereto under management control on date (a) ..... 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 State Board shall amount to obstruction punishable under section 37 (1) of the Act.

Copy to:-

1. ....

2. ....

3. ....

By order of the Board.

Member Secretary

## FORM III

[See Rule 17]

## MADHYA PRADESH PRADUSHAN NIWARAN MANDAL BHOPAL

## Notice of intention to have sample analysed

To.

Take notice that it is intended to have analysed the sample of Air emission from your premises which is being taken to day the ..... day of..... 19..... from(1)

Name and designation of the person  
who takes the sample

(1) Here specify the stack, chimney or any other emission outlets.

To

.....  
.....  
.....

FORM IV

Report by the State Board analyst

(See Rule 18)

Report No.....

Dated the .....

I hereby certify that I, (I).....State Board analyst duly appointed under sub -sectoion 3 of section 26 fo the Air (Prevention and Control of Pollution ) Act, 1981. received on the (II).....day of.....19.....from (III).....a sample of .....for analysis. The Sample was in a condi- tion fit for analysis reported below:

I further certify that I have analysed the aforementioned sample on (IV) .....and de- clare the result of the analysis to be as follows:-

(V).....  
.....

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

.....  
.....

Singed this.....dayof.....19.....

Address.....

.....  
.....  
.....

signature  
State Board Analyst

To

.....  
.....  
.....  
.....

- (i) Here write the full name of the State 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 V

Report by the Government Analyst

(See Rule 19)

Report No.....

Dated the.....

I hereby certify that I (I).....Government analyst duly appointed under sub section of section 27 of the Air (Prevention and Control of Pollution) Act, 1981. 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 afore mentioned sample on (IV) .....and declare the result of the analysis to be as follows:-

(V).....

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 edequete the details may be given on a seperate sheet or paper.

## FORM VI

Form of appeal under section 31 of the Air (Prevention and Control of Pollution)

Act, 1981 (No. 14 of 1981)

(See Rule 21)

\*Before.....

(Here mention the name and designation of the authority)

Appellate Authority constitute under Section 31 of the Air (Prevention and Control of Pollution)  
Act, 1981 (14 of 1981).Memorandum of appeal of Shri.....  
.....(Appellant).

Vs

Madhya Pradesh Pradushan Niwaran Mandal.

(Respondent)

The Appeal of Shri.....

Resident of .....

District.....

against the order ..... Date.....

(Prevention and Control of Pollution) Act, 1981. showeth as follows:

(1) Under Section 20/21/22 of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981) the appellant has been granted consent subject to the condition mentioned in the consent order in respect of the ... Company/Corporation/Municipality/Notified Area Committee, etc. noted below:-

- (a) name of the Plant/Company/Corporation/Municipality/Notified Area Committee.
- (b) Place
- (c) District
- (d) Name of the street and
- (e) District.

A copy of the consent order in question is attached hereto.

(2) The facts of the case are as under;

(Here briefly mention the facts of the case).

(3) The grounds on which the appellant relies for the purpose of this appeal are as below:-

(Here mention the ground on which appeal is made)

- 1.
- 2.
- 3.
- 4.

(4) In the light of what is stated above, the appellant respectfully prayed that-

- (a) The unreasonable condition (s)..... imposed should be treated as unapplied or it/ they should be constituted for such other condition(s) it appears to be responsible.

OR

- (b) The unreasonable condition (s) ..... should be varied in the following manner:-

[Here mention the manner in which the condition (s) objected]

An amount of Rs.....as fee for this appeal has been paid vide receipt No.....dated.....an authenticated copy of which is attached in proof of payment.

.....  
Signature of the Appellant

Name in block letters.....

Occupation.....

Address.....

Date.....

#### Verification

I.....(appellant's name) in the above memorandum of appeal/or duly authorised agent do/does hereby declare that what is stated therein is true to the best of my knowledge and belief and nothing has been hidden thereunder.

Signature.....

Name.....

(in block letters)

Occupation.....

Address.....

.....

.....

Dated.....

\*Strike out what is not applicable.

#### FORM VII

#### Form of Notice

(See Rule 22)

Before I.....(here mention the name and designation of the authority) Appellate Authority as constituted under Section 31 (1) of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981).

In the matter of appeal No. ....19.....filed under Section 31 of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981) by Shri.....(Here mention the Name and address of the Appellant).

Whereas Shri. .... has filed before this Authority a Memorandum of Appeal against the Order.....dated.....passed by the Madhya Pradesh Pradushan Nvaran Mandal under Section 20/21/22 of the Act.

And whereas under sub-section (4) of Section 31 of the Act, this Authority is required to give to the parties an opportunity of being heard.

Now therefore, please take notice that this authority has fixed.....as the date of hearing of the aforesaid appeal. The hearing shall take place at .....AM/Pm.

On that date in the office of the Board at Bhopal you are here by called upon to appear before this Authority at the appointed time and date and place , either in person or through a duly authorised agent, and explain your case. Please take notice that failure on your part to appear on the day of hearing either in person or through a duly authorised agent, without sufficfeat cause to the satisfaction of this Authority will make your appeal liable to be dismissed or decided ex-parte.

Given under the hand and Seal of the Appellate authority at.....this.....day.....

FORM VIII

(See Rule 25)

Under rule 25 the following shall be the form of the register to be maintained in respect of consents to be issued under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981.

- I. General:
  - (a) Consent is issued to:  
(Corporation, Company, Govt. Agency Firm etc.)
  - (b) Postal Address.
- II. Location of plant or facilities (Latitude and Longitude must be to the nearest of 15 seconds ):
  - (a) Nearest City..... District.....
  - (b) Latitude.....Longitude.....
  - (c) Is it located in air pollution control area Yes/No  
If yes, identification of Air Pollution Control area.
- III. Type operation or Process:
  - (a) name of the operation or process.
  - (b) Schedule identification number.
- IV. Consents classification
 

	Yes	No
(a) Proposed	<input type="text"/>	<input type="text"/>
(b) Now operating	<input type="text"/>	<input type="text"/>
(c) Modification of the existing emission soure	<input type="text"/>	<input type="text"/>
(d) Location change	<input type="text"/>	<input type="text"/>
(e) Ownership change	<input type="text"/>	<input type="text"/>
(f) Present consent order Number, if any	<input type="text"/>	<input type="text"/>
- V. Implementation Dates
  - (a) In the case of proposed industries .....  
operation expected to begin (day) (month) (year)
  - (b) Air Pollution Control equipment and admission to be installed standards achieved by.  
.....  
(day) (month) (year)

## VI. Emission Standards :

Emission source Number (from plot plan) (1)	Air Pollutant emitted (2)	Emission rate Kg/hour or standard/See (3)

## VII. Consent conditions, if any:

FORM-IX<sup>1</sup>

(See rule 28)

FORM OF NOTICE

By Regd. Post A.D.

From :

Shri.....

.....

To

.....

.....

Notice under clause (b) of sub-Section(1) of Section 43 of the Air (Prevention and Control of Pollution ) Act, 1981.

I/We .....hereby give notice of 60 days under clause (b) of sub-section (1) of Section 43 of the Air (Prevention and Control of Pollution ) Act, 1981 of my/our intention to file a complaint in the court against (2)..... for violation of Section (3)of the Air (Prevention and Control of Pollution)Act, 1981.

In support of my/our notice, I am/we are enclosing the following documents(3) as evidence of proof of violations of the Air( Prevention and Control of Pollution) Act, 1981.

Place.....

Date.....

.....

.....

signature(s)

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 42 of the Air (Prevention and Control of Pollution)Act. 1981.

(2) Here give the name and address of the alleged offender. In case of a manufacturing/processing operation 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.”

1. As inserted vide Notification No F-11-8-86-XXXII dated 29-7-91 of state Govt.