

MINISTRY OF ENVIRONMENT AND FORESTS
ORDER
New Delhi, the 29th January, 1998

S.O. 93 (E).— In exercise of the powers conferred by sub-sections (1) and (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (hereinafter referred to as the said Act), the Central government hereby constitutes an authority to be known as the Environment Pollution (Prevention and Control) Authority for the National Capital Region (hereinafter referred to as the Authority) consisting of the following persons for a period of two years with effect from the date of publication of this Order in the Official Gazette, namely:-

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| (1) | Shri Bhure Lal
Secretary
Central Vigilance Commission,
Jaisalmer House, Mansingh Road,
New Delhi. | Chairman |
| (2) | Smt. Kiran Dhingra,
Commissioner-cum-Secretary
Transport Department,
Government of the National
Capital Territory of Delhi,
Delhi. | Member |
| (3) | Shri Anil Agarwal,
Director,
Centre for Science and Environment,
41, Tughlakabad Industrial Area,
(Near Batra Hospital),
New Delhi - 110 062. | Member |
| (4) | Shri Jagdish Khattar,
Representative of the Automobile
Manufacturers Association of India,
Executive Director (Marketing & Sales),
Maruti Udyog Limited,
11th Floor, Jeevan Prakash
25, Kasturba Gandhi Marg,
New Delhi - 110 001 | Member |
| (5) | Shri D. K. Biswas,
Chairman,
Central Pollution Control Board,
Parivesh Bhawan,
East Arjun Nagar,
Delhi - 110 054 | Convenor |

2. The Authority shall exercise the following powers and perform the following functions for protecting and improving the quality of the environment and preventing, controlling and abating environmental pollution, namely:-

- (1) exercise the powers under section 5 of the said Act for issuing directions in respect of complaints relating to the violation of an order by any authority or measure specified pertaining to-
 - (i) standards for the quality of the environment in its various aspects,
 - (ii) standards for omission or discharge of environmental pollutants from various sources,
 - (iii) restriction of areas in which any industries, operations or processes or class of industries or processes shall not be carried out or shall be carried out subject to certain safeguards,
 - (iv) procedures and safeguards for the prevention of accidents which may cause environmental pollution and remedial measures for such accidents,
 - (v) procedures and safeguards for the handling of hazardous substances.
- (2) The Authority shall have the power to take up matters as mentioned above, suo-moto, or on the basis of complaints made by any individual, representative body or organization functioning in the field of environment. Such complaints may be against any individual, association, company, public undertaking or local body carrying on any industry, operation or process.
3. The Authority shall, for controlling vehicular pollution, take all necessary steps to ensure compliance of specified emission standards by vehicles including proper calibration of the equipment for testing vehicular pollution, ensuring compliance of fuel quality standards, monitoring and coordinating action for traffic planning and management.
4. The Authority shall, for ensuring maintenance of the specified ambient noise standards, have the power to issue directions under section 5 of the said Act, including banning or restricting any industry, process or operation emitting noise.
5. The Authority shall deal with environmental issues pertaining to the National Capital Region which may be referred to it by the Central Government.
6. The Authority shall monitor the progress of the action plan drawn up by the Ministry of Environment and Forests on pollution in Delhi as contained in the 'White Paper on Pollution in Delhi with an Action Plan', issued by the Central Government on 3rd December, 1997.
7. The Authority shall exercise the powers of entry, inspection, search and seizure under section 10 of the said Act, in respect of any action to be taken under sub-paragraph (1) of the paragraph 2 of this Order.
8. The Authority shall exercise the power to take samples under section 11 of the said Act, in respect of any action to be taken under sub-paragraph (1) of paragraph 2 of this Order.

9. The Authority shall exercise the powers under section 19 of the said Act, for making complaints against offences under the said Act and for non-compliance of directions issued by it under sub-paragraph (1) of paragraph 2 of this Order.
10. The Authority shall have jurisdiction over the National Capital Region as defined in clause (f) of section 2 of the National Capital Region Planning Board Act, 1985 (2 of 1985).
11. The foregoing powers and functions of the Authority shall be subject to the supervision and control of the Central Government.
12. The Authority shall furnish a progress report about its activities at least once in two months to the Central Government.
13. The Authority shall have its headquarters in National Capital Region.

14(1). Notification of the Government of India in Ministry of Environment and Forests number S.O.704(E), dated the 9th October, 1996 constituting the Environmental Impact Assessment Authority for the National Capital Region shall stand superseded (except in respect of things done or omitted to be done before such supersession) from the date of publication of this Order

14(2). Any matter which relates to the powers and functions enumerated in this Order, and pending with the Environmental Impact Assessment Authority shall stand transferred to the Environment Pollution (Prevention and Control) Authority for the National Capital Region constituted under this Order.

14(3). Any matter specifically not falling within the scope and jurisdiction of the Authority as so constituted shall be dealt with by the statutory authorities concerned.

[File No. Q-18011/14/90-CPA]
VIJAY SHARMA, Jt. Secy.