

Bill No. 79 of 2024

THE AIR (PREVENTION AND CONTROL OF POLLUTION)
AMENDMENT BILL, 2024

By

SHRI HIBI EDEN, M.P.

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further to amend the Air (Prevention and Control of Pollution) Act, 1981.

BE it enacted by Parliament in the Seventy-fifth Year of the Republic of India as follows:—

1. (1) This Act may be called the the Air (Prevention and Control of Pollution) Amendment Act, 2024.

Short title and commencement.

5 (2) It shall come into force on such date, as the Central Government may, by notification in the official Gazette, appoint.

Amendment of section 2.	2. In section 2 of the Air (Prevention and Control of Pollution) Act, 1981, hereinafter referred to as the principal Act,—	14 of 1981.
	(a) after clause (b), the following clause shall be inserted, namely:—	
	“(ba) “Air Quality Index (AQI)” means a measure of air quality that takes into account various air pollutants and their concentrations;”;	5
	(b) after clause (j), the following clause shall be inserted, namely:—	
	“(ja) “green practices” means sustainable practices that minimize the negative impact of human activities on the environment;”;	
	(c) after clause (m), the following clause shall be inserted, namely:—	
	“(ma) “polluting industries” means industries that emit air pollutants beyond the permissible limits set by the Central Board;”;	10
	(d) after clause (n), the following clause shall be inserted:—	
	“(na) “public transport” means transport services provided by the Government or any other entity to the general public;”.	
Insertion of new sections 19A, 19B, 19C, 19D and 19E.	3. After section 19 of the principal Act, the following section shall be inserted,—	15
National clean air plan.	“19A. (1) The Central Government shall prepare a National Clean Air Plan to be implemented by the State Governments in a time-bound manner as may be prescribed.	
	(2) The National Clean Air Plan under sub-section (1), shall include the following measures, namely:—	
	(a) measures to reduce emissions from polluting industries and transportation sector;	20
	(b) measures to promote the use of clean energy sources such as solar, wind, and hydropower;	
	(c) measures to promote the use of electric vehicles and public transport;	
	(d) measures to promote the use of non-motorized transport such as cycling and walking; and	25
	(e) measures to promote green practices in various sectors of the economy.	
Air quality monitoring.	19B. (1) The Central Board shall establish a network of air quality monitoring stations across the country in such manner as may be prescribed.	
	(2) The data from air quality monitoring stations established under sub-section (1) shall be made available to the public in real-time.	30
	(3) The State Governments shall take necessary measures to ensure that the air quality index meets the standards set by the Central Board.	
Green practices in industries.	19C. (1) The State Governments shall encourage industries to adopt green practices by providing incentives as may be prescribed.	35
	(2) The State Governments shall also impose penalties on polluting industries that violate the permissible limits of air pollutants.	
Promotion of public transport.	19D. (1) The State Governments shall encourage the use of public transport by providing incentives such as reduced fares.	

(2) The State Governments shall also promote the use of electric vehicles in public transport.

5 19E. (1) The State Governments shall promote the use of non-motorized transport such as cycling and walking by providing infrastructure such as cycle tracks and pedestrian walkways.

Promotion of non-motorized transport.

(2) The State Governments shall also encourage citizens to use non-motorized transport by providing incentives as may be prescribed.”.

4. After section 39 of the principal Act, the following section shall be inserted, namely:—

Insertion of new section 39A.

10 “39A. If any industry violates the provisions of section 19C of this Act, it shall be liable to pay a penalty as may be prescribed.”.

Penalty for polluting industry.

STATEMENT OF OBJECTS AND REASONS

Air pollution is a growing concern across India, with the adverse effects of air pollution on human health and the environment becoming increasingly evident. The emission of greenhouse gases from various human activities is contributing to climate change, which poses a significant threat to the planet.

The proposed Bill seeks to address these issues by promoting clean air, better air quality, and encouraging the adoption of green practices in various sectors of the economy. The need is also to establish a National Clean Air Plan, which will be implemented by the State Governments in a time-bound manner. The National Clean Air Plan shall include measures to reduce emissions from polluting industries and transportation sectors, promote the use of clean energy sources, electric vehicles, and public transport, and encourage the use of non-motorized transport such as cycling and walking.

The proposed Bill also aims to establish a network of air quality monitoring stations across the country and the data from these stations will be made available to the public in real-time. The State Governments will be required to take necessary measures to ensure that the air quality meets the standards set by the Central Pollution Control Board.

The Bill further encourages industries to adopt green practices by providing incentives such as tax breaks and subsidies. The State Governments will also be required to impose penalties on polluting industries that violate the permissible limits of air pollutants.

The Bill seeks to promote the use of public transport by providing incentives such as reduced fares and promoting the use of electric vehicles in public transport. The State Governments will also be required to promote the use of non-motorized transport such as cycling and walking by providing infrastructure such as cycle tracks and pedestrian walkways.

The Bill, therefore, seeks to amend the Air (Prevention and Control of Pollution) Act, 1981 with a view to establish National Clean Air Plan and Air Quality monitoring Stations to promote clean air, better air quality, and encourage the adoption of green practices across various sectors of the economy. By doing so, it aims to contribute towards a healthier and more sustainable future for India.

Hence this Bill.

NEW DELHI;
July 9, 2024.

HIBI EDEN

FINANCIAL MEMORANDUM

Clause 3 of the Bill *vide* proposed section 19B provides for the Central Pollution Control Board to establish a network of air quality monitoring stations across the country in such manner as may be prescribed. The Bill, therefore, if enacted would involve expenditure from the Consolidated Fund of India. It is estimated that a recurring expenditure of about rupees eight thousand and five hundred crore is likely to be involved per annum from the Consolidated Fund of India.

A non-recurring expenditure of rupees seven hundred crore is also likely to be involved.

ANNEXURE

[EXTRACT FROM THE AIR (PREVENTION AND CONTROL OF POLLUTION) ACT, 1981]

(14 OF 1981)

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Definitions.

2. In this Act, unless the context otherwise requires,—

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(b) “air pollution” means the presence in the atmosphere of any air pollutant;

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(j) “emission” means any solid or liquid or gaseous substance coming out of any chimney, duct or flue or any other outlet;

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(m) “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;

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

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further to amend the Air (Prevention and Control of Pollution) Act, 1981.

(Shri Hibi Eden, M.P.)