

Air Act 1981

The Air Prevention and Control of Pollution Act was the result of the extreme consequences caused by climate change in the 1970s. In June 1972, the UN organised a United Nations General Assembly on Human Environment in Stockholm. The reasons for extreme climate changes were found to be various types of pollutants in the environment. During the Assembly, a proposal was approved urging all nations to protect natural resources from air pollution and reduce the existing pollution level for a healthier environment.

India passed Air Act 1981 in its efforts to combat air pollution and the harm caused by it. The preamble for the Air pollution act affirms that it aims towards the prevention, control and abatement of air pollution. It also states that to fulfil the purposes and aims of the Air Prevention and Control of Pollution Act 1981, special Boards will be created. These boards will act as creators, supervisors and propellers of various policies to reduce the level of air pollution in India.

Why was Air Act Created?

Air Act 1981 was created after the United Nations, at the suggestion of Sweden, organised a global conference to discuss and debate the issue of pollution and the degradation of natural resources. Air Pollution was already a major problem in India due to rapid industrialization. Several reasons, such as forest fires, improper industrial practices, fumes from transport, environmental variables, etc., have been contributing to air pollution in the country.

After the assembly, a resolution to protect the environment and its resources was passed. This also gave India the much-needed opportunity to work on the increasing air pollution in the country. The Indian government, under Article 253, which talks about the preservation of natural resources, passed The Air (Prevention and Control of Air Pollution) Act, 1981, to help tackle air pollution by preventing and controlling it.

Air Act 1981: Terms and Definitions

Air Act, under its provisions, has many important terms and definitions. These are created to help organisations identify the pollutants and create awareness as well as strategies to reduce their numbers. The important definitions under Air Act 1981 are listed below:

- Air Pollution - As per Section 2 (b), air pollution is defined as the presence of air pollutants in the atmosphere.
- Air Pollutant - It is defined in Section 2 (a) as any solid, liquid, or gaseous matter that may impair or damage the environment, humans, ecosystems, wildlife, or even properties.
- The noise was also included in the list of harmful substances in the amendment made to the Air Act in 1987.

Constitution of Boards Under Air Prevention and Control of Pollution Act

Under Section 2 (g), the Central Pollution Control Board (CPCB) was established. It has jurisdiction over the entire country. The Air Act also mandated the establishment of State

Pollution Control Boards (SPCBs) for all Indian states. The functions of these were to act as subsidiaries of CPCB and carry out its directives.

Sections 3 and 4 of the Air Act 1981 also give these boards appropriate power. There is a certain set of responsibilities and power which the Board will have, and they have to work under that ambit. The central and all state boards must also have a Chairman and a full-time Secretary to look after their operations.

Important Provisions Under Air Act 1981

The Air Act 1981 has several provisions under it that are drafted to reduce and control air pollution. However, there are a few prominent **features of the Air Act** that must be known by everyone. These are important clauses and are listed down below:

- It is mandated that the states impose emission standards for industries and automobiles after reviewing with the central board and considering its air quality standards as per the AQI.
- There is also a provision under the air pollution act for SPCBs that states that they are free to test any facilities and can collect fly ash or dust samples from any source for the purpose of examination.
- In 1987, an amendment to the Air Pollution Prevention and Control Act also included noise pollution and formed provisions to reduce it.
- All operational industries inside specified air pollution control zones are directed by the Air Act to obtain a permit from the State Boards.
- In the States where Water Pollution Control Boards are already created, the responsibility to control air pollution must also be included in its list of responsibilities as per Section 4. Also, new boards must be set up in states where there aren't any.

Penalties under Air Prevention and Control of Pollution Act

The Air Prevention and Control of Pollution Act 1981 has a number of penalties included in it. To ensure all the citizens comply with the rules and do not contribute to air pollution, there are directives mentioned in the act. These are aimed towards ensuring air pollution is reduced and mitigated wherever possible.

As per the Air act, anyone who does not comply with the policies and regulations of the Central Pollution Control Board can face a one-year prison sentence. This can be extended to 6 years with a fine. Additionally, a daily fee of Rs. 5000 will be imposed if the rules are still not followed. The matters related to this can be taken to court as well if the complaint is made or authorized by CPCB officials.