

MINISTRY OF ENVIRONMENT AND FORESTS.

NOTIFICATION

New Delhi, the 24th October, 2008

G.S.R. 752(E)—WHEREAS, the Central Government has fixed noise limits for generator sets run with diesel manufactured on or after the 1st January, 2005 to provide acoustic enclosure at manufacturing stage to ensure maximum permissible sound pressure level at 75 dB(A) at 1.0 metre from the enclosure surface, by making further amendments in the Environment (Protection) Rules, 1986;

AND WHEREAS, the Central Government has received representations from various Manufacturers and their Associations requesting for certain amendments in view of the various difficulties faced by the assemblers of DG Sets in small scale sector i.e. definition of manufacturer and the transportation of DG sets;

AND WHEREAS, the Central Government, in exercise of the powers conferred by clause (iii) of sub-section (2) of section 3 and section 25 of the Environment (Protection) Act, 1986 (29 of 1986) further to amend the Environment (Protection) Rules, 1986, published the draft rules in the Gazette of India, Extraordinary, vide G.S.R. 704 (E), dated 12th November, 2007 for the information of all persons likely to be affected thereby; and notice was given that the said draft rules would be taken into consideration by the Central Government on or after the expiry of a period of sixty days from the date on which copies of the Gazette containing this notification were made available to the public;

AND WHEREAS, the copies of the said Gazette notification were made available to the public on the 26th November, 2007;

AND WHEREAS, all objections and suggestions received in response to the above mentioned draft notification have been duly considered by the Central Government;

NOW, THEREFORE, in exercise of the powers conferred by section 6 and 25 of the Environment (Protection) Act, 1986 the Central Government hereby makes the following rules further to amend the Environment (Protection) Rules, 1986, namely:-

1. (1) These rules may be called the Environment (Protection) Eighth Amendment Rules, 2008.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Environment (Protection) Rules, 1986, in Schedule I,-

(a) in serial number 94 relating to 'NOISE LIMIT FOR GENERATOR SETS RUN WITH DIESEL', in paragraph 3.2,-

(i) for the words 'Every manufacturer or importer (hereinafter referred to as "supplier")', the words 'Every manufacturer or assembler or importer (hereinafter referred to as the "manufacturer")' shall be substituted;

(ii) for the words 'manufactured or imported', the words 'manufactured or assembled or imported' shall be substituted;

(b) in paragraph 3.4, in item (i) and item (ii) (a), for the word "supplier", the word "manufacturer" shall be substituted;

(c) in paragraph 4.0, in item (i), for the word "supplier", the word "manufacturer" shall be substituted;

(d) after paragraph 5.0, the following paragraph shall be inserted, namely:-

"6.0 Transportation of Diesel Generator Sets (above 250 KVA)

(i) Diesel Generator set shall be transported after fulfilling the requirement of certification specified in paragraph 3.2 as a complete unit with acoustic enclosure, or dismantled, with relevant genset number specified on acoustic enclosure and silencer for reassembling at the site of its operation.

(ii) Compliance with the noise norms shall be monitored after reassembling the D.G. set at the location of the installation by the concerned State Pollution Control Board or, as the case may be, the Union Territory Pollution Control Committee."

[F. No. Q-15022/2/2001-CPA]

RAJNEESH DUBE, Jt. Secy.

Note.— The principal rules were published in the Gazette of India vide number S.O. 844 (E) 19th November, 1986 and subsequently amended vide S.O. 433 (E) dated 18th April, 1987, S.O. 64 (E) dated 18th January, 1988, S.O. 3 (E) dated 3rd January, 1989, S.O. 190 (E) dated 15th March, 1989, G.S.R. 913 (E) dated the 24th October, 1989, S.O. 12 (E) dated the 8th January, 1990, G.S.R. 742 (E) dated the 30th August, 1990, S.O. 23 (E) dated the 16th January, 1991, G.S.R. 93 (E) dated the 21st February, 1991, G.S.R. 95 (E) dated the 12th February, 1992, G.S.R. 329 (E) dated the 13th March, 1992, G.S.R. 475 (E) dated the 5th May, 1992, G.S.R. 797 (E) dated the 1st October, 1992, G.S.R. 386 (E) dated the 28th April, 1993, G.S.R. 422 (E) dated the 19th May, 1993, G.S.R. 801 (E) dated the 31st December, 1993, G.S.R. 176 (E) dated the 3rd April, 1996, G.S.R. 631 (E) dated the 31st October, 1997, G.S.R. 504 (E) dated the 20th August, 1998, G.S.R. 7 (E) dated the 2nd January, 1999, G.S.R. 682 (E) dated the 5th October, 1999, G.S.R. 742 (E) dated the 25th September, 2000, G.S.R. 72 (E) dated the 6th February, 2001, G.S.R. 54 (E) dated the 22nd January, 2002, G.S.R. 371 (E) dated the 17th May, 2002, G.S.R. 489 (E) dated the 9th July, 2002, S.O. 1088 (E) dated the 11th October, 2002 and G.S.R. 849 (E) dated the 30th December, 2002, G.S.R. 520 (E) dated 1st July, 2003, G.S.R. 92 (E) dated 29th January, 2004, G.S.R. 448 (E) dated 12th July, 2004, Corrigenda G.S.R. 520 (E) dated 12th August, 2004, G.S.R. 272 (E) dated 5th May, 2005, G.S.R. 315 (E) dated 16th May, 2005, G.S.R. 546 (E) dated 30th August, 2005, G.S.R. 46 (E) dated 3rd February, 2006, G.S.R. 464 (E) dated 7th August, 2006 and G.S.R. 566 (E) dated 29th August, 2007 and G.S.R. 704 (E) dated 12th November, 2007, G.S.R. 186 (E) dated 18th March, 2008, G.S.R. 280 (E) dated 11th April, 2008, G.S.R. 344 (E) dated 7th May, 2008, G.S.R. 414 (E) dated 30th May, 2008, G.S.R. 481 (E) dated 26th June, 2008, G.S.R. 579 (E) dated 06th August 2008 and G.S.R. 600 (E) dated 18th August 2008.