

Powers and duties of its officers and employees

[Section-4 (1) (b) (ii)]

The powers stated hereunder are in exercise of the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution), 1981.

1. Power to give directions to obtain information:

The State Board may, with a view to preventing or controlling pollution of water, give directions requiring any person in charge of any establishment where any (industry, operation or process, or treatment and disposal system) is carried on, to furnish to it information regarding the construction, installation or operation of such establishments or of any disposal system or of any extension or addition thereto in such establishment and such other particulars as may be prescribed.

2. Power to take samples of effluents

The State Board or any officer authorized in this behalf shall have the power:

- to take samples of water from any stream or well or land
- to take samples of any sewage or trade effluent passing from any plant or vessel or over any place into any such stream or well or land.

3. Power of entry and inspection

Any person authorized in this behalf shall have the right to enter at any time for the purpose of any functions entrusted by the Board, for example, to determine whether an order or direction is being complied with or for the purposes of examining plant, premises, or any material object or for search and seizure of any material object which may furnish evidence of commission of an offence under the Act. Entry shall be at reasonable hours if the premises are used for residential purposes.

4. Authorisation for new outlets and new discharges and power of State Board to take action with regard to unauthorized outlets

Prior consent of the State Board is necessary for the following:

- a. to set up any industry, plant or process which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land; or
- b. to bring into use any new or altered outlets for the discharge of sewage; or
- c. to begin to make any new discharge of sewage.

Where, such prior consent has not been taken, then the State Board may serve on the person who has established or taken steps to establish any industry, operation or process, or any treatment and disposal system or any extension or addition thereto, or using the outlet, or making the discharge, as the case may be, a notice imposing any such conditions as it might have imposed on an application for its consent in respect of such establishment, such outlet or discharge.

5. Power to refuse or withdrawal of consent by State Board

The State Board shall not grant consent if the industry, operation or process or treatment and disposal system do not install.

6. Power to take emergency measures in case of pollution of stream or well

The State Board may issue orders to remove the matter, which is, or may cause pollution; or remedy or mitigate the pollution; or issue prohibition orders to the concerned persons from discharging any poisonous, or noxious or polluting matter.

7. Power to give directions

The Board may issue any directions in writing to any person, officer or authority, and such person, officer or authority shall be bound to comply with such directions. This includes the power to direct the closure, prohibition or regulation of any industry, operation or process; or the stoppage or regulation of supply of electricity, or water or any other service.