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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
IN

OA NO. 157 OF 2024 (EZ)

[Earlier OA NO. 771 OF 2024 (PB)]

IN THE MATTER OF:

News item titled "Odisha 9 hospitalised after suspected gas leak at Rourkela Steel Plant" appearing in The Times of India dated 01.07.2024.

...APPLICANTS

VERSUS

Central Pollution Control Board & Ors

...RESPONDENTS

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Mrinal Kanti Biswas

Regional Director & Scientist E,
CPCB, Kolkata

Filed through

Counsel

Dated: 26/11/2024

Place: Kolkata



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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
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**REPLY ON BEHALF OF THE RESPONDENT No. 01: CENTRAL
POLLUTION CONTROL BOARD (CPCB)**

1. That, Hon'ble NGT vide order dated 09.07.2024 in the subject matter has impleaded four respondents, including CPCB, and has sought the reply of respondents in the instant matter. Thereby, the reply is made in succeeding paragraphs.
2. That, CPCB is a statutory Board constituted under Section 3 of The Water (Prevention and control of pollution) Act, 1974. It performs the functions under The Water (Prevention and control of pollution) Act, 1974, The Air (Prevention and control of pollution) Act, 1981 and The Environment (Protection) Act, 1986.
3. That, with regard to the averments made under news item appearing in the business standard dated 01.07.2024 titled "Odisha 9 hospitalised after suspected gas leak at Rourkela Steel Plant", Odisha, it is humbly submitted that the report which is submitted by Odisha State Pollution Control Board (OSPCB) before the Hon'ble Tribunal, provided following information **(Annexure-I)**.
 - a. There was CO gas leakage in scrubber & clarifier area of Blast Furnace-5 of the plant at around 10:40 AM on 01.07.2024, causing exposure to about 9 no. of workers engaged in the proximity of the U-Seal-1 area based on the report of the inspection conducted by Regional Office on 01.07.2024.



- b. The following remedial measures were taken into consideration to prevent the fire incidents in future:
- i. Deploy only trained workers in CO emission prone areas and provide portable CO detector.
 - ii. Upgrade the existing alarm systems and CO detectors for any CO gas leakage in U-Seal areas of Blast Furnace - 5.
 - iii. Ensure proper housekeeping in Gas Cleaning Plant (GCP) area.
 - iv. Clear the silt and sediments in the drains in GCP area.
4. It is humbly submitted that the Ministry of Environment, Forest and Climate Change (MoEF&CC) vide S.O. 966 (E) dated 27th November, 1989 has notified the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989 [MSIHC and Rules, 1989]. These rules have been notified to put in place a regulatory mechanism and an operational safety framework in industries dealing with hazardous chemicals thereby avoiding chemical accidents, and responsibility has been assigned to the occupier who has control of an industrial activity in which a hazardous chemical is involved to take adequate steps to *(i) prevent such major accidents and to limit their consequences to persons and the environment;* and *(ii) provide to the persons working on the site with the information, training and equipment including antidotes necessary to ensure their safety,* with the objective to prevent chemical accidents arising from industrial activities and limiting the effects of such accidents on human health and environment. Copy of MSIHC rules, 1989 is marked and annexed herewith as **Annexure-II**.
5. That the respondent industry is required to comply with the following salient provisions of The Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989 :
- The respondent industry is required to notify to the concerned authority, steps taken to avoid any repetition of such occurrence on a site as per Rule 5 (3) of The Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989.
 - The respondent industry is required to comply with Rule 10 of The Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989 regarding preparation of safety audit report / updating of safety audit report on annual basis and other concerned actions thereof.



- The respondent industry is required to comply with Rule 13 of The Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989 regarding preparation of on-site emergency plan and conducting of mock drill of the on-site emergency plan in every six months.
 - That, MoEF&CC has notified the Public Liability Insurance Act, 1991, in the Gazette of India Ordinary, Part II, section 3(i) dated 01.04.1991 vide Notification number GSR 253 dated 27.03.1991 and the same was amended in 1992. The said Act was published for the purpose of providing immediate relief in the event of death or injury to the a person (other than a workman) or damage to any property resulted from as accident occurring while handling any Hazardous Substance and for matters connected therewith or incidental thereto. Further MoEF&CC notified Public Liability Insurance Rules, 1991 in the Gazette of India: Part II, Sec 3, Sub-section (ii) dated 15.05.1991 vide S.O. 330(E). Copy of the Act and the Rules are annexed herein as **Annexure-III** and **Annexure-IV** respectively.
6. That, the answering respondent herein craves leave of the Hon'ble Tribunal to file additional reply in future, if required.
7. That in light of the above submission, it is respectfully submitted that this Answering respondent i.e. CPCB, shall abide by any order(s) or direction(s) passed by this Hon'ble tribunal in the instant OA.



Mrinal Kanti Biswas

Regional Director & Scientist 'E'

CPCB, Kolkata



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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA**

**IN
OA NO. 157 OF 2024 (EZ)
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IN THE MATTER OF:

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..APPLICANTS

VERSUS

Central Pollution Control Board & Ors

RESPONDENTS

AFFIDAVIT

I, Mrinal Kanti Biswas, son of Shri Saroj Kumar Biswas, aged about 43 years, having office at the Regional Directorate, Central Pollution Control Board, Southend Conclave' Block No.502, 5th& 6th Floor, 1582, Rajdanga Main Road, Kolkata-700107, do hereby solemnly affirm, declare on oath and state as under:

1. That the deponent is authorized representative to represent the Respondent CPCB in the present case, and as such, I am well conversant with the facts and circumstances of the present case on the basis of the information derived from the official records, and hence, I am competent and authorized to verify, sign and swear this affidavit on behalf of the Respondent CPCB.
2. That the accompanying reply may be read part and parcel of the present affidavit.
3. That the accompanying reply has been drafted and filed under my instructions and authority the contents thereof are true and correct on the basis of the record maintained during ordinary course of business of CPCB and available records and documents and the contents of the same are read over and explained to me and are not repeated herein for the sake of brevity.

Identified by me

Advocate

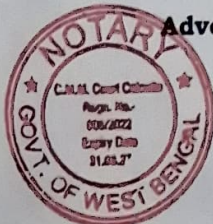
N. DASGUPTA
Notary
Ragn. No. 006/2022
3 Bank Street
Calcutta-700011

**SOLEMNLY AFFIRMED
&
Declared Before me!
an Identification Adv.**

**NOTARY
N. DAS GUPTA
C.M.M. Court
Govt. W.B.**

DEPONENT

26 NOV 2024



VERIFICATION

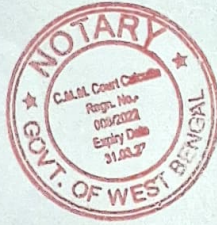
Verified at Kolkata on this day of 26th, November, 2024 that the contents of the above reply are correct and true on the basis of the record of the cases as mentioned in the day-to-day affairs of the CPCB. Nothing has been concealed therefrom or mis-stated.

Verified at Kolkata on this the 26th Day of November. 2024

Identified by me

Advocate

A. Dasgupta
DEPONENT



**SOLEMNLY AFFIRMED
&
Declared Before me
on Identification Adv.**

N. Das Gupta
**NOTARY
N. DAS GUPTA
C.M.M. Court
Govt. W.B**

N. Das Gupta
**N. DASGUPTA
Notary
Regn. No. 006/2022
3, Bankshai Street
Calcutta-700001**

26 NOV 2024



Report on

M/s. Rourkela Steel Plant (SAIL),Rourkela Dist: Sundargarh, Odisha

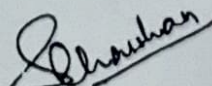
Blast Furnace-V of Rourkela Steel Plant was inspected on dtd.27.08.2024 by Er. C. S. Chauhan, DEE in connection with verification of compliance status of directions issued by the Board vide letter No. letter No.10200, dt.05.07.2024. Mr. P.C Dash, GM-I/C (Env. Engineering Department & others of RSP were present during inspection.

Background

There was CO gas leakage in scrubber & clarifier area of Blast Furnace-5 at around 10:40 AM on dt.01.07.2024, causing exposure to about 9 no. of workers engaged in the proximity of the U-Seal-1 of Blast Furnace-5 area. Based on the report of the inspection conducted by Regional Office on 01.07.2024, Board has issued direction to the industry vide letter No.10200, dt.05.07.2024

Compliance to the direction given by the Board vide letter No. 10200, dt.05.07.2024

S.N.	Directions	Compliance Status
1.	Deploy only trained workers in CO emission prone areas and provide portable CO detector.	It was reported by the plant authority that they are deploying trained workers along with portable CO detector in CO emission prone areas.
2.	Upgrade the existing alarm systems and CO Detectors for any CO gas leakage U-Seal areas of Blast Furnace - 5.	<p>Industry has three (03) U-Seal areas in the Blast Furnace - 5 area. Each area had one offline CO detector and alarm system. Now industry has installed one new online CO detector and alarm system at each U-Seals.</p> <p>Online CO detectors are connected with the server of control room for central monitoring.</p> <p>Public Announcement (PA) in Odia and Hindi has been provided in the area for warning.</p> <p>CCTV have been installed near all 3 U-Seals for visual monitoring of the respective areas from control room.</p> <p>All three U-seals have been barricaded to prevent un-authorized entry into the area.</p>
3.	Ensure proper housekeeping in Gas Cleaning Plant (GCP) area.	Housekeeping in the Gas Cleaning Plant (GCP) area was observed to be improved.
4.	Clear the silt and sediments in the drains in GCP area.	Cleaning of silt and sediments from the drains in GCP area was being carried out.


Er. C. S. Chauhan
Dy. Env. Engineer

**THE MANUFACTURE, STORAGE AND IMPORT OF
HAZARDOUS CHEMICAL RULES, 1989**

MINISTRY OF ENVIRONMENT & FORESTS

(Department of Environment, Forests and Wildlife)

NOTIFICATION

(New Delhi, the 27th November 1989)

***S.O.966(E)** - In exercise of the powers conferred by Section 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby makes the following rules, namely :

1. SHORT TITLE AND COMMENCEMENT -

(1) These rules may be called the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989.

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

2. DEFINITIONS - In these rules, unless the context otherwise requires, -

- (a) "Act" means the Environment (Protection) Act, 1986 (29 of 1986);
- (b) "Authority" means an authority mentioned in Column 2 of Schedule 5;
- (c) "export" with its grammatical variations and cognate expression, means taking out of India to a place outside India;
- (d) "exporter" means any person under the jurisdiction of the exporting country and includes the exporting country, who exports hazardous chemical;
- (e) "Hazardous Chemical " means -
 - (i) any chemical which satisfies any of the criteria laid down in Part I of [Schedule 1 or] listed in Column 2 of Part II of this Schedule ;
 - (ii) any chemical listed in Column 2 of Schedule 2;
 - (iii) any chemical listed in Column 2 of Schedule 3;

* The principal rules were published in the Gazette of India vide number S.O. 966(E), dated 27.11.1989 and subsequently amended vide: S.O.115 (E), dated 05.02.1990; GSR 584, dated 09.09.1990; S.O.2882, dated 03.10.1994; and S.O. 57(E), dated 19.01.2000.

¹ Substituted by Rule 2(i) of the Manufacture, Storage and Import of Hazardous Chemical (Amendment) Rules, 2000 notified vide S.O. 57(E), dated 19.1.2000.

- ~~X~~ -
- (f) "import" with its grammatical variations and cognate expression, means bringing into India from a place outside India;
- (g) "importer" means an occupier or any person who imports hazardous chemicals;
- (h) "industrial activity" means-
- i. an operation or process carried out in an industrial installation referred to in Schedule 4 involving or likely to involve one or more hazardous chemicals and includes on-site storage or on-site transport which is associated with that operation or process, as the case may be; or
 - ii. isolated storage; or
 - iii. pipeline ;
- (i) "isolated storage" means storage of a hazardous chemical, other than storage associated with an installation on the same site specified in Schedule 4 where that storage involves atleast the quantities of that chemical set out in Schedule 2;
- ¹[(j) "major accident" means -an incident involving loss of life inside or outside the installation, or ten or more injuries inside and/or one or more injuries outside or release of toxic chemicals or explosion or fire or spillage of hazardous chemicals resulting in on-site or off-site emergencies or damage to equipment leading to stoppage of process or adverse affects to the environment ;
- (ja) "major accident hazards (MAH) installations" means - isolated storage and industrial activity at a site handling (including transport through carrier or pipeline) of hazardous chemicals equal to or, in excess of the threshold quantities specified in, Column 3 of schedule 2 and 3 respectively;]

¹ Substituted by Rule 2(ii) of the Manufacture, Storage and Import of Hazardous Chemical (Amendment) Rules, 2000 notified vide S.O.57(E), dated 19th January, 2000.

- (k) "pipeline" means a pipe (together with any apparatus and works associated therewith) or system of pipes (together with any apparatus and work associated therewith) for the conveyance of a hazardous chemical other than a flammable gas as set out in Column 2 of Part II of Schedule 3 at a pressure of less than 8 bars absolute; the pipeline also includes inter -state pipelines;
- (l) "Schedule" means Schedule appended to these rules;
- (m) "site" means any location where hazardous chemicals are manufactured or processed, stored, handled, used, disposed of and includes the whole of an area under the control of an occupier and includes pier, jetty or similar structure whether floating or not;
- (n) "Threshold quantity" means, -
 - (i) in the case of a hazardous chemical specified in Column 2 of Schedule 2, the quantity of that chemical specified in the corresponding entry in Columns 3 and 4 ;
 - (ii) in the case of a hazardous chemical specified in Column 2 of Part I of Schedule 3, the quantity of that chemical specified in the corresponding entry in Columns 3 & 4 of that part;
 - (iii) in the case of substances of a class specified in Column 2 of Part II of Schedule 3, the total quantity of all substances of that class specified in the corresponding entry in Columns 3 and 4 of that part.

¹[3. DUTIES OF AUTHORITIES –

The concerned authority shall, -

- (a) inspect the industrial activity at least once in a calendar year;
- (b) except where such authority is the Ministry of Environment and Forests, annually report on the compliance of the rules by the occupiers to the Ministry of Environment and Forests through appropriate channel ;

¹ Substituted by Rule 2 of the MSIHC (Amendment) Rules, 1994 notified vide S.O.2882, dated 3.10.1994.

- (c) subject to the other provisions of these rules, perform the duties specified in column 3 of Schedule 5.]

4. GENERAL RESPONSIBILITY OF THE OCCUPIER DURING INDUSTRIAL ACTIVITY -

(1) these rules shall apply to, -

- (a) an industrial activity in which a hazardous chemical, which satisfies any of the criteria laid down in Part I of Schedule 1¹ [or listed] in Column 2 of Part II of this Schedule is, or may be, involved; and

²[(b) isolated storage of a hazardous chemical listed in Schedule 2 in a quantity equal to or more than the threshold quantity specified in Column 3, thereof.]

(2) An occupier who has control of an industrial activity in terms of sub-rule (1) shall provide evidence to show that he has, -

- (a) identified the major accident hazards; and
- (b) taken adequate steps to -
- (i) prevent such major accidents and to limit their consequences to persons and the environment;
- (ii) provide to the persons working on the site with the information, training and equipment including antidotes necessary to ensure their safety.

4. NOTIFICATION OF MAJOR ACCIDENT -

(1) Where a major accident occurs on a site or in a pipe line, the occupier shall ³[within 48 hours notify] the concerned authority as identified in Schedule 5 of that accident, and furnish thereafter to the concerned authority a report relating to the accidents in installments, if necessary, in Schedule 6.

(2) The concerned authority shall on receipt of the report in accordance with sub-rule 1 of this rule, shall undertake a full analysis of the major accident and sent the ⁴[requisite information within 90 days to the Ministry] of Environment and Forests through appropriate channel.

¹ Substituted by Rule 3(i) of the MSIHC (Amendment) Rules, 1994 notified vide S.O.2882, dated 3.10.1994.

² Substituted by Rule 3(ii), *ibid.*

³ Substituted by Rule 3(a) of the MSIHC (Amendment) Rules, 1994 notified vide S.O.2882, dated 3.10.1994.

⁴ Substituted by Rule 3(b) *ibid.*

¹[(3) An occupier shall notify to the concerned Authority, steps taken to avoid any repetition of such occurrence on a site.]

²[(4) The concerned Authority shall compile information regarding major accidents and make available a copy of the same to the Ministry of Environment & Forests through appropriate channel.

(5) The concerned Authority shall in writing inform the occupier, of any lacunae which in its opinion needs to be rectified to avoid major accidents.]

6. INDUSTRIAL ACTIVITY TO WHICH RULES 7 TO 15 APPLY -

(1) Rules 7 to 15 shall apply to, -

- (a) an industrial activity in which there is involved a quantity of hazardous chemical listed in Column 2 of Schedule 3 which is equal to or more than the quantity specified in the entry for that chemical in Column 3 & 4 (Rules 10-12 only for Column 4); and
- (b) isolated storage in which there is involved a quantity of a hazardous chemical listed in Column 2 of Schedule 2 which is equal to or more than the quantity specified in the entry for that chemical in Column ³[3 & 4 (rules 10-12 only for column 4).]

(2) For the purpose of rules 7 to 15,

- (a) "new industrial activity" means an industrial activity which, -
 - (i) commences after the date of coming into operation of these rules; or
 - (ii) if commenced before that date, is an industrial activity in which a modification has been made which is likely to cover major accident hazards, and that activity shall be deemed to have commenced on the date on which the modification was made;

¹ Substituted by Rule 3(c) of the Manufacture, Storage and Import of Hazardous Chemical (Amendment) Rules, 1994 notified vide S.O. No.2882, dated 3.10.1994.

² Inserted by Rule 3(d); *ibid.*

³ Substituted by Rule 4; *ibid.*

- (b) an "existing industrial activity" means an industrial activity which is not a new industrial activity.

7. ¹[APPROVAL AND] NOTIFICATION OF SITES -

(1) An occupier shall not undertake any industrial activity ²[unless he has been granted an approval for undertaking such an activity and has submitted] a written report to the concerned authority containing the particulars specified in Schedule 7 at least 3 months before commencing that activity or before such shorter time as the concerned authority may agree and for the purpose of this paragraph, an activity in which subsequently there is or is liable to be a threshold quantity or more of an additional hazardous chemical shall be deemed to be a different activity and shall be notified accordingly.

³[(2) The concerned Authority within 60 days from the date of receipt of the report shall approve the report submitted and on consideration of the report if it is of the opinion that contravention of the provisions of the Act or the rules made thereunder has taken place, it shall issue notice under rule 19].

8. UPDATING OF THE SITE NOTIFICATION FOLLOWING CHANGES IN THE THRESHOLD QUANTITY -

Where an activity has been reported in accordance with rule 7(1) and the occupier makes a change in it (including an increase or decrease in the maximum threshold quantity of a hazardous chemical to which this rule applies which is or is liable to be at the site or in the pipeline or at the cessation of the activity) which affects the particulars specified in that report or any subsequent report made under this rule, the occupier shall forthwith furnish a further report to the concerned authority.

9. TRANSITIONAL PROVISIONS-

Where. -

- (a) at the date of coming into operation of these rules, an occupier is in control of an existing industrial activity which is required to be reported under rule 7(1); or

¹ Substituted by Rule 5 of the MSIHC (Amendment) Rules, 2000 notified vide S.O.57(E), dated 19.1.2000.

² Substituted by Rule 4 (a) of MSIHC (Amendment) Rules, 1994 notified vide S.O.2882, dated 3.10.1994.

³ Substituted by Rule 4(b), *ibid.*

- (b) within 6 months after that date, an occupier commence any such new industrial activity;

it shall be a sufficient compliance with that rule if he reports to the concerned authority as per the particulars in Schedule 7 within 3 months after the date of coming into operation of these rules or within such longer time as the concerned authority may agree in writing.

10. SAFETY REPORTS ¹[AND SAFETY AUDIT REPORTS] -

(1) Subjects to the following paragraphs of this rule, an occupier shall not undertake any industrial activity to which this rule applies, unless he has prepared a safety report on that industrial activity containing the information specified in Schedule 8 and has sent a copy of that report to the concerned authority at least ninety days before commencing that activity.

(2) In the case of a new industrial activity which an occupier commences, or by virtue of sub-rule (2) (a) (ii) of rule 6 is deemed to commence, within 6 months after coming into operation of these rules, it shall be a sufficient compliance with sub-rule (1) of this rule if the occupier sends to the concerned authority a copy of the report required in accordance with that sub-rule within ninety days after the date of coming into operation of these rules.

²[(3) In case of an existing industrial activity, the occupier shall prepare a safety report in consultation with the concerned authority and submit the same within one year from the date of commencement of the Manufacture, Storage and Import of Hazardous Chemicals (Amendment) Rules, 1994 to the concerned Authority.]

³[(4) After the commencement of the Manufacture, Storage and Import of Hazardous Chemicals (Amendment) Rules, 1994, the occupier of both the new and the existing industrial activities shall carry out an independent safety audit of the respective industrial activities with the help of an expert, not associated with such industrial activities.

(5) The occupier shall forward a copy of the auditor's report along with his comments to the concerned Authority within 30 days after the completion of such Audit.]

¹ Substituted by Rule 6 of the MSIHC (Amendment) Rules, 2000 notified vide S.O.57(E), dated 19.1.2000.

² Substituted by Rule 5(a) of the MSIHC (Amendment) Rules, 1994 notified vide S.O.2882, dated 3.10.1994.

³ Inserted by Rule 5(b), *ibid*.

¹[(6) The occupier shall update the safety audit report once a year by conducting a fresh safety audit and forward a copy of it with his comments thereon within 30 days to the concerned Authority.

(7) The concerned Authority may if it deems fit, issue improvement notice under rule 19 within 45 days of the submission of the said report.]

11. UPDATING OF REPORTS UNDER RULE 10-

(1) Where an occupier has made a safety report in accordance with sub-rule (1) of rule 10 he shall not make any modification to the industrial activity to which that safety report relates which could materially affect the particulars in that report, unless he has made a further report to take account of those modifications and has sent a copy of that report to the concerned authority at least 90 days before making those modifications.

(2) Where an occupier has made a report in accordance with rule 10 and sub - rule (1) of this rule and that industrial activity is continuing the occupier shall within three years of the date of the last such report, make a further report which shall have regard in particular to new technical knowledge which has affected the particulars in the pervious report relating to safety and hazard assessment and shall within 30 days ²[***] send a copy of the report to the concerned authority.

³[12. REQUIREMENT FOR FURTHER INFORMATION TO BE SENT TO THE AUTHORITY -

Where, in accordance with rule 10, an occupier has sent a safety report and the safety audit report relating to an industrial activity to the concerned Authority, the concerned Authority may, by a notice served on the occupier, require him to provide such additional information as may be specified in the notice and the occupier shall send that information to the concerned Authority within 90 days].

13. PREPARATION TO ON-SITE EMERGENCY PLAN BY THE OCCUPIER -

(1) An occupier shall prepare and keep up-to-date ⁴[an on-site emergency plan containing details specified in Schedule II and detailing] how major accidents will be dealt with on the site on which the industrial activity is carried

¹ Inserted by Rule 5(b) of the MSIHC (Amendment) Rules, 1994 notified vide S.O.2882, dated 3.10.1994

² Omitted by Rule 6, *ibid.*

³ Substituted by Rule 7, *ibid.*

⁴ Substituted by Rule 8(a), *ibid.*

on and that plan shall include the name of the person who is responsible for safety on the site and the names of those who are authorized to take action in accordance with the plan in case of an emergency.

(2) The occupier shall ensure that the emergency plan prepared in accordance with sub-rule (1) takes into account any modification made in the industrial activity and that every person on the site who is affected by the plan is informed of its relevant provisions.

(3) The occupier shall prepare the emergency plan required under sub-rule (1),-

(a) in the case of a new industrial activity, before that activity is commenced;

(b) in the case of an existing industrial activity within 90 days of commencing into operation of these rules.

¹[(4) The occupier shall ensure that a mock drill of the on-site emergency plan is conducted every six months;

(5) A detailed report of the mock drill conducted under sub-rule (4) shall be made immediately available to the concerned Authority.]

14. PREPARATION OF OFF-SITE EMERGENCY PLAN BY THE AUTHORITY -

(1) It shall be the duty of the concerned authority as identified in Column 2 of Schedule 5 to prepare and keep up-to-date ²[an adequate off-site emergency plan containing particulars specified in Schedule 12 and detailing] how emergencies relating to a possible major accident on that site will be dealt with and in preparing that plan the concerned authority shall consult the occupier, and such other persons as it may deem necessary.

(2) For the purpose of enabling the concerned authority to prepare the emergency plan required under sub-rule (1), the occupier shall provide the concerned authority with such information relating to the industrial activity under his control as the concerned authority may require, including the nature, extent and likely effects off-site of possible major accidents and the authority shall

¹ Inserted by Rule 8(b) of the MSIHC (Amendment) Rules, 1994 notified vide S.O.2882, dated 3.10.1994.

² Substituted by Rule 9 (a), *ibid.*

provide the occupier with any information from the off-site emergency plan which relates to his duties under rule 13.

(3) The concerned authority shall prepare its emergency plan required under sub-rule (1),-

- (a) In the case of a new industrial activity, before that activity is commenced;
- (b) In the case of an existing industrial activity, within six months of coming into operation to these rules.

¹[(4) The concerned authority shall ensure that a rehearsal of the off-site emergency plan is conducted at least once in a calendar year.]

15. INFORMATION TO BE GIVEN TO PERSONS LIABLE TO BE AFFECTED BY A MAJOR ACCIDENT -

(1) The occupier shall take appropriate steps to inform persons outside the site either directly or through District Emergency Authority who are likely to be in an area which may be affected by a major accident about, -

- (a) the nature of the major accident hazard; and
- (b) the safety measures and the "Do's" and "Don'ts" which should be adopted in the event of a major accident.

(2) The occupier shall take steps required under sub-rule (1) to inform persons about an industrial activity, before that activity is commenced, except, in the case of an existing industrial activity in which case the occupier shall comply with the requirements of sub-rule (1) within 90 days of coming into operation of these rule.

16. DISCLOSURES OF INFORMATION -

Where for the purpose of evaluating information notified under rule 5 or 7 to 15, the concerned authority discloses that information to some other person, that other person shall not use that information for any purpose except for the purpose of the concerned authority disclosing it, and before disclosing the information the concerned authority shall inform that other person of his obligations under this paragraph.

¹ Inserted by Rule 9(b) of the MSHC (Amendment) Rules, 1994 notified vide S.O 2882, dated 3.10.1994.

17. COLLECTION, DEVELOPMENT AND DISSEMINATION OF INFORMATION -

(1) This rule shall apply to an industrial activity in which a hazardous chemical which satisfies any of the criteria laid down in part I of Schedule 1¹ [or listed] in Column 2 of Part II of this Schedule is or may be involved.

(2) An occupier, who has control of an industrial activity in term of sub-rule 1 of this rule, shall arrange to obtain or develop information in the form of safety data sheet as specified in Schedule 9. The information shall be accessible upon request for reference.

(3) The occupier while obtaining or developing a safety data sheet as specified in Schedule 9 in respect of a hazardous chemical handled by him shall ensure that the information is recorded accurately and reflects the scientific evidence used in making the hazard determination. In case, any significant information regarding hazard of a chemical is available, it shall be added to the material safety data sheet as specified in Schedule 9 as soon as practicable.

(4) Every container of a hazardous chemical shall be clearly labelled or marked to identify -

- (a) the contents of the container ;
- (b) the name and address of manufacturer or importer of the hazardous chemical ;
- (c) the physical, chemical and toxicological data as per the criteria given at Part I of Schedule 1.

(5) In terms of sub rule 4 of this rule where it is impracticable to label a chemical in view of the size of the container or the nature of the package, provision should be made for other effective means like tagging or accompanying documents.

18. IMPORT OF HAZARDOUS CHEMICALS -

(1) This rule shall apply to a chemical which satisfies any of the criteria laid down in Part I of Schedule 1² [or listed] in Column 2 of Part II of this Schedule.

¹ Substituted by Rule 7 of the MSIHC (Amendment) Rules, 2000 notified vide S.O. 57(E), dated 19.1.2000.

² Substituted by Rule 8(a), *ibid*.

(2) Any person responsible for importing hazardous chemicals in India shall provide ¹[before 30 days or as reasonably possible but not later than] the date of import to the concerned authorities as identified in Column 2 of Schedule 5 the information pertaining to, -

- (i) the name and address of the person receiving the consignment in India;
- (ii) the port of entry in India;
- (iii) mode of transport from the exporting country to India;
- (iv) the quantity of chemical (s) being imported; and
- (v) complete product safety information.

²(3) If the Concerned Authority of the State is satisfied that the chemical being imported is likely to cause major accidents, it may direct the importer to take such safety measures as the concerned Authority of the State may deem appropriate.]

³[(3A) In case the concerned Authority of the State is of the opinion that the chemical should not be imported on safety or on environmental considerations, such Authority may direct stoppage of such import.]

(4) The concerned Authority at the State shall simultaneously inform the concerned Port Authority to take appropriate steps regarding safe handling and storage of hazardous chemicals while off-loading the consignment within the port premises.

(5) Any person importing hazardous chemicals shall maintain the records of the hazardous chemicals imported as specified in Schedule 10 and the records so maintained shall be open for inspection by the concerned authority at the State or the Ministry of Environment and Forests or any officer appointed by them in this behalf.

(6) The importer of the hazardous chemical or a person working on his behalf shall ensure that transport of hazardous chemicals from port of entry to the ultimate destination is in accordance with the Central Motor Vehicles Rules, 1989 framed under the provisions of the Motor Vehicles Act, 1988.

¹ Substituted by Rule 10(a) of the MSIHC (Amendment) Rules, 1994 notified vide S.O.2882, dated 3.10.1994.

² Substituted by Rule 10(b), *ibid.*

³ Inserted by Rule 10(c), *ibid.*

19. IMPROVEMENT NOTICES -

(1) if the concerned authority is of the opinion that a person has contravened the provisions of these rules, the concerned authority shall serve on him a notice (in this para referred to as " an improvement notice") requiring that person to remedy the contravention or, as the case may be, [the matters occasioning it within 45 days.]

(2) A notice served under sub-rule (1) shall clearly specify the measures to be taken by the occupier in remedying said contraventions.

20. POWER OF THE CENTRAL GOVERNMENT TO MODIFY THE SCHEDULES -

The Central Government may, at any time, by notification in the Official Gazette, make suitable changes in the Schedules.

¹ Substituted by Rule 11 of MSIHC Rules, 1994 notified vide S.O.2882, dated 3.10.1994.



¹[SCHEDULE 1]

[See rule 2e (i), 4 (1)(a), 4(2), 17 and 18]

[Part -I]

- (a) **Toxic Chemicals:** Chemicals having the following values of acute toxicity and which owing to their physical and chemical properties, are capable of producing major accident hazards:

S.No.	Toxicity	Oral toxicity LD ₅₀ (mg/kg)	Dermal toxicity LD ₅₀ (mg/kg)	Inhalation toxicity LC ₅₀ (mg/l)
1.	Extremely toxic	>5	<40	<0.5
2.	Highly toxic	>5-50	>40-200	<0.5-2.0
3.	Toxic	>50-200	>200-1000	>2-10

(b) **Flammable Chemicals :**

- (i) flammable gases: Gases which at 20°C and at standard pressure of 101.3KPa are :-

(a) ignitable when in a mixture of 13 percent or less by volume with air, or ;

(b) have a flammable range with air of at least 12 percentage points regardless of the lower flammable limits.

Note : The flammability shall be determined by tests or by calculation in accordance with methods adopted by International Standards Organization ISO Number 10156 of 1990 or by Bureau of Indian Standard ISI Number 1446 of 1985.

- (ii) **extremely flammable liquids :** chemicals which have flash point lower than or equal to 23°C and boiling point less than 35°C.
- (iii) **very highly flammable liquids :** chemicals which have a flash point lower than or equal to 23°C and initial boiling point higher than 35°C.

¹ Substituted by Rule 9 of the MSIHC (Amendment) Rules, 2000 notified vide S.O.57(E), dated 19.1.2000

- (iv) **highly flammable liquids** : chemicals which have a flash point lower than or equal to 60°C but higher than 23°C.
- (v) **flammable liquids** : chemicals which have a flash point higher than 60°C but lower than 90°C.
- (c) **Explosives** : explosives mean a solid or liquid or pyrotechnic substance (or a mixture of substances) or an article.
 - (a) which is in itself capable by chemical reaction of producing gas at such a temperature and pressure and at such a speed as to cause damage to the surroundings ;
 - (b) which is designed to produce an effect by heat, light, sound, gas or smoke or a combination of these as the result of non-detonative self sustaining exothermic chemical reaction.

— 2X —

PART II
LIST OF HAZARDOUS AND TOXIC CHEMICALS

S. NAME OF HAZARDOUS CHEMICALS No.	S. NAME OF HAZARDOUS CHEMICALS No.
1. Acetaldehyde	41. Antimycin A
2. Acetic acid	42. ANTU
3. Acetic anhydride	43. Arsenic pentoxide
4. Acetone	44. Arsenic trioxide
5. Acetone cyanohydrin	45. Arsenous trichloride
6. Acetone thiosemicarbazide	46. Arsine
7. Acetonitrile	47. Asphalt
8. Acetylene	48. Azinpho-ethyl
9. Acetylene tetra chloride	49. Azinphos methyl
10. Acrolein	50. Bacitracin
11. Acrylamide	51. Barium azide
12. Acrylonitrile	52. Barium nitrate
13. Adiponitrile	53. Barium nitride
14. Aldicarb	54. Benzal chloride
15. Aldrin	55. Benzenamine,3-Trifluoromethyl
16. Allyl alcohol	56. Benzene
17. Allyl amine	57. Benzene sulfonyl chloride
18. Allyl chloride	58. Benzene. 1- (chloromethyl)-4 Nitro
19. Aluminium (powder)	59. Benzene arsenic acid
20. Aluminium azide	60. Benzidine
21. Aluminium borohydride	61. Benzidine salts
22. Aluminium chloride	62. Benzimidazole. 4, 5-Dichloro-2 (Trifluoromethyl)
23. Aluminium fluoride	63. Benzoquinone-P
24. Aluminium phosphide	64. Benzotrichloride
25. Amino diphenyl	65. Benzoyl chloride
26. Amino pyridine	66. Benzoyl peroxide
27. Aminophenol-2	67. Benzyl chloride
28. Aminopterin	68. Beryllium (Powder)
29. Amiton	69. Bicyclo (2, 2, 1) Heptane -2- carbonitrile
30. Amiton dialate	70. Biphenyl
31. Ammonia	71. Bis (2-Chloroethyl) sulphide
32. Ammonium chloro platinate	72. Bis (Chloromethyl) Ketone
33. Ammonium nitrate	73. Bis (Tert-butyl peroxy) cyclohexane
34. Ammonium nitrite	74. Bis (Terbutylperoxy) butane
35. Ammonium picrate	75. Bis(2,4, 6-Trinitrophenylamine)
36. Anabasine	76. Bis (Chloromethyl) Ether
37. Aniline	77. Bismuth and compounds
38. Aniline 2,4, 6-Trimethyl	78. Bisphenol-A
39. Anthraquinone	79. Bitosecanate
40. Antimony pentafluoride	

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| 80. Boron Powder | 124. Chloroacetal chloride |
| 81. Boron trichloride | 125. Chloroacetaldehyde |
| 82. Boron trifluoride | 126. Chloroaniline -2 |
| 83. Boron trifluoride comp.
With methylether, 1:1 | 127. Chloroaniline -4 |
| 84. Bromine | 128. Chlorobenzene |
| 85. Bromine pentafluoride | 129. Chloroethyl chloroformate |
| 86. Bromo chloro methane | 130. Chloroform |
| 87. Bromodialone | 131. Chloroformyl morpholine |
| 88. Butadiene | 132. Chloromethane |
| 89. Butane | 133. Chloromethyl methyl ether |
| 90. Butanone-2 | 134. Chloronitrobenzene |
| 91. Butyl amine tert | 135. Chlorophacinone |
| 92. Butyl glycidal ether | 136. Chlorosulphonic acid |
| 93. Butyl isovalarate | 137. Chlorothiophos |
| 94. Butyl peroxy maleate tert | 138. Chloroxuron |
| 95. Butyl vinyl ether | 139. Chromic acid |
| 96. Butyl-n-mercaptan | 140. Chromic chloride |
| 97. C.I. Basic green | 141. Chromium powder |
| 98. Cadmium oxide | 142. Cobalt carbonyl |
| 99. Cadmium stearate | 143. Cobalt Nitrilmethylidyne compound |
| 100. Calcium arsenate | 144. Cobalt (Powder) |
| 101. Calcium carbide | 145. Colchicine |
| 102. Calcium cyanide | 146. Copper and Compounds |
| 103. Camphchlor (Toxaphene) | 147. Copperoxychloride |
| 104. Cantharidin | 148. Coumafuryl |
| 105. Captan | 149. Coumaphos |
| 106. Carbachol chloride | 150. Coumatetralyl |
| 107. Carbaryl | 151. Crimidine |
| 108. Carbofuran (Furadan) | 152. Crotenaldehyde |
| 109. Carbon tetrachloride | 153. Crotonaldehyde |
| 110. Carbon disulphide | 154. Cumene |
| 111. Carbon monoxide | 155. Cyanogen bromide |
| 112. Carbonphenothion | 156. Cyanongen iodide |
| 113. Carvone | 157. Cyanophos |
| 114. Cellulose nitrate | 158. Cyanothoate |
| 115. Chloroacetic acid | 159. Cyanuric fluoride |
| 116. Chlordane | 160. Cyclo hexylamine |
| 117. Chlorofenvinphos | 161. Cyclohexane |
| 118. Chlorinated benzene | 162. Cyclohexanone |
| 119. Chlorine | 163. Cycloheximide |
| 120. Chlorine oxide | 164. Cyclopentadiene |
| 121. Chlorine trifluoride | 165. Cyclopentane |
| 122. Chlormephos | 166. Cyclotetramethyl enetetranitramine |
| 123. Chlormequat chloride | 167. Cyclotrimethylen
etrinnitranine |

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| 168. | Cypermethrin | 209. | Dimethyl nitrosoamine |
| 169. | DDT | 210. | Dimethyl P phenylene diamine |
| 170. | Decaborane (1 :4) | 211. | Dimethyl phosphoramidi cyanidic acid (TABUM) |
| 171. | Demeton | 212. | Dimethyl phosphorochloridothioate |
| 172. | Demeton S-Methyl | 213. | Dimethyl sulfolane (DMS) |
| 173. | Di-n-propyl peroxydicarbonate (Conc = 80%) | 214. | Dimethyl sulphide |
| 174. | Dialifos | 215. | Dimethylamine |
| 175. | Diazodinitrophenol | 216. | Dimethylaniline |
| 176. | Dibenzyl peroxydicarbonate (Conc>= 90%) | 217. | Dimethylcarbonyl chloride |
| 177. | Diborane | 218. | Dimetilan |
| 178. | Dichloroacetylene | 219. | Dinitro O-cresol |
| 179. | Dichlorobenzalkonium chloride | 220. | Dinitrophenol |
| 180. | Dichloroethyl ether | 221. | Dinitrotoluene |
| 181. | Dichloromethyl phenylsilane | 222. | Dinoseb |
| 182. | Dichlorophenol - 2, 6 | 223. | Diniterb |
| 183. | Dichlorophenol - 2, 4 | 224. | Dioxane-p |
| 184. | Dichlorophenoxy acetic acid | 225. | Dioxathion |
| 185. | Dichloropropane - 2, 2 | 226. | Dioxine N |
| 186. | Dichlorosalicylic acid-3, 5 | 227. | Diphacinone |
| 187. | Dichlorvos (DDVP) | 228. | Diphosphoramid octamethyl |
| 188. | Dicrotophos | 229. | Diphenyl methane di-isocyanate (MDI) |
| 189. | Dieldrin | 230. | Dipropylene Glycol Butyl ether |
| 190. | Diepoxy butane | 231. | Dipropylene glycolmethyl ether |
| 191. | Diethyl carbamazine citrate | 232. | Disec-butyl peroxydicarbonate (Conc.>80%) |
| 192. | Diethyl chlorophosphate | 233. | Disufoton |
| 193. | Diethyl ethtanolamine | 234. | Dithiazamine iodide |
| 194. | Diethyl peroxydicarbonate (Conc=30%) | 235. | Dithiobiurate |
| 195. | Diethyl phenylene diamine | 236. | Endosulfan |
| 196. | Diethylamine | 237. | Endothion |
| 197. | Diethylene glycol | 238. | Endrin |
| 198. | Diethylene glycol dinitrate | 239. | Epichlorohydrine |
| 199. | Diethylene triamine | 240. | EPN |
| 200. | Diethleneglycol butyl ether | 241. | Ergocalciferol |
| 201. | Diglycidyl ether | 242. | Ergotamine tartarate |
| 202. | Digitoxin | 243. | Ethanesulfonyl chloride, 2 chloro |
| 203. | Dihydroperoxypropane (Conc >=30%) | 244. | Ethanol 1-2 dichloracetate |
| 204. | Diisobutyl peroxide | 245. | Ethion |
| 205. | Dimefox | 246. | Ethoprophos |
| 206. | Dimethoate | 247. | Ethyl acetate |
| 207. | Dimethyl dichlorosilane | 248. | Ethyl alcohol |
| 208. | Dimethyl hydrazine | 249. | Ethyl benzene |
| | | 250. | Ethyl bis amine |

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| 251. Ethyl bromide | 292. Furan |
| 252. Ethyl carbamate | 293. Gallium Trichloride |
| 253. Ethyl ether | 294. Glyconitrile (Hydroxyacetonitrile) |
| 254. Ethyl hexanol -2 | 295. Guanyl-4-nitrosaminoguyanyl-1-tetrazene |
| 255. Ethyl mercaptan | 296. Heptachlor |
| 256. Ethyl mercuric phosphate | 297. Hexamethyl tera-oxyacyclononate (Conc 75%) |
| 257. Ethyl methacrylate | 298. Hexachlorobenzene |
| 258. Ethyl nitrate | 299. Hexachlorocyclohexan (Lindane) |
| 259. Ethyl thiocyanate | 300. Hexachlorocyclopentadiene |
| 260. Ethylamine | 301. Hexachlorodibenzo-p-dioxin |
| 261. Ethylene | 302. Hexachloronaphthalene |
| 262. Ethylene chlorohydrine | 303. Hexafluoropropanone sesquihydrate |
| 263. Ethylene dibromide | 304. Hexamethyl phosphoromide |
| 264. Ethylene diamine | 305. Hexamethylene diamine N N dibutyl |
| 265. Ethylene diamine hydrochloride | 306. Hexane |
| 266. Ethylene flourohydrine | 307. Hexanitrostilbene 2, 2, 4, 4, 6, 6 |
| 267. Ethylene glycol | 308. Hexene |
| 268. Ethylene glycol dinitrate | 309. Hydrogen selenide |
| 269. Ethylene oxide | 310. Hydrogen sulphide |
| 270. Ethylenimine | 311. Hydrazine |
| 271. Ethylene di chloride | 312. Hydrazine nitrate |
| 272. Femamiphos | 313. Hydrochloric acid (Gas) |
| 273. Femitrothion | 314. Hydrogen |
| 274. Fensulphothion | 315. Hydrogen bromide |
| 275. Fluemetil | 316. Hydrogen cyanide |
| 276. Fluorine | 317. Hydrogen fluoride |
| 277. Fluoro2-hyrdoxy butyric acid amid salt ester | 318. Hydrogen peroxide |
| 278. Fluoroacetamide | 319. Hydroquinone |
| 279. Fluoroacetic acid amide salts and esters | 320. Indene |
| 280. Fluoroacetylchloride | 321. Indium powder |
| 281. Fluorobutyric acid amide salt esters | 322. Indomethacin |
| 282. Fluorocrotonic acid amides salts esters | 323. Iodine |
| 283. Fluorouracil | 324. Iridium tetrachloride |
| 284. Fonofos | 325. Ironpentacarbonyl |
| 285. Formaldehyde | 326. Iso benzan |
| 286. Formetanate hydrochloride | 327. Isoamyl alcohol |
| 287. Formic acid | 328. Isobutyl alcohol |
| 288. Formoparanate | 329. Isobutyro nitrile |
| 289. Formothion | 330. Isocyanic acid 3, 4-dichlorophenyl ester |
| 290. Fosthiotan | 331. Isodrin |
| 291. Fuberidazole | |

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| 332. | Isofluorophosphate | 373. | Methoxy ethanol (2-methyl cellosolve) |
| 333. | Isophorone diisocyanate | 374. | Methoxyethyl mercuric acetate |
| 334. | Isopropyl alcohol | 375. | Methacryloyl chloride |
| 335. | Isopropyl chlorocarbonate | 376. | Methyl 2-chloroacrylate |
| 336. | Isopropyl formate | 377. | Methyl alcohol |
| 337. | Isopropyl methyl pyrazolyl dimethyl carbamate | 378. | Methyl amine |
| 338. | Juglone (5-Hydroxy Naphthalene-1,4 dione) | 379. | Methyl bromide (Bromomethane) |
| 339. | Ketene | 380. | Methyl chloride |
| 340. | Lactonitrile | 381. | Methyl chloroform |
| 341. | Lead arsenite | 382. | Methyl chloroformate |
| 342. | Lead at high temp (molten) | 383. | Methyl cyclohexene |
| 343. | Lead azide | 384. | Methyl disulphide |
| 344. | Lead styphanate | 385. | Methyl ethyl ketone peroxide (Conc.60%) |
| 345. | Leptophos | 386. | Methyl formate |
| 346. | Lenisite | 387. | Methyl hydrazine |
| 347. | Liquified petroleum gas | 388. | Methyl isobutyl ketone |
| 348. | Lithium hydride | 389. | Methyl isocyanate |
| 349. | N-Dinitrobenzene | 390. | Methyl isothiocyanate |
| 350. | Magnesium powder or ribbon | 391. | Methyl mercuric dicyanamide |
| 351. | Malathion | 392. | Methyl Mercaptan |
| 352. | Maleic anhydride | 393. | Methyl Methacrylate |
| 353. | Malononitrile | 394. | Methyl phencapton |
| 354. | Manganese Tricarbonyl cyclopentadiene | 395. | Methyl phosphonic dichloride |
| 355. | Mechlor ethamine | 396. | Methyl thiocyanate |
| 356. | Mephospholan | 397. | Methyl trichlorosilane |
| 357. | Mercuric chloride | 398. | Methyl vinyl ketone |
| 358. | Mercuric oxide | 399. | Methylene bis (2-chloroaniline) |
| 359. | Mercury acetate | 400. | Methylene chloride |
| 360. | Mercury fulminate | 401. | Methylenebis-4,4(2-chloroaniline) |
| 361. | Mercury methyl chloride | 402. | Metolcarb |
| 362. | Mesitylene | 403. | Mevinphos |
| 363. | Methacrolein diacetate | 404. | Mezacarbate |
| 364. | Methacrylic anhydride | 405. | Mitomycin C |
| 365. | Methacrylonitrile | 406. | Molybdenum powder |
| 366. | Methacryloyl oxyethyl isocyanate | 407. | Monocrotophos |
| 367. | Methanidophos | 408. | Morpholine |
| 368. | Methane | 409. | Muscinol |
| 369. | Methanesulphonyl fluoride | 410. | Mustard gas |
| 370. | Methidathion | 411. | N-Butyl acetate |
| 371. | Methiocarb | 412. | N.-Butyl alcohol |
| 372. | Methonyl | 413. | N-Hexane |
| | | 414. | N- Methyl-N, 2, 4, 6-Tetranitroaniline |

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| 415. | Naphtha | 454. | Oxamyl |
| 416. | Naphtha solvent | 455. | Oxetane, 3, 3-bis(chloromethyl) |
| 417. | Naphthalene | 456. | Oxidiphenoxarsine |
| 418. | Naphthyl amine | 457. | Oxy disulfoton |
| 419. | Nickel carbonyl/nickel
tetracarbonyl | 458. | Oxygen (liquid) |
| 420. | Nickel powder | 459. | Oxygen difluoride |
| 421. | Nicotine | 460. | Ozone |
| 422. | Nicotine sulphate | 461. | P-nitrophenol |
| 423. | Nitric acid | 462. | Paraffin |
| 424. | Nitric oxide | 463. | Paraoxon (Diethyl 4 Nitrophenyl
phosphate) |
| 425. | Nitrobenzene | 464. | Paraquat |
| 426. | Nitrocellulose (dry) | 465. | Paraquat methosulphate |
| 427. | Nitrochlorobenzene | 466. | Parathion |
| 428. | Nitrocyclohexane | 467. | Parathion methyl |
| 429. | Nitrogen | 468. | Paris green |
| 430. | Nitrogen dioxide | 469. | Penta borane |
| 431. | Nitrogen oxide | 470. | Penta chloro ethane |
| 432. | Nitrogen trifluouide | 471. | Penta chlorophenol |
| 433. | Nitroglycerine | 472. | Pentabromophenol |
| 434. | Nitropropane-1 | 473. | Pentachloro naphthalene |
| 435. | Nitropropane-2 | 474. | Pentadecyl-amine |
| 436. | Nitroso dimethyl amine | 475. | Pentaerythaiotol tetranitrate |
| 437. | Nonane | 476. | Pentane |
| 438. | Norbormide | 477. | Pentanone |
| 439. | O-Cresol | 478. | Perchloric acid |
| 440. | O-Nitro Toluene | 479. | Perchloroethylene |
| 441. | O-Toludine | 480. | Peroxyacetic acid |
| 442. | O-Xylene | 481. | Phenol |
| 443. | O/P Nitroaniline | 482. | Phenol, 2, 2-thiobis (4, 6-Dichloro) |
| 444. | Oleum | 483. | Phenol, 2, 2-thiobis (4 chloro 6-
methyl phenol) |
| 445. | OO Diethyl S ethyl suph. methyl
phos | 484. | Phenol, 3-(1-methyl ethyl)
methylcarbamate |
| 446. | OO Diethyl S propythio methyl
phosdithioate | 485. | Phenyl hydrazine hydrochloride |
| 447. | OO Diethyl s ethylsulphinyl
methylphosphorothioate | 486. | Phenyl mercury acetate |
| 448. | OO Diethyl s ethylsulphonyl
methylphosphorothioate | 487. | Phenyl silatrane |
| 449. | OO Diethyls
ethylthiomethylphosho-rothioate | 488. | Phenyl thiourea |
| 450. | Organo rhodium complex | 489. | Phenylene P-diamine |
| 451. | Orotic acid | 490. | Phorate |
| 452. | Osmium tetroxide | 491. | Phosazetin |
| 453. | Oxabain | 492. | Phosfolan |
| | | 493. | Phosgene |
| | | 494. | Phosmet |
| | | 495. | Phosphamidon |

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| 496. Phosphine | 535. Propionitrile |
| 497. Phosphoric acid | 536. Propionitrile, 3-chloro |
| 498. Phosphoric acid dimethyl (4-methyl thio)phenyl | 537. Propiophenone, 4-amino |
| 499. Phosphorothioic acid dimethyl S(2-Bis) Ester | 538. Propyl chloroformate |
| 500. Phosphorothioic acid methyl (ester) | 539. Propylene dichloride |
| 501. Phosphorothioic acid, OO Dimethyl S-(2-methyl) | 540. Propylene glycol, allylether |
| 502. Phosphorothioic, methyl-ethyl ester | 541. Propylene imine |
| 503. Phosphorous | 542. Propylene oxide |
| 504. Phosphorous oxychloride | 543. Prothoate |
| 505. Phosphorous pentaoxide | 544. Pseudosumene |
| 506. Phosphorous trichloride | 545. Pyrazoxon |
| 507. Phosphorous penta chloride | 546. Pyrene |
| 508. Phthalic anhydride | 547. Pyridine |
| 509. Phylloquinone | 548. Pyridine, 2-methyl-3-vinyl |
| 510. Physostigmine | 549. Pyridine, 4-nitro-1-oxide |
| 511. Physostigmine salicylate (1:1) | 550. Pyridine, 4-nitro-1-oxide |
| 512. Picric acid (2, 4, 6- trinitrophenol) | 551. Pyriminil |
| 513. Picrotoxin | 552. Quinaliphos |
| 514. Piperdine | 553. Quinone |
| 515. Piprotal | 554. Rhodium trichloride |
| 516. Pirinifos-ethyl | 555. Salcomine |
| 517. Platinous chloride | 556. Sarin |
| 518. Platinum tetrachloride | 557. Selenious acid |
| 519. Potassium arsenite | 558. Selenium Hexafluoride |
| 520. Potassium chlorate | 559. Selenium oxychloride |
| 521. Potassium cyanide | 560. Semicarbazide hydrochloride |
| 522. Potassium hydroxide | 561. Silane (4-amino butyl) diethoxy-meth |
| 523. Potassium nitride | 562. Sodium |
| 524. Potassium nitrite | 563. Sodium anthra-quinone-1-sulphonate |
| 525. Potassium peroxide | 564. Sodium arsenate |
| 526. Potassium silver cyanide | 565. Sodium arsenite |
| 527. Powdered metals and mixtures | 566. Sodium azide |
| 528. Promecarb | 567. Sodium cacodylate |
| 529. Promurit | 568. Sodium chlorate |
| 530. Propanesultone | 569. Sodium cyanide |
| 531. Propargyl alcohol | 570. Sodium fluoro-acetate |
| 532. Propargyl bromide | 571. Sodium hydroxide |
| 533. Propen-2-chloro-1,3-diou diacetate | 572. Sodium pentachloro-phenate |
| 534. Propiolactone beta | 573. Sodium picramate |
| | 574. Sodium selenate |
| | 575. Sodium selenite |
| | 576. Sodium sulphide |
| | 577. Sodium tellorite |

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| 578. Stannane acetoxy triphenyl | 618. Thiometon |
| 579. Stibine (Antimony hydride) | 619. Thionazin |
| 580. Strychnine | 620. Thionyl chloride |
| 581. Strychnine sulphate | 621. Thiophenol |
| 582. Styphinic acid (2, 4,6-trinitroresorcinol) | 622. Thiosemicarbazide |
| 583. Styrene | 623. Thiourea (2 chloro-phenyl) |
| 584. Sulphotec | 624. Thiourea (2-methyl phenyl) |
| 585. Sulphoxide, 3-chloropropyl octyl | 625. Tirpate (2,4-dimethyl-1,3-dithiolane) |
| 586. Sulphur dichloride | 626. Titanium powder |
| 587. Sulphur dioxide | 627. Titanium tetra-chloride |
| 588. Sulphur monochloride | 628. Toluene |
| 589. Sulphur tetrafluoride | 629. Toluene -2,4-di-isocyanate |
| 590. Sulphur trioxide | 630. Toluene 2,6-di-isocyanate |
| 591. Sulphuric acid | 631. Trans-1,4-di chloro-butene |
| 592. Tellurim (powder) | 632. Tri nitro anisole |
| 593. Tellurium hexafluoride | 633. Tri (Cyclohexyl) methylstannyl 1,2,4 triazole |
| 594. TEPP (Tetraethyl pyrophosphate) | 634. Tri (Cyclohexyl) stannyl-1H-1, 2, 3-triazole |
| 595. Terbufos | 635. Triaminotrinitrobenzene |
| 596. Tert-Butyl alcohol | 636. Triamphos |
| 597. Tert-Butyl peroxy carbonate | 637. Triazophos |
| 598. Tert-Butyl peroxy isopropyl | 638. Tribromophenol 2, 4, 6 |
| 599. Tert-Butyl peroxyacetate (Conc >=70%) | 639. Trichloro naphthalene |
| 600. Tert-Butyl peroxy-pivalate (Conc >=77%) | 640. Trichloro chloromethyl silane |
| 601. Tert-Butyl peroxyiso-butyrate | 641. Trichloroacetyl chloride |
| 602. Tetra hydrofuran | 642. Trichlorodichlorophenylsilane |
| 603. Terta methyl lead | 643. Trichloroethyl silane |
| 604. Tetra nitromethane | 644. Trichloroethylene |
| 605. Tetra-chlorodibenzo-p-dioxin, 1, 2, 3, 7, 8(TCDD) | 645. Trichloromethane sulphenyl chloride |
| 606. Tetraethyl lead | 646. Trichloronate |
| 607. Tetrafluoriethyne | 647. Trichlorophenol 2, 3, 6 |
| 608. Tetramethylene disulphotetramine | 648. Trichlorophenol 2, 4, 5 |
| 609. Thallic oxide | 649. Trichlorophenyl silane |
| 610. Thallium carbonate | 650. Trichlorophon |
| 611. Thallium sulphate | 651. Triethoxy silane |
| 612. Thallous chloride | 652. Triethylamine |
| 613. Thallous malonate | 653. Triethylene melamine |
| 614. Thallous sulphate | 654. Trimethyl chlorosilane |
| 615. Thiocarbazide | 655. Trimethyl propane phosphite |
| 616. Thiocynamicacid, 2(Benzothiazolyethio) methyl | 656. Trimethyl tin chloride |
| 617. Thiofamox | 657. Trinitro aniline |
| | 658. Trinitro benzene |

- | | | | |
|------|-----------------------------|------|---------------------------|
| 659. | Trinitro benzoic acid | 673. | Vinyl cyclohexane dioxide |
| 660. | Trinitro phenetole | 674. | Vinyl fluoride |
| 661. | Trinitro-m-cresol | 675. | Vinyl norbornene |
| 662. | Trinitrotoluene | 676. | Vinyl toluene |
| 663. | Tri-ortho creysyl phosphate | 677. | Vinyledene chloride |
| 664. | Triphenyl tin chloride | 678. | Warfarin |
| 665. | Tris(2-chloroethyl)amine | 679. | Warfarin Sodium |
| 666. | Turpentine | 680. | Xylene dichloride |
| 667. | Uranium and its compounds | 681. | Xylidine |
| 668. | Valino mycin | 682. | Zinc dichloropentanitrile |
| 669. | Vanadium pentaoxide | 683. | Zink phosphide |
| 670. | Vinyl acetate monomer | 684. | Zirconium & compounds |
| 671. | Vinyl bromide | | |
| 672. | Vinyl chloride | | |

SCHEDULE 2

[See rule 2(e)(ii), 4(1)(b), 4(2) (1) and 6 (1) (b)]

**ISOLATED STORAGE AT INSTALLATIONS OTHER THAN
THOSE COVERED BY SCHEDULE 4**

(a) The threshold quantities set out below relate to each installation or group of installation belonging to the same occupier where the distance between installation is not sufficient to avoid, in foreseeable circumstances, any aggravation of major accident hazards. These threshold quantities apply in any case to each group of installations belonging to the same occupier where the distance between the installations is less than 500 metres.

(b) For the purpose of determining the threshold quantity of a hazardous chemical at an isolated storage, account shall also be taken of any hazardous chemical which is :-

- (i) in that part of any pipeline under the control of the occupier having control of the site, which is within 500 metres of that site and connected to it;
- (ii) at any other site under the control of the same occupier any part of the boundary of which is within 500 meters of the said site; and
- (iii) in any vehicle, vessel, aircraft or hovercraft, under the control of the same occupier which is used for storage purpose either at the site or within 500 metres of it;

but no account shall be taken of any hazardous chemical which is in a vehicle, vessel, aircraft or a hovercraft used for transporting it.

S.No	Chemicals	Threshold Quantities (tonnes)	
		¹ [For application of rules 4,5,7 to 9 and 13 to 15]	² [For application of rule 10 to 12]
1	2	3	4
1.	Acrylonitrile	350	5,000
2.	Ammonia	60	600
3.	Ammonium nitrate (a)	350	2,500
4.	Ammonium nitrate fertilizers (b)	1,250	10,000
5.	Chlorine	10	25
6.	Flammable gases as defined in Schedule 1, paragraph (b) (i)	50	300
³ [7.	Extremely flammable liquids as defined in Schedule 1, paragraph (b) (ii)	5000	50,000]
8.	Liquid oxygen	200	2000
9.	Sodium chlorate	25	250
10.	Sulphur dioxide	20	500
11.	Sulphur trioxide	15	100
⁴ [12.	Carbonyl chloride	0.750	0.750
13.	Hydrogen Sulphide	5	50
14.	Hydrogen Fluoride	5	50
15.	Hydrogen Cyanide	5	50
16.	Carbon disulphide	20	200
17.	Bromine	50	500
18.	Ethylene oxide	5	501
19.	Propylene oxide	5	50

¹ Substituted by Rule 10(i) (a) of the MSIHC (Amendment) Rules, 2000 notified by S.O.57(E), dated 19.1.2000 ;

² Substituted by Rule 10(i) (b), *ibid*;

³ Substituted entry 7 by Rule 10(ii), *ibid* ;

⁴ Inserted entries 12 to 27 by Rule 11 of the MSIHC (Amendment) Rules, 1994 notified vide S.O 2882, dated 3.10.1994

S.No	Chemicals	Threshold Quantities (tonnes)	
		[For application of rules 4,5,7 to 9 and 13 to 15]	[For application of rule 10 to 12]
1	2	3	4
20.	2-Propenal (Acrolein)	20	200
21.	Bromomethane (Methyl bromide)	20	200
22.	Methyl isocyanate	0.150	0.150
23.	Tetraethyl lead or tetramethyl lead	5	50
24.	1,2 Dibromoethane (Ethylene dibromide)	5	50
25.	Hydrogen chloride (liquefied gas)	25	250
26.	Diphenyl methane di-isocyanate (MDI)	20	200
27.	Toluene di-isocyanate (TDI)	10	100]
¹ [28.	Very highly flammable liquids as defined in Schedule 1, paragraph (b) (iii)	7,000	7,000]
29.	Highly flammable liquids as defined in Schedule 1, paragraph (b) (iv)	10,000	10,000
30.	Flammable liquids as defined in Schedule - 1, paragraph (b) (v)	15,000	1,00,000]

- (a) This applies to ammonium nitrate and mixtures of ammonium nitrates where the nitrogen content derived from the ammonium nitrate is greater than 28 per cent by weight and to aqueous solutions of ammonium nitrate where the concentration of ammonium nitrate is greater than 90 per cent by weight.
- (b) This applies to straight ammonium nitrate fertilizers and to compound fertilizers where the nitrogen content derived from the ammonium nitrate is greater than 28 per cent by weight (a compound-fertilizer contains ammonium nitrate together with phosphate and/or potash).

¹ Inserted entries 28, 29 and 30 by 10(iii) of the HSIHC (Amendment) Rules, 2000 notified by S.O. 57(F), dated 19.1.2000

SCHEDULE 3

[See Rule 2(e)(iii), 5 and 6(1) (a)]

**LIST OF HAZARDOUS CHEMICALS FOR APPLICATION OF
RULES 5 AND 7 TO 15**

- (a) The quantities set-out-below relate to each installation or group of installations belonging to the same occupier where the distance between the installations is not sufficient to avoid, in foreseeable circumstances, any aggravation of major-accident hazards. These quantities apply in any case to each group of installations belonging to the same occupier where the distance between the installations is less than 500 metres.
- (b) For the purpose of determining the threshold quantity of a hazardous chemical in an industrial installation, account shall also be taken of any hazardous chemicals which is :-
- (i) in that part of any pipeline under the control of the occupier have control of the site, which is within 500 metres off that site and connected to it;
 - (ii) at any other site under the control of the same occupier any part of the boundary of which is within 500 metres of the said site ; and
 - (iii) in any vehicle, vessel, aircraft or hovercraft under the control of the same occupier which is used for storage purpose either at the site or within 500 metres of it;

but no account shall be taken of any hazardous chemical which is in a vehicle, vessel, aircraft or hovercraft used for transporting it.

PART - I
NAMED CHEMICALS

S. No.	Chemicals	Threshold	Quantity	CAS Number
		for application of Rules 5, 7-9 and 13-15	for application of Rules 10-12	
(1)	(2)	(3)	(4)	(5)
GROUP 1-TOXIC SUBSTANCES				
1.	Aldicarb	100kg		116-06-3
2.	4-Aminodiphenyl	1 kg		96-67-1
3.	Amiton	1 kg		78-53-5
4.	Anabasine	100 kg		494-52-0
5.	Arsenic pentoxide, Arsenic (V) acid & salts	500 kg		
6.	Arsenic trioxide, Arsenic (III) acid & salts	100 kg		
7.	Arsine (Arsenic hydride)	10kg		7784-42-1
8.	Azinphos-ethyl	100kg		2642-71-9
9.	Azinphos-methyl	100 kg		86-50-0
10.	Benzidine	1 kg		92-87-5
11.	Bezidine salts	1 kg		
12.	Beryllium (powders, compounds)	10 kg		
13.	Bis (2-chloroethyl) sulphide	1 kg		505-60-2
14.	Bis (chloromethyl) ether	1 kg		542-88-1
15.	Carbophuran	100 kg		1563-66-2
16.	Carbophenothion	100 kg		786-19-6
17.	Chlorefenvinphos	100 kg		470-90-6
18.	4-(Chloroformyl) morpholine	1 kg		15159-40-7
19.	Chloromethyl methyl ether	1 kg		107-30-2
20.	Cobalt (metal, oxide, carbonates, sulphides, as powders)	1 t		
21.	Crimidine	100 kg		535-89-7
22.	Cynthoate	100 kg		3734-95-0
23.	Cycloheximide	100 kg		66-81-9
24.	Demeton	100 kg		8065-48-3
25.	Dialifos	100 kg		10311-84-9
26.	OO-Diethyl S-ethylsulphinylmethyl phosphorothiate	100 kg		2588-05-8
27.	OO-Diethyl S-ethylsulphonylmethyl phosphorothiate	100 kg		2588-06-9
28.	OO-Diethyl S-ethylthiomethyl Phosphorothioate	100 kg		2600-69-3

S. No.	Chemicals	Threshold	Quantity	CAS Number
		for application of Rules 5, 7-9 and 13-15	for application of Rules 10-12	
(1)	(2)	(3)	(4)	(5)
29.	OO-Diethyl S-isopropylthiomethyl phosphorothiate	100 kg		78-52-4
30.	OO-Diethyl S-isopropylthiomethyl phosphorodithioate	100 kg		3309-68-0
31.	Dimefox	100 kg		115-26-4
32.	Dimethylcarbamoyl chloride	1 kg		79-44-7
33.	Dimethylnitrosamine	1 kg		62-75-9
34.	Dimethyl phosphoromidocynidic acid	1 t		63917-41-9
35.	Diphacinone	100 kg		82-66-6
36.	Disulfoton	100 kg		298-04-4
37.	EPN	100 kg		2104-64-5
38.	Ethion	100 kg		563-12-2
39.	Fensulfothion	100 kg		115-90-2
40.	Fluenetil	100 kg		4301-50-2
41.	Fluoroacetic acid	1 kg		144-49-0
42.	Fluoroacetic acid, salts	1 kg		
43.	Fluoroacetic acid, esters	1 kg		
44.	Fluoroacetic acid, amides	1 kg		
45.	4-Fluorobutyric acid	1 kg		462-23-7
46.	4-Fluorobutyric acid, salts	1 kg		
47.	4-Fluorobutyric acid, esters	1 kg		
48.	4-Fluorobutyric acid, amides	1 kg		
49.	4-Fluorobutyric acid	1 kg		37759-72-1
50.	4-Fluorocrotonic acid, salts	1 kg		
51.	4-Fluorocrotonic acid, esters	1 kg		
52.	4-Fluorocrotonic acid, amides	1 kg		
53.	4-Fluoro-2-hydroxybutyric acid, amides	1 kg		
54.	4-Fluoro-2-hydroxybutyric acid, salts	1 kg		
55.	4-Fluoro-2-hydroxybutyric acid, esters	1 kg		
56.	4-Fluoro-2-hydroxybutyric acid, amides	1 kg		
57.	Glycolonitrile (Hydroxyacetonitrile)	100 kg		107-16-4
58.	1,2,3,7,8,9-Hexachlorodibenzo-p-dioxin	100 kg		194-8-74-3
59.	Hexamethylphosphoramide	1 kg		680-31-9
60.	Hydrogen selenide	10 kg		7783-07-5
61.	Isobenzan	100 kg		297-78-9
62.	Isodrin	100 kg		465-73-6
63.	Juglone (5-Hydroxynaphthalene 1,4 dione)	100 kg		481-39-0

S. No.	Chemicals	Threshold	Quantity	CAS Number
		for application of Rules 5, 7-9 and 13-15	for application of Rules 10-12	
(1)	(2)	(3)	(4)	(5)
64.	4,4-Methylenebis (2-chloroniline)	10 kg		101-14-4
65.	Mthyl isocynate	150 kg	150kg	624-83-9
66.	Mevinphos	100 kg		7786-34-7
67.	2-Naphthylamine	1 kg		91-59-8
68.	2-Nickel (metal, oxides, carbonates), sulphides, as powers)	1 t		
69.	Nickel tetracarbonyl	10 kg		13463-39-3
70.	Oxygendisulfoton	100 kg		2497-07-6
71.	Oxygen difluoride	10 kg		7783-41-7
72.	Paraxon (Diethyl 4-nitrophenyl phosphate)	100 kg		311-45-5
73.	Parathion	100 kg		56-38-2
74.	Parathion-methyl	100 kg		298-00-0
75.	Pentaborane	100 kg		19624-22-7
76.	Phorate	100 kg		298-02-2
77.	Phosacetim	100 kg		4104-14-7
78.	Phosgene (carbonyl chloride)	750 kg	750kg	75-44-5
79.	Phosphamidon	100 kg		13171-21-6
80.	Phosphine (Hydrogen phosphide)	100 kg		7803-51-2
81.	Promurit (1-(3,4 dichlorophenyl)-3-triazenthio-carboxamide)	100 kg		5836-73-7
82.	1,3-Propanesultone	1 kg		1120-71-4
83.	1-Propen-2-chloro-1,3diol diacetate	10 kg		10118-72-6
84.	Pyrazoxon	100 kg		108-34-9
85.	Selenium hexafluoride	10 kg		7783-79-1
86.	Sodium selenite	100 kg		10102-18-8
87.	Stibine (Antimony hydride)	100 kg		7803-52-3
88.	Sulfotep	100 kg		3689-24-5
89.	Sulphur dichloride	1 t		10545-99-0
90.	Tellurium hexafluoride	100 kg		7783-80-4
91.	TEPP	100 kg		107-49-3
92.	2,3,7,8,-Tetrachlorodibenzo-p-dioxin (TCDD)	1 kg		1746-01-6
93.	Tetramethylenedisulphotetramine	1 kg		80-12-6
94.	Thionazin	100 kg		297-97-2
95.	Tirpate (2,4-Dimethyl-1,3-dithiolane-2-carboxaldehyde O-methylcarbamoyloxime)	100 kg		26419-73-8

S. No.	Chemicals	Threshold	Quantity	CAS Number
		for application of Rules 5, 7-9 and 13-15	for application of Rules 10-12	
(1)	(2)	(3)	(4)	(5)
96.	Trichloromethanesulphonyl chloride	100 kg		594-42-3
97.	1-Tri (cyclohexyl) stannyl 1H-1,2,4-Triazole	100 kg		41083-11-8
98.	Triethylenemelamine	10 kg		51-18-3
99.	Warfarin	100 kg		81-81-2
GROUP -2 TOXIC SUBSTANCES				
100	Acetone cyanohydrin (2-Cyanopropan-2-ol)	200 t		75-86-5
101	Acrolein (2-Propenal)	20 t	¹ [200t]	107-02-8
102	Acrylonitrile	20 t	200t	107-13-1
103	Allyl alcohol (Propen-1-ol)	200 t		107-18-6
104	Alylamine	200 t		107-11-9
105	Ammonia	50 t	500t	7664-41-7
106	Bromine	40 t	¹ [500t]	7726-95-6
107	Carbon disulphide	20 t	200t	75-15-0
108	Chlorine	10 t	25t	7782-50-5
109	Diphneyl ethane di-isocynate (MDI)	20 t	¹ [200t]	101-68-8
110	Ethylene dibromide (1,2-Dibromoethane)	5 t	¹ [50t]	106-93-4
111	Ethyleneimine	5 t		151-56-4
112	Formaldehyde (concentration <90%)	5 t	¹ [50t]	50-00-0
113	Hydrogen chloride (liquified gas)	25 t	250t	7647-01-0
114	Hydrogen cyanide	5 t	20t	74-90-8
115	Hydrogen fluoride	5 t	50t	7664-39-3
116	Hydrogen sulphide	5 t	50t	7783-06-4
117	Methyl bromide (Bromomethane)	20 t	¹ [200 t]	74-83-9
118	Nitrogen oxides	50 t		11104-93-1
119	Propyleneimine	50 t		75-55-8
120	Sulphur dioxide	20 t	250t	7446-09-5
121	Sulphur trioxide	15 t	75t	7446-11-9
122	Tetraethyl lead	5 t	² [200t]	78-00-2
123	Tetra methyl lead	5 t	¹ [100t]	75-74-1
124	Toluene di-isocynate (TDI)	10 t		584-84-9

¹ Inserted by Rule 14 (a to h) of MSIHC (Amendment) Rules, 1994 notified vide notification S.O 2882, dated 3.10.1994

² Inserted by Rule 14 (a to h) of MSIHC (Amendment) Rules, 1994 notified vide notification S.O 2882, dated 3.10.1994

S. No.	Chemicals	Threshold	Quantity	CAS Number
		for application of Rules 5, 7-9 and 13-15	for application of Rules 10-12	
(1)	(2)	(3)	(4)	(5)
GROUP 3-HIGHLY REACTIVE SUBSTANCES				
125	Acetylene (ethyne)	5 t		74-86-2
126	a. Ammonium nitrate (1) b. Ammonium nitrate in form of fertilizer (2)	350t 1250 t	2500t	6484-52-2
127	2,2 Bis (tert-butylperoxy) butane) (concentration >70%)	5 t		2167-23-9
128	1, 1-Bis(tert-butylperoxy) cyclohexane (concentration > 80%)	5 t		3006-86-8
129	tert-Butyle peroxyacetate (concentration ≤70%)	5 t		107-71-1
130	tert-Butyle peroxy isobutyrate (concentration >80%)	5 t		109-13-7
131	Tert-Butyl peroxy isopropyl carbonate (concentration ≥80%)	5 t		2372-21-6
132	Tert-Butyl peroxyacetate (concentration ≥80%)	5 t		1931-62-0
133	Tert-Butyl peroxyisovalate (concentration ≥77%)	50 t		927-07-1
134	Dibenzyl peroxydicarbonate (concentration ≥90%)	5 t		2144-45-8
135	Di-sec-butyl peroxydicarbonate (concentration ≥80%)	5 t		19910-65-7
136	Diethyl peroxydicarbonate (concentration ≥30%)	50 t		14666-78-5
137	2,2-dihydroperoxypropane (concentration ≥30%)	5 t		2614-76-08
138	di-isobutyl peroxide (concentration ≥50%)	50 t		3437-84-1
139	Di-n-propyl peroxydicarbonate (concentration ≥80%)	5 t		16066-38-9
140	Ethylene oxide	5 t	50t	75-21-8
141	Ethyl nitrate	50 t		625-58-1
142	3,3,6,6,9,9 Hexamethyl - 1,2,4 5-tert oxacyclononane (concentration ≥75%)	50 t		22397-33-7
143	Hydrogen	2 t	50 t	1333-74-0

S. No.	Chemicals	Threshold	Quantity	CAS Number
		for application of Rules 5, 7-9 and 13-15	for application of Rules 10-12	
(1)	(2)	(3)	(4)	(5)
144	Liquid Oxygen	200 t	¹ [2000t]	7782-41-7
145	Methyl ethyl ketone peroxide (concentration ≥60%)	5 t		1338-23-4
146	Methyl isobutyl ketone peroxide (concentration ≥60%)	50 t		37206-20-5
147	Peracetic acid (concentration ≥60%)	50 t		79-21-0
148	Propylene oxide	5 t	¹ [50t]	75-56-9
149	Sodium chlorate	25 t		7775-09-9
GROUP 4-EXPLOSIVE SUBSTANCES				
150	Barium azide		¹ [100] kg	18810-58-7
151	Bis(2,4,6 -trinitrophenyl) amine	50 t		131-073-7
152	Chlorotrinitro benzene	50 t		28260-61-9
153	Cellulose nitrate (containing 12.6% Nitrogen)	50 t		9004-70-0
154	Cyclotetramethyleneteraniramine	50 t		2691-41-0
155	Cyclotrimethylenetiraniramine	50 t		121-82-1
156	Diazodinitrophenol	10 t		7008-81-3
157	Diethylene glycol dinitrate	10 t		693-21-0
158	Dinitrophenol, salts	50 t		
159	Enthylene glycol dinitrate	10 t		628-96-6
160	1-Gyanyl-4-nitrosaminoguanyl-1-tetrazene		¹ [100 kg]	109-27-3
161	2, 2, 4, 4, 6, 6, -Hexanitostibene	50 t		20062-22-0
162	Hydrazine nitrate	50 t		13464-97-6
163	Lead azide		¹ [100 kg]	13424-46-9
164	Lead Styphnate (Lead 2,4,6-trinitroresorcinoxide)	50 t		15245-44-0
165	Mercury fulminate	10 t		20820-45-5 628-86-4
166	N-Methyl-N,2,4,6-tetranitroaniline	50 t		497-45-8
167	Nitroglycerine	10 t	10t	55-63-0
168	Pentacrythritol tetra nitrate	50 t		78-11-5

¹ Substituted by Rule 11(i) of the MSIHC (Amendment) Rules, 2000 notified vide S.O.57(E), dated 19.1.2000.

S. No.	Chemicals	Threshold	Quantity	CAS Number
		for application of Rules 5, 7-9 and 13-15	for application of Rules 10-12	
(1)	(2)	(3)	(4)	(5)
169	Picric acid, (2,3,6-Trinitrophenol)	50 t		88-89-1
170	Sodium picramate	50 t		831-52-7
171	Styphnic acid (2,4,6-Trinitroresorcinol)	50 t		82-71-3
172	1,3,5-Triamino-2,4,6-Trinitrobenzene	50 t		3058-38-6
173	Trinitroaniline-	50 t		26952-42-1
174	2,4,6-Trinitroanisole	50 t		606-35-9
175	Trinitrobenze	50 t		25377-32-6
176	Trinitrobenzoic acid	50 t		35860-50-5 129-66-8
177	Trinitrocresol	50 t		28905-71-7
178	2,4,6-Trinitrophenitole	50 t		4732-4-3
179	2,4,6-Trinitrotoluene	50 t	50 t	118-96-7

[PART II

**CLASSES OF SUBSTANCES AS DEFINED IN PART - I, SCHEDULE - I
AND NOT SPECIFICALLY NAMED IN PART - I OF THIS SCHEDULE**

1	2	3	4
GROUP 5 - Flammable substances			
1.	Flammable Gases	15t	200t
2.	Extremely flammable liquids	1000t	5000t
3.	Very highly flammable liquids	1500t	10000t
4.	Highly Flammable liquids which remains liquid under pressure	25t	200t
5.	Highly Flammable liquids	2500t	20000t
6.	Flammable liquids	5000t	50000t]

- (1) This applies to ammonium nitrate and mixtures of ammonium nitrate where the nitrogen content derived from the ammonium nitrate is greater than 28% by weight and aqueous solutions of ammonium nitrate where the concentration of ammonium nitrate is greater than 90% by weight.
- (2) This applied to straight ammonium nitrate fertilizers and to compound fertilizers where the nitrogen content derived from the ammonium nitrate is greater than 28% by weight (a compound fertilizer contains ammonium nitrate together with phosphate and/or potash).

¹ Substituted by Rule 11(ii) of the MSIHC (Amendment) Rules, 2000 notified by S.O.57(E), dated 19.1.2000.

SCHEDULE -4

(See Rule 2(h) (i))

1. Installation for the production, processing or treatment of organic or inorganic chemicals using for this purpose, among others;
 - (a) alkylation
 - (b) Amination by ammonolysis
 - (c) carbonylation
 - (d) condensation
 - (e) dehydrogenation
 - (f) esterification
 - (g) halogenation and manufacture of halogens
 - (h) hydrogenation
 - (i) hydrolysis
 - (j) Oxidation
 - (k) Polymerization
 - (l) Sulphonation
 - (m) desulphurization, manufacture and transformation of sulphur containing compounds
 - (n) nitration and manufacture of nitrogen containing compounds
 - (o) manufacture of phosphorous-containing compounds
 - (p) formulation of pesticides and of pharmaceutical products
 - (q) distillation
 - (r) extraction
 - (s) solvation
 - (t) mixing
2. Installation for distillation, refining or other processing of petroleum or petroleum products.
3. Installations for the total or partial disposal of solid or liquid substances by incineration or chemical decomposition.
4. Installations for production, processing, ¹[use] or treatment of energy gases, for example, LPG, LNG, SNG.
5. Installation for the dry distillation of coal or lignite.
6. Installations for the production of metals or non-metals by a wet process or by means of electrical energy.

¹ Inserted by Rule 12 of the MSIHC (Amendment) Rules, 2000 notified vide S.O.57(E), dated 19.1.2000.

SCHEDULE -5
(See Rules, 2(b) and 3)

S. No.	Authority(ies) with legal backing	Duties and corresponding Rule
(1)	(2)	(3)
1.	Ministry of Environment and Forests under Environment (Production) Act, 1986.	1. Notification of hazardous chemicals as per Rules 2(e)(i), 2(e) (ii) & 2(e) (iii)
2.	Chief Controller Imports & Exports under Import & Exports (Control) Act, 1947.	Import of hazardous chemicals as per Rule 18
3.	Central Pollution Control Board or State Pollution Control Board ¹ [or Committee] under Environment (Protection) Act, 1986 as the case may be.	(1) Enforcement of directions and procedures in respect of isolated storage of hazardous chemicals, regarding- (i) Notification of major accidents as per Rules 5(1) and 5(2) (ii) Notification of sites as per Rules 7 to 9. (iii) Safety reports in respect of isolated storages as per Rule 10 to 12. (iv) Preparation of on-site emergency plans as per Rule 13. (2) Import of hazardous Chemicals and enforcement of directions and procedures on import of hazardous chemicals as per Rule 18.
4.	Chief Inspector of Factories appointed under the Factories Act, 1948.	Enforcement of directions and procedures in respect of industrial installations and isolated storages covered under the Factories Act, 1948, dealing with hazardous chemicals and pipelines including inter-state pipelines regarding- (i) Notification of major accidents as per Rule 5(1) and 5 (2). (ii) Notification of sites as per Rules, 7 to 9. (iii) Safety reports as per Rules, 10 to 12. (iv) Preparation of on-site emergency plans as per Rule 13. Preparation of off-site emergency plans in consultation with District Collector or District Emergency Authority as per S. No. 9 of this schedule.

¹ Inserted by Rule 13(i) of the MSIHC (Amendment) Rules, 2000 notified vide S.O.57(E), dated 19.1.2000

S. No.	Authority(ies) with legal backing	Duties and corresponding Rule
(1)	(2)	(3)
5.	Chief Inspector of Dock Safety appointed under the Dock Workers (Safety, Health and Welfare) Act, 1986.	Enforcement of directions and procedures in respect of industrial installations and isolated storages dealing with hazardous chemicals and pipelines ¹ [inside a port covered under the Dock Workers (Safety, Health and Welfare) Act, 1986] regarding- (i) Notification of major accidents as per Rules 5(1) and 5(2). (ii) Notification of sites as per Rules 7 to 9. (iii) Safety reports as per Rules 10 to 12. (iv) Preparation of on-site emergency plans as per Rule 13. (v) Preparation of off-site emergency plans in consultation with District Collector or District Emergency Authority as per S. No.9 of this Schedule.
6.	Chief Inspector of Mines appointed under the Mines Act, 1952	Enforcement of directions and procedures in respect of industrial installations and isolated storages dealing with hazardous chemicals ² [***] regarding - (i) Notification of major accidents as per Rules 5(1) and 5(2). (ii) Notification of sites as per Rules 7 to 9. (iii) Safety reports as per Rules 10 to 12. (iv) Preparation of on-site emergency plans as per Rule 13. (v) Preparation of off-site emergency plans in consultation with District Collector or District Emergency Authority as per S. No.9 of this Schedule.
7.	Atomic Energy Regulatory Board appointed under the Atomic Energy Act, 1972.	³ [Enforcement of directions and procedures regarding :- (a) Notification of major accidents as per rule 5(1) and 5(2) (b) Approval and Notification of Sites as per rule 7; (c) Safety report and safety audit

¹ Substituted by Rule 13(ii) of the MSIHC (Amendment) Rules, 2000 notified vide S.O.57(E), dated 19.1.2000;

² Omitted by Rule 13(iii), *ibid*;

³ Substituted by Rule 13(iv), *ibid*.

S. No.	Authority(ies) with legal backing	Duties and corresponding Rule
(1)	(2)	(3)
		reports as per rule 10 to 12; (d) Acceptance of On-site Emergency plans as per rule 13; (e) Assisting the District Collector in the preparation of Off-Site emergency plans as per serial number 9 of this Schedule]
8.	Chief Controller of Explosives appointed under the Indian Explosive Act and Rules, 1983	Enforcement of directions and procedures as per the provisions of ¹ [(i) The Explosives Act, 1884(4 of 1884) and the rules made thereunder, namely:- (a) The Gas Cylinders Rules, 1981; (b) The Static and Mobile Pressure Vessel (Unified) Rules, 1981; (c) The Explosive Rules, 1984 (ii) The petroleum Act, 1934 (30 of 1934) and the Rules made thereunder, namely; (a) The Petroleum Rules, 1976; (b) The Calcium Carbide Rules, 1987]; ² [and in respect of Industrial installation and isolated storages dealing with hazardous chemicals and pipelines including inter-state pipelines regarding. :- (a) Notification of major accident as per rule 5; (b) Approval and notification of sites as per rule 7; (c) Safety report and safety audit reports as per rules 10 to 12; (d) Acceptance of On-site Emergency plans as per rule 13; (e) Assisting the District Collector in the preparation of Off-Site emergency plans as per serial number 9 of this Schedule.]

¹ Substituted by Rule 15 of the MSIHC (Amendment) Rules, 1994, notified vide S.O.2882, dated 3.10.1994.

² Inserted by Rule 13 (v) of the MSIHC (Amendment) Rules, 2000 notified vide S.O.57(E), dated 19.1.2000.

S. No.	Authority(ies) with legal backing	Duties and corresponding Rule
(1)	(2)	(3)
9.	District Collector or District Emergency Authority designated by the State Government	Preparation of off-site emergency plans as per Rule 14
¹ [10.	² [CENTRE FOR ENVIRONMENT AND EXPLOSIVE SAFETY (CEES), Defense Research and Development of Organisation (DRDO), Department of defence Research & Development, Ministry of Defence	Enforcement of directions and procedures in respect of laboratories, industrial establishment and isolated storages dealing with hazardous chemicals in the Ministry of Defence]

¹ Substituted by Rule 13(vi), of the MSIHC (Amendment) Rules, 2000 notified vide S.O.No.57(E), dated 19.1.2000.

² Inserted by G.S.R.584(E), dated 9th June, 1990.

SCHEDULE -6
[See Rule 5(1)]

INFORMATION TO BE FURNISHED REGARDING NOTIFICATION OF A MAJOR ACCIDENT

Report number
of the particular accident.

1. General data

- (a) Name of the site
- (b) Name and address of the manufacturer
(Also state telephone/telex number)
- (c) (i) Registration number
- (ii) Licence number
(as may have been allotted under any status applicable to the site,
e.g.the Factories Act)
- (d) (i) Nature of industrial activity (Mention what is actually manufactured,
stored etc.)
- (ii) National Industrial Classification, 1987 at the four digit level.

2. Type of major accident

Explosion Fire Emission of dangerous substance

Substance(s) emitted

3. Description of the major accident

- (a) Date, shift and hour of the accident
- (b) Department/Section and exact place where the accident took place
- (c) The process/operation undertaken in the Department/section where the accident took place.
(attach a flow chart if necessary)
- (d) The circumstances of the accident and the dangerous substance involved

4. Emergency Measures taken and measures envisaged to be taken to alleviate short term effects of the accident.

5. Causes of the major accident.

Known (to be specified)

6. Not Known

Information will be supplied as soon as possible

7. Nature and extent of damage

- (a) Within the establishment - casualties
 -Killed
 -Injured
 -Poisoned

Persons exposed to the major accident

material damaged

danger is still present

danger no longer exists.

- (b) Outside the establishment casualties.
 -Killed
 -Injured
 -Poisoned

Persons exposed to the major accident.....

material damaged

damage to environment

the danger is still present

the danger no longer exists

8. Data available for assessing the effects of the accident on persons and environment.

9. Steps already taken or envisaged

- (a) to alleviate medium or long term effects of the accident
- (b) to prevent recurrence of similar major accident
- (c) Any other relevant information.

SCHEDULE -7

[See Rule 7(1)]

INFORMATION TO BE FURNISHED FOR THE NOTIFICATION OF SITES**PART -I**

Particulars to be included in a notification of a site

1. The name and address of the employer making the notification.
2. The full postal address of the site where the notifiable industrial activity will be carried on.
3. The area of the site covered by the notification and of any adjacent site which is required to be taken into account by virtue of b(ii) of schedule 2 and 3.
4. The date on which it is anticipated that the notifiable industrial activity will commence, or if it has already commenced a statement to that effect.
5. The name and maximum quantity liable to be on the site of each dangerous substance for which notification is being made.
6. Organisation structure namely organisation diagram for the proposed industrial activity and set up for ensuring safety and health.
7. Information relating to the potential for major accidents, namely-
 - (a) identification of major accident hazards ;

- (b) the conditions or the events which could be significant in bringing one about;
- (c) a brief description of the measures taken.

8. Information relating to the site namely-

(a) a map of the site and its surrounding area to a scale large enough to show any features that may be significant in the assessment of the hazard or risk associated with the site,-

- (i) area likely to be affected by the major accident.
- (ii) Population distribution in the vicinity.

(b) a scale plan of the site showing the location and quantities of all significant inventories of the hazardous chemicals;

(c) a description of the process or storage involving the hazardous chemicals and an indication of the conditions under which it is normally held;

(d) the maximum number of persons likely to be present on site.

9. The arrangement for training of workers and equipment necessary to ensure safety of such workers.

PART -II

Particulars to be included regarding pipeline-

1. The names and address of the persons making the notification.
2. The full postal address of the place from which the pipeline activity is controlled, addresses of the places where the pipeline starts and finishes and a map showing the pipeline route drawn to a scale of not less than 1:400000.
3. The date on which it is anticipated that the notifiable activity will commence, or if it is already commenced a statement to that effect.
4. The total length of the pipeline, its diameter and normal operating pressure and the name and maximum quantity liable to be in the pipeline of each hazardous chemical for which notification is being made.

SCHEDULE -8
[See Rule 10(1)]
INFORMATION TO BE FURNISHED IN A SAFETY REPORT

1. The name and address of the person furnishing the information.
2. Description of the industrial activity, namely-
 - (a) site,
 - (b) construction design,
 - (c) protection zones explosion protection, separation distances,
 - (d) accessibility of plant,
 - (e) maximum number of persons working on the site and particularly of those persons exposed to be hazard.
3. Description of the processes, namely -
 - (a) technical purpose of the industrial activity,
 - (b) basic principles of the technological process,
 - (c) process and safety -related data for the individual process stages,
 - (d) process description,
 - (e) Safety-related types of utilities.
4. Description of the hazardous chemicals, namely -
 - (a) chemicals (quantities, substance data, safety-related data, toxicological data and threshold values),
 - (b) the form in which the chemical may occur on or into which they may be transformed in the event of abnormal conditions,
 - (c) the degree of purity of the hazardous chemical.

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5. Information on the preliminary hazard analysis, namely-
 - (a) types of accident
 - (b) system elements or events that can lead to a major accident,
 - (c) hazards,
 - (d) safety-relevant components.

 6. Description of safety -relevant units, among others;
 - (a) special design criteria,
 - (b) controls and alarms,
 - (c) special relief systems,
 - (d) quick-acting valves,
 - (e) collecting tanks/dump tank,
 - (f) sprinkler system,
 - (g) fire fighting etc.

 7. Information on the hazards assessment, namely-
 - (a) identification of hazards ,
 - (b) the cause of major accidents,
 - (c) assessment of hazards according to their occurrence frequency,
 - (d) assessment of accident consequences,
 - (e) safety systems,
 - (f) known accident history.

 8. Description of information or organizational systems used to carry on the industrial activity safety, namely-
 - (a) maintenance and inspection schedules,
 - (b) guidelines for the training of personnel,
 - (c) allocation and delegation of responsibility for plant safety,
 - (d) implementation of safety procedure.

 9. Information on assessment of the consequences of major accidents, namely-

- (a) assessment of the possible release of hazardous chemicals or of energy,
 - (b) possible dispersion of released chemical,
 - (c) assessment of the effects of the releases (size of the affected area, health effects, property damage)
10. Information on the mitigation of major accidents, namely -
- (a) fire brigade,
 - (b) alarm systems,
 - (c) emergency plan containing system of organisation used to fight the emergency, the alarm and the communication rules guidelines for fighting the emergency, information about hazardous chemicals, examples of possible accident sequences,
 - (d) coordination with the District Emergency authority and its off-site emergency plan,
 - (e) notification of the nature and scope of the hazard in the event of an accident,
 - (f) antidotes in the event of a release of a hazardous chemical.

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SCHEDULE -9

(See Rule 17)

SAFETY DATA SHEET

1. CHEMICAL IDENTITY

Chemical Name		Chemical Classification	
Synonyms		Trade Name	
Formula	C.A.S.No	U.N. No.:	
Regulated Identification	Shipping Name	Hazchem No.:	
	Codes/Lable		
		Hazardous Waste I.D. No.:	
Hazardous Ingredients	C.A.S. No.	Hazardous Ingredients	C.A.S No.:
1.		3.	
2.		4.	

2. PHYSICAL AND CHEMICAL DATA

Boiling Range/Point °C	Physical State	Appearance
Melting/Freezing Point °C	Vapour Pressure	Odour
	@ 35 °C mm/Hg	
Vapour Density (Air=1)	Solubility in Water at 30°C Others	
Specific Gravity Water =1	pH	

3. FIRE AND EXPLOSION HAZARD DATA

Flammability	Yes/No	LEL	%	Flash Point °C	Auto ignition Temperature °C
TDG Flammability		UEL	%	Flash Point °C	
Explosion Sensitivity to Impact				Explosion Sensitivity to Static Electricity	Hazardous Combustion Products
Hazardous Polymerisation					
Combustible Liquid		Explosive Material		Corrosive Material	
Flammable Material		Oxidiser		Others	
Pyrophoric Material		Organic Peroxide			

4. REACTIVITY DATA

Chemical Stability
Incompatibility With other Material
Reactivity
Hazardous Reaction Products

5. HEALTH HAZARD DATA

Routes of Entry					
Effects of Exposure/Symptoms					
Emergency Treatment					
TLV(ACGIH)	ppm	mg/m ³	STEL	ppm	mg/m ³

Permissible Exposure Limits LD ₅₀	ppm	mg/m ³	Odour threshold LD ₅₀	ppm	mg/m ³
NEPA Hazard Signals	Health		Flammability	Stability	Special

6. PREVENTIVE MEASURES

Personnel
Protective
Equipment

Handling and
Storage
Precautions

7. EMERGENCY AND FIRST AID MEASURE

Fire Extinguishing
Media
FIRE

Special Procedures

Unusual Hazards
EXPOSURE

First Aid Measures

Antidotes/Dosages
SPILLS

Steps to be taken

Waste Disposal Method

8. ADDITIONAL INFORMATION / REFERENCES

9. MANUFACTURER / SUPPLIER DATA

Name of Firm	Contact Person in Emergency
Mailing Address	Local Bodies Involved
Telephone/Telex Nos.	Standard Packing
Telegraphic Address	Tremcard Details/Ref Other.

10. DISCLAIMER

Information contained in this material data sheet is believed to be reliable but no representation, guarantee or warranties of any kind are made as to its accuracy, suitability for a particular application or results to be obtained from them. It is upto the manufacturer/seller to ensure that the information contained in the material safety data sheet is relevant to the product manufactured/handled or sold by him as the case may be. The Government makes no warranties expressed or implied in respect of the adequacy of this document for any particular purpose.

SCHEDULE -10

[See Rule 18(5)]

FORMAT FOR MAINTAINING RECORDS OF HAZARDOUS CHEMICALS IMPORTED

1. Name and address of the Importer:
2. Date and reference number of issuance of permission to import hazardous chemicals:
3. Description of hazardous chemicals:
 - (a) Physical form:
 - (b) Chemical form:
 - (c) Total volume and weight (in kilogram's/ Tones)
4. Description of purpose of Import:
5. Description of storage of hazardous chemicals:
 - (a) Date:
 - (b) Method of storage

Note: Published in the Gazette No.787, dt.27.11.1989.

All correction made in the terms of corrigendum No.S.O.115(E), dt.5.2.1990 published in the Gazette No. 59 dt.5.2.1990.

¹[SCHEDULE -11]

[See Rule 13(1)]

DETAILS TO BE FURNISHED IN THE ON-SITE EMERGENCY PLAN

1. Name and address of the person furnishing the information.
2. Key personnel of the organization and responsibilities assigned to them in case of an emergency
3. Outside organization if involved in assisting during on-site emergency:
 - (a) Type of accidents
 - (b) Responsibility assigned
4. Details of liaison arrangement between the organizations.
5. Information on the preliminary hazard analysis:
 - (a) Type of accidents
 - (b) System elements or events that can lead to a major accident
 - (c) Hazards
 - (d) Safety relevant components

¹ Inserted by Rule 16 of the MSIHC (Amendment) Rules, 1994 notified by S.O.2882, dated 3.10.1994.

6. Details about the site:
 - (a) Location of dangerous substances
 - (b) Seat of key personnel
 - (c) Emergency control room

7. Description of hazardous chemicals at plant site:
 - (a) Chemicals (Quantities and toxicological data)
 - (b) Transformation if any, which could occur.
 - (c) Purity of hazardous chemicals.

8. Likely dangers to the plant.

9. Enumerate effects of:
 - (i) Stress and strain caused during normal operation:
 - (ii) Fire and explosion inside the plant and effect if any, of fire and explosion outside.

10. Details regarding:
 - (i) Warning, alarm and safety and security systems.

- (ii) alarm and hazard control plans in line with disaster control and hazard control planning, ensuring the necessary technical and organizational precautions;
 - (iii) Reliable measuring instruments, control units and servicing of such equipments.
 - (iv) Precautions in designing of the foundation and load bearing parts of the building.
 - (v) Continuous surveillance of operations.
 - (vi) maintenance and repair work according to the generally recognized rules of good engineering practices.
11. Details of communication facilities available during emergency and those required for an off-site emergency.

12. Details of fire fighting and other facilities available and those required for an off-site emergency.
13. Details of first aid and hospital services available and its adequacy.

¹[**SCHEDULE 12**
[See Rule 14(1)]]

DETAILS TO BE FURNISHED IN THE OFF-SITE EMERGENCY PLAN

1. The types of accidents and release to be taken into account.
2. Organisations involved including key personnel and responsibilities and liaison arrangements between them.
3. Information about the site including likely locations of dangerous substances, personnel and emergency control rooms.
4. Technical information such as chemical and physical characteristics and dangers of the substances and plant.
5. Identify the facilities and transport routes.
6. Contact for further advice e.g. meteorological information, transport, temporary food and accommodation, first aid and hospital services, water and agricultural authorities.
7. Communication links including telephones, radios and standby methods.

¹ Inserted by Rule 16 of the MSIHC (Amendment) Rules, 1994 notified by S.O 2882, dated 3.10.1994

8. Special equipment including fire fighting materials, damage control and repair items.
9. Details of emergency response procedures.
10. Notify the public.
11. Evacuation arrangements.
12. Arrangements for dealing with the press and other media interests.
13. Longer term clean up.]

Note: Principal rules were published in Gazette of India vide Notification S.O. 966(E), dated 27.11.1989. Amending rules were published vide GSR No.681, dated 9.6.1990, S.O.115 (E), dated 5.2.1990, S.O.2882, dated 3.10.1994 and S.O.57 (E), dated 19.1.2000.

THE PUBLIC LIABILITY INSURANCE ACT, 1991

ARRANGEMENT OF SECTIONS

SECTIONS

1. Short title and commencement.
2. Definitions.
3. Liability to give relief in certain cases on principle of no fault.
4. Duty of owner to take out insurance policies.
5. Verification and publication of accident by Collector.
6. Application for claim for relief.
7. Award of relief.
- 7A. Establishment of Environmental Relief Fund.
8. Provisions as to other right to claim compensation for death, etc.
9. Power to call for information.
10. Power of entry and inspection.
11. Power of search and seizure.
12. Power to give directions.
13. Power to make application to Courts for restraining owner from handling hazardous substances.
14. Penalty for contravention.
15. Penalty for non-compliance of directions.
- 15A. Adjudicating officer.
- 15B. Appeal.
16. [Omitted.].
17. Penalty for contravention by Government Department.
- 17A. Penalty amount to be credited to Environmental Relief Fund.
- 17B. Offence for failure to pay penalty or additional penalty.
18. Cognizance of offences.
19. Power to delegate.
20. Protection of action taken in good faith.
21. Advisory Committee.
22. Effect of other laws.
23. Power to make rules.

THE SCHEDULE.—[Omitted.].

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THE PUBLIC LIABILITY INSURANCE ACT, 1991

ACT NO. 6 OF 1991

[22nd January, 1991.]

An Act to provide for public liability insurance for the purpose of providing immediate relief to the persons affected by accident occurring while handling any hazardous substance and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Forty-first Year of The Republic of India as follows:—

1. Short title and commencement.—(1) This Act may be called the Public Liability Insurance Act, 1991.

(2) It shall come into force on such date¹ as the Central Government may, by notification, appoint.

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

²[(a) “accident” means an accident involving a fortuitous or sudden or unintended occurrence while handling any hazardous substance resulting in continuous or intermittent or repeated exposure to death of, or injury to, any person or damage to any property but does not include an accident by reason only of war or radio-activity;]

(b) “Collector” means the Collector having jurisdiction over the area in which the accident occurs;

(c) “handling”, in relation to any hazardous substance, means the manufacture, processing, treatment, package, storage, transportation by vehicle, use, collection, destruction, conversion, offering for sale, transfer or the like of such hazardous substance;

(d) “hazardous substance” means any substance or preparation which is defined as hazardous substance under the Environment (Protection) Act, 1986 (29 of 1986), and exceeding such quantity as may be specified, by notification, by the Central Government;

(e) “insurance” means insurance against liability under sub-section (1) of section 3;

(f) “notification” means a notification published in the official Gazette;

³[(g) “owner” means a person who owns, or has control over handling, any hazardous substance at the time of accident and includes,—

(i) in the case of firm, any of its partners;

(ii) in the case of an association, any of its members; and

(iii) in the case of a company, any of its directors, managers, secretaries or other officers who is directly in charge of, and is responsible to, the company for the conduct of the business of the company;]

(h) “prescribed” means prescribed by rules made under this Act;

⁴[(ha) “property” includes any private property or public property affected or damaged by any unit or undertaking, due to manufacture, processing, treatment, package, storage, transportation, use, collection, destruction, conversion, transfer or such other processes of hazardous substance;]

⁵[⁶[(hb)] “Relief Fund” means the Environmental Relief Fund established under section 7A];

(i) “rules” means rules made under this Act;

1. 1st April, 1991, vide notification No. G.S.R 253, dated 27th March, 1991, see Gazette of India Ordinary, Part II sec. 3(i).

2. Subs. by Act 11 of 1992, s. 2, for clause (a) (w.e.f. 31-1-1992).

3. Subs. by s. 2, *ibid.*, for clause (g) (w.e.f. 31-1-1992).

4. Ins. by Act 18 of 2023, s. 2 and Schedule (w.e.f. 1-4-2024).

5. Ins. by Act 11 of 1992, s. 2, (w.e.f. 31-1-1992).

6. Clause (ha) shall be renumbered as clause (hb) thereof by Act 18 of 2023, s. 2 and Schedule (w.e.f. 1-4-2024).

(j) "vehicle" means any mode of surface transport other than railways.

¹[(k) words and expressions used and not defined in this Act but defined in the Transfer of Property Act, 1882 (4 of 1882), and the Environment (Protection) Act, 1986 (29 of 1986), shall have the meanings respectively assigned to them in those Acts.]

3. Liability to give relief in certain cases on principle of no fault.—²[(1) Where death or injury to any person (other than a workman) or damage to any property has resulted from an accident, the owner shall be liable to reimburse such amount, or provide such other relief as may be prescribed, for—

- (a) death due to fatal accident;
 - (b) medical expenses incurred due to total or partial disability;
 - (c) loss of wages due to partial disability;
 - (d) other injury or sickness;
 - (e) damage to private property;
- or
- (f) such other loss or damage, as may be prescribed.]

(2) In any claim for relief under sub-section (1) (hereinafter referred to in this Act as claim for relief), the claimant shall not be required to plead and establish that the death, injury or damage in respect of which the claim has been made was due to any wrongful act, neglect or default of any person.

Explanation.—For the purposes of this section,—

(i) "workman" has the meaning assigned to it in the Workmen's Compensation Act, 1923 (8 of 1923);

(ii) "injury" includes permanent total or permanent partial disability or sickness resulting out of an accident.

4. Duty of owner to take out insurance policies.—²[(1) Every owner of any undertaking shall take out, before he starts handling any hazardous substance, one or more insurance policies for such undertaking or unit providing for contracts of insurance whereby he is insured against liability to give such relief or reimburse such amount referred to in sub-section (1) of section 3.

Explanation.—For the purposes of this sub-section, it is hereby clarified that any undertaking having separate consent to operate under—

(i) the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974); and

(ii) the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981), shall be treated as a separate unit:

Provided that any owner handling any hazardous substance immediately before the commencement of the *Jan Vishwas (Amendment of Provisions) Act, 2023* shall take out such insurance policy or policies as soon as may be and in any case within a period of one year from commencement of that Act.]

(2) Every owner shall get the insurance policy, referred to in sub-section (1), renewed from time to time before the expiry of the period of validity thereof so that the insurance policies may remain in force throughout the period during which such handling is continued.

³[⁴[(2A) An insurance policy taken out or renewed by an owner for any undertaking or unit shall be for an amount which shall not be less than the amount of the paid-up capital of that undertaking or unit handling any hazardous substance owned or controlled by that owner and may extend to such amount as may be prescribed but not exceeding five hundred crore rupees.

1. Ins. by Act 18 of 2023, s. 2 and Schedule (w.e.f. 1-4-2024)

2. Subs. by s. 2 and Schedule, *ibid.*, for sub-section (1) (w.e.f. 1-4-2024).

3. Ins. by Act 11 of 1992, s. 3 (w.e.f. 31-1-1992).

4. Subs. by Act 18 of 2013, s. 2 and Schedule (w.e.f. 1-4-2024).

Explanation.— For the purposes of this sub-section “paid-up capital”, in relation to an owner not being a company, means the market value of all assets and stocks of the undertaking on the date of contract of insurance.]

(2B) The liability of the insurer under one assurance policy shall not exceed the amount specified in the terms of the contract of insurance in that insurance policy.

(2C) Every owner shall also, together with the amount of premium, pay to the insurer, for being credited to the Relief Fund established under section 7A, such further amount, not exceeding the sum equivalent to the amount of premium, as may be prescribed.

(2D) The insurer shall remit to the authority specified in sub-section (3) of section 7A the amount received from the owner under sub-section (2C) for being credited to the Relief Fund in such manner and within such period as may be prescribed and where the insurer fails to so remit the amount, it shall be recoverable from insurer as arrears of land revenue or of public demand.]

(3) The Central Government may, by notification, exempt from the operation of sub-section (1) any owner, namely:—

- (a) the Central Government;
- (b) any State Government;
- (c) any corporation owned or controlled by the Central Government or a State Government; or
- (d) any local authority:

Provided that no such order shall be made in relation to such owner unless a fund has been established and is maintained by that owner in accordance with the rules made in this behalf for meeting any liability under sub-section (1) of section 3.

5. Verification and publication of accident by Collector.—Whenever it comes to the notice of the Collector that an accident has occurred at any place within his jurisdiction, he shall verify the occurrence of such accident and cause publicity to be given in such manner as he deems fit for inviting applications under sub-section (1) of section 6.

6. Application for claim for relief.—(1) An application for claim for relief may be made—

- (a) by the person who has sustained the injury;
- (b) by the owner of the property to which the damage has been caused;
- (c) where death has resulted from the accident, by all or any of the legal representatives of the deceased; or
- (d) by any agent duly authorised by such person or owner of such property or all or any of the legal representatives of the deceased, as the case may be:

Provided that where all the legal representatives of the deceased have not joined in any such application for relief, the application shall be made on behalf of or for the benefit of all the legal representatives of the deceased and the legal representatives who have not so joined shall be impleaded as respondents to the application.

¹[(1A) Where any damage has been caused to any public property or private property due to manufacture, processing, treatment, package, storage, transportation, use, collection, destruction, conversion, transfer or such other processes, of such hazardous substance, an application for claim for restoration of the property may be made by the owner of the property or such other person, as may be prescribed, to the Collector.]

(2) Every application under sub-section (1) shall be made to the Collector and shall be in such form, contain such particulars and shall be accompanied by such documents as may be prescribed.

(3) No application for relief shall be entertained unless it is made within five years of the occurrence of the accident.

7. Award of relief.—(1) On receipt of an application under sub-section (1) of section 6, the Collector shall, after giving notice of the application to the owner and after giving the parties an opportunity of being heard, hold an inquiry into the claim or, each of the claims, and may make an award determining the amount of relief which appears to him to be just and specifying the person or persons to whom such amount of relief shall be paid.

(2) The Collector shall arrange to deliver copies of the award to the parties concerned expeditiously and in any case within a period of fifteen days from the date of the award.

¹[(3) When an award is made under this section,—

(a) the insurer, who is required to pay any amount in terms of such award and to the extent specified in sub-section (2B) of section 4, shall, within a period of thirty days of the date of announcement of the award, deposit that amount in such manner as the Collector may direct;

(b) the Collector shall arrange to pay from the Relief Fund, in terms of such award and in accordance with the scheme made under section 7A, to the person or persons referred to in sub-section (1) such amount as may be specified in that scheme;

(c) the owner shall, within such period, deposit such amount in such manner as the Collector may direct.]

(4) In holding any inquiry under sub-section (1), the Collector may, subject to any rules made in this behalf, follow such summary procedure as he thinks fit.

(5) The Collector shall have all the powers of Civil Court for the purpose of taking evidence on oath and of enforcing the attendance of witnesses and of compelling the discovery and production of documents and material objects and for such other purposes as may be prescribed; and the Collector shall be deemed to be a Civil Court for all the purposes of section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973 (2 of 1974).

(6) Where the insurer or the owner against whom the award is made under sub-section (1) fails to deposit the amount of such award within the period specified under sub-section (3), such amount shall be recoverable from the owner, or as the case may be, the insurer as arrears of land revenue or of public demand.

(7) A claim for relief in respect of death of, or injury to, any person or damage to any property shall be disposed of as expeditiously as possible and every endeavour shall be made to dispose of such claim within three months of the receipt of the application for relief under sub-section (1) of section 6.

²[(8) Where an owner is likely to remove or dispose of his property with the object of evading payment by him of any amount of award, the Collector may, in accordance with the provisions of rules 1 to 4 of Order XXXIX of the First Schedule to the Code of Civil Procedure, 1908 (5 of 1908), grant a temporary injunction to restrain such act.]

³[(9) Where the environment is affected or damaged due to manufacture, processing, treatment, package, storage, transportation, use, collection, destruction, conversion, transfer or such other processes, of such hazardous substance, the Central Government may, on an application made by the Central Pollution Control Board or the State Pollution Control Board, as the case may be, allocate the fund from the Environmental Relief Fund for restoration of the damage so caused in the manner as may be prescribed.]

⁴[7A. Establishment of Environmental Relief Fund.—(1) The Central Government may, by notification, establish a fund to be known as the Environmental Relief Fund.

1. Subs. by Act 11 of 1992, s. 4, for sub-section (3) (w.e.f. 31-1-1992).

2. Ins. by s. 4, *ibid.* (w.e.f. 31-1-1992).

3. Ins. by Act 18 of 2023, s. 2 and Schedule (w.e.f. 1-4-2024).

4. Ins. by Act 11 of 1992, s. 5, (w.e.f. 31-1-1992).

¹[(1A) There shall be credited to the Relief Fund established under sub-section (1)—

- (a) the amount referred to in sub-section (2C) of section 4;
- (b) the amount of penalty imposed under this Act;
- (c) the interest or other income received out of investments made from the Fund; and
- (d) any other amount from such sources, as may be prescribed.]

(2) The Relief Fund shall be utilised for paying, in accordance with the provisions of this Act and the scheme made under sub-section (3), relief under the award made by the Collector under section 7.

(3) The Central Government may, by notification, make a scheme specifying the authority in which the Relief Fund shall vest, the manner in which the Relief Fund shall be administered, the form and the manner in which money shall be drawn from the Relief Fund and for all other matters connected with or incidental to the administration of the Relief Fund and the payment of relief therefrom.]

8. Provisions as to other right to claim compensation for death, etc.—(1) The right to claim relief under sub-section (1) of section 3 in respect of death of, or injury to, any person or damage to any property shall be in addition to any other right to claim compensation in respect thereof under any other law for the time being in force.

(2) Notwithstanding anything contained in sub-section (1), where in respect of death of, or injury to, any person or damage to any property, the owner, liable to give claim for relief, is also liable to pay compensation under any other law, the amount of such compensation shall be reduced by the amount of relief paid under this Act.

9. Power to call for information.—Any person authorised by the Central Government may, for the purposes of ascertaining whether any requirements of this Act or of any rule or of any direction given under this Act have been complied with, require any owner to submit to that person such information as that person may reasonably think necessary.

10. Power of entry and inspection.—Any person, authorised by the Central Government in this behalf, shall have a right to enter, at all reasonable times with such assistance as he considers necessary, any place, premises or vehicle, where hazardous substance is handled for the purpose of determining whether any provisions of this Act or of any rule or of any direction given under this Act is being or has been complied with and such owner is bound to render all assistance to such person.

11. Power of search and seizure.—(1) If a person, authorised by the Central Government in this behalf, has reason to believe that handling of any hazardous substance is taking place in any place, premises or vehicle, in contravention of sub-section (1) of section 4, he may enter into and search such place, premises or vehicle for such handling of hazardous substance.

(2) Where, as a result of any search under sub-section (1) any handling of hazardous substance has been found in relation to which contravention of sub-section (1) of section 4 has taken place, he may seize such hazardous substance and other things which, in his opinion, will be useful for, or relevant to, any proceeding under this Act:

Provided that where it is not practicable to seize any such substance or thing, he may serve on the owner an order that the owner shall not remove, part with, or otherwise deal with, the hazardous substance and such other things except with the previous permission of that person.

(3) He may, if he has reason to believe that it is expedient so to do to prevent an accident dispose of the hazardous substance seized under sub-section (2) immediately in such manner as he may deem fit.

(4) All expenses incurred by him in the disposal of hazardous substances under sub-section (3) shall be recoverable from the owner as arrears of land revenue or of public demand.

12. Power to give directions.—Notwithstanding anything contained in any other law but subject to the provisions of this Act, the Central Government may, in exercise of its powers and performance of its

1. Ins. by Act 18 of 2023, s. 2 and Schedule (w.e.f. 1-4-2024).

functions under this Act, issue such directions in writing as it may deem fit for the purposes of this Act to any owner or any person, officer, authority or agency and such owner, person, officer, authority or agency shall be bound to comply with such directions.

Explanation.—For the removal of doubts, it is hereby declared that the power to issue directions under this section includes the power to direct—

- (a) prohibition or regulation of the handling of any hazardous substance; or
- (b) stoppage or regulation of the supply of electricity, water or any other service.

13. Power to make application to Courts for restraining owner from handling hazardous substances.—(1) If the Central Government or any person authorised by that Government in this behalf has reason to believe that any owner has been handling any hazardous substance in contravention of any of the provisions of this Act, that Government or, as the case may be, that person may make an application to a Court, not inferior to that of a Metropolitan Magistrate or a Judicial Magistrate first class for restraining such owner from such handling.

(2) On receipt of the application under sub-section (1), the Court may make such order as it deems fit.

(3) Where under sub-section (2), the Court makes an order restraining any owner from handling hazardous substance, it may, in that order—

(a) direct such owner to desist from such handling;

(b) authorise the Central Government or, as the case may be, the person referred to in sub-section(1), if the direction under clause (a) is not complied with by the owner to whom such direction is issued, to implement the direction in such manner as may be specified by the Court.

(4) All expenses incurred by the Central Government, or as the case may be, the person in implementing the directions of Court under clause (b) of sub-section (3), shall be recoverable from the owner as arrears of land revenue or of public demand.

14. Penalty for contravention.— (1) Where any person contravenes any of the provisions of sub-section (1), sub-section (2), sub-section (2A) or sub-section (2C) of section 4, he shall be liable to penalty equal to the amount of annual premium for insurance policy and may extend to twice the amount of such premium.

(2) Where contravention under subsection (1) continues, an additional penalty may be imposed by the adjudicating officer, which shall not exceed the amount of premium to be paid, for each month or part thereof during which the contravention continues.

15. Penalty for non-compliance of directions.—(1) Where any person does not comply with any direction issued under section 12, he shall be liable to penalty which shall not be less than ten thousand rupees which may extend to fifteen lakh rupees.

(2) Where any person continues non-compliance under sub-section (1), he shall be liable to additional penalty to be imposed by the adjudicating officer, which shall not be less than ten thousand rupees for every day during which such non-compliance continues.

(3) Where any owner does not comply with the direction issued under section 9 or obstructs any person in discharge of his functions under section 10 or under sub-sections (1), (2) or (3) of section 11, he shall be liable to penalty which shall not be less than ten thousand rupees but which may extend to fifteen lakh rupees.

(4) Where any person continues non-compliance under sub-section (3), he shall be liable to additional penalty of ten thousand rupees for every day during which such non-compliance continues.

15A. Adjudicating officer.— (1) The Central Government, for the purposes of determining the penalties under sections 14 or 15, may appoint the District Magistrate having jurisdiction over the area or an officer not below the rank of Director to the Government of India or an officer not below the rank of

Joint Secretary to the State Government, to be the adjudicating officer, to hold an inquiry and impose penalty in the manner, as may be prescribed:

Provided that the Central Government may appoint as many adjudicating officers as may be required.

(2) The adjudicating officer may summon and enforce the attendance of any person acquainted with the facts and circumstances of the case to give evidence or to produce any document, which in the opinion of the adjudicating officer, may be useful for, or relevant to, the subject matter of the inquiry and if, on such inquiry, he is satisfied that the person concerned has failed to comply with the provisions of sub-section (1), sub-section (2), sub-section (2A) or sub-section (2C) of section 4 and section 12, he may determine such penalty as he thinks fit under the provisions of sections 14 and 15:

Provided that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard.

15B. Appeal.—(1) Whoever aggrieved by the order, passed by the adjudicating officer under section 15A, may prefer an appeal to the National Green Tribunal established under section 3 of the National Green Tribunal Act, 2010 (19 of 2010).

(2) Every appeal under sub-section (1) shall be filed within sixty days from the date on which the copy of the order made by the adjudicating officer is received by the aggrieved person.

(3) The Tribunal may, after giving the parties to the appeal an opportunity of being heard, pass such order as it thinks fit, confirming, modifying or setting aside the order appealed against.

(4) Where an appeal is preferred against any order of the adjudicating officer under sub-section (1), such appeal shall not be entertained by the Tribunal unless such person has deposited with the Tribunal ten per cent. of the amount of the penalty imposed by the adjudicating officer.]

16. [Offences by companies.]—*Omitted by the Jan Vishwas (Amendment of Provisions) Act, 2023 (18 of 2023), s. 2 and Schedule (w.e.f. 1-4-2024).*

[17. Penalty for contravention by Government Department.—(1) Where contravention of any provision of this Act has been committed by any Department of the Central Government or State Government, the Head of the Department shall be liable to penalty equal to one month of his basic salary:

Provided that he shall not be liable for such contravention, if he proves that the contravention was committed without his knowledge or instructions or that he exercised all due diligence to prevent such contravention.

(2) Where any contravention under sub-section (1) is attributable to any neglect on the part of, any officer, other than the Head of the Department, he shall be liable to penalty equal to one month of his basic salary:

Provided that he shall not be liable for the contravention, if he proves that he exercised all due diligence to avoid such contravention.

17A. Penalty amount to be credited to Environmental Relief Fund.—Where any penalty or additional penalty, as the case may be, is imposed under section 14 or section 15 or section 17, the amount of such penalty shall be credited to the Environmental Relief Fund established under section 7A.

17B. Offence for failure to pay penalty or additional penalty.—(1) Where any person fails to pay the penalty or additional penalty imposed for—

(a) contravention or continued contravention under section 14 or 17, as the case may be; or

(b) non-compliance of the directions issued under section 15, within ninety days of such imposition, he shall be liable for imprisonment which may extend to three years or with fine which may extend up to fifteen lakh rupees, or with both.

(2) Where any offence under subsection (1) has been committed by a company, every person who, at the time the offence was committed, was directly in charge of, and was responsible to, the company for

the conduct of the business of the company, as well as the company, shall be deemed to be guilty of such offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(3) Notwithstanding anything contained in sub-section (2), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director,

manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

- (a) “company” means any body corporate and includes a firm or other association of individuals;
- (b) “director” includes director of the company and in relation to a firm, a partner in the firm.]

18. Cognizance of offences.—No court shall take cognizance of any offence under this Act except on a complaint made by—

(a) the Central Government or any authority or officer authorised in this behalf by that Government; or

(b) any person who has given notice of not less than sixty days in the manner prescribed, of the alleged offence and of his intention to make a complaint, to the Central Government or the authority or officer authorised as aforesaid.

19. Power to delegate.—The Central Government may, by notification, delegate, subject to such conditions and limitations as may be specified in the notification, such of its powers and functions under this Act (except the power under section 23) as it may deem necessary or expedient to any person (including any officer, authority or other agency).

20. Protection of action taken in good faith.—No suit, prosecution or other legal proceeding shall lie against the Government or the person, officer, authority or other agency in respect of anything which is done or intended to be done in good faith in pursuance of this Act or the rules made or orders or directions issued thereunder.

21. Advisory Committee.—(1) The Central Government may, from time to time, constitute an Advisory Committee on the matters relating to the insurance policy under this Act.

(2) The Advisory Committee shall consist of—

- (a) three officers representing the Central Government;
- (b) two persons representing the insurers;
- (c) two persons representing the owners; and
- (d) two persons from amongst the experts of insurance or hazardous substances.

to be appointed by the Central Government.

(3) The Chairman of the Advisory Committee shall be one of the members representing the Central Government, nominated in this behalf by that Government.

22. Effect of other laws.—The provisions of this Act and any rules made thereunder shall have effect notwithstanding anything inconsistent therewith contained in any other law.

23. Power to make rules.—(1) The Central Government may, by notification, make rules for carrying out the purposes of this Act.



**THE PUBLIC LIABILITY
INSURANCE RULES, 1991**

(As amended to date)

THE PUBLIC LIABILITY INSURANCE RULES, 1991

MINISTRY OF ENVIRONMENT AND FORESTS

(Department of Environment, Forests and Wildlife)

NOTIFICATION¹

New Delhi, the 15th May, 1991

S.O.330(E). - In exercise of the powers conferred by section 23 of the Public Liability Insurance Act, 1991, the Central Government hereby makes the following rules, namely : -

1. SHORT TITLE AND COMMENCEMENT

(1) These rules may be called the Public Liability Insurance Rules, 1991.

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

2. DEFINITIONS

In these rules, unless the context otherwise requires : -

- (a) "Act" means the Public Liability Insurance Act, 1991 (6 of 1991)
- (b) "Advisory Committee" means the committee constituted by the Central Government in accordance with section 21 of the Act called the Public Liability Insurance Advisory Committee (PLIAC) ;
- (c) "Authorised physician" means any person registered under any Central Act or State Act providing for the maintenance of a register of medical practitioners or in any area where no such last mentioned Act is in force, any person declared by State Government by notification in the Official Gazette to be a qualified medical practitioner.
- (d) ²["Fund" means the Public Liability Insurance Fund established] and maintained by an owner in accordance with provision to sub-section (3) of section 4 of the Act.
- (e) Words and expressions used in these rules but not defined and defined in the Act shall have the meanings respectively assigned to them in these Acts.

¹ Extract from the Gazette of India : Part II, Sec. 3, Sub-Sec. (ii) dated 15.5.91.

² Substituted by Rule 2 of the PLI(Amendment) Rules, 1993 notified vide G.S.R. 391(E), dt. 23.4.1993.



3. APPLICATION FOR RELIEF

An application for claim for relief shall be made to the Collector in Form I.

4. DOCUMENTS THAT MAY BE REQUIRED

The claim application shall be made to the Collector in Form I accompanied by such of the following documents as may be applicable.

- (i) Certificate of an authorised physician regarding disability or injury or illness caused by the accident;
- (ii) Death Certificate and/or post mortem report in the case of fatal accident;
- (iii) Certificate of the employer regarding loss of wages due to temporary or partial disability, with proof of hospitalisation for a period exceeding three days and certificate about the date of birth or age of victim;
- (iv) Medical bills and receipts;
- (v) Certificate of cost of repairs or replacement of private property damaged by the accident;
- (vi) Any other documents which may have relevance to the claim.

5. POWERS OF COLLECTOR

- (i) The Collector may follow such summary procedure for conducting an inquiry on an application for relief under the Act, as he thinks fit.
- (ii) The Collector shall have all the powers of a Civil Court for the following purposes namely : -
 - (a) summoning and enforcing the attendance of any person and examining him on oath;
 - (b) requiring the discovery and production of documents;
 - (c) receiving evidence on affidavits;
 - (d) subject to the provisions of sections 123 and 124 of the Indian Evidence Act, 1872, requisitioning any public record or document or copy of such record or document from any office ;

- (e) issuing commissions for the examining of witness or documents;
- (f) dismissing an application for default or proceeding ex-prate;
- (g) setting aside any order of dismissal of any application for default or any order passed by it ex-parte;
- (h) inherent powers of a civil court as served under section 151 of the Code of Civil Procedure, 1908.

6. ESTABLISHMENT AND ADMINISTRATION OF FUND

¹[(1) An owner seeking exemption under sub-section (3) of section 4 of the Act shall, with the prior approval of the Central Government create and maintain a Fund for an amount of Rs.5 crores or for an amount equal to the paid up capital of the undertaking handling hazardous substances, whichever is less, in the State Bank of India or any of its subsidiaries or any nationalised Bank, and which will be available readily for meeting the liability of that owner under the Act.]

(2) The fund to be created shall be utilised for the purpose of meeting the liability arising out of any claim awarded against the owner who has created the fund and to discharge the amount awarded by the Collector.

(3) The fund shall be operated by an Administrator to be nominated by the owner. The owner shall notify the nomination of the Administrator to the Central Government.

7. MISCELLANEOUS

(1) The Collector shall maintain a register of the application for relief or claim petitions, and, a register of awards and payment made thereunder.

(2) These Registers shall be kept open to Public inspection from 11.00 A.M. to 1 P.M. and 2 P.M. to 5 P.M. on every working day.

(3) On a request from a concerned person, the Collector shall supply a copy of or extract from any particulars entered in the registers mentioned above to be true copy or extract thereof.

¹ Substituted by Rule 2 (b) of the PLI(Amendment) Rules, 1993 notified vide G.S.R. 391(E), dt. 23.4.1993.



(4) A copy of or extract from the register(s) of the Collector as certified under the hand of the Collector or any officer authorised to act in this behalf shall in all legal proceedings, be admissible as evidence as of equal validity with the original.

¹8. DIRECTIONS

(1) Any direction issued under section 12 shall be in writing.

(2) The direction shall specify the nature of action to be taken and the time within which it shall be complied with by any owner, person, officer, authority or agency to whom such direction is given.

(3) The owner, person, officer authority or agency to whom any direction is sought to be issued, shall be served with a copy of the proposed direction and shall be given an opportunity of not less than fifteen days from the date of service of the notice to file, with an officer designated in this behalf, the objections, if any, to the issue to the proposed direction.

(4) The Government shall within a period of forty five days from the date of receipt of the objections, or from the date upto which an opportunity is given to the owner, person, officer, authority or agency to file objections, whichever is earlier after considering the objections, if any, received from the owner, person, officer, authority or agency sought to be directed and for reasons to be recorded in writing, confirm, modify or decide not to issue the proposed direction.

(5) In a case where the Government is of the opinion that in view of the likelihood of a grave injury to the public it is not expedient to provide an opportunity to file objections against the proposed direction, it may, for reasons to be recorded in writing, issue directions without providing such an opportunity.

(6) Every notice or direction required to be issued under this rule shall be deemed to be duly served.

(a) where the person to be served is a company, if the document addressed in name of the company, at its registered office or at its principal office or place of business, and is either,

(i) sent by registered post; or

(ii) delivered or affixed at some conspicuous part of the premises at its registered office or at the principal office or place of business;

¹ Inserted rule 8 and 9 by the Rule 2 of the PLI (Amendment) Rules, 1991 notified vide G.S.R. 596(E), dated 20.9.1991.



- (b) where the person to be served is an owner serving in Government, if the document is addressed to the person and a copy thereof is endorsed to his Head of the Department and also to the Secretary to the Government, as the case may be, incharge of the Department in which, for the time being, the business relating to the Department, in which the officer is employed, is transacted and is either, -
 - (i) sent by registered post; or
 - (ii) is given or tendered to him.
- (c) in any other case, if the document is addressed to the person to be served, and -
 - (i) is given or tendered to him; or
 - (ii) if such person cannot be found, is affixed on some conspicuous part of his last known place or residence or business, or is given or tendered to some adult member of his family or is affixed on some conspicuous part of the land or building, if any, to which relates, or
 - (iii) is sent by registered post to that person.

Explanation -For the purpose of this rule : -

- (a) "Company" means any body corporate and includes a firm or other association of individuals;
- (b) " a Servant" not a member of the family].

¹[9. MANNER OF GIVING NOTICE

The manner of giving notice under clause (b) of section 18 shall be as follows : -

- (a) The notice shall be in writing in Form II.
- (b) The person giving notice may sent a copy of the same to -
 - (i) if the alleged offence has taken place in a Union Territory-
 - (a) the Central Board or the Committee/person or body of persons delegated the powers of the Central Board under the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) and

¹ Inserted rule 8 and 9 by the Rule 2 of the PLI (Amendment) Rules, 1991 notified vide G.S.R.596(E), dated 20.9.1991.

Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981); and

(b) Ministry of Environment & Forests (represented by the Secretary to the Government of India);

(ii) if the alleged offence has taken place in the State -

(a) the State Board for the Prevention and Control of Water Pollution constituted under the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974); and

(b) the Governor of the State (represented by the Secretary to the State Government incharge of Environment) ; and

(c) the Ministry of Environment & Forests (represented by the Secretary to the Government of India);

(iii) if the alleged offence has taken place in a District, the District Collector.

(a) The notice shall be sent by registered post acknowledgement due; and

(b) The period of sixty days mentioned in clause (b) of section 18 the Act, (6 of 1991) shall be reckoned from the date it is first received by one of the authorities mentioned above.]

¹[10. EXTEND OF LIABILITY

(1) Subject to the provision of sub-section (2A) of section 4 of the Act, the maximum aggregate liability of the insurer to pay relief under an award to the several claimants arising out of an accident shall not exceed rupees five crores and in case of more than one accident during the currency of the policy or one year, whichever is less, shall not exceed rupees fifteen crores in the aggregate.

(2) In awarding relief under the Act, the Collector shall ensure that the insurer's maximum liability under the Insurance Policy does not exceed the limits stipulated in sub-rule (1).

¹ Inserted 'rule 10' by Rule 2 of the PLI (Amendment) Rules, 1992 notified vide G.S.R. 87(E), dated 6.2.1992.



(3) Any award for relief which exceeds the amounts payable under the Insurance Policy shall be met from the Relief Fund and in case of award exceeds the total of the amount of insurance and the Relief Fund, the amount which falls short of such sum payable shall be by the owner.

¹[(4) Notwithstanding anything contained in sub-rule (3), where an owner is exempted under sub-section (3) of Section 4 of the Act, he shall be liable to discharge all the claims arising out of an accident.]

²[11. CONTRIBUTION OF OWNER TO THE ENVIRONMENTAL RELIEF FUND

(1) ³[An owner unless exempted under sub-section (3) of section 4 of the Act shall contribute]to the Environmental Relief fund a sum equal to the premium payable to the insurer.

(2) Every contribution to the Environmental Relief Fund under sub-rule (1) shall be payable to the insurer, together with the amount of premium.

(3) The contribution receiving by the insurer shall be remitted as per the scheme under section 7A of the Act].

¹ Inserted 'sub-rule (4)' by Rule 2(c) of the PLI (Amendment) Rules, 1993 notified vide G.S.R. 391(E), dated 23.4.1993.

² Inserted 'rule 11' by Rule 2 of the PLI (Amendment) Rules, 1992 notified Vide G.S.R. 87(E), dated 6.2.1992.

³ Substituted by Rule 2(d) of the PLI (Amendment) Rules, 1993 notified Vide G.S.R.391(E), dated 23.4.1993.



FORM 1
FORM OF APPLICATION FOR COMPENSATION

Shri/Shrimati/Kumari* _____
Son of/daughter of /Widow* of Shri _____ who
died/had sustained injuries in an accident on _____
_____ at _____ particulars in respect of
accident and other information are given below : -

1. Name and Father's name of person injured/dead (husband's name in case of married woman or widow)
2. Address of the person injured/dead.
3. Age _____ Date of Birth _____
4. Sex of the person injured/dead:
5. Place, date and time of accident:
6. Occupation of the person injured/dead:
7. Nature of injuries sustained :
8. Name and Address of Police Station in whose jurisdiction accident took place or was registered:
9. Name and Address of the Medical Officer/Practitioner who attended on the injured/dead:
10. Name and address of the Claimant/claimants :
11. Relationship with the deceased :
12. Any other information that may be considered necessary or helpful in the disposal of the claim :

I hereby swear and affirm that all the facts noted above are true to the best of my knowledge and belief.

SIGNATURE OF THE CLAIMANT

* strike out which ever is not applicable



FORM - II

FORM OF NOTICE

[See rule 9(1)]

By Registered post acknowledgement due

From *

To,

Notice under clause (b) of Section 18 of the Public Liability Insurance Act, 1991;

Whereas it appears to me/us that an offence under the Public Liability Insurance Act, 1991 (6 of 1991) has been committed/ is being committed by **

I/We hereby give notice of sixty days under clause (b) of section 18 of the Public Liability Insurance Act, 1991 of my/our intention to file a complaint in the court against
(2)

¹ Inserted by Rule 2 of the PLI (Amendment) Rules, 1991, notified vide G.S.R. 596(E), dated 20.9.1991.



for violation of section of the Public Liability Insurance Act, 1991.

I/We, in support of this notice, hereby enclose the following documents *** evidence of proof of violation of the Public Liability Insurance Act, 1991 :-

Place _____

Date _____

Signature :

- * In case the notice is given in the name of a company, documentary evidence authorising the person to sign the notice shall be enclosed to this notice.
- ** here give the name and address of the alleged offender. In case of handling/manufacturing/processing/operating unit indicate the name of the unit/location and nature of activity,
- *** Documentary evidence includes photographs/technical report/health reports of the area; relating to the alleged violation/offence.]